

**City of Alexandria  
City Council Legislative Meeting  
Saturday, April 17, 2021 9:30AM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

Absent: Absent:

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Roberts, Assistant City Attorney; Mr. DiBeneditto, Assistant City Attorney; Ms. K. Taylor, Director, Finance; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Cooper, Urban Planner, P&Z; Mr. Lucarelli, Urban Planner, P&Z; Mr. Routt, Director, Office of Management and Budget; Mr. LaColla, Division Chief, P&Z; Ms. Sample, Urban Planner, P&Z; Mr. Knight, T&ES; Mr. Sharma, Deputy Director, T&ES; Ms. S. Taylor, Legislative Director/Assistant City Manager; Ms. Miliaras, Urban Planner, P&Z; Ms. Eckert, Department of Community and Human Services; Ms. Mayeur, T&ES; Mr. Boulden, T&ES; Mr. Dofflemyer, T&ES; Mr. Barre, Information Technology Service (ITS); Mr. Smith, ITS; Mr. Bradford, ITS; and Ms. Demeke, ITS.

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

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**OPENING**

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via Zoom webinar.

2. Resolution Finding Need to Conduct City Council Meeting Electronically.  
[ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded Vice Mayor

Bennett-Parker and carried unanimously by roll-call vote, City Council adopted the resolution finding need to conduct City Council meetings electronically. 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. 2986**

### **Resolution Finding Need to Conduct City Council Meeting Electronically**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia (the "City"), pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to by the City Council on March 14, 2020, pursuant to City Resolution No. 2928, as required by applicable law; on June 9, 2020, the City Manager extended such Declaration of Local Emergency through September 30, 2020 which extension was unanimously consented to by the City Council on June 9, 2020; on September 22, 2020, the City Manager extended such Declaration of Local Emergency through March 31, 2021 which extension was unanimously consented to by the City Council on September 22, 2020; on March 23, 2021, the City Manager extended such Declaration of Local Emergency through September 30, 2021 which extension was unanimously consented to by the City Council on March 23, 2021; (the "City Declaration"); and

**WHEREAS**, the City Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code § 44-146.16 being a “communicable disease of public health threat;” and

**WHEREAS**, on April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB29 and HB30 (Virginia Acts of Assembly Chapters 1283 and 1289), Section 4-0.01(g), that expressly authorize “any public body, including any state, local, [or] regional body” to “meet by electronic means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . . , provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities” among other provisions; and

**THEREFORE, BE IT RESOLVED**, that the City Council of the City of Alexandria, Virginia, hereby finds that the nature of the declared emergency makes it both impracticable and unsafe for the Council to assemble in a single location for its meeting on this date to discuss and transact the business of the City listed on the docket; and

**BE IT FINALLY RESOLVED**, that the City Council hereby finds that the items on the docket for this date are statutorily required or necessary to continue operations of the public body and the discharge of its lawful purposes, duties, and responsibilities.

### 3. Public Discussion Period

PLEASE NOTE: The Collective Bargaining Ordinance is Docket Item #6. This comment period is for items not listed on the docket.

The following person participated in the public discussion period:

1. Joe Sestak, Alexandria, thanks the Transportation staff for helping him identify high crash intersection and inclusion in the City’s transportation plan.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public discussion period. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR (4)**

## **Planning Commission**

4. Special Use Permit #2021-00008

1310 Braddock Place

Public Hearing and consideration of a request for a Special Use Permits for two illuminated wall signs higher than 35 feet and for the installation of a monument sign; zoned: CRMU-H/ Commercial residential mixed use (high). Applicant: United States Senate Federal Credit Union, represented by Robert D. Brant, attorney

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 04/17/21, and is incorporated as part of this record by reference.)

\*\*\*City Council considered passage of items 14, 16, and 17 at this point in the meeting.\*\*\*

## **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the Consent Calendar. The approval was as follows:

4. City Council approved the Planning Commission recommendation.

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.

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

5. Public Hearing for the Alexandria Children and Youth Master Plan 2025.

(A copy of the City Manager's memorandum dated March 17, 2021 is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 04/17/21, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing on this item:

1. Allen Lomax, Alexandria, spoke in support of the Master Plan.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing for the Alexandria Children and Youth Master Plan 2025 and adopted the plan. 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.

6. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Title 2 of the Code of the City of Alexandria, Virginia, General Government, Chapter 5, Officers and Employees, by adding Article E, Collective Bargaining. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated April 12, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 04/17/21, 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 Item No. 6; 04/17/21, 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 Item No. 6; 04/17/21, and is incorporated as part of this record by reference.)

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

1. Heidi Meizner, Alexandria, representing the
2. Nelva Hernandez, Alexandria, spoke in support of the ordinance.
3. Velicia Tucker, Alexandria, spoke in support of the ordinance.
4. Robert Hollingsworth, Washington, D.C, representing employees, spoke in support of the ordinance with the proposed amendments.
5. Steven Kreisberg, Washington, D.C., spoke in support of the ordinance with the proposed amendments.
6. Megan Ellzy, Alexandria, spoke in support of the ordinance.
7. Barbara Aboagye, City employee, spoke in support of the ordinance.
8. Josh Turner, Alexandria, spoke in support of the ordinance.
9. Luis Velez Torrez, spoke in support the ordinance with amendments.
10. James Rodriguez, Alexandria, spoke in support of the ordinance.
11. Townson Cocke, Alexandria, spoke in support of the ordinance.

**WHEREUPON**, upon motion Councilwoman Jackson, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing meeting. 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.

**A motion was made by** Vice Mayor Bennett-Parker, seconded by Councilman Chapman to adopt an ordinance to amend Title 2 of the Code of the City of Alexandria, Virginia, General Government, Chapter 5, Officers and Employees, by adding Article E, Collective Bargaining.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted an ordinance to amend Title 2 of the Code of the City of Alexandria, Virginia, General Government, Chapter 5, Officers and Employees, by adding Article E, Collective Bargaining, with the following amendments:

- 2-5-68 -remove #7 the exclusion of probationary employees (p.3, Line 14)
- Add Language as follows: The City retains the ability and authority to continue to implement the current administrative regulations in the management of probationary employees. (p. 6, Line 12)
- p. 3. Line 25-31, strike the definition of grievances
- p. 16, Line 41 (c) Grievance procedures: Any procedures for resolution of grievances, as defined in Virginia Code Section 15.2-1507(1) (clarification and code update)
- Change "professional and technical" bargaining unit to just "professional" and the "administrative and clerical" bargaining unit to "administrative and technical" and use the definitions of those as shown in the docket memo.
- P. 13, Line 28 – reference staff recommendation to further amend Section 2-5-78(c)(2) to refer to both Section 2-5-70 (b) and (c)
- P. 5 – definition of supervisor- adding language that states that City Manager or City Manager's designee shall meet and confer with police and fire supervisors ineligible to bargain collectively regarding matters within the scope of collective bargaining as specified in this article with the specific intent to address salary compression as commonly defined or understood resulting from collective bargaining with eligible police and fire uniformed employees.
- Add to 2-5-68 – new definition of administrative employee - Administrative employee means an employee whose primary duty is the performance of office or non-manual work directly related to or in furtherance of the management or general business operations and services of the City.

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 ordinance reads as follows:

## ORDINANCE NO. 5336

An ORDINANCE to amend Title 2 of the Code of the City of Alexandria, Virginia, General Government, Chapter 5, Officers and Employees, by adding Article E, Collective Bargaining, Sections 2-5-67 through 2-5-80.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 2, Chapter 5, Article E of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, added as follows:

### **CHAPTER 5 - OFFICERS AND EMPLOYEES**

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### **ARTICLE E - COLLECTIVE BARGAINING**

#### **Sec. 2-5-67 - Statement of Policy.**

It is the public policy of the City of Alexandria and the purpose of this article to promote orderly and constructive relationships between the city and its employees subject, however, to the supreme right of the citizens of the city that their government honor guarantees for their health, safety, welfare, and the uninterrupted operations and functions of government. Because unresolved disputes between the city and its employees are detrimental to the public and to city employees, adequate means must be established for their speedy and effective resolution. Within the limitations required by the greater public interest, and recognizing that amicable relationships are required between the city and its employees, the city council has determined that the overall policies set forth here may best be accomplished by (1) granting to city employees the right to organize and choose freely their representatives; (2) permitting the city to negotiate and bargain in good faith with employee organizations representing city employees and to enter into written agreements evidencing the result of such bargaining; and (3) establishing procedures to provide for the protection of the rights of the city, city employees and the public at large.

The council establishes this policy with the intent that city employees enjoy the right to bargain collectively within parameters that promote a government that provides ethical, effective and efficient services that are responsive to the community and focused on improving quality of life through the services of well-qualified staff who value and work to actively promote policies (1) to achieve and maintain diversity, equity and inclusion in city government, and (2) to advance all things reasonably necessary to achieve organizational excellence, while at all times elevating principles of cooperation, ethics, honesty, initiative, and learning.

#### **Sec. 2-5-68 - Definitions.**

As used in *this* article, the following terms shall have the meanings ascribed to them in this section:

*Administrative employee* means an employee whose primary duty is the performance of office or non-manual work directly related to or in furtherance of the management or general business operations and services of the city.

*Arbitration* means the procedure by which the city and an exclusive bargaining representative when involved in a labor-management dispute, as defined in this article, submit their differences to a third party for a final and binding decision subject to the provisions of this article.

*Benefits* means, for the purpose of this article, leave (paid and unpaid, vacation, and holidays), insurance (including contributions and levels of coverage), general supplemental retirement plans, and police and fire retirement plans presently made available under city authority.

*City* means the City of Alexandria acting through its city manager or the city manager's designee.

*Collective Bargaining* means to perform the mutual obligation of the city, by its representatives, and the exclusive bargaining representative of employees in an appropriate bargaining unit to meet and negotiate in good faith at reasonable times and places regarding wages and benefits (as the term benefits is defined herein), hours, and other terms and conditions of employment, including procedures to resolve employee grievances, but excluding discipline, with the good faith intention of reaching an agreement of no shorter duration than three (3) years and remaining in effect until superseded by a new agreement. Any agreement reached by collective bargaining shall be subject to appropriation of funds by the city council.

The city shall not negotiate as to matters controlled or preempted by any federal or state constitutional provision, law, rule or regulation.

*Collective bargaining agreement* means the written legal contract between the city and an exclusive bargaining agent representing the employees in a bargaining unit authorized by this article and resulting from collective bargaining as defined in this section.

*Confidential employee* means any employee who works in or for:

- (1) the office of the city council;
- (2) the office of the city manager;
- (3) the office of the city attorney;

- (4) the Department of Human Resources or other department or position in which the employee has authorized access to confidential city personnel files;
- (5) the Office of Management and Budget; or
- (6) is a secretary, administrative assistant, management analyst, or any other position, wherever assigned and however those titles may be changed from time to time, with authorized access to confidential information pertaining to city budgetary and fiscal data relevant to subjects within the scope of collective bargaining as set forth in this article.

*Employee* means any employee of the city, except it does *not* include anyone who is:

- (1) an employee of the courts or of any local constitutional officer, i.e., officers elected pursuant to Article VII, Section 4 of the Constitution of Virginia;
- (2) a confidential employee, as defined in this section;
- (3) a managerial employee, as defined in this section;
- (4) a supervisor, as defined in this section;
- (5) an intermittent, temporary or seasonal employee, as defined in this section;
- (6) an intern or volunteer;
- (7) a member of a board or commission, or other appointee of any public body as defined by state law; or
- (8) An attorney whose responsibilities include providing legal advice to the city or performing legal research for the city as a client.

*Employee organization* means an organization in which employees participate, and that exists for the purpose, in whole or in part, of representing employees in collective bargaining concerning labor disputes, wages, hours, and other terms and conditions of employment.

*Exclusive bargaining representative* and *exclusive bargaining agent* mean the employee organization recognized by the City as the only organization to bargain collectively for all employees in a bargaining unit (as defined in section 2-5-72).

*Impasse* means the failure of the city and an exclusive bargaining representative to reach agreement in the course of collective bargaining negotiations.

*Intermittent employee* means irregular or variably recurring, hourly employment that is less than full time in any calendar year.

*Labor-management dispute* means a difference of position as between the city and an exclusive bargaining agent concerning administration or interpretation of the collective bargaining agreement between them; negotiability disputes; action challenged as a prohibited practice under Sec. 2-5-82; and questions of eligibility of disputes for resolution by arbitration. It shall not include an individual grievance as defined by Virginia Code Section 15.2-1507(A)(1).

*Lockout* means any action taken by the city intended to interrupt or prevent the continuity of work properly and usually performed by employees for the purpose of coercing or intimidating employees in the exercise of their rights conferred by this article, or influencing their exclusive bargaining agents' positions in collective bargaining contract negotiations.

*Managerial employee* means any individual who:

- (1) has responsibility for a unit or sub-unit of a division of an agency or department;
- (2) participates in the formulation of policy;
- (3) is significantly engaged in executive or management functions;
- (4) is charged with the responsibility of directing the implementation of management policies, procedures or practices; or
- (5) is involved in administration of collective bargaining agreements or human resources or personnel decisions, including, but not limited to, staffing, reductions-in-force/layoffs, reorganizations, hiring, discipline, evaluations, pay, assignments, transfers, promotions or demotions.

*Mediation* means an effort by a neutral, third-party factfinder chosen under the terms of this article to assist confidentially in resolving an impasse, as defined in this section, arising in the course of collective bargaining between the city and the exclusive bargaining agent of a bargaining unit, or the first step prior to arbitration of a labor-management dispute other than a prohibited practice claim or charge.

*Professional employee* means an employee exempt from the Fair Labor Standards Act and whose primary duty is the performance of work:

- (1) Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction; or
- (2) Requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor,

*Seasonal employee* means an employee who is hired into a position for which the customary annual employment is four (4) months or less and for which the period of employment begins each calendar year in approximately the same part of the year,

such as summer or winter, for reasons related to work demands that arise during those parts of the year.

*Supervisor* means any individual who customarily and regularly devotes a majority of work time to supervision of two or more employees and has authority to hire, transfer, suspend, layoff, recall, promote, demote, discharge, assign, evaluate, reward or discipline other employees, or adjust grievances, or effectively to recommend any such actions. With respect to the Fire Department, "supervisor" includes all personnel at the rank of battalion chief or above. With respect to the Police Department, "supervisor" includes all personnel at the rank of captain or above. The city manager or city manager's designee shall meet and confer with Police and Fire supervisors ineligible to bargain collectively regarding matters within the scope of collective bargaining as specified in this article with the specific intent to address salary compression, as commonly defined or understood, resulting from collective bargaining with eligible Police and Fire uniformed employees.

*Strike* means action of an employee of the city in concert with two or more other such employees for the purpose of obstructing, impeding, or suspending any activity or operation of the city (see Virginia Code § 40.1-55) or inducing, influencing, or coercing a change in the conditions, compensation, rights, privileges or obligations of city employment.

*Technical employee* means an individual whose work requires a combination of basic scientific or technical knowledge and manual skill that can be obtained through specialized post-secondary school education or through equivalent on-the-job training.

*Temporary employee* means an individual who is employed for not more than 180 days in a 24-month period.

#### **Sec. 2-5-69 - Employee Rights.**

- (a) Employees shall have the right to organize, form, join, assist, and pay dues or contributions to employee organizations, to bargain collectively through an exclusive bargaining representative of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid and protection insofar as such activity is not inconsistent with this article or prohibited by any other applicable law. Employees shall also have the right to refrain from any or all such activities.
- (b) A collectively bargained agreement provision that violates the rights of employees set forth in this section shall be void. A collectively bargained agreement provision that establishes a time period for the exercise of an employee right set forth in this section shall not violate this section. The city and each employee organization will refrain from any intimidation, coercion, or harassment of employees who choose to exercise their rights under this article.

**Sec. 2-5-70 - City's Rights and Authority.**

(a) This article shall not be deemed in any way to limit or diminish the authority of the city to manage and direct the operations and activities of the city to the fullest extent authorized and permitted by law. Thus, to the extent not inconsistent with a collective bargaining agreement, the city retains exclusive rights including, but not limited to, the rights:

- (1) to determine the type and scope of work to be performed by city employees, and the manner in which services are to be provided;
- (2) to direct the work of employees and determine the number of employees to perform any work or service;
- (3) to hire, promote, transfer, assign, retain, classify and schedule all employees and to suspend, demote, discharge, or take other disciplinary action against employees in accordance with applicable law and regulations;
- (4) to relieve employees from duties by layoff or other reduction-in-force due to lack of work, changed working conditions/requirements, budget limitations or for other reasons in the city's reasonable business judgment and not prohibited by law;
- (5) to introduce new, or different services, methods, equipment, or facilities;
- (6) to contract for, expand, reduce, sell, transfer, convey, eliminate or change in any way the operations of general government, as well as any department, office or part thereof;
- (7) to establish and change standards of behavior or performance, staffing levels, job qualifications and job descriptions;
- (8) to determine the kind, type, location and use of city-owned equipment or facilities, provided that the city does not require use or operation of unsafe equipment or the unsafe operation of equipment;
- (9) to maintain the efficiency and integrity of the operations entrusted to the city;
- (10) to do all things reasonable and necessary to carry out the mission of the city; and
- (11) to retain the ability and authority to continue to implement the current administrative regulation in the management of probationary employees.



- (b) Notwithstanding the provisions of any collective bargaining agreement, the city retains the right to take whatever actions may be necessary to carry out the city's mission during emergencies.
- (c) In accordance with Virginia Code §40.1-57.2 and other applicable law, nothing in this section, any provision of this article or the terms of any collective bargaining agreement shall impair or restrict the authority of the city council to establish its budget and appropriate funds in its discretion.

**Sec. 2-5-71 – Employee Activity on Official Work Time and Use of City Communication Systems.**

- (a) Solicitation of support, membership, or dues, or engaging in any other union activities is not permitted when any of the employees involved are on duty except as lawfully may be provided in a collective bargaining agreement entered into under this article.
- (b) In the absence of a collective bargaining agreement or a provision in such an agreement governing employee labor relations activity on official time, any employee representing an employee organization that has been recognized as an exclusive bargaining agent in the negotiation of an agreement under this article shall be authorized official time in amounts reasonable for such purposes, including attendance at impasse resolution proceedings.
- (c) City electronic communication systems shall not be used to conduct intra-employee organization business or activities, or employee organizing activity, unless provided for by negotiated contract provisions.

**Sec. 2-5-72 - Bargaining Units.**

The city shall recognize only the following bargaining units for the purposes of collective bargaining:

- (a) Police: The police employees' bargaining unit shall consist of all sworn uniformed employees of the police department, except those excluded by definition in Sec. 2-5-68;
- (b) Fire and Emergency Medical Services: The fire and emergency medical services employees' bargaining unit shall consist of the uniformed fire employees, including fire marshals, except those excluded by definition in Sec. 2-5-68;
- (c) Labor & Trades: Those eligible classes of employees associated with maintenance and skilled crafts, i.e., job classes of workers performing duties that result directly in the comfort and convenience of the general public, or contribute to the maintenance of capital assets, land and infrastructure of the city, except those excluded by definition in Sec. 2-5-68; and
- (d) Professional: Those non-supervisory and non-managerial employees within the definition of "professional employee" as set forth in Sec. 2-5-68; and

- (e) Administrative and Technical: Those non-supervisory and non-managerial employees within the definition of "administrative employee" or who perform office support work and who are not confidential employees excluded from collective bargaining within the definition set forth in Sec. 2-5-68.

**Sec. 2-5-73 – Labor Relations Administrator.**

- (a) A labor relations administrator (LRA or the administrator) shall be appointed by the city manager in the manner set forth in subsection (c) of this section to effectively administer this article as it governs exclusive bargaining representative selection, certification and decertification procedures, labor-management disputes as defined in section 2-5-68, and choice of mediator(s) and/or arbitrator(s) as needs arise under this article or under any collective bargaining agreement.
- (b) The administrator must be experienced as a neutral in the field of labor relations, and must not be a person who, because of vocation, employment, or affiliation, can be categorized as a representative of the interest of the city or any employee organization, including an exclusive bargaining agent for a bargaining unit permitted under this article.
- (c) Subject to confirmation by the city council, the city manager shall appoint the labor relations administrator who shall be selected for a 4-year term from no more than 3 (three) nominees jointly agreed upon and submitted by: (i) representatives of those employee organizations that have notified the city manager or city manager's designee of their interest in representing bargaining units permitted by this article, if no exclusive bargaining agents have been recognized at the time the selection process begins, or (ii) by the exclusive bargaining agents of the bargaining units permitted by this article, and (iii) an equal number of designees of the city manager. If the Council does not confirm the appointment on the recommendation of the city manager, an appointment must be made from a new agreed list of 3 (three) nominees compiled in the same manner.
- (d) The administrator's services shall be subject to termination by mutual agreement of the city manager and a majority of the exclusive bargaining agents of the bargaining units permitted by this article, and with council approval.
- (e) If the administrator dies, resigns, becomes disabled, or otherwise becomes unable or ineligible to continue to serve within six (6) months of initial appointment, the city manager shall appoint a new administrator from the list from which that administrator was selected, subject to council confirmation, to serve the remainder of the previous administrator's term. Otherwise, the administrator vacancy shall be filled as provided in subsection (c).

- (f) An administrator appointed under this section may be reappointed as provided in subsection (c).
- (g) The terms of payment for the services of the administrator shall be paid as specified by contract with the city.
- (h) The administrator shall:
  - (1) hold and conduct elections for certification or decertification pursuant to the provisions of this article and issue the certification or decertification, or cause these actions to occur.
  - (2) request from the city or an employee organization, and the city or such organization shall provide, any relevant assistance, service, and data that will enable the administrator to properly carry out duties under this article.
  - (3) hold hearings and make inquiries, administer oaths and affirmations, examine witnesses and documents, take testimony and receive evidence, and compel by issuance of subpoenas the attendance of witnesses and the production of relevant documents in proceedings within the responsibility of the administrator under this article.
  - (4) investigate and attempt to resolve or settle, as provided in Section 2-5-80 - Mediation and Arbitration, charges of either the city or an employee organization engaging in prohibited practices as defined in this article. However, if the city and a certified representative have negotiated a labor-management dispute resolution procedure, the administrator must defer to that procedure to resolve any dispute that properly may be submitted to the procedure, absent a showing that the deferral results in the application of principles contrary to this article. The administrator must defer to state procedures in any matter governed by the Law-Enforcement Officers' or Firefighters and Emergency Medical Technicians' Bill of Rights set forth in the Virginia Code, or to any other such procedure dictated by state statute.
  - (5) determine unresolved issues of employee inclusion in or exclusion from the bargaining units permitted under this article
  - (6) obtain any necessary support services and make necessary expenditures in the performance of duties, subject to appropriation.
  - (7) determine any issue regarding the negotiability of any collective bargaining proposal.

- (8) Exercise any other powers and perform any other duties and functions specified in this article of an administrative nature.

**Sec. 2-5-74 - Recognition of Exclusive Bargaining Agent.**

A bargaining agent shall be the exclusive representative of all employees in an appropriate bargaining unit described in Section 2-5-72 if the employee organization is selected by a majority of the employees voting in an appropriate bargaining unit in an election conducted pursuant to this article and rules and procedures adopted by the LRA.

- (a) In the event that more than one (1) employee organization files a request for recognition or for election within ten (10) calendar days after a first request for recognition or for election has been filed, an election to select an exclusive bargaining agent shall be held under the rules and procedures adopted by the LRA. If an employee organization receives a majority of the votes cast by the employees voting in an appropriate bargaining unit, it shall be recognized by the city as the exclusive bargaining agent, provided, however, that the city manager/designee or an employee organization may file exceptions to the election with the LRA alleging that there has been misconduct which has affected the outcome of the election, and the city need not recognize the employee organization pending the resolution of any process to review those exceptions. Any cost of such election shall be shared equally by the parties involved.
- (b) "Administratively acceptable evidence" to support a petition for certification within the meaning of Virginia Code §40.1-57.2(C), for certification by representation election, or for decertification (see Section 2-5-76) may consist of a combination of membership cards or a membership roster, evidence of dues payment, or other evidence of bargaining unit employees' desire to be represented by an employee organization for collective bargaining purposes. An authorization that satisfies the Uniform Electronic Transactions Act (Virginia Code § 59.1-479 *et seq.*) including, without limitation, electronic authorizations and voice authorizations, shall be valid for employees' authorization for representation for purposes of a petition filed by a labor organization for exclusive representation. The determination by the LRA (or of the city manager or manager's designee in the absence of the LRA) of the sufficiency of a showing of majority support or for a representation election shall not be subject to challenge by any person or employee organization or by the city.

**Sec. 2-5-75 - Request for Election.**

- (a) An employee organization may request an election be held by submitting a petition for an election to the LRA who shall notify the city manager pursuant to its rules and procedures. The petition must represent a showing of interest by at least thirty (30) percent of the employees in a bargaining unit permitted by this article.

- (b) Any additional interested employee organization must submit a petition of intervention to the LRA, which must be accompanied by a showing of interest by thirty (30) percent of the employees in the appropriate bargaining unit within ten (10) days of notice of the pending election.
- (c) An election under this article shall be held within forty-five (45) calendar days after written notice to all parties of the determination by the LRA of a valid petition for election in accordance with guidelines established by the LRA. If an employee organization receives a majority of the valid ballots cast by the employees in a permitted bargaining unit, it shall be recognized by the city as the exclusive bargaining agent, provided unless and until the LRA certifies a different organization or otherwise decertifies the agent in accordance with rules set forth in this section. In an election in which none of the choices on the ballot receives a majority, a runoff election shall be conducted in which the ballot shall provide for a selection between the two choices or parties receiving the highest and second highest number of ballots cast in the election. However, the city or the employee organization may file exceptions with the LRA in accordance with its rules, and the city need not recognize the employee organization pending the resolution of any process to review those exceptions.
- (d) Nothing in this article shall require or permit an election in any bargaining unit within twelve (12) months after a previous election has resulted in the recognition of an exclusive bargaining representative or a determination that the employees choose no representation in such bargaining unit.
- (e) No party shall have an advantage over the other in gaining access to employees during organizational or representation campaign activity. Unless there is a recognized bargaining representative, interested employee organizations will receive the same access to bargaining unit employees as is currently provided to outside organizations under city policies and practices for facility use and attendance at any meeting of such organizations under these circumstances is voluntary and open to all prospective bargaining unit employees.

**Sec. 2-5-76 - Decertification/Withdrawal of Recognition.**

- (a) Recognition of an employee organization as the exclusive bargaining agent for a bargaining unit permitted by this article shall continue only so long as such organization satisfies the criteria of this article
- (b) If a petition for decertification of a recognized exclusive bargaining agent is presented to the LRA showing that at least fifty (50) percent of the employees in the bargaining unit no longer want the employee organization to be their bargaining agent, then the LRA shall hold an election pursuant to section 2-5-75 of this article.
- (c) A petition for decertification of a recognized exclusive collective bargaining agent in an appropriate unit may be filed in a thirty-day (30) period between the one hundred eightieth (180<sup>th</sup>) and one hundred fiftieth (150<sup>th</sup>) day

prior to expiration of any existing collective bargaining agreement for that bargaining unit or any time after that collective bargaining agreement has expired.

- (d) For a period of one (1) year following recognition or certification of an exclusive bargaining agent, no decertification petitions may be filed.
- (e) The employee organization no longer shall be recognized as the exclusive bargaining agent of the employees in the bargaining unit if a majority of the employees in the appropriate bargaining unit vote in the decertification election to no longer be represented by the employee organization and a final outcome of that election has been certified by the LRA.

**Sec. 2-5-77 – Rights Accompanying Exclusive Representation.**

Any employee organization recognized as the bargaining agent for employees in an appropriate bargaining unit shall have the following rights:

- (a) To speak on behalf of all members of the unit and shall be responsible for representing the interests of all members of the bargaining unit without discrimination and without regard to employee organization membership; and
- (b) To meet at reasonable times and places to engage in good faith collective bargaining on matters that, under this article, may be the subject of collective bargaining, in an effort to reach an agreement, subject to the tentative approval of the city manager or the city manager's designee with responsibility for the employees in the bargaining unit.
- (c) To meet with bargaining unit employees on the premises of the city in non-secure areas during times when the employees are on break or in a non-duty status. Any other employee organization that has submitted a petition and established a valid question concerning representation of the bargaining unit shall also be permitted to meet with bargaining unit employees with the same limitations. This subsection shall not restrict an exclusive bargaining agent and the city from negotiating for greater access to employees by the exclusive bargaining agent as provision of a collective bargaining agreement.
- (d) To meet with newly hired employees, without charge to the pay or leave time of any of the employees for a maximum of 30 minutes, within 30 calendar days from the date of hire, during new employee orientations, or if the city fails to conduct new employee orientation, at individual or group meetings.
- (e) To be the only labor organization eligible to receive from the city amounts deducted from the pay of employees as authorized by written assignment of the employees, for the payment of regular and periodic dues to the exclusive bargaining agent, unless two exclusive bargaining agents of city employees agree that they can both receive deductions from the same employee. Any such

authorization may be revoked in accordance with the terms of the authorization which shall provide a period of irrevocability of not more than one year. An authorization that satisfies the Uniform Electronic Transactions Act (Virginia Code § 59.1-479 et seq.), including, without limitation, electronic authorizations and voice authorizations, shall be valid for employees' authorizations for payroll deductions and authorization for representation for purposes of a petition filed by an employee organization for exclusive representation.

- (f) To be represented at any formal discussion between one or more representatives of the city and one or more employees in the bargaining unit or their representatives concerning (1) any matter that is within the scope of collective bargaining as set forth in the definition of collective bargaining (see Section 2-5-68); or (2) any examination of bargaining unit employees by a representative of the city in connection with an investigation if the employee reasonably believes that the examination involves matters covered by any collective bargaining agreement then in effect, and the employee requests representation.
- (g) Notwithstanding any other provision in this section, an individual employee may present a personal complaint, concern or question at any time to the city without the intervention of an employee organization, provided that any such organization that is recognized by the city as the exclusive bargaining agent for the bargaining unit in which the employee is a member is afforded an effective opportunity to be present and to offer its view at any meetings held to adjust the matter and that any adjustment made shall not be inconsistent with the terms of any applicable collective bargaining agreement. Such employee or employees who utilize this avenue of presenting personal complaints, concerns or questions to the city shall not do so under the name, or by representation, of an employee organization.

#### **Sec. 2-5-78 - Good Faith Bargaining.**

- (a) A written request for bargaining must be submitted by the exclusive bargaining agent to the city manager or the manager's designee no later than March 1, and negotiations must begin by April 1 and conclude by September 1 of any year where an agreement is sought to be effective at the beginning of the next fiscal year, in order to accommodate the city budget process. Failure of the parties to reach agreement by September 1 shall constitute impasse and trigger impasse resolution procedures under this article.
- (b) Nothing in this article requires either party to make any concessions or agree to the other party's proposals.



- (c) Good faith bargaining shall not include submission of or a response to a proposal that:
  - (1) Violates the rights of employees as set forth in 2-5-69;  
or
  - (2) Impairs, restricts, or delegates the authority of the city as set forth in Section 2-5-70(b) and (c).
- (d) The city manager shall designate or appoint the city's representative(s) in collective bargaining negotiations in the manager's sole discretion.
- (e) If an employee organization serves as the exclusive representative of more than one bargaining unit, it shall consolidate its bargaining with the city and negotiate a common master agreement on all matters not unique to particular bargaining unit.

**Sec. 2-5-79 - Approval of Tentative Agreement.**

- (a) When an exclusive bargaining agent and the city reach a tentative agreement, they shall reduce it to writing and execute it signifying the approval of the bargaining agent and the city bargaining representative. No agreement shall be effective or enforceable:
  - (1) unless a fiscal impact study(ies) of the tentative agreement provisions, conducted as bargaining proceeds, has been prepared by the city Office of Management and Budget; and
  - (2) the fiscal impact study of the tentative agreement has been submitted to the city council, and a public hearing held in October on the fiscal impact of the tentative agreement; and
  - (3) the city council specifies by resolution no later than the last day of November its good faith commitment to appropriate funding necessary for the city to meet obligations under the tentative agreement as set forth in the fiscal impact study provided for in this section, with the understanding that any such resolution remains subject to actual appropriation. If the Council does not resolve to fund any provision(s) of the tentative agreement requiring appropriation or other Council action, the resolution shall state the reason(s), and the city manager and the exclusive bargaining agent may re-open negotiations on those provisions only, with the understanding that any such negotiations shall be scheduled as promptly as possible with the good faith objective to negotiate provisions that may be acceptable to the Council for its consideration within the city's budget approval schedule. Upon presentation to the Council of any



tentative agreement re-negotiated under this subsection, the Council shall consider and specify by resolution as soon as practicable its good faith commitment to appropriate funding necessary for the city to meet obligations under the tentative agreement, or its intention not to do so, with the understanding that any such resolution remains subject to actual appropriation; and

(4) the tentative agreement is approved by:

- a. The city manager or city manager's designee with supervisory responsibility for the employees in the bargaining unit, as evidenced by signature, which may be an electronic signature made in accordance with applicable state law; and
- b. The exclusive representative by ratification of the tentative agreement in accordance with the bargaining representative's governing procedures, and evidenced by the signature of an authorized agent which may be an electronic signature made in accordance with applicable state law.

(b) A written agreement shall be contrary to public policy and therefore shall not bind the parties or be enforceable by either party to the extent that it is not the result of good faith bargaining as defined in Section 2-5-78.

## **Sec. 2-5-80 - Mediation, Dispute Resolution, and Factfinding.**

(a) Mediation.

(1) Labor-Management Disputes: The city and an exclusive bargaining agent shall discuss the feasibility of resolution of labor-management disputes informally by discussion between the parties' designees before resort to formal mediation or arbitration. Failure to actually engage in such informal resolution prior to submitting a labor-management dispute or prohibited practice claim for mediation or arbitration shall not be a ground for dismissal of a claim under this article. In the event that the city and the bargaining agent are unable to informally resolve a labor-management dispute if and when engaged, either party or the parties jointly may submit the dispute to the LRA for mediation or arbitration, if applicable, pursuant to procedures instituted by the LRA.

(2) Impasse: In the event that the city and the bargaining agent are unable to reach a collective bargaining agreement within one hundred twenty (120) days after their first meeting or October 5, whichever is earlier, an impasse may be called by either party and resolution may be sought by submission of any unresolved issues for mediation by the LRA or a mediator selected through procedures established by the LRA. The

parties shall jointly request mediation within five (5) days of a declared impasse. The LRA or other mediator shall set reasonable deadlines for all steps of the mediation process. Negotiations on all matters shall continue throughout impasse procedures.

- (3) The mediation process is advisory only, and the LRA or other mediator shall have no authority to bind either party.
- (4) The mediation process and any comments, statements or suggestions from the LRA or other mediator or the parties and any documents evidencing the same made or created during the mediation process shall not be disclosed except as required by law.
- (5) The parties shall share the costs of mediation equally.
- (6) At the request of either party, and not later than October 15, impasses not resolved through negotiation or mediation shall be submitted to non-binding factfinding. The parties shall jointly select a factfinder or, if they are unable to agree on a factfinder, they shall request a list of seven arbitrators from the Federal Mediation and Conciliation Service or American Arbitration Association. Each party in turn shall strike a name from the list until only one name remains. Negotiations shall continue throughout the impasse procedures.
- (7) In making any decision under the impasse procedure authorized by this Article, the factfinder shall give weight to the following factors:
  - a. The lawful authority of the City;
  - b. Stipulations of the parties;
  - c. The interests and welfare of the public;
  - d. The financial ability of the employer to meet the costs of any items to be included in the agreement;
  - e. Comparison of wages, hours, and terms and conditions of employment of the employees involved in the arbitration proceedings with the wages, hours, and terms and conditions of employment of other persons performing similar services in the public and private sectors, if applicable;
  - f. The average consumer prices for goods and services, commonly known as the cost of living;
  - g. The overall compensation presently received by the employees involved in the arbitration;
  - h. Changes in any of the foregoing circumstances during the pendency of the arbitration proceedings; and
  - i. Such other factors that are normally or traditionally taken into consideration in the determination of wages, hours, and terms and conditions of employment through voluntary collective

bargaining, mediation, arbitration, or otherwise between the parties, in public service or in private employment.

- (8) The factfinder's decisions shall be provided to the City Manager and the exclusive representative not later than November 15 and shall not be made public for a period of 14 days. During this 14-day period, the parties shall meet and attempt to negotiate an agreement based on the factfinder's recommendations. By mutual agreement, the 14-day period may be extended.
- (9) At the conclusion of the 14-day (or longer if agreed by the parties) period, the City Manager shall submit the last written bargaining position of the city and of the exclusive representative on each issue that remains in dispute with a copy of all of the factfinder's recommendations to the City Council.
- (10) At its next meeting, the City Council shall provide 30 minutes to each of the parties subject to the impasse for the purposes of explaining and justifying its last offer and thereafter render a decision on the matters subject to continuing impasse.
- (11) The expenses of the factfinder shall be borne equally by the parties.

(b) Arbitration: If the city and exclusive bargaining agent are unable to reach agreement resolving any labor-management dispute submitted to mediation as provided for in this article by any deadline set forth in procedures provided in this article or adopted by the LRA, the labor-management dispute shall be submitted to final and binding arbitration pursuant to procedures adopted by the LRA which shall, at a minimum, require the parties' joint selection of an arbitrator. The parties shall share the costs of arbitration equally.

(c) Grievance Procedures: Any procedure for resolution of grievances, as defined in Virginia Code §15.2-1507(A)(1), negotiated as part of a collective bargaining agreement reached under this article shall conform to any requirements set forth in applicable state law, and the city may agree to arbitration as a component of any such negotiated procedure. A negotiated grievance procedure contained in a collective bargaining agreement shall be the exclusive procedure available to an employee of the bargaining unit covered by that agreement, unless another procedure is available as a matter of right provided by state law. Where such alternate procedures are available, an employee's initial election of procedure made at the time of filing the grievance shall be irrevocable.

#### **Sec. 2-5-81 - Strikes and other Job Actions.**

Pursuant to Virginia Code § 40.1-55, any employee of the city or of any agency or authority of the city who, in concert with two or more other such employees, strikes or

willfully refuses to perform the duties of their employment shall be deemed by that action to have terminated their employment and shall be ineligible for employment in any position or capacity during the next 12 months by the city, the Commonwealth of Virginia or any county, city, town or political subdivision of the Commonwealth or any department of any such public entities. The city agrees that no lockout shall take place.

Any employee organization determined to have violated this section shall cease to be accorded recognition under this article, shall cease to receive any dues or fees collected by paycheck withholding and shall not be accorded recognition or receive any dues or fees collected by paycheck withholding for a period of one (1) year.

#### **Sec. 2-5-82 – Prohibited Practices.**

Neither the city nor any exclusive bargaining agent shall refuse to negotiate in good faith with respect to matters within the scope of collective bargaining as defined in Section 2-5-68.

(a) The city and its agents shall not:

- (1) Interfere with, restrain or coerce employees in the exercise of rights granted by this article;
- (2) Dominate or interfere in the administration of any employee organization;
- (3) Encourage or discourage membership in any employee organization, committee, or association including by discrimination in hiring, tenure, or other terms and conditions of employment;
- (4) Discharge or discriminate against any employee because the employee has filed an affidavit, petition, or complaint or given any information or testimony under this article or because the employee has formed, joined, or chosen to be represented by any exclusive bargaining agent;
- (5) Deny the rights accompanying certification as the exclusive bargaining agent as conferred by this article;
- (6) Refuse to participate in good faith in any agreed-upon impasse resolution procedures or those set forth in this article; or
- (7) Refuse to reduce a collective bargaining agreement to writing and sign such agreement provided all conditions for an enforceable agreement, as set forth in this article, have been met.

(b) No employee organization or its agents shall:

- (1) Interfere with, restrain, or coerce any employee with respect to rights granted in this article or with respect to selecting an exclusive representative;

- (2) Willfully fail to represent an employee who is in a bargaining unit exclusively represented by the employee organization fairly regarding matters within the scope of collective bargaining, and without discrimination.;
- (3) Refuse to bargain collectively with the city as provided in this article; or
- (4) Refuse to participate in good faith in or violate any agreed-upon impasse resolution procedures or those set forth in this article.

(c) Prohibited practice charge procedures:

- (1) Proceedings against a party alleging a violation of this Section shall be commenced by filing a charge with the LRA within 90 days of the alleged violation, or acquiring knowledge thereof, and causing a copy of the charge to be served upon the accused party in the manner of an original notice as provided in Section 2-5-83. The accused party shall have 10 days within which to file a written answer to the charge. The LRA may conduct a preliminary investigation of the alleged violation, and if the LRA determines that the charge has no legal or factual basis, they may dismiss the charge. If the charge is not dismissed, the LRA shall promptly thereafter set a time and place for a hearing. The parties shall be permitted to be represented by counsel or other designated representative, summon witnesses, and request the LRA to subpoena witnesses and the production of records on the requester's behalf. Compliance with the technical rules of pleading and evidence shall not be required.
- (2) The LRA may designate a hearing officer to conduct any hearing. The hearing officer shall have such powers as may be exercised by the LRA for conducting the hearing and shall follow procedures adopted by the LRA for conducting the hearing. The decision of the hearing officer may be appealed to the LRA and the LRA may hear the case de novo or upon the record as submitted before the hearing officer.
- (3) The LRA shall provide for an official written transcript to report the proceedings, the costs of which shall be borne equally by the parties.
- (4) The LRA shall file its findings of fact and conclusions. If the LRA finds that the party accused has violated any provision of this Section, the LRA may issue an order directing the party to cease and desist engaging in the violation and may order such other reasonable affirmative relief as is necessary to remedy the violation. Under the provisions for court review of arbitration awards set forth in the Uniform Arbitration Act (Virginia Code §§8.01-581.01 et seq.), the LRA may petition the circuit court for enforcement of an order made under this Section.

- (5) Any party aggrieved by any decision or order of the LRA may within 21 days from the date such decision or order is filed, appeal to the circuit court to obtain judicial review pursuant to the provisions for judicial review set forth in the Uniform Arbitration Act, Virginia Code §§8.01-581.01, et seq.

#### **Sec. 2-5-83 - Time Limits.**

Any time limits in this article may be extended by written agreement of the city, the employee organization and any other appropriate parties.

#### **Sec. 2-5-84 – Notices.**

Any notice required under the provisions of this article shall be in writing, but service of any such notice shall be sufficient if mailed by certified mail, return receipt requested, addressed to the last-known address of the parties, unless otherwise provided in this article or by the rules of the LRA, which rules shall provide for the electronic service of documents. Refusal of certified mail by any party shall be considered service. Prescribed time periods shall commence from the date of the receipt of the notice.

#### **Sec. 2-5-85 – Review of Ordinance**

The City Manager and the exclusive representatives of the city employees shall conduct a review of this ordinance and its effectiveness, with recommendations for improvements and submit a report to City Council within one (1) year after this Article has been in effect for two (2) years.

Section 2. That Title 2, Chapter 5, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective on May 1, 2021.

7. Public Hearing, Second Reading and Final Passage of an ordinance to amend Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Article AA (INDEPENDENT COMMUNITY POLICING REVIEW BOARD) and to amend Article A (GENERAL PROVISIONS) of Chapter 1 (POLICE PROTECTION) OF Title 4 (PUBLIC SAFETY) of The Code of the City of Alexandria, Virginia, 1981, as amended, to add Sections 4-1-5 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR) AND 4-1-6 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR DUTIES AND RESPONSIBILITIES). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated April 12, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 04/17/21, 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 Item No. 7; 04/17/21, 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 Item No. 7; 04/17/21, and is incorporated as part of this record by reference.)

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

1. Jonathan Krall, Alexandria, spoke in support of the ordinance.
2. Christopher Lewis, Alexandria, spoke in support of the ordinance.
3. Emily Flores, Alexandria, spoke in support of the ordinance.
4. LaDonna Sanders, Alexandria, representing Tenants and Workers United, spoke in support of the ordinance.
5. Adrienne Buskard, Alexandria, spoke in support of the ordinance.
6. Matt Harris, Alexandria, spoke in support of the ordinance.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Aguirre and carried unanimously, by roll-call vote, City Council adopted an ordinance to amend Chapter 4 (COMMITTEES, BOARDS, AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Article AA (INDEPENDENT COMMUNITY POLICING REVIEW BOARD) and the amend Article A (GENERAL PROVISIONS) of Chapter 1 (POLICE PROTECTION) of Title 4 (PUBLIC SAFETY) of the Code of the City of Alexandria, Virginia, 1981, as amended, to add Section 4-1-5 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR) and 4-1-6 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR DUTIES AND RESPONSIBILITIES), with the following amendments:

- P. 10, Line 25 – add #8 to Section 2-4-227 – review and evaluate periodic reports from the Police Chief regarding implementation of recommendations by the Board.

- P. 10 – adding to line 3- review and evaluate existing proposed APD administrative directives, including all rules, policies, and procedures which direct the operation of the APD, including the implementation of such directives, rules, policies and procedures.

- P. 3. Add language after Line 40 – Pursuant to this section former means within three years of their service.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

#### ORDINANCE NO. 5337

AN ORDINANCE to amend Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Article AA (INDEPENDENT COMMUNITY POLICING REVIEW BOARD) and to amend Article A (GENERAL PROVISIONS) of Chapter 1 (POLICE PROTECTION) OF Title 4 (PUBLIC SAFETY) of The Code of the City of Alexandria, Virginia, 1981, as amended, to add Sections 4-1-5 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR) AND 4-1-6 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR DUTIES AND RESPONSIBILITIES).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 4 of Title 2 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding new Article AA, “Independent Community Policing Review Board,” as follows:

#### ARTICLE AA – INDEPENDENT COMMUNITY POLICING REVIEW BOARD

##### **Sec. 2-4-220 Independent Community Policing Review Board**

(a) There is hereby established a commission to be known as the Independent Community Policing Review Board (“Board”). The operation of the Board established pursuant to this ordinance shall be consistent with Virginia law and regulations.

##### **Sec. 2-4-221 Board Purpose and Scope**

(a) Purpose: The purpose of the Board is to enhance policing legitimacy and to increase and maintain trust between and among the police department, city council, city manager and the public. The Board shall: provide timely, fair and objective review, investigation and evaluation of policing policies, practices, procedures, and outcomes in Alexandria; provide meaningful assessments and corrective recommendations intended to remedy discriminatory practices, including racial and social inequities, that it may find; ensure the protection of all



communities through recommended actions and reform, including in the criminal justice system; and recommend strategies for effectively implementing these reforms in our community.

(b) Scope: The Board shall have the authority to investigate the matters as assigned in Section 2-4-227, review investigations completed by the Alexandria Police Department (APD) for certain matters, and evaluate policing practices, policies, procedures, and outcomes in Alexandria, issue findings to the public, and provide actionable recommendations to the city council, the city manager, the school board, the school superintendent, APD and other public agencies regarding appropriate discipline, policing practices, policies and procedures in Alexandria. The Board is hereby authorized to perform the following duties:

(c) Procedural Memorandum of Understanding: In order to carry out its scope and authorized functions and to define in more detail the process and terms articulated in its scope, the Board shall enter into a memorandum of understanding ("MOU") with the APD. The MOU shall be signed by the police chief and the city manager. The MOU shall define the terms of the relationships and mutual obligations between the Board and APD. Additionally, the Board is authorized to enter into an MOU with any other agency in support of Board investigatory authority. The Board is authorized to negotiate the provisions of these MOUs, assisted by the city council appointed Independent Policing Auditor/Investigator, and the City Attorney's Office. If a provision of these MOUs conflict with a provision of this enabling ordinance, the provision of the enabling ordinance shall govern.

(d) Access to APD Records: The Board and the Independent Policing Auditor/Investigator, shall be provided full access to all APD reports, files and records related to the Board's investigation or review of complaints filed with the Board or with APD. All records, documents and materials in the possession of APD or the City that are determined by the Board to be necessary and requested by the Board to carry out its scope and authorized functions shall be provided in unredacted form. If such documents contain confidential information such as Personally Identifiable Information, the information may be reviewed in a closed session of the Board in order to maintain the confidentiality. If the documents requested are part of a criminal investigative file for an active criminal investigation which could be compromised by the revelation of the process, evidence, methods, scope, or other factors in such investigation, APD shall provide such documents to the Independent Policing Auditor who shall not provide it to the Board or share with the public until such time as the investigation is completed or a determination is made that the criminal investigation will no longer be compromised.

(e) Budget: In order to carry out its duties the Board and Office of the Independent Policing Auditor/Investigator shall be provided an annual budget

subject to appropriation by City Council, and shall expend the funds provided consistent with:

- i. the purposes and scope of the Board and of the Office of the Independent Policing Auditor/Investigator;
- ii. the budget and appropriation approved by City Council; and
- iii. city procurement and expenditure regulations and practices.

(f) Board Reports: The Board shall produce public reports regarding the work of the Board and disseminate such reports in hardcopy and online, including, but not limited to:

- i. a written report to the City Council by September 1 of each fiscal year of its activities for the prior fiscal year under the provisions of this chapter along with any comments and recommendations as it may choose to make; and
- ii. a written report after each investigation conducted pursuant to Section 2-4-227(d) which shall not include any Personally Identifiable Information, or criminal or juvenile information prohibited from being disclosed by Virginia State Code or Federal Law. The reports of each investigation shall be provided to the public with all narratives, findings, recommendations and any disciplinary actions.

(f) Other Duties: Undertake any other duties as reasonably necessary for the Board to effectuate its purpose as defined in this ordinance;

## **Sec. 2-4-222 Board Member Requirements and Term of Office**

(a) The Board shall be composed of seven voting members appointed by the City Council, which shall endeavor to create a fair, objective, independent, diverse, and representative body which shall reflect the demographic diversity of the City.

(b) The seven voting members of the Board shall be residents of the City of Alexandria and shall demonstrate fairness, integrity and objectivity and will be chosen on the basis of expertise and personal experience relevant to the performance of the duties of the Board. City Council shall appoint voting members who are representatives of the following groups (though one member may be representative of more than one group):

- i. at least three members who come from historically, racially or socially marginalized communities that have commonly experienced disparate policing in Alexandria or the Commonwealth of Virginia; and

- ii. at least one member who represents an organization, office, or agency that seeks racial or social justice or that otherwise advocates on behalf of historically, racially or socially marginalized communities, particularly communities that may have experienced disparate policing;
- (c) Ex-officio, non-voting members:
  - i. at least one nonvoting, ex-officio member who shall have past experience in law enforcement, but shall not be a current employee of or an immediate family member of a current employee of a law enforcement agency and shall be at least three years honorably removed from service.
- (d) No voting or nonvoting member shall be a current or former City employee, a current or former City elected official, a current candidate for public office, a current employee of a law enforcement agency, or or an immediate family member of any of the preceding. When used in this section, the definition of “former” means less than three (3) years separated from service.
- (e) Except as to the inaugural Board, members shall be appointed for terms of three-years each. Board members’ terms shall be staggered. To that end, the City Council shall appoint three voting members of the inaugural board to 18-month terms and four voting members to three-year terms. A Board member may be appointed to no more than two consecutive three-year terms.

#### **Sec. 2-4-223 Conflicts of Interest and Confidentiality**

- (a) The Board and each member shall comply with the Virginia State and Local Government Conflict of Interests Act under Virginia Code §§ 2.2-3100 et seq.
- (b) Except as included in the Board Reports defined in Section 2-4-221 (f) and to the extent allowed under the Virginia Freedom of Information Act, each member shall maintain the confidentiality of all confidential or privileged information, including but not limited to:
  - i. disciplinary actions, memos and reports that the member receives during service on the Board.
  - ii. statements of a police officer, or APD employee, who was required by APD to give a statement.
  - iii. criminal investigative files
- (c) All original records provided to the Board by APD shall remain official APD records.

#### **Sec. 2-4-224 Quorum, Voting, and Meetings**

(a) The Board shall comply with the procedures for Board and Commissions in Article A of Title 2, Chapter 4, unless expressly amended in this Article.

(b) The Board, assisted by the Independent Policing Auditor/Investigator, is authorized to develop and implement its own bylaws, administrative systems, and operating policies and procedures, consistent with existing federal and state law, state regulation, and this enabling ordinance. Such bylaws shall be subject to public notice and public hearing before adoption by the Board and would become effective upon adoption by City Council.

(c) The Board shall meet as often as necessary to conduct its business, but no less frequently than four times per calendar year.

(d) Meetings of the Board shall comply in all respects with the meeting regulations of the Virginia Freedom of Information Act including being open to the public except under circumstances when the topic is authorized by the law to be discussed in closed session.

(e) To take any action, a quorum of at least five out of seven voting members must be present.

(f) The Board shall keep minutes of its Board Meetings, and those minutes shall include:

- i. the date, time, and location of each meeting;
- ii. the members present and absent;
- iii. a summary of the discussion on matters proposed, deliberated, or decided; and
- iv. a record of any votes taken.

(g) The Board meeting minutes are public records and subject to inspection pursuant to the Virginia Freedom of Information Act.

## **Sec. 2-4-225 Support of Board**

(a) Board Staff

- i. The city council shall appoint an Independent Policing Auditor/Investigator pursuant to Section 4-1-5 and 4-1-6 of this Code who shall staff the Board and coordinate the Board's administrative functions.

- ii. The Independent Policing Auditor/Investigator shall hire such investigators as shall be necessary to conduct the investigations assigned to the Board. Such investigators may be consultants or full-time employees depending on the demand for the investigations.
- iii. The City Attorney, or its designee, shall serve as legal advisor to the Board. As to a particular matter, and in the event the Board or the City Attorney determine that there is a conflict of interest that precludes effective representation by the City Attorney's Office, the Board shall retain outside counsel to advise the Board from a list of attorneys recommended by the City Attorney.

(b) Other Support from the City

- i. A website shall be established for the Board hosted on the City's website. The Board shall control what is posted on the Board's website to the extent it complies with all applicable Federal, State and local laws.
- ii. All public meetings of the Board shall be videotaped and made available to the public on the City's website.
- iii. The City shall not interfere unreasonably with the Board's decisions, assisted by the Independent Policing Auditor/Investigator, to post materials to or remove materials from the Board's website.
- iv. Board members shall be provided with a City email address to be used exclusively for Board-related matters.
- v. The City, including all city departments, boards, commissions, and staff shall make good faith effort to cooperate with and assist the Board, and shall comply with , all reasonable Board requests or expeditiously provide a reason for rejection.

**Sec. 2-4-226 Board Training**

At least once every year, and within six months of appointment to the Board, Board members shall participate in the following training:

- (a) at least eight hours of training, presented by the National Association for Criminal Oversight of Law Enforcement or a comparable professional organization.
- (b) Training by the applicable city staff addressing the following matters:
  - i. legal and ethical obligations of members of a public board;
  - ii. APD policies and training, including but not limited to defensive tactical training, Crisis Intervention Training, and de-escalation training;
  - iii. relevant privacy rules and City policies and procedures involving liability, employee discipline, and other matters related to police operations; and
  - iv. APD and City administrative systems, processes, structures and operations.

(c) at least three ride-along sessions with APD patrol operations per calendar year.

(d) The City and the Independent Policing Auditor/Investigator, shall provide Board members with additional training, which shall include but not limited to relevant training by subject matter experts on mental health, trauma-informed policing, civil rights and constitutional law, race and systemic racism, community organizing and outreach, mediation, investigation, and policing practices, policies, and administration.

## **Sec. 2-4-227 Board Duties**

### **(a) Board Readiness Resolution**

i. Within thirty (30) days after the initial board members are appointed by the City Council, the Board shall meet to establish its practices and procedures. When the Board has established its procedures for how to take in Complaints, how investigations will be conducted, the Memorandum of Understanding required pursuant to Section 2-4-221(c) has been executed by all parties, and the board is sufficiently staffed, it shall pass a Resolution indicating its readiness to take on the responsibilities designated to it in this Article. No current processes for complaint intake or investigations of complaints shall be transferred to the Board unless and until such Resolution is adopted by the Board.

### **(b) Complaint Intake**

i. The Board will develop and administer a process for receiving community complaints regarding conduct of APD law enforcement officers and civilian employees and referring complaints to APD or the Independent Policing Auditor/Investigator depending on the nature of the complaint, for investigation. This process shall be separate and distinct from any existing procedures by which the APD receives community complaints as specified under Virginia Code § 9.1-600;

ii. Complaints filed with the Board may be submitted using a form provided by the Board or may be submitted orally by a complainant. Complaints filed orally shall capture the same information included in the complaint form developed by the Board.

iii. Information about the process for filing a complaint with the Board, complaint forms, and general information about the Board and its purpose and scope shall be made available online and at the office of the Independent

Policing Auditor/Investigator, APD, the Office of Human Rights, as well as other locations deemed effective for making such forms and information widely available

- iv. Information about the process for filing a complaint with the Board, complaint forms, and general information about the Board and its purpose and scope shall be made readily available in English, Spanish, Amharic and Arabic and in any additional language as requested by an individual looking to submit a complaint to the Board.
- v. Complaint forms shall request information regarding the incident including, but not limited to, the following:
  - 1) Name, address and contact information for the person filing the complaint;
  - 2) a statement describing the reasons for the complaint;
  - 3) the specific police behavior of concern;
  - 4) a description of the incident in which the behavior occurred; and
  - 5) information regarding witnesses to or persons with knowledge of the incident known to the complainant, including but not limited to names, addresses, and phone numbers, if known at the time the complaint is filed.

Failure to provide all information on the form by the complainant shall not render the complaint unreviewable.

vi. This process shall be separate and distinct from any existing procedures by which the APD receives community complaints as specified under Virginia Code § 9.1-600;

(c) Board Review of APD Investigations

- i. Except for matters identified in subsection (d) herein, APD shall continue to investigate all complaints submitted to APD or to the Board. APD shall complete its investigation of the complaint and provide an investigation report to the Board within sixty (60) days. The Board shall extend the 60-day period upon request of the Police Chief to protect an ongoing criminal investigation, or for other good cause, with notice to the complainant and city council.
- ii. The Board may review all investigations conducted by APD Office of External Affairs and Professional Responsibility (OEAPR) regarding conduct of APD law enforcement officers and civilian employees, whether received by the APD or the Board, to ensure their thoroughness, completeness, accuracy,

objectivity, impartiality and the sufficiency of any discipline resulting from such investigations. The Board may consider reducing the review to only a selected number of investigations or investigations of a certain nature based on criteria to be articulated by the Board and set forth in writing.

i. After completing an investigation review including a public hearing, the Board may reach one of the following findings:

- 1) concur with all or some of the findings and determinations detailed in the investigation report;
- 2) advise city council, the city manager, and the APD that the findings are not supported by the information reasonably available to the APD and recommend further review and consideration by the police chief; or
- 3) advise city council, the city manager, and the APD that, in the Board's judgment, the investigation is incomplete and recommend additional investigation.

(d) Board Investigation of Complaints and Incidents

i. Investigations of the following incidents, whether they come in as a complaint or not, shall be conducted by the Independent Policing Auditor/Investigator on behalf of the Board:

- 1) "Incidents resulting in death" including any incident which results in death of any person involved in the incident.
- 2) "Use of Force" incidents, defined as the application of force sufficient to (i) create a reasonable risk of death, (ii) cause serious and protracted disfigurement, or (iii) result in impairment of the function of any bodily organ or limb. It includes incidents in which a police officer deploys a striking implement, Taser or similar device, oleoresin capsicum (pepper) spray or other chemical irritant, less lethal weapon or a firearm or is applied using hands or any other part of the body.
- 3) "Severe misconduct" defined as dereliction of duty or unlawful or improper behavior which shall include the following offenses listed in AR 6-20, as the same may be amended from time to time:
  - a. Willfully or negligently damaging, defacing or destroying City records, City property, tools or equipment, or the property of another employee.



- b. Theft, misappropriation or unauthorized removal of City records, or of public property or of property belonging to another City employee.
  - c. Violating safety rules or the Virginia Traffic Code where such a violation poses a threat to life.
  - d. Threatening or intimidating subordinates, fellow employees, supervisors or members of the public.
  - e. Willful or serious neglect in the performance of assigned duties or in the care, use, or custody of any City property.
  - f. Criminal or other misconduct occurring on or off the job which is related to job performance or is of such a nature that to continue the employee in the assigned position or in any City employment capacity would constitute negligence in regard to the City's duties to the public or to other City employees.
  - g. In any matter within the jurisdiction of any officer, department or agency of the City: (a) the knowing falsification, concealment or cover-up of a material fact, and/or (b) the knowing making of any false, fictitious or fraudulent statement or representation, and/or (c) the making or using of any writing or document knowing the same to contain a false, fictitious or fraudulent statement or entry.
  - h. Sexual conduct, even consensual conduct, on the job.
  - i. Verbal or other conduct regarding an individual or group that maligns or shows hostility for the individual or group because of race, color, religion, gender, national origin, age, disability, sexual orientation, or gender identity and expression.
- ii. If, after making a good faith effort to obtain, voluntarily, the attendance of witnesses and the production of books, papers, and other evidence necessary to perform its duties, the Board is unable to obtain such attendance or production, the board by majority vote may direct the Independent Policing Auditor/Investigator, on behalf of the Board, to apply to the Alexandria circuit court for a subpoena compelling the attendance of such witness or the production of such books, papers, and other evidence, and the court may, upon good cause shown, cause the subpoena to be issued.
  - iii. At the conclusion of the investigation, the Independent Policing Auditor/Investigator shall forward the file with a report of investigation to the Board. The Board shall hold at least one public hearing on the investigation. At the conclusion of the public hearing, the Board may take one of the following actions:

- 1) Dismiss the complaint if, based on the file and report of investigation, it determines that the complaint lacks merit or the incidents was justified;
  - 2) Refer the complaint to the Commonwealth's Attorney for the City of Alexandria; and
  - 3) Recommend disciplinary action to be taken by the Chief of Police.
- iv. If the APD declines to implement the discipline recommended by the Board, the Chief of Police shall, within 30 days of the Board's recommendation, create a written record, which shall be made available to city council, the city manager, and the public, of its rationale for declining to implement the recommendation of the Board.

(e) Board Policy Recommendations and Duties

- i. The Board shall have the following duties regarding review of police policy and procedure:
  - 1) review and evaluate existing and proposed APD administrative directives, including all rules, policies, and procedures which direct the operation of the APD and its employees including the implementation of such directives, rules, policies and procedures;
  - 2) review and evaluate reports issued and data collected by the APD related to policing practices, policies, procedures, and outcomes;
  - 3) receive, review and evaluate the annual budget and expenditures of the APD and make budgetary recommendations;
  - 4) advise city council on the hiring and annual evaluation of the Independent Policing Auditor/Investigator;
  - 5) recommend legislation, policy changes and other actions related to review and evaluation conducted by the Board to the city council, city manager, APD, school board, school superintendent, and other public agencies;
  - 6) conduct community outreach in the city related to the review and reform of policing practices, policies and procedures in Alexandria and the work of the Board;

7) undertake any other duties as reasonably necessary for the Board to effectuate its lawful purpose to effectively review the policing agencies as authorized by the city; and

8) review and evaluate periodic reports from the Police Chief regarding implementation of recommendations made by the Board.

ii. The Board may recommend policies or procedures to city council, the city manager and the APD concerning police practices, policies and procedures. The Board shall present in writing its findings, and recommendations with supporting rationale to city council, the city manager and the APD within thirty days from the date the Board adopted the recommendations.

a. The Board's recommendations shall be included in any public reports issued by the Board, including hardcopy and online.

b. If the APD declines to implement any changes recommended by the Board, the Chief of Police shall, within 30 days of the Board's recommendation, create a written record, which shall be made available to city council, the city manager, and the public, of its rationale for declining to implement the recommendation of the Board.

#### **Sec. 2-4-229 Exclusions**

(a) The Board shall not consider claims or issues involving the following:

- i. Complaints involving any incident that occurred more than two years before the filing of the complaint with the Community Policing Review Board or the APD;
- ii. Any financial management, or procurement decisions made by APD, or any individual hiring, assignment and promotional decisions made by the APD;
- iii. If any agency having responsibility for criminal investigations or prosecutions has initiated a criminal investigation or proceeding against any police officer or officers who are the subject(s) of an incident or complaint that the Board has responsibility for investigating pursuant to this Article, the Board shall defer its preliminary inquiry and investigation until said criminal proceedings have been withdrawn or concluded; and
- iv. Any other claim outside the scope of the Board's authority as determined by this Article or applicable State Law.

## **Sec. 2-4-230 Review of Community Policing Review Ordinance**

- (a) The city manager in consultation with the Board, Independent Policing Auditor/Investigator, community stakeholders, APD and APD employees shall have conducted and submitted to city council by April 1, 2023 a review of this ordinance, its effectiveness, including recommendations for improvements.

Section 2. That Article A of Chapter 1 of Title 4 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding new Sections 4-1-5 and 4-1-6, as follows:

### **Sec. 4-1-5 Independent Policing Auditor/Investigator**

City Council shall appoint an Independent Policing Auditor/Investigator with the terms and conditions of such appointment set forth in an employment agreement. The Independent Policing Auditor/Investigator shall serve at the pleasure of City Council. The Independent Policing Auditor/Investigator shall be provided office space by the City, but such office space shall not be housed in any Alexandria Police Department facility.

### **Sec 4-1-6 Independent Policing Auditor/Investigator Duties and Responsibilities**

The Independent Policing Auditor/Investigator shall:

- (a) provide the necessary administrative and policy support for the Community Policing Review Board, as well as assist the Board with achieving its purpose and in carrying out its scope;
- (b) have authority to hire and supervise and make employment decisions regarding the Independent Policing Auditor/Investigator's staff within existing City Human Resources systems and City Administrative Regulations;
- (c) be responsible for the independent review of Alexandria Police Department current or proposed policing practices, rules, policies, procedures, directives and outcomes and present findings of such reviews and any resulting recommendations to the Board;
- (d) perform a quality assurance function with the goal of identifying systematic changes that will improve police services to the community;
- (e) create and manage a community complaint and case tracking system;
- (f) conduct investigations of incidents regarding the matters assigned by the 2-4-227 of the City Code to the Board for investigation;
- (g) review completed investigations by the Alexandria Police Department Office of External Affairs and Professional Responsibility.
- (h) review of any disciplinary actions taken that may arise as a result of investigations conducted by the APD; and

(i) have full access to unredacted Alexandria Police Department reports, files and records, including disciplinary records, related to completed reviews of complaints filed with the Board or with the Department, as well as related to and completed reviews of uses of force by the Department.

(j) Except as included in the Board Reports defined in Section 2-4-221 (f), maintain the confidentiality of such disciplinary records and criminal investigative files as well as any statement of a police officer of APD employee who was required by APD to give a statement.

Section 3. That Title 2, Chapter 4 as amended pursuant to Section 1 of this ordinance and Title 4, Chapter 1 as amended pursuant to Section 2 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria City Code.

Section 3. That the provisions of this ordinance shall become effective July 1, 2021.

8. Public Hearing and Second Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2021 (Fiscal Year 2022).

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 04/17/21, and 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 closed the public hearing on the proposed real and personal property tax rates and proposed effective tax rate increase for Calendar Year 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.

9. Public Hearing on the FY 2022 City Council Preliminary Add/Delete Proposals and the City Manager's proposed amendments to the FY 2022 proposed budget. Budget Adoption is scheduled for Wednesday, May 5, 2021 at 7:00 p.m.

(A copy of the City Manager's memorandum dated April 12, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item 9; 04/17/21, and is incorporated as part of this record by reference.)

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

1. Ingris Moran, Alexandria, representing Tenants and Workers United, spoke about increased support for affordable housing and other housing opportunities.
2. Idalia Romero, Alexandria, spoke about reallocating the funds for School Resource Officers (SRO).

3.     Sindy Garcia, spoke about reallocating the funds from SROs for mental health resources.

4.     Kelly Pineda, Alexandria, spoke about reallocating funds from SROs for mental health resources.

5.     Jonathan Krall, Alexandria, representing Grassroots Alexandria, spoke about reallocating funds from SROs for mental health resources.

6.     Adrienne Buskard, Alexandria, spoke about reallocating funds from SROs for mental health resources.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing on the FY 2022 City Council Preliminary Add/Delete proposals and the City Manager's proposed amendments to the FY 2022 proposed budget. 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.

\*\*\*Please note: City Council took at recess at 12:39 p.m. and reconvened the meeting at 1:20 p.m.\*\*\*

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**Planning Commission (continued)**

10.    Special Use Permit #2020-00108  
       7 West Walnut Street  
       Public Hearing and consideration of a request for a Special Use Permit for the construction of a single-family dwelling on a developed substandard lot with lot modifications; zoned: R-5/Single-family. Applicant: Edgardo Maravi  
       Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 04/17/21, and is incorporated as part of this record by reference.)

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

1.     Lee Quill, Alexandria, owner of neighboring property, spoke about the concerns with the project and the possible damage to his property.
2.     Michael Wolin, Alexandria, spoke about the neighborhood's concern with the proposed project.

3. Walter Travers, Alexandria, spoke about the possible damage that would occur to his property with this proposed project.

4. Edgardo Moravi, Alexandria, applicant, spoke in support of the project and addressed the concerns that were presented by his neighbors and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Jackson and carried unanimously, City Council approved the Planning Commission recommendations with the following amendments from the April 16 memorandum from Director Moritz: (1) the Special Use Permit holder shall cover the cost of repaving the existing driveway they share with the neighbors at 5 West Walnut within one year of the final building permit inspection; (2) adjoining private property shall be protected from damage during construction, remodeling and demolition work; and (3) the Special Use Permit holder will locate construction dumpster(s) on their property. 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.

11. Development Special Use Permit #2019-00004  
400 and 400A Green Street - Basilica School of Saint Mary Addition and Site Improvements  
Public Hearing and consideration of a request for a Development Special Use Permit and Site Plan with modifications to construct an addition connecting two existing school buildings and associated site improvements, including a Special Use Permit for parking in excess of the requirement and modifications to the minimum landscape island requirement and the street tree placement requirement; zoned: RM/Townhouse. Applicant: Catholic Diocese of Arlington, represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 04/17/21, and is incorporated as part of this record by reference.)

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

1. John Latawiec, Alexandria, spoke against the proposed project.
2. Cathy Puskar, attorney for the applicant, spoke in support of the project and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council approved the Planning Commission recommendation. 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.

Item No. 12 and Item No. 13 were considered together.

12. Special Use Permit #2019-00057  
2424 Mill Road (Formerly: 2410 and 2460 Mill Road) - Carlyle Crossing - Coordinated Sign Program SUP  
Public Hearing and consideration for a request for Special Use Permits for a Coordinated Sign Program for the residential and retail mixed use project Carlyle Crossing (Development Special Use Permit #2017-00023), and for the installation of multiple illuminated building mounted signs above 35-feet; zoned: CDD #2/Coordinated Development District #2. Applicant: HTC 4/5 Project Owner LLC., a Delaware Limited liability company, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 04/17/21, and is incorporated as part of this record by reference.)

City Council approved the Planning Commission recommendation.

13. Encroachment #2019-00003  
2424 Mill Road (Formerly: 2410 and 2460 Mill Road) - Carlyle Crossing  
Public Hearing and consideration of a request for Encroachments into the public-right-of-way for 2 projecting signs to extend more than 4' over Stovall Street and for architectural projections on Mandeville Lane, and Mill Road; zoned: CDD#2/Coordinated Development District #2. Applicant: HTC 4/5 Project Owner LLC., a Delaware Limited liability company, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 04/17/21, and is incorporated as part of this record by reference.)

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

1. Duncan Blair, attorney for the applicant, spoke in support of the proposal



and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

## **ORDINANCES AND RESOLUTIONS**

14. Public Hearing, Second Reading, and Final Passage of an Ordinance to expand the stated purpose of the Stormwater Utility Fee by amending Article C (STORMWATER UTILITY) to Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 04/17/21, 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 Item No. 14; 04/17/21, 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 Item No. 14; 04/17/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to expand the stated purpose of the Stormwater Utility Fee by amending Article C (STORMWATER UTILITY) to Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES). 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 ordinance reads as follows:

### **ORDINANCE NO. 5338**

AN ORDINANCE to amend Section 5-6-231 (PURPOSE AND ORGANIZATION) and Section 5-6-236 (STORMWATER MANAGEMENT ENTERPRISE FUND) of Article C (STORMWATER UTILITY) of Chapter 6 (WATER AND SEWER) of Title 5

(TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-231 and 5-6-236 of Article C of Chapter 6 of Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined:

**Sec. 5-6-231 - Purpose and organization.**

City council finds that an adequate, equitable, and sustainable source of revenue for stormwater management activities is necessary to protect the general health, safety, and welfare of the residents; to meet state and federal stormwater regulations; ~~and to address identified water quality and quantity needs of the city;~~ and to mitigate surface and subsurface flooding from precipitation events. Further, the city council finds that properties with higher amounts of impervious area contribute greater amounts of stormwater and pollutants to the stormwater management system, and that those owners of such properties should bear a proportionate burden of the costs. Therefore, the city council determines that it is in the best interest of the public to enact a stormwater utility fee based on impervious area that allocates program costs equitably to all property owners. The stormwater utility shall be operated under the direction of the city manager, who shall organize, direct, and manage the utility, including the development of necessary policies, procedures, and manuals as authorized by this chapter.

**Sec. 5-6-236 - Stormwater management enterprise fund.**

(a) A stormwater management enterprise fund is hereby established as a dedicated, separate fund for the sole purpose of recovering costs for the following:

- (1) the acquisition, as permitted in Virginia Code § 15.2-1800, of real and personal property, and interest therein, necessary to construct, operate, and maintain stormwater control facilities;
- (2) the cost of administration of the activities in subsection (a);
- (3) planning, design, engineering, construction, and debt retirement for new facilities and enlargement or improvement of existing facilities, including the enlargement or improvement of dams, levees, floodwalls, and pump stations, whether publicly or privately owned, that serve to control stormwater;
- (4) facility operation and maintenance, including the maintenance of dams, levees, floodwalls, and pump stations, whether publicly or privately owned, that serve to control stormwater;

(5) monitoring of stormwater control devices and ambient water quality monitoring; and

(6) Contracts related to stormwater management, including contracts for the financing, construction, operation, or maintenance of stormwater management facilities, regardless of whether such facilities are located on public or private property and, in the case of private property locations, whether the contract is entered into pursuant to a stormwater management private property program under Section 15.2-2114(J) of the Virginia Code or otherwise; and

(7) other activities consistent with the state or federal regulations or permits governing stormwater management, including, but not limited to, public education, watershed planning, inspection and enforcement activities, and pollution prevention planning and implementation.

Section 2. That Section 5-6-231 and Section 5-6-236 of Article C of Chapter 6 of Title 5, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the Code of the City of Alexandria.

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

15. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend Title 9 Chapter 12: Taxicabs and Other Vehicles for Hire. [ROLL-CALLVOTE]

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 04/17/21, 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 Item No. 15; 04/17/21, 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 Item No. 15; 04/17/21, and is incorporated as part of this record by reference.)

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

1. Jeremy Flachs, Alexandria, spoke in support of the ordinance with amendments.

2. Thomas Curcio, Alexandria, spoke in support of the ordinance with amendments.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilman Jackson and carried unanimously by roll-call vote, City Council adopted an ordinance to amend Title 9 Chapter 12: Taxicabs and Other Vehicles for Hire with amendments. 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 ordinance reads as follows:

#### ORDINANCE NO. 5339

AN ORDINANCE to amend Chapter 12 (TAXICABS AND OTHER VEHICLES FOR HIRE) of Title 9 (LICENSING AND REGULATION) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Chapter 12 of Title 9 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined:

#### ARTICLE A. 1 - TAXICABS

##### 1 DIVISION 1 - Generally

##### Sec. 9-12-1 - Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

- (1) *Board*. The traffic and parking board created by title 5, chapter 8, article A of this code.
- (2) *Certificate*. A certificate of public convenience and necessity issued by the city manager authorizing the operation of a taxicab company under the provisions of this article.
- (3) *Certificate holder*. Any taxicab company, or taxicab owner still holding a valid certificate issued prior to February 15, 1983, which has been granted a certificate of public convenience and necessity as provided in this article.
- (4) *Cruising*. The driving of a taxicab on the streets, alleys, or public places of the commonwealth in search of, or soliciting for, prospective passengers for hire.

- (5) *Director*. The director of the department of transportation and environmental services or the director's designee.
- (5.1) *Dispatch service*. A service that receives telephone, text or e-mail requests for taxi service and wirelessly dispatches those requests to taxicabs in the field.
- (5.2) *Dispatch call*. A taxicab trip generated by the customer contacting a central dispatch center and the call being dispatched to one of that company's taxicabs by the dispatch center.
- (6) *Driver*. The person operating any taxicab.
- (7) *Driver's permit*. The permit issued to a driver of a taxicab under the provisions of this article.
- (7.1) *Driver move*. When a driver leaves his existing company to another company that has a vacant authorization. A driver move may take place at any time and has no impact on the number of authorizations held under either company's certificate of public convenience and necessity.
- (7.2) *Reserved*.
- (7.3) *Documented city trip*. A non-dispatched trip served by the driver while on duty that originates without a call to a central dispatch center in one of the following manners: a) a pick-up from an authorized Alexandria taxi stand; b) a pick-up from a Metro Station located within the City of Alexandria; c) a pick-up from Washington Reagan Airport where the final destination is within the City of Alexandria; or d) a trip arranged by direct communication between the customer and the driver. With respect to each of the foregoing, in order to constitute a documented city trip, such trip must be contemporaneously documented on the company's business records via a regular established business procedure, so that a company record of the trip exists independent of what may be recorded in a driver's manifest, including, without limitation, the date of the trip, the time and location of both the origination and termination point of the trip and the number of passengers served on the trip.
- (8) *Hack inspector*. The individual designated by the City Manager to fill this position pursuant to this article.
- (9) *Manifest*. A daily record prepared by the driver of a taxicab of all trips made by the driver, showing the time and place of origin, destination, number of passengers and the amount of fare of each trip.
- (10) *Owner*. The person who holds legal title to any taxicab, or any person who holds beneficial title to any such taxicab or any person having possession of any such taxicab under a conditional sales contract, lease, bailment or any instrument in the nature of a lien.
- (11) *Person*. Any natural person, firm, partnership, limited partnership, corporation, company, limited liability company, joint venture, cooperative, association or joint stock association, including any trustee, receiver, assignee or personal representative thereof.

- (12) *Regulation.* The rules and regulations promulgated by the city manager pursuant to this article.
- (13) *Street.* The entire width between the boundary lines of every way or place of whatever nature open to the use of the public for purposes of vehicular travel in the commonwealth including streets, highways, alleys and publicly maintained parking lots.
- (14) *Taxicab.* Any motor vehicle having a seating capacity of not more than six passengers and not operating on a regular route or between fixed terminals, used in transportation of passengers for hire or compensation, and subject to regulation under this article and applicable law.
- (15) *Taximeter.* A meter, instrument or device attached to a taxicab which accurately and reliably measures the distance driven and the waiting time upon which the fare is based.
- (16) *Taxicab company.* A person who regularly engages in the provision of taxicab services to and from points in the city. (17) *Taxicab services.* The operation of a motor vehicle upon the streets, on call or on demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along the streets as directed by the passenger or passengers being transported, except as excluded by applicable law.
- (17.1) Trade dress. The color scheme, insignia, or branding for each taxicab company, consistent with regulations set by the City.
- (18) *Vehicle permit.* A permit issued by the city manager authorizing a taxicab to be associated with a taxicab company, and operated under its dispatch system.

Sec. 9-12-2 - Compliance with article.

- (a) It shall be unlawful for any person to operate, drive or provide taxicab services in any taxicab required by this article to obtain a permit from the city, unless such person, and such taxicab, shall conform to and comply with the provisions of this article.
- (b) It shall be unlawful for any person to operate a taxicab company required by this article to obtain a certificate of public convenience and necessity from the city, unless such person shall conform to and comply with the provisions of this article.
- (c) Any person who violates any provisions of this article shall be guilty of a class 2 misdemeanor, unless another penalty is expressly provided in this article.

Sec. 9-12-3 - Hack inspector.

The City Manager shall appoint either a sworn officer or a civilian employee to serve at his pleasure as hack inspector, and one or more assistant hack inspectors. The hack inspector shall exercise the powers and duties provided for in this article and do all things necessary to make effective the provisions of this article. The City Manager may designate the hack inspector to administer some or all of his powers and responsibilities under this article.

Sec. 9-12-4 - Authority of city manager.

- (a) The city manager may designate a person or persons to administer some or all of the provisions of this article.
- (b) The city manager is authorized to make such reasonable rules and regulations as may be necessary to administer the provisions of this article.

Sec. 9-12-5 - False statements prohibited.

- (a) It shall be unlawful for any person knowingly to make or cause to be made, either directly or indirectly, any false statement as an inducement for the issuance of a certificate of public convenience and necessity, vehicle permit or a driver's permit provided for in this article.
- (b) It shall be unlawful for person knowingly to make or cause to be made, either directly or indirectly, any false statement in any document required to be submitted pursuant to this article.

Sec. 9-12-6 - Insurance or bond required.

- (a) Every taxicab owner for which a vehicle permit has been issued under this article shall keep in full force and effect at all times either:
  - (1) A public liability and property damage insurance policy with a company authorized to do business within the state covering each driver authorized by the vehicle owner to operate the vehicle as a taxicab in at least the amount of \$450,000 combined single limit, with not less than \$300,000 coverage for death, not less than \$100,000 coverage for bodily injury, and not less than \$50,000 coverage for property damage, and every such policy shall contain a clause obligating the company issuing the same to give 15 days' notice in writing to the hack inspector and the company with which the owner is affiliated before any cancellation thereof. Every taxicab owner for which a vehicle permit has been issued under this article shall also keep in full force and effect at all times uninsured motorist coverage and underinsured motorist coverage in a minimum amount of \$100,000, and every such policy shall contain a clause obligating the company issuing the same to give 15 days' notice in writing to the hack inspector and the company with which the owner is affiliated before any cancellation thereof; or
  - (2) An indemnity bond of a surety company, authorized to do business within the state in the same amounts and for the same purposes as the insurance ~~policy~~ policies stated in subsection (1) of this section; provided, that the director of finance of the city, after investigation, shall be fully satisfied as to the financial responsibility of the surety company on such bond.
- (b) Each certificate holder shall be responsible for maintaining records documenting compliance with the foregoing insurance requirements, including a certificate of insurance or insurance binder for all affiliated taxicabs and all authorized drivers. Such documents shall be available for inspection by the hack inspector during normal business hours. In addition, each certificate holder shall provide

the hack inspector an annual report, at a time of the hack inspector's determination, setting forth:

- A. All affiliated taxicabs, including make, model, production year and VIN;
- B. All drivers authorized to drive each affiliated taxicab vehicle; and
- C. The manner in which each authorized driver and affiliated taxicab comply with the requirements of this section, including, without limitation, the name of the insurer and a certification that the policy complies the requirements of this section.

(c) In the event that the insurance provider or surety changes for one of its affiliated vehicles or authorized drivers, the certificate holder shall report such change to the hack office in writing within 48 hours of receiving notice of same.

Secs. 9-12-7 through 9-12-20 - reserved.

## 1 DIVISION 2 - Certificates of Public Convenience and Necessity

Sec. 9-12-21 - Certificate required.

It shall be unlawful for any person to operate or engage in business as a taxicab company unless a certificate of public convenience and necessity shall have been issued pursuant to this article. It shall be unlawful for any person to operate or engage in business as a taxicab company under an expired, suspended or revoked certificate.

Sec. 9-12-22 - Initial application for a certificate.

- (a) An application for the initial issuance of a certificate of public convenience and necessity shall be made to the city manager, on or before May 1 of each year, on the form provided by the city manager.
- (b) The applicant shall provide the following:
  - (1) The full name and business address of the applicant and, if the applicant is a corporation, a certified copy of the articles of incorporation;
  - (2) The full name and address of the registered agent or other person or persons upon whom legal process may be served and upon whom all notices or other matters relating to the administration and enforcement of this article should be made;
  - (3) The trade name and the telephone numbers under which the applicant does or proposes to do business;
  - (4) The financial status and responsibility of the applicant;
  - (5) The maximum number and ownership of taxicabs to be operated
  - (6) A description of the type of service to be provided including the geographic area of the city to be served;
  - (7) A description of the communications system to be used with specific reference as to the applicant's plan to provide adequate dispatch service to the public;



- (8) A description of trade dress to be used on each taxicab, which shall conform to regulations issued by the city manager;
- (9) [Reserved];
- (10) The specific experience of the applicant in the transportation of passengers for hire and the management of a business engaged therein, including, without limitation, the disclosure of any ownership interest in any taxicab company anywhere at any time;
- (11) All facts or circumstances which the applicant asserts to meet the applicant's burden of demonstrating that the public convenience and necessity requires granting the certificate;
- (12) [Reserved]
- (13) Such additional information as the city manager may require.
- (c) All applications must be signed (1) by the president if a corporation or (2) by the legal representative if a business entity other than a corporation, and must be notarized.
- (d) Such forms shall include a statement that "It is unlawful for any person to make a false or misleading statement in connection with this application and the making of any false or misleading statement shall be grounds for denial of the application or subsequent revocation of a certificate, and for criminal prosecution."

#### Sec. 9-12-23 - Fees.

The fees and charges for an application for, and for the issuance and renewal of, a certificate shall be established by regulation, and no application shall be filed, and no certificate issued or renewed, unless and until such fees and charges shall have been paid.

#### Sec. 9-12-24-

[Repealed]

#### Sec. 9-12-25 - Determination of public convenience and necessity; issuance of certificate.

- (a) *Burden:* The applicant shall have the burden of demonstrating that the public convenience and necessity require the operation of a new taxicab company and the authorization of any additional taxicabs that may be requested.
- (b) *Notice and written comments:* Upon receipt of a completed application for an initial certificate and authorization of any additional taxicabs, the city manager shall notify all existing certificate holders by mail, and the public by advertisement in a newspaper of general circulation published within the city, that the application has been filed, and that written comments on the application may be filed with the city manager within 30 days after publication of the notice. No application shall be considered complete unless all of the information in sections 9-12-22 and 9-12-32 has been provided.

- (c) *Public hearing:* The board shall hold a public hearing and make its recommendation to the city manager as to whether the public convenience and necessity requires granting the application for a new certificate and authorization of any additional taxicabs that may be requested. In making its recommendation, the board shall apply the criteria set forth in subsection (d) of this section. This hearing shall be held at the next regular meeting of the board after the written comment period has closed, and may be continued from time to time thereafter by the board.
- (d) *Criteria for consideration.* The city manager shall determine whether public convenience and necessity require the operation of a new company and authorization of any additional taxicabs that may be requested in the application. In making this determination, the city manager shall consider:
- (1) The representations of the applicant as set forth in its application;
  - (2) [Reserved]
  - (3) Any information presented at the public hearing held pursuant to paragraph (c) of this section, and the recommendation of the traffic and parking board;
  - (4) Information as contained in the city manager's most recent report on the economic conditions of the taxi industry required by section 9-12-31;
  - (5) Any shortcomings or deficiencies in existing taxicab service and other forms of transportation for passengers already in existence;
  - (6) The probable permanence and quality of the service offered by the applicant;
  - (7) The financial status, qualifications and responsibility of the applicant as demonstrated by the applicant's ability to provide, maintain and operate the number of vehicles proposed to be operated in accordance with the character of service proposed in the application;
  - (8) The experience of the applicant in taxicab operations as an owner or manager or as a taxicab driver; and
  - (9) The effect on promoting competition and improving the quality of taxi service provided in Alexandria. There shall be a prohibition, based on potential anti-competitive impact, against any entity owning, in whole or in part, an interest in more than one taxicab company authorized to do business in the city. Any entity in violation of this provision shall have 18 months from the effective date to come into compliance therewith.
- (f) *Decision:* The city manager may grant the certificate of public convenience and necessity applied for and approve any additional taxicabs requested by the applicant or approve a lesser number of taxicabs than requested, or the city manager may deny the certificate. If the city manager denies the certificate or grants the certificate with a lesser number of taxicabs than requested by the applicant, the city manager shall notify the applicant by certified mail.
- (g) *Re-application:* An applicant may not reapply for a certificate, or for the authorization of additional taxicabs, for one year from the date of decision by the city manager.

Sec. 9-12-26 - Certificate generally; form; term.

- (a) The certificate of public convenience and necessity shall state the following:
  - (1) The name, home and business address of the certificate holder and registered agent or other person to whom legal process may be served or notice given.
  - (2) The date of issuance; and
  - (3) That the certificate has been issued subject to the provisions of this division and all other laws and ordinances governing the operation of a taxicab company.
- (b) Every certificate shall expire on December 31 next after issuance. Before expiration, each certificate holder shall file a renewal application with the hack inspector pursuant to section 9-12-27. In cases of death, sickness or unusual circumstances, the city manager may authorize the continued operation of an existing certificate until the following March 31.

Sec. 9-12-27 - Renewal of certificate.

Each certificate holder shall file an application for renewal of the certificate with the hack inspector by August 1 of each year on the form provided by the city manager.

Each application for a renewal of a certificate shall demonstrate compliance with section 9-12-32, and shall include a requested number of taxicab authorizations based on current service levels.

Sec. 9-12-28 - Trade dress for vehicles.

- (a) Each applicant for a certificate shall adopt trade dress for each authorized vehicle which shall be submitted for approval with the application for the certificate. Upon the granting of the certificate and approval of the trade dress, the certificate holder shall cause all vehicles that it operates ~~operated~~ under the certificate to conform to such trade dress. No other certificate holder, owner or driver shall use such trade dress.
- (b) No trade dress shall be approved if it conflicts with or imitates the trade dress used by another certificate holder in such manner as to mislead, confuse or tend to deceive the public.
- (c) It shall be unlawful and grounds for revocation of a certificate for any certificate holder to change or allow to be changed the approved trade dress, except as hereinafter provided.
- (d) Any owner or driver connected with a certificate holder who is allowed to use the trade dress of such certificate holder, shall immediately upon separation or discharge from the holder's company discontinue use of any taxicab until the trade dress on such taxicab has been changed or removed.

Sec. 9-12-29 - Sale or transfer of certificates of public convenience and necessity; transfer of company control.

- (a) A certificate of public convenience and necessity issued pursuant to this article shall remain the property of the city, and no such certificate may be sold or transferred by the certificate holder to any other person.
- (b) Merger or transfer of control of a taxicab company, either de facto or de jure, is prohibited unless approved by the city manager after a determination that such merger or transfer of control is in the public interest. Any person who proposes to merge or acquire control of a taxicab company shall submit to the city manager an application in writing, setting forth such relevant information as to the proposed merger or transfer as prescribed by regulation, and indicating whether the merger or transfer of control will be de facto or de jure.
- (1) The applicant shall have the burden of demonstrating that such merger or transfer of control will serve the public interest, and shall promptly respond to any requests for additional information required by the city manager.
- (2) The city manager shall cause an investigation of the financial status, qualifications and responsibility of the applicant and the experience of the applicant in the taxicab business to be conducted. The results of such investigation shall be used by the city manager in determining whether the merger or transfer is in the public interest.
- (3) [Reserved]
- (4) The city manager may approve or deny the request for merger or transfer of control. Before granting any such request, the city manager shall make an affirmative finding that the proposed merger or transfer of control is in the public interest. Absent such finding, the city manager shall deny the application, and notify the applicant.
- (5) In the event of a merger or transfer of control, the city manager may, in the manager's discretion, waive or modify the driver transfer limits set forth in section 9-12-30.

Sec. 9-12-30 - Amending certificates of public convenience and necessity.

- (a) The number of taxicabs authorized by a certificate may be amended once every two years during the biennial review of the industry and the following procedures shall apply:
  - (1) A certificate holder may apply for an amendment to the number of vehicles authorized by the certificate, no later than August 1 of each year in which a review is conducted, on the form provided by the city manager.
  - (2) Reserved.
  - (3) A public hearing on all such applications shall be held by the board as part of the biennial review of the taxi industry pursuant to section 9-12-31, and the board shall make a recommendation thereon to the city manager.
  - (4) The board in making its recommendation, and the city manager in making the determination on such applications and proposed amendments, shall consider the factors prescribed in section 9-12-31.

- (c) The decision on such applications shall be part of the city manager's order setting forth the conditions of the taxicab industry pursuant to section 9-12-31.
- (d) Upon amendment as to the number of vehicles the certificate holder shall forthwith surrender the old certificate to the city manager, and the city manager shall issue a new certificate to the certificate holder.

Sec. 9-12-31 - Biennial review of taxi industry.

- (a) Between September 1 and November 15 of 2010, and during the same period every two years thereafter, the board and city manager shall conduct a review of the taxicab industry in Alexandria. The board shall conduct a public hearing, after giving reasonable notice to all applicants, existing certificate holders and the public. The board shall receive comment as to the economic condition of the taxicab industry, the adequacy of public service rendered by the industry, and whether any changes to the regulation of the industry are necessary or desirable, including changes to the number of taxicabs authorized for each taxicab company holding a valid certificate.
- (b) Performance information required to be submitted by certificate holders pursuant to section 9-12-32 shall be considered by the board and the city manager as part of the review.
- (c) In reviewing applications to renew certificates of public convenience and necessity, the board and city manager shall consider the certificate holder's record of compliance with section 9-12-32, and shall establish the maximum and minimum number of vehicles that may be affiliated with each certificate holder, as follows:
  - (1) The minimum number of authorized taxicabs for each certificate holder shall not be fewer than 10 percent less than the number authorized at the time of the biennial review. Notwithstanding the foregoing, the minimum number of authorized taxicabs for any company that has substantially met the level of dispatch service required under this Code for the intervening two years since the prior review shall not be reduced below the number of authorizations allowed in the prior review.
  - (2) The maximum number shall provide a sufficient number of taxicab authorizations for each certificate holder to provide a satisfactory level of dispatch service based on current and anticipated number of dispatch trips provided.
  - (3) In the event that the board and city manager shall authorize the issuance of one or more new certificates, the minimum number of taxicabs authorized for each existing certificate holder may be further reduced by an additional five percent below the current authorization.
- (d) The board and city manager shall set the total number of vehicles to be authorized for each taxicab company holding a valid certificate, giving consideration to such factors as bear on public convenience and necessity, including but not limited to:
  - (1) the demonstrated need on a company-by-company basis on the number of cabs necessary to provide satisfactory public service, including ensuring adequate availability of taxicabs for dispatch service and taxi stands;

- (2) changes in the number of trips actually served by taxicabs for each existing company;
- (3) the ability of current drivers to earn a living wage;
- (4) a demonstrated commitment to specifically serve the needs of the elderly and/or disabled community;
- (5) the dispatch levels attained during the two-year period immediately preceding the biennial review, so that no company shall be granted more authorizations than supported by its actual dispatch performance for the prior two-year period; and
- (6) such factors listed in section 9-12-25(d) as the board or city manager deem applicable.
- (e) [Reserved.]
- (f) Giving consideration to the comments received at the public hearing, and to any additional information made part of the record before it, the board shall forward its conclusions as to the status of the industry, and its recommendations as all matters included in the annual review of the industry, to the city manager. The report shall include the findings of fact upon which board's conclusions and recommendations are based. The report shall be transmitted to the city manager no later than November 15.
- (g) The biennial review of the taxicab industry shall also include a review of the fares and industry fees, including a review of the base fare, permitted additional charges and all fees charged to and by the certificate holders, owners and drivers. The public hearing before the board shall include comments on such fares, charges and fees and any recommended changes thereof. The board shall forward its conclusions, recommendations and findings of fact as to such fares, charges and fees as part of its report pursuant to subsection (f) of this section. In reviewing such fares, charges and fees, the board and city manager shall, without limitation, take the following factors into consideration:
  - (1) driver income compared to the City of Alexandria adopted living wage;
  - (2) cost of industry related regulatory and enforcement expenditures; and
  - (3) such factors listed in section 9-12-25(d) as the board or city manager deem applicable.
- (h) Not later than December 15 of the year in which the biennial review is conducted, the city manager shall issue an order stating the manager's findings and conclusions as to the economic condition of the taxicab industry and determinations as to any pending applications or proposals under section 9-12-30. In issuing his order, the city manager shall presume that the factual findings of the board are prima facie correct. If the manager disagrees with any of the recommendations of the board, the manager shall, with the issuance of the order, enumerate the reasons for not accepting such recommendations. The order of the city manager may be used by him in determining the public convenience and necessity under the provisions of this article.

- (i) Reserved.
- (j) After completion of the transfer review process and the review of all applications for new or renewed certificates of public convenience and necessity, the city manager may approve additional authorizations for existing companies that have requested same, based upon a finding that such a grant will be in the public convenience and necessity including, without limitation, promoting prompt dispatch and exceptional customer service.

Sec. 9-12-32 - Requirements for certificate holders.

Each certificate holder shall:

- (a) provide 24-hour service;
- (b) provide two-way dispatch service located within the boundaries of the city that meets the following:
  - (1) dispatch must be provided 24 hours a day, seven days a week;
  - (2) if less than 130 taxicabs are authorized under the certificate, dispatch may be provided not less than 16 hours a day, seven days a week;
  - (3) if the certificate has been issued for less than one year, dispatch may be provided not less than 16 hours a day, seven days a week until one year following the date of issuance, after which dispatch must be provided as set out in paragraph (1) or (2), depending on the size of the certificate holder;
- (c) provide the minimum level of service for dispatch and documented city trips and call response time as prescribed by regulation; however, in no circumstance may regulation set an average dispatch and documented city trip call volume equaling less than two calls per driver per day. In addition, in no circumstances may regulation provide more than 25% of the required call volume be satisfied by documented city trips. Dispatch and documented city trip service requirements shall be calculated based on the total number of properly documented calls served by the certificate holder during the time period reviewed by city staff-;
- (d) [Reserved]
- (e) (f) provide a minimum of one vehicle, or one percent of the vehicles authorized under the certificate, whichever is greater, for ADA compliant handicap accessible transportation, and every vehicle permit issued for a handicap accessible vehicle shall state on the permit that it is to be used for a handicap accessible vehicle only. Each certificate holder has an affirmative obligation to make such ADA complaint vehicles available during the hours in which it provides dispatch service for dispatch to a qualified handicapped passenger in the event not less than two hours notice is provided by the passenger;
- (g) maintain a record of all taxicabs affiliated with the certificate holder, of the owners thereof and of all drivers thereof, including the current address and telephone number for each such owner and driver. This record shall be turned in not less than annually by a date to be determined by the director of T&ES and otherwise be

available at all times for examination and inspection by the director, hack inspector or any police officer and shall be preserved for 12 months;

- (h) provide an alternative dispute resolution process for disputes arising between owners and/or drivers of taxicabs and the certificate holder pursuant to division 7 of this article;
- (i) provide and adhere to written policies setting forth service requirements for drivers affiliated with the certificate holder and specifying disciplinary actions that the holder will take in the event the requirements are not met. All such requirements and disciplinary actions and any revision that may from time to time be added by the certificate holder shall be provided to every affiliated driver and posted in a conspicuous location in the taxicab company offices;
- (j) not unreasonably withhold its agreement to allow an affiliated driver to transfer the authorization under which the driver is driving to another qualified driver;
- (k) provide a 30-day notice to drivers of any changes in stand dues and post such changes in a conspicuous location in the taxicab company offices with a clearly stated reason for the change, and file such changes and reasons with the city, for informational purposes;
- (l) post the most current schedule of stand dues in a conspicuous location in the taxicab company offices;
- (m) file with the city, in a manner prescribed by regulation, for informational purposes, the requirements and disciplinary actions required by subsection (i) and the stand due schedule and any changes required by subsection (k);
- (n) maintain monthly performance information and provide the following information to the city manager on a periodic basis, no less than annually, in the manner prescribed by regulation:
  - (1) dispatch call volume totals;
  - (2) number of complaints by type;
  - (3) a schedule of current stand dues;
  - (4) dispatch call volumes and detailed call and pick up data files; and
  - (5) such other information as may be prescribed by regulation.
- (o) -[Reserved]
- (p) all information submitted to the city manager under this section shall include a statement that "It is unlawful for any certificate holder to make a false or misleading statement and the making of any false or misleading statement shall be grounds for revocation of a certificate and criminal prosecution," and shall be signed by the certificate holder or authorized representative;
- (q) all financial data information submitted pursuant to this section shall be deemed confidential financial information pertaining to the certificate holder's business license pursuant to title 9 of the City Code and exempt from disclosure to the public



pursuant to Virginia Code §§ 58.1-3 and 46.2-2602(B) and shall otherwise be kept confidential to the extent permissible under the Code of Virginia and the City Code;

- (r) in the event that the City of Alexandria adopts a paratransit and/or senior citizen transportation program involving all certificate holders, each certificate holder must participate in such a program;
- (s) all certificate holders who operate as taxicab companies must have written contracts setting forth the terms and conditions of their agreements with the drivers who operate under the vehicle authorizations granted to each certificate holder; and
- (t) ensure that all affiliated vehicles accept major credit cards as payment for taxicab fares pursuant to a policy to be determined by the certificate holder, subject to the following conditions:
  - (1) If a certificate holder mandates that its affiliated drivers use a specific credit card processor, that company will:
    - i. charge drivers no more than 5% of the transaction for processing;
    - ii. provide a direct deposit option for drivers.
  - (2) Certificate holders are responsible for uniformity of service and can determine the type(s) of credit card device(s) that are allowable in their fleet;
  - (3) [Reserved]
  - (4) The certificate holder will ensure that for all credit card transactions, its affiliated drivers will issue a paper receipt showing date of transaction, cab number, driver name, and the amount of the transaction for all credit card transactions. The receipt may be hand-written;
  - (5) The certificate holder will ensure that all credit card processing equipment authorized for use by its affiliated drivers shall be PCI DSS compliant; and
  - (6) The certificate holder will take affiliated taxicabs out of service if their credit card processing equipment is inoperable.

Sec. 9-12-33 - Civil penalties; revocation or suspension of certificates.

- (a) Any certificate holder who violates any provisions of section 9-12-32 shall be guilty of a class two civil violation.
- (b) Certificates of public convenience and necessity may be placed on probationary status for a period of 30 to 120 days, or revoked by the city manager for any of the following causes:
  - (1) failure to manage and operate the company and fleet in such a manner as to serve the public adequately;
  - (2) failure to manage and operate the company and fleet in such manner as to cause the authorized taxicabs to be maintained in good order and repair;
  - (3) failure to manage and operate the company and fleet in such manner as to cause the insurance required by this article ~~o~~ to be maintained for the authorized taxicabs;

- (4) repeated and persistent violations by the certificate holder or by the drivers of authorized taxicabs of the Alexandria City Code or of the motor vehicle laws of Virginia;
- (5) failure to report any accident as required by this article;
- (6) failure to manage and operate the company and fleet in such manner as to cause any fees lawfully assessed upon the ownership or operation of any vehicle licensed under this article to be paid;
- (7) failure to comply with the requirements of section 9-12-32; and
- (8) failure to comply with any other provision of this article.
- (c) Prior to placing on probationary status or revoking any certificate, the city manager shall hold a hearing on the proposed revocation or probation. The certificate holder shall have the right to present his case in person or be represented by counsel licensed to practice law in the Commonwealth of Virginia. The certificate holder shall be given at least 10 days' notice by personal service, or by regular and certified mail, to the address shown on the certificate, of the grounds for revocation or probation and the time and place of the hearing thereon.
- (d) The city manager shall notify the certificate holder by regular and certified mail directed to the address shown on the certificate, of his decision to revoke or place on probationary status the certificate. Such decision notice shall include the grounds for revocation or probation and the length of time of probation.
- (e) A certificate holder whose certificate has been revoked may not reapply for a certificate for 365 days from the date of revocation.
- (f) The city manager may place on probationary status a certificate for such a period of time in excess of 120 days as he may, in his reasonable discretion, see fit.
- (g) If a certificate is placed on probationary status, the city manager shall impose such terms and conditions as the manager deems reasonably necessary to bring the certificate holder into compliance. In the event the certificate holder fails to comply within the time stated by the city manager, the certificate shall be revoked by operation of law.
- (h) Disposition of vehicle authorizations from a revoked certificate. The vehicle authorizations held by a certificate holder whose certificate is revoked under this section shall be returned to the city on the effective date of the revocation. Not less than 45 days prior to the effective date of revocation of the certificate, the city manager shall cause a public hearing to be held by the board regarding the public interest in the disposition of the authorizations. The board shall make a recommendation to the city manager as to the disposition of the authorizations. Not less than 21 days prior to the date of revocation, the city manager shall make a determination as to the disposition of the authorizations. There shall be a presumption, but not a guarantee, that the vehicle authorizations from a certificate holder that has its certificate revoked shall be allowed to transfer to other authorized certificate holders, unless the manager finds that such transfer will not be in the best interest of the public convenience and necessity.

- (i) The city manager's decision to place on probationary status or revoke a certificate may be reviewed on the record by the Circuit Court of the City of Alexandria, to determine whether the city manager applied the correct law, and whether the decision was arbitrary and capricious; provided a petition for review is filed with the court within 30 days of the decision. The filing of such petition shall not stay the effect of such revocation or suspension, unless otherwise ordered by the court. The court may affirm or reverse the decision of the city manager, or vacate the decision and remand the matter with instructions.

Sec. 9-12-34 - Authorizations not in use.

- (a) If a certificate holder fails to operate any authorized vehicles for more than 18 consecutive months, the authorization to operate such inactive vehicles shall terminate automatically and revert to the city, and the city manager shall issue a new certificate for the lesser number of authorized vehicles that remain in use.
- (b) The provisions of subsection (a) shall not be applicable to that portion of an increase in authorized vehicles granted under the provisions of section 9-12-30 for a period of 365 days after an increase in certificates is authorized.

Sec. 9-12-35 - Grandfathered certificates.

A certificate which was issued to an individual owner or driver prior to February 15, 1983, and remains in force and effect, including by renewal, on and after July 1, 2005, shall be subject to the following provisions:

- (a) The original holder of such an individual certificate may change affiliation at any time and for any reason, subject to compliance with the provisions of this section.
- (b) The provisions of section 9-12-32 shall not be applicable to renewals of grandfathered certificates held by an individual owner or driver.
- (c) Grandfathered certificates may only be transferred in the manner set forth in the following section (d).
- (d) Upon the holder's departure from the industry, the company with whom the grandfathered certificate is at that time affiliated may request that the grandfathered certificate be converted to a standard authorization, which, if granted, shall be in addition to the number of authorizations then affiliated with the company. The traffic and parking board shall consider any such request at a public hearing and will make the final determination regarding such request. The city manager shall promulgate regulations for processing such requests and scheduling them for hearing. In the event such a request is granted, then the grandfathered certificate holder may transfer the vehicle permit in the same manner and subject to the same regulatory requirements as those vehicle permits for vehicles with standard authorizations.

Secs. 9-12-36 through 9-12-40 - reserved.

DIVISION 3 - Driver's Permit

Sec. 9-12-41 - Driver's permit required, display.

No person shall operate a taxicab under the authority of a certificate of public convenience and necessity issued by the city, and no person who owns or controls a such a taxicab, shall permit it to be so driven, and no such taxicab shall be operated at any time for hire, unless the driver of such taxicab shall have first obtained and shall have then in force a driver's permit issued under the provisions of this division. Such permit shall be the property of the city, and shall be carried and displayed in a conspicuous place in the taxicab while being operated by the driver.

Sec. 9-12-42 - Application.

- (a) An application for a driver's permit under this division shall be made in writing under oath on forms provided for by the city manager, shall be filed with the hack inspector and shall provide the following:
  - (1) pertinent personal data;
  - (2) physical condition of the applicant;
  - (3) [Reserved];
  - (4) [Reserved];
  - (5) [Reserved];
  - (6) [Reserved]
  - (7) a written certification from a company certificate holder that the applicant has taken and passed a written examination pursuant to section 9-12-46 herein, in a form reviewed and approved by the hack inspector;
  - (8) a written certification from a company certificate holder stating that it has conducted a mandatory background screening of the applicant in accordance with Section 9-12-42.1 and further certifying that the company certificate holder has authorized the applicant as a driver based upon the results of that screening; and
  - (9) a written certification from the applicant certifying that he or she has not had a taxicab driver's permit or a similar permit permanently revoked in any other jurisdiction.
- (b) [Reserved]
- (c) Each applicant shall file with the application three copies of a recent photograph, of a size designated by regulation, one of which shall be attached to and become a part of the application, another to be permanently attached to the permit, if issued.
- (d) The application shall state thereon that "It is unlawful for any person to make a false statement on this application and discovery of a false statement shall constitute grounds for prosecution and for denial or revocation of this driver's permit."

Sec. 9-12-42.1 – Mandatory Background Screenings.

- (a) Before authorizing an applicant as a driver, a company certificate holder shall confirm that the person is at least 18 years old, possesses a valid driver's license, and has possessed a valid driver's license for at least six months.
- (b) Before authorizing an applicant to act as a driver, and at least annually after authorizing a person to act as a driver, a company certificate holder shall obtain a national criminal history records check of that person. The background screening shall include (i) a Multi-State/Multi-Jurisdiction Criminal Records Database Search or a search of a similar nationwide database with validation (primary source search) and (ii) a search of the Sex Offender and Crimes Against Minors Registry and the U.S. Department of Justice's National Sex Offender Public Website. The person conducting the background screening shall be accredited by the National Association of Professional Background Screeners or a comparable entity that is approved by the department.
- (c) Before authorizing a person to act as a driver, and at least once annually after authorizing a person to act as a driver, a company certificate holder shall obtain and review a driving history research report on that person from the individual's state of licensure.
- (d) Before authorizing a person to act as a driver, and annually after authorizing a person to act as a driver, a company certificate holder shall verify that the person is not listed on the Sex Offender and Crimes Against Minors Registry or on the U.S. Department of Justice's National Sex Offender Public Website.
- (e) A company certificate holder shall not authorize a person to act as a driver if the criminal history records check required above reveals that the individual:
- (1) is a person for whom registration with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§9.1-900 et seq.) of Title 9.1 of the Code of Virginia, or is listed on the U.S. Department of Justice's National Sex Offender Public Website; or
- (2) has ever been convicted of or has ever plead guilty or *nolo contendere* to a violent felony offense as listed in subsection C of §17.1-805 of the Code of Virginia, or a substantially similar law of another state or of the United States, or pled guilty or *nolo contendere* to a violation of §46.2-894 of the Code of

Virginia, or a substantially similar law of another state or of the United States;  
or

(3) within the preceding seven years has been convicted of or has plead guilty or *nolo contendere* to any of the following offenses, either under Virginia law or a substantially similar law of another state or of the United States: (i) any felony offense other than those included in subsection (2) above; (ii) an offense under §§18.2-266, 18.2-266.1, 18.2-272, or 46.2-341.24 of the Code of Virginia; or (iii) of any offense resulting in revocation of a driver's license pursuant to §46.2-389 or §46.2-391 of the Code of Virginia; or

(4) within the preceding three years has been convicted of or has pled guilty or *nolo contendere* to any of the following offenses, either under Virginia law or a substantially similar law of another state or of the United States: (i) three or more moving violations; (ii) eluding a law-enforcement officer, as described in §46.2-817 of the Code of Virginia; (iii) reckless driving, as described in Article 7 (§46.2-852 *et seq.*) of Chapter 8 of the Code of Virginia; (iv) operating a motor vehicle in violation of §46.2-301 of the Code of Virginia; or (v) refusing to submit to a chemical test to determine the alcohol or drug content of the person's blood or breath, as described in §18.2-268.3 or §46.20341.26:3 of the Code of Virginia.

(f) An authorized driver shall immediately inform each company certificate holder that has authorized him to act as an authorized driver, as well as the hack officer, of any event that may disqualify him from continuing to act as an authorized driver, including any of the following: the revocation, suspension, cancellation, or restriction of his driver's license; a motor vehicle moving violation; or a criminal arrest, plea, or conviction. Upon learning of a potentially disqualifying event, either from the driver, from other sources, or from the periodic screenings required above, the company certificate holder shall immediately provide written notice of the same to the hack inspector. The driver and the company certificate holder shall cooperate with any request for information made by the hack inspector. A failure to comply with this subsection could result in the suspension or revocation of the driver's permit, or the company certificate holder's certificate of public convenience and necessity.

(g) The hack inspector shall be entitled to review the results of the mandatory background screenings immediately upon request.

(h) Any person who violates any provision of this section or who permits a violation of any provision of this section shall be guilty of a class one civil violation.

Sec. 9-12-43 - Charges for permit.

The fees and charges for an application for, and for the issuance and renewal of, a drivers permit shall be established by regulation, and no application shall be filed, and no certificate issued or renewed, unless and until such fees and charges shall have been paid.

Sec. 9-12-44 - Medical examination.

If the application indicates that the applicant's ability to safely operate a taxicab is reasonably in question, no driver's permit shall be issued or renewed until the applicant shall furnish a certificate from a reputable physician, certifying that, in such physician's opinion, the applicant's ability to safely operate a taxicab is not impaired.

Sec. 9-12-45 -

-[Reserved]

Sec. 9-12-46 - Examination of applicant as to driving ability, etc.

Each applicant for a driver's permit pursuant to this division shall be required to pass a written examination in a form approved by the hack inspector as to the applicant's ability to operate a taxicab, knowledge of the traffic laws of the city and state, knowledge of the city's roads and the laws of this article applicable to drivers. The content, nature and form of such examination shall be determined by the hack inspector and may be periodically changed by the hack inspector from time to time as may be deemed necessary for the public interest and safety. This examination may be offered and taken by a company certificate holder or a third party and must be successfully completed, with a passing score of 75% or higher prior to application for a driver's permit pursuant to section 9-12-42.

Sec. 9-12-47 - Reserved.

Sec. 9-12-48 - Reserved.

Sec. 9-12-49 - Requirements for driver's permit.

A driver's permit shall not be issued to any person who:

- (a) is under 18 years of age;
- (b) [Reserved]
- (c) has had a taxicab driver's permit or similar permit permanently revoked in any other jurisdiction;
- (d) -[Reserved]

- (e) ~~-[Reserved]~~
- (f) has not provided a written certification from a company certificate holder that the applicant has taken and passed a written examination pursuant to section 9-12-46 herein, in a form reviewed and approved by the hack inspector;
- (g) has not held a valid motor vehicle operator's license for a period of at least six months;
- (h) has not passed the applicable examinations required by section 9-12-46; ~~or~~
- (i) does not have a valid work authorization from the Immigration and Naturalization Service, if required~~;~~ and
- (j) has not been authorized by a company certificate holder as required by Sections 9-12-42 and 9-12-42.1.

Sec. 9-12-50 - Issuance or denial of driver's permit by the hack inspector.

- (a) If the hack inspector finds that an applicant has satisfied the requirements of this division the the hack inspector shall issue a driver's permit to the applicant.
- (b) If the hack inspector finds that an applicant has not met the requirements of this division, or that issuance of a driver's permit to the applicant would jeopardize the health, safety or welfare of the public, the hack inspector shall deny the application, and give written notice thereof, including the reasons for the denial, to the applicant.
- (c) The city manager may by regulation provide for a program for the issuance of temporary driver's permits. The hack inspector may withhold issuance of the temporary permit if he reasonably believes that there are unresolved issues or additional information that may be required from an applicant. ~~a~~ A temporary permit may be issued to the applicant as provided by regulation. Any such temporary permit shall be valid for no more than 90 days from the date of issuance.

Sec. 9-12-51 - Appeal of a denial of a driver's permit.

- (a) When an application for a driver's permit under this division is denied, the applicant may appeal to the board, which shall hold a hearing on any such appeal and make a recommendation regarding same to the city manager pursuant to the procedures set forth herein.
- (b) Such applicant shall, within 10 days after being notified of the denial, file in writing with the hack inspector, a notice of appeal. The hack inspector shall schedule a public hearing before the board within a reasonable time. Notice of the hearing shall be given to the applicant at least 10 days before the hearing date.
- (c) The hack inspector shall immediately notify the applicant in writing of the board's recommendation.
- (d) The board shall make its recommendation to the city manager, who shall have authority to affirm or reverse the decision appealed from. If the city manager finds for the applicant, the hack inspector shall issue the driver's permit. If the city



manager finds against the applicant, the decision of the hack inspector shall stand. The action of the city manager on appeal shall be final.

- (e) There shall be no rehearing and any such applicant shall not be considered for a period of at least one year after denial.

Sec. 9-12-52 - Information to be shown on permits.

Each driver's permit issued pursuant to this division shall at minimum contain the following information:

- (a) the permit number;
- (b) the name of the driver;
- (c) photograph of the driver;
- (d) the date of expiration; and
- (e) a statement that the permit is issued subject to the provisions of this article and may be suspended or revoked pursuant to the provisions of this article.

Sec. 9-12-53 - Expiration of permit.

Each driver's permit issued under this division, except for a 60-day temporary permit, shall expire two years from the date of issuance, unless sooner suspended or revoked.

Sec. 9-12-54 - Renewal of permit.

A driver's permit may be renewed for successive periods of two years, provided that the procedure set forth for original applications is followed, ~~of~~ and all applicable fees have been paid.

Sec. 9-12-55 - Permits nontransferable.

No driver's permit issued under this division shall be transferable.

Sec. 9-12-56 - Records and reporting requirements.

- (a) *Accident reports.* The driver of every taxicab shall report within 24 hours, to the hack inspector, every accident, however slight, in which a taxicab or any other vehicle operated by such driver is involved.
- (b) *Manifest.* Every taxicab driver shall keep, on a form prescribed by the city manager, a manifest, which shall, at minimum, record the place, date and time the transportation of each paying passenger commenced and terminated, and the amount of the fare, all of which shall be recorded immediately upon the termination of each trip. All manifests shall be subject at all times to examination or inspection by any duly authorized city official, the hack inspector or any police officer. Every manifest shall be kept and preserved for 12 months, and shall be submitted to the city manager or the manager's designee as required by regulation.

- (c) *Disposition of property left in vehicles.* Every driver of a taxicab shall carefully preserve any money or other property left in the taxicab and shall immediately notify the taxicab company of the discovery of the property and turn over such money or other property to the taxicab company within 24 hours of discovery. All taxicab companies shall maintain a lost and found for such property and shall report all property so received to the hack inspector, as prescribed by regulation. Such money or other property shall be surrendered promptly to the owner, upon identification and proof of ownership.
- (d) *Drivers and company certificate holders to report changes of affiliation.* Every driver of a taxicab, as well as the company certificate holder to which the driver is changing affiliation, shall notify the hack inspector within five business days when he changes his affiliation to another taxicab company.

Sec. 9-12-57 - Service requirements.

The following are minimum service requirements that must be met by all drivers holding a driver's permit issued under this division:

- (a) *Additional passengers.* No driver already engaged with a passenger shall take an additional passenger, except with the consent of all passengers.
- (b) *Unlawful use of vehicles.* No driver shall use or permit the use of any taxicab for soliciting business for any person or house of ill repute, for selling intoxicating liquors, for lewd or indecent purposes or for transporting persons to houses of ill repute or places used for lewd indecent purposes.
- (c) *Entering and leaving vehicles.* No driver shall allow a passenger to enter or leave any taxicab except along the curb of a street.
- (d) *Stopping in intersections to load or unload prohibited; interfering with traffic.* No driver of any taxicab shall stop, load or unload any passengers in the intersection of any streets or on any crosswalk. No such driver shall in any way impede or interfere with the orderly flow of traffic on the streets.
- (e) *Priority of calls for service.* Every driver of a taxicab shall serve requests for service in the order of receipt of such calls.
- (f) *Nonpaying passengers.* No nonpaying passenger shall be transported in a taxicab with a paying passenger, except bona fide officers or employees of the owner or certificate holder, or a police officer engaged in the performance of his duty.
- (g) *Drivers to take shortest route to destination.* The driver of each taxicab shall drive the same over the shortest practical route from the point of engagement to the destination of the passenger or passengers.
- (h) *Number of passengers.* No driver of a taxicab shall carry at any one time more adult passengers than the number for which the vehicle was designed.
- (i) *Passengers to occupy rear seat first.* Passengers shall fill the rear seat before using the front seat, and no driver shall carry a passenger in the front seat unless the back seat is filled, except when otherwise requested by a passenger.

- (j) *Loitering at taxi stands.* No driver shall loiter or congregate with others in sidewalks adjacent to a taxi stand in such a manner as to violate section 9-12-115 of this division or in such a manner as to unreasonably inhibit or impede the flow of pedestrian traffic on the sidewalk.
- (k) *Cruising.* The city manager may prohibit cruising throughout the city or in designated areas within the city in times of emergency, or at other times when some activity takes place within the city which will produce abnormal traffic congestion and danger to pedestrians and the city manager finds that cruising would add to the congestion and danger. No such prohibition may be issued, except in case of an emergency, without notice and public hearing before, and a recommendation from the board. When the city manager has issued such prohibition, it shall be unlawful for any person to cruise in the area designated.
- (l) *Refusal to carry passengers.* No driver of a taxicab shall refuse or neglect to convey any orderly person, upon request, unless previously engaged, off duty, or unable or forbidden by the provisions of this article to do so.
- (m) [Reserved].
- (n) *Responding to dispatch calls.* Every driver shall comply with the standards of dispatch service prescribed by regulation. Each driver must average not less than 50 percent of the average dispatch call volume set by regulation pursuant to section 9-12-32(c) for the company with which the driver is affiliated. Notwithstanding the foregoing, a company may set a different level of service for its drivers so long as the company meets the dispatch requirements set forth by regulation pursuant to section 9-12-32(c) and notifies the hack inspector of this policy.
- (o) *Complying with service regulations.* All drivers shall comply with customer service related provisions prescribed by regulation.
- (p) *Complying with company service standards.* Every driver shall comply with the service requirements issued by the taxicab company with which the driver is affiliated.
- (q) *Smoking in taxicabs.* Smoking shall be prohibited in taxicabs at all times.
- (r) *Cell phone and mobile device use.* Drivers shall not use cell phones or other mobile devices when transporting passengers except for emergencies and trip related activities.

Sec. 9-12-58 - Temporary suspension of permits and civil penalties.

- (a) The hack inspector shall have the power to suspend any driver's permit for a period not to exceed five days for any one or more of the following causes:
  - (1) any violation of section 9-12-56;
  - (2) any violation of section 9-12-57; or
  - (3) any violation of section 9-12-60.
- (b) In addition to the foregoing, any driver who violates sections 9-12-56, 9-12-57 or 9-12-60 shall be guilty of a class five civil violation. The hack inspector shall have

the authority to assess the civil penalties set forth for such violations in City Code section 1-1-11 and shall coordinate with the office of the city attorney to determine when suspensions, civil penalties or a combination of both shall be imposed.

Sec. 9-12-59 - Appeal from temporary suspension.

Whenever the-hack inspector has suspended a permit pursuant to section 9-12-58, the driver may appeal to the board, by filing a written notice of appeal with the hack inspector, within five days after being notified of his suspension. The hack inspector shall thereupon schedule, within a reasonable time, a hearing before the board. Notice of such hearing shall be given to the applicant at least five days before the hearing. Any suspension shall be stayed pending the hearing before and decision of the board. The board shall have authority to affirm, reverse or modify the suspension appealed from. The action of the board shall be final and there shall be no rehearing. There shall be no appeal to the traffic & parking board from the imposition of a civil penalty not accompanied by a suspension, but civil penalties not accompanied by a suspension may be contested in the manner set forth in City Code section 1-1-11(c)(3).

Sec. 9-12-60 - Suspension and revocation of permits by the board.

- (a) The board shall have the power to recommend that the city manager suspend or revoke any driver's permit issued under the provisions ~~under~~ of this division for any one or more of the following causes:
- (1) violation of any law involving moral turpitude;
  - (2) failure to report any accident in which the driver is involved;
  - (3) violation of any law prohibiting the operation of motor vehicles while under the influence of any intoxicating beverage, controlled substance or drug;
  - (4) operation of a taxicab known by the driver not to be in good order or safe repair;
  - (5) repeated violations of traffic or safety laws of local, state or federal government;
  - (6) being impaired by a disease or infirmity which makes the driver an unsafe driver;
  - (7) violation of any law prohibiting hit and run driving, leaving the scene of an accident or similar law;
  - (8) failure to serve the public adequately;
  - (9) making a false statement prohibited by section 9-12-5 of this code;
  - (10) -[Reserved].
  - (11) doing any act or failing to do any act which act or omission jeopardizes the health, safety or welfare of the public;
  - (12) repeated suspension pursuant to section 9-12-58 of this code;
  - (13) repeated or egregious rude or discourteous conduct towards a passenger; or
  - (14) violation of any other provision of this article.

- (b) In any hearing by the board under this section, a conviction, plea of nolo contendere or forfeiture shall be conclusive evidence of a violation.
- (c) The hack inspector shall give the holder of the permit at least 10 days' notice by personal service or by certified mail to the address shown on the permit of the grounds for suspension or revocation and the time and place of hearing.
- (d) The board shall conduct a public hearing, and the city attorney, when requested by the hack inspector, shall present the case against the permit holder. The permit holder may present his own case or be represented by counsel.
- (e) If the board finds that one or more of the causes specified in subsection (a) exists, the board shall recommend that the city manager suspend the driver's permit for not less than 30 days nor more than 120 days, or the board may recommend that the city manager revoke the driver's permit, as it may in its discretion see fit.
- (f) When a driver's permit has been revoked, no application for a new permit shall be accepted for one year following the revocation.
- (g) The city manager's decision to suspend or revoke a driver's permit may be reviewed on the record by the Circuit Court of the City of Alexandria, to determine whether the board and city manager applied the correct law, and whether the decision was arbitrary and capricious; provided a petition for review is filed with the court within 30 days of the decision. The filing of such petition shall not stay the effect of such revocation or suspension, unless otherwise ordered by the court. The court may affirm or reverse the decision of the city manager, or vacate the decision and remand the matter with instructions.

Secs. 9-12-61 through 9-12-70 - reserved.

#### DIVISION 4 - Vehicle Permits

Sec. 9-12-71 - Vehicle permit required; display.

No taxicab shall be operated under the authority of a certificate of public convenience and necessity issued by the city, and no person who owns or controls a such a taxicab, shall permit it to be so operated, and no such taxicab shall be operated at any time for hire, unless the owner of such taxicab shall have first obtained and shall have then in force a vehicle permit issued under the provisions of this division. Such permit shall be the property of the city, and shall be carried and displayed in a conspicuous place in the taxicab.

Sec. 9-12-72 - Application.

- (a) An application for a vehicle permit under this division shall be made in writing under oath on forms provided by the city manager; shall be filed with the hack inspector and shall contain at minimum the following information:
  - (1) full name of the applicant;
  - (2) applicant's current address;
  - (3) make, model and year of the vehicle;

- (4) description of the insurance policy covering the vehicle; and
- (5) proof that the vehicle displays a valid state inspection decal and a valid state registration decal.
- (b) The application shall state thereon that "It is unlawful for any person to make a false statement on this application and discovery of a false statement shall constitute grounds for prosecution or denial or revocation of this vehicle permit."

Sec. 9-12-73 - Charges for vehicle permit.

The fees and charges for an application for, and for the issuance and renewal of, a vehicle permit shall be established by regulation, and no application shall be filed, and no vehicle permit issued or renewed, unless and until such fees and charges shall have been paid.

Sec. 9-12-74 - Issuance of permit; inspection of vehicle.

If the hack inspector finds that the vehicle complies with the provisions of this division and with the regulations promulgated pursuant to this article, the hack inspector shall issue a vehicle permit for such vehicle. If the vehicle is found by the hack inspector not to meet the requirements, the hack inspector shall notify the applicant of all defects which must be remedied for the permit to be issued. If the defects are not corrected ~~on~~ re-inspection, the application for a vehicle permit shall be denied.

Sec. 9-12-75 - Information to be shown on permits.

Each vehicle permit issued pursuant to this division shall contain at minimum the following information:

- (1) vehicle permit number;
- (2) name of the certificate holder under whose certificate the vehicle will be operated;
- (3) name of the owner;
- (4) expiration date;
- (5) year, make, model and vehicle identification number (VIN);
- (6) make and serial number of taximeter; and
- (7) the fact that the permit is issued subject to the provisions of this article and may be suspended or revoked if the provisions of this article are violated.

Sec. 9-12-76 - Expiration of permit.

All vehicle permits issued under this division shall expire one year from the date of issuance, unless sooner suspended or revoked. A vehicle permit shall be suspended by operation of law in the event that the state inspection or the state registration of the vehicle expires during the duration of the vehicle permit. In such an event, the vehicle permit shall be reinstated by operation of law once a new state inspection or a new state registration is obtained.

Sec. 9-12-77 - Renewal of permit.

A vehicle permit may be renewed, provided the applicant follows the procedure set forth for original applications. The renewed permit shall expire one year from the date of issuance.

Sec. 9-12-78 - Permit nontransferable before inspection.

- (a) A vehicle used as a taxicab may be transferred to a new owner, either for use as a taxicab or otherwise. However, if the vehicle is to be used as a taxicab by the new owner, the vehicle permit may not be transferred to the new owner unless and until the hack inspector has determined that the vehicle complies with all requirements for a new permit. Such determination shall be made within a reasonable period of time.
- (b) If a vehicle ceases to be used as a taxicab, the permit for that vehicle shall forthwith be surrendered to the hack inspector, and a new permit applied for and obtained for the replacement vehicle, if any.

Sec. 9-12-79 - Suspension of permits.

- (a) The hack inspector shall have the power to suspend a vehicle permit for a period not to exceed five days for one of the following causes:
  - (1) failure to maintain the taxicab in good order and repair.
  - (2) violation of the requirements set forth in section 9-12-81 of this division.
- (b) The hack inspector shall have the power to suspend a vehicle permit until such time that the vehicle is safe to operate if the vehicle is found to be in violation of section 9-12-80 of this division.
- (c) The hack inspector shall have the power to suspend a vehicle permit until such time that the vehicle is insured as required by section 9-12-6 of this article.
- (d) In addition to the foregoing, any vehicle owner or driver who violates section 9-12-80 or 9-12-81 shall be guilty of a class two civil violation.

Sec. 9-12-80 - Vehicles to be in safe condition.

Every taxicab and the equipment used in connection therewith, subject to a vehicle permit pursuant to this division, shall be kept at all times in proper and safe mechanical and operating condition to the satisfaction of the hack inspector.

Sec. 9-12-81 - Requirements for vehicles.

Every taxicab and the equipment used in connection therewith, subject to a vehicle permit pursuant to this division, shall at all times comply with the following minimum standards

- (a) *Vehicles to be clean.* All taxicabs shall at all times be kept clean and sanitary to the satisfaction of the hack inspector.
- (b) *Ventilation of vehicles; lights.* Every taxicab shall be equipped with properly functioning heating, air conditioning and windows and passenger cabin lights.

- (c) *Body types of vehicles; seating capacity.* Every taxicab shall be of a vehicle type approved by regulation with four doors, at least two seats and not less than five-passenger capacity; provided, however, that any taxicab, otherwise in compliance with the provisions of this article may, upon the written application to and approval of the city manager, and having only three doors, may be used to provide transportation to handicapped or otherwise physically disabled persons.
- (d) *Shades and curtains.* No taxicab shall be equipped with shades or curtains which can shield any occupant from observation.
- (e) *Speedometers.* Every taxicab shall be equipped with a standard speedometer, properly installed and kept in good working order at all times.
- (h) *Information to be displayed on outside of vehicle.*
  - (1) Every taxicab shall bear on the rear thereof and on each side thereof in lettering at least three inches high the word "taxicab" or "cab."
  - (2) The certificate number under which the taxicab is operated, clearly visible, shall be placed on the rear and on each side of each taxicab.
  - (3) The prevailing rates of fare shall be displayed on each side of the taxicab by means of cards or stickers, furnished by the director of finance at a cost established by regulation, placed in the side rear window in such a manner as to be visible from the outside. The form, size and content of said cards or stickers shall be as approved by the hack inspector.
- (i) *Display of permit.* Every driver shall post his driver's permit in such a place as to be in full view of all passengers while the driver is operating a taxicab.
- (j) *Display light.* Every taxicab shall be equipped with a plainly visible light signal permanently affixed on the exterior of the cab of a design approved by the hack inspector, which signal shall be turned on and exhibited at all times when the taxicab is on duty and available for hire.
- (k) *Two-way communication.* Every taxicab shall be equipped with a means of wireless two-way communication, properly installed and kept in working order at all times. Such means of communication shall be operated in compliance with all applicable regulations of the Federal Communications Commission. Each unit will have the ability to conduct a two-way conversation with the taxicab dispatcher.
- (l) *Age of vehicles.* Except for hybrid or alternative fuel vehicles, no vehicle permit shall be issued for a taxicab that is older than 10 model years. No vehicle permit shall be issued for a hybrid or alternative fuel taxicab that is older than 12 model years.
- (m) *Taximeters.* Every taxicab shall be equipped with a taximeter in compliance with section 9-12-131.

1 Secs. 9-12-82 through 9-12-110 - reserved.

#### DIVISION 5 - Taxicab Stands



Sec. 9-12-111 - Establishment of stands.

The board may establish taxicab stands at such places as it deems necessary for the public convenience. The board's may act on its own motion or on the written application of any abutting owner, after a public hearing and 15 days' notice to the public and to the owner of the property abutting and across the street from the proposed taxicab stand. No stand shall be established which would tend to create a traffic hazard or aggravate an already existing hazard.

Sec. 9-12-112 - Abolition of stands.

- (a) The board may, after notice and public hearing, abolish any taxicab stand which in its opinion is either:
  - (1) no longer necessary for the taxicabs or for-hire vehicles using it;
  - (2) no longer in the best interest of the public convenience;
  - (3) creating an unduly hazardous traffic condition; or
  - (4) adversely affecting nearby property or the occupants thereof.
- (b) The action of the board shall be final.

Sec. 9-12-113 - Doing business on street at other than duly established stands.

It shall be unlawful for any owner or driver of a taxicab or certificate holder to use as a place of business any parking meter space in the city or any portion of a street except at an authorized stand. For the purpose of this section, the actual transportation of passengers and the loading and unloading of passengers shall not be construed as doing business, but parking or standing while waiting for fares, calls, or dispatch shall be construed as doing business.

Sec. 9-12-114 - Use of stands.

- (a) Except as provided in section (b), vehicle stands shall be used only by on duty drivers authorized to perform taxicab services by this article.
- (b) Any person shall have the right to stop temporarily in any taxicab stand for the purpose of discharging or receiving passengers or for loading or unloading merchandise, and the owner or occupant of the abutting property shall have reasonable right of ingress and egress, but no person other than the driver of a taxicab authorized to use such stand shall park therein.

Sec. 9-12-115 - Drivers to attend and keep near vehicles at stands.

Drivers of taxicabs parked at any taxicab stand, shall at all times keep their taxicab attended and remain within 20 feet of their taxicab.

Secs. 9-12-116 through 9-12-130 - reserved.

DIVISION 6 - Fares

Sec. 9-12-131 - Taximeters.

- (a) All taxicabs shall be equipped with taximeters fastened in front of the passengers, visible to them at all times day and night; and, after sundown, the face of the taximeter shall be illuminated. Such taximeter shall be, operated mechanically or electronically and accurately track the movement of the vehicle via GPS or other commercially reliable means, as approved by the hack inspector in consultation with the director of T&ES. Each taximeter shall be equipped with a mechanism or display which indicates when the vehicle is engaged and when it is not engaged; and the driver shall actuate the taximeter at the commencement of each trip and stop the taximeter at the termination of each trip. Any taximeter shall be subject to inspection upon demand by the hack inspector, or any police officer, and if the taximeter is determined to be inoperative or inaccurate, the taxicab shall cease to be operated until the taximeter is repaired, inspected and certified by the hack inspector.
- (b) When any taxicab is operated pursuant to a contract as permitted under section 9-12-133, any provision of this section in conflict with the terms and conditions of such contract shall not apply.
- (c) Any person who violates any provision of this section or who permits a violation of any provision of this section shall be guilty of a class one civil violation.

Sec. 9-12-132 - Amount of fare to be charged.

- (a) The rates to be charged to passengers in taxicabs shall be as follows. It shall be unlawful to make any greater or lesser charge:
  - (1) For the initial meter charge, \$3.
  - (2) For the second and for each additional passenger who is five years of age or older, \$1.25.
  - (3) For the first one-sixth of a mile traveled and each one-sixth mile or fraction thereof thereafter traveled for one or more passengers, \$0.36.
  - (4) For each one hour of waiting time for one or more passengers, \$25. The incremental cost of this charge shall be \$0.36 for each 52 seconds. Waiting time shall include time consumed while the taxicab is waiting and available to passengers beginning three minutes after the scheduled time of arrival at the place to which it has been called, time consumed while the taxicab is stopped or slowed for traffic to a speed of less than seven miles per hour and time consumed for delays or stopovers en route at the direction of a passenger. There shall be no charge for mileage when time is being charged for a taxicab that is stopped or slowed for traffic to a speed of less than seven miles per hour. Waiting time shall not include time lost on account of the inefficiency of a taxicab.
  - (5) For any item placed in the cab trunk or rear of the vehicle, \$0.50 if handled by the driver. The maximum charge for all such items shall be \$7.
  - (6) (Reserved)
  - (7) (Reserved)

- (8) For each animal, \$2. There shall be no charge for guide dogs or service animals assisting persons with disabilities.
  - (9) For each trip originating at Ronald Reagan Washington National Airport, the airport fee shall be added to the fare for the trip.
  - (10) Taximeter fares shall be increased by \$5 during any period in which a snow emergency declaration of Level 2 or Level 3 has been made by the city manager or his designee, or in the event that the director of transportation and environmental services determines that driving conditions in the city are, or are reasonably expected to become, unduly hazardous due to the accumulation of snow, sleet or ice on the streets, regardless of the declaration of a snow emergency or the level thereof. The transportation division of the department of transportation and environmental services will notify each taxicab company by telephone of the exact time any such taximeter fare increase is to go into effect and the exact time that such fare increase is terminated.
  - (11) Taximeter fares may be increased by a surcharge authorized by the city manager, in the event that the city manager determines that a sudden increase in the cost of gasoline requires a surcharge to maintain stability in the provision of taxicab services in the city and to prevent the gas cost increase from having a serious adverse financial impact on the drivers of taxicabs. The surcharge shall continue in effect for such period, not to exceed one year, as the city manager shall determine, but may be terminated sooner if the manager determines that the surcharge is no longer warranted. The determination of the city manager shall be based on information provided by taxicab companies, and from such other sources as the city manager deems appropriate. The transportation division of the department of transportation and environmental services will notify each taxicab company in writing of any such surcharge. Such notice shall indicate the amount of the surcharge, and the period during which such surcharge shall be permitted. A copy of such notice, shall be displayed within the vehicle in addition to the rate card required under section 9-12-134.
- (b) This section shall not apply when any taxicab is operated pursuant to a contract provided for in section 9-12-133 of this chapter.
  - (c) Nothing contained herein shall prevent a certificate holder from establishing a coupon or reward program for its customers where a discount coupon, customer loyalty certificate or some other marketing device is accepted as part of the allowed fare set forth herein.

Sec. 9-12-133 - Taxicab services and fares for elderly or physically handicapped persons, or for other specifically authorized services, pursuant to a contract between a certificate holder and the city or a nonprofit private or public organization.

Any certificate holder may enter into a contract, on an annual or semiannual basis, with the city or any nonprofit private or public organization to provide taxicab services for elderly or for physically handicapped persons, or for other specific services to the general public, as specified in the contract, under a fare schedule agreed upon in the

contract. Any person operating a taxicab pursuant to such a contract shall comply with all other provisions of this article. Notwithstanding the foregoing, the city is not limited to contracting with a certificate holder for the provision of transportation services for such elderly or physically handicapped persons.

Sec. 9-12-134 - Display of rate of fare by card.

- (a) Every taxicab shall have displayed in such a place within the vehicle as to be in view of passengers a rate card to be furnished by the hack inspector, at a cost established by regulation, showing the rates prescribed by this article.
- (b) The rates shall also be displayed so as to be visible from the inside and outside of the vehicle-

Sec. 9-12-135 - Refusal of passenger to pay legal fare.

It shall be unlawful for any person to ride in a taxicab with intent to obtain passenger service without paying the lawful fare under the schedule set out in section 9-12-132 or 9-12-133, whichever applies. Refusal to pay for service shall be prima facie evidence of such intent under this section.

Sec. 9-12-136 - Receipts for amounts charged.

The driver of any taxicab shall, upon request by a passenger, provide a written receipt for the amount charged, stating the name of the driver, driver's permit number, vehicle permit number, company name, amount of fare and additional charges and the date of the transaction. Such receipt shall also include the taxicab company's phone number and the hack inspector's phone number and state that complaints as to fares and services may be made to either or both the company and the hack inspector.

Sec. 9-12-137 - Carrying additional passengers when engaged.

Once a passenger has engaged and entered a taxicab for taxicab services, no other person shall be transported in such taxicab until the destination is reached without the consent of such passenger.

Sec. 9-12-138 - Carrying several passengers to different destinations.

If two or more passengers, bound for different destinations, agree to engage a taxicab for taxicab services, the fare shall be allocated as follows: whenever a passenger gets out and pays the fare, the meter shall be reset upon that passenger's departure, but when the departing passenger does not pay the fare, the meter shall not be reset and the full fare shall be paid by the last passenger delivered.

Secs. 9-12-139 through 9-12-140 - reserved.

## DIVISION 7 - Dispute Resolution

Sec. 9-12-141 - Scope.

The provisions of this division shall apply to every certificate of public convenience and necessity issued under division 2 of this article; to every driver's permit issued under division 3 of this article; to every person who operates a taxicab subject to this article, and to every person who suffers, permits or allows the operation, of a taxicab subject to this article, from and after July 1, 2005.

Sec. 9-12-142 - Required conditions.

Every certificate of public convenience and necessity issued under division 2, and every driver's permit issued under division 3, of this article, and the right to operate a vehicle, or to suffer, permit or allow the operation of a vehicle ~~under a person's color-scheme, insignia or trade name,~~ pursuant to this article shall be subject to the following terms and conditions:

- (a) The license or permission held by any person who holds a valid driver's permit under division 3 to operate a vehicle under a taxicab company's certificate of public convenience and necessity shall not be terminated, suspended or impaired, and such driver's right to enjoy the resources and benefits provided by such company on the same basis as other similarly situated drivers for the company shall not be terminated, suspended or impaired, except where such termination, suspension or impairment is reasonable and for good cause.
- (b) For purposes of this section, "good cause" means one or more of the causes set forth in section 9-12-58 of this code for the temporary suspension of a driver's permit by the hack inspector; one or more of the causes set forth in section 9-12-60 of this code for the suspension or revocation of a driver's permit by the board, or a material failure of a driver to comply with established, written rules or practices of the company or to perform in accordance with his or her written contract with the company, after reasonable notice and an opportunity to comply or perform.
- (c) Nothing in this section shall be deemed to impair the authority of the hack inspector or board under this article.

Sec. 9-12-142 - Dispute resolution procedures.

Each taxicab company may opt to have a written dispute resolution procedure as part of its agreements with its drivers, so long as such a dispute resolution procedure incorporates, at a minimum, binding arbitration pursuant to the Commercial Arbitration Rules, R-1 through R-56 of the American Arbitration Association. In the event that a taxicab company does not have an agreement with any driver incorporating such a dispute resolution procedure and said taxicab company is involved in a dispute with such a driver, then such dispute will be subject to the provisions of this section, as follows:

Disputes subject to the provisions of this division shall be subject to the following procedures:

- (a) disputes shall first be the subject of an internal grievance procedure which shall be conducted as follows:

- (1) the aggrieved party shall submit a complaint in writing to the taxicab company within 30 days from the date of the company's action, containing a written statement of the matter in dispute and the names, addresses and telephone numbers of each party to the dispute.
- (2) within two weeks after the submission of the written complaint, the company shall appoint a representative from within the company to hear the dispute. Such representative shall be impartial, and shall have had no direct or indirect involvement in the dispute.
- (3) within two weeks after said appointment, the representative shall conduct an informal hearing concerning the dispute.
- (4) both parties shall use best efforts to resolve the dispute.
- (5) within two weeks after the hearing has been concluded, the company representative shall render a written decision.
- (b) If the dispute is not resolved through the internal grievance procedure, both parties may agree to informal or formal mediation of the dispute, pursuant to subsection (c). If the parties fail to agree to mediation, either party may elect to proceed to arbitration, pursuant to subsection (d).
- (c) Informal or formal mediation.
  - (1) within two weeks after the internal grievance procedure has been concluded, any party requesting mediation shall submit a written notice requesting mediation to all parties.
  - (2) within two weeks after such notice has been submitted, the parties may agree to an impartial person to mediate the dispute in an informal process. If the parties do not so agree, the party requesting mediation shall submit a written Request for Mediation to the American Arbitration Association (AAA). If the parties are unable to agree to mediation, either party may elect to proceed to arbitration, pursuant to subsection (d).
  - (3) a request for mediation shall contain a brief statement of the dispute, and the names and addresses and telephone numbers of each party to the dispute.
  - (4) the mediator shall notify all parties of the time, date and place of the mediation.
  - (5) the costs of the mediation shall be borne equally by the parties unless they agree otherwise in writing.
  - (6) the mediation conducted by AAA shall be in substantial accord with the American Arbitration Association Commercial Mediation Rules, M-1 through M-17. Copies of such rules shall be available by the hack inspector.
  - (7) the mediator may end the mediation if, in the sole discretion of the mediator, the continuation of the mediation would not be useful.
  - (8) the parties in mediation shall use their best efforts to resolve the issues in controversy and the mediator may execute a written settlement agreement if agreed on by the parties but may not impose a settlement on the parties.

- (d) Where neither the internal grievance procedure, nor mediation if attempted, has resolved the issues in dispute, either party may submit the matter to arbitration, which shall be binding upon the parties. Such arbitration shall be conducted as follows:
- (1) within two weeks after the mediation process or the internal grievance procedure has been concluded, the party requesting arbitration shall submit a written notice of intent to arbitrate to all parties.
  - (2) within two weeks after such notice has been submitted, an impartial person to arbitrate the dispute shall be agreed upon by the parties, or, if the parties do not so agree, the party requesting arbitration shall submit a written request for arbitration to the American Arbitration Association (AAA) and simultaneously mail a copy of the request for arbitration to every party to the dispute.
  - (3) a request for arbitration shall contain a brief statement of the dispute, and the names and addresses and telephone numbers of each party to the dispute.
  - (4) the arbitrator shall notify all parties and their representatives, if any, of the time, date and place of the arbitration.
  - (5) the costs of the arbitration shall be borne by the party which does not prevail, unless the parties agree otherwise in writing, or the costs are otherwise apportioned by the arbitrator if there is no prevailing party.
  - (6) the arbitration, whether conducted by AAA or another arbitrator chosen by the parties, shall be in substantial accord with the American Arbitration Association Commercial Arbitration Rules, R-1 through R-56. Such rules shall be made available to all parties at by the hack inspector.
  - (7) the arbitrator may conclude the arbitration hearing if in the sole discretion of the arbitrator, continuation of the hearing would not be useful.
  - (8) within two weeks after the arbitration hearing has been concluded, the arbitrator shall render an award in writing, which shall be binding upon the parties and which may be enforced by any court having jurisdiction over the parties.
- (e) For purposes of this section, "dispute" means a disagreement between a person who holds a division 3 permit and the company under whose ~~colors~~ certificate of public convenience and necessity he or she drives over whether an action taken by the company to terminate, suspend or impair such person's license or permission to drive under the company's ~~colors~~ certificate of public convenience or necessity, or to terminate, suspend or impair his or her right to enjoy the resources and benefits provided by the company, on the same basis as other similarly situated company drivers, was reasonable and based upon good cause.

#### Sec. 9-12-143 - Penalties.

A knowing failure to adhere to the dispute resolution procedures established by this division shall constitute a class four civil violation, pursuant to section 1-1-11 of this code, and may, in addition, constitute grounds for suspension or revocation of a

certificate of public convenience and necessity issued under division 2, or driver's permit issued under division 3, of this article.

Sec. 9-12-144 - Regulations.

The city manager may promulgate such regulations as deemed advisable for the administration and enforcement of this division 7.



Secs. 9-12-145 through 9-12-150 - reserved.

Section 2. That Chapter 12 of Title 9 is amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective on July 1, 2021.

16. Public Hearing, Second Reading and Final Passage an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2021. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 04/17/21, 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 Item No. 16; 04/17/21, 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 Item No. 16; 04/17/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to make supplemental appropriations for the support of the City Government for Fiscal Year 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.

The ordinance reads as follows:

#### ORDINANCE NO. 5340

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2021.

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

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year

2021, the source of such amount being Equipment Replacement Fund Revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2021, as follows:

EQUIPMENT REPLACEMENT RESERVE FUND

Fire	\$ 618,194
Total Equipment Replacement Reserve Fund	\$
<u>618,194</u>	

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Commonwealth Attorney	\$ 499,112
Fire	456,361
Sheriff	(513,977)
Criminal Justice Services	494,351
Clerk of Court	
15,375	
Housing	1,218,366
Community and Human Services	<u>318,728</u>
Total Estimated Revenue	\$
<u>2,488,316</u>	

SPECIAL REVENUE FUND

APPROPRIATION:

Commonwealth Attorney	\$ 499,112
Fire	456,361
Sheriff	(513,977)

Criminal Justice Services	494,351
Clerk of Court	
15,375	
Housing	1,218,366
Community and Human Services	<u>318,728</u>
Total Appropriation	\$ <u>      </u>
<u>2,488,316</u>	

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2021 the source of such amount being new revenues and the residual balances accumulated as of June 30, 2020, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

#### DONATIONS AND OTHER SPECIAL REVENUE FUNDS

##### ESTIMATED REVENUE:

Historic Alexandria	\$ 5,000
Recreation, Parks and Cultural Activities	(123,645)
Community and Human Services	<u>40,054</u>
Total Estimated Revenue	\$ <u>      (78,591)</u>

#### DONATIONS AND OTHER SPECIAL REVENUE FUND

##### APPROPRIATION:

Historic Alexandria	\$ 5,000
Recreation, Parks and Cultural Activities	(123,645)
Community and Human Services	<u>40,054</u>
Total Appropriation	\$ <u>      (78,591)</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2021, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for fiscal year 2021, as follows:

#### CAPITAL PROJECTS

##### ESTIMATED REVENUE:

Capital Projects – Stormwater Utility Fee Revenue	\$ 1,660,754
Capital Projects- Developer Contributions	133,120
Total Estimated Revenue	<u>\$ 1,793,874</u>

##### APPROPRIATION:

Capital Projects – Stormwater Projects	\$ 1,660,754
Capital Projects – Public Art Acquisition	133,120
Total Appropriation	<u>\$ 1,793,874</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the General Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

#### GENERAL FUND

Circuit Court Judges	\$ 40,000
Non-Departmental	(40,000)
Sheriff	(176,097)
Criminal Justice Services	176,097
Transit Services	(1,000,000)
Community and Human Services	1,000,000
Transportation and Environmental Services	(210,000)
Human Resources	<u>\$ 210,000</u>
Total Appropriation	<u>\$ 0</u>

Section 6. That the Council of the City of Alexandria, Virginia does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in the fiscal year 2021, the source of such amount being Bond Proceeds generated from the November Bond Refunding, and further that the council does hereby allot the amount so appropriated for fiscal year 2021, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Bond Proceeds	\$ 49,887,196
Total Estimated Revenue	<u>\$ 49,887,196</u>

APPROPRIATION:

Payment to Refunding Bond Escrow	\$ 49,378,385
Cost of Issuance	\$ 508,811
Total Estimated Revenue	<u>\$ 49,887,196</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021 the source of such amount being external grant funds, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

SPECIAL REVENUE FUND – ALEXANDRIA TRANSIT COMPANY (DASH)

ESTIMATED REVENUE:

Alexandria Transit Company	\$ 1,059,000
Total Estimated Revenue	<u>\$ 1,059,000</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Alexandria Transit Company	\$ 1,059,000
Total Estimated Revenue	<u>\$ 1,059,000</u>

Section 8. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021, the source of such amount being Stormwater Utility Fee Revenue, and further, that the council does hereby allot the amount so appropriated, as follows:

STORMWATER UTILITY FUND

ESTIMATED REVENUE:

Stormwater Utility Fee Revenue	\$ 2,109,765
Total Estimated Revenue	<u>\$ 2,109,765</u>

STORMWATER UTILITY FUND

APPROPRIATION:

Transportation and Environmental Services	\$ 2,022,749
Department of Project Implementation	<u>87,016</u>

Section 9. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021, the source of such amount being General Fund Revenue, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Intergovernmental Revenue	\$ 1,000,000
Miscellaneous Revenue	<u>131,419</u>
Total Estimated Revenue	<u>\$ 1,131,419</u>

APPROPRIATION:

Transportation and Environmental Services	\$ 16,123
Community and Human Services	<u>\$ 1,115,296</u>
Total Appropriation	<u>\$ 1,131,419</u>

Section 10. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter

stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021, the source of such amount being Intergovernmental Revenue to Component Units, and further, that the council does hereby allot the amount so appropriated, as follows:

COMPONENT UNIT

ESTIMATED REVENUE:

Alexandria Libraries – Intergovernmental Revenue	\$ 10,898
Total Estimated Revenue	<u>\$ 10,898</u>

APPROPRIATION:

Component Unit – Libraries	\$ 10,898
Total Appropriation	<u>\$ 10,898</u>

Section 11. That this ordinance shall be effective upon the date and at the time of its final passage.

17. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Beauregard Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00006 associated with Upland Park approved by City Council on March 13, 2021).  
[ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 04/17/21, 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 Item No. 17; 04/17/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Beauregard Small Area Plan chapter of such master

plan as Master Plan Amendment No. 2020-00006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. 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 ordinance reads as follows:

#### ORDINANCE NO. 5341

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Beauregard Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2020-00006, 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 March 2, 2021 of an amendment to the Beauregard Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend Figure 15: Framework Streets, to retain Fairbanks Avenue in its existing alignment and not move it further west as shown in the adopted figure, which recommendation was approved by the City Council at public hearing on March 13, 2021;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Beauregard Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending Figure 15: Framework Streets, to retain Fairbanks Avenue in its existing alignment and not move it further west as shown in the adopted figure, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.



Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Planning Commission (continued)**

None.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the public hearing meeting of April 17, 2021 at 3:07 p.m. 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.

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APPROVED BY:

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

ATTEST:

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

Approved:

Ratified:

**City of Alexandria  
Tuesday, April 28, 2020 – 7:00 PM  
City Council Legislative Meeting  
Meeting Minutes**

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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; Ms. McIlvaine, Director, Office of Housing; Ms. Garvey, Director, Department of Community and Human Services (DCHS); Dr. Haering, Director, Alexandria Health Department; Ms. Suehr, Director, Department of Project Implementation; Mr. Moritz, Director, Planning and Zoning; Mr. Lambert, Director, Transportation and Environmental Services; Ms. Taylor, Director, Finance; Ms. Landrum, Executive Director, Alexandria Economic Development Partnership; and Mr. Barre, Information Technology Services.

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

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**1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present at the meeting via Zoom video conference call.

Mayor Wilson stated that the April 28, 2020 Legislative Meeting of the City Council is being held electronically pursuant to Virginia Code Section 2.2-3708.2(A)(3) and/or the Continuity of Government ordinance adopted by the City Council on April 18, 2020. All of the members of the City Council and staff are participating from remote locations through a video conference call on Zoom. The video conference call will be broadcasted live on the government channel 70, streaming on the City's website and can be accessed via Zoom.

Mayor Wilson noted the passing of Erik Gutshall, member of the Arlington County Board of Supervisors, Fred Parker, local businessman and owner of Hard Times Café, and Brian Miller, former chair of the Alexandria Commission on Persons with Disabilities and offered condolences on behalf of the Council.

**ORAL REPORTS FROM MEMBERS OF COUNCIL ON BOARDS, COMMISSIONS, AND COMMITTEES (COVID-19 Related topics)**

**\*Northern Virginia Regional Commission (NVRC) (Vice Mayor Bennett-Parker and**

## **Councilman Chapman)**

Vice Mayor Bennett-Parker reported that the Commission met and passed a resolution introduced by Vice Mayor Bennett-Parker and Councilman Chapman, calling on the Governor and Congress to address the rent and mortgage crisis. Vice Mayor Bennett-Parker also reported that there are biweekly calls with the regional mayors and chairs to discuss actions being taken to combat the virus and there are conversations with international communities to discuss how they are dealing with the virus.

### **\*Alexandria Economic Development Partnership (AEDP) (Councilman Chapman)**

Councilman Chapman reported that the AEDP has begun discussions about how the City starts to recover as City and business community from the affects the pandemic, including what changes will be expected to see during and following the pandemic, particularly in commercial and office spaces in the area.

### **\*Chesapeake Bay Policy Committee (Councilwoman Jackson)**

Councilwoman Jackson reported she met with the Region Forward Coalition call discussing how the region can work together to recovery and manage the pandemic, particularly as it relates to food insecurity and housing crisis caused by this pandemic. The group discussed ways to help those in the region in the coming months and years and what resources are available.

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

Mayor Wilson reported that the subcommittee thanked the school community how they have worked to make sure the students have not been left behind and to ensure that they address food needs for the students and their families. Mayor Wilson also noted that there was a conversation about what the upcoming school year would look like in the pandemic environment. Mayor Wilson stated that the subcommittee recognized that there have been increased expenses for the Schools due to addressing issues from COVID-19.

## **Council of Governments (COG) Board of Directors (Mayor Wilson)**

Mayor Wilson reported that the Board held a special meeting and adopted a resolution that defined a framework for what the regions reopening would look like and had briefings from regional public health experts. Mayor Wilson noted that the resolution will use public health guidance to guide the standards for reopening.

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

### **2. COVID-19 Update (Oral Report)**

City Council received on the City's response to the COVID-19 pandemic from Dr. Haering, Director, Alexandria Health Department and Ms. Garvey, Director, Department of Community and Human Services and they responded to questions from Council.

### **3. Review of Versions 2.0 of the FY 2021 Proposed Operating Budget and FY 2021 to FY**

## 2030 Proposed Capital Improvement Program (Oral Report).

Mr. Routt, Director, Office of Management and Budget, gave a presentation reviewing the Versions 2.0 of the FY 2021 Proposed Operating Budget and FY 2021 to FY 2030 Proposed Capital Improvement Program and noted that budget adoption would occur tomorrow, April 29, 2020 at 7:00 p.m.

### 4. Consideration of Planning Direction for Use of Forthcoming Federal CARES Act Funding.

(A copy of the City Manager's memorandum dated April 22, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 04/28/20, and is incorporated as part of this record by reference.)

Councilman Chapman made a disclosure that due to his ownership of a small business in the City of Alexandria and possible interest in the transaction of this item and after discussing with the City Attorney, he will be participating in the consideration of this item under the law and to participate, fairly, objectively and in the public interest, has made the disclosure to the City Clerk and the community.

City staff from the Office of Housing, Alexandria Economic Development Partnership, and Department of Community and Human Services to address the programs that will use the forthcoming Federal CARES Act funding on programs for the community related to housing, social services needs and small business relief.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) affirmed the prime priorities of the City for the use of the CARES Act funding are for funding the City's direct response expenses to the COVID-19 crisis, the funding of the expansion of the Alexandria Health Department's epidemiological staffing, the funding of expanded residential rental assistance, food assistance to needy individuals and families, and the provision of assistance to small businesses; and (2) directed the City Manager to return to Council at its May 12 Legislative Meeting with a plan for implementation of the above initiatives. 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.

### 5. Discussion of Proposed Plan for Docket Items for Virtual Meetings of City Council and Boards and Commissions during the COVID-19 Emergency.

(A copy of the City Manager's memorandum dated April 24, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 04/28/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council: (1) adopted the plan for limiting City Council's docket in May as outlined in the report; (2) provided guidance to City Boards and Commissions as outlined in the report; and (3) will reassess the plan for June and July meetings near the end of May. The recommendations were as follows:

The City Council dockets for May will be focused only on matters to address the emergency or to continue government. City Council will not be hearing any of its normal docket items in May. In June, the City Council will resume regular docket items focusing only on those docket items that are current requests and deferring those items that are long term policy decisions, city wide initiatives, or major changes to city codes or ordinances. The City Council will hold at least one July meeting with more meetings to be considered if necessary. The City Council will strive to have partial in person meetings June and July where at least 4 members of the City Council will be present but electronic participation by the public will still be encouraged. Generally, most boards and commissions are encouraged to cancel meetings through July, only resuming items that are time sensitive or necessary for another board to continue its work, items that will address COVID-19 pandemic emergency, or items needed for the continuity of government. 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.

#### **COVID-19 RELATED ORAL REPORTS AND ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

None.

#### **OTHER**

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

(A copy of the City Manager's memorandum dated April 22, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 04/28/20, 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 received and approved the City Council schedule for April 2020 through July 2020. 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council adjourned the regular legislative meeting of April 28, 2020 at 9:45 p.m. 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.

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**APPROVED BY:**

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Attest:

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

DRAFT

**City of Alexandria  
City Council Special Meeting (Budget Adoption)  
Wednesday, April 29, 2020 7:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Ms. Baker, Deputy City Manager; Ms. Collins, Deputy City Manager; Mr. Routt, Director, Office of Management and Budget; Ms. Henty, Assistant Director, OMB; Ms. Lawson, Analyst, OMB; Mr. Kurbanov, Analyst, OMB; Ms. McGrane, Analyst, OMB; Mr. Lew, Analyst, OMB; Ms. North, Division Chief, Transportation and Environmental Services; Mr. Wicks, CIP Manager, OMB; Mr. Cruz, Analyst, OMB; Mr. Duval, Deputy Director, Transportation and Environmental Services; and Mr. Barre, Information and Technology Services.

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

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## **OPENING**

### **1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of Council were present at the meeting by Zoom video conference.

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Mayor Wilson stated that the April 29, 2020 Special Budget Adoption meeting of the City Council is being held electronically pursuant to Virginia Code Section 2.2-3708.2 (A)(3) and/or the Continuity of Government ordinance adopted by the City Council on April 18, 2020. All members of the City Council and staff are participating from remote locations through a video conference call on Zoom. The public may access the meeting either through video conference call, live broadcasting on the government channel 70, streaming on the City's website, or access via Zoom.

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



2. Consideration of the Proposed Annual Operating Budget for FY 2021 (including Schools) and the Proposed Capital Improvement Program FY 2021 to FY 2030 (including Schools CIP) and Adoption of a Resolution. [ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 2; 04/29/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion Councilman Seifeldein, seconded Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the budget resolution which included an annual General Fund operating budget for FY 2021 of \$753,276,147; and the FY 2021 to FY 2030 Capital Improvement Program of \$2,108,662,234 in total; including \$205,803,815 in total for FY 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.

The resolution reads as follows:

#### **RESOLUTION NO. 2940**

**WHEREAS**, the City Manager submitted the proposed Fiscal Year 2021 budget to the City Council on February 18, 2020 for its consideration; and

**WHEREAS**, upon due and proper notice, published in accordance with the law, said proposed budget was advertised in a newspaper of general circulation on February 27, 2020; and

**WHEREAS**, a public hearing was held March 9, 2020, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

**WHEREAS**, the City Manager submitted an amendment to the proposed budget on April 7, 2020 due to the fiscal impact associated with the COVID-19 virus pandemic; and

**WHEREAS**, City Council did not submit any amendments to the FY 2021 proposed budget and cancelled the Final Add/Delete Work Session on April 27, 2020; and

**WHEREAS**, the budget as amended remains balanced with projected revenues and expenditures for Fiscal Year 2021 of \$753,276,147;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Alexandria, Virginia that:

1. The General Fund operating budget is \$753,276,147 as submitted and amended. It is hereby approved and adopted as the budget of the City of Alexandria for

Fiscal Year 2021 (July 1, 2020 to June 30, 2021).

2. That the 10-year Capital Improvement Plan for Fiscal Year 2021 to 2030 is \$2,108,662,234.

3. That this resolution shall become effective upon its adoption by the City Council.

3. Final Passage of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2020 (Fiscal Year 2021).  
[ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 04/29/20, and is incorporated as part of this record.

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. 3; 04/29/20, 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. 3; 04/29/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved an ordinance to set the City's calendar year 2020 blended real property tax rate at \$1.13 on each \$100 of assessed value, which remains unchanged from the calendar year 2019 rate. The calendar year 2020 real property tax rate contains the following:

-The sum of \$0.0022 on each \$100 of assessed value of the one dollar and thirteen cents real property tax rate will be collected and reserved for the Transportation Improvement Fund.

-The sum of \$0.006 on each \$100 of assessed value of the one dollar and thirteen cents real property tax rate will be dedicated for affordable housing purposes to continue to pay budgeted debt service on affordable housing bonds, beginning on July 1, 2020.

-The total blended real property tax rate for the City in calendar year 2020 will be \$1.13.

The calendar year 2020 personal property tax rates contain the following:

-The sum of \$5.33 on each \$100 of assessed value of vehicle personal property. This rate remains unchanged from calendar year 2019.

-The sum of \$4.75 on each \$100 of assessed value of tangible business personal property. This rate remains unchanged from calendar year 2019.

-The sum of \$4.50 on each \$100 of assessed value of machinery and tools personal property.

This rate remains unchanged from calendar year 2019.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 5277

AN ORDINANCE to amend and reordain Section 3-2-181 (LEVIED; AMOUNT), Section 3-2-188 (CLASSIFICATION AND TAXATION OF CERTAIN COMMERCIAL AND INDUSTRIAL REAL PROPERTY), and Section 3-2-189 (TIER I POTOMAC YARD METRORAIL STATION SPECIAL SERVICES DISTRICT TAX) of Division 1, (REAL ESTATE), and Section 3-2-221 (LEVIED ON TANGIBLE PERSONAL PROPERTY OTHER THAN MOBILE HOMES, AUTOMOBILES, TRUCKS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTOR VEHICLES WITH SPECIALLY DESIGNED EQUIPMENT FOR USE BY THE HANDICAPPED, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT), Section 3-2-222 (LEVIED ON MACHINERY AND TOOLS USED IN MINING OR MANUFACTURING BUSINESS; AMOUNT), Section 3-2-223 (LEVIED ON MOBILE HOMES; AMOUNT), Section 3-2-224 (LEVIED ON AUTOMOBILES, TRUCKS, TRAILERS, SEMI-TRAILERS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT) of Division 3 (TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS), all of Article M (LEVY AND COLLECTION OF PROPERTY TAXES), Chapter 2 (TAXATION), 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 Section 3-2-181 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-181 Levied; amount.

There shall be levied and collected for the calendar year 204920 on all real estate located within the territorial boundaries of the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$1.13 on each \$100 of the assessed value of all taxable real property, to include residential property and commercial property value, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 2. That Sec. 3-2-188 of The Code of the City of Alexandria, 1981 as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-188 Classification and taxation of certain commercial and industrial real property.

(a) Pursuant to the authority granted by Section 58.1-3221.3 of the Code of Virginia (1950), as amended, all commercial and industrial real property in the City of Alexandria classified by the General Assembly as a separate class of real property for local taxation shall be designated, assessed and taxed as a separate class of real property. Such separate class of real property shall not include any residential uses excluded by Section 58.1-3221.3 of the Code of Virginia.

(b) In addition to all other taxes and fees permitted by law, the class of real property designated in this section may, and if imposed by ordinance shall, be subject to a real property tax, in addition to that imposed by City Code Section 3-2-181 and any other applicable law, at the rate established by the City Council of the City of Alexandria not to exceed the rate authorized by the Code of Virginia.

(c) All revenues generated from the real property tax imposed by this Section 3-2-188 shall be used exclusively for transportation-related projects and services that benefit the City of Alexandria.

(d) The real property tax imposed by this Section 3-2-188 shall be levied, administered, enforced and collected in the same manner as set forth in Subtitle III of Title 58.1 of the Code of Virginia and Chapter 2 of this Title for the levy, administration, enforcement and collection of local taxes.

(e) The director of the division of real estate assessments shall separately assess and set forth upon the City of Alexandria's land book the fair market value of that property that is designated as a separate class of real property in accordance with the provisions of this section.

(f) There shall be levied and collected for the calendar year 2020 on all real estate located within the territorial boundaries of the city and subject to taxation pursuant to this section, a tax of \$ 0 on each \$100 of the assessed value thereof, for the purposes set forth in subsection (c) above.

Section 3. That Section 3-2-189 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-189 Tier I Potomac Yard Metrorail Station Special Services District Tax.

(a) Pursuant to the authority granted by Section 15.2-2400, et seq. of the Code of Virginia (1950), as amended, all real property located in the Tier I Potomac Yard Metrorail Station Special Services District, established pursuant to Ordinance Number 4693, classified by the city council as a separate class of real property for local taxation shall be designated, assessed and taxed as a separate class of real property.

(b) In addition to all other taxes and fees permitted by law, the class of real property designated in this section may, and if imposed by ordinance shall, be subject to a real property tax, in addition to that imposed by city code section 3-2-181 and any other applicable law, at the rate established by the city council of the City of Alexandria.

(c) As detailed in Ordinance Number 4693, all revenues generated from the real property tax imposed by this Section 3-2-189 shall be used exclusively for the purpose of providing facilities and services related to the construction of the Potomac Yard Metro Station in the City of Alexandria and the construction of a pedestrian bridge from Potomac Greens to Potomac Yard.

(d) The real property tax imposed by this section 3-2-189 shall be levied, administered, enforced and collected in the same manner as set forth in Subtitle III of Title 58.1 of the Code of Virginia and chapter 2 of this title for the levy, administration, enforcement and collection of local taxes.

(e) The director of the division of real estate assessments shall separately assess and set forth upon the City of Alexandria's land book the fair market value of that property that is designated as a separate class of real property in accordance with the provisions of this section.

(f) There shall be levied and collected for the calendar year 204920 on all real estate located within the territorial boundaries of the city and subject to taxation pursuant to this section, a tax of \$0.20 on each \$100 of the assessed value thereof, for the purposes set forth in subsection (c) above.

Section 4. That Section 3-2-221 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-221 Levied on tangible personal property other than mobile homes, automobiles, trucks, antique motor vehicles, taxicabs, motor vehicles with specially designed equipment for use by the handicapped, motorcycles, campers and other recreational vehicles, boats and boat trailers; amount.

There shall be levied and collected for the calendar year 204920 on all tangible personal property, other than mobile homes, automobiles, trucks, antique motor vehicles, taxicabs, motor vehicles with specially designed equipment for use by the handicapped, motorcycles, campers and other recreational vehicles, boats and trailers, owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs within the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$4.75 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 5. That Section 3-2-222 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-222 Levied on machinery and tools used in mining or manufacturing business; amount.

There shall be levied and collected for the calendar year 2019~~20~~ on all machinery and tools used in a mining or manufacturing business taxable on capital and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$4.50 on each \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 6. That Section 3-2-223 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-223 Levied on mobile homes; amount.

There shall be levied and collected for the calendar year 2019~~20~~ on all vehicles without motor power, used or designed to be used as mobile homes as defined in section 46.2-100 of the Code of Virginia, owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs within the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$1.13 on each \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 7. That Section 3-2-224 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-224 Levied on automobiles, trucks, trailers, semi-trailers, antique motor vehicles, taxicabs, motorcycles, campers and other recreational vehicles, boats and trailers; amount.

(a) Except as provided in subsections (b), (c) and (d), there shall be levied and collected for the calendar year 2019~~20~~ on all automobiles, trucks, trailers, semi-trailers, antique motor vehicles (as defined in Section 46.2-100 of the Code of Virginia, 1950, as amended, which may be used for general transportation purposes as provided in subsection C of Section 46.2-730 of the Code of Virginia, 1950, as amended), taxicabs, motorcycles, campers and other recreational vehicles, boats and boat trailers owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs for taxation in the city, a tax of \$5.33 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(b) There shall be levied on and collected for the calendar year 2019~~20~~ on all automobiles, trucks, trailers and semi-trailers with a gross vehicle weight of 10,000 pounds or more which are used to transport property for hire by a motor carrier engaged in interstate commerce, and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$ 4.50 on every \$100 of assessed value thereof, for the support of the city government, for the

payment of principal and interest of the city debt and for other municipal expenses and purposes.

(c) There shall be levied on and collected for the calendar year 201920 on all automobiles and trucks which are equipped with specially designed equipment for use by the handicapped and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$3.55 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(d) There shall be levied on and collected for the calendar year 201920 on all privately owned pleasure boats and watercraft, which are used for recreational purposes only, and are owned or held by residents or citizens of the city, or are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$.01 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

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

(i) The city shall, following adoption of the annual budget adopted pursuant to Chapter 25 of Title 15.2 of the Code of Virginia and Sections 6.01 through 6.15 of the City Charter, set the rates of tax relief under this subsection at such a level that it is anticipated fully to exhaust relief funds under the Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the Code of Virginia, as amended, provided to the city by the Commonwealth.

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

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

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

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

(A) Relief with respect to vehicle value up to and including \$20,000 shall be provided at a rate that is approximately 15 percent higher than that applied to vehicle value described in subsection (B) of this section;

(B) Relief with respect to vehicle value in excess of \$20,000, but not more than \$25,000, and applied to the first \$20,000 in value, shall be provided at a rate that is approximately 15 percent higher than that applied to vehicle value described in subsection (C) of this section; and

(C) Relief with respect to vehicles in excess of \$25,000 and applied to the first \$20,000 in value.

Section 8. That this ordinance shall become effective January 1, 2020, nunc pro tunc.

#### **ROLL-CALL CONSENT CALENDAR (4-12)**

4. Final Passage of an Ordinance to Revise Transportation and Environmental Services Department Grading Plan Review Fees. [ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 04/29/20, and is incorporated as part of this record.

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. 4; 04/29/20, 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. 4; 04/29/20, and is incorporated as part of this record by reference.)

5. Consideration of a Resolution to Adopt Refuse Fee Increases for FY 2021 [ROLL-CALL-VOTE].

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 04/29/20, and is incorporated as part of this record by reference.)

6. Consideration of a Resolution to Adopt Fire Department Fee Increases. [ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 04/29/20, and is incorporated as part of this record by reference.)



7. Consideration of a Resolution to Add a Fee for the City's On-Street Reserved Motorcoach Parking Permit. [ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 04/29/20, and is incorporated as part of this record by reference.)

8. Consideration of a Resolution to Adopt Land Development Related Fees. [ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 04/29/20, and is incorporated as part of this record by reference.)

9. Consideration of a Resolution to Increase the Fares for the Department of Transportation (DOT) Paratransit Program.[ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 04/29/20, and is incorporated as part of this record by reference.)

10. Consideration of a Resolution to Increase Employee Parking Rates. [ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 04/29/20, and is incorporated as part of this record by reference.)

11. Consideration of a Resolution to Adopt Fee Changes to Increase Cost Recovery for the Department of Recreation, Parks and Cultural Activities (RPCA) Programs for FY 2021 [ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 04/29/20, and is incorporated as part of this record by reference.)

12. Consideration of a Resolution to Adopt Fee Changes to Increase Museum Tour and Rental Fees at City Museums for FY 2021. [ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 04/29/20, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council approved the roll-call

consent calendar, with the exception of item #10, which was considered under separate motion. The approval was as follows:

4. City Council approved an ordinance to revise Transportation and Environmental Services Department Grading Plan Review Fees.

The ordinance reads as follows:

#### **ORDINANCE NO. 5278**

AN ORDINANCE to amend Section 5-6-224(d) (METHOD OF STORM AND SUBSOIL WATER DISPOSAL) of Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), Subdivision J (MISCELLANEOUS PROVISIONS) of Article B (SEWAGE DISPOSAL AND DRAINS) of the Code of the City of Alexandria, Virginia as amended.

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

Section 1. That Section 5-6-224(d) of Chapter 6 of Title 5, Subdivision J of Article B of the Code of the City of Alexandria, Virginia, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined:

Sec. 5-6-224 - Method of storm and subsoil water disposal.

(a) Buildings shall have drainage provision for conveying storm water from roofs, paved areas and areaway drains, subsoil water, condensate, cooling water, etc., on the premise to a public storm sewer: except that where a public storm sewer is not available, an approved method of disposal shall be provided to the satisfaction of the director of transportation and environmental services. The director of transportation and environmental services may permit alternative means of disposal if the director deems the proposed alternative method to provide an environmental benefit to the city and the director determines that no nuisance will be created on any adjacent property or within the public right-of-way. Alternative methods of disposal may include, but are not limited to, onsite surface discharge, onsite infiltration and onsite detention in the form of a rain barrel or cistern. The director may require additional supporting information such as geotechnical or other engineering analyses. Direct discharge of roof drains within the public right-of-way may be permitted at the director's discretion. Direct discharge of ground water to gutters in the public right-of-way may be permitted at the director's discretion when a public storm sewer is not available.

(b) Availability.

(1) For a one- and two-family dwelling, a public storm sewer shall be deemed available when such sewer is within 100 feet of the premises on which the dwelling is located, measured along a street, and a connection may be made lawfully thereto.

(2) For any other buildings, a public storm sewer shall be deemed available when such sewer is within 500 feet of the premises on which the building is located, measured along a street, and a connection may be made lawfully thereto.

(c) Area drains are prohibited from entering septic tanks or public or private sewer systems unless specifically approved in writing by the director of transportation and environmental services.

(d) Prior to the issuance of any building permit for any proposed improvement to real property involving (1) the construction of a new home (2) construction of an addition to an existing home where either (A) the addition exceeds the area of the existing building footprint by 100 percent or more; or (B) the construction of the addition results in less than 50 percent of the existing first floor exterior walls, in their entirety, remaining; (3) changes to the existing grade elevation of one foot or greater; (4) changes to existing drainage patterns; or (5) land disturbance of 2,500 square feet or greater, a grading and drainage plan prepared by a professional engineer or land surveyor licensed by the Commonwealth of Virginia shall be submitted for review and approval by the director of transportation and environmental services or deputy director/city engineer. Such plan shall demonstrate that post-development drainage will have no greater impact on adjacent or down-stream property than pre-development conditions. The requirements for such plans, including without limitation form, content, methods of calculation, and procedures for review and approval, shall be established by regulations promulgated by the director of transportation and environmental services. A plan review fee in the amount of ~~\$500~~—\$1,000 shall accompany such plan, except that in instances where the proposed improvement is already subject to the erosion and sediment control requirements set forth in section 5-4-1 et seq. of this code, and a fee has already been paid pursuant to those requirements, no additional fee shall be required. No building permit for improvements subject to this subsection shall be issued until after the grading and drainage plan has been approved. When a grading and drainage plan is required pursuant to subsections (d)(2), (3) or (4) hereof, the requirement may be waived by the director of transportation and environmental services or his designee when such a waiver is requested by the property owner and such request is accompanied by sufficient information to demonstrate to the satisfaction of the director or deputy director/city engineer, in his or her reasonable engineering discretion, that no adverse drainage impacts to abutting or adjacent property will occur as a result of the proposed construction. The director shall promulgate rules and regulations for the application, consideration, grant or denial of such waiver requests, including without limitation rules and regulations specifying the minimum information required for applications, and reasonable criteria and standards for the consideration of such requests. The decision on such requests shall be in writing, and shall state the grounds thereof. The decision to grant or deny a waiver request is committee to the discretion of the director or deputy director/city engineer, and shall not be subject to judicial review.

(e) Grading plans will be considered valid for a term of 36 months from the date of approval. A request to extend the validity of a grading plan must be submitted in writing to the director of transportation and environmental services a minimum of 60 days prior to expiration with a

\$100 fee. The director will determine if additional modifications or a new grading plan submission is required.

(f) Any change to an approved grading plan requires that an amended grading plan be filed and that the amended grading plan be reviewed and approved, pursuant to the provisions of this section 5-6-224(d). The director of transportation and environmental services may allow minor modifications without an amended grading plan. (Ord. No. 4659, 5/15/10, Sec. 8; Ord. No. 4800, 4/13/13, Sec. 1)

5. City Council approved a resolution to adopt Refuse Fee increases for FY 2021.

The resolution reads as follows:

**RESOLUTION NO. 2941**

**RESOLUTION TO ADOPT FEE INCREASES  
ADMINISTERED BY THE DEPARTMENT OF  
TRANSPORTATION AND ENVIRONMENTAL SERVICES  
FOR FY 2021**

**WHEREAS**, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, under City Code Section 5-1-4(a), City Council is required, from time to time, to set by resolution the annual fee that is to be paid by the owners of 'required user property,' as defined in Section 5-1-2(12b) of the City Code, for the City's collection and disposal of solid waste, ashes, recyclable materials, and yard debris from their properties on a fiscal year basis, and

**WHEREAS**, in Resolution No. 2880, adopted May 1, 2019, City Council set the annual fee for such collection and disposal services at \$411 per household and \$373 for commercial properties; and

**WHEREAS**, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, under City Code Section 3-1-8(a), except as otherwise expressly provided in this code or in the zoning ordinance, all fees and charges for applications submitted to; for permits and approvals issued by, and for activities, programs and services provided by, the City of Alexandria shall be established by resolution of the City Council.

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

1. That, beginning in fiscal year 2021, the annual charge for the collection and disposal of solid waste, ashes, recyclable materials, and yard debris from required user properties shall be \$460.00 per household, with each single-family, two-family and row dwelling in the City, and each separate dwelling unit in a building or structure in the city that contains four or fewer dwelling units, constituting a "household."
2. That the annual fee established in Section 1 above shall apply, unless and until revised by City Council, to such services provided during subsequent fiscal years.
3. That the fee for the collection and disposal of solid waste for commercial properties shall be \$411.00 per unit of services per year.
4. That the fees established in Section 3 above shall apply, unless and until revised by City Council, to such services provided during subsequent fiscal years.
5. To the extent that these rates differ from those in Resolutions 2279, 2555, 2723, 2768 and 2880, those provisions in Resolutions 2279, 2555, 2723, 2768 and 2880 are hereby repealed.
6. That this resolution shall be effective July 1, 2020.
6. City Council approved a resolution to adopt Fire Department Fee increases.

The resolution reads as follows:

#### **RESOLUTION NO. 2942**

**WHEREAS**, pursuant to Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, section 8-1-23(a) of The Code of the City of Alexandria, Virginia, 1981, as amended, provides that all fees for permits, inspections and certificates required by the Virginia Uniform Statewide Building Code shall be as established by resolution of the city council; and

**WHEREAS**, Resolution No. 2550, adopted by City Council on May 6, 2013, which incorporated an attached fee schedule, is the most recent establishment of fees charged for various permits and certificates issued by, and for various services performed by, the City of Alexandria Fire Department; and

**WHEREAS**, City Council has determined that the fee schedule set forth in Resolution No. 2550 is in need of amendment and adjustment.

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

1. The Fire Prevention Permit Fees are changed as follows:

	Current Fee	New Fee
Fire Retesting Fee	\$132 per hour	\$162 per hour
Fire Inspector Fee – Site Plan Reviews	-	\$162 per hour

2. That the fees established above shall apply, unless and until revised by the City Council, to such services provided during subsequent fiscal years.
3. To the extent that these rates differ from those in Resolution 2550, those provisions of Resolution 2550 are hereby repealed.
4. That this Resolution shall become effective July 1, 2020.
7. City Council approved a resolution to add a fee for the City's on-street reserved Motorcoach Parking permit.

The resolution reads as follows:

#### **RESOLUTION NO. 2943**

#### **RESOLUTION TO INCREASE THE FEE FOR THE CITY'S MOTORCOACH ON-STREET PARKING PERMIT**

**WHEREAS**, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, under City Code Section 3-l-8(a), except as otherwise expressly provided in this code or in the zoning ordinance, all fees and charges for applications submitted to; for permits and approvals issued by, and for activities, programs and services provided by, the City of Alexandria shall be established by resolution of the City Council; and

**WHEREAS**, City Council has now determined that it is necessary and desirable to establish Motor Coach fee for on-street parking permit of \$5 on the 500 block of N. Union Street and the 900 block of N. St. Asaph Street.

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

1. The Motor Coach fees are changed as followed:

	Current Fee	New Fee
On-Street Motor Coach Parking Permit	-	\$5/permit

2. That the fees established above shall apply, unless and until revised by the City Council, to such services provided during subsequent fiscal years.
3. That this resolution shall become effective July 1, 2020.
8. City Council approved a resolution to adopt Land Development related fees.

The resolution reads as follows:

#### **RESOLUTION NO. 2944**

**WHEREAS**, under section 11-104 of The Zoning Ordinance of the City of Alexandria, as amended, provides that the director shall by general rule approved by City Council establish a schedule of fees required for each application for development approval to be paid at the time an application is submitted; and

**WHEREAS**, the director and City Council have determined that the fee schedule is in need of amendment and adjustment.

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

1. That the fee schedule attached hereto, entitled Department of Planning & Zoning Fee Schedule, is deemed to contain fair and appropriate fees; and
2. That said fee schedule shall be, and hereby is, approved and incorporate by reference in this resolution, and shall, until amended or rescinded, set forth the fees to be charged by the City of Alexandria Department of Planning and Zoning, beginning July 1, 2020; and
3. To the extent that these rates differ from those in Resolutions 2770 and 2821, those provisions of Resolutions 2770 and 2821 are hereby repealed; and
4. That this resolution shall become effective July 1, 2020.
9. City Council approved a resolution to increase fares for the Department of Transportation (DOT) Paratransit Program.

The resolution reads as follows:

#### **RESOLUTION NO. 2945**

#### **RESOLUTION TO INCREASE THE FARES FOR DOT PARATRANSIT PROGRAM**

**WHEREAS**, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, under City Code Section 3-1-8(a), except as otherwise expressly provided in this code or in the zoning ordinance, all fees and charges for applications submitted to; for permits and approvals issued by, and for activities, programs and services provided by, the City of Alexandria shall be established by resolution of the City Council

**WHEREAS**, City Council has now determined that it is necessary and desirable to increase the DOT Paratransit passenger fare to \$4 per trip for inside the City and up to 5 miles outside the City, and increase the DOT Paratransit passenger fare to \$6 per trip for all trips 5 miles and over outside the City;

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

1. That, beginning in fiscal year 2021, the DOT passenger fare shall be \$4 per trip for inside the City and up to 5 miles outside the City, and \$6 per trip for all trips 5 miles and over outside the City.

2. That the fees established in Section 1 above shall apply to the DOT Paratransit Program inside and outside of the City passenger fare, unless and until revised by the City Council, to such services provided during subsequent fiscal years.

3. That this resolution shall become effective July 1, 2020.

11. City Council approved a resolution to adopt fee changes to increase cost recovery for the Department of Recreation, Parks, and Cultural Activities (RPCA) programs for FY 2021.

The resolution reads as follows:

**RESOLUTION NO. 2947**

**RESOLUTION TO ADOPT FEE INCREASES ADMINISTERED  
BY THE DEPARTMENT OF RECREATION, PARKS  
AND CULTURAL ACTIVITIES FOR FY 2021**

**WHEREAS**, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, under City Code Section 3-1-8(a), except as otherwise expressly provided in this code or in the zoning ordinance, all fees and charges for applications submitted to; for permits and approvals issued by, and for activities, programs and services provided by, the City of Alexandria shall be established by resolution of the City Council; and

**WHEREAS**, the Council adopted by Resolution No. 2577 the department's "Resource Allocation Philosophy, Cost Recovery Model and Policy" on September 24, 2013; and



**WHEREAS**, the cost of providing leisure services to the general taxpayer continue to increase and the fees do not cover the entire costs of these programs.

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

1. The Power On Out of School Program Activity Fees are changed as follows:

	Current Fee	New Fee	Cost Recovery Tier
School Year (Residents)	\$475.00	\$575.00	2
Summer (Residents)	\$345.00	\$445.00	3

2. The Youth Sports League Fees are changed as follows:

	Current Fee	New Fee
Fee per sport	\$85	\$95

3. The General Admission Fees are increased at Charles Barrett, Charles Houston, Cora Kelly, William Ramsey, and Chinguapin Recreation Centers as follows:

	Current Fee	New Fee
Adult Fitness Single Use (excluding Chinguapin) Resident	\$5	\$6
Adult Fitness 3-month pass (excluding Chinguapin) Resident	\$40	\$45
Adult Fitness 6-month pass (excluding Chinguapin) Resident	\$75	\$85
Adult Fitness Annual pass (excluding Chinguapin) Resident	\$125	\$140
Chinguapin Admission Fee, Youth (Age 5-17)	\$5	\$6
Chinguapin Admission Fee, Adult (Age 18+)	\$8	\$9
Chinguapin Individual Fitness Pass (25 visits) for Youth (Age 5-17)	\$120	\$130
Chinguapin Individual Fitness Pass (25 visits) for Adult (Age 18+)	\$150	\$160
Chinguapin 1-month Unlimited Fitness Pass (Single) for Resident	\$50	\$55
Chinguapin 1-month Unlimited Fitness	\$87	\$95

Pass (2 persons) for Resident		
Chinquapin 6-month Unlimited Fitness Pass (Single) for Resident	\$250	\$260
Chinquapin 6-month Unlimited Fitness Pass (2 persons) for Resident	\$438	\$450
Chinquapin 6-month Unlimited Fitness Pass (Family up to 4) for Resident	\$505	\$515
Chinquapin 12-month Unlimited Fitness Pass (Single) for Resident	\$450	\$465
Chinquapin 12-month Unlimited Fitness Pass (2 persons) for Resident	\$788	\$805

4. The Special Events and Wedding Permit Fees are changed as follows:

	Current Fee	New Fee
ABC Permission (For Special Event only, not recreation centers)	\$50	\$100
Special Event Trail Use Assessment (For run/walk events using City trails)	\$150	\$300
Special Event/Wedding Permit (City Parks)	\$0	\$50
Special Event/Wedding Electrical Set-up (City Parks)	\$0	\$250/permit
Turf Bond (City Parks)	\$0	\$0.10 cents per square foot
Barricade Rental	\$0	\$10 per barricade
Special Event/Wedding Application – City Parks (Submitted 4-5 months in advance)	\$50	\$75
Special Event/Wedding Application – City Parks (Submitted 3 months in advance)	\$50	\$100
Special Event/Wedding Application – City Parks (Submitted 2 months in advance)	\$50	\$125
Special Event/Wedding Application – City Parks (Submitted less than 1 month in advance)	\$50	\$175
Special Event/Wedding Permit Site Plan, Revision Fee – City Parks (Submitted 6 months in advance)	\$0	\$25

Special Event/Wedding Permit Site Plan, Revision Fee – City Parks (Submitted 5 months in advance)	\$0	\$30
Special Event/Wedding Permit Site Plan, Revision Fee – City Parks (Submitted 4 months in advance)	\$0	\$150
Special Event/Wedding Permit Site Plan, Revision Fee – City Parks (Submitted 2-3 months in advance)	\$0	\$175
Special Event/Wedding Permit Site Plan, Revision Fee – City Parks (Submitted 1 month in advance)	\$0	\$250
Special Event/Wedding Permit Site Plan, Revision Fee – City Parks (Submitted less than 1 month in advance)	\$0	\$500
Special Event/Wedding Permit Site Plan Revision Fee, 2 <sup>nd</sup> Revision	\$0	\$25
Special Event/Wedding Permit Site Plan Revision Fee, 3 <sup>rd</sup> Revision	\$0	\$50
Special Event/Wedding Permit Site Plan Revision Fee, 4 <sup>th</sup> Revision	\$0	\$150
Special Event/Wedding Permit Site Plan Revision Fee, 5 <sup>th</sup> Revision	\$0	\$175
Special Event/Wedding Permit Site Plan Revision Fee, 6 <sup>th</sup> and any additional revision	\$0	\$200 per revision plus cost of staff time
Special Event/Wedding Convenience Fee	\$0	\$50 per communication
Special Event/Wedding Equipment Removal Fee	\$0	\$1,000 plus cost of staff time and any additional costs incurred to remove equipment
Special Event/Wedding Equipment Disposal fee	\$0	\$1,000 plus cost of staff time and any additional costs incurred to dispose of equipment
Photography Permit for City Parks	\$0	\$100 per day
Film Permit for City Parks	\$0	\$400 per day

5. The Mobile Stage Rental Fees are changed as follows:

	Current Fee	New Fee
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Fee per hour: nonresident/business/non-local	\$79	\$119
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6. The Park Rental Fees for Oronoco Bay Park, Montgomery Park, EF Pier Gazebo are changed as follows:

	Current Fee	New Fee
Park Rental – Monday through Thursday	\$117	\$234
Park Rental – Friday through Sunday	\$157	\$434

7. The Park Rental Fees for Waterfront Park are changed as follows:

	Current Fee	New Fee
Park Rental – Monday through Thursday	\$117	\$434
Park Rental – Friday through Sunday	\$157	\$868

8. That the fees established above shall apply, unless and until revised by the City Council, to such services provided during subsequent fiscal years.

9. To the extent that these rates differ from those in Resolutions 2771, 2822, and 2882 those provisions of Resolutions 2771, 2822, and 2882 are hereby repealed.

10. That this resolution shall become effective July 1, 2020.

12. City Council approved a resolution to adopt fee changes to increase museum tour and rental fees at City Museums for FY 2021.

The resolution reads as follows:

#### **RESOLUTION NO. 2948**

#### **RESOLUTION TO ADOPT FEE INCREASES ADMINISTERED BY THE OFFICE OF HISTORIC ALEXANDRIA FOR FY 2021**

**WHEREAS**, under section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, under City Code Section 3-1-8(a), except as otherwise expressly provided in this code or in the zoning ordinance, all fees and charges for applications submitted to; for permits

and approvals issued by, and for activities, programs and services provided by, the City of Alexandria shall be established by resolution of the City Council; and

**WHEREAS**, the cost of providing services to the general taxpayer continues to increase.

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

5. That the facility rental fees are established or changed as follows:

	Current Fee	New Fee
Friendship Firehouse Rental	\$150/hour	\$350/hour
Black History Museum Rental	\$200/hour	\$250/hour
Apothecary Museum Rental	\$0	\$250/hour
Permit fee – Alcohol	\$0	\$50

6. That the admission/tour fee(s) are established or changed as follows:

	Current Fee	New Fee
School Tour and Chaperone fee	\$2	\$3
Standard Group Tour Fee	\$0	\$50

7. That the fees established above shall apply, unless and until revised by the City Council, to such services provided during subsequent fiscal years.
8. To the extent that these rates differ from those in Resolutions 2280, 2674 and 2773, those provisions of Resolutions 2280, 2674 and 2773 are hereby repealed.
9. That this resolution shall become effective July 1, 2020.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

10. Consideration of a Resolution to Increase Employee Parking Rates.  
[ROLL-CALL-VOTE]

(A copy of the City Manager's memorandum dated April 23, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 04/29/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried 4-3 by roll-call vote, City Council .. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Chapman, and Councilwoman Pepper; Opposed, Councilman Aguirre, Councilwoman Jackson, and Councilman Seifeldein.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by

Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the Special meeting of April 29, 2020 at 7:33 p.m. 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.

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**APPROVED BY:**

**JUSTIN M. WILSON      MAYOR**

**ATTEST:**

**Gloria A. Sitton, CMC      City Clerk**

**City of Alexandria**  
**City Council Legislative Meeting**  
**Tuesday, April 6, 2021 7:00 PM**  
**Virtual Meeting**  
**Meeting Minutes**

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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. Seifeldein.

Absent: Absent.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Baker, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. Triggs, Deputy City Manager; Mr. Tran, Transportation and Environmental Services (T&ES); Mr. Farner, Deputy Director, Planning and Zoning (P&Z); Ms. Talis, Alexandria Health Department; Dr. Haering, Director, Alexandria Health Department; Ms. McIlvaine, Director, Office of Housing; Ms. Goldberg, T&ES; Mr. Moritz, Director, P&Z; Mr. Skrabak, Deputy Director, T&ES; Mr. Lambert, Director, T&ES; Police Chief Brown, Ms. Beach, Division Chief; P&Z; Mr. Ayala, Urban Planner, P&Z; Mr. Wick, Office of Management and Budget; Mr. Routt, Director, Office of Management and Budget; Mr. Maines, Division Chief, T&ES; Ms. K. Taylor, Director, Finance; Ms. Mclean, Executive Assistant to the City Manager; Mr. Keeler, Deputy Director, Office of Housing; Ms. Jovovic, Office of Housing; Mr. LaColla, Division Chief, P&Z; Ms. S. Taylor, Legislative Director/Assistant City Manager; Mr. Swidrak, Urban Planner, P&Z; Ms. Miliaras, Principal Planner, P&Z; Mr. Smith, Information Technology Services (ITS); Mr. Barre, ITS; Mr. Moss, ITS; and Ms. Demeke, ITS.

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

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1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via Zoom webinar.

1a. Resolution Finding Need to Conduct the City Council Meeting Electronically.  
[ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council adopted the resolution finding need to conduct the City Council meeting electronically. 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. 2984**

### **Resolution Finding Need to Conduct City Council Meeting Electronically**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia (the "City"), pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to the by the City Council on March 14, 2020, pursuant to City Resolution No. 2928, as required by applicable law; on June 9, 2020, the City Manager extended such Declaration of Local Emergency through September 30, 2020 which extension was unanimously consented to by the City Council on June 9, 2020; on September 22, 2020, the City Manager extended such Declaration of Local Emergency through March 31, 2021 which extension was unanimously consented to by the City Council on September 22, 2020; on March 23, 2021, the City Manager extended such Declaration of Local Emergency through September 30, 2021 which extension was unanimously consented to by the City Council on March 23, 2021; (the "City Declaration"); and

**WHEREAS**, the City Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code § 44-146.16 being a "communicable disease of public health threat;" and

**WHEREAS**, on April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB29 and HB30 (Virginia Acts of Assembly Chapters 1283 and 1289), Section 4-0.01(g), that expressly authorize "any public body, including any state, local, [or] regional body" to "meet by electronic means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . ., provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities" among other provisions; and



**THEREFORE, BE IT RESOLVED**, that the City Council of the City of Alexandria, Virginia, hereby finds that the nature of the declared emergency makes it both impracticable and unsafe for the Council to assemble in a single location for its meeting on this date to discuss and transact the business of the City listed on the docket; and

**BE IT FINALLY RESOLVED**, that the City Council hereby finds that the items on the docket for this date are statutorily required or necessary to continue operations of the public body and the discharge of its lawful purposes, duties, and responsibilities.

2. Public Discussion Period.

The following persons participated in the public discussion period:

1. Jeremy Flachs, Alexandria, spoke about the amendments to the taxicab ordinance.
2. Joe Sestak, Alexandria, representing the Seminary Ridge Civic Association, spoke about the need to halt stream restoration on Strawberry Run.
3. Richard Gould, Alexandria, spoke about stopping the stream restoration on Strawberry Run for now and reviewing the process.
4. Susan Gould, Alexandria, spoke about stopping the stream restoration on Strawberry Run for now and reviewing the process.
5. Carol Kocot, Alexandria, spoke about stream restoration on Strawberry Run and the need to review the process.
6. Larry Kocot, Alexandria, spoke about stream restoration on Strawberry Run and the need to review the process.
7. Lyn Allen, Alexandria, spoke about stream restoration on Strawberry Run.
8. Andrew Macdonald, Alexandria, spoke about stream restoration through the City and need to review all the planned restoration projects.
9. David Mowry, Alexandria, spoke about stream restoration and how it has affected his property.
10. Steven Tuttle, Alexandria, spoke about stream restoration and the need to review the process.
11. Thomas Curcio, Alexandria spoke about the amendments to the taxicab ordinance.
12. Jeanne Jacob, Alexandria, spoke about stream restoration and the need to review the process.

**Reading and Acting Upon the Minutes of the Following Meetings of City Council:**

3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:

The Regular Meeting Minutes of January 12, 2021;  
The Public Hearing Meeting Minutes of January 23, 2021;  
The Regular Meeting Minutes of January 26, 2021; and  
The Regular Meeting Minutes of February 9, 2021.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the minutes for the following meetings of City Council: the regular meeting minutes of January 12, 2021, the public hearing meeting minutes of January 23, 2021, the regular meeting minutes of January 26, 2021; and the regular meeting minutes of February 9, 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.

**PROCLAMATIONS**

4. Presentation of a Proclamation Declaring April 22, 2021 as Alexandria Earth Day and Arbor Day.

**WHEREUPON**, motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. 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.

5. Presentation of a Proclamation honoring the City of Alexandria Medical Reserve Corps Volunteers during the COVID-19 Pandemic.

**WHEREUPON**, motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker carried unanimously,, City Council endorsed the proclamation. 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. Presentation of the Flora Krause Casey Public Health Award to the Alexandria Medical Reserve Corps.

City Council presented the Flora Krause Casey Public Health Award to the Alexandria Medical Reserve Corps.

**Oral Reports from Members of City Council on Boards, Commissions, and Committees**

**\*Alexandria Economic Development Partnership (AEDP) (Councilman Chapman)**

Councilman Chapman reported that the Board received updates on economic drivers in the community and the response to the pandemic. Councilman Chapman noted that the staff gave presentation on the American Rescue Plan and their outreach plan to reach businesses

in the City.

**\*Northern Virginia Regional Commission (NVRC) (Councilman Chapman and Vice Mayor Bennett-Parker)**

Councilman Chapman reported that the Commission received reports from the presidents of George Mason University and Northern Virginia Community College on how their campuses have been responding to the pandemic and how they planning for moving out of shutdown status for their institutions. Councilman Chapman stated that the City of Fairfax reported on an historic African American cemetery located in their city and how they held a wreath-laying ceremony and other events to focus on local racial healing. Councilman Chapman also reported that the Commission discussed the American Rescue Plan with Congressmen Gerry Connelly.

**\*Minnie Howard High School Project Advisory Board (Councilman Aguirre)**

Councilman Aguirre reported that the Board that is down to two concepts that they are considering and the discussion of adding a pool has been tabled at this time. Councilman Aguirre noted that there is still discussion on the overall layout including the athletic fields and the parking and drop-off areas.

**\*COG Chesapeake Bay & Water Resources Policy Committee (Councilwoman Jackson)**

Councilwoman Jackson reported that the Committee starting to request academic papers for high school and college students. Councilwoman Jackson reported that the Committee is planning to meet with the Ad Hoc FARM Committee to work on ideas for projects that will focus on the environment.

**\*MacArthur Advisory Council (Councilwoman Jackson)**

Councilwoman Jackson reported that the Council will be meeting tomorrow and MacArthur held a community meeting to update them on the demolition of the building. Councilwoman Jackson also reported that a project timeline was presented at the community meeting.

**\*Eisenhower Partnership Board of Directors (Councilwoman Jackson and Councilwoman Pepper)**

Councilwoman Jackson reported that the Board held the City Manager's breakfast was held recently and there was presentation of a walk around town. Councilwoman Jackson also noted that there was a scholarship presentation at that meeting. Councilwoman Pepper noted that the City Manager's presentation was outstanding and very informative.

**ORAL REPORT FROM THE CITY MANAGER**

- (a) Report by Dr. Haering, MD, MPH, FACPM, on COVID-19 Mitigation and Vaccination Progress.

Dr. Haering, Director, Alexandria Health Department, thanked Council for recognizing

the Medical Reserves Corps volunteers tonight. Dr. Haering and Ms. Talis, Population Health Manager, Alexandria Health Department, gave an update on COVID-19 and vaccination distribution in the City and responded to questions from Council.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (7-13)**

### **(Resignations and Uncontested Appointments)**

7. Receipt of the following resignations from members of Boards, Commissions, and Committees:

- (a) Beautification Commission  
Vineeta Anand
- (b) Citizen Corps Council  
Brian Lundeen
- (c) Commission for Women  
Lateisha Garrett
- (d) Historic Alexandria Resources Commission  
Maddy McCoy
- (e) Landlord-Tenant Relations Board  
Jeanette Shepherd
- (f) Park and Recreation Commission  
  
Joey Farmery

8. Uncontested Appointments to Boards, Commissions, and Committees:

- (a) Alexandria Gang Prevention Community Task Force  
1 Member Representing the African American Community
- (b) Archaeological Commission  
1 Representative of the Historic Alexandria Foundation
- (c) Citizen Corps Council  
1 Citizen Member
- (d) Commission on HIV/AIDS  
1 Citizen Member  
1 Representative of Alexandria City Public Schools
- (e) Community Criminal Justice Board  
1 Representative from Local Education

- (f) Urban Design Advisory Committee  
1 Old Town North Residential Community Representative

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

9. Consideration of the Monthly Financial Report for the Period Ending February 28, 2021.

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 04/06/21, and is incorporated as part of this record by reference.)

10. Consideration of Receipt of Fiscal Year 2021 Second Quarter Capital Projects Status Report Related to City Council Approved Capital Projects.

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 04/06/21, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction and First Reading)**

11. Introduction and First Reading. Consideration of Passage on First Reading of an Ordinance to expand the stated purpose of 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 March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 04/06/21, 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, Item No. 11; 04/06/21, 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 Item No. 11; 04/06/21 and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Beauregard Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00006 associated with Upland Park approved by City Council on March 13, 2021)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 04/06/21, 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 Item No. 12; 04/06/21, and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2021.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 04/06/21, 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 Item No. 13; 04/06/21 and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the consent calendar. The City Manager's recommendations were as follows:

7. City Council received the following resignations with regret: (a) Vineeta Anand, Beautification Commission; (b) Brian Lundeen, Citizen Corps Council; (c) Latiesha Garrett, Commission for Women; (d) Maddy McCoy, Historic Alexandria Resources Commission; (e) Jeannette Shepherd, Landlord-Tenant Relations Board; and (f) Joey Farmery, Park and Recreation Commission.

8. City Council appointed the following persons to boards, commissions, and committees: (a) appointed Steven Nelson as the member representing the African American community to the Alexandria Gang Prevention Community Task Force; (b) reappointed Seth Tinkham as the representative of the Historic Alexandria Foundation to the Archaeological Commission; (c) appointed Stephen Hart as the citizen member to the Citizen Corps Council; (d) appointed Benjamin Kirst as the citizen member and appointed Leanne Desmond as the Alexandria City Public Schools representative to the Commission on HIV/AIDS; (e) appointed Julie Crawford as the Alexandria City Public Schools representative to the Community Criminal Justice Board; and (f) reappointed Katherine Auth Binger as the Old Town North residential community representative to the Urban Design Advisory Commission.

9. City Council received the Monthly Financial Report.

10. City Council received the FY 2021 Second Quarter Capital Projects Status Report.

11. City Council approved the ordinance on first reading and scheduled it for public

hearing, second reading and final passage on Saturday, April 17, 2021.

12. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 17, 2021.

13. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 17, 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.

#### **ROLL-CALL CONSENT CALENDAR (14)**

14. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement 87 of the Zoning Ordinance. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 04/06/21, 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 Item No. 14; 04/06/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council passed on first and second reading an ordinance to adopt Supplement 87 of the Zoning Ordinance. 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 ordinance reads as follows:

#### **ORDINANCE NO. 5335**

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

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

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 87," are hereby adopted as

and shall constitute "The Eighty Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Eighty Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between September 12, 2020 and December 12, 2020, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between September 12, 2020 and December 12, 2020 inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Eighty Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after the effective date of this ordinance.

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

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

## **CONTESTED APPOINTMENTS**

15. Consideration of Appointments to the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group.

(A copy of the City Clerk's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 04/06/21, and is incorporated as part of this record by reference.)

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

NAME:

ENDORSEMENTS:

Dino Drudi  
Charlotte Hall

Pete Benavage and Bryan Kirkes, AFCA



Howard "Skip" Maginniss

James Miceli

Brian Sands

Christine Thuot

Rosemarie Esber

John Hill

Cheryl Leonard

Diane Mangano-Cohen, Metropolitan Condo Assoc.

Jol Silversmith, Rosemont Citizens Assoc.

Travis Kirspel, Auburn Village Condo Assoc. Board of Directors

Stephen Milone, Old Town Civic Assoc.

Patricia Sanders, Nethergate Community Assoc.

Sean M. Sweeney, Hume Springs Civic Assoc.

Roy R. Byrd, Clover College Park Civic Assoc.

Travis Kirspel, Auburn Village Condo Assoc. Board of Directors

Betsy Whalen, Del Ray Citizens Assoc.

Sean M. Sweeney, Hume Springs Civic Assoc.

Jol Silversmith, Rosemont Citizens Assoc.

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 04/06/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed the following persons to the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group:

- Dino Drudi was appointed as the member of the Alexandria Federation of Civic Associations;
- Charlotte Hall was appointed as the representative of a business group;
- Howard "Skip" Maginniss was appointed as the member of the City's Budget and Fiscal Affairs Advisory Committee (BFAAC);
- Brian Sands and Christine Thuot were appointed as the two 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; and
- Cheryl Leonard, and Katie Waynick were appointed as the two members nominated by civic associations in flood affected areas. There was a revote for the third member. The vote was as follows:

Wilson	-	Drudi, Hall, Maginniss, Esber, Leonard, Waynick
Bennett-Parker	-	Drudi, Hall, Maginniss, Hill, Leonard, Waynick
Aguirre	-	Drudi, Hall, Maginniss, Hill, Turner, Waynick
Chapman	-	Drudi, Hall, Maginniss, Leonard, Turner, Waynick
Jackson	-	Drudi, Hall, Maginniss, Hill, Leonard, Waynick
Pepper	-	Drudi, Hall, Maginniss, Hill, Leonard, Waynick
Seifeldein	-	Drudi, Hall, Maginniss, Liddle, Pease, Waynick

**WHEREUPON**, ballots were again distributed, tellers were again appointed, and ballots tallied with the following results: City Council appointed John Hill as the member nominated by

a civic association in flood affected areas. The vote was as follows:

Wilson	-	Hill
Bennett-Parker	-	Hill
Aguirre	-	Turner
Chapman	-	Turner
Jackson	-	Hill
Pepper	-	Hill
Seifeldein	-	Turner

16. Archaeological Commission  
1 Representative from Visit Alexandria

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

NAME:	ENDORSEMENT
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Rebecca Doser

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 04/06/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and appointed Rebecca Doser as the representative from Visit Alexandria to the Archaeological Commission. The vote was as follows:

Wilson	-	Doser
Bennett-Parker	-	Doser
Aguirre	-	Doser
Chapman	-	Doser
Jackson	-	Doser
Pepper	-	Doser
Seifeldein	-	Doser

17. Commission for Women  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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Gina Allen  
Alyssa Burns  
Lindsey Deutsch  
Emily Eckert  
Charlotte Florance

Sarah Holley  
Amelia Kays  
Emily Marge  
Gayle Terry  
Mary Savino

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 04/06/21, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: No candidate received a majority of the vote on the first ballot. The vote was as follows:

Wilson	-	Florance
Bennett-Parker	-	Deutsch
Aguirre	-	Allen
Chapman	-	Savino
Jackson	-	Kays
Pepper	-	Allen
Seifeldein	-	Florance

**WHEREUPON**, ballots were again distributed, tellers were again appointed, and ballots were tallied with the following results: City Council appointed Charlotte Florance as the citizen member to the Commission for Women. The vote was as follows:

Wilson	-	Florance
Bennett-Parker	-	Allen
Aguirre	-	Allen
Chapman	-	Florance
Jackson	-	Kays
Pepper	-	Florance
Seifeldein	-	Florance

18. Commission on Information Technology  
1 Citizen Member

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

NAME:

ENDORSEMENT:

Ricardo Alfaro  
James Barnette  
Steve Davidson

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council reappointed Ricardo Alfaro as the citizen member to the Commission on Information Technology. The vote was as follows:

Wilson	-	Alfaro
Bennett-Parker	-	Alfaro
Aguirre	-	Alfaro
Chapman	-	Alfaro
Jackson	-	Alfaro
Pepper	-	Alfaro
Seifeldein	-	Alfaro

19. Community Criminal Justice Board  
1 Citizen Member

(The following persons volunteered for appointment the above Commission)

NAME:	ENDORSEMENT:
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Sharon Jones	
Jenna Murray	
Brian Szmak	
Marisa Tordella	
Timothy Wigder	
Charles Wilson	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 19; 04/06/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Marisa Tordella as the citizen member to the Community Criminal Justice Board. The vote was follows:

Wilson	-	Wilson
Bennett-Parker	-	Tordella
Aguirre	-	Tordella
Chapman	-	Wilson
Jackson	-	Tordella
Pepper	-	Wilson
Seifeldein	-	Tordella

20. Human Rights Commission  
2 Citizen Members

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

NAME:	ENDORSEMENT:
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Samantha Armstrong  
William (Christopher) Harris  
Susan Kellom  
Lashae Lambert  
Dane Lauritzen  
Tatiana Mota  
Christopher Outlaw

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 20; 04/06/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council reappointed William (Christopher) Harris and Susan Kellom as the two citizen members to the Human Rights Commission. The vote was as follows:

Wilson	-	Harris, Kellom
Bennett-Parker	-	Harris, Kellom
Aguirre	-	Harris, Kellom
Chapman	-	Harris, Kellom
Jackson	-	Harris, Kellom
Pepper	-	Harris, Kellom
Seifeldein	-	Harris, Kellom

21. Sister Cities Committee  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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Tamara Boorstein  
Hendrick Booz  
Rita Jupe  
Christina Naston  
Debra Walker

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 21; 04/06/21, and is incorporated as part of this record by reference.)

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

Wilson	-	Booz
Bennett-Parker	-	Booz
Aguirre	-	Booz
Chapman	-	Booz

Jackson	-	Jupe
Pepper	-	Booz
Seifeldein	-	Jupe

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

22. Arlandria-Chirilagua Planning Process Update and Discussion of Draft Housing Affordability Recommendations.

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 22; 04/06/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council received the planning process update and provided feedback to staff on the Draft Housing Affordability Recommendations for the Arlandria-Chirilagua Plan. 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.

23. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Title 9 Chapter 12: Taxicabs and Other Vehicles for Hire.

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 23; 04/06/21, 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 Item No. 23; 04/06/21, 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 Item No. 23; 04/06/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 17, 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.

24. Work Session on Revising the City's Noise Ordinance.

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 24; 04/06/21, and is incorporated as part of this record by reference.)

City Council held the work session on revising the City's Noise Ordinance.

25. Resolution to Commemorate Alexandrians Lost to the COVID-19 Pandemic.  
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 25; 04/06/21, 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 recognizing and commemorating the lives lost to the COVID-19 Pandemic. 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. 2985**

**Resolution to Commemorate Alexandrians lost to the  
COVID-19 Pandemic**

**WHEREAS**, on March 11, 2020, the World Health Organization (WHO) declared the novel Corona virus (COVID-19) outbreak a global pandemic; and

**WHEREAS**, this past year has been challenging for the world, our nation, and the City of Alexandria; and

**WHEREAS**, the COVID-19 pandemic has upended life as we know it, with its devastating effect on our physical and mental health, and on our social and economic wellbeing; and

**WHEREAS**, we enter the second year of the COVID-19 pandemic in the United States; and

**WHEREAS**, the death toll from the COVID-19 pandemic has surpassed 2.8 million worldwide and claimed over 550,000 American lives; and

**WHEREAS**, in the City of Alexandria, we have lost approximately 128 beautiful souls to the COVID-19 pandemic; and

**WHEREAS**, the City of Alexandria values every life as precious and considers even one life lost as one too many; and

**WHEREAS**, we mourn this tragic loss, and we reflect on and share the sorrow and pain of those who have lost a loved one to COVID-19.

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

1. The City of Alexandria remembers and honors the 128 individuals who have died due to this pandemic, and supports initiatives to honor them, including the establishment of a memorial at Rivergate Park on the Potomac, 2 Montgomery Street, sponsored by North Old Town Independent Citizens' Association, the Old Town North Community Partnership, and private donors. The memorial will be composed of small white flags, each representing an Alexandria resident who has died of COVID-19, that will be displayed from April 16 through June 21, 2021; and
2. As we look to the future, the City of Alexandria remains committed to the wellbeing and safety of its residents and employees by providing resources for testing, contact tracing, and administration of vaccines. We are very hopeful that through vaccination, the ongoing efforts of our medical professionals, and the actions being taken by members of the community, such as wearing face masks, washing hands and social distancing, we will stop the spread and continue to save lives; and
3. In accordance with the ALL Alexandria Resolution, the City of Alexandria remains mindful that certain groups in our community are disproportionately affected by the COVID-19 virus and, therefore, the City remains committed to addressing health inequities and to providing crucial information in multiple formats and languages.

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

1. Councilwoman Jackson congratulated the Titan football team on winning the Gunston District Championship for the first time in 30 years.

2. Councilman Aguirre reported that he attended a community meeting at Andrew Atkins homes on Monday sponsored by the applicant for the proposed development at Braddock West development at Braddock Road. Councilman Aguirre stated that he would be requesting to rescind the motion on from the March public hearing on the item and he requested that the motion to reconsider be docketed for the April 27 legislative meeting.

City Attorney Anderson explained the process for reconsidering an item that has already been voted on by Council.

3. Councilman Aguirre requested that City staff consider contracting with a lobbying firm to help navigate the process for receiving assistance/funding from the American Rescue Plan.

4. Councilman Aguirre reported that President Biden visited Virginia Theological Seminary here in Alexandria and the vaccination distribution clinic they are hosting to highlight the need for equitable distribution of vaccines.

5. Councilman Aguirre reported that the Chamber of Commerce is selling Alx-opoly games.

## **OTHER**

26. Consideration of City Council Schedule.



(A copy of the City Manager's memorandum dated March 31, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 26; 04/06/21, 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 received and adopted the FY 2021 City Council for April 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 Vice Mayor Bennett-Parker, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the regular meeting of April 6, 2021 at 12:38 a.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON MAYOR

ATTEST:

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Gloria A. Sitton, CMC City Clerk

Approved:  
Ratified:

**City of Alexandria  
City Council Public Hearing Meeting  
Saturday, December 12, 2020 9:30 AM  
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. Seifeldein.

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; Ms. Horowitz, Principal Planner, Planning and Zoning; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Brandt-Vorel, Urban Planner, P&Z; Mr. McPike, Director, General Services; Ms. McIlvaine, Director, Office of Housing; Ms. Jovovic, Office of Housing; Ms. Labadee, Urban Planner, P&Z; Mr. Farner, Deputy Director, P&Z; Ms. Brandt-Vorel, Urban Planner, P&Z, and Ms. Snow, Assistant City Attorney; Mr. LaColla, Division Chief, P&Z.

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

\*\*\*\*\*

**OPENING**

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via Zoom webinar.

\*\*\*\*\*

Mayor Wilson stated that due to the COVID-19 Pandemic Emergency, the December 12, 2020 Public Hearing Meeting of the Alexandria City Council is being held electronically pursuant to the 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 4.0-01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289), to undertake essential business. All the members of the City Council and staff are participating from remote locations through a video conference on Zoom. This meeting is being held, electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. 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.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council moved to defer item #13 until the January 23, 2021 public hearing meeting. 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.

2. Public Discussion Period

The following person participated in the public discussion period:

1. Janice Grenadier, Alexandria, spoke about corruption in the judicial system.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public comment period. 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.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES  
ACTION CONSENT CALENDAR**

**Planning Commission (3-4)**

3. Zoning Text Amendment #2020-00009  
Pick-up and Drop-off Requirements for Day Care Establishments  
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to clarify pick-up and drop off requirements for day care establishments. Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 12/12/20, and is incorporated as part of this record by reference.)

4. Special Use Permit #2020-00043  
3601 Potomac Avenue - North Potomac Yard Coordinated Sign Program  
Public Hearing and consideration of a request for a Special Use Permit for a coordinated sign program for exterior signage for the Phase 1 redevelopment of North Potomac Yard; zoned CDD#19/Coordinated Development District #19  
Applicant: CPYR Theater, LLC, represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 12/12/20, and is incorporated as part of this record by reference.)

## END OF ACTION CONSENT CALENDAR

City Council approved the consent calendar, each item under separate motions.

3. Zoning Text Amendment #2020-00009  
Pick-up and Drop-off Requirements for Day Care Establishments  
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to clarify pick-up and drop off requirements for day care establishments. Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 12/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

4. Special Use Permit #2020-00043  
3601 Potomac Avenue - North Potomac Yard Coordinated Sign Program  
Public Hearing and consideration of a request for a Special Use Permit for a coordinated sign program for exterior signage for the Phase 1 redevelopment of North Potomac Yard; zoned CDD#19/Coordinated Development District #19  
Applicant: CPYR Theater, LLC, represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 12/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

5. Public Hearing and Consideration of a License Extension between the City of Alexandria and the Tall Ship Providence Foundation for the Docking of the Tall Ship Providence in the City Marina.

(A copy of the City Manager's memorandum dated December 8, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 12/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing and (1) approved the proposed sixty-day (60) license extension and (2) authorized the City Manager to execute the sixty-day (60) license extension with the Tall Ship Providence Foundation. 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. Public Hearing and Consideration of a Five-Year License Agreement with the Alexandria Seaport Foundation for Docking the Maritime Heritage Center at its Present Location at the Alexandria City Marina.

(A copy of the City Manager's memorandum dated December 8, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 12/12/20, and 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: (1) closed the public hearing and approved the proposed five-year license agreement; and (2) authorized the City Manager to execute the five-year license agreement with the Alexandria Seaport Foundation. 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.

7. Public Hearing and Consideration of a License Agreement with ALIVE! Inc. to Utilize a Portion of the City-Owned Building Located at 801 South Payne Street.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 12/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman, City Council: (1) closed the public hearing and approved the five-year license agreement; and (2) authorized the City Manager to execute the proposed license agreement with ALIVE! Inc. 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.

8. Public Hearing and Consideration of an Update to the City's Affordable Housing Contributions Policy and Procedures.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8;

12/12/20, and is incorporated as part of this record by reference.)

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

1. Cathy Puskar, attorney, spoke on the potential changes to the Housing Contributions Policy and Procedures and how it affects what the developers had agreed upon over the past year.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council received the proposed Update to the City's Affordable Housing Contributions Policy. City Council directed staff to bring the attached policy back to Council for consideration with revisions in the policy to reflect a more frequent update of the analysis of the character of the sub-markets (annually) and amendments to the flexibility section/language on pages 11-12 of the Housing Policy as suggested by Councilman Seifeldein and Councilman Chapman. 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. Public Hearing and Consideration of an Amendment to the FY 2021 Annual Action Plan for Housing and Community Development to Include Funding for Utility Assistance.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 12/12/20, and is incorporated as part of the record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) closed the public hearing on the proposed amendment of the City's FY 2021 Annual Action Plan for Housing and Community Development to include funding for utility assistance to qualified households, and additional funding for rental assistance; (2) approved the amendment; and (3) authorized the Office of Housing and the Department of Community and Human Services to provide amounts above the \$5000 cap authorized by City Council in September, to supplement other City resources to keep families, who are at risk of eviction due to nonpayment, would likely face homelessness as a consequence, remain housed. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **Planning Commission (continued)**

10. Master Plan Amendment #2020-00003  
Coordinated Development District Concept Plan Amendment #2020-00003  
Zoning Text Amendment #2020-00006  
2412, 2514, and 2610 Richmond Highway; 300, 403, 405, and 420 Swann Avenue; 2500 Oakville Street; 400 Fannon Street; 400 Calvert Avenue - Oakville Triangle  
Public Hearing and consideration of requests for: (A) amendments to the Oakville Triangle & Route 1 West Corridor and Vision Plan chapter of the Master Plan to facilitate the Inova Healthplex including an amendment to the mix and location of proposed uses to include medical care facilities; an amendment to building heights on Blocks B and D; an amendment to the framework streets; and an amendment to the location of open spaces within District 2 (Oakville Triangle); (B) an amendment to the previously approved CDD #2014-00002 Concept Plan to amend the definition of retail uses; an amendment to the location and mix of uses and add medical care facility use; an amendment to the location of open spaces; an amendment to building heights on Blocks B and D, and an amendment to street network; and (C) Initiation of a Text Amendment to the Zoning Ordinance to amend the provisions of Section 5-602 to add medical care facilities and amend the allowable uses within in CDD #24/Coordinated Development District #24; zoned: CDD #24/Coordinated Development District #24 (Oakville Triangle & Route 1 West Corridor and Vision Plan) Applicants: BRE/DP Alexandria Property Owner, LLC (Stonebridge Associates, Inc.), represented by Duncan W. Blair, attorney; City of Alexandria (Text Amendment and portions of the Master Plan)  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 12/12/20, and is incorporated as part of this record by reference.)

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

1. Duncan Blair, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.
2. Doug Firstenberg, Bethesda, MD, spoke in support of the proposal.
3. Cathy Puskar, attorney for INOVA, spoke in support of the proposal.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously and approved the Planning

Commission recommendation subject to amendments. 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.

11. Development Special Use Permit #2020-10025  
3601, 3701, and 3901 Potomac Avenue - Potomac Yard Park  
Public Hearing and consideration of a Development Special Use Permit with site plan for the construction of a 4.5 acre extension of Potomac Yard Park, a new public park with community recreation structures, lighting and new children's play apparatus including a modification to the biodiversity standards of the landscape guidelines; zoned: CDD #19/Coordinated Development District #19 and CDD #10/Coordinated Development District #10. Applicants: CPYR Theater, LLC, represented by M. Catharine Puskar, attorney; City of Alexandria  
Planning Commission Action: Recommended Approval 5-0

(The Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 12/12/20, and is incorporated as part of this record by reference.)

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

1. Robert Brant, attorney for the applicant, spoke in support of the item.

**WHEREUPON**, upon motion Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

12. Development Special Use Permit #2020-10024  
3601 Potomac Avenue - Potomac Yard Pump Station Building  
Public Hearing and consideration of a Development Special Use Permit with site plan for the above-grade construction of a new pump station building and a waiver to Section 8-200(C)(5)(a) of the Zoning Ordinance for parking accessed from an alley or court; zoned: CDD #19/Coordinated Development District #19. Applicant: CPYR Theater, LLC, represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval 5-0

(The Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 12/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson, and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre,



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

13. Master Plan Amendment #2020-00008

Rezoning #2020-00004

Development Special Use Permit #2020-10027

Transportation Management Plan Special Use Permit #2020-00076

Vacation #2020-00004

1352, 1356, 1360, and 1362 Madison Street; 711, 715, 719, and 727 North West Street; 1319, 1321, 1323, 1325, 1327, and 1329 Wythe Street - Braddock West  
Public Hearing and consideration of a request for: (A) Amendments to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan through updates to the Development Site Map, Development and Land Use tables in the Braddock Metro Neighborhood Plan Overlay, and the Development Framework Map and Land Use and Development tables in the Braddock East Master Plan Overlay; (B) amendment to the official zoning map to change the zone for the site from RB to OCH; (C) a Development Special Use Permit and site plan with modifications to construct a 180-unit multifamily building with ground-floor commercial uses, including special use permits to increase the floor area ratio to 3.0 in the OCH zone, the utilization of Section 7-700 for bonus density and height for the provision of affordable housing, for a parking reduction for residential and commercial uses, to allow a restaurant, retail shopping or personal service establishments on a lot which does not include office buildings, provided such use supports and serves office uses in the immediate zoned area, and a fraternal or private club; (D) a Special Use Permit for a Transportation Management Plan (tier two); and (E) the Vacation of two public alleys serving the site; zoned RB/Townhouse. Applicant: West Street Acquisitions, LLC, represented by Jonathan P. Rak, attorney; City of Alexandria (portions of the Master Plan Amendment only)

Planning Commission Action: Recommended Approval 6-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 12/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council moved to defer this item until the January 23, 2021 public hearing meeting. 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**

**\*\*\*Please note that City Council approved 14, 15, 16, and 18 as a block. Item #17 was considered separately.**

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

and reordain the Code of the City of Alexandria, Virginia, 1981, and the City of Alexandria Zoning Ordinance, as amended, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00008 (Implementation Ordinance for Text Amendment No. 2020-00008 associated with the Temporary Program for Business Relief and to Address Public Need Related to COVID-19 approved by City Council on November 14, 2020). [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; 12/12/20, 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; 12/12/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain the Code of City of Alexandria, Virginia, 1981, and the City of Alexandria Zoning Ordinance, as amended, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00008. 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 ordinance reads as follows:

#### ORDINANCE NO. 5313

AN ORDINANCE to amend and reordain the Code of the City of Alexandria, Virginia, 1981, and the City of Alexandria Zoning Ordinance, as amended, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00008.

WHEREAS, the City Council finds and determines that:

1. Due to COVID-19, on March 14, 2020, the City Manager issued a Declaration of Local Emergency applicable throughout the City of Alexandria ("City"), which was consented to by the City Council; and
2. As of the date of the adoption of this ordinance the Declaration of Local Emergency is still in effect and the community continues to face enormous impacts from COVID-19; and
3. Once the Declaration of Local Emergency is lifted the impacts of COVID-19 will persist for some time; and

4. Since the Declaration of Local Emergency the City Council ratified actions taken to assist local businesses and extended the expiration of those deadlines until March 31, 2021, in an acknowledgment of the ongoing impacts from COVID-19; and

5. The City Council finds and determines that the public interest would be served by the establishment of a program that would allow for more adaptable operation of businesses and address public need during the emergency and recovery, the program will enable businesses to operate and customers to support businesses in a safe and efficient manner, promote pedestrian and business friendly vitality, ensure that the public's use of the public right-of-way will not be significantly impaired, ensure that other uses will be protected from the adverse impacts of the uses, and address public needs that arise related to COVID-19; and

6. In Text Amendment No. 2020-00008, 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 November 5, 2020 of a text amendment to the City Code and Zoning Ordinance to address the extraordinary circumstances caused by the COVID 19 pandemic on local business, which recommendation was approved by the City Council at public hearing on November 14, 2020;

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

8. 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. The regulations herein are temporary and are being put in place to address the extraordinary circumstances caused by the COVID 19 pandemic on local businesses. The ordinance will expire on January 1, 2022, except for Sections 6(g) and 7 as indicated therein.

Section 2. *Restaurant Deliveries and Pick-up.* Notwithstanding the requirements of Section 11- 500 of the Zoning Ordinance, restaurants may provide delivery service and pick-up service without amending current special use permits or obtaining new special use permits. Delivery vehicles and customer pick-ups may use on-street parking subject to posted parking requirements.

Section 3. *Hours of Operation.* Notwithstanding the requirements of Section 11-500 of the Zoning Ordinance, the hours-of-operation for restaurants, convenience and grocery stores, catering operations and automobile service stations (gasoline stations) may be modified without amending current special use permits or obtaining new special use permits.

Section 4. *Sidewalk/Parking Lot Vending.*

(a) Notwithstanding the requirements of Section 7-1500 of the Zoning Ordinance, restaurants and retail establishments are permitted to vend on adjacent sidewalks or parking lots. Vending is limited to the placement of orders and customer pick-up. To the extent required, establishments must put in place limitations in compliance with the most current health and safety standards.

(b) A temporary exception to Section 5-2-29 of the City Code is hereby authorized to allow restaurants and retail establishments to vend on adjacent sidewalks pursuant to Section 4(a) above.

Section 5. *Off Premises Alcohol Sales.* Notwithstanding the requirements of Section 11-500 of the Zoning Ordinance, local restrictions on alcohol sales are suspended, including off-premises alcohol sales and delivery restrictions without having the amend a current special use permit or obtain a new special use permit. Businesses remain subject to all VABC licensure requirements.

Section 6. *Alexandria Outdoor Business Expansion Program.*

(a) Within the King Street Outdoor Dining (KSOD) area  
Restaurants within the KSOD may continue to utilize the KSOD program in Section 6-800 of the Zoning Ordinance and comply with the applicable guidelines therein.

In addition to the program in Section 6-800 of the Zoning Ordinance, restaurants may set up outdoor dining in parking spaces outside of their businesses if:

- All current health and safety standards are complied with;
- A current certificate of insurance is submitted to the Department of Planning and Zoning (P&Z);
- For a restaurant without a current permit for the KSOD program, an application must be submitted to and approved by P&Z;
- Participants comply with modified guidelines of the Parklet Program, including the location of parking spaces for outdoor dining away from corners or not on streets with a high traffic volume; and
- The year-round outdoor storage of dining furniture will also be permitted whether the restaurant is open or closed.

There are no fees for this approval.

(b) All areas outside the KSOD boundaries  
Notwithstanding the requirements of Section 11-513 of the Zoning Ordinance, outdoor dining is permitted on restaurant property and in the public right-of-way (sidewalks, parking spaces, parking lots) where it will not detrimentally impact adjacent uses. Use will be allowed upon review and approval by staff from the P&Z, Transportation and Environmental Services (T&ES), Health, Fire and Police departments of an application.

An application must be submitted to P&Z including:

- The proposed locations and square footage for outdoor dining
- number of seats;

- If the public right of way will be used, a current certificate of insurance must be submitted to P&Z to be eligible;
- If on private land not controlled by the operator, the operator must indicate permission of the property owner; and
- An explanation of compliance with specific criteria outlined below.

Approval Criteria:

- Restaurants may use parking spaces in front of their business, adhering to the modified guidelines of the Parklet Program, including the location of parking spaces for outdoor dining away from corners or not on streets with a high traffic volume.
- Restaurant seating must be arranged in accordance with current health and safety standards.
- Restaurant operators must request that T&ES install traffic safety measures such as wheel stops and flex posts for outdoor dining areas in parking spaces in the public right-of-way.
- Outdoor dining on sidewalks must allow for at least five feet of continuous pedestrian access.
- Outdoor dining hours must be the same as approved in the restaurant's special use permit.
- Live entertainment is not permitted.
- Liability insurance certificate required for use of public right-of-way.

There are no fees for this approval.

(c) A temporary exception to Section 5-2-29 of the City Code is hereby authorized to allow restaurants and retail establishments to have outdoor dining on adjacent sidewalks and public parking spaces pursuant to Section 6(b) above.

(d) Outdoor dining in off-street parking spaces on private property Notwithstanding the requirements of Section 8-200(A)(17) and 11-513 of the Zoning Ordinance, restaurant operators may use off-street spaces located on the same property for outdoor dining where it will not detrimentally impact adjacent uses. Use will be allowed upon review and approval by staff from the P&Z, T&ES, Health, Fire and Police departments of the letter agreement.

A letter agreement must be submitted to P&Z with the following information:

- Proposed locations for outdoor dining,
- Number of seats,
- Number of parking spaces used, and
- Compliance with specific criteria outlined below.

Approval Criteria:

- Restaurant seating must be arranged in accordance with current health and safety standards.
- Outdoor dining hours must be the same as approved in the restaurant's special use permit.
- Live entertainment is not permitted.

There are no fees for this approval.

(e) Retail Uses

Notwithstanding the requirements of Sections 5-2-29, 5-8-3(f), and 10-2-24 of the City Code and Sections 7-1500 and 8-200(A)(16) of the Zoning Ordinance, retail businesses may request the use of sidewalks, on-street parking spaces, and privately-owned parking lots and spaces to display their products and conduct sales, where it will not detrimentally impact adjacent uses. Use will be allowed upon review and approval by staff from the P&Z, T&ES, Health, Fire and Police departments of the required information.

The following must be submitted to P&Z:

- Proposed locations and square footage for outdoor space;
- A current certificate of insurance; and
- A letter of agreement with conditions ensuring compliance with the specific criteria outlined below.

Approval Criteria:

- Retail operators may use parking spaces in front of their business, adhering to the modified guidelines of the Parklet Program, including the location of parking spaces for outdoor retail away from corners or not on streets with a high traffic volume.
- Retail operators must request that T&ES install traffic safety measures such as wheel stops and flex posts for outdoor retail areas in parking spaces in the public right-of-way.
- Social distancing requirements must be met.
- Outdoor display on sidewalks must allow for at least five feet of continuous pedestrian access.
- Live entertainment is not permitted.
- Liability insurance certificate is required for use of public right-of-way.
- If on private land not controlled by the operator, the operator must indicate permission of the property owner.

There are no fees for this approval.

(f) Health and fitness uses on sidewalks, in off-street parking spaces on private property and in on-street parking spaces

Notwithstanding the requirements of Sections 8-200(A)(16), 8-200(A)(18), and 11-513 of the Zoning Ordinance, health and fitness business operators may request the use of sidewalks, privately-owned parking lots and spaces and on-street parking spaces to offer classes and provide access to fitness equipment, where it will not detrimentally impact adjacent uses. Use will be allowed upon review and approval by staff from the P&Z, T&ES, Health, Fire and Police departments of the required information.

The following must be submitted to P&Z:

- Proposed locations and square footage for outdoor space;
- A current certificate of insurance; and

- A letter of agreement with conditions ensuring compliance with the specific criteria outlined below.

#### Approval Criteria:

- Health and fitness use operators may use sidewalks and parking spaces in front of their business, adhering to the modified guidelines of the Parklet Program, including the location of parking spaces for fitness uses away from corners or not on streets with a high traffic volume.
- Business operators must request that T&ES install traffic safety measures such as wheel stops and flex posts for outdoor fitness areas in parking spaces in the public right-of-way.
- Current health and safety standards must be met.
- Outdoor activities on sidewalks must allow for at least five feet of continuous pedestrian access.
- Live entertainment is not permitted.
- Liability insurance certificate is required for use of public right-of-way.
- If private land is not controlled by the operator, the operator must indicate permission of the property owner.

There are no fees for this approval.

#### (g) Retractable Awnings in the Old and Historic Alexandria District and in the Parker Gray- Historic District

Notwithstanding Section 10-103(A) and 10-203(A), retractable awnings may be administratively approved and are subject to the criteria listed in the Old and Historic Alexandria District and Parker-Gray Historic District Design Guidelines awning chapter. Permits issued pursuant to this section will expire on or before November 1, 2023, unless an extension is approved by the Board of Architectural Review.

#### (h) Building Permit Fees

Notwithstanding Resolution Number 2769, building permit fees are not being charged for proposals associated with the outdoor business operations of restaurants, retail stores and fitness uses. Businesses are eligible with P&Z approval for temporary outdoor business expansions or the KSOD program or City Council approval of a special use permit for outdoor dining.

#### (i) Fire Prevention Permit Fees

Notwithstanding Ordinance Number 5150, fire prevention permit fees are not being charged for proposals associated with the outdoor business operations of restaurants, retail stores and fitness uses. Businesses are eligible with P&Z approval for temporary outdoor business expansions or the KSOD program or City Council approval of a special use permit for outdoor dining.

### *Section 7. Tolling of Validity Periods for Certain Land Use Permits.*

Notwithstanding Sections 10-206, 11-418 and 11-506 of the Zoning Ordinance, the validity period for development site plans, special use permits, development special use

permits, certificate of appropriateness, and permits to demolish shall be extended for the number of months as follows:

- For applications approved prior to March 14, 2020: 12 months or the number of months that the City's Declaration of Local Emergency is in place, whichever is longer
- For applications approved March 14, 2020 or after: the number of months beginning on the approval date through the expiration of the City's Declaration of Local Emergency.

Section 8. *Transportation Management Plan (TMP) Survey*. The annual survey required by Section 11-707(B) will not be required until the termination of this temporary ordinance.

Section 9. *Designation of Parking Spaces for curbside pick up*. Notwithstanding Section 5-8-3(f) of the City Code, the City staff will continue to designate public parking spaces as curbside pick- up areas. Spaces will be chosen based on proximity to restaurants and retail uses and will minimize impacts on surrounding properties.

Section 10. *Closure of 100 block of King Street*. Notwithstanding Section 5-8-3(f), the closure of the 100 block of King Street to vehicular traffic will continue.

Section 11. *City Emergency Use*. Notwithstanding the definition of public building in Section 1-125 of the Zoning Ordinance, any special use permit issued for the use of a city building, park or facility, or any Zoning Ordinance section or current special use permit that limits uses on private property, the City is authorized to use its facilities and those it obtains permission from private property owners to utilize to address public needs in response to the COVID-19 emergency. Such uses will be deemed permitted uses in that zone related to the public use. Locations will be chosen to minimize impacts on surrounding properties.

Section 12. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 13. That this ordinance shall become effective on the date and at the time of its final passage. This ordinance shall expire as set forth in Section 1.

15. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00004 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00004 associated with Benchmark at West Alex approved by City Council on November 14, 2020). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the



Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 12/12/20, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 12/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00004 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 5314

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00004 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2020-00004, 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 November 5, 2020 of an amendment to the Alexandria West Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend the height map to allow a maximum height of 120 feet at the southwest corner of North Beauregard Street and King Street, which recommendation was approved by the City Council at public hearing on November 14, 2020;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Alexandria West Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending Map 14 “Alexandria West Height Limits, as amended” on Page 44 to state “Max. 120 ft.” at the southwest corner of North Beauregard Street and King Street, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

16. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Chapter 10 (CHILDREN, YOUTH, AND FAMILIES COLLABORATIVE COMMISSION) of Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of the Code of the City of Alexandria, Virginia, 1981, as amended. [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. 16; 12/12/20, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 12/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Chapter 10 (CHILDREN, YOUTH, AND FAMILIES COLLABORATIVE COMMISSION) of Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of the Code of the City of Alexandria, Virginia, 1981, as amended. 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 ordinance reads as follows:

#### ORDINANCE NO. 5315

AN ORDINANCE to amend and reordain Chapter 10 (THE CHILDREN, YOUTH AND FAMILIES COLLABORATIVE COMMISSION) of Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Title 12, Chapter 10 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

#### CHAPTER 10

The Children, Youth and Families Collaborative Commission

Sec. 12-10-1      Creation of commission.

There is hereby established a commission to be known as The Children, Youth and Families Collaborative Commission (hereinafter referred to in this chapter as the commission). (Ord. No. 4727, 6/25/11, Sec. 2)

Sec. 12-10-2        Composition; appointment; terms; chairperson and officers; committees.

(a) The commission shall consist of 29 members, 25 of whom shall be voting members and four non-voting members. Seventeen of the voting members shall be citizens, four shall be city staff members, and four shall be staff members from the Alexandria City Public Schools. Two of the non-voting members shall be liaisons from the city council, and two shall be liaisons from the Alexandria School Board.

(1) Citizen members.

a. Eight of the seventeen members shall be approved by city council and shall be city residents. They shall consist of: six community members with expertise in children, youth and family issues, public safety, medical/health related profession or non-profit experience and two young adults, age 18—25.

b. Six of the seventeen members shall be approved by the Alexandria School Board and shall be city residents. They shall consist of community members with experiences as parents, guardians, teachers and/or expertise in early childhood, youth or general education policy.

c. Three of the seventeen members shall be high school students.

d. The terms of the citizen members shall be three years and shall be staggered, except the terms of the citizen members who are high school students shall be one year.

(2) City staff. Four of the 29 members shall be city staff identified by the city manager. The terms of the City staff shall be three years and shall be staggered.

(3) Alexandria City Public School members. Four of the 29 members shall be identified by the superintendent. The terms of the ACPS members shall be three years and shall be staggered.

(4) Ex-officio members. Two of the four non-voting members shall be liaisons from the city council. Two of the four non-voting members shall be liaisons from the school board. The terms of the ex-officio members shall be three years and shall be staggered.

(b) The commission shall elect from among its voting members a chairman and chairman-elect, alternating between city and school representatives each term and such other officers as it deems necessary. The chairman-elect is intended to succeed the chairman for the following term, supported by the past year's chairman, and a new chairman-elect. These three officers shall determine the commission committees' membership and leadership. The terms of the chairman and chairman-elect shall be for one year.

(c) The commission shall have seven committees, that mirror the Children and Youth Master Plan structure, comprised of commission members who serve

as leaders and officers of each group and members of the community at large with a demonstrated interest in issues involving children, youth and families.

(1) Executive committee. The executive committee shall consist of the elected commission officers, and may include leaders of each commission committee. The executive committee shall be led by the commission chairman and chairman-elect. The functions and duties of the executive committee shall be as follows:

- a. oversee and coordinate organizational activities;
- b. set the commission meeting agenda;
- c. make decisions consistent with those adopted by the commission;
- d. oversee implementation of the city council's work plan as developed by the commission;
- e. conduct periodic reviews of the purpose and membership of the other commission committees and make recommendations to the commission for any changes; and
- f. address any issues requiring immediate attention of the commission.

(Ord. No. 4727, 6/25/11, Sec. 2)

Sec. 12-10-3 Meetings; quorum; rules of procedure; annual report.

(a) The commission shall meet nine to ten times annually. Working committees may meet as needed. Appointed voting commission members must attend 75 percent of all meetings, including their assigned committees. The terms of the commission's members shall not exceed a total of ten consecutive years of membership on the commission.

(b) All voting members of the commission present at a meeting shall be entitled to vote, and the decisions of the commission shall be determined by a majority vote of such members present and voting. A quorum, which shall consist of at least 50 percent of the non-vacant seats on the commission, shall be required in order for the commission to transact business. A member eligible to vote who is present but does not vote shall be considered in counting a quorum. In matters concerning the procedure for meetings not covered by this chapter, the commission may establish its own rules, provided such rules are not contrary to law or the mandate or spirit of this chapter. Otherwise, the rules of procedure set out in Robert's Rules of Order shall apply.

(c) The commission shall submit to the city council each year a written report of its activities. The report shall also address the matters described in section 12-13-4(b), and may address other matters relating to the city's youth that the commission may choose to make. (Ord. No. 4727, 6/25/11, Sec. 2)

Sec. 12-10-4 Functions and duties.

The functions and duties of the commission shall be as follows:

- (a) to submit to city council a vision for the well-being of children, youth and families in the city;
- (b) to submit to city council an annual report which shall include, but not be limited, to

- (1) a plan of action to carry out the commission's vision for children, youth and families, which shall include priorities;
  - (2) an analysis of the outcome of children, youth and family programs and services; and
  - (3) recommendations regarding city funding for children, youth and family programs and services.
- (c) to review progress toward meeting the commission's vision and plan of action by:
  - (1) monitoring the programs and services that are available to the city's children, youth and families to determine their effectiveness in meeting the established priorities;
  - (2) holding public hearings, when deemed necessary, to obtain input regarding children, youth and family issues from the general public; and
  - (3) to coordinate responses from and among appropriate city and non-city organizations to emerging and existing issues affecting the city's children, youth and families. (Ord. No. 4727, 6/25/11, Sec. 2)

Sec. 12-10-5 Staff assistance.

The director of community and human services shall be responsible for providing staff support to the commission to assist it in carrying out its functions and duties. (Ord. No. 4727, 6/25/11, Sec. 2)

Sec. 12-10-6 Relationship to other youth related boards, commissions, task forces and community groups.

It is the intent of the city council and school board that any entity that receives city funding or uses other city resources, including staff support or in-kind city space, will collaborate and coordinate with the commission in developing and implementing a comprehensive, citywide youth development agenda. (Ord. No. 4727, 6/25/11, Sec. 2)

Section 2. That Title 12, Chapter 10 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

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

17. Public Hearing, Second Reading and Final Passage of Ordinances to grant a telecommunications facility franchise agreement to CELLCO Partnership d/b/a/ Verizon Wireless: New Cingular Wireless, PCS, LLC ("AT&T"); and CROWN CASTLE. [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. 21; 07/07/20, 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. 21; 07/071 and is incorporated as part of this record by reference.)

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

1. Fiona Hilyer, Annapolis Junction, Maryland, representing Verizon Wireless, spoke in support of the item.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried 6-0-1. City Council closed the public hearing and adopted ordinances to grant a telecommunications facility franchise agreement to CELLCO Partnership d/b/a Verizon Wireless, New Cingular Wireless, PCS, LLC ("AT&T"); and CROWN CASTLE. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper: Opposed, none; Abstain, Councilman Seifeldein.

The ordinances read as follows:

#### ORDINANCE NO. 5316

AN ORDINANCE to grant to Cellco Partnership d/b/a Verizon Wireless, its successors and assigns, a Telecommunications Facility franchise, under certain conditions, permitting the grantee to use the public rights-of ways in the City of Alexandria for design, construction, installation, maintenance, repair, removal and operation of specified small cell facilities and related infrastructure in the City.

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

Section 1. That this Franchise is hereby granted to Cellco Partnership d/b/a Verizon Wireless hereinafter referred to as "Grantee," its successors and assigns, to permit the Grantee to design, construct, install, maintain, repair, remove and operate specified small cell facilities and related infrastructure in the public rights-of-ways in the City.

Section 2. That said Franchise is awarded to the Grantee after public notice and invitation for bids, as required by law, pursuant to Section 2. of Ordinance No. 5298, and after the invitation for bids was duly closed and all bids were fully carefully investigated and evaluated. More than one franchise may be awarded pursuant to this Ordinance.

Section 3. That the Grantee be, and hereby is granted a franchise for an initial term of ten (10) years with automatic extension of up to three (3) additional periods of five years each, to design, construct, install, maintain, repair, remove and operate specified small cell facilities and related infrastructure in the public rights-of-ways in the City. The Grantee shall strictly comply with the terms of this Ordinance and with the Telecommunications Facility Franchise Agreement attached hereto and incorporated

fully herein by reference, together with all applicable laws and regulations of the City of Alexandria, the Commonwealth of Virginia and the United States, and any regulatory agency having jurisdiction, including, without limitation, with the following conditions:

1. All necessary permits shall be obtained for each and every excavation or installation, including but not limited to boring in and /or under public rights-of-ways or other public places.

2. In the event the relocation, construction, reconstruction maintenance or repair by the City, the Commonwealth of Virginia or the Washington Metropolitan Area Transit Authority of any facilities or services is necessary or desirable, and it is necessary to alter or relocate, either permanently or temporarily , any of the Grantee's property in the public rights-of-ways or other public property in order to accomplish the same, the Grantee shall, after reasonable notice, move, alter or relocate its property at its own cost and expense and should the Grantee fail to comply with such notice, its property may be removed, altered or relocated by the City, Commonwealth or Washington Metropolitan Area Transit Authority at the cost of the Grantee and without liability for any resulting damage. The Grantee shall do everything reasonably necessary, in a timely manner, to prevent any delays in construction project of the City, the Commonwealth or the Washington Metropolitan Area Transit Authority.

3. This Franchise may be assigned or transferred; provided, however, that no such assignment or transfer shall be effective without the prior written consent of the City, which consent will not be unreasonably withheld.

4. The Grantee will obtain liability insurance to the satisfaction of the City Attorney, which insurance shall name the City as an additional insured.

5. The Grantee will not use the privileges granted by this Franchise to provide the functional equivalent of a cable system or Cable Services as defined in sections 9-3-17 and 9-3-18 of the Code of the City of Alexandria (1950), as amended.

6. The Grantee shall protect all property of the City or any other person during any work of designing, constructing, installing , maintaining, repairing, upgrading, removing or operating its system in or adjacent to the public rights-of-ways or other public place, and shall fully restore, in kind, any property damaged or destroyed during any such work.

7. That nothing in this Franchise shall increase or strengthen the rights that other franchisees may have. The City shall have no liability to the Grantee for exercising any rights the City may have in general or under its franchises with other franchisees, regardless of the effect of the such exercise on the Grantee.

8. The Grantee shall remove its property at its own expense at the expiration or termination hereof.



Section 4. That the City Manager be and hereby is authorized to execute such documents as may be required to effectuate the Franchise hereby granted.

Section. 5. That the City Clerk be and hereby is authorized to attest the execution of said documents and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall become effective on the date and at the time of its final passage.

#### ORDINANCE NO. 5317

AN ORDINANCE to grant to Crown Castle, its successors and assigns, a Telecommunications Facility franchise, under certain conditions, permitting the grantee to use the public rights-of ways in the City of Alexandria for design, construction, installation, maintenance, repair, removal and operation of specified small cell facilities and related infrastructure in the City.

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

Section 1. That this Franchise is hereby granted to Crown Castle, hereinafter referred to as "Grantee," its successors and assigns, to permit the Grantee to design, construct, install, maintain, repair, remove and operate specified small cell facilities and related infrastructure in the public rights-of-ways in the City.

Section 2. That said Franchise is awarded to the Grantee after public notice and invitation for bids, as required by law, pursuant to Section 2. of Ordinance No. 5298, and after the invitation for bids was duly closed and all bids were fully carefully investigated and evaluated. More than one franchise may be awarded pursuant to this Ordinance.

Section 3. That the Grantee be, and hereby is granted a franchise for an initial term of ten (10) years with automatic extension of up to three (3) additional periods of five years each, to design, construct, install, maintain, repair, remove and operate specified small cell facilities and related infrastructure in the public rights-of-ways in the City. The Grantee shall strictly comply with the terms of this Ordinance and with the Telecommunications Facility Franchise Agreement attached hereto and incorporated fully herein by reference, together with all applicable laws and regulations of the City of Alexandria, the Commonwealth of Virginia and the United States, and any regulatory agency having jurisdiction, including, without limitation, with the following conditions:

1. All necessary permits shall be obtained for each and every excavation or installation, including but not limited to boring in and /or under public rights-of-ways or other public places.
2. In the event the relocation, construction, reconstruction maintenance or repair by the City, the Commonwealth of Virginia or the Washington Metropolitan Area Transit

Authority of any facilities or services is necessary or desirable, and it is necessary to alter or relocate, either permanently or temporarily , any of the Grantee's property in the public rights-of-ways or other public property in order to accomplish the same, the Grantee shall, after reasonable notice, move, alter or relocate its property at its own cost and expense and should the Grantee fail to comply with such notice, its property may be removed, altered or relocated by the City, Commonwealth or Washington Metropolitan Area Transit Authority at the cost of the Grantee and without liability for any resulting damage. The Grantee shall do everything reasonably necessary, in a timely manner, to prevent any delays in construction project of the City, the Commonwealth or the Washington Metropolitan Area Transit Authority.

3. This Franchise may be assigned or transferred; provided, however, that no such assignment or transfer shall be effective without the prior written consent of the City, which consent will not be unreasonably withheld.

4. The Grantee will obtain liability insurance to the satisfaction of the City Attorney, which insurance shall name the City as an additional insured.

5. The Grantee will not use the privileges granted by this Franchise to provide the functional equivalent of a cable system or Cable Services as defined in sections 9-3-17 and 9-3-18 of the Code of the City of Alexandria (1950), as amended.

6. The Grantee shall protect all property of the City or any other person during any work of designing, constructing, installing , maintaining, repairing, upgrading, removing or operating its system in or adjacent to the public rights-of-ways or other public place, and shall fully restore, in kind, any property damaged or destroyed during any such work.

7. That nothing in this Franchise shall increase or strengthen the rights that other franchisees may have. The City shall have no liability to the Grantee for exercising any rights the City may have in general or under its franchises with other franchisees, regardless of the effect of the such exercise on the Grantee.

8. The Grantee shall remove its property at its own expense at the expiration or termination hereof.

Section 4. That the City Manager be and hereby is authorized to execute such documents as may be required to effectuate the Franchise hereby granted.

Section. 5. That the City Clerk be and hereby is authorized to attest the execution of said documents and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall become effective on the date and at the time of its final passage.

ORDINANCE NO. 5318

AN ORDINANCE to grant to New Cingular Wireless PCS, LLC. ("AT&T"), its successors and assigns, a Telecommunications Facility franchise, under certain conditions, permitting the grantee to use the public rights-of ways in the City of Alexandria for design, construction, installation, maintenance, repair, removal and operation of specified small cell facilities and related infrastructure in the City.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That this Franchise is hereby granted to New Cingular Wireless PCS, LLC. ("AT&T"), hereinafter referred to as "Grantee," its successors and assigns, to permit the Grantee to design, construct, install, maintain, repair, remove and operate specified small cell facilities and related infrastructure in the public rights-of-ways in the City.

Section 2. That said Franchise is awarded to the Grantee after public notice and invitation for bids, as required by law, pursuant to Section 2. of Ordinance No. 5298, and after the invitation for bids was duly closed and all bids were fully carefully investigated and evaluated. More than one franchise may be awarded pursuant to this Ordinance.

Section 3. That the Grantee be, and hereby is granted a franchise for an initial term of ten (10) years with automatic extension of up to three (3) additional periods of five years each, to design, construct, install, maintain, repair, remove and operate specified small cell facilities and related infrastructure in the public rights-of-ways in the City. The Grantee shall strictly comply with the terms of this Ordinance and with the Telecommunications Facility Franchise Agreement attached hereto and incorporated fully herein by reference, together with all applicable laws and regulations of the City of Alexandria, the Commonwealth of Virginia and the United States, and any regulatory agency having jurisdiction, including, without limitation, with the following conditions:

1. All necessary permits shall be obtained for each and every excavation or installation, including but not limited to boring in and /or under public rights-of-ways or other public places.

2. In the event the relocation, construction, reconstruction maintenance or repair by the City, the Commonwealth of Virginia or the Washington Metropolitan Area Transit Authority of any facilities or services is necessary or desirable, and it is necessary to alter or relocate, either permanently or temporarily, any of the Grantee's property in the public rights-of-ways or other public property in order to accomplish the same, the Grantee shall, after reasonable notice, move, alter or relocate its property at its own cost and expense and should the Grantee fail to comply with such notice, its property may be removed, altered or relocated by the City, Commonwealth or Washington Metropolitan Area Transit Authority at the cost of the Grantee and without liability for any resulting damage. The Grantee shall do everything reasonably necessary, in a timely manner, to prevent any delays in construction project of the City, the Commonwealth or the Washington Metropolitan Area Transit Authority.

3. This Franchise may be assigned or transferred; provided, however, that no such assignment or transfer shall be effective without the prior written consent of the City, which consent will not be unreasonably withheld.

4. The Grantee will obtain liability insurance to the satisfaction of the City Attorney, which insurance shall name the City as an additional insured.

5. The Grantee will not use the privileges granted by this Franchise to provide the functional equivalent of a cable system or Cable Services as defined in sections 9-3-17 and 9-3-18 of the Code of the City of Alexandria (1950), as amended.

6. The Grantee shall protect all property of the City or any other person during any work of designing, constructing, installing, maintaining, repairing, upgrading, removing or operating its system in or adjacent to the public rights-of-ways or other public place, and shall fully restore, in kind, any property damaged or destroyed during any such work.

7. That nothing in this Franchise shall increase or strengthen the rights that other franchisees may have. The City shall have no liability to the Grantee for exercising any rights the City may have in general or under its franchises with other franchisees, regardless of the effect of the such exercise on the Grantee.

8. The Grantee shall remove its property at its own expense at the expiration or termination hereof.

Section 4. That the City Manager be and hereby is authorized to execute such documents as may be required to effectuate the Franchise hereby granted.

Section. 5. That the City Clerk be and hereby is authorized to attest the execution of said documents and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall become effective on the date and at the time of its final passage.

18. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2021. [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. 18; 12/12/20, 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. 18;

12/12/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to make supplemental appropriations for the support of the City Government for Fiscal Year 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.

The ordinance reads as follows:

#### ORDINANCE NO. 5319

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2021.

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

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amounts required to defray the expenditures and liabilities of the city for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2020, but which are payable in Fiscal Year 2021, and for which amounts were appropriated but not expended in Fiscal Year 2020 and further that the council does hereby allot the amounts so appropriated to the several city departments for Fiscal Year 2021, as follows:

#### EQUIPMENT REPLACEMENT RESERVE FUND

General Services	\$ 261,076
Transportation and Environmental Services	1,291,848
Fire	22,784
Police	1,298,964
Code Administration	215,117
Community and Human Services	125,428
Recreation	<u>262,625</u>
Total Equipment Replacement Reserve Fund	<u>\$ 3,477,842</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021 the source of such amount being external funds for which the proceeds were received or accepted prior to June 30, 2020, but which were not expended by such date, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

#### AFFORDABLE HOUSING FUND

ESTIMATED REVENUE:

Housing	\$ 2,186,988
Total Estimated Revenue	<u>\$ 2,186,988</u>

AFFORDABLE HOUSING FUND

APPROPRIATION:

Housing	\$ 2,186,988
Total Appropriation	<u>\$ 2,186,988</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021 the source of such amount being external grant funds for which the proceeds were received or accepted prior to June 30, 2020, but which were not expended by such date, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Housing	\$ 2,224,235
Total Estimated Revenue	<u>\$ 2,224,235</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Housing	\$ 2,224,235
Total Appropriation	<u>\$ 2,224,235</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

## SPECIAL REVENUE FUND

### ESTIMATED REVENUE:

Sheriff	\$	47,316
Court Service Unit		21,825
Voter Registration		201,650
Housing		561,837
Police		104,754
Community and Human Services		27,255
Transportation and Environmental Services		600,000
Recreation	\$	<u>(118,479)</u>
Total Estimated Revenue		\$ <u>      </u>
<u>1,446,158</u>		

## SPECIAL REVENUE FUND

### APPROPRIATION:

Sheriff	\$	47,316
Court Service Unit		21,825
Voter Registration		201,650
Housing		561,837
Police		104,754
Community and Human Services		27,255
Transportation and Environmental Services		600,000
Recreation	\$	<u>(118,479)</u>
Total Appropriation		\$ <u>      </u>
<u>1,446,158</u>		

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2021 the source of such amount being the residual balances accumulated as of June 30, 2020, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

## DONATIONS AND OTHER SPECIAL REVENUE FUNDS

### ESTIMATED REVENUE:

Historic Alexandria	\$	62,000
Recreation, Parks and Cultural		6,560
Police Department		40,000
Transportation and Environmental Services		<u>(342,181)</u>
Total Estimated Revenue	\$	<u><u>(233,621)</u></u>

## DONATIONS AND OTHER SPECIAL REVENUE FUND

### APPROPRIATION:

Historic Alexandria	\$	62,000
Recreation, Parks and Cultural		6,560
Police Department		40,000
Transportation and Environmental Services		<u>(342,181)</u>
Total Estimated Revenue	\$	<u><u>(233,621)</u></u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2021 the source of such amount being the residual balances accumulated as of June 30, 2020, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

## OTHER SPECIAL REVENUE FUND – SEIZED ASSETS

### ESTIMATED REVENUE:

Commonwealth's Attorney	\$	<u>70,118</u>
Total Estimated Revenue	\$	<u><u>70,118</u></u>



## SPECIAL REVENUE FUND

### APPROPRIATION:

Commonwealth's Attorney	\$ 70,118
Total Appropriation	<u>\$ 70,118</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2021, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for fiscal year 2021, as follows:

## CAPITAL PROJECTS

### ESTIMATED REVENUE:

Capital Projects – Cash Capital	20,309
Capital Projects – Assigned Fund Balance	1,400,000
Capital Projects – Developer/Private Contributions	828,001
Capital Projects – Miscellaneous Revenue	966,298
Capital Projects – Smart Scale Funds	3,504,000
Capital Projects – Federal CMAQ Funds	477,568
Capital Projects – Grant Funds	<u>\$ (733,894)</u>
Total Estimated Revenue	<u>\$ 6,462,282</u>

### APPROPRIATION:

Court Trial Presentation Project	\$ 20,309
DCHS Consolidation	966,298
Trash Receptacles	185,280
Traffic Control Facilities	55,730
Reduce Funds for Backlick Run Trail Project	(2,851,894)
Set-aside CMAQ Funds in a CIP Contingent	2,118,000
Capital Bikeshare	691,991
Hoofs Run Culvert Cleanings	1,200,000
Preliminary CASSCA Stormwater (Capacity) Project	200,000
Bus Service and Facility Expansion Project	3,504,000
DASH Scheduling Software	477,568
Adjustments to Private Contributions for Actual Receipts	<u>\$ (105,000)</u>
Total Appropriation	<u>\$ 6,462,282</u>

Section 8. That the Council of the City of Alexandria, Virginia, does hereby make

provision for and transfer appropriations in the General Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

#### GENERAL FUND

City Manager's Office	\$ (16,000)
Management and Budget	( 518)
Court Judges	( 519)
Commonwealth's Attorney	( 4,143)
Office of the Sheriff	( 3,880)
Court Service Unit	( 533)
Human Rights	( 1,000)
Information Technology Services	( 7,000)
Finance	(12,000)
Planning and Zoning	( 8,640)
City Attorney's Office	( 871)
Registrar of Voters	( 518)
Transportation and Environmental Services	(67,651)
Fire	(233,165)
Police	( 9,600)
Code Administration	( 8,300)
Community and Human Services	( 5,298)
Office of Historic Alexandria	( 518)
Recreation	(36,346)
Non-Departmental	\$ 416,500
Total Appropriation	\$ <u>0</u>

Section 9. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amounts required to defray the expenditures and liabilities of the Alexandria City Public Schools for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2020, but which are payable in Fiscal Year 2021, and for which amounts were appropriated but not expended in Fiscal Year 2020, the source of such amount being Component Unit - Schools Fund Balance and further that the council does hereby allot the amounts so appropriated to the Alexandria City Public Schools for Fiscal Year 2021, as follows:

#### COMPONENT UNIT

##### APPROPRIATION:

Component Unit - Schools	\$ 1,969,710
Total Appropriation	\$ <u>1,969,710</u>

Section 10. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter

stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021 the source of such amount being Bond Proceeds for which the proceeds were received or accepted for Capitalized Interest prior to June 30, 2020, but which were not appropriated by such date, and further that the council does hereby allot the amount so appropriated for Fiscal Year 2021, as follows:

POTOMAC YARD FUND

ESTIMATED REVENUE:

Bond Proceeds – Capitalized Interest	\$ 960,264
Total Estimated Revenue	<u>\$ 960,264</u>

POTOMAC YARD FUND

APPROPRIATION:

Non-Departmental	\$ 960,264
Total Appropriation	<u>\$ 960,264</u>

Section 11. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021 the source of such amount being external grant funds for which the proceeds were received or accepted prior to June 30, 2020, but which were not expended by such date, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

SPECIAL REVENUE FUND – ALEXANDRIA TRANSIT COMPANY (DASH)

ESTIMATED REVENUE:

Alexandria Transit Company	\$ 2,525,828
Total Estimated Revenue	<u>\$ 2,525,828</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Alexandria Transit Company	\$ 2,525,828
Total Estimated Revenue	<u>\$ 2,525,828</u>

Section 12. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021, the source of such amount being Committed General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

## GENERAL FUND

### ESTIMATED REVENUE:

Assigned General Fund Balance	\$ 4,957,222
Total Estimated Revenue	<u>\$ 4,957,222</u>

### APPROPRIATION:

Circuit Court Judges	\$ 7,000
City Manager's Office	100,000
City Attorney's Office	500,000
Communications and Public Information	20,000
Community and Human Services	6,000
Fire	90,000
General Services	10,500
Historic Alexandria	85,000
Housing	35,000
Human Resources	75,000
Information Technology Services	88,400
Office of Organizational Excellence	17,119
Non-Departmental	1,500,000
Cash Capital – Circuit Court Judges	20,309
Planning and Zoning	54,894
Recreation	148,000
Economic Development Activities	200,000
Transportation and Environmental Services	<u>2,000,000</u>
Total Appropriation	<u>\$ 4,957,222</u>

Section 13. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021, the source of such amount being an interfund transfer from the General Fund, and further, that the council does hereby allot the amount so appropriated, as follows:

## STORMWATER UTILITY FUND

### ESTIMATED REVENUE:

Interfund Transfer	\$ 600,000
Total Estimated Revenue	<u>\$ 600,000</u>

## STORMWATER UTILITY FUND

### APPROPRIATION:

Transportation and Environmental Services	\$ 600,000
Total Appropriation	<u>\$ 600,000</u>

Section 14. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures of the city for fiscal year 2021 the source of such amount being General Fund Revenue, and further that the Council does hereby allot the amount so appropriated to the several city departments, as follows:

#### GENERAL FUND

##### ESTIMATED REVENUE:

Intergovernmental State Revenue	\$ 194,011
Intergovernmental Federal Revenue	(2,000,000)
Miscellaneous Revenue	<u>\$ 47,900</u>
Total Estimated Revenue	<u>\$ (1,758,089)</u>

##### APPROPRIATION:

Intergovernmental State Revenue	\$ 194,011
Intergovernmental Federal Revenue	(2,000,000)
Miscellaneous Revenue	<u>\$ 47,900</u>
Total Appropriation	<u>\$ (1,758,089)</u>

Section 15. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures of the city for fiscal year 2021 the source of such amount being Component Unit – Alexandria Libraries Fund, and further that the Council does hereby allot the amount so appropriated, as follows:

#### COMPONENT UNIT

##### APPROPRIATION:

Component Unit – Libraries	<u>\$ 6,047</u>
Total Appropriation	<u>\$ 6,047</u>

Section 16: That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2020, the source of such amount being Equipment Replacement Fund Balance,

and further, that the council does hereby allot the amount so appropriated, as follows:

EQUIPMENT REPLACEMENT RESERVE FUND

APPROPRIATION:

Sheriff	\$ 56,637
Total Appropriation	<u>\$ 56,637</u>

Section 17. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amounts required to defray the expenditures and liabilities of the Alexandria Transit Company for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2020, but which are payable in Fiscal Year 2021, and for which amounts were appropriated but not expended in Fiscal Year 2020, the source of such amount being Special Revenue Fund - DASH Fund Balance and further that the council does hereby allot the amounts so appropriated to the Alexandria Transit Company for Fiscal Year 2021, as follows:

SPECIAL REVENUE FUND – ALEXANDRIA TRANSIT COMPANY (DASH)

ESTIMATED REVENUE:

Alexandria Transit Company	\$ 167,092
Total Estimated Revenue	<u>\$ 167,092</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Alexandria Transit Company	\$ 167,092
Total Appropriation	<u>\$ 167,092</u>

Section 18. That this ordinance shall be effective upon the date and at the time of its final passage.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Planning Commission (continued)**

None.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein, and carried unanimously, the public hearing meeting of December 12, 2020 was adjourned at 11:53 a.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON    MAYOR

ATTEST:

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Gloria A. Sitton, CMC    City Clerk

**City of Alexandria  
City Council Regular Meeting  
Tuesday, December 8, 2020 6:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

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; Ms. Snow, Assistant City Attorney; Mr. Sharma, Acting Deputy Director, Transportation and Environmental Services (T&ES); Mr. Duval, Deputy Director, T&ES; Ms. K. Taylor, Director, Finance; Ms. McIlvaine, Director, Office of Housing Mr. Browand, Parks, Recreation, and Cultural Activities; Ms. S. Taylor, Legislative Director; Ms. Jovovic, Office of Housing; Mr. Moritz, Director, Planning and Zoning; Mr. Keeler, Deputy Director, Office of Housing; Ms. Garvey, Director, Department of Community and Human Services; Ms. Horowitz, Principal Planner, Planning and Zoning Mr. Barre, Information Technology Services (ITS); and Mr. Smith, ITS.

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

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1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of City Council were present via Zoom webinar.

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Mayor Wilson stated that due to the COVID-19 Pandemic Emergency, the December 8, 2020 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 4.0-01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289), to undertake essential business. All the members of City Council and staff are participating from remote locations through a video conference on Zoom. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. The meeting can be accessed by the public through the live broadcast on government channel 70, streaming on the City's website, and can be accessed via Zoom.

2. Closed Meeting.



Consideration of a closed meeting for the discussion of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, to consult with legal counsel regarding a specific legal matter requiring the provision of legal advice and discussion of a personnel matter.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper, and carried unanimously, City Council convened in closed executive session at 6:03 p.m. to discuss the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected, to consult with legal counsel regarding a specific legal matter requiring provision of legal advice and to discuss a personnel matter; specifically, potential investment of public funds for development on the west end of the City, a decision by the City Manager regarding a personnel matter and the legal implications regarding the rights of public employees; pursuant to Sections 2.2-3711(A)(6), (A)(8), and (A)(1) of the Code of Virginia. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously, City Council reconvened in open session at 7:07 p.m. 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.

### 3. Public Comment Period.

The following persons participated in the public comment period:

1. Ingris Moran, Alexandria, representing Tenants and Workers United, spoke about the need for rental assistance to prevent evictions, need for a comprehensive affordable housing plan for the City, the elimination of SROs in the school to free up funding for other critical needs, and need for legislation to properly identify individuals in police reporting.

2. Sulema Acosta, Alexandria, representing Tenants and Workers United, spoke about how her family has been impacted by the pandemic emergency and the need for rental assistance to avoid eviction this winter.

3. Jonathan Krall, Alexandria, representing Grassroots Alexandria, spoke about the housing crisis in the City and region and requested that Council extend assistance to those in need in the City.

## PROCLAMATIONS

4. Presentation of a Proclamation Recognizing December 31, 2020 as a Fair Weather Night for First Night Alexandria.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council endorsed the proclamation. 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.

5. Presentation of a Proclamation Recognizing Volunteers in Alexandria during the COVID-19 Pandemic.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council endorsed the proclamation. 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.

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

### **\*MacArthur Advisory Committee Update (Councilwoman Jackson)**

Councilwoman Jackson reported that the committee held a community meeting with presentation on the trail that leads from Janneys/MacArthur to access T.C Williams and she noted that the trail will be closed during demolition and construction. Councilwoman Jackson also reported that construction is slated to begin in early 2021.

### **\*Eisenhower Partnership Board of Directors (Councilwoman Jackson and Councilwoman Pepper)**

Councilwoman Jackson reported that the Board was concerned with WMATA and the closing of Eisenhower Metro Station for construction and how the area will be affected by the closing. Councilwoman Jackson reported that the Annual meeting will be held virtually this year.

### **\*COG - Human Services Subcommittee (Councilman Chapman)**

Councilman Chapman reported that the subcommittee has been working on an agreement to prevent and end homelessness for the region and there is a draft that has been approved and he would share the draft with the other members of Council.

### **\*Northern Virginia Transportation Commission (NVTC) (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Vice Mayor Bennett-Parker reported that the Commission approved the audit and received an update Northern Virginia Regional Fare Collection Strategic Plan. Vice Mayor Bennett-Parker reported that the legislative agenda was approved and the held a joint briefing with NVTC and PRTC legislative briefing.

Councilman Aguirre reported that the Commission confirmed the annual report on the performance of WMATA and included notes throughout the report related to the effects of COVID-19 on the system.

### **\*Library Board (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the Library moved back to Phase II and curbside pickup is still available. Vice Mayor Bennett-Parker noted that the Library has also purchased additional e-books for loan.

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

City Manager Jinks reported that the City was awarded a 100% score for Municipal Equality Index from the Human Rights Campaign Foundation and Equality Federation Institute and he reported that the State Corporation Commission approved an increase of up to 2.9% in revenue for the Virginia American Water Company after an intervention by the City.

### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (6-17)**

#### **(Resignations and Uncontested Appointments)**

#### **6. Receipt of Resignations from Boards, Commissions, and Committees:**

- (a) Commission on Persons with Disabilities  
Mark Benedict  
Amy Blackwood  
Jennifer Gentry  
Toni Popkin
- (b) Human Rights Commission  
Damien Hammond, Sr.  
Amy Blackwood

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6 (a-b); 12/08/20, and is incorporated as part of this record by reference.)

#### **7. Uncontested Appointments to Boards, Commissions, and Committees:**

- (a) Beautification Commission  
1 Member who shall be a Master Gardener, Master Naturalist, or a Tree Steward  
1 Citizen Member
- (b) Budget and Fiscal Affairs Advisory Committee  
1 Member Designated by the Alexandria School Board
- (c) Commission for the Arts  
1 Professional in fields relevant to arts and cultural development, including cultural planning, marketing, finance, funding, tourism, promotion, nonprofit organizational development, and real estate development

- (d) Commission on Persons with Disabilities  
2 Citizen Members
- (e) George Washington Birthday Celebration Committee  
1 Member to be Nominated by the Friendship Veterans Fire Engine Association
- (f) Historic Alexandria Resources Commission  
1 Representative from the Alexandria Historical Society
- (g) Historical Restoration and Restoration Commission  
1 Citizen Member appointed by Council
- (h) Social Services Advisory Board  
1 Parent Member

(A copy of the materials for the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7 (a-h); 12/08/20, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

8. Consideration of the Monthly Financial Report for the Period Ending October 31, 2020.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 12/08/20, and is incorporated as part of this record by reference.)

9. Consideration of Receipt of Fiscal Year 2021 First Quarter Capital Projects Status Report Related to City Council Approved Capital Projects.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 12/08/20, and is incorporated as part of this record by reference.)

10. Consideration of an Amendment to the FY 2021 Annual Action Plan for Housing and Community Development to Include Funding for Utility Assistance.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 12/08/20, and is incorporated as part of this record by reference.)

11. Consideration of a Grant Application to Virginia Humanities to support the preliminary research on the potential ownership and use of enslaved labor by the City of Alexandria Government.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 12/08/20, and is incorporated as part of this record by reference.)

12. Consideration of a License Agreement with ALIVE! Inc. to Utilize a Portion of the City-Owned Building Located at 801 South Payne Street.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 12/08/20, and is incorporated as part of this record by reference.)

13. Consideration of a License Extension between the City of Alexandria and the Tall Ship Providence Foundation for the Docking of the Tall Ship Providence in the City Marina.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 12/08/20, and is incorporated as part of this record by reference.)

14. Consideration of a Five-Year License Agreement with the Alexandria Seaport Foundation for Docking the Maritime Heritage Center at its Present Location at the Alexandria City Marina.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 12/08/20, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

15. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Chapter 10 (CHILDREN, YOUTH, AND FAMILIES COLLABORATIVE COMMISSION) of Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of the Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 12/08/20, and is incorporated as part of this record by reference.)

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 12/08/20, and is incorporated as part of this record by reference.)

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Code of the City of Alexandria, Virginia, 1981, and the City of Alexandria Zoning Ordinance, as amended, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00008 (Implementation Ordinance for Text Amendment No. 2020-00008 associated with the Temporary Program for Business Relief and to Address Public Need Related to COVID-19 approved by City Council on November 14, 2020).

(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. 16; 12/08/20, 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. 16; 12/08/20, and is incorporated as part of this record by reference.)

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00004 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00004 associated with Benchmark at West Alex approved by City Council on November 14, 2020).

(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. 17; 12/08/20, 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. 17; 12/08/20, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the consent calendar. The City Manager's recommendations were as follows:

6. City Council received the following resignations with regret: (a) Commission on Persons with Disabilities, Mark Benedict, Amy Blackwood, Jennifer Gentry, and Toni Popkin; and (b) Damien Hammond, Sr., and Amy Blackwood.

7. City Council made appointments to following boards, commissions, and committees: (a) appointed Megan Rainey as the member who shall be a master gardener, master naturalist, or a tree steward and appointed Vineeta Anand as the citizen member to the Beautification Commission; (b) reappointed Kathy Stenzel as the member designated by the Alexandria School Board to the Budget and Fiscal Affairs Committee; (c) reappointed William Kurowski as the profession in fields relevant to arts and cultural development, including cultural planning, marketing, finance, funding, tourism, promotion, nonprofit organizational development, and real estate development to the Commission for the Arts; (d) appointed Jeffrey Phillips and reappointed Jeffrey Pool as the two citizen members to the Commission on Persons with Disabilities; (e) appointed Jeanne Jacob as the member to be nominated by the Friendships Veterans Fire Engine Association to the George Washington Birthday Celebration Committee; (f) reappointed Severiano Ortiz as the representative from the Alexandria Historical Society to the Historic Alexandria Resources Commission; (g) appointed Marie Smith as the citizen member appointed by Council to the Historical Restoration and Preservation Commission; and (h) appointed Matthew Walsh as the parent member to the Social Services

Advisory Board.

8. City Council received the Monthly Financial Report.

9. City Council received as information as FY 2021 First Quarter Capital Projects Status Report.

10. City Council: (1) scheduled a public hearing on December 12, 2020 to receive comments on the proposed amendment to the City's FY 2021 Annual Action Plan for Housing and Community Development to including funding for utility assistance to qualified households, and additional funding for rental assistance; (2) following the public hearing, approve the Amendment; and (3) authorized the Office of Housing and the Department of Community and Human Services to provide amounts above the \$5000 cap authorized by City Council in September, to supplement other City resources to keep families, who are at risk of eviction due to nonpayment, and would likely face homelessness as a consequence, remain housed.

11. City Council authorized the City Manager to: (1) approve the application to Virginia Humanities for a \$5000 grant; (2) approve the acceptance of funds from Virginia Humanities for \$5000, if the grant is awarded; and (3) authorize the City Manager to execute the necessary documents that may be required.

12. City Council: (1) received the report and set the license agreement for public hearing on December 12, 2020 and consideration for approval of this proposed five-year license agreement after the public hearing; and (2) authorize the City Manager to execute the proposed license agreement with ALIVE! Inc.

13. City Council: (1) received the report and scheduled the proposed license extension for public hearing on December 12, 2020 and after the public hearing approve the proposed sixty day (60) license extension; and (2) authorize the City Manager to execute the attached sixty-day (60) license extension with the Tall Ship Providence Foundation.

14. City Council: (1) received the report and scheduled the proposed five-year license agreement for public hearing on December 12, 2020, and after the public hearing approve the proposed five-year license agreement; and (2) to authorize the City Manager to execute the five-year license agreement with the Alexandria Seaport Foundation.

15. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, December 12, 2020.

16. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, December 12, 2020.

17. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, December 12, 2020.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin.

## CONTESTED APPOINTMENTS

18. Alexandria Gang Prevention Community Task Force  
1 Member representing the African-American community  
1 Member representing the Latino community

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

NAME:

ENDORSEMENT:

Derrick Robinson  
Marilyn Navy Cruz  
Richard Vargus

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council moved to readvertise the position for a member representing the African-American community for the Alexandria Gang Prevention Community Task Force. City Council appointed Marilyn Navy Cruz as the member representing the Latino community to the Alexandria Gang Prevention Community Task Force. The vote was as follows:

Wilson	-	Cruz
Bennett-Parker	-	Cruz
Aguirre	-	Cruz
Chapman	-	Cruz
Jackson	-	Vargus
Pepper	-	Cruz
Seifeldein	-	Cruz

19. Children, Youth, and Families Collaborative Commission  
1 Member with expertise in children, youth and family issues, public safety, medical/health related profession or nonprofit experience

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

NAME:

ENDORSEMENT:

Kevin Brady  
Jessica Cuddy  
Esubalew Dadi  
Dan Edwards  
Jametia Pettitway

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 12/08/20, and is incorporated as part of this record by reference.)



**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Jessica Cuddy as the member with expertise in children, youth and family issues, public safety, medical/health related profession or nonprofit experience to the Children, Youth and Families Collaborative Commission. The vote was as follows:

Wilson	-	Cuddy
Bennett-Parker	-	Cuddy
Aguirre	-	Cuddy
Chapman	-	Cuddy
Jackson	-	Edwards
Pepper	-	Cuddy
Seifeldein	-	Cuddy

20. Commission for Women  
1 Citizen Member

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

NAME: ENDORSEMENT:

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Crystal Kramer as the citizen member to the Commission for Women. The vote was as follows:

Wilson	-	Kramer
Bennett-Parker	-	Kramer
Aguirre	-	Kramer
Chapman	-	Miner
Jackson	-	Kramer
Pepper	-	Kramer
Seifeldein	-	Burns

21. Commission on HIV/AIDS  
1 Citizen Member

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

NAME: ENDORSEMENT:

Bryon Garner

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 12/08/20, and is incorporated as

part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and appointed Bryon Garner to the Commission on HIV/AIDS. The vote was as follows:

Wilson	-	Garner
Bennett-Parker	-	Garner
Aguirre	-	Garner
Chapman	-	readvertise
Jackson	-	Garner
Pepper	-	Garner
Seifeldein	-	Garner

22. Environmental Policy Commission

1 Member from the field of environmental sciences(e.g. environmental/sanitary engineering, ecology, geology, botany, hydrology, chemistry) or who have Alexandria waterfront expertise, provided that at least four members shall have scientific expertise

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

NAME:	ENDORSEMENT:
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Alexander Clark	
Amber Myers	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Amber Myers as the member in the field of environmental sciences (e.g. environmental/sanitary engineering, ecology, geology, botany, hydrology, chemistry) or who have Alexandria waterfront expertise, provided that at least four members shall have scientific expertise to the Environmental Policy Commission. The vote was as follows:

Wilson	-	Myers
Bennett-Parker	-	Myers
Aguirre	-	Myers
Chapman	-	Clark
Jackson	-	Clark
Pepper	-	Myers
Seifeldein	-	Myers

23. Public Health Advisory Commission

1 Non-Healthcare Professional Citizen Member

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

NAME:

ENDORSEMENT:

Kali Maltese  
Allison Miner

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed Allison Miner as the non-healthcare professional citizen member to the Public Health Advisory Commission. The vote was as follows:

Wilson	-	Miner
Bennett-Parker	-	Miner
Aguirre	-	Miner
Chapman	-	Miner
Jackson	-	Miner
Pepper	-	Miner
Seifeldein	-	Miner

24. Sister Cities Committee  
1 Citizen Member

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

NAME:

ENDORSEMENTS:

Hendrick Booz  
Esther Petrilli-Massey

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 12/08/20, and is incorporated as part of this record by reference.)

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

Wilson	-	Petrilli-Massey
Bennett-Parker	-	Petrilli-Massey
Aguirre	-	Petrilli-Massey
Chapman	-	Petrilli-Massey
Jackson	-	Petrilli-Massey
Pepper	-	Petrilli-Massey
Seifeldein	-	Petrilli-Massey

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

25. Consideration of Proposed City Legislative Package for the 2021 Virginia General Assembly Session.

(A copy of the City Manager's memorandum dated December 7, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council adopted the City of Alexandria 2021 General Assembly Legislative Package, as recommended by Council's Legislative Subcommittee and members of City Council, and including additional items discussed at the Public Hearing and during the Work Session with the General Assembly delegation. 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.

26. Consideration of an Update to the City's Affordable Housing Contributions Policy and Procedures.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously, City Council received and discussed the proposed Update to the City's Affordable Housing Contributions Policy and scheduled the Update for public hearing, consideration and adoption on December 12, 2020. In the updated document key policy recommendations include: (1) requiring applications pursuing residential density above levels envisioned in an underlying small area plan (SAP) to provide 10% of the additional density as affordable housing in core markets and 8% in emerging markets; (2) requiring 2% of the total units (minimum of one unit) be affordable for continuum of care (COC) projects, other than rezonings, which pursue density above levels envisioned in an underlying SAP; (3) requiring COCs seeking rezonings to provide 3% of the total units (minimum of one unit) yielded through density above levels envisioned in underlying SAP as affordable, with 2% (minimum of one unit) provided on the base unit number; (4) requiring age restricted/independent living multifamily projects pursuing density beyond the level envisioned in an SAP, other than through a rezoning, to provide a monetary contribution (or convert the contribution to onsite units) based on the existing City contribution policy and procedures; (5) requiring age-restricted/independent living multifamily projects pursuing density beyond the level envisioned in the SAP, through a rezoning, to provide 3% of the total units yielded through that density (minimum one unit) as affordable through a 60% discount on housing and services; and (6) requiring commercial to residential conversion projects to contribute \$1.52/sf (one-half of the 2020 Residential Tier One rate), or units of equivalent value, with credit for prior housing contributions, if applicable. Members of Council agreed to work with staff prior to the public hearing to fine tune these recommendations to Council's specifications. 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.

27. Oral Update on Winter Weather Preparations

(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. 27; 12/08/20, and is incorporated as part of this record by reference.)

City Council received the update on Winter Weather preparations.

28. Consideration of a Proposed Post CARES Act Funding Plan for to Continue Addressing Food Insecurity and Eviction Prevention.

(A copy of the City Manager's memorandum dated December 2, 2020 , is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved an allocation of \$375,000 to support a four-month program of food security and \$625,000 to support eviction prevention for City residents most at-risk for the period covering January through April 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.

## **ORDINANCES AND RESOLUTIONS**

29. Introduction and First Reading. Consideration. Passage on First Reading of Ordinances to grant a telecommunications facility franchise agreement to CELLCO Partnership d/b/a/ Verizon Wireless: New Cingular Wireless, PCS, LLC ("AT&T"); and CROWN CASTLE.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 12/08/20, 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. 29; 12/08/20, 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. 29; 12/08/20, and is incorporated as part of this record by reference.)

Mayor Wilson and City Attorney Anderson read the proposed ordinances into the record as they were not included as part of the docket item and must be read in order to be scheduled for public hearing on Saturday, December 12, 2020.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman

Jackson and carried unanimously, City Council approved the ordinances on first reading and scheduled them for public hearing, second reading and final passage on Saturday, December 12, 2020. 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.

30. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2021.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 12/08/20, 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. 30; 12/08/20, 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. 30; 12/08/20, 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 ordinance on first reading and scheduled it public hearing, second reading and final passage on Saturday, December 12, 2020. 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.

31. Building Resilient Infrastructure and Communities (BRIC) Grant Application for Four Mile Run Sediment Dredging. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council: (1) adopted the resolution to apply for \$1,406,250 FY 2020 Hazard Mitigation Assistance (HMA) for the new Building Resilient Infrastructure and Communities (BRIC) pre-disaster mitigation grant program to assist in funding the removal of sediment from the Four Mile Run flood channel to restore the design conveyance; and (2) authorized the City Manager to submit the resolution and enter into any agreements that may be required to receive these funds should the requested allocation be approved. 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. 2970**

**WHEREAS**, the City Council of the City of Alexandria desires to submit an application for an allocation of funds to the Federal Emergency Management Agency (FEMA) through the Virginia Department of Emergency Management (VDEM) for \$1,406,250 for the FY 2020 Hazard Mitigation Assistance (HMA) for the new Building Resilient Infrastructure and Communities (BRIC) pre-disaster mitigation grant; and,

**WHEREAS**, the City of Alexandria hereby supports this application for an allocation of up to \$1,406,250 through the FEMA HMA BRIC grant program.

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

That the City Council of Alexandria, Virginia:

1. Endorses this application for an allocation of \$1,406,250 through the FY 2020 Hazard Mitigation Assistance (HMA) for the new Building Resilient Infrastructure and Communities (BRIC) pre-disaster mitigation grant.
  2. Grants authority for the City Manager to execute project administration agreements for any approved revenue sharing projects.
  3. Commits to fund its local share of engineering and construction (as applicable) costs of the Four Mile Run Sediment Dredging project being performed jointly with Arlington County in accordance with the cost estimate.
- 31a. Review and Confirmation of the Suspension of Enforcement of Certain City Codes and Ordinances Taken by the City Manager Pursuant to the City's Continuity of Government Ordinance to ease certain restrictions on package delivery businesses that are working to comply with the Governor's Forward Virginia Plan.

(A copy of the City Manager's memorandum dated December 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31a; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council confirmed the suspension of enforcement of the codes and ordinances to allow flexibility for package delivery businesses as described in the attached document labeled Attachment 1 and allowed the suspension to continue until March 21, 2021 or sooner if the City Manager determines that the suspensions should be lifted for any reason. 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.

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

1. Councilwoman Pepper reported on the honors and awards the City received during 2020 including the following:

- 100% Score for Municipal Equality Index from the Human Rights Campaign Foundation and Equality Federation Institute;
- Named top five friendliest city by Conde Nast Traveler;
- Named number two Best Small City by Conde Nast Traveler;
- Named number in the top seven Black History Museum in the United States by Conde Nast Traveler;
- Named as one of the top five safest communities by U.S. News and World Report;
- Ranked 5th by the Digital Cities Survey as a Digital City for its size;
- Ranked in the Top 15 Best City in the South by Southern Living Magazine;
- Ranked in the Top 17 as a Best Destination by Travel Destinations Magazine;
- Ranked as a top 8 best getaway from New York City by Forbes Magazine;
- Ranked as a Best Christmas Town by Women's Day Magazine; and
- Maintained its AAA Bond Rating.

## OTHER

### 32. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated December 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 12/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council received and adopted the FY 2021 City Council Schedule for November 2020 through July 2021, with meetings for January 2021 being held virtually. 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.

Closed Meeting (continued if needed)

### 33. Consideration of a closed meeting for the discussion of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, to consult with legal counsel regarding a specific legal matter requiring the provision of legal advice and discussion of a personnel matter.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council reconvened in closed executive session at 10:42 p.m., to discuss the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected, to consult with legal counsel regarding a specific legal matter requiring provision of legal advice and to discuss a personnel matter, specifically, potential investment of public funds for development on the west end of the City, a decision by the City Manager regarding a personnel matter and the legal implications regarding the rights of public employees; pursuant to Sections 2.2-3711(A)(6), (A)(8), and (A)(1) of the Code of Virginia. 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.



**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously, City Council reconvened in open session at 12:17 a.m. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council adopted the resolution regarding the closed executive session previously circulated to Council. 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. 2971**

**WHEREAS**, the Alexandria City Council has this 8th day of December, 2020 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.

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**THERE BEING NO FURTHER BUSINESS TO BE DISCUSSED**, upon motion by Councilman Aguirre, seconded by Councilman Seifeldein and carried unanimously, the regular meeting of December 8, 2020 was adjourned at 12:19 a.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON   MAYOR

ATTEST:

DRAFT

**City of Alexandria**  
**Tuesday, February 16, 2021 7:00 PM**  
**Virtual Meeting**  
**City Council Special Meeting (Budget Presentation)**  
**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. Seifeldein.

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. Routt, Director, Office of Management and Budget (OMB); Ms. K. Taylor, Director, Finance; Mr. Greenlief, Assistant Director, Finance; Ms. Coley, Pension Administrator, Finance; Ms. Howard, Chief Human Resources Officer; Ms. Davidson, Benefits Manager, Human Resources; Mr. Barre, Information Technology Services (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 Council were present via Zoom webinar.

\*\*\*\*\*

Mayor Wilson stated that due to the COVID-19 pandemic emergency, the February 16, 2021 Special 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.

There were no speakers for the public discussion period.

3. Presentation of the Proposed Annual Operating Budget for FY 2022 (including Schools), the Proposed Capital Improvement Program (CIP) for FY 2022 to FY 2031 (including the Schools CIP) and Proposed Tax Rate Recommendations.

(A copy of the City Manager's proposed budget is on file in the Office of the City Clerk and Clerk of Council; 02/16/21, and is incorporated as part of this record by reference.)

City Manager Jinks presented his proposed Annual Operating Budget for FY2022 (including Schools), the proposed Capital Improvement Program (CIP) for FY 2022 to FY 2031 (including Schools CIP), and the proposed Tax Rate recommendations. Some of the highlights of Mr. Jinks' presentation included:

\*\$11.8 million expenditure savings;

\*38 unfunded vacant positions;

\*\$767.6 million operating budget which equals a 1.9% increase in the operating budget;

\*City operations increase equals \$3.3 million or 0.9%; and

\*a real estate tax rate proposed to be reduced from \$1.13 to \$1.11.

Mr. Jinks also presented alternative budgets as requested by City Council, including a budget for \$780.6 million if the real estate tax rate remains unchanged and allows the City to increase its operating and capital investments and a budget for \$741.7 million if the real estate tax rate is reduced by 6 cents (no change in average residential tax bill) and the City noticeably reduced programs and services.

City Council began the budget work session at 7:43 p.m.

**At the conclusion of the Special Meeting, City Council will go into a Work Session to discuss the following:**

**FY 2021 Work Session: FY 2020 Proposed Operating Revenues**

\*\*\*Please note: Councilman Seifeldein left the meeting at 7:53 p.m. for a family emergency.\*\*\*

City Council held the first budget work session on FY 2020 proposed operating revenues following the City Manager's budget presentation. Office of Management and Budget staff, Finance staff and Human Resources staff gave a presentation and responded to questions from Council about revenues and compensation in the City of Alexandria.

\*\*\*\*\*

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried 6-0, the special meeting of February 16, 2021 was adjourned at 8.28 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent, Councilman Seifeldein.

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APPROVED BY:

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JUSTIN M. WILSON MAYOR

ATTEST:

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Gloria A. Sitton, CMC City Clerk

Approved: May 11, 2021  
Ratified:

**City of Alexandria**  
**City Council Public Hearing Meeting**  
**Saturday, February 20, 2021 9:30 AM**  
**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; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Collins, Deputy City Manager; Ms. Baker, Deputy City Manager; Ms. Ruggiero, Deputy Director, Recreation, Parks, and Cultural Activities (RPCA); Mr. Johnson, Manager, Torpedo Factory Art Center; Mr. Browand, Division Chief, RPCA; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Seau, Division Chief, Office of Housing; Mr. Sharma, Deputy Director, T&ES; Ms. Horowitz, Principal Planner, P&Z; Mr. Garbacz, Division Chief, T&ES; Ms. Ford, Urban Planner, P&Z; Mr. LaColla, Division Chief, P&Z; Ms. Miliaras, Principal Planner, P&Z; Mr. Randall, Urban Planner, P&Z; Ms. Brown, Deputy City Attorney; Mr. Maines, Division Chief, T&ES; Ms. Jovovic, Office of Housing; Mr. Skrabak, Deputy Director, T&ES; Ms. McIlvaine, Director, Office of Housing; Ms. Suehr, Director, Department of Project Implementation; Mr. Keeler, Deputy Director, Office of Housing; Mr. Swidrak, Urban Planner; P&Z; Ms. Contreras, Urban Planner; P&Z; Ms. Oleynik, Urban Planner, T&ES; Mr. Knight, Transportation Planner; T&ES; Ms. Cooper, Urban Planner, P&Z; Mr. Baptiste, Urban Planner, P&Z; Ms. Patton, Relocation Specialist, Office of Housing; Mr. Kerns, Division Chief, P&Z; Mr. Boulden, Civil Engineer, T&ES; Mr. Dofflemeyer, Civil Engineer, T&ES; Mr. Barre, Information Technology Services, and Mr. Smith, Information Technology Services.

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

\*\*\*\*\*

**OPENING**

**1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of Council were present via Zoom webinar.

\*\*\*\*\*

Mayor Wilson stated that due to the COVID-19 pandemic emergency, the February 20, 2021 Public Hearing 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 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 person participated in the public discussion period:

1. James Rodriguez, Alexandria, spoke in support of the upcoming collective bargaining ordinance for employees.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public discussion period. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

### **ACTION CONSENT CALENDAR (3-4)**

#### **Planning Commission**

3. Special Use Permit #2020-00080  
300 North Fayette Street (Parcel Address: 1201 Queen Street) - Rooming House  
Public Hearing and consideration of a request for a Special Use Permit to operate a Rooming House; zoned: CL/Commercial Low. Applicant: Hazel Barksdale  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 02/20/21, and is incorporated as part of this record by reference.)

4. Development Special Use Permit #2018-00030  
1000 Saint Stephen's Road - St. Stephen's and St. Agnes School Upper School Expansion  
Public Hearing and consideration of a request for: (A) a Development Special Use Permit with Site Plan to expand an existing private school by constructing a building addition, additional parking and other site improvements, including Special Use Permits to increase enrollment to 520 students and to allow temporary classroom trailers (amending SUP#2016-0103): zoned; R-8/Single-Family and R-12/Single-Family. Applicant: Church Schools in the Diocese of Virginia d/b/a St. Stephen's and St. Agnes School, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 02/20/21, and is incorporated as part of this record by reference.)

## END OF ACTION CONSENT CALENDAR

City Council consider each item under separate motion. The consideration was as follows:

3. Special Use Permit #2020-00080  
300 North Fayette Street (Parcel Address: 1201 Queen Street) - Rooming House  
Public Hearing and consideration of a request for a Special Use Permit to operate a Rooming House; zoned: CL/Commercial Low. Applicant: Hazel Barksdale  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 02/20/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation with an amendment to condition #11 to read as follows: "Special Use Permit #2020-00080 shall be docketed for review by City Council within five years or will expire on February 19, 2026. If the 5 year limit for rooming house special use permits is deleted from the Zoning Ordinance, then the use may continue in compliance with the Zoning Ordinance." 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.

4. Development Special Use Permit #2018-00030  
1000 Saint Stephen's Road - St. Stephen's and St. Agnes School Upper School Expansion  
Public Hearing and consideration of a request for: (A) a Development Special Use Permit with Site Plan to expand an existing private school by constructing a building addition, additional parking and other site improvements, including Special Use Permits to increase enrollment to 520 students and to allow temporary classroom trailers (amending SUP#2016-0103): zoned; R-8/Single-Family and R-12/Single-Family. Applicant: Church Schools in the Diocese of Virginia d/b/a St. Stephen's and St. Agnes School, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 02/20/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation. 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.

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER



5. Public Hearing and Consideration of a License Extension, Amendment No. 3, between the City of Alexandria and the Tall Ship Providence Foundation for the Docking of the Tall Ship Providence in the City Marina.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk, marked Item No. 5; 02/20/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the proposed License Extension, and authorized the City Manager to execute the ten (10) month License Extension, Amendment No. 3; with the Tall Ship Providence Foundation. 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. Public Hearing and Consideration of a Recommendation from the City Council Naming Committee to Change the Name of 3550 Commonwealth Avenue Park to Shirley Tyler Unity Park.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 02/20/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and adopted the recommendation from the City Council Naming Committee to change the name of 3550 Commonwealth Avenue Park to Shirley Tyler Unity Park. 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.

7. Public Hearing and Consideration of an Action Plan for Vibrancy and Sustainability at Torpedo Factory Art Center.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Veronica Barker-Barzel, Alexandria, representing the Torpedo Factory Artists Association, spoke in support of Waterfront Commission recommendation to the City Council allowing artists to have a voice in the planning for the Torpedo Factory Art Center.

2. Ivy Whitlatch, Alexandria, representing the Archaeological Commission, stated that the Commission should play a part in the planning for the future of the Torpedo Factory Art Center.

3. Min Enghauser, Alexandria, spoke for including artists in the future planning for the Torpedo Factory Art Center.

4. Stephen Lally, Alexandria, spoke about ways to integrate the Torpedo Factory Art Center into the larger community and make it more vibrant. Mr. Lally also spoke about preserve the innovation and creators of art that are part of the Center and the preservation of the cooperative galleries are maintained.

5. Nate Macek, Alexandria, representing the Waterfront Commission and highlighted the concerns of the Commission outlined in the letter submitted to City Council. Mr. Macek noted that the Commission requested that the City revisit the approach to management of the Center and reimagine what the Center is considering for a complete use of the facility. Mr. Macek also hoped there would be an additional chance for the community to offer input on the plan.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

Ms. Ruggiero, Deputy Director, Recreation, Parks, and Cultural Activities, and City Manager Jinks responded to questions from Council about funding for the Art Center, capital improvements needed for the Center, and the inclusion of the artist community and the Archaeology Department in the future planning of the building.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council received the proposed Action Plan for Vibrancy and Sustainability at Torpedo Factory Art Center and directed staff to develop and implement a stakeholder engagement plan. The plan will be brought back to council for consideration within the next two months. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **Planning Commission (continued)**

8. Special Use Permit #2020-00097  
428 North Pitt Street - Parking Reduction and Lot Modifications  
Public Hearing and consideration of a request for a Special Use Permit for a parking reduction for two compact parking spaces and for modifications to the rear yard setback, open space, parking in a required yard, and vision clearance for the construction of a townhouse dwelling; zoned RB/Townhouse. Applicant: Stephen A. Bannister, represented by Robert D. Brant, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Elizabeth Mulry, Alexandria, spoke about the process for notification and wanted to ensure that the modifications from the Planning Commission remained part of the plan.
2. Robert Brant, attorney for the application, spoke in support of the proposal and responded to questions from Council and that the applicant will comply with all conditions.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the Planning Commission recommendation. 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. Special Use Permit #2020-00091  
3541 West Braddock Road - Office Building Monument Sign  
Public Hearing and consideration of a request for a Special Use Permit to waive the sign requirements of Article IX of the Zoning Ordinance for the installation of a monument sign; zoned: CG/Commercial General. Applicant: Mohammed Omari  
Planning Commission Action: Recommended Denial 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Mohammed Omari, Arlington, Virginia, applicant, spoke in support of the changes to the sign and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried 6-1, City Council upheld the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

\*\*\*\*City Council took at recess at 12:20 p.m. for lunch. The meeting reconvened at 1:00 p.m.\*\*\*\*

10. Rezoning #2020-00006  
Development Special Use Permit #2020-10032  
Transportation Management Plan Special Use Permit 2020-00084  
416 South Alfred Street, 431 South Columbus Street, 901 Gibbon Street, 450 and 510 South Patrick Street, and 900 Wolfe Street - Heritage at Old Town  
Public Hearing and consideration of a request for (a) amendment to the official zoning map to change the zone for the site from RB/Townhouse zone and RC/High density apartment zone to RMF/Residential multifamily zone; (b) a Development Special Use Permit and site plan with modifications to construct three mixed-income multifamily buildings on three blocks with 750 units, including Special Use Permits to increase the floor area ratio to 3.0 in the RMF zone, the utilization of Section 7-700 for bonus density and height for the provision of affordable housing, (c) a Special Use Permit for a Transportation Management Plan (tier three); zoned: RB/Townhouse (Blocks 1 and 4) and RC/High Density Apartment (Block 2). Applicant: Heritage at Old Town PropCo LLC, represented by M. Catharine Puskar, attorney Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Betsy Faga, Alexandria, spoke in support of the proposal.
2. Yvonne Callahan, Alexandria, spoke in opposition to the proposal.
3. Stafford Ward, Alexandria, spoke in opposition to the proposal and offered suggestion for changes.
4. Kevin Brady, Alexandria, representing Grassroots Alexandria, spoke in support of the proposal.
5. Martha Raymond, Alexandria, spoke in opposition to the proposal due to the type of construction.
6. Stewart Schwartz, representing the Coalition for Smarter Growth, spoke in support of the proposal.
7. Shelley Murphy, Alexandria, spoke in support of the proposal.
8. Chris Morell, Alexandria, spoke in opposition to the proposal.
9. Rev. Howard-John Wesley, Alexandria, pastor of Alfred Street Baptist Church, spoke in support of the proposal.

10. Jonathan Krall, Alexandria, spoke in support of the proposal.
11. Sammie Mosenberg, Alexandria, spoke in support of the proposal.
12. Shefali Mehta, Alexandria, spoke in opposition of the proposal.
13. Danny Smith, Alexandria, representing the Historic Alexandria Resources Commission, spoke in the letter sent to Council by the Commission for consideration and balancing of public and historic benefits.
14. Jelks Cabaniss, Alexandria, spoke in opposition of the proposal, focusing on the aesthetics of the proposed building.
15. Stephen Joseph Popick, Alexandria, spoke in support of the proposal.
16. Ken Notis, Alexandria, spoke in support of the proposal.
17. Kay Morell, Alexandria, spoke in opposition to the proposal, citing height and density issues.
18. Gail Rothrock, Alexandria, spoke in opposition of the proposal, citing height and density issues.
19. Joe Johnson, Alexandria, spoke in opposition of the proposal, citing garage location issues and traffic concerns.
20. Kevin Harris, Alexandria, spoke in support of the proposal.
21. Zachary DesJardins, Alexandria, spoke in support of the proposal.
22. Mary Morrow Bax, Alexandria, spoke in opposition of the proposal, citing height and density issues.
23. Lisa Kempe, Alexandria, spoke in opposition of the proposal, citing height and density issues.
24. Marta Ali, Alexandria, spoke in support of the proposal.
25. Latrese Thompson, Alexandria, manager of the Heritage at Old Town, spoke in support of the proposal.
26. William Doying, Alexandria, spoke in opposition of the proposal.
27. Ellen Mosher, Alexandria, spoke in opposition of the proposal, citing height and density issues.
28. Tiffany Fishman, Alexandria, spoke in opposition of the proposal, citing height and density issues.

29. Myra Baran, Alexandria, spoke in opposition of the proposal.
30. Rachel Sheedy, Alexandria, spoke in opposition of the proposal.
31. Merrick Malone, Alexandria, spoke in support of the proposal.
32. Brian Scholl, Alexandria, spoke in opposition of the proposal, citing size and scale issues with the project.
33. Megan McConnell, Alexandria, spoke in opposition of the proposal, citing the size of the building.
34. David Gibbs, Alexandria, spoke in opposition of the proposal.
35. Jim Simmons, applicant, spoke in support of the proposal.
36. Stephen Milone, Alexandria, representing the Old Town Civic Association, spoke in opposition of the proposal citing height and density issues with the project.
36. Cathy Puskar, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation, with the deletion of condition #140. 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.

**\*\*\*\*City Council recessed at 7:00 p.m. and reconvened the meeting at 7:15 p.m.\*\*\*\***

11. Master Plan Amendment #2020-00007  
Rezoning #2020-00003  
Development Special Use Permit #2020-10026  
Transportation Management Plan Special Use Permit #2020-00082  
Coordinated Sign Permit Special Use Permit #2020-00083  
4898 West Braddock Road - Newport Village  
Public Hearing and consideration of requests for: (A) an amendment to the Alexandria West Small Area Plan chapter of the Master Plan to amend the land use designation for a portion of the property from residential medium-density to CRMU-H/Commercial residential mixed use (high) and to amend the height map for a portion of the property from 45 feet to 92 feet; (B) an amendment to the official zoning map to change the zoning designation for a portion of the property from RA/Multifamily zone to CRMU-H/Commercial residential mixed use (high) zone; (C) a Development Special

Use Permit with site plan to construct a new multifamily residential building with modifications and Special Use Permits to increase the maximum allowable floor area ratio to 2.3, for a parking reduction, and for more than three mechanical rooftop penthouses; (D) a Special Use Permit for a Transportation Management Plan; and (E) a Special Use Permit for a Coordinated Sign Plan; zoned: RA/Multifamily. Applicant: UDR Newport Village, LLC, represented by Kenneth W Wire, attorney  
Planning Commission Action: Recommended Approval 7-0

(The Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item 11; 02/20/21, and is incorporated as part of this record by reference.)

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

1. Kenneth Wire, attorney for the applicant, spoke in support of the proposal and responded to questions from Council about the project.

**WHEREUPON**, motion by Councilwoman Pepper, seconded by Councilman Chapman and carried 5-2, City Council closed the public hearing and approved the Planning Commission recommendation, with the following amendments: delete condition 121 and amendments to condition 122 as follows: a. The applicant shall provide twelve (12) affordable set-aside rental units, consisting of one studio, eight one-bedroom, and three two-bedroom units, or with a mix of units to the satisfaction of the Director of Housing; and b. Rents payable for the set-aside units shall not exceed the maximum rents allowed under the Federal Low Income Housing Tax Credit program for households with incomes at 50 percent of the Washington D.C. Metropolitan Area Median Family Income (taking into account utility allowances and any parking charges) for a period of 40 years from the date of initial occupancy of each affordable unit. The applicant shall re-certify the incomes of resident households annually. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Chapman, Councilwoman Jackson and Councilwoman Pepper; Opposed, Councilman Aguirre and Councilman Seifeldein.

12. Master Plan Amendment #2020-00008  
Rezoning #2020-00004  
Development Special Use Permit #2020-10027  
Transportation Management Plan Special Use Permit #2020-00076  
Vacation #2020-00004  
1352, 1356, 1360, and 1362 Madison Street; 711, 715, 719, and 727 North West Street; 1319, 1321, 1323, 1325, 1327, and 1329 Wythe Street - Braddock West  
Public Hearing and consideration of a request for: (A) Amendments to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan through updates to the Development Site Map, Development and Land Use tables in the Braddock Metro Neighborhood Plan Overlay, and the Development Framework Map and Land Use and Development tables in the Braddock East Master Plan Overlay; (B) amendment to the official zoning map to change the zone for the site from RB to OCH; (C) a Development Special Use Permit and site plan with modifications to construct a 180-unit multifamily building with ground-floor commercial uses, including special use permits to increase the floor area ratio to 3.0 in the OCH zone, the utilization of Section 7-700 for bonus density and height for the provision of affordable housing, for a parking reduction for residential and commercial uses, to allow a restaurant, retail shopping or personal

service establishments on a lot which does not include office buildings, provided such use supports and serves office uses in the immediate zoned area, and a fraternal or private club; (D) a Special Use Permit for a Transportation Management Plan (tier two); and (E) the Vacation of two public alleys serving the site; zoned RB/Townhouse. Applicant: West Street Acquisitions, LLC, represented by Jonathan P. Rak, attorney; City of Alexandria (portions of the Master Plan Amendment only) Planning Commission Action: Recommended Approval 6-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 02/20/21, and is incorporated as part of this record.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council deferred consideration of this item until the March public hearing. 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**

13. Public Hearing, Second Reading, and Final Passage 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). [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 Item No. 13; 02/20/21, 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 Item No. 13; 02/20/21, 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 Item No. 13; 02/20/21 and is incorporated as part of this record by reference.)

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

1. Katie Waynick, Alexandria, spoke about ways to enhance the proposal for stormwater fees, the creation of the Ad Hoc Stormwater Group and updating of the City Code.
2. Jessica Cummings, Alexandria, spoke about Council consider ways to fast track ways to solve the City's stormwater problems.
3. Daniel Alderman, Alexandria, spoke in support of increasing the Stormwater Utility fee and considering ways to solve the City stormwater issues.
4. Natalie Engel, Alexandria, spoke about accelerating the timeline for planned



improvements for stormwater issues in the City.

5. Allison Scates, Alexandria, spoke about stormwater issues in her neighborhood and the need of immediately solutions.

6. Dana Lawhorne, Alexandria, spoke in opposition to an increase in the Stormwater Utility Fee.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council adopted 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). Council also requested staff to return with an amendment to Section 5-6-231 reflecting a revised purpose for the fee. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson and Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 5324

AN ORDINANCE to amend Section 5-6-230 (AUTHORITY AND EFFECTIVE DATE), Section 5-6-233 (STORMWATER UTILITY FEE), and Section 5-6-238 (PETITIONS FOR ADJUSTMENT) of Article C (STORMWATER UTILITY) of Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-230, Section 5-6-233, and Section 5-6-238 of Article C of Chapter 6 of Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined:

#### **ARTICLE C – Stormwater Utility**

##### **Sec. 5-6-230 - Authority and effective date.**

The city is authorized by Virginia Code § 15.2-2114 to establish a utility or enact a system of service charges to support a local stormwater management program consistent with the Virginia Stormwater Management Act (Virginia Code § 62.1-44.15:24 et seq.) or any other state or federal regulation governing stormwater management. ~~This chapter shall be effective January 1, 2018, with the initial stormwater management~~

~~fee bill due and payable on or before June 15, 2018 and the second not later than November 15, 2018 in the same manner prescribed in 3-2-182 of this code, Real Estate Taxes. Notwithstanding, the city manager is authorized to develop policies, procedures and manuals necessary to implement this chapter in accordance with section 5-6-231 and to accept applications for credit in accordance with section 5-6-235.~~

#### **Sec. 5-6-233 - Stormwater utility fee.**

(a) A stormwater utility fee is hereby imposed on every parcel of real property in the city that appears on the real property assessment rolls as of January 1 of each year. All stormwater utility fees and other income from the fees shall be deposited into the stormwater utility enterprise fund for the sole purpose of funding the activities described in section 5-6-236.

~~(b) The stormwater utility shall be in effect starting January 1, 2018.~~

~~(b) (c) The utility fee rate per billing unit for calculating the stormwater utility fee shall be set at \$140 annually. The fee shall be reviewed annually and set by the city council to be effective July 1 each year, as follows:~~

(i) For the stormwater utility fee bill due and payable on or before June 15, 2021, the utility fee rate per billing unit for calculating the stormwater utility fee shall be set at \$210.

(ii) For the stormwater utility fee bill due and payable on or before November 15, 2021 and all bills thereafter, the utility fee rate per billing unit for calculating the stormwater utility fee shall be set at \$280 annually.

~~(c) (d)~~ Except as otherwise provided in this chapter, the impervious surface of a parcel shall be determined by the city, including but not limited to, one or more of the following: aerial photography; as-built drawings; final approved site plans; building permits; field surveys; or other appropriate engineering and mapping analysis tools.

~~(d) (e)~~ The stormwater utility shall be under the administration of the director.

~~(e) (f)~~ Notwithstanding subsection (a), and consistent with Code of Virginia, § 15.2-2114, the stormwater utility fee shall be waived in its entirety for the following:

- (1) a federal, state, or local government, or public entity, that holds a permit to discharge stormwater from a municipal separate storm sewer system in accordance with Code of Virginia, § 10.1-603.2 et seq.; except that the waiver of charges shall apply only to property covered by any such permit;
- (2) public roads and street rights-of-way that are owned and maintained by state or local agencies, including property rights-of-way acquired through the acquisition process;
- (3) property owned or operated by the city; and
- (4) cemeteries.

#### **Sec. 5-6-238 - Petitions for adjustment.**

(a) Any property owner subject to the stormwater utility fee may request an adjustment to the fee by submitting a request in writing to the director within 30 calendar days after the date the bill mailed or otherwise issued to the property owner. Grounds for adjustment of the stormwater utility fee are limited to the following:

- (1) an error was made regarding the square footage of impervious area on the non-residential or multi-family property, or the large single family residential detached property;

- (2) an error was made regarding the type of single family residential property;
  - (3) the property is entitled to a full waiver under section 5-6-233~~(f)~~(e);
  - (4) there is a mathematical error in calculating the stormwater utility fee;
  - (5) the identification of the property owner invoiced is in error; or
  - (6) an approved credit was incorrectly applied.
- (b) The property owner shall complete a stormwater utility fee adjustment application form in a format approved by the director.
- (c) If the application alleges an error in the amount of impervious area for a non-residential or multi-family property, or for large single family residential detached property, the city will provide a plan view of the property's impervious area to the applicant. If the property owner contends that the amount of impervious area is in error, the owner may:
- (1) request a meeting with the director; and/or
  - (2) submit an appeal with a revised plan signed and sealed by a professional engineer or professional land surveyor licensed to practice in the Commonwealth of Virginia attesting to the accuracy of the impervious area measurements.
- (d) the requirement for a plan view of the parcel's impervious area required in subsection (c) above may be waived by the director, if at the sole discretion of the director the error is obvious and is the result of a technical error or oversight by the city. In such case, the city shall be responsible for recalculating the impervious area of the property.
- (e) The director shall make a determination within 30 calendar days of receipt of a complete submittal for the request for adjustment. In the event that the director finds that the submittal is deficient or incomplete, the director will notify the applicant with an offer of 30 calendar days to supply the missing information. The 30-calendar day time for a decision will begin at such time as the requested information is provided. If the information requested is not provided to the director within 45 calendar days of the original request, the petition will be deemed withdrawn.
- (f) A decision by the director on a petition for adjustment is a final decision from which an aggrieved party may appeal to the Circuit Court of Alexandria, Virginia.

Section 2. That Title 5, Chapter 6, Article C, Section 5-6-230, Section 5-6-233, and Section 5-6-238 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the Code of the City of Alexandria.

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

- 14. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 3-1306 (BULK AND OPEN SPACE REGULATIONS) of Article III (RESIDENTIAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-0010 (Implementation Ordinance for Text Amendment No. 2020-0010 associated with RT Zone Setbacks approved by City Council on January 23, 2021).[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 of Item No. 14; 02/20/21, 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 Item No. 14; 02/20/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 3-1306 (BULK AND OPEN SPACE REGULATIONS) of Article III (RESIDENTIAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-0010. 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 ordinance reads as follows:

#### ORDINANCE NO. 5325

AN ORDINANCE to amend and reordain Section 3-1306 (BULK AND OPEN SPACE REGULATIONS) of Article III (RESIDENTIAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-0010.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-0010, 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 January 5, 2021 of a text amendment to the Zoning Ordinance to adopt amendments to the side and rear yard setback requirements in the RT/Townhouse zone, which recommendation was approved by the City Council at public hearing on January 23, 2021;

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 3-1306 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

3-1306 - Bulk and open space regulations.

(A) Yards.

\*\*\*

- (2) *Side yards.* Each end lot in a group of townhouses shall provide a side yard setback ratio of at least 20 feet. 1:2 with a minimum of 12 feet.
- (3) *Rear yard.* Each dwelling shall provide a rear yard setback ratio of at least 35 feet. 1:1 with a minimum of 12 feet.

\*\*\*

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

Section 3. That Section 3-1306, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, 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.

15. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Section 5-2-62 (CHANGES OF NAMES) of Article C (STREET NAMES), Chapter 2 (STREETS AND SIDEWALKS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new subsection (17) in accordance with the street name case heretofore approved by city council as Street Name Case No. 2020-00005 (Implementation Ordinance for Street Name Case No. 2020-00005 associated with the street name change from Swamp Fox Road to Hoffman Street approved by City Council on January 23, 2021). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 02/20/21, 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 of Item No. 15; 02/20/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend Section 5-2-62 (CHANGES OF NAMES) of Article C (STREET NAMES), Chapter 2 (STREETS AND SIDEWALKS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended by adding thereto a new subsection (17) in accordance with the street name case heretofore approved by city council as Street Name Case No. 2020-00005. 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 ordinance reads as follows:

ORDINANCE NO. 5326

AN ORDINANCE to amend Section 5-2-62 (CHANGES OF NAMES) of Article C (STREET NAMES), Chapter 2 (STREETS AND SIDEWALKS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new subsection (17) in accordance with the street name case heretofore approved by city council as Street Name Case No. 2020-00005.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-2-62 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding thereto a new subsection (17) to read as follows:

\*\*\*

(17) Change of name as of February 20, 2021:

<u>New Name</u>	<u>Old Name</u>	<u>General Location</u>
Hoffman Street	Swamp Fox Road	Eisenhower East

\*\*\*

Section 2. That this ordinance shall become effective on the date and at the time of its final passage.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**DEFERRAL/WITHDRAWAL CONSENT CALENDAR**  
**Planning Commission (continued)**

None.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council adjourned the public hearing meeting of February 20, 2021 at 8:54 p.m. 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.

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**APPROVED BY:**

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**JUSTIN M. WILSON      MAYOR**

**ATTEST:**

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Gloria A. Sitton, CMC    City Clerk

Approved: May 11, 2021

Ratified:

**City of Alexandria  
City Council Regular Meeting  
Tuesday, February 23, 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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Ms. Baker, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. Garvey, Director, Community and Human Services; Mr. Greenlief, Assistant Director, Finance; Ms. Colton, Recreation, Parks, and Cultural Activities; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. K. Taylor, Director, Finance; Ms. S. Taylor, Legislative Director; Ms. Wedeles, Special Assistant to the City Manager; Dr. Haering, Director, Alexandria Health Department; Ms. Landrum, CEO, Alexandria Economic Development Partnership; Mr. Moss, Information Technology Services; Mr. Barre, Information Technology Services; and Mr. Smith, Information Technology Services.

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 the members of Council were present via Zoom webinar.

\*\*\*\*\*

Mayor Wilson noted that due to the COVID-19 pandemic emergency, the February 23, 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 Comment Period.

There were no public speakers.

**PROCLAMATIONS**

3. Presentation of a Proclamation Declaring the Month of March as Irish American Heritage Month and March 6, 2021 as Irish Cultural Celebration Day.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council endorsed the proclamation. 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.

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

**\*Library Board (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the Board welcomed a new member and appointed a new treasurer. Vice Mayor Bennett-Parker also reported that e-borrowing was up 322% and the Library hosted a new of virtual events in honor of George Washington's birthday and for Black History Month. Vice Mayor Bennett-Parker also noted that the Board had a discussion regarding the budget. Vice Mayor Bennett-Parker also noted that the Alexandria Law Library is offering virtual notary services during the pandemic. Vice Mayor Bennett-Parker noted that the Board discussed reopening at phase 3 in March.

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

Vice Mayor Bennett-Parker reported that the Board considered a couple of task order amendments including one for the project at Alexandria Union Station related to a new emergency generator and additional soil samples. Vice Mayor Bennett-Parker noted that the project was on schedule to be completed in 2023.

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

Mayor Wilson reported that Subcommittee discussed many reopening related topics and the need for City support and what types of City facilities that can be used to support reopening in the Spring and upcoming Fall school sessions. Mayor Wilson noted that there was discussion about the coordination for the potential funding coming from the Federal government. Councilman Chapman added that more discussion needed for school reopening and the discussion will continue to meet the need as schools upcoming session.

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

Mayor Wilson reported that the Committee are in phase where they are some significant redevelopment efforts will begin to move forward and ARHA has identify Samuel Madden Homes and the Ladrey Highrise as the two beginning projects. Mayor Wilson noted that there

will be a joint work session in the future to discussion all the upcoming development with ARHA. Councilman Chapman reported that the new Lineage development will have its grand opening soon.

**\*COG Food and Agriculture Regional Member (FARM) Ad Hoc Advisory Committee (Councilwoman Jackson)**

Councilwoman Jackson reported that the Committee discussed food security as it relates to school meals and expanding healthy food access at farmers markets in the region. Councilwoman Jackson also reported how legislation in the General Assembly is affecting access to healthy food.

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

Councilwoman Jackson reported that the Commission finalized their subcommittee assignments for the overall strategic plan and discussed the Racial and Social Equity resolution and how it can be incorporated into the Commission's work.

**\*COG Transportation Planning Board (TPB) (Councilman Aguirre)**

Councilman Aguirre reported that the Board received a briefing on the Unified Planning Work Program and reviewed the responsibilities of the organization. Councilman Aguirre reported that there was a discussion about the commuter connection program and he would report on the Voices of the Region survey at a subsequent meeting. Councilman Aguirre reported that he was appointed as chair the Access for All Advisory Committee.

**\*Alexandria Transportation Commission (Councilman Aguirre and Councilman Chapman)**

Councilman Aguirre reported that the Commission received an overview of the Vision Zero year three progress update and there was an update on parking technology throughout the City, particularly in Old Town area.

**\*Alexandria Campaign on Adolescent Pregnancy (ACAP)**

Councilman Aguirre reported that the Committee approved two new officers and would periodically Council orientation for the leadership and would updating the by-laws and vision and value statements.

**ORAL REPORT FROM THE CITY MANAGER**

**(1) COVID-19 AND VACCINATION UPDATE FROM THE ALEXANDRIA HEALTH DEPARTMENT.**

Dr. Haering gave an update on the number of cases and deaths in the City and the distribution of vaccinations throughout the City. Dr. Haering reported that approximately 25,000 people have received vaccinations and there is still not demographic information

available. Dr. Haering addressed the issues with the state registration system and scheduling for second dose clinic/vaccinations.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (4)**

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

4. Consideration of a Fiscal Year 2022 Grant Application to the Virginia Commission for the Arts for a Creative Community Partnership Grant for the Department of Recreation, Parks and Cultural Activities.

(A copy of the City Manager's memorandum dated February 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 02/23/21, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) authorized the submission of a grant application in the amount of \$4,500 to the Virginia Commission for the Art's Creative Community Partnership Grant Program. The grant application deadline is April 1, 2021; and (2) authorized the City Manager to execute all necessary documents that may be required. 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.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION (60 min.)**

5. Update on the 2021 Virginia General Assembly Session.

(A copy of the City Manager's memorandum dated February 22, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 02/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council received the staff's update on the 2021 General Assembly session. 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. Discussion of Preliminary Framework for the Allocation of Potentially Forthcoming Federal Stimulus Funding.

(A copy of the City Manager's memorandum dated February 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 02/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) received this report regarding the proposed preliminary framework on how to allocate potentially forthcoming federal stimulus funding; (2) directed the City Manager to consult with community stakeholders and then to develop a final federal stimulus funding allocation plan for future Council consideration; and (3) allocated \$1.0 million in City funding to serve as interim bridge funding for food security and eviction prevention programs to be able to continue until such time as the federal stimulus funds become available. 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.

7. Work Session in Regard to Visit Alexandria Marketing Plans.

(A copy of the PowerPoint is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 02/23/21, and is incorporated as part of this record by reference.)

City Council received a presentation from Visit Alexandria CEO Patricia Washington, on the marketing plans that have been used during the pandemic and plans for reviving the tourism and hospitality industry here in the City. Ms. Washington responded to questions from Council.

8. Consideration of a Two-Way to One-Way (southbound) Conversion of the Access Street in Front of the George Washington Masonic National Memorial.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 02/23/21, and is incorporated as part of this record by reference.)

This item has been deferred.

## **ORDINANCES AND RESOLUTIONS**

9. Consideration of a Resolution to Subsidize the Stormwater Utility Fee as an Expenditure Grant Rather than an Exemption on Real Estate Tax Bills for Certain Low-Income and/or Disabled Property Owners. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 02/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved the resolution to subsidize the stormwater utility fee as an expenditure grant rather than an exemption on real estate tax bills for certain low-income and/or disabled property owners. 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. 2978**

### **RESOLUTION PROVIDING FINANCIAL RELIEF PROGRAM FOR CERTAIN HOMEOWNERS TO ASSIST WITH PAYMENT OF THE CITY'S STORMWATER UTILITY FEE**

**WHEREAS**, the City Council has adopted an ordinance authorizing the imposition of a stormwater utility fee, in order to provide a source of revenue for the City's stormwater management enterprise fund; and

**WHEREAS**, in order to fairly distribute responsibility for protection of water resources among properties that contribute to stormwater runoff, the stormwater utility fee is to be calculated based on the amount of impervious area present on a developed property, including residential property; nevertheless, City Council recognizes that for certain residential homeowners, payment of the utility fee may present a special financial hardship; and

**WHEREAS**, pursuant to Virginia Code § 63.2-314, City Council is authorized to make public grants to the City's local board of social services for the purpose of aiding needy persons, and City Council desires to make such public grants for the purpose of aiding persons in need of assistance with payment of the stormwater utility fee (Stormwater Utility Relief), namely:

- i) those persons certified by the Department of Finance as qualified for the City's Real Estate Tax Relief program for the Elderly and Disabled based income and assets means criteria, and
- ii) those persons certified by the Department of Finance as being totally and permanently disabled veterans pursuant to Virginia Code § 58.1-3219.5 who by virtue of their disability are unable to participate in gainful employment and/or their surviving spouses, and
- iii) those persons certified by the Department of Finance pursuant to Virginia Code § 58.1-3219.9 as being a qualified surviving spouse of any veteran Killed in Action; and

**WHEREAS**, City Council desires for staff to proceed with disbursement of the Stormwater Utility Relief funding, in accordance with criteria intended to offer assistance to the homeowners referenced above who City Council believes may be particularly vulnerable to additional fees and costs related to home ownership;

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

- 1) The Stormwater Utility Relief funding shall be deposited in the City's treasury to the credit of the City's Department of Community and Human Services (DCHS), and shall be dispensed by DCHS to the Department of Finance as grant funding on behalf of the needy homeowners referenced herein to pay their stormwater utility fee, as authorized by this Resolution; and

- 2) The Department of Finance shall be responsible for administration of the Stormwater Utility Relief Program within the parameters established by this Resolution; in doing so, the Department of Finance shall be deemed to be performing activities directly connected with the administration of a public assistance grant program, on behalf of and in conjunction with the DCHS; and
- 3) The Director of Social Services, acting pursuant to Virginia Code § 63.2-304 as the City's local board, shall not be required to participate in the day to day administration of the Stormwater Utility Relief Program, but shall have the right and authority to inspect records pertaining to the administration and disbursement of grant funds under the Program, and to receive such information and records as the Director of Social Services deems necessary to verify that the Program funds have been and are being administered and disbursed in accordance with the parameters established by this Resolution; and
- 4) The Director of Finance and the Director of Social Services shall have the authority to coordinate and establish policies, procedures, protocols and record-keeping requirements as they collectively deem necessary for the administration and accounting of the Stormwater Utility Relief Program, consistent with the confidentiality requirements applicable to the performance of their respective duties.

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

1. Councilwoman Pepper welcomed Sermaine Mclean, Executive Assistant to the City Manager, back to work.

2. Vice Mayor Bennett-Parker requested that the City Clerk return with a short memorandum on how Council received comments for meetings and methods for receipt of that information.

## **OTHER**

10. Consideration of City Council Schedule, Including Discussion on Possible Offsite City Council Meeting Locations.

(A copy of the City Manager's memorandum dated February 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 02/23/21, and is incorporated as part of this record by reference.)

Deputy City Manager Triggs gave a brief presentation on options for returning to in-person meetings and responded to questions from Council about the options.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Jackson and carried unanimously, City Council received and adopted the FY 2021 City Council Schedule for February 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.

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**THERE BEING NO FURTHER BUSINESS TO BE DISCUSSED**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council adjourned the regular meeting of February 23, 2021 at 10:42 p.m. 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.

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**APPROVED BY:**

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**JUSTIN M. WILSON      MAYOR**

**ATTEST:**

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Gloria A. Sitton, CMC    City Clerk

Approved: May 11, 2021

Ratified:

**City of Alexandria  
City Council Regular Meeting Minutes  
Tuesday, February 9, 2021 6:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

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; Dr. Haering, Director, Alexandria Health Department; Ms. Talis, Population Health Manager, Alexandria Health Department; Ms. Kelleher, Director, Human Rights; Ms. Dawson, Director, Libraries; Ms. Davis, Museum Director, Office of Historic Alexandria; Mr. White, Gang Prevention Coordinator, Court Service Unit; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. S. Taylor, Legislative Director; Ms. K. Taylor, Director, Finance; Mr. Page, Director, Real Estate Assessments/Finance; Ms. Milnes, Appraiser Supervisor, Finance; Mr. Greenlief, Acting Deputy Director, Finance; Ms. Wedeles, Special Assistant to the City Manager; Ms. Garvey, Director, Department of Community and Human Services (DCHS); Ms. Wixson, Director of Clinical and Emergency Services, DCHS; Ms. Layer, Deputy Director, DCHS; Police Lt. Ballentine; Mr. Duer, Emergency Services Supervisor, DCHS; Police Chief Brown; Ms. Roberts, Assistant City Attorney; Mr. DiBeneditto, Assistant City Attorney; Ms. Snow, Assistant City Attorney; Mr. Browand, Division Chief, Recreation, Parks and Cultural Activities; Fire Chief Smedley; Ms. Hudson, Outside Counsel; Ms. Ruggiero, Deputy Director, Recreation, Parks, and Cultural Activities; Mr. Johnson, Manager, Torpedo Arts Center Factory; Mr. Smith, Information Technology Services; and Mr. Barre, Information Technology Services.

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

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**Alexandria Transit Company Stockholders Annual Meeting**

6:00 p.m. - Alexandria Transit Company Annual Stockholders Meeting

City Council held the annual stockholders meeting with the Alexandria Transit Company.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried 6-0, City Council approved the appointment of the Board of Directors for the Alexandria Transit Company. The vote was as follows: Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and



Councilman Seifeldein; Opposed, none; Recusal, Councilman Aguirre (for personal reasons).

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the hiring of an outside auditor to conduct the annual audit for the company. 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.

City Council received a presentation from General Manager Josh Baker of the annual operations and activities for DASH, highlighting work the company has performed during the pandemic and Mr. Baker and Mr. Banna responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, the annual stockholders meeting was adjourned at 6:22 p.m. 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.

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of were Council were present via Zoom webinar.

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Mayor Wilson stated that due to the COVID-19 pandemic emergency, the February 9, 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. Kenny Clark, Stafford, Virginia, City employee, spoke about the need for employees to have a voice and the need for a fair collective bargaining ordinance.

2. Huayra Forester, Alexandria, spoke about the inequitable response to the pandemic and how the effects of the pandemic have impacted minority communities disproportionately.

3. Daryl Price, City employee, spoke about the collective bargaining ordinance and the need for a fair collective bargaining ordinance.

4. Melynda Wilcox, Alexandria, representing the Alexandria Symphony Orchestra,

spoke on the Torpedo Factory Action Plan and she spoke in support of the plan to revitalizes the Torpedo Factory Art Center.

5. David Carpio, Alexandria, spoke about the collective bargaining ordinance and the need for changes to the proposed ordinance in order for it to be fair to all employees.

6. Josh Turner, Alexandria, representing Alexandria Firefighters, spoke about the collective bargaining ordinance and the need for a cooperative ordinance and offered suggestions for changes to the proposed ordinance.

### **Reading and Acting Upon the Minutes of the Following Meetings of City Council:**

3. Reading and Acting Upon Minutes of the Following Meetings of City Council:

The Regular Meeting Minutes of June 9, 2020;  
The Public Hearing Meeting Minutes of June 20, 2020;  
The Regular Meeting Minutes of June 23, 2020;  
The Special Public Hearing Meeting Minutes of July 7, 2020;  
The Regular Meeting Minutes of October 6, 2020;  
The Public Hearing Meeting Minutes of October 17, 2020; and  
The Regular Meeting Minutes of October 27, 2020.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the minutes of the following meetings of City Council: the regular meeting minutes of June 9, 2020; the public hearing meeting minutes of June 20, 2020; the regular meeting minutes of June 23, 2020; the special public hearing meeting minutes of July 7, 2020; the regular meeting minutes of October 6, 2020; the public hearing meeting minutes of October 17, 2020; and the regular meeting minutes of October 27, 2020. 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.

### **PROCLAMATIONS**

4. Presentation of a Proclamation Declaring February as George Washington Birthday Celebration Month.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. 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.

5. Presentation of a Proclamation Recognizing February as Black History Month.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. 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.

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

### **\*Library Board (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the Board held a special meeting on the Burke Art project to preview the concept design which celebrates the diversity in the West End and she that the noted that the project update is available for viewing on the website.

### **\*Northern Virginia Regional Commission (NVRC) (Vice Mayor Bennett-Parker and Councilman Chapman)**

Vice Mayor Bennett-Parker reported that the President and CEO of the Metropolitan Washington Airport Authority gave the Commission a report on the economic effects of COVID on airport travel, noting that there will likely be a three to five years of recovery for airports. Vice Mayor Bennett-Parker reported that there was an internal presentation on the climate resiliency dashboard developed by staff to outline the effects on climate change on the regions and programs managed by NVRC.

### **\*Northern Virginia Transportation Commission (NVTC) (Councilman Aguirre and Vice Mayor Bennett-Parker)**

There was no update at this time.

### **\*Carlyle/Eisenhower East Design Review Board (Councilwoman Pepper)**

Councilwoman Pepper reported that the Board discussed the Zell property at Block 32 to review the architecture and the landscaping for the proposed building.

### **\*Climate Energy and Environment Policy Committee (CEEPC) (Councilwoman Pepper)**

Councilwoman Pepper announced that the Committee appointed a new chair and Montgomery County presented its draft Climate Action Plan from the County to the Committee.

### **\*Alexandria Works! Coalition (Councilwoman Pepper and Vice Mayor Bennett-Parker)**

Councilwoman Pepper about the need for a specialist to help older adults with job searching and skill building and she reported on the cuts to Youth Summer Employment program and how it will impact the youth in the City.

### **\*Eisenhower Partnership Board of Directors (Councilwoman Pepper and Councilwoman Jackson)**

Councilwoman Pepper reported information on the name change of Swamp Fox Road to Hoffman Street and she noted that the Board appointed Daniel Beason as the new president.

Councilwoman Jackson reported that the Board was working on a change to the bylaws

to allow for electronic voting during their meetings and she noted that Board has the funds to establish the scholarship in honor of Engin Artemel.

**\*Facilities Naming Committee (Councilwoman Pepper and Councilman Chapman)**

This report was deferred since there was an item later on the docket on the matter.

**\*COG Chesapeake Bay and Water Resources Commission (Councilwoman Jackson)**

Councilwoman Jackson reported on the COG Potomac Roundtable reported that the group discussed the use of farmland to dispose of garbage because landfills are expensive and unavailable. Councilwoman Jackson also reported that the group is looking to add a membership position to address healthcare due to COVID and they discussed Sunny Day flooding in the region and the task force developed by Adrienne McClellan to address the issue statewide.

**ORAL REPORT FROM THE CITY MANAGER**

City Manager Jinks reported that the credits from Virginia American Water should be showing up on residents bills and he noted that the credits are from changes to the increased rates.

Dr. Haering, Director, Alexandria Health Department and Ms. Talis, Population Health Manager, Alexandria Health Department, gave an update on vaccination distribution and how they are reaching out to residents in Alexandria to get them registered. Dr. Haering also discussed increases of variants of the COVID-19 virus, particularly the one from the United Kingdom. Dr. Haering and Ms. Talis responded to questions from Council about registration, demographics, and vaccine distribution in Alexandria.

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

**(Resignations and Uncontested Appointments)**

**6. Receipt of Resignations from Boards, Commissions, and Committees:**

- (a) Beautification Commission  
Christine Mazurkevich
- (b) Commission for Women  
Brian Morreale
- (c) Community Services Board  
Alexander Tu
- (d) Economic Opportunities Commission  
Maani Stewart

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 02/09/21, and is incorporated as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions, and Committees:

- (a) Beautification Commission  
2 Citizen Members
- (b) Board of Zoning Appeals  
1 Citizen Member
- (c) Building Code Board of Appeals  
1 Alternate Member
- (d) Commission on Aging  
1 Citizen Member 60 years of age or older
- (e) Commission on Employment  
1 Representative from such organization as educational agencies, organized labor, rehabilitation agencies community-based organizations, economic development agencies and the area public employment service.
- (f) Commission on HIV/AIDS  
1 Representative from the Commission for Women
- (g) Community Services Board  
  
1 Citizen Member
- (h) Economic Opportunities Commission  
1 Representative of business industry, labor, religious, welfare or other private groups and interests certified by the Commission
- (i) Environmental Policy Commission  
1 Citizen Member
- (j) George Washington Birthday Celebration Committee  
1 Veteran Citizen Member
- (k) Historic Alexandria Resources Commission  
1 Representative from the Alexandria
- (l) Library Board  
2 Citizen Members
- (m) NOVA Regional Park Authority

1 Citizen Member

- (n) Public Records Advisory  
2 Citizen Members

- (o) Urban Design Advisory Committee  
1 Old Town Business community representative

- (p) Waterfront Commission  
1 Representative of the Archaeological Commission  
1 Representative for the Chamber of Commerce

(A copy of the above appointments is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 02/09/21, and is incorporated as part of this record by reference.)

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

- 8. Consideration of a Recommendation from the City Council Naming Committee to Change the Name of 3550 Commonwealth Avenue Park to Shirley Tyler Unity Park.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 02/09/21, and is incorporated as part of this record by reference.)

- 9. Consideration of a Grant Application to the FY 2020 Assistance to Firefighters Grant Program (AFG) through the Federal Emergency Management Agency (FEMA) for Funding for Firefighter Wellness and Fitness Training and Safety Training Classes.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 02/09/21, and is incorporated as part of this record by reference.)

- 10. Consideration of the Monthly Financial Report for the Period Ending December 31, 2020.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 02/09/21, and is incorporated as part of this record by reference.)

- 11. Consideration of a License Extension, Amendment No. 3, between the City of Alexandria and the Tall Ship Providence Foundation for the Docking of the Tall Ship Providence in the City Marina.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 02/09/21, and is incorporated as part of this record by reference.)

### **(Ordinances for Introduction)**

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 3-1306 (BULK AND OPEN SPACE REGULATIONS) of Article III (RESIDENTIAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-0010 (Implementation Ordinance for Text Amendment No. 2020-0010 associated with RT Zone Setbacks approved by City Council on January 23, 2021).

(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. 12; 02/09/21, 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. 2 of Item No. 12; 02/09/21 and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Section 5-2-62 (CHANGES OF NAMES) of Article C (STREET NAMES), Chapter 2 (STREETS AND SIDEWALKS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new subsection (17) in accordance with the street name case heretofore approved by city council as Street Name Case No. 2020-00005 (Implementation Ordinance for Street Name Case No. 2020-00005 associated with the street name change from Swamp Fox Road to Hoffman Street approved by City Council on January 23, 2021).

(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; 02/09/21, 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. 2 of Item No. 13; 02/09/21 and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the consent calendar, with the exception of docket item 12, which was considered under separate motion. The City Manager's recommendations were as follows:

6. City Council received the following resignations with regret: (a) Christine Mazurkevich, Beautification Commission; (b) Brian Morreale, Commission for Women; (c) Alexander Tu, Community Services Board; and (d) Maani Stewart, Economic Opportunities Commission.

7. City Council appointed the following persons to boards, commissions and

committees: (a) appointed Caroline Champion and Casey Clark as the two citizen members to the Beautification Commission; (b) appointed Tim Foley as the citizen member to the Board of Zoning Appeals; (c) appointed Austin Burrow as the alternate member to the Building Code Board of Appeals; (d) appointed Lynette Foster as the citizen member 60 years or older to the Commission on Aging; (e) appointed William Stamey as the representative from such organization as educational agencies, organized labor, rehabilitation agencies community-based organizations, economic development agencies and the area public employment service to the Commission on Employment; (f) appointed Nicole Hutchinson as the representative from the Commission for Women to the Commission on HIV/AIDS; (g) appointed Brian Marvin as the citizen member to the Community Services Board; (h) appointed Rizwan Chaudry as the representative of business industry, labor, religious, welfare or other private groups and interests certified by the Commission to the Economic Opportunities Commission; (i) appointed Alexander Clark as the citizen member to the Environmental Policy Commission; (j) reappointed Jason Reardon as the Veteran citizen member to the George Washington Birthday Celebration Committee; (k) reappointed Richard Klingenmaier as the representative from the Alexandria Association to the Historic Alexandria Resources Commission; (l) reappointed Trudi Hahn and Kathleen Schloeder as the two citizen members to the Library Board; (m) reappointed Scott Price as the citizen member to the Northern Virginia Regional Park Authority; (n) reappointed Lynn Jorden and Monica St. Dennis as the two citizen members to the Public Records Advisory Commission; (o) reappointed Stephen Kulinski as the Old Town Business Community representative to the Urban Design Advisory Committee; and (p) reappointed Mark Ludlow as the representative of the Archaeological Commission and appointed Scott Shaw as the representative from the Chamber of Commerce to the Waterfront Commission.

8. City Council: (1) received the report and scheduled the recommendation from the City Council Naming Committee to change the name of 3550 Commonwealth Avenue Park to Shirley Tyler Unity Park for public hearing on February 20, 2021.

9. City Council: (1) approved the submission of a grant application to Federal Emergency Management Agency (FEMA) for \$450,000 in federal funding for which a \$50,000 local match will be required; and (2) authorized the City Manager to execute the necessary documents that may be required.

10. City Council received the Monthly Financial Report.

11. City Council: (1) scheduled the proposed License Extension, Amendment No. 3, for public hearing on February 20, 2021.

13. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, February 20, 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.

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 3-1306 (BULK AND OPEN SPACE REGULATIONS) of Article III (RESIDENTIAL ZONE REGULATIONS) of the City of



Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-0010 (Implementation Ordinance for Text Amendment No. 2020-0010 associated with RT Zone Setbacks approved by City Council on January 23, 2021).

(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. 12; 02/09/21, 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. 2 of Item No. 12; 02/09/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Pepper and carried unanimously, City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, February 20, 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.

## **CONTESTED APPOINTMENTS**

14. Alexandria-Caen Sister Cities Committee  
2 Citizen Members

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

NAME:	ENDORSEMENT:
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Kyly Larriviere	
Daniel Morrison	
Joanie Stewart	
Laura Withers	

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 02/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Kyly Larriviere and reappointed Daniel Morrison to the Alexandria-Caen Sister City Committee. The vote was as follows:

Wilson	-	Larriviere, Morrison
Bennett-Parker	-	Larriviere, Morrison
Aguirre	-	Morrison, Withers
Chapman	-	Morrison, Withers
Jackson	-	Larriviere, Morrison
Pepper	-	Larriviere, Morrison

Seifeldein - Larriviere, Morrison

15. Commission on HIV/AIDS  
1 Citizen Member

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

NAME: ENDORSEMENT:

David Nipper

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 02/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried unanimously, City Council moved to readvertise the vacancy for Commission on HIV/AIDS. 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.

16. George Washington Birthday Celebration Committee  
1 Citizen Member

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

NAME: ENDORSEMENT:

Sally Graham  
Lovie Patish

(A copy of material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 02/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Lovie Patish as the citizen member to the George Washington Birthday Celebration Committee. The vote was as follows:

Wilson	-	Patish
Bennett-Parker	-	Graham
Aguirre	-	Graham
Chapman	-	Patish
Jackson	-	Patish
Pepper	-	Graham
Seifeldein	-	Patish

17. Planning Commission  
2 Citizen Members

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

NAME: ENDORSEMENT:

Robert Duffy  
Christopher Ferrara  
Geoffrey Goode  
Lyn Gubser  
Melinda Lyle  
Nathan Macek  
Kyle Martin  
Joshua Price  
Chris Pyke  
Charles Sumpter

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 02/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were distributed with the following results: City Council reappointed Melinda Lyle and Nathan Macek as the two citizen member to the Planning Commission. The vote was as follows:

Wilson	-	Lyle, Macek
Bennett-Parker	-	Lyle, Macek
Aguirre	-	Lyle, Macek
Chapman	-	Lyle, Macek
Jackson	-	Lyle, Ferrara
Pepper	-	Lyle, Macek
Seifeldein	-	Lyle, Sumpter

18. Redevelopment and Housing Authority  
1 Citizen Member

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

NAME: ENDORSEMENT:

Anitra Androh  
Ana Maria Kleymeyer  
Marie Muscella  
Breyton Smith  
Rabin Zahnan

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 02/09/21; and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed Anitra Androh as the citizen member to the Redevelopment and Housing Authority. The vote was as follows:

Wilson	-	Androh
Bennett-Parker	-	Androh
Aguirre	-	Androh
Chapman	-	Androh
Jackson	-	Androh
Pepper	-	Androh
Seifeldein	-	Androh

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

### **19. Update on the 2021 Virginia General Assembly Session.**

(A copy of the City Manager's memorandum dated February 8, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 19; 02/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Jackson and carried unanimously, City Council received staff's update on the 2021 General Assembly session. 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.

### **20. Consideration of the Calendar Year 2021 Real Property Assessments.**

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 02/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council received the report on calendar year 2021 Real Property Assessments. 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.

### **21. Proposed Alexandria Crisis Intervention and Co-Responding Program.**

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 02/09/21, and is incorporated as part of this record by reference.)

**A motion was made by** Councilman Seifeldein, seconded by Councilman Aguirre for City Council: (1) received and endorsed the proposed Alexandria Crisis Intervention Co-Responding Pilot Program proposal; and (2) directed the City Manager to proceed with implementation with the inclusion of additional therapist and include the cost in the proposed

budget to City Council.

**A substitute motion was made by** Vice Mayor Bennett-Parker, seconded by Councilwoman Pepper and carried 6-1, City Council: (1) received and endorsed the proposed Alexandria Crisis Intervention Co-Responding Pilot Program proposal; and (2) directed the City Manager to proceed with implementation as outlined in this memorandum. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein. The substitute motion becomes the main motion.

The vote on the main motion was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

22. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Title 2 of the Code of the City of Alexandria, Virginia, General Government, Chapter 5, Officers and Employees, by adding Article E, Collective Bargaining.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 02/09/21, 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. 22; 02/09/21, 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. 22; 02/09/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried 6-0, City Council received the draft ordinance and requested that it be brought back for introduction and first reading and consideration on March 13, 2021, with feedback on several areas including scope of bargaining, number of bargaining units, labor relations administration process, and the level of positions included in the bargaining groups. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

23. Consideration of an Action Plan for Vibrancy and Sustainability at Torpedo Factory Art Center.

(A copy of the City Manager's memorandum dated February 3, 2021 , is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 02/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman

Jackson and carried 6-0, City Council deferred presentation and scheduled the public hearing and consideration for the Action Plan for Vibrancy and Sustainability at the Torpedo Factory Art Center for February 20, 2021. The vote was as following: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

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

1. Councilman Aguirre reported that the Alexandria Health Department sponsored the National Black HIV Awareness Symposium.

2. Councilman Aguirre reported that the Departmental Progressive Club is beginning its 94<sup>th</sup> year and held officer installation and the installation of the DPC Ladies Auxiliary.

3. Councilman Chapman reported that Port City Brewing Company celebrated its 10<sup>th</sup> Anniversary recently.

## **OTHER**

24. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 02/09/21, and is incorporated as part of the record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, Councilman Chapman and carried 6-0, City Council received and adopted the FY 2021 City Council Schedule for February 2021 through July 2021 and scheduled a discussion of options for Offsite Council meetings at the next legislative meeting. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Chapman, seconded by Councilman Seifeldein and carried 6-0, City Council adjourned the regular meeting of February 9, 2021 at 1:13 a.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

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APPROVED BY:

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

ATTEST:

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Gloria A. Sitton, CMC    City Clerk

DRAFT

**City of Alexandria  
City Council Legislative Meeting  
Tuesday, January 12 2021, 7:00 PM  
Virtual Meeting  
Meeting Minutes**

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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; Police Chief Brown; Dr. Haering, Director, Alexandria Health Department; Ms. Garvey, Director, Department of Community and Human Services (DCHS); Ms. Roberts, Assistant City Attorney; Ms. Beach, Division Chief, Planning and Zoning (P&Z); Mr. Moritz, Director, P&Z; Ms. Talis, Population Health Manager, Alexandria Health Department; Ms. Triggs, Deputy City Manager; Mr. Maines, Division Chief, Transportation and Environmental Services (T&ES); Ms. Carraway, Planner, P&Z; Ms. Baker, Deputy City Manager; Mr. Lambert, Director, T&ES; Ms. Collins, Deputy City Manager; Ms. S. Taylor, Legislative Director; Ms. K. Taylor, Director, Finance; Mr. Routt, Director, Office of Management and Budget; Ms. Tucker, Race & Social Equity Officer, City Manager's Office; Ms. Hurley, City Manager's Office; Mr. Garbacz, Division Chief, T&ES; Ms. Kelleher, Director, Office of Human Rights; Ms. Bulova, Director, Office of Historic Alexandria; Mr. White, Gang Prevention Coordinator, Court Services; Ms. Coley, Pension Administrator, Finance; Ms. Orr, Deputy Director, T&ES; Mr. Skrabak, Deputy Director, T&ES; Mr. McAndrew, Assistant City Attorney; Ms. Quinn, Management Analyst, City Manager's Office; Mr. Smith, ITS; Mr. Bradford, ITS, and Mr. Barre, ITS.

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

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1. Calling the Roll.

Mayor Wilson called the meeting order and the City Clerk called the roll. All members of Council were present, with Councilman Chapman arriving at 7:13 p.m. The meeting was being broadcast via Zoom webinar.

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Mayor Wilson stated that due to the COVID-19 pandemic emergency, the January 12, 2021 Legislative Meeting of the Alexandria City Council was 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.

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2. Public Discussion Period.

The following persons participated in the public discussion period:

1. George Demetriades, Alexandria, spoke against the increase of the stormwater utility fees and the flooding in the City and requested that the discussion be postponed.
2. Sheriff Dana Lawhorne, Alexandria, spoke against the increase the stormwater utility fees and requested the discussion be postponed for more deliberation on the fees.
3. Catherine Finley, Alexandria, spoke about addressing the neighborhood flooding concerns in the City and using the stormwater fees for solely fixing the flooding issues.
4. Mitch Remy, Alexandria, spoke about the proposed projects to fix the flooding concerns in the City.
5. Joe Sestak, Alexandria, thanked the Recreation, Parks, and Cultural Activities Department and the arborist for the replacement of trees in his neighborhood.
6. Andrea Koslow, Alexandria, spoke about flooding concerns in the neighborhood and the need to fix the problem soon.
7. Marc Jarsulic, Alexandria, spoke about the flood mitigation action plan and how it has affected his home and surrounding neighborhood. Mr. Jarsulic requested further discussion and better solutions to the problems caused by the flooding.
8. Vineeta Anand, Alexandria, spoke against the increase of the stormwater utility fees.
9. Jim Burkart, Alexandria, spoke about the flooding issues in his neighborhood and questioned the justification in the budget for the cost of implementing the solutions and wanted assurances that the fees will be spent appropriately.

10. Robert DeFilippo, Alexandria, spoke about lack of implementation on small scope project implementation to alleviate flooding in his neighborhood.

11. Keith Burner, Alexandria, spoke in opposition to the increase of the stormwater utility fees and the proposed plan for the use of the fees.

12. Brian Sands, Alexandria, spoke in support of the proposed increase in the stormwater utility fees and proposed plans and thanked staff and Council for acting quickly on the concerns of the neighborhoods affected by the flooding issues. Mr. Sands stated that he hoped the proposed timeline for implementation of projects would be examined and reconsidered to speed up the delivery of solutions to the community.

13. Katie Waynick, Alexandria, spoke about the use of the stormwater utility fees for personnel and what the additional personnel would be working on. Ms. Waynick proposed the implementation of new revenue streams for addressing stormwater utility fees to increase capacity for the problem areas and other proposals for including residents in the discussion.

3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:

Reading and Acting Upon Minutes of the Following Meetings of City Council:

The Regular Meeting Minutes of April 28, 2020;

The Special Meeting Minutes of April 29, 2020 (budget adoption);

The Regular Meeting Minutes of May 12, 2020;

The Public Hearing Meeting Minutes of May 16, 2020;

The Regular Meeting Minutes of May 26, 2020;

The Regular Meeting Minutes of September 8, 2020;

The Public Hearing Meeting Minutes of September 12, 2020; and

The Regular Meeting Minutes of September 22, 2020.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council conditionally approved the minutes for the following meetings of City Council: the regular meeting minutes of April 28, 2020; the special meeting minutes of April 29, 2020 (budget adoption); the regular meeting minutes of May 12, 2020; the public hearing meeting minutes of May 16, 2020; the regular meeting minutes of May 26, 2020; the regular meeting minutes of September 8, 2020; the public hearing meeting minutes of September 12, 2020; and the regular meeting minutes of September 22, 2020. 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.

## **PROCLAMATIONS**

4. Presentation of a Proclamation recognizing January 11 as Human Trafficking Awareness Day.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. 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.

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

### **\*Northern Virginia Transportation Commission (NVTC) (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Vice Mayor Bennett-Parker reported that a guest speaker from Transportation for America to discuss public transportation in 2021. Vice Mayor Bennett-Parker reported that the Commission adopted the 2021 Northern Virginia Strategic Regional Fare Collection Strategic Plan and they adopted the Virginia Railway Express (VRE) Amended FY2021 budget and the recommended FY2022 budget with no increase to jurisdictional subsidies or to passenger fee increase. Vice Mayor Bennett-Parker reported that the Commission appointed officers and Councilman Aguirre will serve as Vice Chair of NVTC.

Councilman Aguirre congratulated Vice Mayor Bennett-Parker on being appointed Chair of VRE.

### **\*Health and Safety Coordinating Committee (Councilwoman Jackson and Mayor Wilson)**

Mayor Wilson reported that the Committee discussed vaccinations and other efforts to mitigate COVID-19 in the City and they also discussed firearm related incidents occurring in the City.

### **\*Children, Youth, and Families Coordinating Commission (CYFCC) (Councilwoman Jackson and Councilman Aguirre)**

Councilwoman Jackson noted that the Commission celebrated Dr. Tammy Mann who completed her 10-year term with the Commission. Councilwoman Jackson also reported that there was continued discussion about the 2025 Strategic Plan and community outreach for the plan discussion.

### **\*Eisenhower Partnership Board of Directors (Councilwoman Jackson and Councilwoman Pepper)**

Councilwoman Jackson reported that the Board held their annual dinner and she was the keynote speaker for the virtual event. Councilwoman Jackson also reported that the Board expressed concern about the visitors to the Eisenhower area following the riots at the Capitol and discussed the proper level of security for the area.

### **\*COG- Chesapeake Bay Policy Committee/FARM (Councilwoman Jackson)**

Councilwoman Jackson noted that she had been appointed Vice Chair for the Policy Committee and that the FARM Ad Hoc Committee discussed ways for elderly to start participating in the SNAP Program.

**\*CSO Monitoring Committee (Mayor Wilson and Councilwoman Jackson)**

Mayor Wilson reported that the Committee met the new consortium that would be performing the infrastructure on the combined sewer here in the City.

**ORAL REPORT FROM THE CITY MANAGER**

**(a) COVID-19 Update**

Dr. Haering, Director, Alexandria Health Department and Ms. Talis, Population Health Manager, Alexandria Health Department, reported on the vaccination distribution and registration process for getting vaccines. Dr. Haering also reviewed the phases for vaccination and phase was currently eligible for vaccines. Ms. Talis discussed ways the Health Department are reaching the most vulnerable communities with the vaccinations.

Mayor Wilson reported that the Governor was in Alexandria and noted how impressed he was with the vaccination distribution in the City.

City Manager Jinks reported that the City has started three COVID-19 testing sites at Charles Houston Recreation Center, Chick Armstrong Recreation Center and at Ben Brenman Park and those sites have administered 2000 test to the community.

**(b) Report on "Shots Fired" incidents.**

Chief Brown gave a report on 2020 "Shots Fired" incidents or weapons violations in the City. Chief Brown reviewed the incidents and how the department was investigating the violations and ways to mitigate the incidents, including violations and other crimes. Chief Brown also noted that the department has been working with the community on this issue and he responded to questions from Council.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER  
CONSENT CALENDAR (5-14)**

**(Resignations and Uncontested Appointments)**

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

- (a) Alexandria-Caen Sister Cities Committee  
Joseph Griebokski  
Christine Watson
- (b) Commission on Aging  
Sharon Dantzig
- (c) Waterfront Commission

Danielle Romanetti

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 01/12/21, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions, and Committees:

- (a) Archaeological Commission  
1 Member-at-Large
- (b) Beautification Commission  
1 Member with Expertise in the field of landscape architecture or landscape design  
1 Citizen Member
- (c) Children, Youth and Families Collaborative Commission  
2 ACPS Employees, identified by the Superintendent  
1 Student Member
- (d) Commission on Aging  
1 Citizen Member who is 60 years of age or older
- (e) Commission on HIV/AIDS  
1 Citizen Member
- (f) Commission on Persons with Disabilities  
2 Citizen Members
- (h) George Washington Birthday Celebration Committee  
1 Citizen Member
- (i) Historic Alexandria Resources Commission  
1 Representative from Carlyle House
- (j) Library Board  
1 Citizen member
- (k) Potomac Yard Design Advisory Committee  
1 Member representing the Potomac West area  
1 Professional Skilled in landscape architecture, architecture, or urban design
- (l) Social Services Advisory Board  
1 Parent Member
- (n) Waterfront Commission  
1 Park Planning District III Representative  
1 Representative of the Historic Alexandria Foundation

(A copy of the above appointment materials is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 1/12/21, and is incorporated as part of this record by reference.)

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

7. Consideration of a Grant Application to the National Park Service, Save America's Treasures Program, to Support the Exterior Restoration of the Freedom House Museum.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 01/12/21, and is incorporated as part of this record by reference.)

8. Consideration of a Grant Application to the Department of Criminal Justice Services for the Victims of Crime Act (VOCA) Victim Services Grant Program.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 01/12/21, and is incorporated as part of this record by reference.)

9. Consideration of the Monthly Financial Report for the Period Ending November 30, 2020.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 01/12/21, and is incorporated as part of this record by reference.)

10. Consideration of (1) Appointment of a Police Officer Representative and Firefighter Representative to the City of Alexandria Firefighters and Police Officers Pension Board and (2) Appointment of a General Schedule Representative and Medic/Fire Marshal Representative and Alternate to the City of Alexandria Supplemental Retirement Board.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 01/12/21, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 10-1-15.1 (Truck traffic; prohibited on certain streets; penalty) of Chapter 1 (General Provisions) of Title 10 (Motor Vehicles and Traffic), of The Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 01/12/21, 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; 01/12/21, 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; 01/12/21 and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 3-1409 (Use limitations) of Article No. III (RESIDENTIAL ZONE REGULATIONS); Sections 4-107 (Use limitations), 4-207 (Use limitations), 4-307 (Use limitations), 4-407 (Use limitations), 4-507 (Use limitations), 4-607 (Use limitations), 4-707 (Use limitations), 4-807 (Use limitations), 4-906 (Use limitations), 4-1006 (Use limitations), 4-1106 (Use limitations), 4-1206 (Use limitations), and 4-1413 (Use limitations), all of Article No. IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Sections 5-110 (Use limitations), 5-210 (Use limitations), 5-310 (Use limitations), 5-410 (Use limitations), 5-511 (Use limitations), and 5-602 (Coordinated development districts created, consistency with master plan, required approvals) all of Article No. V (MIXED USE ZONES); and Section 6-707 (Use limitations) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00009 (Implementation Ordinance for Text Amendment No. 2020-00009 associated with Pick-up and Drop-off Requirements for Day Care Establishments approved by City Council on December 12, 2020).

(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. 12; 01/12/21, 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. 2 of Item No. 12; 01/12/21 and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Potomac West Small Area Plan chapter of such master plan through the Oakville Triangle & Route 1 West Corridor and Vision Plan Overlay as Master Plan Amendment No. 2020-00003 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00003 associated with Oakville Triangle approved by City Council on December 12, 2020).

(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. 12; 01/12/21, 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. 2 of Item No. 12; 01/12/21 and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00006 (Implementation Ordinance for Text Amendment No. 2020-00006 associated with Oakville Triangle approved by City Council on December 12, 2020).

(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; 01/12/21, 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. 2 of Item No. 14; 01/12/21 and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council approved the consent calendar, with the exception of item #11, which was considered under separate motion. The City Manager's recommendations were as follows:

5. City Council received the following resignations from City boards, commissions, and committees with regret: (a) Joseph Grieboski and Christine Watson, Alexandria-Caen Sister Cities Committee;(b) Sharon Dantzig, Commission on Aging; and (c) Danielle Romanetti, Waterfront Commission.

6. City Council appointed the following persons to City boards, commissions, and committees: (a) reappointed Ralph Rosenbaum as the member-at-large to the Archaeological Commission; (b) reappointed Richard Dorrier as the member with expertise in the field of landscape architecture or landscape design and appointed Eleanor Quigley as the citizen member to the Beautification Commission; (c) appointed Julie Crawford and reappointed Kurt Huffman as the two ACPs employees identified by the Superintendent and appointed Maile Organek as the student member to the Children, Youth, and Families Collaborative Commission; (d) appointed Lois Steele as the citizen member who is 60 years of age or older to the Commission on Aging; (e) appointed Jon Scarffe and Natasha Hansen as the two citizen members to the Commission on HIV/AIDS; (f) appointed Susan Picerno and Thomas Valluzzi as the two citizen members as the Commission on Persons with Disabilities; (g) appointed Susan Johnson as the citizen member to the George Washington Birthday Celebration Committee; (h) appointed Andrea Cochrane Tracey as the representative from Carlyle House to the Historic Alexandria Resources Commission; (i) appointed Karen Marshall as the citizen



member to the Library Board; (j) reappointed Travis Herret as the member representing the Potomac West area and appointed Melissa Bennett as the professional skilled in landscape architecture, architecture or urban design to the Potomac Yard Design Advisory Committee; (k) appointed Andrew Baird as the parent member to the Social Services Advisory Board; and (l) appointed Megan Podolsky as the park planning district III representative and appointed Robert Weinhausen as the representative of the Historic Alexandria Foundation to the Waterfront Commission.

7. City Council: (1) approved the application to the National Park Service, Save America's Treasures (SAT) grant program, for up to \$500,000; (2) approved the acceptance of funds from the Save America's Treasures grant for up to \$500,000, if the grant is awarded; and (3) authorized the City Manager to execute the necessary documents that may be required.

8. City Council: (1) authorized the submission of a grant application for continued funding (Sexual Assault Domestic Violence [SADV] Core Service Funding) to Department of Criminal Justice (DCJS) in the amount of \$506,000 for fiscal years 2022 and 2023 with an eight percent (8%) cash or in-kind match requirement of \$44,000 for each fiscal year; for a combined grant award of \$1,012,000 to enhance services for victims of intimate partner violence and sexual assault survivors residing in the City of Alexandria; (2) authorized the inclusion in SADV Core Service Funding grant application a request for competitive funding to DCJS; \$106,028 for fiscal year 2022 and \$104,258 for fiscal year 2023 with a twenty percent (20%) cash or in-kind match requirement of \$52,571 for each fiscal year for a sexual assault survivors residing in the City of Alexandria; (3) approved the addition of two Victim Witness Specialist positions (.50 PTE) and a Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) consultant that will be fully supported by grant revenues if the competitive request is successful; and (4) authorized the City Manager to execute all necessary documents that may be required.

9. City Council received the Monthly Financial Report.

10. City Council: (1) appointed the following employee-elected individuals to the City of Alexandria Firefighters and Police Officers Pension Board for the period of January 1, 2021, to December 31, 2024: (a) Jason North as Police Officer Representative; and (b) Dylan Kempton as Firefighter Representative; (2) appointed the following individuals to the City of Alexandria Supplemental Retirement Plan Pension Board for the period of January 1, 2021 to December 31, 2024: (a) Jina Edwards as General Schedule Representative; (b) James Mikell as Medic/Fire Marshal Representative; and (c) Kelsea Bonkoski as Medic/Fire Marshal Alternate.

12. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 2021.

13. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 2021.

14. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 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.

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 10-1-15.1 (Truck traffic; prohibited on certain streets; penalty) of Chapter 1 (General Provisions) of Title 10 (Motor Vehicles and Traffic), of The Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 01/12/21, 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; 01/12/21, 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; 01/12/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 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.

## **ROLL-CALL CONSENT CALENDAR (15-16)**

City Council approved each item on the roll-call consent calendar under separate motions.

15. Consideration of a Grant Application from DASH and the City of Alexandria for the FY 2022 to FY 2023 I-395/95 Commuter Choice Grant Program. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council: (1) approved the resolution to support the two I-395/95 Commuter Choice Grant application requests for up to \$11 million over two years; and (2) authorized the City Manager to apply for these grant funds and enter into any necessary agreements to accept this grant. 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. 2972**

### **RESOLUTION TO SUPPORT PROPOSED TRANSPORTATION PROJECT APPLICATIONS FOR THE I-395/95 COMMUTER CHOICE PROGRAM FOR FY 2022-FY 2023**

**WHEREAS**, as part of the agreement for the High Occupancy Toll (HOT) lanes on I-395/95, the toll operator (Transurban) is required to provide grant funding for the I-395/95 Commuter Choice Program; and

**WHEREAS**, the Northern Virginia Transportation Commission (NVTC), OmniRide/Potomac/Rappahannock Transportation Commission (PRTC), the Department of Rail and Public Transportation (DRPT), the Virginia Department of Transportation (VDOT) and the Commonwealth signed a Memorandum of Agreement (MOA) that will provide a minimum of \$15 million annually to fund transit related improvements in the I-395/95 corridor beginning in 2019; and

**WHEREAS**, the purpose of the I-395/95 Commuter Choice Program is to support projects that maximize person throughput and implement multimodal improvements along the I-395/95 corridor; and

**WHEREAS**, the I-395/95 Commuter Choice Program projects will be scored based on technical merit, cost effectiveness, applicant preference, and toll day one readiness; and

**WHEREAS**, the City Council of the City of Alexandria desires to submit applications for allocation of funds of \$6,810,000 over two years for the first priority project for DASH West End-Pentagon Bus Service Enhancements (Line 35) and \$4,180,000 over two years for the second priority project for DASH West End-Potomac Yard Bus Service Enhancements (Line 36) for a total allocation of funds for \$10,990,000 over two years for the City of Alexandria, through the I-395/95 Commuter Choice Program.

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

1. The City Council of the City of Alexandria hereby supports the applications for an allocation of up to \$10,990,000 through the I-395/95 Commuter Choice Program; and
2. The City Council of the City of Alexandria hereby grants authority for the City Manager to execute all necessary documents that may be required under this program.
16. Consideration of a Resolution to Support Grant Applications to the Virginia Department of Rail and Public Transportation for FY 2022 State Aid Grant Programs.  
[ROLL-CALLVOTE]

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor

Bennett-Parker and carried unanimously by roll-call vote, City Council approved the submission of grant applications by February 1, 2021 for: (1) up to \$23,800,000 in eligible expenses for State aid transit operating assistance; (2) \$8,840,000 in eligible expenses for eight electric DASH buses; (3) up to \$220,000 for the City's commuter assistance program; and (4) authorized the City Manager to apply for State Aid Grants through the Northern Virginia Transportation Commission (NVTC) and enter into any necessary agreements with the Commonwealth of Virginia and/or NVTC to accept and implement the grants. 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. 2973**

#### **RESOLUTION TO SUPPORT PROPOSED TRANSPORTATION PROJECT APPLICATIONS FOR THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION STATE AID GRANT PROGRAM FOR FY 2022**

**WHEREAS**, in 2018, the General Assembly passed HB 1539, which required the Commonwealth Transportation Board (CTB) to update the State Aid Grant Programs for operating and capital assistance based on performance metrics beginning in FY 2020; and

**WHEREAS**, HB 1539 establishes separate prioritization processes for the Board's Six Year-Improvement Program, state of good repair projects, and major expansion projects and makes numerous changes to the administration of revenues for mass transit in the Commonwealth; and

**WHEREAS**, the purpose of the MERIT Statewide Transit Grant Program is to fund transportation projects through a prioritization process that evaluates each project's merits using key benefits related to congestion mitigation, economic development, accessibility, safety, environmental quality and land use; and

**WHEREAS**, the City Council of the City of Alexandria desires to submit application for Operating Assistance State Aid for the City of Alexandria to include up to \$23,800,000 in eligible expenses; and

**WHEREAS**, the City Council of the City of Alexandria desires to submit application for Capital Assistance State Aid of \$8,840,000 to procure eight electric buses; and

**WHEREAS**, the City Council of the City of Alexandria desires to submit application to the Transit and Commuter Assistance Grant Application for \$220,000 to increase the percentage of commuters using alternative transportation options; and

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

1. the City Council of the City of Alexandria hereby supports the application for State Aid up to \$32,860,000 through the Virginia Department of Rail Transportation and the Northern Virginia Transportation Commission for the State Aid Grant Program; and
2. the City Council hereby commits to include funds for its local match of agency funds for the TDM grants, if awarded, in its Fiscal Year 2022 Operating Budget; and
3. the City Council of the City of Alexandria hereby grants authority for the City Manager to execute all necessary documents that may be required under this program.

## CONTESTED APPOINTMENTS

17. Alexandria Gang Prevention Community Task Force  
1 Member from or representing T. C. Williams High School

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

NAME: ENDORSEMENT:

Kristen Mcinerney

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and appointed Kristen Mcinerney as the member from and representing T.C. Williams High School to the Alexandria Gang Prevention Community Task Force. The vote was as follows:

Wilson	-	Mcinerney
Bennett-Parker	-	Mcinerney
Aguirre	-	Mcinerney
Chapman	-	Mcinerney
Jackson	-	Mcinerney
Pepper	-	Mcinerney
Seifeldein	-	

18. Alexandria Renew Enterprises  
1 Citizen Member

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

NAME: ENDORSEMENT:

James Beall  
Jeffrey Bennett  
Casey Demarco

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed James Beall as the citizen member to the Alexandria Renew Enterprises. The vote was as follows:

Wilson	-	Beall
Bennett-Parker	-	Beall
Aguirre	-	Beall
Chapman	-	Beall
Jackson	-	Beall
Pepper	-	Beall
Seifeldein	-	Beall

19. Alexandria Transportation Commission  
1 Citizen Member who Resides west of Quaker Lane

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

NAME:	ENDORSEMENT:
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Jeremy Drislane	
Jeremy Grandstaff	

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Jeremy Drislane as the citizen member who resides west of Quaker Lane to the Alexandria Transportation Commission. The vote was as follows:

Wilson	-	Drislane
Bennett-Parker	-	Drislane
Aguirre	-	Grandstaff
Chapman	-	Drislane
Jackson	-	Drislane
Pepper	-	Drislane
Seifeldein	-	Drislane

20. Children, Youth, and Families Collaborative Commission  
1 Community Member with experience as a Parent, Guardian, Teacher and/or with Expertise in Early Childhood, Youth or General Education Policy

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

NAME:

ENDORSEMENT:

Kevin Brady  
Paris Elliott  
Kaitlin Opie  
Kelley Organek

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed Kelley Organek as the community member with experience as a parent, guardian, teacher and/or with expertise in early childhood, youth, or general education policy to the Children, Youth, and Families Collaborative Commission. The vote was as follows:

Wilson	-	Organek
Bennett-Parker	-	Organek
Aguirre	-	Organek
Chapman	-	Organek
Jackson	-	Organek
Pepper	-	Organek
Seifeldein	-	Organek

21. Commission for Women  
1 Citizen Member

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

NAME:

ENDORSEMENT:

Alyssa Burns  
Lindsey Deutsch  
Charlotte Florance  
Sarah Holley  
Amelia Kays  
Emily Marge  
Anuja Miner

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council had to revote because no applicant received a majority of the vote. The vote was as follows:

Wilson	-	Florance
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Bennett-Parker	-	Deutsch
Aguirre	-	Deutsch
Chapman	-	Miner
Jackson	-	Kays
Pepper	-	Florance
Seifeldein	-	Miner

**WHEREUPON**, ballots were again distributed, tellers were again appointed, and ballots were tallied with the following results: City Council appointed Anuja Miner as the citizen member to Commission for Women. The vote was as follows:

Wilson	-	Florance
Bennett-Parker	-	Miner
Aguirre	-	Miner
Chapman	-	Miner
Jackson	-	Kays
Pepper	-	Florance
Seifeldein	-	Miner

22. Commission on Information Technology  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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James Barnette  
Madeline Glanz  
Jeremiah Grieger  
Catharine Rice

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed Catharine Rice as the citizen member to the Commission on Information Technology. The vote was as follows:

Wilson	-	Rice
Bennett-Parker	-	Rice
Aguirre	-	Rice
Chapman	-	Rice
Jackson	-	Rice
Pepper	-	Rice
Seifeldein	-	Rice

23. Community Criminal Justice Board  
1 Citizen Member



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

NAME: ENDORSEMENT:

Sharron Jones  
Emilygrace Mate  
Jenna Murray  
Mikal Rozenman  
Kendall Wangsgard  
Charles Wilson

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Kendall Wangsgard as the citizen member to the Community Criminal Justice Board. The vote was as follows:

Wilson	-	Wangsgard
Bennett-Parker	-	Wangsgard
Aguirre	-	Wangsgard
Chapman	-	Wangsgard
Jackson	-	Wilson
Pepper	-	Wangsgard
Seifeldein	-	Jones

24. Environmental Policy Commission  
1 Member from the field of environmental sciences (e.g., environmental/sanitary engineering, ecology, geology, botany, hydrology, chemistry) or who have Alexandria Waterfront expertise, provided that at least four members shall have scientific expertise.

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

NAME: ENDORSEMENT:

Alexander Clark  
Christine Maietta

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Christine Maietta as the member from the field of environmental sciences (e.g. environmental/sanitary engineering, ecology, geology, botany, hydrology, chemistry) or who have Alexandria waterfront expertise, provided that at

least four members shall have scientific expertise to the Environmental Policy Commission.  
The vote was as follows:

Wilson	-	Maietta
Bennett-Parker	-	Maietta
Aguirre	-	Maietta
Chapman	-	Maietta
Jackson	-	Maietta
Pepper	-	Maietta
Seifeldein	-	Maietta

25. Historic Alexandria Resources Commission  
1 Representative who serves as a volunteer at a historic property or attraction which is open to the public on a regularly scheduled basis

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

NAME:	ENDORSEMENT:
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Martha Harris	
Donna Deblasio	

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed Martha Harris as the representative who serves as a volunteer at a historic property or attraction which is open to the public on a regularly scheduled basis to the Historic Alexandria Resources Commission. The vote was as follows:

Wilson	-	Harris
Bennett-Parker	-	Harris
Aguirre	-	Harris
Chapman	-	Harris
Jackson	-	Harris
Pepper	-	Harris
Seifeldein	-	Harris

26. Human Rights Commission  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 01/12/21, and is

incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Danielle Beach as the citizen member to the Human Rights Commission. The vote was as follows:

Wilson	-	Beach
Bennett-Parker	-	Beach
Aguirre	-	Beach
Chapman	-	Beach
Jackson	-	Beach
Pepper	-	Beach
Seifeldein	-	Mota

27. Redevelopment and Housing Authority  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed Daniel Bauman as the citizen member to the Redevelopment and Housing Authority. The vote was as follows:

Wilson	-	Bauman
Bennett-Parker	-	Bauman
Aguirre	-	Bauman
Chapman	-	Bauman
Jackson	-	Bauman
Pepper	-	Bauman
Seifeldein	-	Bauman

28. Visit Alexandria Board of Governors  
1 Hotel Owner/Manager Representative

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

NAME:	ENDORSEMENT:
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(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 01/12/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council waived the residency requirement and appointed Tristan Harris as the hotel owner/manager representative to the Visit Alexandria Board of Governors. The vote was as follows:

Wilson	-	Harris
Bennett-Parker	-	Harris
Aguirre	-	Harris
Chapman	-	Harris
Jackson	-	Harris
Pepper	-	Harris
Seifeldein	-	readvertise

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

29. Update on the 2021 Virginia General Assembly Session.

(A copy of the City Manager's memorandum dated ????, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 01/12/21; and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously, City Council approved the legislative positions included in Attachment 1 (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 5 and January 8, 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.

30. Final Report of the Alexandria Complete Count Committee for the 2020 U.S. Census.

(A copy of the City Manager's memorandum dated January 11, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 01/12/21; and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) received the Final Report from the Alexandria Complete Count Committee summarizing outreach activities; and (2) commended the members of the Committee and the Complete Count Partners for their work resulting in a Complete Count for Alexandria. 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.

31. Discussion of The FY 2022 Proposed Long-Range Planning Interdepartmental Work Program.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 01/12/21; and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council received the report and provided guidance to staff on the Draft FY 2022 Long-Range Planning Interdepartmental Work Program. 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.

32. Receipt of Information Regarding Options for Civilian Oversight of Policing in Alexandria and the Models for such an Oversight Body.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 01/12/21; and is incorporated as part of this record by reference.)

Ms. Taylor, Legislative Director, gave a presentation on the options for Council to consider for Oversight of Policing in Alexandria and she reviewed the models for Council consideration. Ms. Taylor, Mr. Jinks, and Chief Brown responded to questions and discussions from members of Council.

**A motion was made** by Councilwoman Jackson to receive the report and for model C and model CV4 to go to the community for public engagement and comments. The motion died for lack of a second.

**A motion was made** by Councilman Seifeldein, seconded by Councilwoman Pepper to receive the report and to direct staff to solidify details for the ordinance for model C1 and take to the community all the presented options for feedback and bring that information back to Council for consideration in March.

**A substitute motion was made** by Councilwoman Jackson to include variant model CV2. The motion died for lack of a second.

**A substitute motion was made** by Vice Mayor Bennett-Parker, seconded by Councilwoman Jackson to prepare ordinances for options C1 and C2. This motion was withdrawn following discussion on the motion.

Councilman Seifeldein withdrew his motion.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Aguirre and carried 4-3, City Council received the report and directed the City Manager: (1) to establish a community outreach and discussion process utilizing the Model C1 option for civilian oversight of policing as the basis for that community discussion, including explanation of all the options presented; (2) to use collected input from the City Council's discussion and the community outreach for all the options to inform an updated draft ordinance for C1; and (3) bring all the information back for Council consideration in March. The vote was as follows: In favor, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, and Councilman Seifeldein; Opposed, Mayor Wilson, Councilwoman Jackson, and Councilwoman Pepper.

## **(ORDINANCES AND RESOLUTIONS)**

\*\*\*Please note this item was considered before item #32\*\*\*

33. Consideration of Adoption of "All Alexandria: Committing to Race and Social Equity" Resolution.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 01/12/21; and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council received and discussed the resolution "All Alexandria Committing to Race and Social Equity," and set it for public hearing and adoption on January 23, 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.

34. 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 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 34; 01/12/21, 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. 34; 01/12/21, 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. 34; 01/12/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Seifeldein and carried 6-1, City Council moved to defer first reading until the January 26 Legislative Meeting and bring the ordinance for public hearing and second reading and final passage on February 20. The vote was as follows: In favor, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, Mayor Wilson.

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

None.

## **OTHER**

35. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated January 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 35; 01/12/21; and 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 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 Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the regular meeting of January 12, 2021 at 2:30 a.m. 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.

\*\*\*\*\*

APPROVED BY:

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

ATTEST:

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

**City of Alexandria  
City Council Public Hearing Meeting  
Saturday, January 23, 2021, 9:30 AM  
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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Collins, Deputy City Manager; Ms. Triggs, Deputy City Manager; Ms. Triggs, Deputy City Manager; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Farner, Deputy Director, P&Z; Mr. Geratz, Principal Planner, P&Z; Ms. Horowitz, Principal Planner, P&Z; Mr. Kerns, Division Chief, P&Z; Mr. LaColla, Division Chief, P&Z; Mr. Shelby, Planner, P&Z; Ms. Ford, Planner, P&Z; Ms. Christensen, Planner, P&Z; Mr. Lawrence, Principal Planner, P&Z; Mr. Imm, Principal Planner; P&Z, Ms. McIlvaine, Director, Office of Housing; Ms. Jovovic, Office of Housing; Ms. Santure, Office of Housing; Mr. Knight, Civil Engineer, Transportation and Environmental Services (T&ES); Ms. Hinton, T&ES; Mr. Lucarelli, Planner, P&Z; Ms. Oleynik, T&ES; Mr. Garbacz, Division Chief, T&ES; Mr. Sharma, Acting Deputy Director, T&ES; Ms. Mason, T&ES; Mr. Dofflemeyer, Civil Engineer, T&ES; Ms. Tucker, Race & Social Equity Officer, City Manager's Office; Ms. Powell, Planner, P&Z; Mr. Sherman, Information Technology Services (ITS); Mr. Smith, ITS; and Mr. Barre, ITS.

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

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## **OPENING**

### **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.

Mayor Wilson stated that due to the COVID-19 pandemic emergency, the January 23, 2021 Public Hearing Meeting of the Alexandria City Council is being held electronically pursuant to Virginia Code Section 2.2-3708(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. Dennis Hayden, Alexandria, spoke about flooding in his neighborhood and how it has damaged his property and about the need to replace the stormwater sewer drain near his home. Mr. Hayden wanted to know what the City's plans were concerning the flooding problem in his neighborhood and home.

2. Joe Sestak, Alexandria, representing Seminary Ridge Civic Association, regarding the Alexandria mobility study and consideration be giving to achieving its twin goals of elimination of all traffic deaths by 2028 and the study's commitment to using an equity lens. Mr. Sestak asked that Council consider the five top accident areas located in low income areas.

3. Jonathan Krall, Alexandria, representing Grassroots Alexandria, spoke about the need to remove resources officers from City schools and have the funds shifted to fund more counselors in the schools

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public discussion period. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR**

### **Planning Commission**

3. Special Use Permit #2020-00086  
222 East Monroe Avenue  
Public Hearing and consideration of a request for a Special Use Permit with lot modifications for the construction of a single-family dwelling on a developed substandard lot; zoned: R-2-5/Single and Two Family. Applicant: Metro Fine Properties LLC.  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 01/23/21, and is incorporated as part of this record by reference.)

4. Development Special Use Permit #2019-00026  
1200 North Quaker Lane and 4200 West Braddock Road - Episcopal High School Dorms and Wellness Center  
Public Hearing and consideration of a request for a Development Special Use Permit and site plan to permit the expansion of a private school for the construction of two dormitories, a health center and an internal roadway connection with surface parking (amending DSUP #2018-00019); zoned: R-20/Single-Family. Applicant: The Protestant Episcopal High School in Virginia (EHS), represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 01/23/21, and is incorporated as part of this record by reference.)

#### **END OF ACTION CONSENT CALENDAR**

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

3. Special Use Permit #2020-00086  
222 East Monroe Avenue  
Public Hearing and consideration of a request for a Special Use Permit with lot modifications for the construction of a single-family dwelling on a developed substandard lot; zoned: R-2-5/Single and Two Family. Applicant: Metro Fine Properties LLC.  
Planning Commission Action: Recommended Approval

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 01/23/21, 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 Planning Commission recommendation. 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.

4. Development Special Use Permit #2019-00026  
1200 North Quaker Lane and 4200 West Braddock Road - Episcopal High School Dorms and Wellness Center  
Public Hearing and consideration of a request for a Development Special Use Permit and site plan to permit the expansion of a private school for the construction of two dormitories, a health center and an internal roadway connection with surface parking (amending DSUP #2018-00019); zoned:

R-20/Single-Family. Applicant: The Protestant Episcopal High School in Virginia (EHS), represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 01/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation. 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.

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

5. Public Hearing and Consideration of Adoption of "All Alexandria: Committing to Race and Social Equity" Resolution. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 15, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 01/23/21, and is incorporated as part of this record by reference.)

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

1. Heather Peeler, Alexandria, President and CEO of ACT for Alexandria, spoke in support of the proposed resolution.
2. Jonathan Krall, Alexandria, representing Grassroots Alexandria, spoke in support of the proposed resolution.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the revised resolution "All Alexandria Committing to Race and Social Equity." 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 amended resolution reads as follows:

## **RESOLUTION NO. 2974**

All Alexandria: Committing to Race and Social Equity

WHEREAS, Alexandria's history mirrors our country's past and is built upon a foundation of interpersonal and systemic racism; and

WHEREAS, Alexandria acknowledges that the shoreline of the Potomac River where Alexandria is located today has been a lush and resourceful home for centuries to Indigenous Peoples of the Conoy paramount chiefdom and the nearby Powhatan paramount chiefdom, long before the modern community was founded; and

WHEREAS, Indigenous Peoples are the original victims of physical violence and oppression through forced removal and illegal confiscation of their native lands for the purposes of settlement and colonization by European settlers, which laid the foundation for the dehumanization and systemic discrimination of other human beings of color; and

WHEREAS, Alexandria acknowledges its part in the domestic slave trade, and as a place of refuge for thousands escaping the bondage of forced enslavement during the Civil War, and as a home of Jim Crow, where two known lynchings of African American teenagers Joseph McCoy and Benjamin Thomas in 1897 and 1899 respectively occurred, and a City that resisted peaceful efforts by African Americans to open public facilities to ALL Alexandrians; and

WHEREAS, Alexandria has continued to evolve into a diverse community of over 145 nationalities and ethnic backgrounds, this legacy of racial oppression and white supremacy resulted in inequitable practices and policies and created systemic marginalization, particularly of People of Color, that still impacts our community Alexandria's Indigenous, Black, Latino, Asian, multi-racial, multi-ethnic and immigrant communities continue to experience disparate outcomes across all measures of wellbeing; and

WHEREAS, systemic and institutional racism are the conduit by which other forms of oppression, ableism, ageism, sexism, homophobia, transphobia, xenophobia take root; and

WHEREAS, people who live, work and visit in Alexandria today continue to experience bias, discrimination, and unequal outcomes and/or treatment in every field and sector including but not limited to government, housing, employment, environment, wealth, healthcare, education, transportation, the legal system; and

WHEREAS, today Alexandria recognizes, acknowledges and is atoning for its past actions and policies that excluded, targeted, or oppressed people due to their color, race, national origin, ancestry, gender, gender identity, age, ethnicity, religion, ability, culture, sexual orientation, ethnicity, language; and

WHEREAS, every Alexandrian must reckon with the City's historical past as well as our explicit and implicit involvement and contributions to the institution of American slavery and the subsequent and deeply rooted racial inequities of today; and

WHEREAS, Alexandria must act deliberately, thoughtfully and thoroughly to end racial injustices and structural inequities by frank examination and fair and just inclusion for ALL Alexandrians; and

WHEREAS, Alexandria recognizes that meaningful community involvement, input and investment is both desired and necessary to identify, explore, develop and implement policies, measures, and accountability in the pursuit of fair and equitable outcomes for ALL Alexandria; and

WHEREAS, Alexandria recognizes a shared community with the Alexandria City Public Schools and the urgent need to align our movements around race and social equity; and

WHEREAS, community-centered, community-driven strategies and solutions can provide valuable and innovative partnerships and create lasting change; and

WHEREAS, through engaging in holistic restorative justice work, ALL Alexandria can begin healing from generations of racial trauma; and

WHEREAS, we seek and embrace a multi-racial, anti-racist, intersectional, intergenerational, community where ALL Alexandrians truly thrive; and

WHEREAS, the emerging diversity of our community is our strength and is to be uplifted, while our inclusivity must be genuine and codified for the betterment of ALL Alexandrians.

WHEREAS, we recognize ourselves as one interconnected, interdependent human family that celebrates and honors the diversity of ALL Alexandrians; and

WHEREAS, we invite our entire community to work in collaboration with the City to achieve this vision for ALL Alexandria.

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

- 1) Ensure that race and social equity is incorporated and centered in all planning, including:
  - a. Center race and equity throughout the forthcoming FY 2022-FY 2027 Strategic Plan and departmental strategic planning processes;
  - b. Establish specific, measurable, attainable, relevant time-based (SMART) goals race and social equity action plans for City departments;
  - c. Incorporate race and social equity into all staff and leadership talent

management programs;

d. Establish, strengthen and maintain key partnerships with the Alexandria City Public Schools, other public entities serving our community, community-based, non-profit, and faith-based organizations, and businesses in Alexandria to advance racial equity;

2) Implement and sustain structures and systems to advance race and social equity, including:

a. Adopt and promote practices and policies centered on creating and ensuring racial and social equity through the use of a racial equity tool;

b. Conduct race and social equity trainings for City Council, City staff and City boards and commissions;

c. Create authentic community engagement best practices for use in evaluating City actions from creation to implementation;

d. Maintain membership and active participation in the Government Alliance on Race and Equity (GARE) and Metropolitan Washington Council of Governments (MWCOC) Racial Equity Work Group and newly established Chief Equity Officers Committee;

3) Align and implement policy efforts designed to advance race and social equity goals, including:

a. Incorporate greatly expanded language access into more City of Alexandria communications and platforms;

b. Reduce and eliminate racial and social inequities in the allocation of City resources

through the use of a budget equity tool which may entail the adjustment of budgets

and funding reallocation;

c. Present City Council with a Racial and Social Equity Action Plan, consisting of specific policy initiatives to advance the City's racial equity goals, informed by additional community engagement;

4) Ensure accountability mechanisms related to the progression and transparency of

work to advance race and social equity, including:

a. Develop equity data mechanisms, including equity indicators, equity mapping, and

dashboards to transparently monitor, share, view and inform policy decisions that purposefully work toward reducing and eliminating disparities;

b. Develop quarterly listen and learn sessions, under the direction of the Race and

Social Equity Officer, to establish ongoing conversation with the community to understand their most pressing issues and to normalize the key concepts of race, social equity and government through collective learning opportunities.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **Planning Commission (continued)**

6. Zoning Text Amendment #2020-00007

### Accessory Dwelling Units

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Article II to define accessory dwellings and to establish floor area exclusions for accessory dwellings; amend Article VII to permit accessory dwellings and to establish use limitations, bulk, height, setback, compatibility and parking requirements for accessory dwellings and amend Article XI to establish a special exception process for accessory dwellings. Staff: City of Alexandria, Department of Planning & Zoning and Office of Housing

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 01/23/21, and is incorporated as part of this record by reference.)

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

1. Michael Schuster, Alexandria, representing the Commission on Aging, spoke in support of the ADU amendment.
2. Kevin Brady, Alexandria, representing Grassroots Alexandria, spoke in support of the ADU amendment.
3. Stephen Popick, Alexandria, spoke in support of the ADU amendment.
4. Carter Flemming, Alexandria, representing the Seminary Hill Association, spoke in opposition to the ADU amendment as currently proposed.
5. Roy Byrd, Alexandria, requested that the ADU amendment be viewed through the race and social equity lens so that all would benefit for the implementation of such an amendment.
6. Ken Notis, Alexandria, representing Livable Alexandria, spoke in support of the ADU amendment.
7. Zack DesJardins, Alexandria, spoke in support of the ADU amendment.
8. Fran Vogel, Alexandria, representing Strawberry Hill, spoke in opposition of the ADU amendment as it is currently proposed.
9. Tim Lovain, Alexandria, spoke in support of the ADU amendment.
10. Christy Schwengel, Alexandria, spoke in support of the ADU amendment.
11. Jonathan Krall, Alexandria, spoke in support of the ADU amendment.

12. Jonathan Fehrenbach, Alexandria, representing North Ridge Citizens Association, spoke in opposition to the proposed ADU amendment.

13. Sarah Haut, Alexandria, spoke in opposition to the proposed ADU amendment.

14. Frank Fannon, Alexandria, spoke against the by-right zoning of ADU amendment.

15. Steven Johnson, Alexandria, requested that the proposed amendment back to staff and Planning Commission for revisions.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried 6-1, City Council approved the Planning Commission recommendation with the following amendments: (2) approve with a prohibition against exclusive short-term rental; (2) owner occupancy is required at the time of construction of the accessory dwelling unit; (3) add a permit for between \$75-\$100 with notification to the neighbors (ordinance update to include permit fees and notification); (4) include setback language as follows: (a) portions of an accessory building taller than 13.5 feet but less than 16 feet shall provide a setback of at least 2.5 feet and portions of accessory building taller than 16 feet in height shall provide a setback of at least 5 feet; and (5) review of the policy in 18 months before Council with updates and recommendations. 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.

7. Zoning Text Amendment #2020-00010

RT Zone Setbacks

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend section 3-1306 to change the rear yard and side yard setback requirement in the RT zone. Staff: City of Alexandria, Department of Planning & Zoning

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 01/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing



and City Council approved the Planning Commission recommendation. 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.

8. Street Name Case #2020-00005  
Change of Street Name - Swamp Fox Road  
Public Hearing and consideration of a request for a Street Name Change, from Swamp Fox Road to Hoffman Street; zoned: CDD #2/Coordinated Development District #2. Applicant: Hoffman Company, represented by Kenneth W. Wire, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 01/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing and City Council approved the Planning Commission recommendation. 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.

City Council recessed for lunch from 1:50 p.m. The meeting resumed at 2:30 p.m.

\*\*\*Docket items 9, 10, and 11 were heard together\*\*\*

9. Vacation #2020-00005  
2412, 2514, and 2610 Richmond Highway, 2500 Oakville Street, 400 Fannon Street, 400 Calvert Avenue, 300, 403, 405, and 420 Swann Avenue - Oakville Triangle Infrastructure Plan  
Public Hearing and consideration of a request for (A) a Vacation of a portion of Public Right of Way on Oakville Street; zoned: CDD #24/Coordinated Development District #24. Applicant: Stonebridge Associates Inc., represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 5-0 (VAC2020-00005)

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 01/23/21, and is incorporated as part of this record by reference.)

10. Development Special Use Permit #2020-10031  
Transportation Management Plan Special Use Permit #2020-00079  
Encroachment #2020-00006  
2412 and 2514 Richmond Highway and 2500 Oakville Street - Oakville Triangle

A2 (Inova Healthplex)

Public Hearing and consideration requests for (A) a Development Special Use Permit with site plan for the construction of a medical care facility (Healthplex) with accessory valet parking, including Special Use Permits for a parking reduction and an illuminated sign higher than 35 feet above grade per Section 9-104(B)(10) and modifications to tree canopy coverage requirement and to the height-to-setback ratio requirement of Section 6-403(A); (B) a Special Use Permit for a Tier 1 Transportation Management Plan; and (C) an Encroachment into the public rights of way for building canopies; zoned: CDD #24/Coordinated Development District #24. Applicant: Inova Health Care Services, represented by M. Catharine Puskar, attorney

Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 01/23/21, and is incorporated as part of this record by reference.)

11. Development Special Use Permit #2020-10028 (Block A1)  
Development Special Use Permit #2020-10030 (Block B)  
Encroachment #2020-00007 (Block B)  
Encroachment #2020-00008 (Block A1)  
Transportation Management Plan Special Use Permit #2020-00089 (Block A1)  
Transportation Management Plan Special Use Permit #2020-00090 (Block B)  
2500 Oakville Street, 2412, 2514, 2610 Richmond Highway, and 420 Swann Avenue  
Public Hearing and consideration of requests for (A) a Development Special Use Permit with site plan for the construction of a mixed-use multifamily residential building with ground floor retail and above grade parking, including modifications to tree canopy coverage requirement to the landscape guidelines and to the to the height-to-setback ratio requirement of Section 6-403(A) (Block A1); (B) a Development Special Use Permit with site plan for the construction of a mixed-use multifamily residential building with ground floor retail and above grade parking, including modifications to the vision clearance requirement and to the to the height-to-setback ratio requirement of Section 6-403(A) (Block B); (C) an Encroachment into the public right of way for building canopies (Block B); (D) an Encroachment into the public right of way for building canopies (Block A1); (E) a Special Use Permit for a Tier 2 Transportation Management Plan (Block A1); and (F) a Special Use Permit for a Tier 2 Transportation Management Plan (Block B); zoned: CDD #24/Coordinated Development District #24. Applicant: Stonebridge Associates Inc., represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 01/23/21, and is incorporated as part of this record by reference.)

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

1. Doug Firstenberg, Bethesda, MD, applicant, spoke in support of the proposal.
2. Duncan Blair, Alexandria, attorney for the applicant, spoke in support of the proposal.
3. Cathy Puskar, attorney for the applicant, spoke in support of the proposal.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing on items 9, 10, and 11. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council approved the Planning Commission recommendation on item 9, 10, and 11. Mayor Wilson appointed the following individuals as viewers for the vacation: Jennifer Atkins, Michael Porterfield, and Matthew Stensrud. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

12. Development Special Use Permit #2020-10019  
Coordinated Sign Program Special Use Permit #2020-00051  
Transportation Management Plan Special Use Permit #2020-00052  
1511 North Quaker Lane, 1707 Osage Street, and 1525 Kenwood Avenue -  
Lindsay Company Campus  
Public Hearing and consideration of requests for (A) a Development Special Use Permit and site plan for a Volvo automobile sales/service facility building, a Lexus sales facility building, a Lexus service facility, including a Special Use Permit for a loading space reduction and modification of the 25' setback at the line of zone change per Section 7-902 and modifications to the Landscape Guidelines; (B) a Special Use Permit for a Coordinated Sign Plan; and (C) a Special Use Permit for a Transportation Management Plan; zoned: CG/Commercial General and CSL/Commercial Service Low. Applicant: Lindsay Motor Car Company, represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 01/23/21, and is incorporated as part of this record by reference.)

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

1. Cathy Puskar, attorney for the applicant, spoke in support of this proposal.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council approved the Planning Commission recommendation. 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.

13. Master Plan Amendment #2020-00008  
Rezoning #2020-00004  
Development Special Use Permit #2020-10027  
Transportation Management Plan Special Use Permit #2020-00076  
Vacation #2020-00004  
1352, 1356, 1360, and 1362 Madison Street; 711, 715, 719, and 727 North West Street; 1319, 1321, 1323, 1325, 1327, and 1329 Wythe Street - Braddock West  
Public Hearing and consideration of a request for: (A) Amendments to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan through updates to the Development Site Map, Development and Land Use tables in the Braddock Metro Neighborhood Plan Overlay, and the Development Framework Map and Land Use and Development tables in the Braddock East Master Plan Overlay; (B) amendment to the official zoning map to change the zone for the site from RB to OCH; (C) a Development Special Use Permit and site plan with modifications to construct a 180-unit multifamily building with ground-floor commercial uses, including special use permits to increase the floor area ratio to 3.0 in the OCH zone, the utilization of Section 7-700 for bonus density and height for the provision of affordable housing, for a parking reduction for residential and commercial uses, to allow a restaurant, retail shopping or personal service establishments on a lot which does not include office buildings, provided such use supports and serves office uses in the immediate zoned area, and a fraternal or private club; (D) a Special Use Permit for a Transportation Management Plan (tier two); and (E) the Vacation of two public alleys serving the site; zoned RB/Townhouse. Applicant: West Street Acquisitions, LLC, represented by Jonathan P. Rak, attorney; City of Alexandria (portions of the Master Plan Amendment only)  
Planning Commission Action: Recommended Approval 6-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 01/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, motion by Councilman Chapman, seconded by Councilman Seifeldein and carried unanimously, City Council deferred this item until February at the request of the applicant. 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**

14. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Section 10-1-15.1 (Truck traffic; prohibited on certain streets; penalty) of Chapter 1 (General Provisions) of Title 10 (Motor Vehicles and Traffic), of The Code of the City of Alexandria, Virginia, 1981, as amended.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 11, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 01/23/21, 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. 14; 01/23/21, 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. 14; 01/23/21 and is incorporated as part of this record by reference.)

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

1. Michael Fujka, Alexandria, spoke in support of the proposed ordinance.
2. Anne Knight, Alexandria, spoke in support of the proposed ordinance.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance to amend and reordain Section 10-1-15.1 (TRUCK TRAFFIC; PROHIBITED ON CERTAIN STREETS; PENALTY) of Chapter 1 (GENERAL PROVISIONS) of Title 10 (MOTOR VEHICLES AND TRAFFIC) of the Code of the City of Alexandria, Virginia, 1981, as amended. 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 ordinance reads as follows:

ORDINANCE NO. 5320

AN ORDINANCE to amend and reordain Section 10-1-15.1 (Truck traffic; prohibited on certain streets; penalty) of Chapter 1 (GENERAL PROVISIONS) of Title 10 (MOTOR VEHICLES AND TRAFFIC), of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 10-1-15.1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by adding the text shown in underline as follows:

Sec. 10-1-15.1 Truck traffic; prohibited on certain streets; penalty.

(a) Motor trucks are prohibited from using the following streets or portions of streets:

- (1) Powhatan Street between North Washington Street and Henry Street;
- (2) South Gordon Street;
- (3) South Early Street;
- (4) South Floyd Street;
- (5) the 200 block of South Fayette Street;
- (6) the 200 block of South Payne Street;
- (7) the 600 block of South Saint Asaph Street;
- (8) the 300 and 400 blocks of North Fayette Street;
- (9) the 300 and 400 blocks of North Payne Street;
- (10) the 1200 and 1300 blocks of Queen Street;
- (11) the 1200 and 1300 blocks of Princess Street;
- (12) the 1200 and 1300 blocks of Oronoco Street;
- (13) Pickett Street between Seminary Road and Pegram Street;
- (14) Jordan Street between Seminary Road and Duke Street;
- (15) Howard Street between Seminary Road and Jordan Street;
- (16) Richenbacher Avenue between north Van Dorn Street and Pickett Street;
- (17) Taney Avenue between north Van Dorn Street and Jordan Street;
- (18) the 300 block of South Henry Street;
- (19) the 200 block of South West Street between the hours of 11:00 p.m. and 7:00 a.m. only; and
- (20) West Taylor Run Parkway between Janneys Lane and Duke Street.
- (21) North Early Street between Menokin Drive and Braddock Road.
- (22) West Rosemont Avenue between Commonwealth Avenue and Russell Rd.
- (23) West Linden Street between Commonwealth Avenue and Russell Road.
- (24) East Taylor Run Parkway between Janney's Lane and Duke Street.
- (25) East Linden Street between Mount Vernon Avenue and Commonwealth Avenue.

Section 2. That Section 10-1-15.1 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

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

**City Council considered items #15, 16, and #17 as a block.**

15. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 3-1409 (USE LIMITATIONS) of Article No. III (RESIDENTIAL ZONE REGULATIONS); Sections 4-107 (USE LIMITATIONS), 4-207 (USE LIMITATIONS), 4-307 (USE LIMITATIONS), 4-407 (USE LIMITATIONS), 4-507 (USE LIMITATIONS), 4-607 (USE LIMITATIONS), 4-707 (USE LIMITATIONS), 4-807 (USE LIMITATIONS), 4-906 (USE LIMITATIONS), 4-1006 (USE LIMITATIONS), 4-1106 (USE LIMITATIONS), 4-1206 (USE LIMITATIONS), and 4-1413 (USE LIMITATIONS), all of Article No. IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Sections 5-110 (USE LIMITATIONS), 5-210 (USE LIMITATIONS), 5-310 (USE LIMITATIONS), 5-410 (USE LIMITATIONS), 5-511 (USE LIMITATIONS), and 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) all of Article No. V (MIXED USE ZONES); and Section 6-707 (USE LIMITATIONS) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00009 (Implementation Ordinance for Text Amendment No. 2020-00009 associated with Pick-up and Drop-off Requirements for Day Care Establishments approved by City Council on December 12, 2020).[ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 01/23/21, 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. 2 of Item No. 15; 01/23/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 3-1409 (USE LIMITATIONS) of Article No. III (RESIDENTIAL ZONE REGULATIONS); Sections 4-107 (USE LIMITATIONS), 4-207 (USE LIMITATIONS), 4-307 (USE LIMITATIONS), 4-407 (USE LIMITATIONS), 4-507 (USE LIMITATIONS), 4-607 (USE LIMITATIONS), 4-707 (USE LIMITATIONS), 4-807 (USE LIMITATIONS), 4-906 (USE LIMITATIONS), 4-1006 (USE LIMITATIONS), 4-1106 (USE LIMITATIONS), 4-1206 (USE LIMITATIONS), and 4-1413 (USE LIMITATIONS), all of Article No. IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Sections 5-110 (USE LIMITATIONS), 5-210 (USE LIMITATIONS), 5-310 (USE LIMITATIONS), 5-410 (USE LIMITATIONS), 5-511 (USE LIMITATIONS), and 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED,

CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) all of Article No. V (MIXED USE ZONES); and Section 6-707 (USE LIMITATIONS) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00009. 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 ordinance reads as follows:

#### ORDINANCE NO. 5321

AN ORDINANCE to amend and reordain Section 3-1409 (USE LIMITATIONS) of Article No. III (RESIDENTIAL ZONE REGULATIONS); Sections 4-107 (USE LIMITATIONS), 4-207 (USE LIMITATIONS), 4-307 (USE LIMITATIONS), 4-407 (USE LIMITATIONS), 4-507 (USE LIMITATIONS), 4-607 (USE LIMITATIONS), 4-707 (USE LIMITATIONS), 4-807 (USE LIMITATIONS), 4-906 (USE LIMITATIONS), 4-1006 (USE LIMITATIONS), 4-1106 (USE LIMITATIONS), 4-1206 (USE LIMITATIONS), and 4-1413 (USE LIMITATIONS), all of Article No. IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES); Sections 5-110 (USE LIMITATIONS), 5-210 (USE LIMITATIONS), 5-310 (USE LIMITATIONS), 5-410 (USE LIMITATIONS), 5-511 (USE LIMITATIONS), and 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) all of Article No. V (MIXED USE ZONES); and Section 6-707 (USE LIMITATIONS) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00009.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00009, 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 December 1, 2020 of a text amendment to the Zoning Ordinance to adopt clarifications to the pick up and drop off requirements for day care establishments, which recommendation was approved by the City Council at public hearing on December 12, 2020;
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 3-1409 of the Zoning Ordinance be, and the same



hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

### 3-1409 - Use limitations.

\*\*\*

(D) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 2. That Section 4-107 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

### 4-107 - Use limitations.

\*\*\*

(H) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 3. That Section 4-207 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

### 4-207 - Use limitations.

\*\*\*

(G) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 4. That Section 4-307 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

#### 4-307 - Use limitations.

\*\*\*

(G) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 5. That Section 4-407 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

#### 4-407 - Use limitations.

\*\*\*

(E) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 6. That Section 4-507 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

#### 4-507 - Use limitations.

\*\*\*

(E) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 7. That Section 4-607 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

#### 4-607 - Use limitations.

\*\*\*

(E) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular

traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 8. That Section 4-707 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-707 - Use limitations.

\*\*\*

(C) A day care center shall submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 9. That Section 4-807 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-807 - Use limitations.

\*\*\*

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 10. That Section 4-906 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-906 - Use limitations.

\*\*\*

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 11. That Section 4-1006 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1006 - Use limitations.

\*\*\*

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 12. That Section 4-1106 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1106 - Use limitations.

\*\*\*

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 13. That Section 4-1206 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1206 - Use limitations.

\*\*\*

(C) A day care center shall submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 14. That Section 4-1413 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

4-1413 - Use limitations.

\*\*\*

(F) A day care center shall ~~provide adequate drop off and pick up facilities so as to~~ submit for the director's review a pick-up and drop off plan that adequately ensures

the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 15. That Section 5-110 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-110 - Use limitations.

\*\*\*

(B) A day care center shall ~~provide adequate drop off and pick up facilities so as to submit for the director's review a pick-up and drop off plan that adequately ensures~~ the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 16. That Section 5-210 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-210 - Use limitations.

\*\*\*

(B) A day care center shall ~~provide adequate drop off and pick up facilities so as to submit for the director's review a pick-up and drop off plan that adequately ensures~~ the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 17. That Section 5-310 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-310 - Use limitations.

\*\*\*

(B) A day care center shall ~~provide adequate drop off and pick up facilities so as to submit for the director's review a pick-up and drop off plan that adequately ensures~~ the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

\*\*\*

Section 18. That Section 5-410 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-410 - Use limitations.

\*\*\*

(B) A day care center shall submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 19. That Section 5-511 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-511 - Use limitations.

\*\*\*

(B) A day care center shall submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. After review, the director may approve, approve with conditions, or deny the plan

Section 20. That Section 5-602 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

5-602 - Coordinated development districts created, consistency with master plan, required approvals.

\*\*\*

(E) Within each CDD, the following uses are permitted unless in specific conflict with the approved CDD concept plan or DSUP:

\*\*\*

(2) Day care center with submission for the director's review, a pick-up and drop off plan that adequately ensures the safe transfer of children and creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 21. That Section 6-707 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

6-707 - Use limitations.

\*\*\*

(E) A day care center shall ~~provide adequate drop off and pick up facilities so as to submit for the director's review a pick-up and drop off plan that adequately ensures the safe transfer of children and~~ creates minimal impact on pedestrian and vehicular traffic. The day care center must obtain approval of the plan prior to opening its place of business.

Section 22. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 23. That Sections 3-1409, 4-107, 4-207, 4-307, 4-407, 4-507, 4-607, 4-707, 4-807, 4-906, 4-1006, 4-1106, 4-1206, 4-1413, 5-110, 5-210, 5-310, 5-410, 5-511, 5-602, and 6-707, as amended pursuant to Sections 1 through 21 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.

16. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Potomac West Small Area Plan chapter of such master plan through the Oakville Triangle & Route 1 West Corridor and Vision Plan Overlay as Master Plan Amendment No. 2020-00003 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00003 associated with Oakville Triangle approved by City Council on December 12, 2020). [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. 16; 01/23/21, 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. 2 of Item No. 16; 01/23/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Potomac West Small Area Plan chapter of such master plan through the Oakville Triangle & Route 1 West Corridor and Vision Plan Overlay as Master Plan Amendment No. 2020-00003 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. 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 ordinance reads as follows:

#### ORDINANCE NO. 5322

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Potomac West Small Area Plan chapter of such master plan through the Oakville Triangle & Route 1 West Corridor and Vision Plan Overlay as Master Plan Amendment No. 2020-00003 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:



1. In Master Plan Amendment No. 2020-00003, 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 December 1, 2020 of an amendment to the Potomac West Small Area Plan Chapter of the Master Plan of the City of Alexandria to update the Oakville Triangle & Route 1 West Corridor and Vision Plan Overlay to facilitate redevelopment of the 12.8 acre Oakville Triangle site, including the Inova Healthplex, through an amendment to land uses, heights, framework streets, and location of open spaces within District 2 (Oakville Triangle), which recommendation was approved by the City Council at public hearing on December 12, 2020;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Potomac West Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by making the changes indicated in on the following pages, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

17. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00006 (Implementation Ordinance for Text Amendment No. 2020-00006 associated with Oakville Triangle approved by City Council on December 12, 2020). [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. 17; 01/23/21, 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. 2 of Item No. 17; 01/23/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00006. 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 ordinance reads as follows:

#### ORDINANCE NO. 5323

AN ORDINANCE to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00006.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00006, 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 December 1, 2020 of a text amendment to the Zoning Ordinance to amend Coordinated Development District Number 24 to revise uses and associated regulations, which recommendation was

approved by the City Council at public hearing on December 12, 2020;

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 5-602 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows

24	Oakville Triangle and Route 1 Corridor	The CSL, I and R2-5 zone regulations shall apply to the properties as generally depicted within Figure 23 of the approved Oakville Triangle and Route 1 Corridor Vision Plan and Urban Design Standards and Guidelines.	<p>The development controls for each block including gross Floor area (GFA), the size of public open spaces, ground level open spaces, the land uses, and the ground floor uses shall comply with the Oakville Triangle and Route 1 Vision Plan and Urban Design Standards and Guidelines.</p> <p>All streets, blocks, sidewalks, building forms, building volumes, building heights, land uses, screening of parking, retail design, signage, open space and associated elements shall comply with the Oakville-Route 1</p>	Heights and height transitions shall be as depicted in the approved Oakville Triangle and Route 1 Corridor Vision Plan and Urban Design Standards and Guidelines, <u>as may be amended.</u>	1) Mixed-use development to include <u>amusement enterprises; child care home; day care center; health and athletic club, health professional office; home professional office; park and community recreation buildings; outdoor dining; valet parking; hotel, restaurant, business and professional office, <del>residential</del> multifamily dwelling; townhouse dwelling; continuum of care facility, nursing home, parks and open spaces; private school (commercial); private school (academic); personal service public schools;</u>
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			<p>Route 1 Vision Plan and Urban Design Standards.</p> <p>Any variation from the standards shall require approval by the City Council as part of the DSUP or associated approval application(s)</p>	<p><u>special utility.</u></p> <p>2) Retail <u>shopping establishment and personal service;</u> <u>light assembly, service and crafts;</u> and maker uses as defined in the approved Oakville Triangle and Route 1 Corridor Vision Plan and Urban Design Standards and Guidelines.</p> <p>3) Community Facilities as defined in the approved Oakville Triangle and Route 1 Corridor Vision Plan and Urban Design Standards and Guidelines.</p> <p>4) Other similar <u>pedestrian-oriented uses as approved by the Director of P&amp;Z to meet the intent of providing active pedestrian-oriented uses are allowed.</u></p> <p>5) <u>Medical Care Facility</u></p>
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Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 3. That Section 5-602, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, 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.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Planning Commission (continued)**

None.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously, the public hearing meeting of January 23, 2021 was adjourned at 3:17 p.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON    MAYOR

ATTEST:

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Gloria A. Sitton, CMC    City Clerk

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

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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.

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**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.

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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.

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**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.

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APPROVED BY:

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JUSTIN M. WILSON    MAYOR

ATTEST:

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Gloria A. Sitton, CMC    City Clerk





**City of Alexandria  
City Council Public Hearing Meeting  
Tuesday, July 7, 2020 5:30 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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney, Ms. Collins, Deputy City Manager; Ms. Baker, Deputy City Manager; Ms. Triggs, Deputy City Manager; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. K. Taylor, Director, Finance; Mr. Greenlief, Assistant Director, Finance; Ms. Ruggiero, Deputy Director, Recreation, Parks, and Cultural Activities (RPCA); Mr. McPike, Director, General Services; Mr. Coleman, Deputy Director, General Services; Ms. Snow, Assistant City Attorney; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Police Chief Brown; Mr. Sharma, T&ES; Ms. Harwell, Urban Planner, P&Z; Fire Chief Smedley; Mr. Kerns, Division Chief, P&Z; Mr. Canfield, City Architect, P&Z; Mr. Spengler, Director, RPCA; Ms. McIlvaine, Director, Office of Housing; Mr. Farner, Deputy Director, P&Z; Ms. Beach, Division Chief, P&Z; Ms. S. Taylor, Legislative Director; Mr. Barre, Information Technology Services (ITS); and Mr. Smith, ITS.

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

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## **OPENING**

### **1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of City Council were present via video conference, with Councilman Chapman and Councilwoman Pepper joining the video conference during the closed executive session.

Mayor Wilson stated that the July 7, 2020 Public Hearing Meeting of the Alexandria City Council was 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/or Section 4.0.00(g) in HB29 and HB30 to undertake essential

business. All the members of the City Council and staff are participating from remote locations.

2. Closed Meeting.

5:30 p.m. - Consideration of a closed executive session for consultation with legal counsel regarding actual or probable litigation.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Seifeldein and carried 5-0, City Council convened in closed executive session at 5:30 p.m., to consult with Legal Counsel and Staff regarding actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically, actual and probable litigation regarding a claim and an employment matter in the Police Department, pursuant to Sections 2.2-3711(A)(7) of the Code of Virginia. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson and Councilman Seifeldein; Absent, Councilman Chapman and Councilwoman Pepper.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried 5-0, City Council reconvened in open session at 6:49 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilman Chapman and Councilwoman Pepper.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried 5-0 by roll-call vote, City Council adopted the resolution regarding the Closed Executive Session previously circulated to Council. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilman Chapman and Councilwoman Pepper.

The resolution reads as follows:

**RESOLUTION NO. 2955**

**WHEREAS**, the Alexandria City Council has this 7th day of July, 2020 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. Public Discussion Period.

There were no speakers for the public discussion period.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Aguirre and carried unanimously, City Council closed the public discussion period. 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.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

**ACTION CONSENT CALENDAR (4-5)**

**Planning Commission**

4. Special Use Permit #2020-00031  
3109 Circle Hill Road  
Public Hearing and consideration of a request for a Special Use Permit to construct a single-family dwelling on a developed, substandard lot; zoned: R-8/Single-family.  
Applicants: Jeff Seibel and Nicole Mayer  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 07/07/20, and is incorporated as part of this record by reference.)

5. Special Use Permit #2020-00029  
801 North Fairfax Street  
Public Hearing and consideration of a request for a Special Use Permit for an increase in building height to 77 feet in the OCM(50) zone, per Section 4-905(D) of the Zoning Ordinance; zoned: OCM(50)/Office commercial medium (50).  
Applicant: A & A Limited Partnership, a Virginia Limited Partnership, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 07/07/20, and is incorporated as part of this record by reference.)

**END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by

Councilman Aguirre and carried unanimously, City Council approved the Planning Commission recommendations. The approval was as follows:

4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

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

### **Consent Calendar (6-11)**

6. Consideration of Appointment of the General Schedule Employee Alternate to the City of Alexandria's Supplemental Retirement Board.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 07/07/20, and is incorporated as part of this record by reference.)

7. Consideration of the Submission of a Non-Competitive Grant Application to the Virginia Department of Environmental Quality Litter Prevention and Recycling Program for Funding of the Adopt-A-Park Litter Control Program.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 07/07/20, and is incorporated as part of this record by reference.)

8. Consideration of the Monthly Financial Report for the Period Ending May 31, 2020.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 07/07/20, and is incorporated as part of this record by reference.)

9. Consideration of the Submission of a Grant Application for a Competitive Coronavirus Emergency Supplemental Funding Grant through the Virginia Department of Criminal Justice Services.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 07/07/20, and is incorporated as part of this record by reference.)

10. Consideration of the Submission of a Grant Application for a Competitive State Homeland Security Grant (SHSP) through the Virginia Department of Emergency

Management (VDEM).

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 07/07/20, and is incorporated as part of this record by reference.)

11. Consideration to Authorize the City to Receive a Donation of a Sculpture in Honor of Earl Lloyd.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously, City Council approved the Consent Calendar, with the exception of docket item #8 and docket item #11, which were considered under separate motions. The City Manager's approval was as follows:

6. City Council appointed the following individual to the City of Alexandria's Supplemental Retirement Plan Board: Lillian Vagnoni for General Schedule Alternate; assuming City Council appointment, the effective dates of these terms will be July 1, 2020 to December 31, 2022.

7. City Council: (1) approved a non-competitive grant application, due June 1, 2020 to the Virginia Department of Environmental Quality, Litter Prevention and Recycling Program, for funding in the approximate amount of \$25,440 for the Adopt-a-Park Litter Control Program (the exact amount to be determined by the Virginia Department of Environmental Quality by September 30, 2020); (2) authorized the City Manager to execute all necessary documents that may be required; and (3) thanked all the organizations participating in this program for their support and efforts to improve the appearance of the City parks and, thereby, experience of the citizens visiting these parks.

9. City Council: (1) approved a grant application totaling \$45,740, submitted June 26, 2020, to the Virginia Department of Criminal Justice Services (DCJS). The exact amount awarded will be determined by DCJS; and (2) authorized the City Manager to execute all necessary documents that may be required.

10. City Council: (1) approved a grant application totaling \$65,033, submitted May 19, 2020, to the Virginia Department of Emergency Management (VDEM). The exact amount awarded will be determined by the VDEM; and (2) authorized the City Manager to execute all necessary documents that may be required.

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.

8. Consideration of the Monthly Financial Report for the Period Ending May 31, 2020.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council received the Monthly Financial Report. 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.

11. Consideration to Authorize the City to Receive a Donation of a Sculpture in Honor of Earl Lloyd.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council authorized the City to receive the donation of a sculpture in honor of Earl Lloyd. 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.

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

12. Consideration of a Contract to Purchase Property at 4850 Mark Center Drive (IDA Office Building)

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) authorized the City Manager to enter into contract with the Institute for Defense Analyses (IDA) to purchase the office building and related property located at 4850 Mark Center Drive for \$58.7 million; and (2) received the report from the Planning Commission in regard to the purchase being consistent with the City's Master Plan per Section 9.06 of the City Code. 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.

13. FOR INFORMATION ONLY

City Charter Section 9.06 Case #2020-00001

4850 Mark Center Drive (Parcel Address: 5110 Mark Center Drive)

Public Hearing and consideration of a request for Planning Commission to review whether the proposed purchase of property by the City of Alexandria is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter. Applicant: City of Alexandria  
Planning Commission Action: Approved 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 07/07/20, and is incorporated as part of this record by reference.)

City Council received the report as information.

**\*\*\*City Council approved 14-16 as a block.\*\*\***

14. Public Hearing and Consideration of an Amendment to a Five-Year Agreement dated December 1, 2018, between the City of Alexandria, Virginia and Zayo Group LLC, to Permit Zayo to Install a 66-Foot Conduit and Fiber Optic Cables in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and authorized the City Manager to execute the Amendment to the existing five-year license agreement with Zayo Group, LLC and to take other actions that are necessary to implement the Amendment. 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.

15. Public Hearing in regard to the Consideration of a Three (3) Year Lease Agreement Renewal with Child and Family Network Centers at Leonard "Chick" Armstrong Recreation Center Located At 25 West Reed Avenue.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and: (1) received the report recommending a three-year lease agreement renewal



between Child and Family Network Centers and the City of Alexandria for the use of one (1) classroom to conduct a pre-school program for children from low-income families; and (2) closed the public hearing and authorized the City Manager to execute the lease agreement and take any other actions necessary to effectuate the lease renewal. 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.

- 15a. Review and Confirmation of the Suspension of Enforcement of Certain City Codes and Ordinances Taken by the City Manager Pursuant to the City's Continuity of Government Ordinance to ease the restrictions on retail and health and fitness businesses in compliance with the Governor's Forward Virginia Plan, to toll the period of validity during the COVID-19 emergency period, and to extend previously ratified suspensions.

(A copy of the City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15a; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council confirmed the suspension of enforcement of the codes and ordinances required to allow flexibility for retail, and health and fitness businesses, the tolling of the period of validity for land use applications, and extend previously confirmed suspensions as described in the attached document labeled Attachment 1 and allow the suspensions to continue until the Sunday before Thanksgiving (end of the outdoor dining program period) or sooner if the City Manager determines that the suspensions should be lifted for any reason. 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.

16. Consideration of City Council Schedule.

(A copy of City Manager's memorandum dated July 1, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) received and adopted the City Council schedule for July 2020; and (2) received and adopted the FY2021 City Council Schedule for August 2020 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

## **Planning Commission (continued)**

17. Master Plan Amendment #2020-00002

Rezoning #2020-00001

Development Special Use Permit #2019-00028

Transportation Management Plan Special Use Permit #2020-00009

701 North Henry Street

Public Hearing and consideration of a request for: (A) an amendment to the Braddock Road Metro Station Small Area Plan chapter of the Master Plan to amend the Braddock Neighborhood Plan (BMNP) to update the Development Table to reflect the proposed rezoning and increase in density; (B) an amendment to the official zoning map to change the zone from CSL/Commercial service low to CRMU-M/Commercial residential mixed use (medium); (C) a Development Special Use Permit and Site Plan with modifications to construct a 94-unit multifamily residential building with below grade parking and ground floor retail, including Special Use Permits for an increase in the floor area ratio to 2.0, for an increase in density in exchange for the provision of affordable housing pursuant to Section 7-700 of the Zoning Ordinance, and a modification to the street tree spacing requirements in the Landscape Guidelines; and (D) a Transportation Management Plan Special Use Permit; zoned: CSL/Commercial Service Low. Applicant: AVANTI HG 701 LLC, represented by M. Catharine Puskar, attorney

Planning Commission Action: Recommended Approval 6-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 07/07/20, and is incorporated as part of this record by reference.)

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

1. Isabella Zorro, Alexandria, spoke about concerns with the construction and the impact on the homes in the Parker-Gray Historic District.
2. Ronald Carter, Alexandria, spoke about concerns with project notification and the impact of construction activities on the homes in the vicinity.
3. Stephanie Johnson, Alexandria, spoke about the impact of the construction on the home she lives and notification about the proposal.
4. Jariel Rendell, Alexandria, spoke about the impact of the proposed project on the homes in the neighborhood and noted concerns about insufficient affordable housing in the project and responded to questions from Council.
5. Anita Sachariah Srinivasan, Alexandria, spoke about the impact of the proposed project would have on the surrounding neighborhood and the lack of communication about the proposed project.

6. Cathy Puskar, attorney for the applicant, gave a presentation in support of the proposal and responded to questions from Council about the proposal.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the Planning Commission recommendation with the following amendments: new condition 8i – If a legal mechanism is able to be achieved to have an 8 ft. fence or wall within one year of the date of approval, the applicant shall install an 8 ft fence rather than the proposed 6 ft fence shown on the plans, prior to the certificate of occupancy.

Amendment condition 95k (p. 44) to read as follows: Amendments to the approved Affordable Housing Plan must be submitted to the Alexandria Housing Affordability Advisory Committee for consideration and require final approval from the City Council.

Add condition 44(a) stating, “Subject to agreement by the neighbors and access to their property, the applicant shall at its expense, underground the utilities serving the homes along North Patrick Street.”

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.

18. FY 2021 Long Range Planning Interdepartmental Work Program  
Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Endorsed 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 07/07/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and adopted the proposed Long-Range Planning Interdepartmental Work Program from FY 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.

## **ORDINANCES AND RESOLUTIONS**

**\*\*\*Please note: City Council approved the ordinances as a block.\*\*\***

19. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Potomac Yard/Potomac Greens Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00001 associated with Silverstone approved by City Council on June 20, 2020). [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. 19; 07/07/20, 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. 19; 07/07/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Potomac Yard/Potomac Greens Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. 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 ordinance reads as follows:

#### ORDINANCE NO. 5289

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Potomac Yard/Potomac Greens Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2020-00001, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on June 2, 2020 of an amendment to the Potomac Yard/Potomac Greens Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend a principle in the “CDD Guidelines for Potomac Yard/Potomac Greens” to change references of Home for the Elderly to Continuum of Care Facility and to increase the number of these types of dwelling units from 150 to 190, which recommendation was approved by the City Council at public hearing on June 20, 2020;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Potomac Yard/Potomac Greens Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending item #1e of the “CDD Guidelines for Potomac Yard / Potomac Greens” on Page 71 to state “325,000 net square feet, maximum amount of Continuum of Care Facility space, which may include up to 190 dwelling units.”

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

20. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00004 (Implementation Ordinance for Text Amendment No. 2020-0004 associated with Silverstone approved by City Council on June 20, 2020). [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. 20; 07/07/20, 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. 20; 07/07/20 and 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 closed the public hearing and adopted an ordinance to amend and reordain Section 5-602(COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00004. 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 ordinance reads as follows:

#### ORDINANCE NO. 5290

AN ORDINANCE to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00004.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00004, 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 2, 2020 of a text amendment to the Zoning Ordinance to amend the development levels in Coordinated Development District 10 to increase the number of allowable Continuum of Care

dwelling units from 150 to 190, which recommendation was approved by the City Council at public hearing on June 20, 2020;

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 5-602 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

CD D No.	CDD Name	Without a CDD Special Use Permit	With a CDD Special Use Permit		
			Maximum F.A.R. and/or Development Levels	Maximum Height	Uses
10	Potomac Yards/Greens	The RB zone regulations shall apply to the area south of the Monroe Avenue Bridge and east of the Metro Tracks, the CSL zone regulations shall apply on the first 250feet east of Rte 1, and the I zone regulations shall apply on the remainder of the site; except that the U/T regulations shall apply to an area approximately 120 feet wide located just west of the Metrorail right-of-way (area shown on the plat for Case REZ #95-0005) for the purpose of accommodating the relocated rail mainline on the yard, and except also that the area known as the "Piggyback Yard" and Slaters Lane portion of Potomac Yard (as shown on the plat for Case	Up to 1.747.346 2 square feet of office space, except that office square footage may be converted to retail square footage through the special use permit process. Up to 325,000 square feet of continuum of care use, which may include up to <del>150</del> <b>190</b> dwelling	Heights shall be as shown on the map entitled "Predominant Height Limits for CDD"(Map No. 24, Potomac Yard/Potomac Greens Small Area Plan Chapter of 1992 Master Plan) as may be revised.	Pre-dominantly residential, with a mix of land uses to include continuum of care facility, office, retail and service, hotel, parks and open spaces, and community facilities.

		<p>REZ #95-0004) may be developed pursuant to the CRMU-L zone provided that the Piggyback Yard:</p> <ul style="list-style-type: none"> <li>- shall contain no more than 275 dwelling units;</li> <li>- shall contain no more than 60,000 square feet of commercial space, of which no more than 30,000 square feet shall be office; Up to 1.747.346 2 square feet of office space, except that office square footage may be converted to retail square footage through the special use permit process.</li> </ul> <p>Up to 325,000 square feet of continuum of care use, which may include up to 150 dwelling units.</p> <p>Up to 170 hotel rooms. Up to 163,817 square feet of retail space. 2 Up to 2,239 residential units.</p> <p>Note 2: Office floor area may be converted to ground floor retail use through a special use permit. Heights shall be as shown on the map entitled "Predominate Height Limits for CDD"(Map No. 24, Potomac Yard/Potomac Greens Small Area Plan Chapter of 1992 Master Plan)as may be revised. Predominantly residential, with a mix of land uses to include continuum of care facility, office, retail and service, hotel, parks and open spaces, and community facilities.</p> <ul style="list-style-type: none"> <li>- shall be planned and developed pursuant to a special use permit;</li> <li>- shall have a maximum</li> </ul>	<p>units.</p> <p>Up to 170 hotel rooms.</p> <p>Up to 163,817 square feet of retail space. 2</p> <p>Up to 2,239 residential units.</p> <p>Note 2: Office floor area may be converted to ground floor retail use through a special use permit.</p>		
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		height of 50 feet; - shall generally be consistent with the goals and the guidelines of the small area plan.			
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DRAFT

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

Section 3. That Section 5-602, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, 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.

21. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00001 (Implementation Ordinance for Text Amendment No. 2020-0001 associated with North Potomac Yard approved by City Council on June 20, 2020). [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. 21; 07/07/20, 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. 21; 07/07/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00001. 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 ordinance reads as follows:

ORDINANCE NO. 5291

AN ORDINANCE to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00001.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00001, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on June 2, 2020 of a text amendment to the Zoning Ordinance to amend Coordinated Development District Number 19 to revise uses and associated regulations, which recommendation was approved by the City Council at public hearing on June 20, 2020;
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 5-602 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

CDD No.	CDD Name	Without a CDD Special Use Permit	With a CDD Special Use Permit		
			Maximum F.A.R. and/or Development Levels	Maximum Height	Uses
19	North Potomac Yard	The CSL zone regulations shall apply on the first 250 feet east of Route 1, and the I zone regulations shall apply on the remainder of the site. However, in no case shall the development exceed 610,000 square feet.	Maximum development levels will be as depicted in Table <del>5</del> <u>2</u> of the CDD conditions. Conversion of square footage between uses may be permitted through the development special use permit process.  Refer to Table <del>3</del> <u>1</u> of the CDD conditions for maximum parking ratios.	Heights shall be as shown in the <del>North Potomac Yard Design Standards dated May 24, 2010</del> <u>North Potomac Yard Small Area Plan, as may be amended.</u>	Mixed-use development to include, <u>amusement enterprises; child care home; day care center; health and athletic club; health professional office; home professional office; restaurant; business and professional office; residential-multi-family dwelling; retail shopping establishment; public park and community recreation buildings; outdoor dining; valet parking; light assembly; service and crafts; private school (commercial); private school (academic); and personal service; hotel; parks and open spaces; public schools; special use utility; and community facilities.</u>

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

Section 3. That Section 5-602, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, 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.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Planning Commission (continued)**

None.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council adjourned the public hearing meeting of July 7, 2020 at 9:45 p.m. 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.

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**APPROVED BY:**

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

ATTEST:

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

Adopted:     February 9, 2021  
Ratified:

**City of Alexandria  
City Council Public Hearing Meeting  
Saturday, June 20, 2020 9:30 AM  
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. Seifeldein.

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. Moritz, Director, Planning and Zoning (P&Z); Mr. Roakes, Urban Planner, P&Z; Ms. Horowitz, Principal Planner, P&Z; Mr. LaColla, Division Chief, P&Z; Ms. Franco, Urban Planner, P&Z; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Durham, Division Chief, Recreation, Parks, and Cultural Activities (RPCA); Ms. Miliaras, Principal Planner, P&Z; Ms. Harwell, Urban Planner, P&Z; Ms. Brandt-Vorel, Urban Planner, P&Z; Ms. McIlvaine, Director, Office of Housing; Ms. Bevis-Carver, Engineer, T&ES; Ms. Taylor, Legislative Director; and Mr. Barre, Information Technology Services.

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

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**OPENING**

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present virtually by video conference call.

\*\*\*\*\*

Mayor Wilson stated that the June 20, 2020 Public Hearing Meeting of the Alexandria City Council was 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 April 18, 2020 and/or Section 4-0.00(g) in HB29 and HB30 to undertake essential

business. All the members of 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. Ingris Moran, Alexandria, representing Tenants and Workers United, spoke about the need for more transparency with police data and she requested Council to mandate the release of statistics on police interactions. Ms. Moran requested that review board be reflective of the diversity in the Alexandria community.

2. Abdel Rahman El-Noubi, Alexandria, representing Grassroots Alexandria, spoke in support of the need for police data transparency and the establishment of community review board. Mr. El-Noubi requested all data be released of police interactions.

3. Zeina Azzan, Alexandria, representing Grassroots Alexandria, spoke in support of the need for more transparency from police data and request Council pass an ordinance providing the data transparency.

4. Benedicte Nzita, Alexandria, representing Tenants and Workers United, spoke in support of an ordinance from Council requiring more transparency with police data and police interactions.

5. Christopher Lewis, Alexandria, spoke about the need for police oversight and police reform in Alexandria. Mr. Lewis thanked Council for establishing a community review board and urged Council to seek the input of the residents of Alexandria in order for the board to be effective.

6. Ashley Sanchez-Viafara, Alexandria, spoke about need for policy changes and effective actions in the community and the need for policies to require more transparency of police data.

7. Monica Gilley, Alexandria, spoke in support of the resolution establishing a community review board and spoke about the need for reform in the police department.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR**

## **Planning Commission**

3. Special Use Permit #2020-00004  
919 Prince Street - The Joey Pizzano Memorial Fund BEST Center  
Public Hearing and consideration of a request for a Special Use Permit for a social service use and a parking reduction for two accessory apartments; zoned: CL/Commercial low. Applicant: The Joey Pizzano Memorial Fund, Inc., represented by Robert D. Brant, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 06/20/20, and is incorporated as part of this record by reference.)

4. Special Use Permit #2020-00013  
3500 and 3540 Wheeler Avenue (Parcel Address: 3540 Wheeler Avenue) - Luckett Field and Schuyler Hamilton Jones Skateboard Park Improvements  
Public Hearing and consideration of a request for a Special Use Permit to permit the installation of ball field netting over 15 feet in height at Luckett Field and to add lighting at the Schuyler Hamilton Jones Skate Park (amending SUP #2002-0070); zoned: POS/Public open space and community recreation. Applicant: City of Alexandria, Department of Recreation, Parks & Cultural Activities  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 06/20/20, and is incorporated as part of this record by reference.)

5. Special Use Permit #2020-00014  
3700 Commonwealth Avenue - Temporary Trailer at Four Mile Run Park  
Public Hearing and consideration of a request for a Special Use Permit to permit a temporary trailer for a summer recreation program; zoned: POS/Public open space and community recreation. Applicant: City of Alexandria, Department of Recreation, Parks & Cultural Activities  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 06/20/20, and is incorporated as part of this record by reference.)

6. Special Use Permit #2020-00016



1721 King Street - Two Birds Co-working and Child Care Center

Public Hearing and consideration of a request for a Special Use Permit for a change in a noncomplying use to allow a day care center on the ground floor; zoned: KR/King Street urban retail. Applicant: Hatch Workspace LLC, represented by Robert D. Brant, attorney

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 06/20/20, and is incorporated as part of this record by reference.)

7. Special Use Permit #2019-00117

1217 Colonial Avenue

Public Hearing and consideration of a request for a Special Use Permit for a parking reduction and lot modifications at a residential property; zoned: RB/Townhouse. Applicant: John D. Bullington, represented by Minturn Wright, attorney

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/20/20, and is incorporated as part of this record by reference.)

8. Master Plan Amendment #2020-00001

Zoning Text Amendment #2020-00004

Coordinated Development District Conceptual Design Plan #2020-00001

Development Special Use Permit #2020-00003

2602 Main Line Boulevard - Potomac Yard Landbay H West – Silverstone

Public Hearing and consideration of requests for: (A) an amendment to the Potomac Yard/Potomac Greens Small Area Plan Chapter of the Master Plan to change reference of Home for the Elderly to Continuum of Care Facility and increase the maximum dwelling units for a Continuum of Care Facility in CDD#10/Coordinated Development District #10; (B) a Text Amendment to the Zoning Ordinance to amend the provisions of Section 5-602 to amend the maximum dwelling units for a Continuum of Care Facility in CDD#10/Coordinated Development District #10; (C) a Coordinated Development District conceptual design plan to change reference of Home for the Elderly to Continuum of Care Facility and increase the maximum dwelling units for a Continuum of Care Facility in Landbay H (amending CDD Concept Plan #2018-0006); and (D) a Development Special Use Permit with site plan with modifications to change reference of Home for the Elderly to Continuum of Care Facility and increase the maximum number of independent living units in a Continuum of Care Facility, including Special Use Permit requests for bonus

height for the provision of affordable housing per Section 7-700 of the Zoning Ordinance, for penthouses in excess of 15 feet in height, and for a parking increase (amending DSUP #2018-0002); zoned: CDD#10/Coordinated Development District #10. Applicant: City of Alexandria (Text Amendment only). Silverstone Alexandria, LP, represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/20/20, and is incorporated as part of this record by reference.)

## **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the consent calendar, with the exception of docket items #6 and #8, which were considered under separate motions. The approval was as follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
7. City Council approved the Planning Commission recommendation.

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. Special Use Permit #2020-00016  
1721 King Street - Two Birds Co-working and Child Care Center  
Public Hearing and consideration of a request for a Special Use Permit for a change in a noncomplying use to allow a day care center on the ground floor; zoned: KR/King Street urban retail. Applicant: Hatch Workspace LLC, represented by Robert D. Brant, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 06/20/20, and is incorporated as part of this record by reference.)

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

1. Robert Brant, attorney for the applicant, spoke in support of the application.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried 6-1, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldin.

8. Master Plan Amendment #2020-00001  
Zoning Text Amendment #2020-00004  
Coordinated Development District Conceptual Design Plan #2020-00001  
Development Special Use Permit #2020-00003  
2602 Main Line Boulevard - Potomac Yard Landbay H West – Silverstone  
Public Hearing and consideration of requests for: (A) an amendment to the Potomac Yard/Potomac Greens Small Area Plan Chapter of the Master Plan to change reference of Home for the Elderly to Continuum of Care Facility and increase the maximum dwelling units for a Continuum of Care Facility in CDD#10/Coordinated Development District #10; (B) a Text Amendment to the Zoning Ordinance to amend the provisions of Section 5-602 to amend the maximum dwelling units for a Continuum of Care Facility in CDD#10/Coordinated Development District #10; (C) a Coordinated Development District conceptual design plan to change reference of Home for the Elderly to Continuum of Care Facility and increase the maximum dwelling units for a Continuum of Care Facility in Landbay H (amending CDD Concept Plan #2018-0006); and (D) a Development Special Use Permit with site plan with modifications to change reference of Home for the Elderly to Continuum of Care Facility and increase the maximum number of independent living units in a Continuum of Care Facility, including Special Use Permit requests for bonus height for the provision of affordable housing per Section 7-700 of the Zoning Ordinance, for penthouses in excess of 15 feet in height, and for a parking increase (amending DSUP #2018-0002); zoned: CDD#10/Coordinated Development District #10. Applicant: City of Alexandria (Text Amendment only). Silverstone Alexandria, LP, represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/20/20, and 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 closed the public hearing and approved the Planning Commission recommendation. 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.

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

Please note: City Council approved docket items 9-12 as a block and approved docket items 13-15 as a block.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Aguirre and carried unanimously, City Council closed the public hearing and approved docket items 9-12 as a block. The approval was as follows:

9. Public Hearing and Final Consideration of a Three (3) Year License Agreement with Fight for Children for the Alexandria Boxing Club Use of the Charles Houston Recreation Center Located at 901 Wythe Street.

(A copy of the City Manager's memorandum dated June 20, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 06/20/20, and is incorporated as part of this record by reference.)

City Council closed the public hearing and (1) received the report recommending at three year license agreement between Fight for Children and the City of Alexandria for the Alexandria Boxing Club's use of the boxing facility at the Charles Houston Recreation Center; and (2) authorized the City Manager to execute the license agreement upon reopening of the Charles Houston Recreation Center.

10. Public Hearing and Consideration of a License Extension between the City of Alexandria and the Tall Ship Providence Foundation for the Docking of the Tall Ship Providence in the City Marina.

(A copy of the City Manager's memorandum dated June 10, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/20/20, and is incorporated as part of this record by reference.)

City Council closed the public hearing to approve the license extension and authorized the City Manager to execute the seven month license extension with the Tall Ship Providence Foundation.

11. Public Hearing and Consideration of a License Extension between the City of Alexandria and the Alexandria Seaport Foundation for the docking of the

Maritime Heritage Center in the City Marina.

(A copy of the City Manager's memorandum dated June 10, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/20/20, and is incorporated as part of this record by reference.)

City Council closed the public hearing and authorized the City Manager to execute the four month license extension with the Alexandria Seaport Foundation.

12. Public Hearing and Consideration of a License Agreement with Verizon Wireless to Install an In- Building Radio Distribution System in City Hall and Market Square Garage Both Located at 301 King Street.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/20/20, and is incorporated as part of this record by reference.)

City Council closed the public hearing and authorized the City Manager to enter into a license agreement between the City of Alexandria and Verizon Wireless to install an In-Building Radio Distribution System at City Hall and Market Square Garage in substantial compliance with the lease.

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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried 6-0-1, City Council approved docket items 13-15 as a block. The approval was as follows:

13. Public Hearing and Consideration of an approval of a Five (5) year Telecommunications Facility License Agreement with Crown Castle Fiber, LLC., to permit Crown Castle Fiber LLC., to occupy the City's Rights-of-Ways to attach Small Cell Facilities on Approved Poles within the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 06/20/20, and is incorporated as part of this record by reference.)

City Council closed the public hearing and authorized the City Manager to execute the license agreement and to take any other actions that are necessary to implement the agreement.

14. Public Hearing and Consideration of an approval of an Amendment to a Five Year Telecommunications Facility License Agreement dated October 2019, between the City of Alexandria, Virginia and Cellco Partnership d/b/a Verizon Wireless to Permit Cellco Partnership to Install Approved Small Cell Facilities on Approved Additional Poles in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 06/20/20, and is incorporated as part of this record by reference.)

City Council closed the public hearing and authorized the City Manager to execute the Amendment and to take other actions that are necessary to implement the Amendment.

15. Public Hearing and Consideration of an approval of an Amendment to a Five Year Telecommunications Facility License Agreement dated October 2019, between the City of Alexandria, Virginia and New Cingular Wireless PCS, LLC ("AT&T") to Permit New Cingular Wireless to Install Approved Small Cell Facilities on Approved Additional Poles in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 06/20/20, and is incorporated as part of this record by reference.)

City Council closed the public hearing and authorized the City Manager to execute the Amendment and to take other actions necessary to implement the Amendment.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Abstain, Councilman Seifeldin.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **Planning Commission (continued)**

16. Development Special Use Permit #2020-00001  
Transportation Management Plan Special Use Permit #2020-00006  
Encroachment #2020-00002  
1200 & 1230 North Henry Street – Amendment  
Public Hearing and consideration of request for a Development Special Use Permit with site plan and modifications to construct a multifamily residential

building with ground-floor daycare and retail, including Special Use Permits for an increase in the floor area ratio up to 2.5 and for an increase in density and height for the provision of affordable housing pursuant to Section 7-700 of the Zoning Ordinance, and modifications to the open space requirements and for the required height to setback ratio on North Fayette Street; for a Transportation Management Plan Special Use Permit; and an Encroachment for a first floor canopy on the southern side of the building (amending DSUP #2017-00020); zoned: CRMU-H/Commercial residential mixed use (high).

Applicant: 1200 North Henry Venture, LLC, represented by, M. Catharine Puskar, attorney

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 06/20/20, and is incorporated as part of this record by reference.)

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

1. Cathy Puskar, attorney for the applicant, spoke in support of the application and responded to questions from Council about the inclusion of daycare in the project.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation. 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.

17. Zoning Text Amendment #2020-00001  
Coordinated Development District Conceptual Design Plan #2019-00008  
Development Special Use Permit #2020-00008  
3601 Potomac Avenue & 3601 Richmond Highway- North Potomac Yard  
Public Hearing and consideration of requests for: (A) a Text Amendment to the Zoning Ordinance to amend the provisions of Section 5-602(A) to modify the Maximum Height reference and Uses in Coordinated Development District #19; (B) a Coordinated Development District Conceptual Design Plan to change the North Potomac Yard Neighborhood Development Summary, Height Diagram,

and Phasing Plan (amending CDD #2009-00001); (C) a Development Special Use Permit with site plan for the construction of a pump station per section 7-1202 of the Zoning Ordinance; zoned: CDD #19/Coordinated Development District #19 (North Potomac Yard Small Area Plan) Applicants: City of Alexandria (Text Amendment only); CPYR Theater, LLC and CPYR Shopping Center LLC, represented by M. Catharine Puskar, attorney; Virginia Tech Foundation, Inc, represented by Kenneth W. Wire, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/20/20, and is incorporated as part of this record by reference.)

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

1. Cathy Puskar, attorney for the applicant, spoke in support of the application.
2. Kenneth Wire, attorney for the applicant, spoke in support of the application.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation, with a correction of Table 2, p. 84 of the staff report regarding floor area ratio. 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**

Please note: City Council approved docket items 18, 20, 21, 22, 23, 24 and 25 as a block.

18. Public Hearing, Second Reading and Final Passage of an ordinance to amend and reordain Section 2-2-11 (ESTABLISHMENT OF CENTRAL ABSENTEE VOTER ELECTION DISTRICT AND VOTING PLACE), to amend and reordain Section 2-2-10 (ESTABLISHMENT OF ELECTION DISTRICTS AND



VOTING PLACES) Subsection (n), and to amend and reordain "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," adopted by Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 06/20/20, 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. 18; 06/09/20, 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. 18; 06/09/20, 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 closed the public hearing and adopted an ordinance by roll-call vote to establish (1) Minnie Howard School and George Washington Middle School as additional Saturday in-person early voting locations for Presidential Elections, and (2) establish George Washington Masonic National Memorial as a temporary replacement for Douglas MacArthur School voting location. 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 ordinance was as follows:

#### ORDINANCE NO. 5281

AN ORDINANCE to amend and reordain Section 2-2-11 (ESTABLISHMENT OF CENTRAL ABSENTEE VOTER ELECTION DISTRICT AND VOTING PLACE), to amend and reordain Section 2-2-10 (ESTABLISHMENT OF ELECTION DISTRICTS AND VOTING PLACES) Subsection (n), and to amend and reordain "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," adopted by Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-2-11 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to delete the text shown in strikethrough and add the text shown in underline as follows:

There is hereby established for the City of Alexandria one Central Absentee Voter Election District, to be used for all elections. The voting place of the Central Absentee Voter Election District shall be located at 132 North Royal Street, Alexandria, Virginia. The Central Absentee Voter Election District shall conform in all respects with the provisions of Section 24.2-712 of the Code of Virginia (1950), as amended.

There is hereby established for the City of Alexandria an additional permanent Central Absentee Voter Election District, to be used for the November elections. The voting place for the additional permanent Central Absentee Voter Election District shall be located at the Charles E. Beatley, Jr. Central Library, 5005 Duke Street Alexandria, VA 22304. The Alexandria Electoral Board is hereby authorized to determine the number of days that this additional permanent Central Absentee Voter District shall be based upon anticipated need and voter turnout for each November election. The days and hour of operation of this additional permanent Central Absentee Voter District shall be advertised and posted consistent with all other advertising and posting of the days and hours of operation of the Office of the Voter Registration and Elections and all other Voter Election Districts. The additional Central Absentee Voter Election District shall conform in all respects with the provisions of Section 24.2-712 of the Code of Virginia (1950), as amended.

There is hereby established for the City of Alexandria permanent Satellite Absentee Voter Election Districts, to be used for the November Presidential elections. The voting places for the Satellite Absentee Voter Election Districts shall be located at the Minnie Howard Campus, 3801 W Braddock Rd, Alexandria, VA 22302, and George Washington Middle School, 1005 Mt Vernon Ave, Alexandria, VA 22301. The Alexandria Electoral Board is hereby authorized to determine the number of days that these Satellite Absentee Voter Districts shall be based upon anticipated need and voter turnout for each November Presidential election. The days and hour of operation of these Satellite Absentee Voter Districts shall be advertised and posted consistent with all other advertising and posting of the days and hours of operation of the Office of the Voter Registration and Elections and all other Voter Election Districts. The Satellite Absentee Voter Election Districts shall conform in all respects with the provisions of Section 24.2-701.1 of the Code of Virginia (1950), as amended.

Section 2. That Section 2-2-10 Subsection (n) of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and

reordained to delete the text shown in strikethrough and add the text shown in underline as follows:

(n) The Douglas MacArthur School Election District shall be bounded and described by the census blocks shown on the map adopted by section 2-2-13 of this Code as comprising the said district.

The voting place within the Douglas MacArthur School Election District shall be at the Douglas MacArthur School, located at 1101 Janney's Lane. However, notwithstanding the prior, for the November 2020 through November 2023 elections the voting place within the Douglas MacArthur School Election District shall be at the George Washington Masonic National Memorial, 101 Callahan Dr, Alexandria, VA 22301.

Section 3. That "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," adopted by Section 2-2-13 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained as shown on Exhibit 1, attached hereto and incorporated fully by reference, to reflect the temporary voting place within the Douglas MacArthur School Election District at the George Washington Masonic National Memorial, 101 Callahan Dr, Alexandria VA 22301.

Section 4. That the general registrar of voters be, and he hereby is, directed to record the foregoing amendments on the said map.

Section 5. That this ordinance shall become effective upon the date and at the time of its final passage and the adjustments contained herein will be utilized for the elections in 2020 and thereafter until or unless further modified and amended.

20. Public Hearing, Second Reading and Final Passage of an Ordinance authorizing the owner of the property located at 430 South Pickett Street to construct and maintain an encroachment for a seat wall and trench drain at that location. (Implementation Ordinance for Encroachment No. 2019-00011 associated with 430 South Pickett Street approved by City Council on March 14, 2020).[ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 20; 06/20/20, 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. 20; 06/20/20, 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 closed the public hearing and adopted an ordinance authorizing the owner of the property located at 430 South Pickett Street to construct and maintain an encroachment for a seat wall and trench drain at that location. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 5283

AN ORDINANCE authorizing the owner of the property located at 430 South Pickett Street to construct and maintain an encroachment for a seat wall and trench drain at that location.

WHEREAS, NGI-MDG Alexandria, LLC, is the Owner ("Owner") of the property located at 430 South Pickett Street, in the City of Alexandria, Virginia; and

WHEREAS, Owner desires to establish and maintain a seat wall and trench drain which will encroach into the public sidewalk right-of-way at that location; and

WHEREAS, the public sidewalk right-of-way at that location will not be significantly impaired by this encroachment; and

WHEREAS, in Encroachment No. 2019-00011 the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on March 3, 2020, which recommendation was approved by the City Council at its public hearing on March 14, 2020; and

WHEREAS, it has been determined by the Council of the City of Alexandria that this encroachment is not detrimental to the public interest; now, therefore,

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

Section 1. That Owner be, and the same hereby is, authorized to establish and maintain an encroachment into the public sidewalk right-of-way at 430 South Pickett Street as shown in the attached Encroachment Plat, in the City of Alexandria, said encroachment consisting of a seat wall and trench drain, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city;

provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner of liability for any negligence on their part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain said encroachment shall be subject to and conditioned upon Owner maintaining, at all times and at their own expense, liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

Bodily Injury:	\$1,000,000 each occurrence \$1,000,000 aggregate
Property Damage:	\$1,000,000 each occurrence \$1,000,000 aggregate

This liability insurance policy shall identify the City of Alexandria and Owner as named insureds and shall provide for the indemnification of the City of Alexandria and Owner against any and all loss occasioned by the establishment, construction, placement, existence, use or maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed with the city attorney's office. Any other provision herein to the contrary notwithstanding, in the event this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in force and effect, the authorization herein granted to establish and maintain the encroachment shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In that event, Owner shall, upon notice from the city, remove the encroachment from the public right-of-way, or the city, at its option, may remove the encroachment at the expense and risk of Owner. Nothing in this section shall relieve Owner of their obligations and undertakings required under this ordinance.

Section 3. That the authorization hereby granted to establish and maintain said encroachment shall in addition be subject to and conditioned upon the following terms:

- (a) Neither the City of Alexandria nor any public or private utility company shall be responsible for damage to Owner's property encroaching into the public right-of-way during repair, maintenance or replacement of the public right-of-way or any public facilities or utilities in the area of encroachment.
- (b) The Owner shall be responsible for replacement and repairs to the adjacent City right-of-way, including any areas damaged during construction activity.

- (c) In the event the City shall, in the future, have need for the area of the proposed encroachment, the Owner shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City.
- (d) Within the encroachment areas identified in the metes and bounds exhibit, no additional equipment or structures may be erected, and no existing equipment or structures shall be enlarged or intensified without prior approval of the Directors of Planning & Zoning and Transportation & Environmental Services.
- (e) The Owner shall bear all cost associated with the removal of the encroachments.
- (f) The Owner shall maintain the following minimum, unobstructed sidewalk widths:
  - 1. Five feet, ten inches (5'10") in between the proposed wall and the existing tree wells; and
  - 2. Seven feet, four inches (7'4") in between the proposed wall and the face of the building, as per the submitted plans.
- (g) The wall itself shall not exceed 2' in height when measured vertically from the sidewalk, as per the submitted plans.
- (h) The ceramic potted urns shall be removed from the wall and replaced with a stone cap or similar.

Section 4. That by accepting the authorization hereby granted to establish and maintain the encroachment and by so establishing and/or maintaining the encroachment, Owner shall be deemed to have promised and agreed to save harmless the City of

Alexandria from any and all liability (including attorneys' fees and litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.

Section 5. That the authorization herein granted to establish and maintain the encroachment shall be subject to Owner maintaining the area of the encroachment at all times unobstructed and free from accumulation of litter, snow, ice and other potentially dangerous matter.

Section 6. That nothing in this ordinance is intended to constitute, or shall be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.

Section 7. That the authorization herein granted to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right-of-way for any purpose whatsoever and, by written notification, demands from Owner the removal of the encroachment. Said removal shall be completed by the date specified in the notice and shall be accomplished by Owner without cost to the city. If Owner cannot be found, or shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of Owner, and shall not be liable to Owner for any loss or damage to the structure of the encroachment or personal property within the encroachment area, caused by the removal.

Section 8. The term "Owner" shall be deemed to include NGI-MDG Alexandria, LLC, and its respective successors in interest.

Section 9. That this ordinance shall be effective upon the date and at the time of its final passage.

21. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 6-603 (USES) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00002 (Implementation Ordinance regarding day care uses in the Mount Vernon urban overlay zone approved by City Council on March 14, 2020). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 21; 06/20/20, 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. 21; 06/20/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 6-603 (USES) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00002. 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 ordinance reads as follows:

#### ORDINANCE NO. 5284

AN ORDINANCE to amend and reordain Section 6-603 (USES) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00002.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00002, 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 March 3, 2020 of a text amendment to the Zoning Ordinance to adopt provisions allowing day care centers as a permitted use on the ground floor of properties located within the Mount Vernon Overlay provided that the use shall occupy no more than 30 feet frontage, and provided further that additional frontage space may be permitted with a Special Use Permit, which recommendation was approved by the City Council at public hearing on March 14, 2020;

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 6-603 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline, as follows:



\*\*\*

(C) Retail and neighborhood focus uses. Within the retail focus area, uses occupying first floor space of a building shall be limited to the following:

\*\*\*

(8) Day care center, provided that the use shall occupy no more than 30 feet frontage on Mount Vernon Avenue, and provided further that additional frontage space may be permitted with a special use permit.

\*\*\*

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

Section 3. That Section 6-603, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, 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.

22. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the North Potomac Yard chapter of such master plan as Master Plan Amendment No. 2019-00008 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2019-00008 the North Potomac Yard Small Area Plan approved by City Council on March 14, 2020). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 22; 06/20/20, 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. 22; 06/20/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by

Councilman Aguirre and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the North Potomac Yard chapter of such master plan as Master Plan Amendment No. 2019-00007 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. 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 ordinance reads as follows:

#### ORDINANCE NO. 5285

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the North Potomac Yard chapter of such master plan as Master Plan Amendment No. 2019-00008 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2019-00008, 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 March 3, 2020 of an amendment to the North Potomac Yard Chapter of the Master Plan of the City of Alexandria to facilitate the integration of the Virginia Tech Innovation Campus within North Potomac Yard, including an increase to heights; an amendment to square footages and locations of proposed uses; an amendment to the framework streets and location of pedestrian connections; and an amendment to the North Potomac Yard Urban Design Standards and Guidelines to add the North Potomac Yard Design Excellence addendum, which recommendation was approved by the City Council at public hearing on March 14, 2020;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the North Potomac Yard Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending Chapter 1 to add new pages to include the Innovation District section; amending Figure 3.1: Framework Streets, Figure 3.2: Street Hierarchy, Figure 3.4: Gateways & Vistas, Figure 4.1: Land Use Plan and 1/4 Mile Pedestrian Walkshed (1/2 Mile pedestrian walkshed covers North Potomac Yard area), Figure 4.3: Required, Optional, and Planned Retail Locations, Figure 4.5B: Maximum Building Heights, Figure 4.8: Plan Area Public and Private Parks with Public Access Easement, Figure 5.1: Block 4 (23) School Reservation Site, Figure 6.2: Proposed Street Network, Figure 6.7: Bicycle Network, Figure 9.1: Land Use Plan, Required and Optional Retail Locations, and 1/4 Mile Pedestrian Walkshed, Table 4.3: Development Summary Table and associated notes; updating specific text; adding the North Potomac Yard Innovation District Design Excellence Prerequisites & Criteria to references with Design Guidelines, all attached hereto and incorporated fully herein by reference.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

23. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Appropriations for the Support of the City Government for Fiscal Year 2021.  
[ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 23; 06/20/20, 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. 23; 06/20/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to make appropriations for the support of the City Government for Fiscal Year 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.

The ordinance reads as follows:

#### ORDINANCE NO. 5286

AN ORDINANCE making appropriations for the support of the government of the City of Alexandria, Virginia, for Fiscal Year 2021.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

**Section 1.** That, pursuant to Section 6.07 of the City Charter, the sum of \$1,504,832,558 be, and the same hereby is, appropriated for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2020 and ending on the thirtieth day of June 2021.

**Section 2.** That, pursuant to Section 6.07 of the City Charter, the sum of \$1,504,832,558 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2020 and ending on the thirtieth day of June 2021 be, and the same hereby is, further appropriated to the following City departments, major operating units, component units, and major categories of expenditures in the amounts set forth below:

<u>Department/Unit/Component Unit/ Category of Expenditure Appropriation</u>	-
Circuit Court Judges	\$1,536,534
18 <sup>th</sup> General District Court	98,910
18 <sup>th</sup> Juvenile Court	85,811
City Attorney	3,251,445
City Clerk and Clerk of Council	423,541
City Council	698,106
City Manager	2,369,544
Clerk of the Court	1,809,354
Code Administration	8,128,256
Commonwealth's Attorney	3,298,138
Contingent Reserves	4,259,278
Court Service Unit	1,738,414
Economic Development Activities	6,923,390
Emergency and Customer Communications	8,848,831
Finance	13,156,127
Fire	55,282,746
General Debt Service	- Alexandria City Public Schools
28,578,698	
General Debt Service - City	34,988,702
General Debt Service – Transportation	604,761
General Debt Service – Fire Apparatus	1,694,608
General Services	11,075,902

Health	8,280,768
Human Resources	4,012,280
Human Rights	983,102
Human and Community Services	98,799,834
Information Technology Services	13,159,806
Internal Audit	306,170
Non-Departmental	10,173,334
Office of Communications	1,547,230
Office of Historic Alexandria	4,142,754
Office of Housing	6,381,584
Office of Management and Budget	1,275,096
Office of Organizational Excellence	152,429
Office of Project Implementation	0
Other Correctional Activities	4,576,791
Other Educational Activities	16,009
Other Health Activities	1,235,495
Performance and Accountability	509,308
Planning and Zoning	6,355,339
Police	62,264,397
Recreation, Parks and Cultural Activities	25,660,634
Registrar of Voters	1,459,825
Sheriff	33,673,176
Transit Subsidies	49,154,567
Transportation and Environmental Services	57,396,868
Capital Projects	205,803,815
Component Unit – Library	7,848,077
Component Unit – Schools	317,259,118
Internal Services	7,214,272
Interfund Transfers	<u>386,339,384</u>
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 1,504,832,558</b>

**Section 3.** That, pursuant to Section 6.07 of the City Charter, the sum of \$1,504,832,558 appropriated in Section 1 of this ordinance for the support of the City of

Alexandria in the fiscal year beginning on the first day of July 2020 and ending on the thirtieth day of June 2021 be, and the same hereby is, further appropriated to the following principal objects of city expenditures:

<u>Object of Expenditures</u>	<u>Appropriation</u>
Personnel Service	\$ 308,802,811
Non-Personnel Services	179,306,107
Capital Outlay	203,971
Debt Service	69,438,414
Component Unit – Library	7,768,466
Component Unit – Schools	317,259,118
Alexandria Transit Company	22,696,200
Equipment Replacement	7,214,272
Interfund Transfers	386,339,384
Capital Projects	<u>205,803,815</u>
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 1,504,832,558</b>

**Section 4.** That the sum of \$1,504,832,558 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2020 and ending on the thirtieth day of June 2021 is expected to be derived from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
General Property Taxes	\$537,127,283
Other Local Taxes	119,658,090
Permits, Privilege Fees and Licenses	12,229,917
Fines and Forfeitures	3,502,615
Intergovernmental Revenue	192,170,811
Charges for Services	71,347,349
Revenue from Use of Money and Property	6,559,793
Miscellaneous Revenue	9,883,459
Bond Proceeds – Future Sale	135,222,560
Spendable Fund Balance – General Fund	17,939,135
Spendable Fund Balance – Other Fund Balance	300,000
Spendable Fund Balance – Alexandria City Public Schools Operating Fund	5,098,228
Spendable Fund Balance – Sanitary Sewer Fund	36,749

Spendable Fund Balance – Donations	306,191
Spendable Fund Balance – Capital Projects Fund	6,000,000
Spendable Fund Balance – Internal Services Fund	1,110,994
Interfund Transfers	<u>\$ 386,339,384</u>
<b>TOTAL ESTIMATED REVENUE</b>	<b>\$ 1,504,832,558</b>

**Section 5.** That, pursuant to Section 6.14 of the City Charter, the sum of \$205,803,815 be, and the same hereby is, appropriated for Capital Improvement Project expenditures of the City of Alexandria and the Alexandria City Public Schools in the fiscal year beginning on the first day of July 2020 and ending on the thirtieth day of June 2021. This sum, which consists of the \$205,803,815 appropriated as Capital Projects in Section 3 of this ordinance, is appropriated as follows: (i) \$110,714,684 capital projects that are included in the City government Fiscal Year 2021 - 2030 Capital Improvement Program adopted by City Council on April 29,; and (ii) \$95,089,131 to the capital projects identified in the Alexandria City Public Schools' capital budget.

**Section 6.** That the sum of \$205,803,815 appropriated in Section 5 of this ordinance for capital improvement project expenditures of the City of Alexandria and the Alexandria City Public Schools in the fiscal year beginning on the first day of July 2020 and ending on the thirtieth day of June 2021 is expected to be derived from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
Intergovernmental Revenue	\$ 9,360,524
Transfer In from Special Revenue – Sewer	4,898,020
Transfer In from Special Revenue – Stormwater	2,444,339
Transfer in from General Fund (Cash Capital)	27,317,835
Transfer in from NVTa	3,483,000
Transfer in from Affordable Housing Fund	4,100,000
Potomac Yard Special Tax District Revenue	201,351
Appropriation of General Fund Balance	10,000,000
Prior Year General Fund Cash Capital and General Obligation Bonds	6,000,000
Miscellaneous Revenue	2,776,186
Bond Proceeds – Future Sale – Including Sewer Funds	<u>135,222,560</u>
<b>TOTAL ESTIMATED REVENUE</b>	<b>\$ 205,803,815</b>

**Section 7.** That the sum of \$386,339,384 be, and the same hereby is, authorized to be transferred between the following funds maintained by the City, as set forth below:

<u>From</u>	<u>Amount</u>	<u>To</u>	<u>Amount</u>
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General Fund	\$41,278,091	Special Revenue Fund	\$ 41,278,091
General Fund	12,483,068	Potomac Yard Fund	12,483,068
Special Revenue Fund - Sewer	1,411,462	General Fund	1,411,462
Special Revenue Fund – Stormwater	811,332	General Fund	811,332
Special Revenue Fund – Code	937,139	General Fund	937,139
Special Revenue Fund – Refuse	807,085	General Fund	807,085
General Fund	4,717,217	Special Revenue Fund – Affordable Housing	4,717,217
Affordable Housing Fund	4,100,000	Capital Projects Fund	4,100,000
Affordable Housing Fund	4,684	Special Revenue Fund	4,684
Equipment Replacement Fund	414,180	Capital Projects Fund	414,180
Equipment Replacement Fund	281,517	Special Revenue Fund	281,517
Special Revenue Fund – Sewer	4,898,020	Capital Projects Fund	4,898,020
Special Revenue Fund –Stormwater	2,444,339	Capital Projects Fund	2,444,339
Special Revenue Fund – Code	300,000	Capital Projects Fund	300,000
General Fund	27,317,835	Capital Projects Fund	27,317,835
Potomac Yard Fund	4,865,229	General Fund	4,865,229
Potomac Yard Fund	201,351	Capital Projects Fund	201,351
NVTA Fund	3,483,000	Capital Projects Fund	3,483,000

General Fund	16,686,497	NVTA Fund	16,686,497
General Fund	234,037,296	Component Unit – Schools	234,037,296
NVTA Fund	16,686,497	Alexandria Transit Company	16,686,497
General Fund	1,037,185	Alexandria Transit Company	1,037,185
General Fund	<u>7,136,360</u>	Component Unit – Library	<u>7,136,360</u>
TOTALS	<u>\$ 386,339,384</u>	TOTALS	<u>\$ 386,339,384</u>

**Section 8.** That the sum of \$1,504,832,558 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2020 and ending on the thirtieth day of June 2021 is, for accounting purposes and in accordance with generally accepted accounting principles, attributed, for each City department, major operating unit, component unit, and major category of expenditure, to the funds maintained by the City as shown in Table I on the pages following this ordinance.

**Section 9.** That the sum of \$1,504,832,558 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2020 and ending on the thirtieth day of June 2021 is, for accounting purposes and in accordance with generally accepted accounting principles, attributed, for each major source of revenue, to the funds maintained by the City as shown in Table II on the pages following this ordinance.

**Section 10.** That the City Council of the City of Alexandria, Virginia does hereby make provision for and appropriation to the funds hereafter named in the amounts required to defray the expenditures and liabilities of the City for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2020 but which are payable in fiscal year 2021 and for which amounts were appropriated but not expended in fiscal year 2020 and further, that the City Council does hereby allot the amounts so appropriated to the several City departments for fiscal year 2021 as follows:

**GENERAL FUND**

Circuit Court Judges	\$ 79,000
Juvenile Domestic Relations Court	7,000
City Attorney	2,000
City Clerk	2,000
City Manager's Office	3,000
Code Administration	10,000
Commonwealth's Attorney	14,000
Community and Human Services	580,000

Court Service Unit	122,000
Economic Development	24,000
Emergency and Customer Communications	86,000
Finance	530,000
Fire	320,000
General Services	807,000
Health	9,000
Historic Alexandria	78,000
Housing	16,000
Human Resources	107,000
Information Technology Services	510,000
Library	2,000
Management and Budget	3,000
Non-Departmental	103,000
Performance & Accountability	7,000
Planning and Zoning	98,000
Police	1,100,000
Recreation, Parks and Cultural Activities	715,000
Sheriff	761,000
Transit Subsidies	281,000
Transportation and Environmental Services	<u>2,426,000</u>
<b>Total General Fund</b>	<b>\$8,802,000</b>

**Section 11.** That this ordinance shall become effective upon the date and at the time of its final passage.

24. Public Hearing, Second Reading and Final Passage of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2020. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 24; 06/20/20, 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. 24; 06/20/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance for supplemental appropriation for the support of the City Government for FY 2020. 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 ordinance reads as follows:

**ORDINANCE NO. 5287**

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2020

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2020 the source of such amount being Developer Contributions to the Housing Trust Fund, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2020, as follows:

**AFFORDABLE HOUSING FUND**

**ESTIMATED REVENUE:**

Office of Housing	\$ 2,759,565
Total Estimated Revenue	<u>\$ 2,759,565</u>

**APPROPRIATION:**

Office of Housing	\$ 578,066
Total Estimated Revenue	<u>\$ 578,066</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2020 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot or reduce the amount so appropriated to the several city departments for Fiscal Year 2020, as follows:

**SPECIAL REVENUE FUND**

**ESTIMATED REVENUE:**

Transportation and Environmental Services	\$ 525,940
Housing	433,490
Community and Human Services	363,032

Historic Alexandria	25,000
Recreation	<u>82,660</u>
Total Estimated Revenue	<u>\$ 1,430,122</u>

#### SPECIAL REVENUE FUND

##### APPROPRIATION:

Transportation and Environmental Services	\$ 525,940
Housing	433,490
Community and Human Services	363,032
Historic Alexandria	25,000
Recreation	<u>82,660</u>
Total Estimated Revenue	<u>\$ 1,430,122</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2020 the source of such amount being external grant awards from COVID and CARES funding for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot or reduce the amount so appropriated to the several city departments for Fiscal Year 2020, as follows:

#### SPECIAL REVENUE FUND

##### ESTIMATED REVENUE:

Housing	\$ 671,570
Community and Human Services	<u>422,559</u>
Total Estimated Revenue	<u>\$ 1,094,129</u>

#### SPECIAL REVENUE FUND

##### APPROPRIATION:

Housing	\$ 671,570
Community and Human Services	<u>422,559</u>
Total Estimated Revenue	<u>\$ 1,094,129</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City in Fiscal Year 2020 the source of such amount being donations or other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2020, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Human Rights	\$ 1,500
Community and Human Services	14,420
Historic Alexandria	35,000
Recreation	5,510
Total Estimated Revenue	<u>\$ 56,430</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Human Rights	\$ 1,500
Community and Human Services	14,420
Historic Alexandria	35,000
Recreation	5,510
Total Estimated Revenue	<u>\$ 56,430</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2020, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2020, as follows:

CAPITAL PROJECTS

ESTIMATED REVENUE:

Capital Projects	\$ (21,395,303)
Total Estimated Revenue	<u>\$ (21,395,303)</u>

APPROPRIATION:

Capital Projects	\$ (21,395,303)
Total Estimated Revenue	<u>\$ (21,395,303)</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the General Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

GENERAL FUND

APPROPRIATION:

Clerk of the Court	\$	150,000
Human Rights		20,000
City Clerk		10,000
City Attorney		550,000
Alexandria Libraries		50,000
General Services		5,000
Historic Alexandria		(15,000)
Finance		(20,000)
Non Departmental		(750,000)
Total Appropriation	\$	<u><u>0</u></u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2020 the source of such amount being CARES Act Funds for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot or reduce the amount so appropriated to the several city departments for Fiscal Year 2020, as follows:

CARES ACT FUND

APPROPRIATION:

Housing	\$	4,000,000
Community and Human Services		2,400,000
Alexandria Health Department		500,000
Non Departmental		7,009,478
Total Appropriation	\$	<u><u>13,909,478</u></u>

CARES ACT FUND

ESTIMATED REVENUE:

Housing	\$	4,000,000
Community and Human Services		2,400,000
Alexandria Health Department		500,000
Non Departmental		7,009,478
Total Estimated Revenue	\$	<u><u>13,909,478</u></u>

Section 8. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for COVID-19 response for Fiscal Year 2020 the source of such amount being external Special Revenue Funds for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot or reduce the amount so appropriated to the several city departments for Fiscal Year 2020, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Fire	\$ 992,435
Police	113,197
Non Departmental	<u>2,894,368</u>
Total Estimated Revenue	<u>\$ 4,000,000</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Fire	\$ 992,435
Police	113,197
Non Departmental	<u>2,894,368</u>
Total Estimated Revenue	<u>\$ 4,000,000</u>



Section 9. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2020, the source of such amount being Committed General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Committed General Fund Balance	\$ 3,000,000
Total Estimated Revenue	<u>\$ 3,000,000</u>

APPROPRIATION:

Non Departmental	\$ 3,000,000
Total Appropriation	<u>\$ 3,000,000</u>

Section 10. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2020, the source of such amount being General Fund Interfund Transfer to a Component Unit, and further, that the council does hereby allot the amount so appropriated, as follows:

COMPONENT UNIT

ESTIMATED REVENUE:

Alexandria Libraries	\$ 50,000
Total Estimated Revenue	<u>\$ 50,000</u>

APPROPRIATION:

Alexandria Libraries	\$ 50,000
Total Appropriation	<u>\$ 50,000</u>

Section 11. That this ordinance shall be effective upon the date and at the time of its final passage.

25. Public Hearing, Second Reading and Final Passage of an amended ordinance to ensure the continuity of city government, implementing emergency procedures, modifying public meeting requirements and public practices and procedures in order to address continuity of operations associated with the COVID-19 Pandemic Disaster.  
[ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 25; 06/20/20, 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. 25; 06/20/20, 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 closed the public hearing and adopted an amended ordinance to ensure the continuity of city government, implementing emergency procedures, modifying public meeting requirements and public practices and procedures in order to address continuity of operations associated with the COVID-19 Pandemic Disaster. 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 ordinance reads as follows:

ORDINANCE NO. 5288

**AN ORDINANCE TO ENSURE THE CONTINUITY OF THE CITY GOVERNMENT, IMPLEMENTING EMERGENCY PROCEDURES, MODIFYING PUBLIC MEETING REQUIREMENTS AND PUBLIC PRACTICES AND PROCEDURES IN ORDER TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH THE COVID-19 PANDEMIC DISASTER**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate; and

**WHEREAS**, Governor Northam has issued several Executive Orders since Executive Order Fifty-One addressing the many challenges posed by the COVID-19 pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council ~~(the “Emergency Period”)~~, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency (the “City Declaration”) applicable throughout the entire City of Alexandria, Virginia (the “City”), pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to by the City Council on March 14, 2020, pursuant to City Resolution No.2928, as required by applicable law; on June 9, 2020, the City Manager extended such Declaration of Local Emergency through September 30, 2020 which extension was unanimously consented to by the City Council on June 9, 2020 pursuant to Resolution No. 2928\_as required by applicable law (the “Emergency Period”); and

**WHEREAS**, the City Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code §44-146.16 being a “communicable disease of public health threat;” and

**WHEREAS**, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

**WHEREAS**, Virginia Code § 44-146.21(C) further provides that a local director of emergency management or any member of a governing body in his absence may upon the declaration of a local emergency “proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to performance of public work;” and

**WHEREAS**, Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of the City Council may convene solely by electronic means “to address the emergency;” and

**WHEREAS**, the open public meeting requirements of the Virginia Freedom of Information Act (“FOIA”) are limited only by a properly claimed exemption provided under that Act or “any other statute;” and

**WHEREAS**, the Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

**WHEREAS**, this ordinance in response to the disaster caused by the COVID-19 pandemic promotes public health, safety and welfare and is consistent with the law of the Commonwealth of Virginia, the Constitution of Virginia and the Constitution of the United States of America.

**NOW THEREFORE, THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:**

1. That the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the City Council, the School Board, the Planning Commission and all local and regional boards, commissions, committees and authorities created by the City Council, or on which the City Council has a member, or to which the City Council appoints all or a portion of its members (collectively "Public Entities" and individually "Public Entity"), or for such Public Entities to conduct meetings in accordance with normal practices and procedures.
2. That in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of government during this emergency and disaster:
  - a. Any meeting or activities which require the physical presence of members of the Public Entities may be held through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location and any City of Alexandria appointee, designee, or representative to such Public Entities are authorized to participate in such meeting electronically ; and
  - b. The docket items to be discussed at such electronic meetings shall be limited to those topics 1) necessary for the continuity of the government; 2) authorized pursuant to Section 2.2-3708.2(A)(3) of the Code of Virginia; or 3) authorized pursuant to any other authority the Commonwealth may provide to localities for electronic meetings without a quorum physically assembled after this ordinance is adopted; and
  - c. Prior to holding any such electronic meeting, except for emergency meetings, the Public Entity shall provide public notice of at least three days in advance of the electronic meeting identifying how the public may participate or otherwise offer comment; and
  - d. Any such electronic meeting of Public Entities shall state on its agenda and at the beginning of such meeting that it is being held pursuant to and in compliance with this Ordinance; identify Public Entity members physically and/or electronically present; identify the persons responsible for receiving public comment; and identify notice of the opportunities for the public to access and participate in such electronic meeting; and
  - e. Any such electronic meeting of the Public Entities shall be open to electronic participation by the public and closed to in-person participation by the public; and
  - f. For any matters requiring a public hearing, public comment may be solicited by electronic means in advance and shall also be solicited through telephonic or other electronic means during the course of the electronic meeting. All such public comments will be provided to members of the Public Entity at or before the electronic meeting and made part of the record for such meeting; and
  - g. The minutes of all electronic meeting shall conform to the requirements of law, identify how the meeting was conducted, members participating, and specify what actions were taken at the meeting. The Public Entities may approve minutes of an electronic meeting at a subsequent electronic meeting and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended.

**IT IS FURTHER ORDAINED** that notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Entity, its officers (including Constitutional Officers) and employees of its organization shall be suspended during this emergency and disaster, however, the Public Entities, officers and employees thereof are encouraged to take such action as is practical and appropriate to meet those deadlines. Failure to meet any such deadlines shall not constitute a default, violation, approval, recommendation or otherwise.

**IT IS FURTHER ORDAINED**, that non-emergency public hearings and action items of Public Entities may be postponed to a date certain provided that public notice is given so that the public are aware of how and when to present their views.

**IT IS FURTHER ORDAINED**, that for any appointments made by the City Council to boards and commissions established in the City Code that may expire during the Emergency Period, the current appointee in the expiring position shall continue to hold office until his/her successor is appointed and qualified.

**IT IS FURTHER ORDAINED**, that the City's Director of Emergency Management may take any of the following actions on a temporary basis in order to properly allocate City resources, ensure the safety of the public, and address impacts to the business community by the emergency: (1) waive or reduce fees or penalty or interest imposed by any City ordinance; (2) waive enforcement, in whole or in part, of any City ordinance; or (3) modify, limit, waive, suspend, or amend any City program, service, function, process, or procedure, unless prohibited by State or Federal law. The Director must apply the action uniformly for similar situations and not on a case-by-case basis. The Director's actions taken pursuant to this paragraph will be effective only until the next regular meeting of the City Council, at which time the Council may ratify and extend the time for which the Director's action remains in effect; and

**IT IS FURTHER ORDAINED**, that the provisions of this Ordinance shall remain in full force and effect for six (6) months from the date of the termination of the Emergency Period, unless sooner rescinded by the City Council. Upon rescission by the City Council or automatic expiration as described herein, this ordinance shall terminate and normal practices and procedures of government shall resume.

Nothing in this Ordinance shall prohibit Public Entities from holding in-person public meetings provided that public health and safety measures as well as social distancing are taken into consideration.

That this ordinance shall be effective upon its adoption.

19. Public Hearing, Second Reading and Final Passage of an ordinance to amend Chapter 3 ("CITY DEPARTMENTS AND AGENCIES") of Title 2 ("GENERAL GOVERNMENT") of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Section 2-3-5, "Prohibition of Firearms on City Property." [ROLL-CALL VOTE]

The following persons participated in the public hearing on this item:

1. Mark Shinn, Alexandria, spoke in opposition to the ordinance.

2. Adam Grossman, Alexandria, spoke in opposition to the ordinance.
3. Jesse Kirk, Alexandria, spoke in opposition to the ordinance.
4. Veronica Slootsky, spoke in opposition to the ordinance.
5. Joseph Hamill, Pennsylvania, spoke in opposition to the ordinance.
6. Giovanni Traina, Alexandria, spoke in opposition to the ordinance.
7. Matthew Girardi, Alexandria, spoke in opposition to the ordinance.
8. Philip Van Cleve, spoke in opposition to the ordinance.
9. Patrick Weeks, Alexandria, spoke in opposition to the ordinance.
10. Brian Schaeffer, Alexandria, spoke in opposition to the ordinance.
11. Steve Birnbaum, Alexandria, spoke in opposition to the ordinance.
12. Demetrius Brown, Woodbridge, spoke in opposition to the ordinance.
13. Bret Lansdell, spoke in opposition to the ordinance.
14. James Fox, spoke in opposition to the ordinance.
15. Brooke Glisson, Alexandria, spoke in support of the ordinance.
16. Kevin Connell, Alexandria, spoke in support of the ordinance.
17. Joseph Canny, Alexandria, spoke in support of the ordinance.
18. Michael Cannon, Alexandria, spoke in opposition to the ordinance.
19. Kelly Dresen, Alexandria, spoke in support of the ordinance.
20. Mary Huber, Alexandria, spoke in support of the ordinance.
21. Del. Mark Levine, Alexandria, spoke in support of the ordinance.
22. Courtney DeThomas, Alexandria, spoke in support of the ordinance.
23. Lisa Kilday, Alexandria, spoke in opposition to the ordinance.
24. Jacqueline Boltz, Alexandria, spoke in support of the ordinance.
25. David Khol, spoke in opposition to the ordinance.

26. Timothy Angers, Alexandria, spoke in opposition to the ordinance.
27. Len Garon, Alexandria, spoke in support of the ordinance.
28. Katie Palvich, Alexandria, spoke in opposition to the ordinance.
29. Erik Olson, Alexandria, spoke in support of the ordinance.
30. Howard Weiss, Alexandria, spoke in support of the ordinance.
31. Kyle Martin, spoke in opposition to the ordinance.
32. Jeffrey Needles, Alexandria, spoke in opposition to the ordinance.
33. Nathan Chaney, Alexandria, spoke in opposition to the ordinance.
34. Barbara Haley, Alexandria, spoke in support of the ordinance.
35. Megan Ahearn, Alexandria, spoke in support of the ordinance.
36. Gregory Wangler, spoke in opposition to the ordinance.
37. Ryan Maatta, spoke in opposition to the ordinance.
38. Stephanie Howlett, spoke in opposition to the ordinance.
39. Anne Mennen, spoke in opposition to the ordinance.
40. Bernardo Piereck, spoke in opposition to the ordinance.
41. Jason Forrest, spoke in opposition to the ordinance.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing. 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.

**A motion was made** by Councilman Chapman to remove the words adjacent to in line 23 of the ordinance. The motion failed for lack of a second.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council adopted an ordinance to amend Chapter 3 (CITY DEPARTMENTS AND AGENCIES) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended, with language added at Line 15, stating "ammunition or components or combinations thereof;" and with language added at Line 38, stating " museums displaying firearms and the...;" by adding a new Section 2-3-5, "Prohibition of Firearms on City Property." 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 ordinance reads as follows:

## ORDINANCE NO. 5282

AN ORDINANCE to amend Chapter 3 ("CITY DEPARTMENTS AND AGENCIES") of Title 2 ("GENERAL GOVERNMENT") of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Section 2-3-5, "Prohibition of Firearms on City Property."

### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 3 of Title 2 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding new section 2-3-5 as follows:

#### Sec. 2-3-5 Prohibition of Firearms on City Property

(1) The possession, carrying or transportation of firearms, ammunition or components or combinations thereof (a) in any buildings, or part thereof, owned or used, by the City, or by any authority or local governmental entity created or controlled by the City, for governmental purposes; or (b) in parks owned or operated by the City, or by any authority or local governmental entity created or controlled by the City (c) in any recreational or community center facility operated by the locality, or by any authority or local governmental entity created or controlled by the City and (d) in any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit, is prohibited.

(2) The possession, carrying, storage or transportation of firearms by City employees, agents or volunteers in workplaces owned, operated or managed by the City is prohibited.

(3) Pursuant to this Section, the City may implement security measures that are designed to reasonably prevent the unauthorized access of such buildings, parks, recreation or community center facilities, or public streets, roads, alleys, or sidewalks or public rights-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit by a person with any firearms, ammunition, or components or combination thereof, such as the use of metal detectors and increased use of security personnel.

(4) This section shall not apply to (a) military personnel when acting within the scope of their official duties, (b) sworn law enforcement officers, (c) private security personnel hired by the City, when any of them are present in buildings owned, leased or operated by the City or in parks and in any recreational or community facility that is owned or used by the City; (d) museums displaying firearms and the personnel and volunteers of



museums or living history re-enactors and interpreters, who possess firearms that are not loaded with projectiles, when such persons are participating in, or traveling to or from, historical interpretive events that involve the display or demonstration of such firearms, and (e) activities of (i) a Senior Reserve Officers' Training Corps program operated at a public or private institution of higher education in accordance with the provisions of 10 U.S.C. § 2101 et seq. or (ii) any intercollegiate athletics program operated by a public or private institution of higher education and governed by the National Collegiate Athletic Association or any club sports team recognized by a public or private institution of higher education where the sport engaged in by such program or team involves the use of a firearm. Such activities in (e) above shall follow strict guidelines developed by such institutions for these activities and shall be conducted under the supervision of staff officials of such institutions.

(5) Notice of the restrictions imposed by this ordinance shall be posted (i) at all entrances of any building, or part thereof, owned or used by the City, or by any authority or local governmental entity created or controlled by the City, for governmental purposes; (ii) at all entrances of any public park owned or operated by the City, or by any authority or local governmental entity created or controlled by the City; (iii) at all entrances of any recreation or community center facilities operated by the City, or by any authority or local governmental entity created or controlled by the City; and (iv) at all entrances or other appropriate places of ingress and egress to any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

(6) Any person violating subsection 2-3-5(1) shall be guilty of a Class 1 misdemeanor.

Section 2. That Chapter 3 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That the provisions of this ordinance be effective on July 1, 2020.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued) DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

### **Planning Commission (continued)**

None.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council adjourned the public hearing meeting of June 20, 2020 at 3:00 p.m. 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.

\*\*\*\*\*

APPROVED BY:

JUSTIN M. WILSON    MAYOR

ATTEST:

Gloria A. Sitton, CMC    City Clerk

Adopted:    February 9, 2021  
Ratified:

DRAFT

**City of Alexandria  
City Council Legislative Meeting  
Tuesday, June 23, 2020 6:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

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;

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 Council were present virtually through video conference call on Zoom, with Councilman Chapman and Councilman Seifeldein joining virtually during the closed executive session.

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Mayor Wilson stated that the June 23, 2020 Legislative Meeting of the City Council was 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/or 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 via Zoom.

2. Closed meeting.

6:00 p.m. - Consideration of a closed executive session to discuss a personnel matter, for consultation with legal counsel regarding actual or probable litigation, and discussion and consideration of the acquisition of real property for a public purpose.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried 5-0, City Council convened in closed executive session at 6:03 p.m., to consult with Legal Counsel and Staff regarding actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating

posture of the public body, a personnel matter, and consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically, probable litigation regarding an employment matter in the Fire Department; the performance of the three public appointees of the City Council; and the potential acquisition of an office building on the west end of the City; pursuant to Sections 2.2-3711(A) (7), (A)(1) and (A)(3) of the Code of Virginia. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennet-Parker, Councilman Aguirre, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent, Councilman Chapman and Councilman Seifeldein.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried 6-0, City Council reconvened in open session at 7:29 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried 6-0 by roll-call vote, City Council adopted e resolution regarding the closed executive session previously circulated to Council. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

The resolution reads as follows:

#### **RESOLUTION NO. 2952**

**WHEREAS**, the Alexandria City Council has this 23rd day of June, 2020 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. Public Discussion Period.**

The following person participated in the public discussion period:

1. Janice Grenadier, Alexandria, spoke about injustices and corruption in the court system and reported that she has started a website for people to post their complaints on the internet.

Mayor Wilson noted that longtime Alexandrian, Engin Artemel, passed away and he

offered condolences to his family.

Mayor Wilson also noted the retirement of Judge Nolan Dawkins after serving 26 years on the Circuit Court.

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

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

Vice Mayor Bennett-Parker reported that AEDP gave a report on the City's economic response to the pandemic and the grants being offered to small businesses. Vice Mayor Bennett-Parker also reported that Historic Alexandria gave a report on the phased reopening of the City's museums, with the Lyceum opening first and the use of virtual programming. Vice Mayor Bennett-Parker reported the Historic Alexandria has started collecting initiative on the pandemic and the response to the George Floyd tragedy. Vice Mayor Bennett-Parker noted that the visitor center has reopened.

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

Vice Mayor Bennett-Parker reported that ridership is still down 95% compared to last year this time. Vice Mayor Bennett-Parker noted that as ridership increases with the phased reopening, railcars will be added back to respond to the demand. Vice Mayor Bennett-Parker reported that the board authorized a letter of intent for the design and funding of the new Crystal City station. Vice Mayor Bennett-Parker reported that they received an updated on the Transforming Rail in Virginia Plan.

### **\*Washington Metropolitan Area Transit Authority (WMATA)(Councilman Aguirre)**

Councilman Aguirre reported that WMATA Board that Paul Smedberg was re-elected as chair along with other appointments. Councilman Aguirre reported that construction work continues along the blue and orange line through Labor Day to improve safety measures across the system. Councilman Aguirre noted that Metrorail ridership is down about 94% and Metrobus ridership is down 84% due to the pandemic. Councilman Aguirre noted that the board decided on a Statement of Racial Injustice and an equity workplan.

### **\*Transportation Planning Board (COG)(Councilman Aguirre)**

Councilman Aguirre reported that Board discussed the number of transportation related deaths in the region, the causes for those deaths and the development of a regional safety program and the adoption of Vision Zero policies by the localities. Councilman Aguirre reported that the Board was working on ways to apply an equity lens to transportation throughout the region.

### **\*Northern Virginia Transportation Authority (NVTA) (Mayor Wilson)**

Mayor Wilson reported that the Authority welcomed new General Assembly members to board, including Del. Danica Rome and Del. Vivian Watts and Senator Jennifer Boysko. Mayor Wilson reported that the Authority was close to adoption of the funding plan and he noted that

the Planning and Programming Committee has reviewed the recommendations. Mayor Wilson noted that City's request for funding for the Duke Street Transitway was approved for full funding.

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

Councilman Chapman reported that the subcommittee received an update on the Schools phased reopening plan and joint communications relating to playground usage during the pandemic and reopening phases. Councilman Chapman reported that there was a discussion about summer activities and how the Recreation, Parks, and Cultural Activities can collaborate with schools to facilitate options for residents/students.

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Mayor Wilson presented a proclamation and video tribute to Councilwoman Pepper, who will be celebrating 35 years as member of the Alexandria City Council in July.

**ORAL REPORT FROM THE CITY MANAGER**

**City Manager's Oral Report**

**COVID-19 Update (Oral Report)**

Ms. Suehr, Director of Project Implementation, gave a presentation of the plan for the reopening of the City government offices and facilities, highlighting the work the planning committee has been doing over the past few months to address potential concerns of employees as they move toward returning to the "new normal" for City government operations.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER  
CONSENT CALENDAR (4-10)**

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

4. Consideration of Receipt of Fiscal Year 2020 Third Quarter Capital Projects Status Report Related to City Council Approved Capital Projects.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 06/23/20, and is incorporated as part of this record by reference.)

5. Introduction of an Amendment to a Five-Year Agreement dated December 1, 2018, between the City of Alexandria, Virginia and Zayo Group LLC, to Permit Zayo to Install a 66-Foot Conduit and Fiber Optic Cables in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 06/23/20, and is incorporated as part of this record by reference.)

6. Consideration of the Submission of a Grant Application for a Reimbursement Grant

through the United States Department of Justice, Bureau of Justice Assistance, Bulletproof Vest Partnership Program.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 06/23/20, and is incorporated as part of this record by reference.)

7. Consideration for the City Membership in the PJM Cities Coalition.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/23/20, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

8. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Potomac Yard/Potomac Greens Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00001 associated with Silverstone approved by City Council on June 20, 2020).

(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. 8; 06/23/20, 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. 8; 06/23/20, and is incorporated as part of this record by reference.)

9. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00004 (Implementation Ordinance for Text Amendment No. 2020-0004 associated with Silverstone approved by City Council on June 20, 2020).

(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. 9; 06/23/20, 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. 2; 06/23/30, and is incorporated as part of this record by reference.)

10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00001 (Implementation Ordinance for Text Amendment No. 2020-0001 associated with North Potomac Yard approved by City Council on June 20, 2020).

(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. of Item No. 10; 06/23/20, 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. 10; 06/23/20, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the consent calendar, with the exception of item #4, which was considered under a separate motion. The City Manager's recommendations were as follows:

5. City Council: (1) considered the proposed amendment to the existing License Agreement with Zayo and set it for public hearing on Tuesday, July 7, 2020; and (2) after the public hearing, authorize the City Manager to execute the Amendment and to take other actions that are necessary to implement the Amendment.

6. City Council: (1) approved a grant application, submitted June 8, 2020, to the Department of Justice, Bureau of Justice Assistance, Bulletproof Vest Partnership Program. The exact amount awarded will be determined by the Bulletproof Best Partnership Program; and (2) authorized the City Manager to execute all necessary documents that may be required.

7. City Council: (1) adopted the PJM Cities Charter; and (2) authorized the City Manager to sign a letter joining the PJM Cities Coalition as member in the Participating Cities Tier.

8. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Tuesday, July 7, 2020.

9. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Tuesday, July 7, 2020.

10. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Tuesday, July 7, 2020.

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.

4. Consideration of Receipt of Fiscal Year 2020 Third Quarter Capital Projects Status Report Related to City Council Approved Capital Projects.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 06/23/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council received as information the FY 2020 Third Quarter Capital Projects Status Report. 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.

#### **ROLL-CALL CONSENT CALENDAR (11-12)**

11. Consideration of a Resolution to Establish the 2020 Personal Property Tax Relief Rates. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/23/20, and is incorporated as part of this record by reference.)

12. Consideration of a resolution to support the County of Arlington's Mount Vernon Trail Enhancement Project Grant Application for Virginia Department of Transportation (VDOT) SMART SCALE funding.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/23/20, and is incorporated as part of this record by reference.)

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

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council approved the roll-call consent calendar. The approvals were as follows:

11. City Council adopted the resolution to establish the personal property tax relief rates for calendar year 2020.

The resolution reads as follows:

#### **RESOLUTION NO. 2953**

#### **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 53%; and
2. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(B) is 43%; and
3. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(C) is 33%; 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 2020.

12. City Council adopted the resolution in support of Arlington's grant application for Mt. Vernon Trail Enhancement to include safety and capacity improvements to the trail within the City of Alexandria; and (2) authorized the City Manager to execute all necessary documents that may be required.

The resolution reads as follows:

**RESOLUTION NO. 2954**

**RESOLUTION TO SUPPORT PROPOSED TRANSPORTATION PROJECT APPLICATIONS  
FOR THE REGIONAL TRANSPORTATION FUNDING "SMART SCALE" FOR FY 2026 to  
FY 2027**

**WHEREAS**, in 2014, HB2 was signed into law, and in June 2016, the program was renamed SMART SCALE. SMART stands for System Management Allocation of Resources for Transportation and SCALE stands for Safety, Congestion mitigation, Accessibility, Land use, Environmental and economic development; and

**WHEREAS**, the purpose of SMART SCALE is to fund the right transportation projects through a prioritization process that evaluates each project's merits using key factors, including: improvements to safety, congestion reduction, accessibility, land use, economic development and the environment. The evaluation focuses on the degree to which a project addresses a problem or need relative to the requested funding for the project; and

**WHEREAS**, the City's Transportation Master Plan recommends improvements to the Mount Vernon Trail to address safety and capacity issues; and

**WHEREAS**, the National Park Service has released a corridor study in May 2020 outlining additional deficiencies in the Mount Vernon Trail; and

**WHEREAS**, Arlington County has worked with the National Park Service, the City of Alexandria, and VDOT to add the portion of the trail within Alexandria to the County's existing SMART SCALE pre-application; and

**WHEREAS**, by extending the project boundaries and unifying the Alexandria and Arlington portions of the project, the National Park Service will be able to address the needs along the corridor more quickly and cost-effectively; and

**WHEREAS**, this application will not count against the maximum number of SMART SCALE applications that the City of Alexandria can submit; and

**WHEREAS**, the City of Alexandria will coordinate with the National Park Service and Arlington County on the National Environmental Policy Act (NEPA) requirements and design of the project.

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

1. The City Council of the City of Alexandria hereby supports Arlington's application for up to \$20 million for safety and capacity enhancements to the Mount Vernon Trail, of which about half of the funding would improve the portion of the trail within the City of Alexandria, through the Virginia Department of Transportation SMART SCALE Program; and
2. The City Council of the City of Alexandria hereby grants authority for the City Manager to execute all necessary documents that may be required as a result of this application.

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.

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

13. Consideration of the 2020 Alexandria Resident Survey Results.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 06/23/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council received the results of the 2020 Alexandria

Resident Survey. 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.

14. Drafting of Public Employee Collective Bargaining Ordinance.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 06/23/20, and 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 directed the City Manager and the City Attorney to draft a proposed City ordinance that would authorize public employee collective bargaining for the City of Alexandria government, and bring the draft ordinance forward for City Council consideration and adoption by December 31, 2020. 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.

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

1. Councilwoman Pepper thanked everyone for the recognition of her 35 years of service on City Council.

2. Councilman Seifeldein presented a memorandum that requested that the City Manager and staff return to Council within 120 days with preliminary findings of new approaches to community safety practices that prioritize unarmed professional's intervention in non-criminal, non-emergency, and non-life threatening 911 calls and service calls. Councilman Seifeldein's request also noted that the approaches should explore creative and innovative public safety models and engage various and diverse community stakeholders. Councilman Seifeldein thanked Councilman Chapman and Councilwoman Jackson for collaborating with him on this memo.

3. Councilman Aguirre recognized World Central Kitchen for providing meals in Alexandria at various sites over the past several weeks.

4. Councilman Aguirre reminded everyone to complete their 2020 Census form.

**OTHER**

15. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 17, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 06/23/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilman Aguirre and carried unanimously, City Council: (1) received and adopted the City Council Schedule for June 2020 through July 2020; (2) received and adopted the FY 2021 City Council Schedule for August 2020 through July 2021; and (3) confirmed the electronic meeting format

for the City Council July 7 Public Hearing. 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 Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council adjourned the regular meeting of June 23, 2020 at 9:25 p.m. 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.

\*\*\*\*\*

APPROVED BY:

\_\_\_\_\_  
JUSTIN M. WILSON

\_\_\_\_\_  
MAYOR

ATTEST:

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

Adopted: February 9, 2021

Ratified:

**City of Alexandria  
City Council Regular Meeting  
Tuesday, June 9, 2020, 6:00 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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Ms. Collins, Deputy City Manager; Police Chief Brown; Dr. Haering, Director, Alexandria Health Department; Mr. McPike, Director, General Services; Ms. Baker, Deputy City Manager; Fire Chief Smedley; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Snow, Assistant City Attorney;

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

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**Alexandria Transit Company Stockholders Meeting**

6:00 p.m. - Alexandria Transit Company Stockholders Meeting.

David Kaplan, Chair, Alexandria Transit Company, called the meeting to order. The Stockholders recommended, Linda Bailey and Ajashu Thomas to be appointed as members.

**WHEREUPON**, upon motion by Mayor Wilson, seconded by Vice Mayor Bennett-Parker and carried 4-0, City Council held the stockholders meeting with the Alexandria Transit Company and appointed two members to the Board: Ms. Linda Bailey and Ms. Ajashu Thomas. Councilman Aguirre recused himself from the vote for personal reasons (Ms. Thomas is his wife). The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilwoman Jackson and Councilman Seifeldein; Absent, Councilman Chapman and Councilwoman Pepper; Recusal, Councilman Aguirre.

**WHEREUPON**, upon motion by Mayor Wilson, seconded by Vice Mayor Bennett-Parker and carried 5-0, the Alexandria Transit Company Stockholders Meeting was adjourned. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson, and Councilman Seifeldein; Absent, Councilman Chapman and Councilwoman Pepper.

**1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of Council were present via video conference call.

Mayor Wilson stated that June 9, 2020 Legislative Meeting of the City Council was 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 April 18, 2020, and/or 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.

**Closed Meeting.**

2. 6:15 p.m. - Consideration of a closed meeting to discuss a personnel matter and for consultation with legal counsel regarding actual or probable litigation about a specific legal matter.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council convened in closed executive session at 6:17 p.m., to consult with Legal Counsel and Staff regarding actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body and a personnel matter; specifically, the settlement of a lawsuit involving a employment matter against the City and the performance of the three public appointees of the City Council; pursuant to Sections 2.2-3711(A)(7) and (A)(1) of the Code of Virginia. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council reconvened in open session at 7:20 p.m. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the resolution regarding the Closed Executive Session previously circulated to Council. 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. 2949**

**WHEREAS**, the Alexandria City Council has this 9th day of June, 2020 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council authorized the City Attorney to enter into settlement agreements to resolve the litigation in the following case against the City: Michael Cahill v. City of Alexandria. 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.

### **3. Public Discussion Period.**

The following persons participated in the public comment period:

1. Philip Shapiro, Alexandria, spoke about preserving the history of Elmer Ellsworth here in the Alexandria.
2. Sarah Bagley, Alexandria, representing Moms Demand Action for Gun Sense in America, spoke in support of the prohibition of guns in City buildings.
3. Timothy Angers, Alexandria, spoke in opposition to the prohibition of guns in City



buildings and requested that an amendment be made to the ordinance to include conceal carry permit holders to be exempt from the prohibition.

4. Michael MacKay, Alexandria, spoke in opposition to the prohibition of guns in City buildings and properties.

5. Michael Niner, Alexandria, spoke in opposition to the prohibition of guns in City buildings and facilities and he requested an amendment to allow security personal and conceal carry permit holders to be exempt from the prohibition.

6. Carl Welliver, Alexandria, spoke about the injustices in this country and spoke about the City addressing police reform and policies.

7. Brian Shaeffer, Alexandria, spoke in opposition to the prohibition of guns in City buildings and properties.

8. Jeffrey Needles, Alexandria, spoke in opposition to the prohibition of guns in City buildings and properties.

9. Kyle Martin, Alexandria, spoke in opposition to the prohibition of guns in City buildings and properties.

10. Paul Friedman, Alexandria, spoke in support of the prohibition of guns in City buildings and he spoke in support of establishing a community police review board.

11. Adam Grossman, spoke in opposition to the prohibition of guns in City buildings and properties.

12. Joseph Clay Hamill, spoke in opposition to the prohibition of guns in City buildings and properties, stating that it will disproportionately affect minority communities.

13. William Barratt, Arlington, spoke is opposition to the prohibition of guns in City buildings and properties.

14. Bret Lansdell, spoke in opposition to the prohibition of guns in City buildings and properties.

15. Mark Shinn, spoke in opposition to the prohibition of guns in City buildings and properties.

The following speaker spoke at the conclusion the scheduled docket:

16. Jonathan Lareau, spoke in opposition to the prohibition of guns in City buildings and properties.

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

The Budget Public Hearing Meeting Minutes of March 9, 2020;  
The Regular Meeting Minutes of March 10, 2020;  
The Public Hearing Meeting Minutes of March 14, 2020;  
The Regular Meeting Minutes of March 18, 2020;  
The Special Meeting Minutes of March 24, 2020;  
The Regular Meeting Minutes of April 14, 2020;  
The Public Hearing Minutes of April 18, 2020;

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the minutes of the following meetings of City Council: the Budget Public Hearing Meeting Minutes of March 9, 2020; the Regular Meeting Minutes of March 10, 2020; the Public Hearing Meeting Minutes of March 14, 2020; the Regular Meeting Minutes of March 18, 2020; the Special Meeting Minutes of March 24, 2020; the Regular Meeting Minutes of April 14, 2020; and the Public Hearing Meeting Minutes of April 18, 2020. 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.

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

**\*Northern Virginia Regional Commission (NVRC) (Vice Mayor Bennett-Parker and Councilman Chapman)**

Vice Mayor Bennett-Parker reported that there was a presentation from UVA's Weldon Cooper Center on study regarding the economic and tax revenue impact estimates for the Commonwealth of Virginia and localities from COVID, including the loss of jobs and impact on the GDP for the year. Vice Mayor Bennett-Parker noted that the Commission authorized a service agreement with the U.S. Military to provide access to cost savings for the military to purchase from VDOT. Vice Mayor Bennett-Parker noted that there was continuing work around the regional as it relates to the COVID pandemic crisis and they have a demographer working on statistics and information as it relates to COVID and resources throughout the region.

**\*Northern Virginia Transportation Commission (NVTC)(Vice Mayor Bennett-Parker and Councilman Aguirre)**

Vice Mayor Bennett-Parker reported that NVTC meeting started with a recognition by the Commission of demonstrations about racial justice and the role of public transportation in the furtherance of racial justice in the regional. Vice Mayor Bennett-Parker reported that the Commission welcomed four new member appointed by

the House of Delegates: Speaker Filler-Corn, Del. Paul Krizek, Del. Sullivan and Del. Reed. Vice Mayor Bennett-Parker reported that the Commission received an updated on the regional fare strategic plan to allow fare collection across systems.

Councilman Aguirre reported on the Commission's statement of racial justice and systemic racism and how to address equity through transportation. Councilman Aguirre noted the overview of the WMATA response to the COVID crisis and noted there will be a review of the 3% cap for jurisdictions this year.

**\*Library Board (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the Board met on May 28 to approve a phased reopening plan for the libraries and the plan is available on the Library's website. Vice Mayor Bennett-Parker noted that there 5 phases to the plan and all book drops are open for customer drop off and curbside pickup service is available when phase 2 begin.

**\*Climate Energy and Environment Policy Committee (CEEPC) (Councilwoman Pepper)**

Councilwoman Pepper reported that CEEPC met on May 27 and the meeting focused on the effects of COVID-19 on air quality and the slow-down of greenhouse gas emissions from the decrease in traffic and vehicle usage due to COVID.

**\*Northern Virginia Transportation Authority (NVTA) (Mayor Wilson)**

Mayor Wilson reported that that the Authority's effort to adopt a new six-year plan (FY20-25 Plan) and he noted that the process was concluding. Mayor Wilson noted that NVTA received 41 projects and numerous public comments on the projects. The Authority was at the point of making decisions about the projects, with staff recommendations coming to them this week for 15 projects for full funding and partial funding on four additional projects. Mayor Wilson noted that the staff has recommended funding for the Duke Street Transitway. Mayor Wilson noted that the Board would act on the recommendations on July 9.

**ORAL REPORT FROM THE CITY MANAGER**

**5. Oral Update from Police Chief Michael Brown.**

Police Chief Brown gave presentation on the Alexandria Police Department and their policing policies. Chief Brown responded to questions from members of Council regarding body cameras, reporting policies, oversight for complaints, and budgetary information.

**6. Oral Update in Regard to COVID-19.**

Dr. Haering, Director, Alexandria Health Department, gave an update on the community's response to the COVID-19 pandemic and responded to questions from Council.

City Manager Jinks gave an update on small business relief and rental assistance and responded to questions from Council.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (7-30)**

### **(Resignations and Uncontested Appointments)**

7. Receipt of the following resignations from members of Boards, Commissions, and Committees:

- (a) Board of Zoning Appeals  
Timothy Ramsey
- (b) Children, Youth, and Families Collaborative Commission  
Brian Orrenmaa
- (c) Environmental Policy Commission  
Craig Berry  
Carolyn Schroeder
- (d) Human Rights Commission  
Francisco Duran
- (e) Sister Cities Committee  
Emory Newman

(A copy of the resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/09/20, and is incorporated as part of this record by reference.)

Uncontested Appointments to Boards, Commissions and Committees:

8. Uncontested Appointments to Boards, Commissions, and Committees:

- (a) Alexandria-Caen Sister City Committee  
1 Citizen Member
- (b) Alexandria Housing Affordability Advisory Committee  
1 Representative of the City's small business community including the

retail, restaurant or hospitality sectors

- (c) Alexandria Transportation Commission  
1 Member from the Alexandria Transit Company Board of Directors,  
nominated by the Board
- (d) Beautification Commission  
1 Citizen Member
- (e) Board of Architectural Review  
2 Citizen Members
- (f) Budget and Fiscal Affairs Advisory Committee  
1 Member designated by the Alexandria Chamber of Commerce
- (g) Children, Youth, and Families Collaborative Commission  
2 Members who Shall be Community Members with expertise in children,  
youth, and family issues or public safety, or medical/health related  
profession or nonprofit experience who shall be young adults  
1 member from ACPS
- (h) Citizen Corps Council  
1 Crime Prevention Council representative
- (i) Commission on Aging  
1 Citizen member, who shall be 60+ years of age  
1 Supportive Service Provider representative  
1 Representative with leadership experience in a volunteer organization
- (j) Commission on Employment  
1 Business Representative from among recognized area businesses  
including minority-owned and small businesses  
1 Citizen at-large
- (k) Community and Policy Management Team  
1 Representative of a private organization or association of providers of  
children's or family services which provides such services within the City  
on a continuing basis
- (l) Community Services Board  
1 Citizen Member
- (m) Environmental Policy Commission  
1 Member from the field of urban planning

- (n) Historical Restoration & Preservation Commission  
1 Citizen Member
- (o) Visit Alexandria Board of Governors  
2 - "1 of 4" Representatives from one of the following categories: hotel, restaurant, association and retail  
1 - "1 of 4" Representative from one of the following categories: hotel, restaurant, association and retail  
1 Historic/Preservation Representative
- (p) Waterfront Commission  
1 Planning Commission Representative  
1 Old Town Business and Professional Association Representative

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8(a-p); 06/09/20, and is incorporated as part of this record by reference.)

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

- 9. Consideration of a License Agreement with Verizon Wireless to Install an In-Building Radio Distribution System in City Hall and Market Square Garage Both Located at 301 King Street.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 06/09/20, and is incorporated as part of this record by reference.)

- 10. Consideration of a License Extension between the City of Alexandria and the Tall Ship Providence Foundation for the Docking of the Tall Ship Providence in the City Marina.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/09/20, and is incorporated as part of this record by reference.)

- 11. Consideration of the Monthly Financial Report for the Period Ending April 30, 2020.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/09/20, and is incorporated as part of this record by reference.)

- 12. Consideration of a Grant Application for FY 2020 Port Security Grant Program.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/09/20, and is incorporated as part of this record by reference.)

13. Consideration of a Three (3) Year License Agreement Renewal with Fight for Children for the Alexandria Boxing Club Use of the Charles Houston Recreation Center Located at 901 Wythe Street.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 06/09/20, and is incorporated as part of this record by reference.)

14. Consideration of the release of \$490,575 in FY 2020 Contingent Reserve Funding to fund the INOVA Hospital Contribution.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 06/09/20, and is incorporated as part of this record by reference.)

15. Consideration of a License Extension between the City of Alexandria and the Alexandria Seaport Foundation for the docking of the Maritime Heritage Center in the City Marina.

(A copy of the City Manager's memorandum dated June 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 06/09/20, and is incorporated as part of this record by reference.)

16. Consideration of a Grant Application to the Virginia Department of Education for the United States Department of Agriculture (USDA) Summer Food Service Program for Children.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 06/09/20, and is incorporated as part of this record by reference.)

17. 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 2021 School Year Snack Program Sponsored by the Department of Recreation, Parks and Cultural Activities.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 06/09/20, and is incorporated as part of this record by reference.)

18. Consideration of a Grant Application to the 2020 Federal Emergency

Management Agency (FEMA) for Personal Protective Equipment related to COVID-19.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 06/09/20, and is incorporated as part of this record by reference.)

19. Consideration of a Grant Application for the Department of Community and Human Services to be a Direct Services Site for Virginia's Substance Abuse and Mental Health Services Administration COVID-19 Emergency Grant as Managed by the Department of Behavioral Health and Developmental Services.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 06/09/20, and is incorporated as part of this record by reference.)

20. Consideration of a Grant application for the 2020 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Swift Water and Flood Rescue Teams.

(A copy of the City Manager's memorandum dated June 3, 2020 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 06/09/20, and is incorporated as part of this record by reference.)

21. Consideration of a Grant Application to the 2020 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 June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 06/09/20, and is incorporated as part of this record by reference.)

22. Consideration of a Grant Application to the 2019 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program from the U.S. Department of Homeland Security, Federal Emergency Management Agency.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 06/09/20, and is incorporated as part of this record by reference.)

### **(Ordinances for Introduction)**

23. Introduction and First Reading. Consideration. Passage on First Reading of an Amended Ordinance to Ensure the Continuity of City Government, Implementing Emergency Procedures, Modifying Public Meeting Requirements and Public



Practices and Procedures in Order to Address Continuity of Operations  
Associated with the COVID-19 Pandemic Disaster. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 4, 2020 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 06/09/20, 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 and Council, marked Exhibit No. 2 of Item No. 23; 06/09/20, 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. 23; 06/09/20, and is incorporated as part of this record by reference.)

24. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance authorizing the owner of the property located at 430 South Pickett Street to construct and maintain an encroachment for a seat wall and trench drain at that location. (Implementation Ordinance for Encroachment No. 2019-00011 associated with 430 South Pickett Street approved by City Council on March 14, 2020).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 24; 06/09/20, 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. 24; 06/09/20, and is incorporated as part of this record by reference.)

25. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 6-603 (USES) of Article No. VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00002 (Implementation Ordinance regarding day care uses in the Mount Vernon urban overlay zone approved by City Council on March 14, 2020).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 25; 06/09/20, 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. 25; 06/09/20, and is incorporated as part of this record by reference.)

26. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the North Potomac Yard chapter of such master plan as Master Plan Amendment No. 2019-00008 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2019-00008 the North Potomac Yard Small Area Plan approved by City Council on March 14, 2020).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 26; 06/09/20, 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. 26; 06/09/20, and is incorporated as part of this record by reference.)

27. Introduction and First Reading. Consideration. Passage on first reading of an ordinance to amend and reordain Section 2-2-11 (ESTABLISHMENT OF CENTRAL ABSENTEE VOTER ELECTION DISTRICT AND VOTING PLACE), to amend and reordain Section 2-2-10 (ESTABLISHMENT OF ELECTION DISTRICTS AND VOTING PLACES) Subsection (n), and to amend and reordain "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," adopted by Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 06/09/20, 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 and Council, marked Exhibit No. 2 of Item No. 27; 06/09/20, 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. 27;

06/09/20, and is incorporated as part of this record by reference.)

28. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make Appropriations for the Support of the City Government for Fiscal Year 2021.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 06/09/20, 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 and Council, marked Exhibit No. 2 of Item No. 28; 06/09/20, 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. 28; 06/09/20, and is incorporated as part of this record by reference.)

29. Introduction and First Reading. Consideration. Passage on First Reading of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2020.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 06/09/20, 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 and Council, marked Exhibit No. 2 of Item No. 29; 06/09/20, 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. 29; 06/09/20, and is incorporated as part of this record by reference.)

30. Introduction and First Reading. Consideration. Passage on First Ready of an ordinance to amend Chapter 3 ("CITY DEPARTMENTS AND AGENCIES") of Title 2 ("GENERAL GOVERNMENT") of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Section 2-3-5, "Prohibition of Firearms on City Property."

(A copy of the City Manager's memorandum dated June 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 06/09/20, 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 and Council, marked Exhibit No. 2 of Item No. 30; 06/09/20, 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. 30; 06/09/20, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council approved the consent calendar, with the exception of items #9, #14, #22, and #30, which were considered under separate motions. The City Manager's recommendations were as follows:

7. City Council received the following resignations with regret: (a) Timothy Ramsey, Board of Zoning Appeals; (b) Brian Orrenmaa, Children, Youth and Families Collaborative Commission; (c) Craig Berry and Carolyn Schroeder, Environmental Policy Commission; (d) Francisco Duran, Human Rights Commission; and (e) Emory Newman, Sister Cities Committee.

8. City Council made the following appointments to boards, commissions and committees: (a) reappointed Alexandre Jevgrafov as the citizen member to the Alexandria-Caen Sister City Committee; (b) reappointed Michael Doyle as the representative of the City's small business community including the retail, restaurant or hospitality sectors as the Alexandria Housing Affordability Advisory Committee; (c) appointed Lawrence Chambers as the member from the Alexandria Transit Company Board of Directors, nominated by the Board to the Alexandria Transportation Commission; (d) appointed Paul Weishar as the citizen member to the Beautification Commission; (e) reappointed Robert Adams and Lynn Neihardt as the two citizen members to the Board of Architectural Review; (f) appointed Jon Wacławski as the citizen member to the Board of Zoning Appeals; (g) appointed Amy Friedlander as the member designated by the Alexandria Chamber of Commerce to the Budget and Fiscal Affairs Advisory Committee; (h) appointed Garrison Hayes and Justin Williams as the two members who shall have expertise in children, youth and family issues or public safety, medical/health related profession or nonprofit experience and who shall be young adults and appointed Angela Green as the member from ACPS to the Children, Youth and Families Collaborative Commission; (i) appointed David Koscinski as the Crime Prevention Council representative to the Citizen Corps Council; (j) appointed Michael Kamin as the citizen member who shall be 60+ years of age, appointed Barbara D'Agostino as the supportive service provider representative and reappointed Mary Lee Anderson as the member with leadership experience in a volunteer organization to the Commission on Aging; (k) appointed Stephan Ortman as the business representative

from among recognized area businesses including minority-owned and small businesses and appointed Paula Moran as the citizen at-large member to the Commission on Employment; (l) waived the residency requirement and reappointed Cynthia Agbaynai as the representative of a private organization or association of providers of children's or family services which provides such services within the City on a continuing basis to the Community Policy and Management Team; (m) appointed Brian Marvin as the citizen member to the Community Services Board; (n) appointed Bill Pugh as the member from the field of urban planning to the Environmental Policy Commission; (o) reappointed Susan Horne as the citizen member to the Historical Restoration and Preservation Commission; (p) reappointed Nicole McGrew and Victoria Vergason as the two "1 of 4" representatives from one of the following categories: hotel, restaurant, association and retail to two year term, reappointed Trae Lamond as the representative from one of the following categories: hotel, restaurant, association and retail to a three-year term, reappointed Benjamin Fiore-Walker as the historic/preservation representative to the Visit Alexandria Board of Governors; and (q) reappointed Nathan Macek as the Planning Commission representative and reappointed Trae Lamond as the Old Town Business and Professional Association representative to the Waterfront Commission.

10. City Council: (1) scheduled the proposed License Extension for public hearing on June 20, 2020, and (2) after the public hearing approve this proposed License Extension, and authorize the City Manager to execute the seven month License Extension with the Tall Ship Providence Foundation.

11. City Council received the Monthly Financial Report.

12. City Council: (1) approved the grant application to the 2020 Port Security Grant Program, U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) in the amount of \$145,000; and (2) authorized the City Manager to execute all the necessary documents that may be required.

13. City Council: (1) considered the license agreement between Fight for Children and the City of Alexandria for the Alexandria Boxing Club's use of the boxing facility at the Charles Houston Recreation Center and set it for public hearing on Saturday, June 20, 2020, and (2) after the public hearing authorize the City Manager to execute the license agreement as outlined.

15. City Council: (1) considered the proposed License Extension and scheduled it for public hearing on June 20, 2020, and (2) after the public hearing authorize the City Manager to execute the four month License Extension with the Alexandria Seaport Foundation.

16. City Council: (1) authorized the City Manager to submit the grant application (due June 15, 2020) to the Virginia Department of Education for United States Department of Agriculture for continued funding and an estimated

reimbursement amount of \$139,000 for program expenses; and (2) for him to execute all necessary documents that may be required.

17. City Council: (1) authorized the City Manager to submit an At-Risk AfterSchool grant renewal application to the United States Department of Agriculture for Fiscal Year 2020 (due date September 1, 2020); (2) to affirm that there are no funds available in the City budget to continue these activities once the grant funds are expended; and (3) to execute all documents that may be required.

18. City Council: (1) ratified the submission of a Fire Department Personal Protective Equipment (PPE) grant application for \$992,416; and (2) authorized the City Manager to execute the necessary documents that may be required.

19. City Council: (1) approved a grant application for approximately \$140,000 in funding to be used to provide screening, assessment and treatment for children entering foster care. The exact amount to be determined by Department of Behavioral Health and Developmental Services (DBHDS) by June 18, 2020; and (2) authorized the City Manager to execute all necessary documents that may be required.

20. City Council: (1) authorized the acceptance of a Swiftwater and Flood Rescue Team grant for \$30,000; and (2) authorized the City Manager to execute the necessary documents that may be required.

21. City Council: (1) authorized the submission of a Fire Department hazardous materials training grant application for \$23,350; and (2) authorized the City Manager to execute the necessary documents that may be required.

23. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 20, 2020.

24. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 20, 2020.

25. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 20, 2020.

26. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 20, 2020.

27. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 20, 2020.

28. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 20, 2020.

29. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 20, 2020.

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. Consideration of a License Agreement with Verizon Wireless to Install an In-Building Radio Distribution System in City Hall and Market Square Garage Both Located at 301 King Street.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) scheduled the proposed lease for public hearing on Saturday, June 20, 2020, and (2) after the public hearing, authorize the City Manager to enter into a license agreement between the City of Alexandria and Verizon Wireless to install an In-Building Radio Distribution System at City Hall and Market Square Garage in substantial compliance with the lease. 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.

14. Consideration of the release of \$490,575 in FY 2020 Contingent Reserve Funding to fund the INOVA Hospital Contribution.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Pepper and carried unanimously, City Council released \$490,575 in FY 2020 Contingent Reserve funding for the INOVA Hospital contribution. 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.

22. Consideration of a Grant Application to the 2019 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program from the U.S. Department of Homeland Security, Federal Emergency Management Agency.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22;

06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council: (1) approved the submission of a grant application to Federal Emergency Management Agency (FEMA) for \$3.2 million to partially fund the addition of 12 additional firefighters over a three-year period; and (2) authorized the City Manager to execute the necessary documents that may be required. 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.

30. Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to amend Chapter 3 ("CITY DEPARTMENTS AND AGENCIES") of Title 2 ("GENERAL GOVERNMENT") of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Section 2-3-5, "Prohibition of Firearms on City Property."

(A copy of the City Manager's memorandum dated June 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 06/09/20, 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. 30; 06/09/20, 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. 30; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 20, 2020. City Council included an amendment to ordinance in section that states: (4) This section shall not apply to (a) military personnel when acting within the scope of their official duties, (b) sworn law enforcement officers, (c) private security personnel hired by the City, when any of them are present in buildings owned, leased or operated by the City or in parks and in any recreational or community facility that is owned or used by the City; (d) personnel and volunteers of museums or living history re-enactors and interpreters, who possess firearms that are not loaded with projectiles, when such persons are participating in, or traveling to or from, historical interpretive events that involve the display or demonstration of such firearms, historical re-enactors and any other persons who possess firearms that are inoperative or otherwise incapable of discharging a projectile, and are not loaded with operable ammunition, when such persons are participating in, or traveling to or from, special events that involve the



display or demonstration of such firearms. 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.

### **ROLL-CALL CONSENT CALENDAR (31-33)**

31. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement 85 of the Zoning Ordinance. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 31; 06/09/20, 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. 31; 06/09/20, and is incorporated as part of this record by reference.)

32. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement 134 of the City Code. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 32; 06/09/20, 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. 32; 06/09/20, and is incorporated as part of this record by reference.)

33. Consideration of Approval of the First Amendment to the FY 2020 Washington Metropolitan Area Transit Authority Capital Funding Agreement. [ROLL-CALL VOTE]

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

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

31. City Council passed an ordinance to adopt Supplement 85 of the Zoning Ordinance.

The ordinance reads as follows:

ORDINANCE NO. 5279

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 85," are hereby adopted as and shall constitute "The Eighty Fifth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Eighty Fifth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between December 14, 2019 and March 14, 2020, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between December 14, 2019 and March 14, 2020 inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Eighty Fifth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after the effective date of this ordinance.

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

supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

32. City Council passed an ordinance to adopt Supplement 134 of the City Code.

The ordinance reads as follows:

#### ORDINANCE NO. 5280

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

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

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 134," are hereby adopted as and shall constitute "The One Hundred and Thirty Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundred and Thirty Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between December 14, 2019 through March 14, 2020, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after March 14, 2020, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 134; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between December 14, 2019 through March 14, 2020, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and Thirty Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor

shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundred and Thirty Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

33. City Council: (1) approved a one-year Washington Metropolitan Area Transit Authority (WMATA) Capital Funding Agreement (CFA) extension for FY 2021 (July 1, 2020 - June 30, 2021); and (2) adopted the resolution authorizing the City Manager to sign and execute the first amendment to the FY 2020 WMATA CFA.

The resolution reads as follows:

#### **RESOLUTION NO. 2951**

**WHEREAS**, Jurisdictional council/board approval is required for all capital funding agreements (CFA); and

**WHEREAS**, WMATA and its jurisdictional funding partners have entered into the fiscal year (FY) 2020 Capital Funding Agreement (FY 2020 CFA), which expires June 30, 2020; and

**WHEREAS**, The jurisdictional funding partners and WMATA wish to extend the FY 2020 CFA for one additional year while the parties continue to negotiate a six-year CFA;

**NOW, THEREFORE, BE IT RESOLVED**, That Council approves the First Amendment to the FY 2020 CFA as shown in Attachment A to this resolution; and be it further

**RESOLVED**, That the City Manager is authorized to execute on behalf of the City of Alexandria the First Amendment to the FY 2020 CFA substantially in the form of Attachment A to this resolution; and be it further

**RESOLVED**, That in order to fully execute these agreements prior to July 1, 2020, this Resolution shall be effective immediately.

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.

#### **CONTESTED APPOINTMENTS**

34. Alexandria-Caen Sister Cities Committee  
1 Citizen Member

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Aguirre and carried unanimously, City Council moved to readvertise the vacancy for the citizen member to the Alexandria-Caen Sister Cities Committee. 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.

35. Alexandria Transportation Commission

1 Citizen Member, who shall be a resident of the City possessing qualifications in land-use, transportation, and/or municipal finance and shall reside west of Quaker Lane

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

NAME:

ENDORSEMENT:

Jeffrey Bennett  
Jeremy Drislane  
Anthony Franco  
Ken Notis

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 35; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Jeffrey Bennett as the citizen member, who shall be a resident of the City possessing qualifications in land-use, transportation, and/or municipal finance and shall reside west of Quaker Lane to the Alexandria Transportation Commission. The vote was as follows:

Wilson	-	Bennett
Bennett-Parker	-	Bennett
Aguirre	-	Bennett
Chapman	-	Bennett
Jackson	-	Franco
Pepper	-	Franco
Seifeldein	-	Drislane

36. Citizen Corps Council  
1 Citizen Member

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

NAME:

ENDORSEMENT:

Christine King  
Robert Love, Jr.  
James Williams

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 36; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Robert Love, Jr. as the citizen member to the Citizen Corps Council. The vote was as follows:

Wilson	-	Love
Bennett-Parker	-	Love
Aguirre	-	Love
Chapman	-	Love
Jackson	-	King
Pepper	-	Love
Seifeldein	-	Love

37. Commission for Women  
2 Citizen Members

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

NAME:	ENDORSEMENT:
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Marie Divine	
Hannah Jenuwine	
C. Elizabeth "PJ" Palmer-Johnson	
Gayle Terry	

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 37; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council reappointed C. Elizabeth "PJ" Palmer Johnson and appointed Gayle Terry as the two citizen members to the Commission for Women. The vote was as follows:

Wilson	-	Palmer-Johnson, Terry
Bennett-Parker	-	Palmer-Johnson, Terry
Aguirre	-	Palmer-Johnson, Terry
Chapman	-	Palmer-Johnson, Terry
Jackson	-	Divine, Palmer-Johnson
Pepper	-	Palmer-Johnson, Terry
Seifeldein	-	Divine, Palmer-Johnson

38. Community Services Board  
1 Consumer Member (current or former direct recipient of public or private mental health, intellectual disability, or substance abuse treatment rehabilitation services) or family member (immediate family member or the principal caregiver who is not paid) of consumer

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council moved to readvertise the one consumer member or family member of a consumer for the Community Services Board. 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.

39. Environmental Policy Commission

1 Member from the field of environmental services or who have Alexandria waterfront expertise

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

NAME:

ENDORSEMENT:

Michael Bahleda  
Patrick McHugh  
Michael Pease

(Materials pertaining to the above appointment are on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 39; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots are distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Michael Bahleda as the member from the field of environmental sciences or who have Alexandria waterfront expertise to the Environmental Policy Commission. The vote was as follows:

Wilson	-	Bahleda
Bennett-Parker	-	Bahleda
Aguirre	-	Bahleda
Chapman	-	Bahleda
Jackson	-	Pease
Pepper	-	Pease
Seifeldein	-	Pease

40. Human Rights Commission  
4 Citizen Members

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

NAME:

ENDORSEMENT:

Lisl Brunner  
Michelle Cho  
Julie Ciccarone  
Matt Harris  
Taylor Herbel  
Lesley Lewis  
Casandra Newell  
Mariam Ouhamou  
Christopher Outlaw  
David Rigsby  
Sasha Rousseau

Albert Smolinski

(Materials pertaining to the above appointment are on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 40; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Lisl Brunner and Michelle Cho and reappointed Matt Harris and David Rigsby as the four citizen members to Human Rights Commission. The vote was as follows:

Wilson	-	Brunner, Cho, Harris, Newell
Bennett-Parker	-	Brunner, Cho, Harris, Rigsby
Aguirre	-	Brunner, Cho, Harris, Rigsby
Chapman	-	Brunner, Harris, Outlaw, Rigsby
Jackson	-	Brunner, Cho, Harris, Rigsby
Pepper	-	Brunner, Harris, Rigsby, Rousseau
Seifeldein	-	Brunner, Harris, Newell, Rigsby

41. Planning Commission  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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Melissa McMahon	
Jacob Wildfire	

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 41; 06/09/20, and is incorporated as part of this record by reference.)

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

Wilson	-	McMahon
Bennett-Parker	-	McMahon
Aguirre	-	McMahon
Chapman	-	McMahon
Jackson	-	McMahon
Pepper	-	McMahon
Seifeldein	-	McMahon

42. Potomac Yard Design Advisory Committee  
1 Qualified Professional skilled in landscape architecture, architecture or urban design

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

NAME:

ENDORSEMENT:

Melissa Bennett  
Jeremy Fretts

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 42; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied, with the following results: City Council reappointed Jeremy Fretts as the qualified professional skilled landscape architecture, architecture or urban design as the Potomac Yard Design Advisory Committee. The vote was as follows:

Wilson	-	Fretts
Bennett-Parker	-	Fretts
Aguirre	-	Fretts
Chapman	-	Fretts
Jackson	-	Fretts
Pepper	-	Fretts
Seifeldein	-	Fretts

43. Traffic and Parking Board  
3 Citizen at-Large members

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

NAME:

ENDORSEMENTS:

James Allgood  
James Bartlett  
Kevin Beekman  
Frank Capone  
Harold Curry  
Geoff Goode  
Casey Kane  
Scott MacConomy  
William John Schuyler

(Materials pertaining to the above appointment are on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 43; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots were tallied with the following results: City Council reappointed Kevin Beekman, Casey Kane, and William John Schuyler as the three citizen at-large members to the Traffic and Parking Board. The vote was as follows:

Wilson	-	Beekman, Kane, Schuyler
Bennett-Parker	-	Beekman, Kane, Schuyler
Aguirre	-	Beekman, Kane, Schuyler
Chapman	-	Beekman, Kane, Schuyler
Jackson	-	Allgood, Curry, MacConomy
Pepper	-	Beekman, Kane, Schuyler
Seifeldein	-	Beekman, Kane, Schuyler

44. Visit Alexandria Board of Governors  
 1 Attraction Representative  
 1 Restaurant/Manager Representative  
 1 At-Large Member  
 1 Member from one of the following categories: hotel, restaurant, association and Retail

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

NAME:	ENDORSEMENTS:
Mary Rinaldo	Patricia Washington, CEO, Visit Alexandria
Chelsea Anderson	Patricia Washington, CEO, Visit Alexandria
Stuart Fox	Patricia Washington, CEO, Visit Alexandria
Albert Le Roux	
Niamh O'Donovan	Patricia Washington, CEO, Visit Alexandria

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and appointed Mary Rinaldo as the attraction representative, appointed Chelsea Anderson as the restaurant owner/manager representative, appointed Stuart Fox as the at-large member, and waived the residency requirement and appointed Niamh O'Donovan as the member from one of the following categories: hotel, restaurant, association and retail to the Visit Alexandria Board of Governors. The vote was as follows:

Wilson	-	Rinaldo, Anderson, Fox, O'Donovan
Bennett-Parker	-	Rinaldo, Anderson, Fox, O'Donovan
Aguirre	-	Rinaldo, Anderson, Fox, O'Donovan
Chapman	-	Rinaldo, Anderson, Fox, Le Roux
Jackson	-	Rinaldo, Anderson, Fox, O'Donovan
Pepper	-	Rinaldo, Anderson, Fox, O'Donovan
Seifeldein	-	Rinaldo, Anderson, Fox, O'Donovan

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

45. Introduction of an Amendment to a Five Year Telecommunications Facility License Agreement dated October 2019, between the City of Alexandria, Virginia and New Cingular Wireless PCS, LLC ("AT&T") to Permit New Cingular Wireless to Install Approved Small Cell Facilities on Approved Additional Poles in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 45; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) considered the proposed Amendment to the existing Telecommunications Facility License Agreement with AT&T and set it for public hearing on Saturday, June 20, 2020, and (2) after the public hearing authorize the City Manager to execute the Amendment and to take other actions that are necessary to implement the Amendment. 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.

46. Introduction of a Five (5) year Telecommunications Facility License Agreement with Crown Castle Fiber, LLC., to permit Crown Castle Fiber LLC., to occupy the City's Rights-of-Ways to attach Small Cell Facilities on Approved Poles within the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 46; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) considered the five-year license agreement with Crown Castle Fiber LLC., and set it for public hearing on Saturday, June 20, 2020, and (2) after the public hearing authorize the City Manager to execute the license agreement and to take any other actions that are necessary to implement the agreement. 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.

47. Introduction of an Amendment to a Five Year Telecommunications Facility License Agreement dated October 2019, between the City of Alexandria, Virginia and Cellco Partnership d/b/a Verizon Wireless to Permit Cellco Partnership to Install Approved Small Cell Facilities on Approved Additional Poles in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 47; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) considered the proposed the Amendment to the existing Telecommunications Facility License Agreement with Verizon and set it for public hearing on Saturday, June 20, 2020, and (2) after the public hearing authorize the City Manager to execute the Amendment and to take other actions that are necessary to implement the Amendment. 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.

48. City Council Confirmation of Extending the Declaration of Local Emergency for COVID-19.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 48; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council: (1) confirmed the extension of the Declaration of Local Emergency; and (2) authorized the Director of Emergency Management to enter into contracts and incur obligations as enumerated in Section 44-146.21 of the Code of Virginia. 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.

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

**a. Condemning Police Brutality and Systemic Racism. (Councilman Seifeldein)**

1. Councilman Seifeldein introduced the following resolution to establish a community police review board and condemning systemic racism in the community. Council had a discussion about the potential makeup of the police oversight commission and requested that staff returns with a proposal of an independent commission and role and makeup of the body.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted a resolution establishing a community police review board and condemning systemic racism. 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. 2950**

**Establishing a Community Police Review Board and Condemning Systemic Racism**

**WHEREAS**, for 8 minutes and 46 seconds on May 25, 2020, George Floyd, a Black man, died of asphyxiation as two police officers sat on him and held him while one other police officer pressed his knee and full body weight on Mr. Floyd's neck as he pleaded for his life and repeatedly said "I can't breathe."

**WHEREAS**, the death of Mr. Floyd ignited a Nationwide protest for over 12 days demanding justice for Mr. Floyd and an end to police brutality against Black and Brown people. Mr. Floyd's death follows the murder of Eric Garner, Dominique Clayton, Atatiana Jefferson, Yassin Mohamed, and Breonna Taylor at the hands of police.

**WHEREAS**, the City of Alexandria recognizes that these deaths are just the most recent in a tide of victims who have lost their lives due to police brutality; the recurrence of acts of violence and oppression committed by those sworn to serve and protect is the result of systemic racism.

**WHEREAS**, the City of Alexandria stands in solidarity with the Floyd family, his friends, the Minneapolis community, and the empowered activists and organizations calling for meaningful reforms to reverse discriminatory practices.

**WHEREAS**, the City of Alexandria condemns the use of force by law enforcement to suppress the protestors' right to assemble peaceably.

**WHEREAS**, the City of Alexandria acknowledges that the plight of Black and Brown Americans is not always explicit and present in the form of police brutality, but also entrenched in institutions such as the judicial system, the electoral process, career advancement, education, housing, and the health care system.

**WHEREAS**, the City of Alexandria recognizes that the COVID-19 pandemic has exposed racial disparities in health and economic wellbeing.

**WHEREAS**, the City of Alexandria and all government officials have a duty to ensure the protection of all communities through actions and reform, including in the justice system.

**THEREFORE BE IT RESOLVED**, the City Council of the City of Alexandria condemns police brutality and racism in our Nation.

**BE IT FURTHER RESOLVED**, the City of Alexandria calls upon state and federal elected officials to pass meaningful laws to prohibit the militarization of law enforcement, to reform the criminal justice system, and to reform police immunity laws.

**BE IT FURTHER RESOLVED**, the City Council of the City of Alexandria recognizes that gathering data on the demographics of police encounters with the public is an imperative step in holding law enforcement accountable and shall be added to the City Council work plan.

**BE IT FURTHER RESOLVED**, the City Council of the City of Alexandria recognizes the urgent need to adopt a police body worn camera policy and it shall make it a priority in the City Council work plan.

**BE IT FURTHER RESOLVED**, the City Council of the City of Alexandria is committed to exploring new 21st century public safety models.

**BE IT FURTHER RESOLVED**, the City Council of the City of Alexandria hereby establishes a Community Police Review Board within 90 days of passing this resolution. The City Manager and the City Attorney are directed to return to Council in the first Legislative Meeting of September with a proposal to establish the Community Police Review Board.

**BE IT FINALLY RESOLVED**, the City of Alexandria reaffirms that Black Lives Matter.

2. Councilman Aguirre reminded everyone to complete their 2020 Census form.

## OTHER

### 49. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 3, 2020, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 49; 06/09/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) received and adopted the City Council schedule for June 2020 through July 2020; and (2) received and adopted the FY 2021 City Council Schedule for August 2020 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 Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council adjourned the regular meeting of June 9, 2020 at 12:01 a.m. 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.

\*\*\*\*\*

**APPROVED BY:**

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

ATTEST:

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



**City of Alexandria  
City Council Public Hearing Meeting  
Saturday, March 13, 2021 9:30 AM  
Virtual Meeting  
Meeting Minutes**

\*\*\*\*\*

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

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Sharma, Deputy Director, T&ES; Ms. Horowitz, Principal Planner, P&Z; Mr. Browand, Division Chief, Recreation, Parks and Cultural Activities (RPCA); Ms. Oleynik, Urban Planner, T&ES; Mr. Geratz, Principal Planner, P&Z; Ms. North, Division Chief, T&ES; Ms. Mason, Planner, T&ES; Mr. Boulden, Civil Engineer, T&ES; Ms. Contreras, Urban Planner, P&Z; Mr. LaColla, Division Chief, P&Z; Mr. Swidrak, Urban Planner, P&Z; Mr. Skrabak, Deputy Director, T&ES; Mr. Kerns, Division Chief, P&Z; Ms. Bevis-Carver, Civil Engineer, T&ES; Ms. McIlvaine, Director, Office of Housing; Ms. Santure, Office of Housing; Mr. Shelby, Urban Planner, P&Z; Mr. Tran, T&ES; Ms. Harwell, Urban Planner, P&Z; Mr. Smith, Information Technology Services; and Ms. Demeke, Information Technology Services.

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

\*\*\*\*\*

## **OPENING**

### **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.

\*\*\*\*\*

Mayor Wilson stated that due to the COVID-19 pandemic emergency, the March 13, 2021 Public Hearing 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 an 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. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. 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. Joe Sestak, Alexandria, representing the Seminary Road Civic Association, spoke about delaying stream restoration for Strawberry Run.

2. Janice Grenadier, Alexandria, spoke about corruption in the court system.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public discussion period. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR (3-5)**

### **Planning Commission**

3. Special Use Permit #2020-00105  
4513 Duke Street  
Public Hearing and consideration of a request for a Special Use Permit for a temporary trailer; zoned: CG/Commercial General. Applicant: DHL Express, represented by Kelly Shepard Goodfriend, agent  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 03/13/21, and is incorporated as part of this record by reference.)

4. Special Use Permit #2021-00001  
Riparian Area Adjacent to 1A Prince Street - Tall Ship Providence Pier  
Public Hearing and consideration of a request for a Special Use Permit for the docking and berthing of a historic ship and privately owned public use buildings connected with the historic ship (amending SUP2019-00113 to decrease the size of the pier and buildings); zoned: WPR/Waterfront Park and Recreation. Applicant: Tall Ship Providence Foundation, represented by M. Catharine

Puskar, attorney

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 03/13/21, and is incorporated as part of this record by reference.)

5. Special Use Permit #2020-00100  
109 Stewart Avenue

Public Hearing and consideration of a request for a Special Use Permit for the construction of a single-family dwelling on a developed substandard lot; zoned: R-2-5/Single-and two-family. Applicant: Kyle Smith, represented by Ram Pradhan, agent

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 03/13/21, and is incorporated as part of this record by reference.)

## **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing and approved the consent calendar. The approvals were as follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.

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.

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

None.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)** **Planning Commission (continued)**

6. Special Use Permit Review #2020-00041  
26 Dove Street - M & B Auto Sales LLC, d/b/a Mid Atlantic Truck Center  
Public Hearing and consideration for revocation of an automobile sales and repair Special Use Permit for violations of Special Use Permit conditions; zoned:

OCM(50)/Office Commercial Medium(50) Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Recommended Revocation 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 03/13/21, and is incorporated as part of this record by reference.)

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

1. Hamid Yasini, Alexandria, owner, spoke about keeping the special use permit active and responded to questions from Council.
2. Cynthia Cole, Alexandria, spoke in support of the revocation.
3. Ralph Badette, Alexandria, spoke in support of the revocation.
4. Carey Meushaaw, spoke in support of the revocation.
5. Yahya Yasini, Alexandria, spoke against the revocation of the special use permit.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**A motion was made** by Councilwoman Pepper, seconded by Councilwoman Jackson for City Council upheld the Planning Commission's recommendation for revocation.

**A substitute motion was made** by Councilman Seifeldein to defer consideration of the revocation until September 2021 to allow for compliance with current Special Use Permit. The motion dies for lack of a second.

**A substitute motion was made** by Councilman Seifeldein, seconded by Councilman Aguirre to defer consideration of the revocation until April 2021 to allow for compliance with current Special Use Permit. The motion failed 2-5. The vote was as follows: In favor, Councilman Aguirre and Councilman Seifeldein; Opposed, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Chapman, Councilwoman Jackson and Councilwoman Pepper.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried 6-1, City Council upheld the Planning Commission's recommendation for revocation. The vote was as follows: In favor, Mayor

Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

7. Special Use Permit #2020-00102

711 Princess Street

Public Hearing and consideration of a request for a Special Use Permit for indoor and outdoor live entertainment, a restaurant, and outdoor dining; zoned: CD/Commercial Downtown. Applicant: Classical Movements, represented by Neeta Helms, agent

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 03/13/21, and is incorporated as part of this record by reference.)

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

1. William Cromley, Alexandria, spoke in support of the proposal.
2. Anna Bergman, Alexandria, spoke in support of the proposal
3. James Ross, Alexandria, spoke in support of the proposal.
4. Tanya Lervik, Alexandria, spoke in support of the proposal.
5. Guy Lamolinara, Alexandria, spoke against the proposal.
6. Linda Bogaczyk, Alexandria, spoke in support of the proposal.
7. Neeta Helms, Alexandria, applicant, spoke in support of the proposal.
8. Billie Schaeffer, Alexandria, spoke against the proposal.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation with the following amendments:

2. **CONDITION AMENDED BY CITY COUNCIL:** Indoor live entertainment, restaurant and outdoor dining are permitted daily, between 10 a.m. and 9 p.m. All patrons must leave the premises at 9 p.m.

10. CONDITION AMENDED BY CITY COUNCIL: No indoor amplified sound shall be audible at the property line after 9 PM. (CC)

23. CONDITION AMENDED BY CITY COUNCIL: The Director of Planning and Zoning shall docket the matter for consideration by the Planning Commission and City Council one year from SUP approval at the February 2021 hearings. (CC)

STATEMENT DELETED WITH CITY COUNCIL APPROVAL OF LIVE OUTDOOR ENTERTAINMENT: The following conditions apply, subject to compliance with all applicable codes and ordinances, should City Council choose to approve outdoor live entertainment. If City Council does not approve live entertainment, Conditions 24 through 28 are invalid:

24. CONDITION AMENDED BY CITY COUNCIL: The maximum number of outdoor seats for live entertainment shall be 50. City Council approval is required for an SUP amendment to increase outdoor seating over 50 for live entertainment.(CC)

25. CONDITION AMENDED BY CITY COUNCIL: Outdoor live entertainment is limited to four hours a day and is permitted on Friday and Saturdays between 10 a.m. and 9 p.m. and Sundays through Thursday between 10 a.m. and 8 p.m. (CC)

29. CONDITION ADDED BY CITY COUNCIL: Within thirty days after the third representative concert to be held following the SUP approval, the applicant shall submit a report on his conducting noise measurements during three representative concert events using the service of a professional acoustic consultant to verify compliance with the City noise code at all property lines including those of 409 and 411 N. Columbus properties. City staff shall be invited to observe the measurements of the consultant. (CC)

30. CONDITION ADDED BY CITY COUNCIL: If the results of the noise measurements show non-compliance with the noise code, the applicant shall submit a mitigation plan to the City within one month from the date of the report submission and implement all mitigation measures within two months from the submission date of the mitigation plan, all to the satisfaction of the Director of T&ES. During this period of non-compliance, the applicant shall apply for a temporary noise variance permit. (CC)

31. CONDITION ADDED BY CITY COUNCIL: Amplified sound is not permitted. (CC)

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

\*\*\*City Council took a recess for lunch at 12:38 p.m. and reconvened the meeting at 1:15 p.m.\*\*\*

8. Development Special Use Permit #2020-10035  
Transportation Management Plan Special Use Permit #2020-00075  
4901 Eisenhower Avenue - Tri Pointe Homes  
Public Hearing and consideration of a request for: (A) a Development Special Use Permit and site plan with modifications to construct 139 townhouse and multifamily units, including a Special Use Permit for a parking reduction; (B) a Transportation Management Plan Special Use Permit for Tier 2; and for all other relief required of the City of Alexandria Zoning Ordinance; zoned: CRMU-H/Commercial Residential Mixed Use (High), with proffers. Applicant: Tri Pointe Homes DC Metro, Inc., represented by Mary Catherine Gibbs, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 03/13/21, and is incorporated as part of this record by reference.)

The following person participated in the public hearing:

1. Mary Catherine Gibbs, Alexandria, attorney for the applicant, spoke in support of the proposal.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none.

9. Master Plan Amendment #2020-00006  
Coordinated Development District Concept Plan Amendment #2020-00005  
Development Special Use Permit #2019-00017  
Transportation Management Plan Special Use Permit #2021-00005  
5143, 5165, 5173, and 5183 Seminary Road; 5066, 5105, 5106, 5115, 5118, 5121, and 5129 Fairbanks Avenue; 2618, 2623, 2627, 2638, 2641 2648 and 2658 Foster Avenue - Upland Park  
Public Hearing and consideration of requests for: (A) an amendment to the Beauregard Small Area Plan chapter of the Master Plan to amend the framework streets map; (B) amendment to previously approved Coordinated Development District #21 Conceptual Design Plan to amend the Upland Park Neighborhood Development Summary to decrease the number of multifamily units from 505 to

443 and increase the number of townhouse units from 30 to 92 (amending CDD#2012-00003); (C) Development Special Use Permit and site plan, with subdivision to construct 92 townhomes and park space, including Special Use Permits to construct a building on a parcel without frontage on a public street and to allow more than eight dwelling units in a single townhouse structure; and (D) a Special Use Permit for a Transportation Management Plan; zoned: CDD #21/Coordinated Development District #21 (Beauregard). Applicants: Alexandria Development Associates, LLC, represented by Kenneth W. Wire, attorney; City of Alexandria (Master Plan)  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 03/13/21, and is incorporated as part of this record by reference.)

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

1. Kenneth Wire, attorney for the applicant, spoke in support of the proposal and responded to questions from Council about the project.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parke, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

10. Master Plan Amendment #2020-00008  
Rezoning #2020-00004  
Development Special Use Permit #2020-10027  
Transportation Management Plan Special Use Permit #2020-00076  
Vacation #2020-00004  
1352, 1356, 1360, and 1362 Madison Street; 711, 715, 719, and 727 North West Street; 1319, 1321, 1323, 1325, 1327, and 1329 Wythe Street - Braddock West  
Public Hearing and consideration of a request for: (A) Amendments to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan through updates to the Development Site Map, Development and Land Use tables in the Braddock Metro Neighborhood Plan Overlay, and the Development Framework Map and Land Use and Development tables in the Braddock East Master Plan Overlay; (B) amendment to the official zoning map to change the zone for the site from RB to OCH; (C) a Development Special Use Permit and site plan with modifications to construct a 180-unit multifamily building with ground-floor commercial uses, including special use permits to increase the floor area ratio to 3.0 in the OCH zone, the utilization of Section 7-700 for bonus density and height for the provision of affordable housing, for a parking reduction



for residential and commercial uses, to allow a restaurant, retail shopping or personal service establishments on a lot which does not include office buildings, provided such use supports and serves office uses in the immediate zoned area, and a fraternal or private club; (D) a Special Use Permit for a Transportation Management Plan (tier two); and (E) the Vacation of two public alleys serving the site; zoned RB/Townhouse. Applicant: West Street Acquisitions, LLC, represented by Jonathan P. Rak, attorney; City of Alexandria (portions of the Master Plan Amendment only)

Planning Commission Action: Recommended Approval 6-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 03/13/21, and is incorporated as part of this record by reference.)

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

1. Judy Noritake, Alexandria, representing the Braddock Metro Citizens Coalition, spoke in support of the proposed project.
2. John Craig, Alexandria, spoke against the proposed project, citing stormwater issues.
3. Ellen Mosher, Alexandria, spoke against the proposed project.
4. John Dameron, applicant, spoke in support of the proposed project and responded to questions from Council.
5. Casey Nolan, representative for the applicant, spoke in support of the proposed project and responded to questions from Council.
6. Eli Goldman, representative for the applicant, spoke in support of the project and responded to questions from Council about stormwater and stormwater retention near the project.
7. Yvonne Callahan, Alexandria, spoke against the proposed project, noting the amount of affordable housing in the project.
8. Jonathan Rak, attorney for the applicant, spoke in support of the project and responded to questions from Council about the community meetings, affordable housing and sanitary sewer and stormwater improvements.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker to approve the Planning Commission recommendation including amendments conditions #2 update reflecting COVID language, #77 and #78, updating the language regarding trash cans and the inclusion of new paragraph #69 relating to the sewer tap and fees. The motion failed 3-4. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, and Councilwoman Pepper; Opposed, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson and Councilman Seifeldin.

## **ORDINANCES AND RESOLUTIONS**

11. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Title 2 of the Code of the City of Alexandria, Virginia, General Government, Chapter 5, Officers and Employees, by adding Article E, Collective Bargaining. [ROLL-CALL VOTE]

**\*PLEASE NOTE: This item has been deferred to a Special Meeting (scheduled for March 17, 2021)\***

***This item has been deferred to the Special meeting on March 17, 2020.***

12. Public Hearing, Second Reading and Final Passage of an ordinance to amend Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Article AA (INDEPENDENT COMMUNITY POLICING REVIEW BOARD) and to amend Article A (GENERAL PROVISIONS) of Chapter 1 (POLICE PROTECTION) OF Title 4 (PUBLIC SAFETY) of The Code of the City of Alexandria, Virginia, 1981, as amended, to add Sections 4-1-5 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR) AND 4-1-6 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR DUTIES AND RESPONSIBILITIES). [ROLL-CALL VOTE]

**\*PLEASE NOTE: This item has been deferred to a Special Meeting (scheduled for March 17, 2021).\***

**This item has been deferred to a Special Meeting on March 17, 2020.**

13. Public Hearing, Second Reading and Final Passage of an Ordinance Approving and Authorizing the Closure of Wales Alley, between South Union and Strand Streets, to Vehicular Traffic. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 3, 2021 , is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 03/13/21, 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 Item No. 13; 03/13/21, 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 Item No. 13; 03/13/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded, by Councilwoman Jackson and carried unanimously by roll-call vote, City Council adopted an ordinance approving and authorizing the closure of Wales Alley, between South Union and Strand Streets, to vehicular traffic. 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 ordinance reads as follows:

#### ORDINANCE NO. 5327

AN ORDINANCE to close Wales Alley, between South Union and Strand Streets, to vehicular traffic.

WHEREAS, the section of Wales Alley, between South Union Street and Strand Street (a.k.a. The Strand), is a one-way alley heading east towards the Potomac River; and

WHEREAS, prior to the pandemic, the southern half of the alley was used for outdoor dining through a license agreement with the adjacent restaurant, Virtue Feed and Grain; a five-foot-wide sidewalk is located on the north side adjacent to retail buildings; and the area in between was available for one-way vehicular travel; and

WHEREAS, in Spring 2020, Virtue Feed and Grain submitted a request to use more of the alley for outdoor dining; under the temporary pandemic-related regulations for small businesses approved by City Council, the City temporarily closed the alley to allow the restaurant to expand further north into the alley, while maintaining pedestrian access along the north side; and

WHEREAS, prior to the pandemic, the business community and City staff discussed the option of closing this portion of the alley; and

WHEREAS, on November 16, 2020, the Traffic and Parking Board supported the closure of Wales Alley to vehicular traffic based on the reasons provided herein; and

WHEREAS, given the decorative nature of the alley, the existing outdoor dining, the elimination of the Old Dominion Boat Club parking lot, and the proximity to

the waterfront, many pedestrians use this alley for walking to and from the park and very few cars drive down it; and

WHEREAS, the alley is not an emergency vehicle easement and is not required to be kept open by the Fire Department; and

WHEREAS, the alley provides additional pedestrian space and outdoor dining area that is beneficial to the waterfront area, but does not provide any significant value to traffic circulation; and

WHEREAS, on March 3, 2021, the Planning Commission found that closure of the alley to vehicular traffic was consistent with the City of Alexandria Master Plan; and

WHEREAS, pursuant to City Charter § 2.03(a) and Code of Virginia § 15.2-2006, the City has the authority to close streets and alleys; and

WHEREAS, the City has complied with the legal requirements in order to close this alley to vehicular traffic; and

WHEREAS, in consideration of the findings of the Planning Commission, Traffic and Parking Board, and the report of the staff, the Council of the City of Alexandria, has determined that the closure of Wales Alley to vehicular traffic is desirable; therefore,

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

Section 1. That, pursuant to City Charter § 2.03(a) and Code of Virginia § 15.2-2006, closure of Wales Alley, south of King Street and located between South Union and Strand Streets, to vehicular traffic is approved.

Section 2. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this closure, including the execution of documents.

Section 3. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this closure, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 4. That this ordinance shall be effective upon the date and at the time of its final passage.

14. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sections 2-136.1 (DWELLING, ACCESSORY), 2-141 (DWELLING UNIT), and 2-145 (FLOOR AREA) of Article II (DEFINITIONS); Sections 7-101 (PERMITTED ACCESSORY USES), 7-103 (USE LIMITATIONS), 7-202

(PERMITTED OBSTRUCTIONS), and 7-203 of Article VII (SUPPLEMENTAL ZONE REGULATIONS); and Section 11-1302 (Special exception established) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) and add and ordain Section 7-203 (ACCESSORY DWELLINGS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00007 (Implementation Ordinance for Text Amendment No. 2020-00007 associated with Accessory Dwelling Units approved by City Council on January 23, 2021). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 1, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 03/13/21, 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 Item No. 14; 03/13/21, 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 Item No. 14; 03/13/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried 6-1 by roll-call vote, City Council adopted an ordinance to amend and reordain Sections 2-136.1 (DWELLING, ACCESSORY), 2-141 (DWELLING UNIT), and 2-145 (FLOOR AREA) of Article II (DEFINITIONS); Sections 7-101 (PERMITTED ACCESSORY USES), 7-103 (USE LIMITATIONS), 7-202 (PERMITTED OBSTRUCTIONS), and 7-203 (USE LIMITATIONS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS); and Section 11-1302 (Special exception established) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) and add and ordain Section 7-203 (ACCESSORY DWELLINGS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00007. 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.

The ordinance reads as follows:

#### ORDINANCE NO. 5328

AN ORDINANCE to amend and reordain Sections 2-136.1 (DWELLING, ACCESSORY), 2-141 (DWELLING UNIT), and 2-145 (FLOOR AREA) of Article II (DEFINITIONS); Sections 7-101 (PERMITTED ACCESSORY USES), 7-103 (USE LIMITATIONS), 7-202 (PERMITTED OBSTRUCTIONS), and 7-203 of Article VII

(SUPPLEMENTAL ZONE REGULATIONS); and Section 11-1302 (Special exception established) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) and add and ordain Section 7-203 (ACCESSORY DWELLINGS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00007.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00007, 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 January 5, 2021 of a text amendment to the Zoning Ordinance to adopt amendments to allow accessory dwelling units by permit, which recommendation was approved by the City Council at public hearing on January 23, 2021;

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 2-136.1 of the Zoning Ordinance be, and the same hereby is, added and ordained, as shown:

2-136.1 – Dwelling, accessory.

A dwelling unit with separate cooking, heating and sanitary facilities that is subordinate to a principal residential use. An accessory dwelling shall be considered an accessory use.

Section 2. That Section 2-141 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

2-141 - Dwelling unit.

A group of one or more rooms designed for or intended for occupancy by a single family. In determining whether a dwelling is a single-family dwelling, a two-family dwelling, a townhouse dwelling or a multifamily dwelling, consideration will be given to the separate use of or the provision made for cooking, heating and sanitary facilities whether installed or not; both the actual use to which the dwelling is being put and the potential use to which the dwelling might be put; and whether kitchen and bathroom facilities and bedrooms are so located as to provide privacy if occupied by an additional family. It is the intent of this provision to prohibit the installation of facilities in a dwelling

unit which would extend the use of the premises for occupancy by more than one family. An accessory dwelling shall not be considered in determining whether the principal dwelling is a single-family, two-family or townhouse dwelling, or whether a single-family, two-family or townhouse dwelling complies with the maximum density and minimum open space or lot requirements for the zone for which it is located.

Section 3. That Section 2-145 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

2-145 – Floor area.

(A) For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. It shall include all space seven feet or more in height. These areas shall be measured from exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

\*\*\*

(6) Free-standing garages to the rear of the main building in accordance with section 7-2501. The floor area excluded pursuant to this subsection shall not exceed the total floor area exclusions listed in section 2-145(A)(12).

\*\*\*

(11) Sheds and other small accessory buildings in accordance with section 7-202 (C)(2). The floor area excluded pursuant to this subsection shall not exceed the total floor area exclusions listed in section 2-145(A)(12).

(12) Floor area devoted to an accessory dwelling within an accessory building in accordance with section 7-203. The total floor area excluded pursuant to sections 2-145(A)(6), (11) and this subsection shall not exceed:

- (a) 100 square feet for lots less than 2,500 square feet,
- (b) 350 square feet for lots 2,500 square feet or greater or
- (c) 600 square feet for lots 8,000 square feet or greater.

(B) For properties except for those specified in subsection (A) above, the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. These areas shall be measured from the exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. It shall include all space seven feet or more in height. It

shall include all space within an above grade parking garage. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

\*\*\*

(12) Sheds and other small accessory buildings in accordance with section 7-202(C)(2). The floor area excluded pursuant to this subsection shall not exceed the total floor area exclusion listed in section 2-145(B)(14).

\*\*\*

(14) Floor area devoted to an accessory dwelling within an accessory building in accordance with section 7-203. The total floor area excluded pursuant to section 2-145(B)(12) and this subsection shall not exceed 65 square feet.

Section 4. That Section 7-101 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

7-101 – Permitted accessory uses.

Permitted accessory uses and structures shall be limited to the following and any additional use or structure which the director finds is similar to those listed in scope, size and impact, is customarily associated with residential dwellings, and is otherwise in compliance with this ordinance:

\*\*\*

(N) Accessory dwelling, subject to Section 7-203.

Section 5. That Section 7-103 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

7-103 - Use limitations.

The following limitations apply to accessory uses and structures:

(A) No accessory use or structure shall be located forward of a front building wall facing a primary front yard except as provided in section 7-202(A).

\*\*\*

Section 6. That Section 7-202 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

7-202 – Permitted obstructions.

The following obstructions shall be permitted when located in a required yard and placed so as not to obstruct light and ventilation and when otherwise permitted by law:



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(C) In any yard except a front yard:

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(4) Freestanding private garages to the rear of the main building in accordance with section ~~7-25017-2505~~.

(5) Accessory buildings occupied by accessory dwellings in accordance with section 7-203.

\*\*\*

Section 7. That Section 7-203 of the Zoning Ordinance be, and the same hereby is, added and ordained, as shown:

7-203 – Accessory dwellings.

(A) No accessory dwelling unit shall be permitted unless a permit for the same has been issued by the Director. An application for the permit shall be submitted to the Director on such forms as the Director may prescribe and shall include information that demonstrates compliance with this section 7-203. The applicant shall submit the fee prescribed by section 11-104.

(B) Use limitations.

(1) An accessory dwelling shall be permitted as an accessory use to a single-family, two-family or townhouse dwelling only.

(2) Only one accessory dwelling shall be permitted on any recorded lot including properties subject to section 7-103(D).

(3) The gross floor area of an accessory dwelling within a principal dwelling shall not exceed one-third of the principal dwelling's gross floor area.

(4) No more than three persons shall reside in the accessory dwelling.

(5) The accessory and principal dwelling shall remain under common ownership.

(6) The owner of the property shall maintain the property as their primary residence at the time the permit required by section 7-203(A), above, is issued.

(7) The accessory dwelling shall not be a short-term residential rental, as defined by City Code section 3-2-152(a)(2), for a period exceeding 120 days per calendar year.

(C) Bulk and setback requirements for a detached accessory building.

(1) Size. The maximum floor area of the accessory building's first floor shall not exceed the greater of:

(a) One-third of the floor area of the principal dwelling's first floor  
or

(b) 350 square feet for lots 2,500 square feet or less and 500 square feet for lots larger than 2,500 square feet.

For the purposes of this section, floor area shall include space otherwise excluded pursuant to sections 2-145(A)(12) and 2-145(B)(14).

(2) Height. The maximum height of the accessory building shall not exceed the lesser of the following:

- (a) The height of the principal dwelling or
- (b) 20 feet.

For purposes of this section, the maximum height shall include all rooftop appurtenances listed in section 6-403(B).

(3) Side and rear yards. The accessory building shall be permitted in required side and rear yards subject to the following requirements:

- (a) Unless a lesser setback is required by the zone in which the property is located, the accessory building shall provide at least a one-foot setback, including architectural features, from side and rear lot lines and
- (b) If the accessory building has walls with windows or doorways that face the nearest side or rear lot line, the setback shall be three feet unless a greater setback is required by (c), (d) or (e).
- (c) Portions of an accessory building taller than 13.5 feet but less than 16 feet shall provide a setback of at least 2.5 feet.
- (d) Portions of accessory buildings more than 16 feet in height shall provide a setback of at least five feet.
- (e) Outside of the Old and Historic Alexandria and Parker-Gray Districts, if a wall of a dwelling on an adjacent lot has any windows or doorways that have a sill lower than 20 feet, measured from grade, facing the shared lot line and located within three feet of that shared lot line, the setback shall be five feet, including any roof overhang, from that shared lot line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.

(D) Off-street parking. An accessory dwelling shall be exempt from providing off-street parking.

Section 8. That Section 11-1302 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

11-1302 - Special exception established.

A lot developed with a single family, two family, or townhouse dwelling may be the subject of a special exception from the following zoning requirements pursuant to this section 11-1300:

\*\*\*

(F) Bulk and setback requirements of section 7-203(B) for the expansion or reconstruction of a detached accessory building subject to the following requirements:

(1) The accessory building shall be developed with an accessory dwelling.

(2) No expansion or reconstruction shall increase the degree of the accessory building's existing noncompliance with regard to section 7-203(B).

(3) The noncomplying accessory building existed prior to February 20, 2021.

(4) Nothing in this subsection shall be deemed to authorize the expansion or redevelopment of an accessory building beyond the height or floor area ratio permitted by the zone in which such accessory building is located, nor to authorize the approval of more than one special exception per lot under the provisions of this subsection.

Section 9. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 10. That Sections 2-136.1 (DWELLING, ACCESSORY), 2-141 (DWELLING UNIT), and 2-145 (FLOOR AREA) of Article II (DEFINITIONS); Sections 7-101 (PERMITTED ACCESSORY USES), 7-103 (USE LIMITATIONS), 7-202 (PERMITTED OBSTRUCTIONS), and 7-203 of Article VII (SUPPLEMENTAL ZONE REGULATIONS); and Section 11-1302 (SPECIAL EXCEPTION ESTABLISHED) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) and Section 7-203 (ACCESSORY DWELLINGS) of Article VII SUPPLEMENTAL ZONE REGULATIONS), as amended or added pursuant to Sections 1 through 8 of this ordinance, be, and the same hereby are, reordained or ordained 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.

15. Public Hearing, Second Reading and Final Passage of an Ordinance to vacate a portion of the public right-of-way at Oakville Street, between Swann Avenue and Fannon Street (VAC No. 2020-00005)(Implementation Ordinance for Vacation No. 2020-00005 associated with the Oakville Triangle Infrastructure Plan approved by City Council on January 23, 2021). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 03/15/21, 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 Item No. 15; 03/13/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted an ordinance to vacate a portion of public right-of-way at Oakville Street, between Swann Avenue and Fannon Street (VAC No. 2020-00005). 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 ordinance reads as follows:

#### ORDINANCE NO. 5329

AN ORDINANCE to vacate a portion of the public right-of-way at Oakville Street, between Swann Avenue and Fannon Street (VAC No. 2020-00005).

WHEREAS, BRE/DP Alexandria Property Owner LLC, a Delaware limited liability company (owner), has applied for the vacation of a portion of the public right-of-way at Oakville Street, between Swann Avenue and Fannon Street, in the City of Alexandria, Virginia; and

WHEREAS, in Vacation No. 2020-00005, the planning commission recommended approval to the City Council on January 5, 2021 of a vacation of public right of way, which recommendation was approved by the City Council at public hearing on January 23, 2021; and

WHEREAS, viewers, Jennifer Atkins, Michael Porterfield, and Matthew Stensrud have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, the procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, have been followed in conjunction with this vacation; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of the City of Alexandria, has determined that the portion of the public right-of-way to be vacated is no longer desirable for public use and that the public interest will not be harmed by this vacation; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the vacation of the public right-of-way to Owner, as shown on the plat of vacation attached hereto and incorporated herein by reference, be, and the same hereby is, approved.

Section 2. That the vacation made and provided by the preceding section of this ordinance be, and the same hereby is, subject to the conditions set forth below:

1. The Owner shall prepare a plat of consolidation, showing the property vacated and all easements therein, and consolidating such property with their abutting property, and the plat of consolidation shall be filed with the Director of Planning and Zoning, the Director of Transportation and Environmental Services, and among the land records of the City.

2. Easements shall be reserved for all existing public and private utilities within the area vacated. The Owner shall show all easements on the plat of consolidation.

3. Owner shall pay \$0 to the City for the vacated land because the street network is being changed and an equivalent amount of land is being dedicated elsewhere in the development.

Section 3. The term "Owner" shall be deemed to include Stonebridge Associates Inc., and their respective successors in interest.

Section 4. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this vacation, including the execution of documents.

Section 5. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall be effective upon the date and at the time of its final passage; provided, however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to Owner. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and Owner as grantee, and such recordation shall be done by the grantee at his or her own expense. In the event no such deed is recorded within 18 months of the effective date, this ordinance shall be void and of no effect.

16. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet Nos. 074.03 and 074.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 416 South Alfred Street and 431 South Columbus Street, from RC/High density apartment zone, and 901 Gibbon Street, 450 and 510 South Patrick Street, and 900 Wolfe Street from RB/Townhouse zone to RMF/Residential multifamily zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00006 (Implementation Ordinance for Rezoning No. 2020-00006 associated with Heritage at Old Town approved by City Council on February 20, 2021). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 03/13/21, 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 Item No. 16; 03/13/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously roll-call vote, City Council adopted an ordinance to amend and reordain Sheet Nos. 074.03 and 074.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 416 South Alfred Street and 411 South Columbus Street, from RC/High density apartment zone, and 901 Gibbon Street, 450 and 510 South Patrick Street, and 900 Wolfe Street from RB/Townhouse zone to RMF/Residential multifamily zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00006. 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 ordinance reads as follows:

#### ORDINANCE NO. 5330

AN ORDINANCE to amend and reordain Sheet Nos. 074.03 and 074.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 416 South Alfred Street and 431 South Columbus Street, from RC/High density apartment zone, and 901 Gibbon Street, 450 and 510 South Patrick Street, and 900 Wolfe Street from RB/Townhouse zone to RMF/Residential multifamily zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00006.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2020-00006, 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 February 2, 2021 of a rezoning of the properties at 416 South Alfred Street and 431 South Columbus Street, from RC/High density apartment zone, and 901 Gibbon Street, 450 and 510 South Patrick Street, and 900 Wolfe Street from RB/Townhouse zone to RMF/Residential multifamily zone, which recommendation was approved by the City Council at public hearing on February 20, 2021;

2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet Nos. 074.03 and 074.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 416 S. Alfred Street, Alexandria, Virginia  
22314; 074.04-12-16

From: RC/High density apartment zone  
To: RMF/Residential multifamily zone

LAND DESCRIPTION: 431 S. Columbus Street, Alexandria,  
Virginia 22314; 074.04-12-15

From: RC/High density apartment zone  
To: RMF/Residential multifamily zone

LAND DESCRIPTION: 901 Gibbon Street, Alexandria, Virginia  
22314; 074.03-05-05

From: RB/Townhouse zone  
To: RMF/Residential multifamily zone

LAND DESCRIPTION: 450 S. Patrick Street, Alexandria, Virginia  
22314; 074.03-05-02

From: RB/Townhouse zone  
To: RMF/Residential multifamily zone

LAND DESCRIPTION: 510 S. Patrick Street, Alexandria, Virginia  
22314; 074.03-05-04

From: RB/Townhouse zone  
To: RMF/Residential multifamily zone

LAND DESCRIPTION: 900 Wolfe Street, Alexandria, Virginia  
22314; 074.03-05-01

From: RB/Townhouse zone  
To: RMF/Residential multifamily zone

Section 2. That the director of planning and zoning be, and hereby is,



directed to record the foregoing amendment on the said map.

Section 3. That Sheet Nos. 074.03 and 074.04 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

17. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by City Council to the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00007 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00007 associated with Newport Village approved by City Council on February 20, 2021). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 03/13/21, 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 Item No. 17; 03/13/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried 6-1 by roll-call vote, City Council adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by City Council to the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00007 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

The ordinance reads as follows:

#### ORDINANCE NO. 5331

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by City Council to the Alexandria West Small Area Plan chapter of such

master plan as Master Plan Amendment No. 2020-00007 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2020-00007, 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 February 2, 2021 of an amendment to the Alexandria West Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend Map 8, Alexandria West Land Use Map, to note that the land use designation for the applicable portion of the applicable parcel is CRMU-H and amend Map 14, Alexandria West Height Limits Map, to note that the maximum allowable height for the application portion of the applicable parcel is 92 feet, which recommendation was approved by the City Council at public hearing on February 20, 2021;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Alexandria West Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending Map 8, Alexandria West Land Use Map, to note that the land use designation for the applicable portion of the applicable parcel is CRMU-H and amending Map 14, Alexandria West Height Limits Map, to note that the maximum allowable height for the application portion of the applicable parcel is 92 feet, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

18. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 011.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 4898 West Braddock Road, from RA/Multifamily zone to CRMU-H/Commercial residential mixed use (high) zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00003 (Implementation Ordinance for Rezoning No. 2020-00003 associated with Newport Village approved by City Council on February 20, 2021). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 18; 03/13/21, 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 Item No. 18; 03/13/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried 6-1 by roll-call vote, City Council adopted an ordinance to amend and reordain Sheet No. 011.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 4898 West Braddock Road, from RA/Multifamily zone to CRMU-H/Commercial residential mixed use (high) zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00003. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

The ordinance reads as follows:

#### ORDINANCE NO. 5332

AN ORDINANCE to amend and reordain Sheet No. 011.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP

AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 4898 West Braddock Road, from RA/Multifamily zone to CRMU-H/Commercial residential mixed use (high) zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00003.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2020-00003, 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 February 2, 2021 of a rezoning of the property at 4898 West Braddock Road, from RA/Multifamily zone to CRMU-H/Commercial residential mixed use (high) zone, which recommendation was approved by the City Council at public hearing on February 20, 2021;
2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;
3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 011.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 4898 West Braddock Road, Alexandria,  
Virginia 22311; 011.01-01-02

From: RA/Multifamily zone

To: CRMU-H/Commercial residential mixed use (high) zone

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

Section 3. That Sheet No. 011.01 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

19. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend Title 10 Chapter 4: Stopping, Standing and Parking and Title 3 Chapter 2 Article

S: Payment, Contest and Enforcement of Parking Citations. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 3, 2021 , is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 19; 03/13/21, 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 Item No. 19; 03/13/21, 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 Item No. 19; 03/13/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously by roll-call vote, City Council adopted an ordinance to amend Title 10 Chapter 4: Stopping, Standing and Parking and Title 3 Chapter 2 Article S: Payment, Contest, and Enforcement of Parking Citations. 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 ordinance reads as follows:

#### ORDINANCE NO. 5333

AN ORDINANCE to amend Chapter 4 (STOPPING, STANDING AND PARKING) of Title 10 (MOTOR VEHICLES AND TRAFFIC) and Article S (PAYMENT, CONTEST AND ENFORCEMENT OF PARKING CITATIONS) 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 Chapter 4 of Title 10 and Article S of Chapter 2 of Title 3 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined :

#### **Sec. 3-2-351 - Payment of uncontested citations.**

(a)

(1) For any parking citation issued pursuant to the provisions of section 5-8-72, or 9-12-162 through 9-12-164, the amount of the penalty established by section 3-2-354 for the

violation for which the citation was issued, when the citation is uncontested, may be paid to the director of finance in lieu of a trial on the charge.

(2) For any parking citation issued pursuant to the provisions of Title 10, Chapter 4, the amount of the penalty established by section 10-4-47 for the violation for which the citation was issued, when the citation is uncontested, may be paid to the director of finance in lieu of a trial on the charge.

(b) The registered owner of any motor vehicle receiving such a citation shall execute on an appropriate form a waiver of his right to contest the citation and enter his plea of guilty to the charge for which the citation was issued before payment tendered by him for the same may be accepted by the director of finance.

### **Sec. 3-2-354 - Penalties for uncontested citations.**

Any other provisions of this code to the contrary notwithstanding, the penalty for any of the following violations of this code shall, when the citation which was issued for the violation is uncontested, be as follows:

(a) If a payment is tendered to the director of finance within 30 calendar days from the date the citation was issued:

(3) \$40 for a violation of section 9-12-162, "Use of locations other than designated parking spaces by sight-seeing buses;"

(4) \$40 for a violation of section 9-12-163, "Use of parking spaces designated for use by sight-seeing buses by other vehicles;"

(5) \$40 for a violation of section 9-12-164, "Use of designated spaces by sight-seeing buses;"

(b) If payment is not tendered to the director of finance with 30 calendar days of the date the citation is issued, a penalty of \$25 in addition to the penalty imposed by subsection (a) for the violation for which the citation was issued; provided, that, in the event the 30th calendar day from the date the citation is issued is a Saturday, Sunday or legal holiday, such additional penalty shall not be imposed if payment is tendered in the amount required by subsection (a) on the next succeeding business day; provided further, that if payment is remitted to the director of finance in a sealed envelope bearing a postmark on or before midnight of the 30th calendar day from the date the citation is issued, no such additional penalty shall be imposed; and provided further, that the director of finance may waive such additional penalty, even though payment has not been tendered or mailed within 30 calendar days of the date the citation was issued, whenever the owner of the vehicle identified in the citation establishes any of the following to the satisfaction of the director:

(i) that the owner did not find the citation at the time of its issuance on the owner's vehicle and only learned of the citation after the day on which it was issued, and has tendered the required payment with 30 days of first learning of the citation;

- (ii) that, within 30 days after the issuance of the citation or, if later, after first learning of the citation, the owner has made a written request to the director for information concerning the citation, and has tendered the required payment within 30 days of the director's response; or
- (iii) that the owner was medically incapable of making the required payment within 30 calendar days of the date the citation was issued.
- (c) In addition to the fees and charges imposed pursuant to subsections (a) and (b) hereof, upon collection the director of finance shall impose on each person chargeable with a delinquent parking citation fees to cover the administrative costs and reasonable attorney's or collection agency fees actually contracted for. The attorney's or collection agency's fees shall not exceed 20 percent of charges collected. The administrative costs shall not exceed \$30 for any amount collected subsequent to 30 days or more after notice of a delinquent parking citation is provided by the director of finance but prior to taking judgment and shall not exceed \$35 for any amount collected subsequent to judgment.

#### **Sec. 10-4-12 - Parking on private property.**

No person shall park a motor vehicle, trailer or semitrailer, or any part thereof, upon the private property of any other person without the express or implied consent of the owner of the property.

#### **Sec. 10-4-13 - Stopping for purpose of repairs, etc.**

~~(a)~~ Except as necessitated by an emergency, no person shall perform any repair or maintenance work, including the removal or addition of any fluids, upon a motor vehicle that is stopped or parked on any street, whether public or private, or within any public park, wildlife sanctuary or city-owned parking lot.

#### **Sec. 10-4-35 - Parking in two-hour parking zones in the central business district.**

No person shall park a vehicle during the hours of 8:00 a.m. through 5:00 p.m., Monday through Friday, within any block for more than two consecutive hours in blocks which have two-hour parking limits designated by official signs posted on that block or a portion thereof within the central business district described in section 8-300 of the Zoning Ordinance ~~7-6-74 of this code~~.

#### **Sec. 10-4-46 – Parking heavy vehicles in commercial business areas.**

(a) Vehicles with gross weights in excess of 12,000 pounds or lengths of 30 feet or more may not park for more than two hours on streets adjacent to commercial business areas unless such vehicles are actively engaged in loading or unloading operations or waiting to be loaded or unloaded or are engaged in or preparing to engage in utility or similar service work.

(b) Notwithstanding any other definition in this code, for purposes of this section the following words and phrases shall have the meanings respectively ascribed to them as follows:

(1) Commercial business areas.

a. Commercial business areas shall include:

i. Any mixed-use or any type of commercial zones which shall include, but not be limited to, the following zones as defined in Article IV and Article V of the Zoning Ordinance,

- (a) CRMU-L;
- (b) CRMU-M;
- (c) CRMU-H;
- (d) CRMU-X;
- (e) W-1;
- (f) CDD;
- (g) CL;
- (h) CC;
- (i) CSL;
- (j) CG;
- (k) CD;
- (l) CD-X;
- (m) OC;
- (n) OCM;
- (o) OCM(100);
- (p) OCH;
- (q) NR

ii. Property located in an industrial zone that has a commercial land use.

b. Commercial land uses shall include, but not be limited to, retail, restaurant, day care center, or office uses.

#### **10-4-47 – Penalties for violations of this chapter.**

The penalty for violation of provisions regarding parking, standing, or stopping of vehicle in this chapter that are not contested and tendered to the director of finance within 30 days from the date the citation was issued shall be \$40 unless otherwise provided by this section, the City Code, state law, or other provisions of law.



The penalties for the below violations that are not contested and tendered to the director of finance within 30 days from the date the citation was issued shall be as follows:

(1) The amount set by order of the Supreme Court of Virginia, pursuant to Section 16.1-69.40:1 of the Code of Virginia, as amended, for a violation of section 10-4-41, "Parking prohibited at certain locations;"

(2) The amount set by order of the Supreme Court of Virginia, pursuant to Section 16.1-69.40:1 of the Code of Virginia, as amended, for a violation of section 10-4-42, "Parking prohibited near fire hydrant, etc.;"

(3) \$200 for violations of Section 10-4-44, "Parking prohibited in HOV lane."

Section 2. That Chapter 4 of Title 10 and Article S of Chapter 2 of Title 3 is amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective immediately.

20. Public Hearing, Second Reading, and Final Passage of an Ordinance to expand the stated purpose of the Stormwater Utility Fee by amending Article C (STORMWATER UTILITY) to Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES). [ROLL-CALL VOTE]

**\*This item has been deferred\***

This item was deferred.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued) DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

### **Planning Commission (continued)**

**None.**

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the public hearing meeting of March 13, 2021 at 4:30 p.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON   MAYOR

ATTEST:

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Gloria A. Sitton, CMC   City Clerk

Approved:

Ratified:

**City of Alexandria  
City Council Special Meeting  
Wednesday, March 17, 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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Hudson, Outside Counsel; Ms. Triggs, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. Baker, Deputy City Manager; Mr. Gonsalves, P3 Coordinator, City Manager's Office; Ms. S. Taylor, Legislative Director/Assistant City Manager; Ms. Roberts, Assistant City Attorney; Mr. DiBeneditto, Assistant City Attorney; Fire Chief Smedley, Police Chief Brown, Ms. McLean, Executive Assistant to the City Manager; Ms. Quinn, Management Analyst; City Manager's Office; Mr. Moss, Information Technology Services (ITS); Mr. Smith, ITS; and Ms. Demeke.

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 the members of Council were present via Zoom webinar.

\*\*\*\*\*

Mayor Wilson stated that due to the COVID-19 pandemic emergency, the March 17, 2021 Special 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. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. 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. Marcus Downey, Alexandria, representing police union, spoke about changes to the collective bargaining ordinance.
2. Del. Mark Levine, Alexandria, spoke in support of the collective bargaining ordinance and responded to questions from members of Council.
3. Heidi Meinzer, Alexandria, attorney representing IUPA Local 5 and IUPA Local 5005, spoke in opposition to several points of the collective bargaining ordinance.
4. Ingris Moran, Alexandria, representing Tenants and Workers United, spoke in support of the Community Policing Review Board ordinance and in support of structural changes to law enforcement.
5. James Rodriguez, Alexandria, spoke about the need for a collective bargaining ordinance for City employees.
6. Lindsey Lawson Battaglia, Alexandria, spoke about changes to law enforcement and in support of the Community Policing Review Board.
7. Tara May, Alexandria, spoke about collective bargaining ordinance and how it will affect law enforcement and suggested changes to the ordinance to address concerns of sworn employees.
8. Mark Blackwell, Alexandria, spoke at the need for body-worn cameras for police and changes to Community Policing Review Board ordinance allowing full access to information.
9. Christopher E. Brown, Alexandria, spoke in support of the Community Policing Review Board ordinance and offered some suggestions for amendments to the ordinance.
10. John Silverwood, Alexandria, spoke in support of a fair collective bargaining ordinance for City employees.
11. Velicia Tucker, Woodbridge, spoke in support of a collective bargaining ordinance for City employees.
12. Jonathan Krall, Alexandria, representing Grassroots Alexandria, spoke in support of the Community Policing Review Board ordinance.
13. Josh Turner, Alexandria, representing Alexandria Firefighters, Inc., spoke about the collective bargaining ordinance.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public discussion period. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

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

PLEASE NOTE: The public hearings for the following items will occur at a subsequent meeting. Tonight is the introduction of the proposed ordinances.

3. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Title 2 of the Code of the City of Alexandria, Virginia, General Government, Chapter 5, Officers and Employees, by adding Article E, Collective Bargaining.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 03/17/21, 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 Item No. 3; 03/17/21, 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 Item No. 3; 03/17/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Aguirre and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing on April 17, 2021, with the following amendments from the draft ordinance circulated by Vice Mayor Bennett-Parker:

- Expanded the scope for discipline to resolve employee grievances and strikeout the 6 months expiration
- P. 4, Line 7 – delete “in the sole and final determination of the city manager”
- P. 4, Line 23 – amended definition to match FLSA
- P. 4, Line 35 – delete similar to line 7 deletion
- P. 5, Lines 3 and 4 – adding public safety employees back
- P. 5, Line 15-19 – strike language related to meet and confer
- P. 4, Line 40 – parties are to follow negotiated agreements
- Add language about City retaining authority during emergencies
- P.8 -mutual agreement terms are not just solely with City Manager
- Impasse agreement – moved to Union's position and incorporated that language into the document

Councilman Aguirre offered an amendment to remove from p.10 Line 5 – language “for certification without election.”

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, to strike 30% and move it to 50% (decertification) from p.6, line 10. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none. It becomes part of the main motion.

The vote on the main motion was as follows: In favor, Mayor Wilson, Vice Mayor

Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

\*\*\*\*City Council took a recess at 8:38 p.m. and reconvened the meeting at 9:00 p.m.\*\*\*

4. Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to amend Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Article AA (INDEPENDENT COMMUNITY POLICING REVIEW BOARD) and to amend Article A (GENERAL PROVISIONS) of Chapter 1 (POLICE PROTECTION) OF Title 4 (PUBLIC SAFETY) of The Code of the City of Alexandria, Virginia, 1981, as amended, to add Sections 4-1-5 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR) AND 4-1-6 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR DUTIES AND RESPONSIBILITIES).

(A copy of the City Manager's memorandum dated March 3, 2021 , is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 3; 03/17/21, 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 Item No. 3; 03/17/21, 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 Item No. 3; 03/17/21, and is incorporated as part of this record by reference.)

**A motion was made** by Councilman Seifeldein for City Council to pass the ordinance on first reading and schedule it for public hearing , second reading on Saturday, April 17, 2021, with the amendments from the memorandum he circulated dated March 9, 2021. The motion died for lack of a second.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Seifeldein and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing on Saturday, April 17, 2021. The following amendments were offered to the proposed ordinance:

- p.2, sec. C, line 22 -23, modified the language to read, "such as personal identifiers" and deleted "authorized to remain confidential pursuant to the Virginia Freedom of Information Act...."
- p. 2, sec. 2, delete statement beginning at line 24 through line 29 substitute with the following language, "APD shall provide such documents to the Independent Policing Auditor who shall not provide it to the Board or share with the public."
- p.3, sec. B, line 23, added the word personal before experience
- p. 3, sec. b, iii, line 32 - change the language to read, "and shall be at least three years honorably removed from service.
- created a subsection (c) to address ex-officio voting members
- p. 2 sec (f) -- amend the language regarding board reports as follows:

(f) Board Reports: The Board shall produce public reports regarding the work of the Board and disseminate such reports in hardcopy and online, including, but not limited to:

- i. a written report to the City Council by September 1 of each fiscal year of its activities for the prior fiscal year under the provisions of this chapter along with any comments and recommendations as it may choose to make; and
- ii. a written report after each investigation conducted pursuant to Section 2-4-227(d) which shall not include any Personally Identifiable Information, or criminal or juvenile information prohibited from being disclosed by Virginia State Code or Federal Law. The reports of each investigation shall be provided to the public with all narratives, findings, recommendations and any disciplinary actions.

-p.4. 2-4-223, sec(c) - remove language "and the permissibility of their release shall be determined by APD in consultation with the City Attorney's office, pursuant to applicable laws."

-p.5. 2-4-225, iii. - change the language to read as follows, "iii. The City Attorney, or its designee, shall serve as legal advisor to the Board. As to a particular matter, and in the event the Board or the City Attorney determine that there is a conflict of interest that precludes effective representation by the City Attorney's Office, the Board shall retain outside counsel to advise the Board from a list of attorneys recommended by the City Attorney."

-p.5, 2-4-225, v - change the language to read as follows: "v. The City, including all city departments, boards, commissions, and staff shall make good faith effort to cooperate with and assist the Board, and shall comply with , all reasonable Board requests or expeditiously provide a reason for rejection."

-p. 7. (i) - Board Review of APD Investigations - the section should read as follows: "i. Except for matters identified in subsection (d) herein, APD shall continue to investigate all complaints submitted to APD or to the Board. APD shall complete its investigation of the complaint and provide an investigation report to the Board within sixty (60) days. The Board shall extend the 60-day period upon request of the Police Chief to protect an ongoing criminal investigation, or for other good cause, with notice to the complainant and city council."

-p.8, sec (d)(i)(2) - change the word substantial to reasonable

-p.9 -under section (e) add the word "Duties" to the tile "Board Policy Recommendations"

-p. 12, delete section (a)(i) under Exclusions.

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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, the Special City Council Meeting of March 17, 2021 was adjourned at 12:04 a.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON    MAYOR

ATTEST:

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Gloria A. Sitton, CMC    City Clerk  
Approved:  
Ratified:



**City of Alexandria  
City Council Legislative Meeting  
Tuesday, March 23, 2021 5:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Ms. Collins, Deputy City Manager; Mr. Whatley, Emergency Manager, Fire Department; Ms. K. Taylor, Director, Finance; Ms. S. Taylor, Legislative Director/Assistant City Manager; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Fire Chief Smedley; Mr. Burns, Purchasing Agent, Finance; Ms. Garvey, Director, Department of Community and Human Services; Dr. Haering, Director, Alexandria Health Department; Ms. Talis, Alexandria, Health Department; Ms. Wedeles, Special Assistant to the City Manager; Mr. Fields, Director, Code Administration; Ms. Baker, Deputy City Manager; Mr. Ziemann, Division Chief, T&ES; Ms. Eckert, Department of Community and Human Services; Ms. Mayeur, Principal Planner, T&ES; Ms. Hardy-Chandler, Department of Community and Human Services; Ms. Mclean, Executive Assistant to the City Manager; Mr. Garbacz, Division Chief, T&ES; Mr. Smith, Information, Technology Services (ITS); Mr. Barre, ITS; and Mr. Moss.

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

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1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present, with Councilman Chapman arriving during the executive session. All members were present via Zoom webinar.

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Mayor Wilson stated that due to the COVID-19 pandemic emergency, the March 23 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 an 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. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. 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. 5:00 p.m. - Closed Meeting

Closed Meeting - Consideration of a closed meeting for the discussion of a personnel matter.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously, City Council convened in closed executive session at 5:03 p.m., to discuss a personnel matter concerning candidates for appointment by the City Council pursuant to Sections 2.2-3711 (A)(1) of the Code of Virginia. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously. City Council reconvened in open session at 7:03 p.m. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the resolution regarding the Closed Executive Session previously circulated to Council. 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. 2980**

**WHEREAS**, the Alexandria City Council has this 23rd day of March, 2021 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. Public Discussion Period.

The following persons participated in the public discussion period:

1. Chris O'Donnell, Alexandria, spoke about the American Rescue Plan Funds and the need for the City to fix the infrastructure and stormwater system.
2. Allison Ricketts, Alexandria, spoke about damage to her property from construction on the new Sunrise development on Washington Street.
3. Greg Ricketts, Alexandria, spoke about damage to his property from construction on the new Sunrise development on Washington Street.
4. Thomas Harper, Alexandria, requested that Council allocate funding from the American Rescue Plan for broadband infrastructure and for the fixing the stormwater problems in City neighborhoods.
5. Katie Waynick, Alexandria, spoke about the ongoing stormwater problems in the City and requested that the City use the American Rescue Plan funds to address the issues in City neighborhoods.

\*\*\*Please note: Councilman Seifeldein left the meeting at 7:40 p.m.\*\*\*

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

### **\*Northern Virginia Transportation Authority (NVTa) (Mayor Wilson)**

Mayor Wilson reported that he gave the Board a presentation on the Potomac Yard Metrorail Station, as NVTa has provided the final payment for the construction on the station.

### **\*COG Board of Directors (Mayor Wilson)**

Mayor Wilson reported that he will be serving on a new committee that was created to review and discuss DC Statehood and COG will be preparing a resolution to support the Statehood, highlighting the regional importance of DC gaining statehood.

### **\*ARHA Redevelopment Committee (Mayor Wilson and Councilman Chapman)**

Mayor Wilson reported that the Lineage at North Patrick will be opening any day and ARHA has selected Madden Homes and the Ladrey House and the adjacent headquarters site for the next redevelopment projects. Mayor Wilson noted that there are still discussions about holding a joint meeting with City Council, ARHA Board of Directors, and the Planning Commission in the fall about some of the redevelopment plans.

### **\*COG Transportation Planning Board (TPB) (Councilman Aguirre)**

Councilman Aguirre reported that the Board discussed the Regional Travel Survey and looked at ridership trends for the region and he highlighted some of the travel statistics for the area.

**\*Alexandria Campaign on Adolescent Pregnancy (ACAP)(Councilman Aguirre)**

Councilman Aguirre reported that ACAP conducted a review of the mission, vision and value statement and review of the by-laws for the group.

**\*Minnie Howard High School Project Update (Councilman Aguirre)**

Councilman Aguirre reported that the group review the three proposed designs for the project, looking at student movement throughout the buildings, connections between the buildings, and vehicular movement on the campus (for pickup and drop-off). Councilman Aguirre noted that the next meeting will be held on March 25. Council had a discussion about the possibility of having a pool at the site and the coordination with the schools.

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

Vice Mayor Bennett-Parker reported that the Board approved task orders for construction managers and general contracting and engineering supports at several stations, including the one here in Alexandria. Vice Mayor Bennett-Parker also reported that there was a conversation about relief funding for support of the transit industry and the possible use to for jurisdictional subsidies.

**ORAL REPORT FROM THE CITY MANAGER**

City Manager Jinks congratulate Assistant Police Chief Don Hayes on celebrating 40 years of service with the Alexandria Police Department.

(a) Report by Dr. Stephen Haering, MD, MPH, FACPM, on COVID-19 Mitigation and Vaccination Progress.

Dr. Haering, Director, Alexandria Health Department and Ms. Talis, Population Health Manager, Health Department, gave an update on the vaccination distribution in the City and COVID-19 status, including number of cases, hospitalizations, and next steps. Dr. Haering and Ms. Talis responded to questions from Council.

(b) Discussion of Safe Options for Council Meetings

Ms. Triggs, Deputy City Manager, gave an update on the options for Council to safely holding in-person meetings. Dr. Haering also reviewed the recommendation standards from the Center for Disease Control (CDC) for in-person gatherings. Ms. Triggs reviewed the options and stated that once Council made the decision to meet, staff would move forward with plans for setting up the meeting environment.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER  
CONSENT CALENDAR (4-5)**

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

4. Authorization to Temporarily Waive City Loan Residual Receipt Payments to Mitigate COVID-19 Operating Deficits.

(A copy of the City Manager's memorandum dated March 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 03/23/21, and is incorporated as part of this record by reference.)

5. Approval of a Grant Application to the Metropolitan Washington Council of Governments (MWCOC) Regional Safety Program.

(A copy of the City Manager's memorandum dated March 18, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 03/23/21, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

City Council considered each item on the consent calendar under separate motion.

4. Authorization to Temporarily Waive City Loan Residual Receipt Payments to Mitigate COVID-19 Operating Deficits.

(A copy of the City Manager's memorandum dated March 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 03/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried 5-0, City Council: (1) allowed residual receipt payments, otherwise due based on property revenues, to be waived on City affordable housing loans, if requested by nonprofit borrowers, to help mitigate operating deficits related to COVID-19; and (2) authorized the City Manager to execute waiver agreements with borrowers, as appropriate, based on staff's review and recommendation of requests. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson and Councilwoman Pepper; Opposed, none; Absent, Councilman Seifeldein.

5. Approval of a Grant Application to the Metropolitan Washington Council of Governments (MWCOC) Regional Safety Program.

(A copy of the City Manager's memorandum dated March 18, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 03/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried 5-0, City Council approved the City sponsoring the Alexandria Families for Safe Streets (AFSS) grant application of up to \$60,000 to the Metropolitan Washington Council of Governments (MWCOC) Regional Safety Pilot grant program. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent,

Councilman Seifeldein.

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

6. Introduction of the Alexandria Children and Youth Master Plan 2025.

(A copy of the City Manager's memorandum dated March 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 03/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Aguirre and carried 5-0, City Council received the Children and Youth Master Plan and set it for Alexandria School Board endorsement, public hearing and adoption on April 17, 2021. The vote was follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent, Councilman Seifeldein.

7. Discussion of the American Rescue Plan Funding and a Proposed Process Timetable for Decision Making.

(A copy of the City Manager's memorandum dated March 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 03/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried 5-0, City Council: (1) received the report regarding the proposed process for developing an American Rescue Plan (ARP) spending plan; (2) directed the City Manager to consult with community stakeholders and then develop a proposed final stimulus funding allocation plan for future Council consideration; and (3) utilized \$450,000 in ARP funding, from April 1 to July 6 to serve as interim bridge funding for security, eviction prevention, and other emergency programs to keep safety net programs operating, until July 6 City Council first year ARP allocation decisions are approved. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent, Councilman Seifeldein.

8. Consideration of a Two-Way to One-Way (southbound) Conversion of the Access Street in Front of the George Washington Masonic National Memorial. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 03/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried 5-0, City Council approved the resolution for conversion of the access street from two-way operation to one-way (southbound) operation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent, Councilman Seifeldein.

The resolution reads as follows:

## **RESOLUTION NO. 2983**

### **RESOLUTION TO CONVERT A TWO-WAY STREET TO ONE-WAY OPERATION**

**WHEREAS**, under Section 2.04 of the City Charter, City Council has the authority to regulate the operation of motor and other vehicles in the streets of the city; and

**WHEREAS**, City Council has adopted Complete Streets and Vision Zero policies that directs staff to prioritize safe, comfortable, and convenient multimodal access and mobility on city-owned streets; and

**WHEREAS**, at the December meeting of the Traffic and Parking Board, members unanimously approved a recommendation pursuant to City Code Section 5-8-3(g) to convert the unnamed access street connecting King Street to the George Washington Masonic National Memorial grounds to one-way southbound operation to facilitate safer traffic operations, congestion management, and multimodal accessibility improvements as part of the King, Callahan, and Russell Road Intersection Project.

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

That, as part of the improvements for the planned safety, congestion management, and multimodal accessibility improvements planned and designed as part of the King Street, Callahan Drive, and Russell Road Intersection Project, the operation of the unnamed access road shall be converted to one-way southbound operation.

### **ORDINANCES AND RESOLUTIONS**

9. City Council Confirmation of Extending Local Emergency Declaration for COVID-19.  
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 03/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried 5-0 by roll-call vote, City Council: (1) adopted the amendment to Resolution 2928, Declaration of Local Emergency to extend the emergency through September 30, 2021; and (2) authorized the Director of Emergency Management to enter into contracts and incur obligations as enumerated in section 44-146.21 of the Code of Virginia. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent, Councilman Seifeldin.

The resolution reads as follows:

## **RESOLUTION NO. 2981**

**EXTENSION OF THE DECLARATION OF LOCAL EMERGENCY  
CITY OF ALEXANDRIA, VIRGINIA**

**RESOLUTION NO. 2928**

**WHEREAS**, the Director of Emergency Management of the City of Alexandria, Virginia finds that the Coronavirus Disease 2019 (COVID-19) is a Communicable Disease of Public Health Threat for Virginia and is of sufficient severity and magnitude to warrant a coordinated response by City departments, agencies, and voluntary organization.

**WHEREAS**, on March 14, 2020, City Council adopted Resolution No. 2928 confirming the Director of Emergency Management's Declaration of Local Emergency which extended through June 10, 2020. On June 9, 2020, City Council amended such resolution extending the Declaration of Local Emergency through September 30, 2020. On September 22, 2020, City Council amended such resolution extending the Declaration of Local Emergency through March 31, 2021.

**WHEREAS**, the Director of Emergency Management finds that the emergency continues to exist and will exist into the future.

**THEREFORE, IT IS HEREBY DECLARED**, that a local emergency exists throughout the City of Alexandria; and

**IT IS FURTHER DECLARED AND ORDERED**, that during the existence of said emergency, the powers, functions and duties of the Director of Emergency Management shall be those prescribed by state law and the ordinances, resolutions and operations plans of the City of Alexandria, and that any actions taken under this declaration shall be directed at the prevention or response for, damages, loss, hardship or suffering threatened by, or resulting from, the emergency.

The declaration for COVID-19 effective as of March 9, 2020, at 8:00 am and shall remain in full force and effect until September 30, 2021 at midnight unless sooner amended or rescinded by resolution of the City Council.

10. Resolution Condemning Anti-Asian American Hate. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 03/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried 5-0 by roll-call vote, City Council adopted the resolution condemning anti-Asian American scapegoating and hate violence, and affirming the City's commitment to actively combating racism and protecting its vulnerable residents. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent, Councilman Seifeldin.



The resolution reads as follows:

## **RESOLUTION NO. 2982**

### **RESOLUTION CONDEMNING ANTI-ASIAN HATE**

**WHEREAS**, nearly 6% of Alexandria's population is of Asian descent; and

**WHEREAS**, the Asian American and Pacific Islander (AAPI) population of Alexandria makes significant contributions to the cultural, educational, and economic fabric of our community; and

**WHEREAS**, incidents of anti-AAPI violence and harassment in the United States have increased since the beginning of the pandemic, including efforts to scapegoat the AAPI community for the COVID-19 virus; and

**WHEREAS**, no race, nationality or ethnicity is responsible for COVID-19, and having Chinese ancestry, or any other ancestry, does not make a person more vulnerable to COVID-19; and

**WHEREAS**, ignorance is the lifeblood of conspiracies that hamper our ability to fight the pandemic and endanger the most vulnerable; and

**WHEREAS**, a July 2020 Pew Research Center study found that one third of members of the AAPI community reported being the target of racial slurs or scapegoating since the pandemic began; and

**WHEREAS**, a report released by Stop AAPI Hate revealed that there have been at least 3,795 hate incidents targeting the AAPI community from March 19, 2020, to February 28, 2021; and

**WHEREAS**, in communities around our nation there have been horrific incidents against members of the AAPI community, including assaults, slashing, and deaths; and

**WHEREAS**, on March 16, 2021, eight people were killed in shootings in three Atlanta-area spas, six of whom were Asian women; and

**WHEREAS**, language that evokes xenophobia endangers our communities who are experiencing heightened discrimination; and

**WHEREAS**, AAPI businesses and workers have been hurt by the increase in hate and scapegoating incidents; and

**WHEREAS**, long-term unemployment has risen more sharply among workers who are members of the AAPI community than any other population; and

**WHEREAS**, while anti-Asian hate has accompanied the ongoing COVID-19 pandemic in this country, it is sadly not new; and

**WHEREAS**, anti-Asian hate has erupted throughout American history, inflamed by labor pressures, international conflicts, or economic issues, sometimes resulting in racist

government acts, including the Chinese Exclusion Act of 1882 and the internment of Japanese Americans during World War II; and

**WHEREAS**, on his sixth day in office, President Joseph R. Biden Jr. issued an Executive Memorandum committing the Federal government to Condemn and Combat Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States; now

**THEREFORE, BE IT RESOLVED**, that the City of Alexandria, Virginia, condemns all hate directed at Asian Americans and Pacific Islanders in our community; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the City of Alexandria, Virginia, affirms its commitment to actively combating racism, achieving racial and social equity, and protecting Alexandria's vulnerable residents.

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

Responsible Contractor Authority - Vice Mayor Bennett-Parker and Councilman Chapman

1. Vice Mayor Bennett-Parker and Councilman Chapman presented a memorandum related to responsible contractor authority, noting the passage of bills by the General Assembly and signed into law by the Governor that increased the authority of localities as it relates to contracting. The memo address the need for the City to modify its processed to include additional criteria in determining whether a bidder is responsible, provide preference for contracts who employ persons with disabilities, require contractors and subcontractors to pay prevailing wages, and to enhance micro-SWam participation in our procurement practices. City Manager Jinks responded to questions from Council and offered a memorandum with responses to the topics raised in the memo from Vice Mayor Bennett-Parker and Councilman Chapman.

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2. Councilman Chapman requested input from the community about their concerns and ideas for reopening of City schools, particularly in the fall. Councilman Chapman requested that citizens reach out to him with their concerns and he and Mayor Wilson would share their input with the City/Schools Subcommittee.

## **OTHER**

11. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated March 17, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 03/23/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried 5-0, City Council received and adopted the FY2021 City Council Schedule for March 2021 through July 2021. The vote was as follows: In favor, Mayor Wilson, Vice

Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson and Councilman Pepper; Opposed, none; Absent, Councilman Seifeldein.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried 5-0, City Council adjourned the March 23, 2021 regular meeting at 10:28 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Absent, Councilman Seifeldein.

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APPROVED BY:

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JUSTIN M. WILSON MAYOR

ATTEST:

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Gloria A. Sitton, CMC City Clerk

Approved:

Ratified:

**City of Alexandria**  
**Monday, March 8, 2021 – 5:30 PM**  
**City Council Budget Public Hearing**  
**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. Collins, Deputy City Manager, Mr. Routt, Director of Management and Budget (OMB); Mr. Wicks, Capital Improvement Manager, OMB; Ms. Taylor, Budget Analyst, OMB; Mr. Kurbanov, Budget Analyst, OMB; Ms. McGrane, Budget Analyst, OMB; Mr. Hetland, Budget Analyst, OMB; Ms. Poly, Budget Analyst, OMB; Ms. Kelley, Budget Analyst, OMB; Ms. Lawson, Budget Analyst, OMB; Mr. Barre, Information Technology Services; and Mr. Smith, Information Technology Services.

Recorded by: Keia Waters, Deputy City Clerk and Clerk of Council.

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## OPENING

### 1. Calling the Roll.

Mayor Wilson called the meeting to order, and the Deputy City Clerk called the roll. All the members of Council were present at the meeting via Zoom video conference call.

### 2. Public Hearing on the City Manager's Proposed Annual Operating Budget for FY 2022(including Schools) and the Proposed Capital Improvement Program (CIP) for FY 2022 to FY 2031 (including the Schools CIP) and Proposed Tax Rate Recommendations.

Adoption is scheduled for May 5, 2021 at 7:00 p.m. A public hearing on the ordinance establishing the Real Property Tax Rate will be held Saturday, April 17,2021 at 9:30 a.m.

The following persons participated in the budget public hearing:

1. Barbara Waters, 325 Cameron Station Blvd, spoke on behalf of the Commission for Aging, and voiced concerns about staffing and the need for funding to upgrade the Senior Work Force Development Training Specialist position.

Mayor Wilson requested a budget memo on the upgraded position.

2. Charles Ziegler, 309 N. Langley Street, spoke on behalf of the Friends of Beatley Library, and voiced concerns about the many funding needs in the city libraries.

3. Abenaa Buabeng, 101 S. Whiting Street, spoke in opposition to the proposed funding for schools Student Resource Officer position.

4. Sindy Carballo Garcia, 3634 Edison Street, spoke in opposition to the proposed funding for schools Student Resource Officer position.

5. Karen Adu-Poku, 200 Yoakum Parkway, spoke in opposition to the proposed funding for schools Student Resource Officer position.

6. Alessandra Guevara, 3515 Mount Vernon Avenue, spoke in opposition to the proposed funding for schools Student Resource Officer position.

7. Fatimah Hameed, 4381 King Street, spoke in opposition to the proposed funding for schools Student Resource Officer position.

8. Ingrid Pavon, 3917 Elbert Avenue, spoke in opposition to the proposed funding for schools Student Resource Officer position.

9. Jamie Conrad, 107 W. Maple Street, voiced concerns about the cost of the Taylor Run project.

10. Ingris Moran, Executive Avenue, representing Tenants and Workers United and voiced concerns regarding affordable housing for everyone.

11. Olga Moncado, Four Mile Road, voiced concerns about development near her home and need for funding provide affordable housing.

12. Teofila Gomez, Commonwealth Avenue, spoke in opposition to the proposed funding for schools Student Resource Officer position and the funds should be used for affordable housing.

13. Jonathan Krall, 6a E. Mason Avenue, spoke in opposition to the proposed funding for schools Student Resource Officer position and the funds should be use for affordable housing. He also suggested council increase the half penny to a full penny for the Personal Property Tax contributions.

Councilman Seifeldein requested a budget memo on the increase from half penny to whole.

14. Shira Eller, 200 E. Spring Street, spoke in opposition to the proposed funding for schools Student Resource Officer position.

15. Luis Velez Torres, 4520 King Street, voiced concerns about collective bargaining ordinance.

16. Ann Shack, 501 Tobacco Quay, voiced concerns about tax increase and the funding for several projects.

17. LaDonna Sanders, 25 E. Reed Avenue, spoke in opposition to the proposed

funding for schools Student Resource Officer position.

18. Susan Keightley, 3700 Wheeler Avenue, spoke in support of budget funding to expand early childhood education and childcare programs.

19. Ashley Moore, 6066 Leesburg Pike, Suite 520, spoke in opposition to the proposed funding for schools Student Resource Officer position.

. **WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the budget public hearing. 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the budget public hearing meeting of March 8, 2021 at 6:36 p.m. 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.

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**APPROVED BY:**

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**JUSTIN M. WILSON, MAYOR**

ATTEST:

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Keia Waters, CMC, Deputy City Clerk

Approved: May 11, 2021

Ratified:

**City of Alexandria  
City Council Legislative Meeting  
Tuesday, March 9, 2021 7:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Police Chief Brown; Fire Chief Smedley, Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Triggs, Deputy City Manager; Mr. Moritz, Director, Planning and Zoning (P&Z) Mr. Routt, Director, Office of Management and Budget (OMB); Mr. Whatley, Emergency Management; Ms. Jovovic, Office of Housing, Mr. DiBeneditto, Assistant City Attorney; Dr. Haering, Director, Alexandria Health Department; Ms. Roberts, Assistant City Attorney; Ms. Seau, Division Chief, Office of Housing; Ms. McIlvaine, Director, Office of Housing; Ms. Collins, Deputy City Manager; Ms. Patton, Office of Housing; Mr. Shelby, Urban Planner, P&Z, Ms. Garvey, Director, Community and Human Services; Ms. S. Taylor, Legislative Director; Ms. K. Taylor, Director, Finance; Mr. Maines, Division Chief, T&ES; Ms. North, Division Chief, T&ES; Ms. Oleynik, Planner, T&ES; Ms. Talis, Alexandria Health Department; Ms. Hudson, Counsel, City Attorney's Office; , Mr. Moss, Information Technology Services; Mr. Barre, Information Technology Services; and Mr. Smith, Information Technology Services.

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

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1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of City Council were present via Zoom webinar.

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Mayor Wilson stated that due to the COVID-19 pandemic emergency, the March 9, 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. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. 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. Don Beyer, Alexandria, spoke about the collective bargaining agreement ordinance.
2. Ben Saks, Alexandria, spoke about the Citizen Review Board and collective bargaining agreement.
3. Joseph Morrell, Alexandria, spoke against the collective bargaining agreement.
4. Josh Turner, Alexandria, representing the Firefighters, spoke against the collective bargaining agreement ordinance.
5. Nelva Hernandez, Alexandria, spoke about changes to the collective bargaining agreement ordinance.
6. Andy Lavigne, spoke on the collective bargaining ordinance and suggested it needed more work.
7. Heidi Meinzer, Alexandria, attorney for the police unions, offered some suggestions for changes to the collective bargaining ordinance.
8. Megan Ellzy, Alexandria, spoke on the collective bargaining ordinance and offered support if the ordinance is approved as amended.
9. Kendell Wallace, a City seasonal employee, spoke about the need for a collective bargaining ordinance for employees.
10. John MacKinnon, Alexandria, spoke against the collective bargaining agreement.
11. James Rodriguez, Alexandria, spoke about the collective bargaining ordinance for employees.

Reading and Acting Upon the Minutes of the Following Meetings of City Council:



3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:

The Regular Meeting Minutes of November 10, 2020;  
The Public Hearing Meeting Minutes of November 14, 2020;  
The Regular Meeting Minutes of November 24, 2020;  
The Regular Meeting Minutes of December 8, 2020; and  
The Public Hearing Meeting Minutes of December 12, 2020.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the minutes of the following meetings of City Council: the regular meeting minutes of November 10, 2021, the public hearing meeting minutes of November 14, 2020, the regular meeting minutes of November 24, 2020, the regular meeting minutes of December 8, 2020, and the public hearing meeting minutes of December 12, 2020. 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.

**Oral Reports from Members of City Council on Boards, Commissions and Committees**

**\*Northern Virginia Transportation Commission (NVTC) (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Councilman Aguirre reported that the Commission welcomed Paul Wiedefeld from WMATA as a guest speaker and gave an update on the organization. Councilman Aguirre also reported that the Commission discussed commuter choice items along the I66 and I395 corridor. Councilman Aguirre reported there was a discussion about low income transit fares and the Commission will be drafting a letter to WMATA regarding the budget. Councilman Aguirre noted that there was an update from the DRPT on the Long Bridge project.

**\*Health and Safety Coordinating Committee (Mayor Wilson and Councilwoman Jackson)**

Mayor Wilson reported that the Committee received a vaccination distribution update and the collaboration between the departments to distribute the vaccine. Mayor Wilson reported that there was an update from the Commonwealth Attorney's first graduate from the treatment court.

Councilwoman Jackson reported that the Cameron Mills Fire Station will be opening soon.

**\*Eisenhower Partnership Board of Directors (Councilwoman Jackson and Councilwoman Pepper)**

Councilwoman Jackson reported that there were questions and concerns about the Eisenhower Station and the use of the station because of the increase in telework in the area.

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

Councilwoman Pepper reported that to the Committee that the City's Environmental Policy Commission and the Planning Commission held a joint meeting and discussion their goals and how they were interrelated.

**\*Eisenhower East Design Review Board (Councilwoman Pepper)**

Councilwoman Pepper reported Board discussed the appropriate signage for the buildings coming to the Hoffman area and types of signs that could be seen from the beltway highlighting the area.

**ORAL REPORT FROM THE CITY MANAGER**

1. Vaccination Update from the Alexandria Health Department

Dr. Haering, Director, Alexandria Health Department and Ms. Talis, Health Department, reported status of the virus and vaccine distribution in the City and responded to questions from City Council.

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

**(Resignations and Uncontested Appointments)**

5. Receipt of the following resignations from Members of Boards, Commissions, and Committees:

- (a) Archaeological Commission  
Janice Magnuson
- (b) Commission for the Arts  
Susan Cohen  
Tamsin Green  
Allison Heck
- (c) Landlord-Tenant Relations Board  
Valerie Ianieri

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 03/09/21, and is incorporated as part of this record

by reference.)

Uncontested Appointments to Boards, Commissions and Committees:

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Sister City Committee  
2 Citizen Members
- (b) Children, Youth, and Families Collaborative Commission  
1 High School Student
- (c) Citizen Corps Council  
1 Representative of Alexandria Civic Associations
- (d) Commission on HIV/AIDS  
2 Citizen Members
- (e) Community Services Board  
1 Citizen Member
- (f) Potomac Yard Design Advisory Commission  
1 Member representing the Potomac West Area

(A copy of the material pertaining to the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6(a-f); 03/09/21, and is incorporated as part of this record by reference.)

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

7. Consideration of the Monthly Financial Report for the Period Ending January 31, 2021.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 03/09/21, and is incorporated as part of this record by reference.)

8. Consideration of a Grant Application to the Virginia Alcohol and Beverage Control Authority for Underage Drinking Prevention Initiatives Carried Out by the Substance Abuse Prevention Coalition of Alexandria.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 03/09/21, and is incorporated as part of this record by reference.)

9. Consideration of Adopting the 2021 City of Alexandria Emergency Operations

Plan Update.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 03/09/21, and is incorporated as part of this record by reference.)

10. Consideration of a Grant Application to the Urban Area Security Initiative for Funding to Pay for a Rail Operations Control Center Program Manager.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 03/09/21, and is incorporated as part of this record by reference.)

11. City Participation in a State Rental Assistance Program for Individuals with Intellectual and Developmental Disabilities.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 03/09/21, and is incorporated as part of this record by reference.)

12. Receipt of the Viewers' Report for Vacation #2020-00005 - 2500 Oakville Street

(A copy of the City Clerk's report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 03/09/21, and is incorporated as part of this record by reference.)

#### **(Ordinances for Introduction and First Reading)**

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Approving and Authorizing the Closure of Wales Alley, between South Union and Strand Streets, to Vehicular Traffic.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 03/09/21, 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 Item No. 13; 03/09/21, 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 Item No. 13; 03/09/21 and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage of an Ordinance to

amend Title 10 Chapter 4: Stopping, Standing and Parking and Title 3 Chapter 2 Article S: Payment, Contest and Enforcement of Parking Citations.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 03/09/21, 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 Item No. 14; 03/09/21, 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 Item No. 14; 03/09/21 and is incorporated as part of this record by reference.)

15. Introduction and First Reading. Consideration on First Reading of an Ordinance to vacate a portion of the public right-of-way at Oakville Street, between Swann Avenue and Fannon Street (VAC No. 2020-00005) (Implementation Ordinance for Vacation No. 2020-00005 associated with the Oakville Triangle Infrastructure Plan approved by City Council on January 23, 2021).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 03/09/21, 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 Item No. 15; 03/09/21 and is incorporated as part of this record by reference.)

16. Introduction and First Reading. Consideration on First Reading of an Ordinance to amend and reordain Sheet Nos. 074.03 and 074.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the properties at 416 South Alfred Street and 431 South Columbus Street, from RC/High density apartment zone, and 901 Gibbon Street, 450 and 510 South Patrick Street, and 900 Wolfe Street from RB/Townhouse zone to RMF/Residential multifamily zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00006 (Implementation Ordinance for Rezoning No. 2020-00006 associated with Heritage at Old Town approved by City Council on February 20, 2021).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 03/09/21, 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 Item No. 16; 03/09/21 and is incorporated as part of this record by reference.)

17. Introduction and First Reading. Consideration of Passage on First Reading of an Ordinance to expand the stated purpose of 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 March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 03/09/21, 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 Item No. 17; 03/09/21, 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 Item No. 17; 03/09/21 and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council approved the Consent Calendar, with the exception of items #8, #14, and #17, which were considered under separate motions. The City Manager's recommendations were as follows:

5. City Council received the following resignations with regret: (a) Janice Magnuson, Archaeological Commission; (b) Susan Cohen, Tamsin Green, and Allison, Commission for the Arts; and (c) Valerie Ianieri, Landlord-Tenant Relations Board.

6. City Council appointed the following persons to City boards, commissions, and committees: (a) reappointed Kerem Bilge and appointed Laura Withers as the two citizen members to the Alexandria-Caen Sister City Committee; (b) reappointed Annabelle O'Keefe as the high school student to the Children, Youth, and Families Collaborative Commission; (c) appointed Donna Reuss as the representative of Alexandria civic associations to the Citizen Corps Council; (d) appointed Sarah Bueter and Robert Whitman as the two citizen members to the Commission on HIV/AIDS; (e) appointed Jenna Mukai as the citizen member to the Community Services Board; and (f) appointed Sean Sweeney as the representative from the Potomac West area to the Potomac Yard Design Advisory Commission.

7. City Council received the Monthly Financial Report.

9. City Council received and approved the 2021 City of Alexandria Emergency Operations Plan (EOP) update.

10. City Council: (1) approved the submission of a grant application for \$217,050 to fund payment of salary and benefits for an Alexandria Fire Department Captain; and (2) authorized the City Manager to execute the necessary documents that may be required.

11. City Council: (1) approved acceptance of an allocation of funds from the Virginia Department of Behavioral Health and Developmental Services (DBHDS) to be administered locally by the Office of Housing as rental assistance to benefit individuals with intellectual and developmental disabilities who secure housing in the City of Alexandria, and (2) authorized the City Manager to execute a memorandum with DBHDS to memorialize the working agreement between that State agency and the Office of Housing.

12. City Council received the viewers' report for vacation #2020-00005- 2500 Oakville Street.

13. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on March 13, 2021.

15. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on March 13, 2021.

16. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on March 13, 2021.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

8. Consideration of a Grant Application to the Virginia Alcohol and Beverage Control Authority for Underage Drinking Prevention Initiatives Carried Out by the Substance Abuse Prevention Coalition of Alexandria.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) approved the submission of an application to Virginia Alcoholic Beverage Control Authority (VA ABC) for funding in the amount of \$10,000 to be used to support underage drinking prevention

initiatives for Alexandria youth; and (2) authorized the City Manager to execute all necessary documents that may be required. 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.

14. Introduction and First Reading. Consideration. Passage of an Ordinance to amend Title 10 Chapter 4: Stopping, Standing and Parking and Title 3 Chapter 2 Article S: Payment, Contest and Enforcement of Parking Citations.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 03/09/21, 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 Item No. 14; 03/09/21, 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 Item No. 14; 03/09/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on March 13, 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.

17. Introduction and First Reading. Consideration of Passage on First Reading of an Ordinance to expand the stated purpose of 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 March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 03/09/21, 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 Item No. 17; 03/09/21, 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 Item No. 17; 03/09/21 and is



incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilman Seifeldein and carried unanimously, City Council moved to defer this ordinance for consideration until the next Legislative Meeting. 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.

## **ROLL-CALL CONSENT CALENDAR**

18. Consideration of Resolution Approving KMT Medical Transport LLC to Provide Private Medical Transports in the City of Alexandria. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 18; 03/09/21, and is incorporated as part of this record by reference.)

19. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement 137 of the City Code. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 18; 03/09/21, 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 Item No. 18; 03/09/21 and is incorporated as part of this record by reference.)

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

18. City Council adopted the resolution that approves KMT Medical Transport LLC to provide non-emergency medical transportation, either through non-emergency ambulance, wheelchair van or sedan to their clients in the City of Alexandria.

The resolution reads as follows:

## **RESOLUTION NO. 2979**

**WHEREAS**, KMT Medical Transport LLC, seeks to operate as a licensed EMS agency in the Commonwealth of Virginia for non-emergent medical transportation; and

**WHEREAS**, KMT Medical Transport LLC wishes to incorporate non-emergent basic life support transportation; and

**WHEREAS**, KMT Medical Transport LLC intends to provide inter-facility basic life support, wheelchair van, or sedan medical transport services in the City of Alexandria; and

**WHEREAS**, KMT Medical Transport LLC has requested licensure as an EMS agency in the Commonwealth of Virginia to allow them to operate in the Commonwealth, to include the City of Alexandria; and

**WHEREAS**, KMT Medical Transport LLC will not interfere with the mission of the Alexandria Fire Department or respond to medical emergencies within the City of Alexandria.

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

On this date of March 9, 2021, the Alexandria City Council does hereby approve KMT Medical Transport LLC to operate within the City of Alexandria, Virginia.

19. City Council passed the ordinance on first and second reading to adopt Supplement 137 of the City Code.

The ordinance reads as follows:

**ORDINANCE NO. 5334**

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

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

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 137," are hereby adopted as and shall constitute "The One Hundred and Thirty Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundred and Thirty Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between September 8, 2020 through December 12, 2020, inclusive, and which are not included

in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after December 12, 2020, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 137; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between September 8, 2020 through December 12, 2020,, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and Thirty Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundred and Thirty Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

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.

## CONTESTED APPOINTMENTS

20. Alexandria Transportation Commission  
1 Citizen Member who Resides East of Quaker Lane

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

NAME:	ENDORSEMENT:
-------	--------------

Robert Crane	
Kellyanne Gallagher	
Thomas Hunt	
Justin Marks	
Bruce Marsh	
Eric Randall	

(Material pertaining to the above appointment is on file in Office of the City Clerk and Clerk of Council, marked Item No. 20; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed Bruce Marsh as the citizen member who resides east of Quaker Lane to the Alexandria Transportation Commission. The vote was as follows:

Wilson	-	Marsh
Bennett-Parker	-	Marsh
Aguirre	-	Marsh
Chapman	-	Marsh
Jackson	-	Marsh
Pepper	-	Marsh
Seifeldein	-	Marsh

21. Archaeological Commission  
1 Alexandria Historical Society Representative

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

NAME:	ENDORSEMENT:
-------	--------------

Christopher Warren

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 21; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council waived residency requirement and appointed Christopher Warren as the Alexandria Historical Society representative to the Archaeological Commission. The vote was as follows:

Wilson	-	Warren
Bennett-Parker	-	Warren
Aguirre	-	Warren
Chapman	-	Warren
Jackson	-	Warren
Pepper	-	Warren
Seifeldein	-	readvertise

22. Beautification Commission  
1 Citizen Member

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 22; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council requested that the position be readvertised. 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.

23. Budget and Fiscal Affairs Advisory Committee  
1 Citizen Member

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

NAME:	ENDORSEMENTS:
-------	---------------

Karen Graf	
Aminata Ly	
EmilyGrace Mate	
Ira Sockowitz	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 23; 03/09/21, and is incorporated as part of this record

by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Karen Graf as the citizen member to the Budget and Fiscal Affairs Advisory Committee. The vote was as follows:

Wilson	-	Graf
Bennett-Parker	-	Graf
Aguirre	-	Graf
Chapman	-	Graf
Jackson	-	Graf
Pepper	-	Graf
Seifeldein	-	Sockowitz

24. Commission for the Arts

1 Professional in the field related to the visual appearance of the cityscape, such as architecture, environmental design, landscape architecture or urban design

2 public at-large members, as arts consumers or participants

1 Member with expertise in visual arts either as a professional practitioner of visual arts, curator of visual art, or as a professional arts administrator currently working in the field

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

NAME:

ENDORSEMENTS:

Allison Heck  
John Kucia

Christina Calloway  
Gayle Converse  
Laurel Moran  
Jason Muller  
Devon Steven  
Sarah Wise

Judy Heiser

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 24; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council waived the residency requirement and appointed Allison Heck as the professional in the field related to the visual appearance of the cityscape, such as

architecture, environmental design, landscape architecture or urban design and reappointed Gayle Converse as a public at-large member, as arts consumer or participant to the and waived the residency requirement and appointed Judy Heiser as the member with expertise in visual arts either as a professional practitioner of visual art, curators of visual art, or as professional arts administrator currently working in the field to the Commission for the Arts. The first vote was as follows:

Wilson	-	readvertise, Converse, readvertise, Moran
Bennett-Parker	-	Heck, Converse, Heiser, Calloway
Aguirre	-	Heck, Converse, Heiser, Calloway
Chapman	-	Heck, Converse, Heiser, Moran
Jackson	-	readvertise, Converse, readvertise, Moran
Pepper	-	readvertise, Converse, readvertise, Calloway
Seifeldein	-	Heck, Converse, Heiser, Wise

No applicant for the second public at-large member received a majority of the vote and a second vote was required.

**WHEREUPON**, ballots were again distributed, tellers were again appointed, and ballots were again tallied with the following results: City Council appointed Christina Calloway as the public at-large member, as arts consumer or participant to the Commission for the Arts. The vote was as follows:

Wilson	-	Moran
Bennett-Parker	-	Calloway
Aguirre	-	Calloway
Chapman	-	Calloway
Jackson	-	Moran
Pepper	-	Calloway
Seifeldein	-	Calloway

25. Commission for Women  
1 Citizen Member

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

NAME:	ENDORSEMENTS:
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Alyssa Burns	
Lindsey Deutsch	
Emily Eckert	
Charlotte Florance	
Sarah Holley	
Amelia Kays	
Emily Marge	
Jennifer Stowe	
Gayle Terry	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 25; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Jennifer Stowe as the citizen member to the Commission for Women. The vote was as follows:

Wilson	-	Stowe
Bennett-Parker	-	Holley
Aguirre	-	Holley
Chapman	-	Stowe
Jackson	-	Stowe
Pepper	-	Stowe
Seifeldein	-	Stowe

26. Local Emergency Planning Committee  
1 Owner/Operator of a Facility Subject to Federal Emergency Planning requirements of the Superfund Amendments and Reauthorization Act of 1986 (SARA)

(The following person volunteered for appointment for the above Commission)

NAME: \_\_\_\_\_ ENDORSEMENT: \_\_\_\_\_

Lucas Dushac

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 26; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council waived the residency requirement and appointed Lucas Dushac as the owner and operator of a facility subject to Federal Emergency Planning requirements of Superfund Amendments and Reauthorization Act of 1986 (SARA) to the Local Emergency Planning Committee. The vote was as follows:

Wilson	-	Dushac
Bennett-Parker	-	Dushac
Aguirre	-	Dushac
Chapman	-	Dushac
Jackson	-	Dushac
Pepper	-	Dushac
Seifeldein	-	readvertise

27. Traffic and Parking Board  
2 Citizen Members



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

NAME: ENDORSEMENT:

James Lewis  
Ashley Mihalik  
Ann Tucker

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 27; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council reappointed James Lewis and Ann Tucker as the two citizen members to the Traffic and Parking Board. The vote was as follows:

Wilson	-	Lewis, Tucker
Bennett-Parker	-	Lewis, Tucker
Aguirre	-	Lewis, Tucker
Chapman	-	Lewis, Tucker
Jackson	-	Lewis, Tucker
Pepper	-	Lewis, Tucker
Seifeldein	-	Lewis, Tucker

28. Waterfront Commission  
1 at-large Citizen Representative from any group or area other than groups listed in membership composition

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

NAME: ENDORSEMENTS:

Robert Duffy  
David Marshall  
Lebaron Reid

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 28; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Lebaron Reid as the at-large citizen representative from any group or area other than groups listed in the membership composition to the Waterfront Commission. The votes were as follows:

Wilson	-	Duffy
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Bennett-Parker	-	Reid
Aguirre	-	Reid
Chapman	-	Reid
Jackson	-	Reid
Pepper	-	Duffy
Seifeldein	-	Reid

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

### 29. Update on the 2021 Virginia General Assembly Session.

(A copy of the City Manager's memorandum dated March 8, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 29; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried unanimously, City Council received the staff update on the 2021 General Assembly session. 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.

### 30. Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to amend Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Article AA (INDEPENDENT COMMUNITY POLICING REVIEW BOARD) and to amend Article A (GENERAL PROVISIONS) of Chapter 1 (POLICE PROTECTION) OF Title 4 (PUBLIC SAFETY) of The Code of the City of Alexandria, Virginia, 1981, as amended, to add Sections 4-1-5 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR) AND 4-1-6 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR DUTIES AND RESPONSIBILITIES).

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 30; 03/09/21, 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 Item No. 30; 03/09/21, 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 Item No. 30; 03/09/21, and is incorporated as part of this record by reference.)

City Council and City staff, including Ms. Anderson, City Attorney, Police Chief Brown, Ms. Taylor, Legislative Director and Mr. Jinks, City Manager, discussed the proposed ordinance to establish the Independent Community Policing Review Board and possible

amendments to the proposed ordinance.

**A motion was made by** Councilwoman Pepper, seconded by Councilwoman Jackson to defer the introduction of the ordinance and schedule a special meeting to discuss and wordsmith the ordinance regarding the independent community policing review board.

**A substitute motion was made** by Councilman Seifeldein to approve the ordinance on first reading and schedule it for public hearing, second reading and final passage on Saturday, March 13, 2021. The motion died for lack of a second.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried 5-2, City Council deferred introduction and first reading of the ordinance and directed staff to schedule a special meeting to discuss and wordsmith the ordinance regarding the independent community policing review board. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Aguirre and Councilman Seifeldein.

**WHEREUPON**, motion by Councilman Seifeldein, seconded by Councilman Chapman, to schedule the meeting within the next two weeks. Councilman Chapman withdrew his second and the motion is no longer under consideration.

31. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Title 2 of the Code of the City of Alexandria, Virginia, General Government, Chapter 5, Officers and Employees, by adding Article E, Collective Bargaining.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 31; 03/09/21, 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 Item No. 31; 03/09/21, 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 Item No. 31; 03/09/21, and is incorporated as part of this record by reference.)

City Manager Jinks, City Attorney Anderson and Ms. Hudson, Outside Counsel, reviewed the proposed ordinance for collective bargaining and responded to questions from City Council.

**A motion was made by** Councilman Chapman, seconded by Vice Mayor Bennett-Parker that requested that staff review the scope of bargaining (review City's rights and authority, have additional conversation with labor groups), labor management disputes and

labor groups positions on impasse, decertification and withdrawal for labor groups without recognition, more definitions on benefits, the grievance process and separation from disciplinary actions, more information on employees excluded from bargaining process (probationary employees, managerial and supervisory employees).

**A substitute motion by** Councilman Aguirre, seconded by Councilwoman Pepper, to defer the ordinance until the special meeting and have introduction and first reading on the collective bargaining ordinance. The motion passed unanimously. 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 substitute motion becomes the main motion.

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.

32. Introduction. Consideration. Passage on First Reading of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2021 (Fiscal Year 2022).

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 32; 03/09/21, 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 Item No. 32; 03/09/21, 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 Item No. 32; 03/09/21, and is incorporated as part of this record by reference.)

**A motion was made by** Councilwoman Pepper, seconded by Councilman Chapman that City Council: (1) passed the proposed ordinance on first reading after establishing the tax rates of \$1.11 to be advertised for residential; and (2) set the ordinance for second reading and public hearing on Saturday, April 17 and final passage on Wednesday, May 5. (1) Assumed in this proposed amount is the continued dedication of 0.6 cents for affordable housing; (2) assumed in the proposed amount is the continued reservation of 2.2 cents of the real property tax rate for transportation projects; (3) a special services district tax is proposed to continue to be levied on all real property located in the Tier I Potomac Yard Metrorail Station Special Services District at the current rate of \$0.20 per one hundred dollars of valuation; (4) the FY 2022 proposed budget recommends a vehicle personal property tax rate of \$5.33 to fund the base budget; and (5) the FY 2022 proposed budget recommends a tangible personal property tax rate of \$4.75 and a machinery and tools tax rate of \$4.50 to fund the base budget.

**A substitute motion was made** by Councilman Aguirre, seconded by Councilwoman

Jackson, to advertise the current residential property tax rate of \$1.13. The motion carried 5-2. The vote was as follows: In favor, Vice Mayor Bennett-Parker, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, Mayor Wilson and Councilwoman Pepper. The substitute motion becomes the main motion.

The vote on the main motion was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

33. Introduction and First Reading. Consideration on First Reading of an Ordinance to amend and reordain Sections 2-136.1 (DWELLING, ACCESSORY), 2-141 (DWELLING UNIT), and 2-145 (FLOOR AREA) of Article II (DEFINITIONS); Sections 7-101 (PERMITTED ACCESSORY USES), 7-103 (USE LIMITATIONS), 7-202 (PERMITTED OBSTRUCTIONS), and 7-203 of Article VII (SUPPLEMENTAL ZONE REGULATIONS); and Section 11-1302 (Special exception established) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) and add and ordain Section 7-203 (ACCESSORY DWELLINGS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00007 (Implementation Ordinance for Text Amendment No. 2020-00007 associated with Accessory Dwelling Units approved by City Council on January 23, 2021).

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 33; 03/09/21, 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 Item No. 33; 03/09/21, 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 Item No. 33; 03/09/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, March 13, 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.

34. Introduction and First Reading. Consideration on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by City Council to the Alexandria West Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00007 and no other amendments, and to repeal all provisions of

the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00007 associated with Newport Village approved by City Council on February 20, 2021)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 34; 03/09/21, 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 Item No. 34; 03/09/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, March 13, 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.

35. Introduction and First Reading. Consideration on First Reading of an Ordinance to amend and reordain Sheet No. 011.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 4898 West Braddock Road, from RA/Multifamily zone to CRMU-H/Commercial residential mixed use (high) zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00003 (Implementation Ordinance for Rezoning No. 2020-00003 associated with Newport Village approved by City Council on February 20, 2021).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 35; 03/09/21, 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 Item No. 35; 03/09/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on March 13, 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.

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

1. Councilman Aguirre congratulated Sheriff Lawhorne on announcing his retirement.

2. Councilman Chapman recognized Maggie Butler who turned 100 years old and was celebrated by the community.

3. Mayor Wilson mentioned an amendment to the resolution for order of business to create a roll-call consent calendar for ordinances on public hearing dockets and requested that the City Clerk and City Manager docket it for consideration at an upcoming meeting.

## **OTHER**

36. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated March 3, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 36; 03/09/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council received and adopted the FY 2021 City Council Schedule for March 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the regular meeting of March 9, 2021 at 1:15 a.m. 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.

**APPROVED BY:**

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**JUSTIN M. WILSON      MAYOR**

**ATTEST:**

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Gloria A. Sitton, CMC City Clerk

Approved: May 11, 2021

Ratified:





**City of Alexandria  
City Council Legislative Meeting  
Tuesday, May 12, 2020 7:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Ms. Baker, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. McIlvaine, Director, Office of Housing; Mr. Keeler, Deputy Director, Office of Housing; Ms. Garvey, Director, Department of Community and Human Services (DCHS); Ms. Landrum, Executive Director, Alexandria Economic Development Partnership (AEDP); Mr. Routt, Director, Office of Management and Budget (OMB); Ms. Taylor, Director, Finance; Mr. Greenlief, Acting Deputy Director, Finance; Ms. Talis, Manager, Health Department; Dr. Haering, Director, Alexandria Health Department; Mr. Moritz, Director, Office of Planning and Zoning; Mr. Moss, Information Technology Services (ITS); Mr. Barre, ITS; and Mr. Bradford, ITS.

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

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1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via Zoom video conference.

Mayor Wilson stated that the May 12, 2020 Legislative Meeting of the City Council is being held electronically pursuant to Virginia Code Section 2.2-3708.2 (A)(3) and/or the Continuity of Government ordinance adopted by the City Council on April 18, 2020. All of the members of the City Council and staff are participating from remote locations through a video conference call on Zoom. The video conference call will be broadcasted live on the government channel 70, streaming on the City's website and can be accessed via Zoom.

**ORAL REPORTS FROM MEMBERS OF COUNCIL ON BOARDS, COMMISSIONS, AND COMMITTEES (COVID-19 Related Topics)**

**\*Northern Virginia Transportation Commission (NVTC) (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Vice Mayor Bennett-Parker reported that Commission met and welcomed a new member, Matt de Ferranti from Arlington County, to the Commission. Vice Mayor Bennett-Parker reported that there were a number of items discussed including the commuter choice program, changes to the timeline for the I-66 project, received updates from DRPT and on the omnibus bill, and a discussion on the creation of the Virginia Passenger Rail Authority and there was a request for names for citizen members to serve on the authority.

Councilman Aguirre reported on the impact of COVID-19 on WMATA and its budget. Councilman Aguirre reported that the Virginia legislature has mandated a review of the 3% cap by the Authority and make a recommendation by the end of the year. Councilman Aguirre reported that yearly update on WMATA and the Commission will be providing that update by the end of the year.

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

Mr. Jinks, City Manager, reported that the Department of Emergency and Customer Communications was receiving national press coverage for the practices and procedures that the operators and call takers have been using during the pandemic, including providing space for employees to quarantine staff in shifts and using technology for employees to answer calls from home and provide coverage for peak hours.

### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (2)**

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

2. Consideration of the Monthly Financial Report for the Period Ending March 31, 2020.

( A copy of the City Manager's memorandum dated May 6, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 2; 05/12/20, and is incorporated as part of this record by reference.)

### **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the consent calendar, item #2. The City Manager's recommendation was as follows:

2. City Council received the Monthly Financial Report.

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.

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

3. COVID-19 Oral Update

City Council received an updated on the City's COVID-19 response and data from Dr. Haering, Director, Alexandria Health Department, Dr. Kham, representing Neighborhood Health Clinic, Ms. Talis, Alexandria Health Department and Ms. Garvey, Director, Department of Community and Human Services. City staff responded to questions from Council about testing, communication strategies for City residents about testing, wearing masks and ways to reach community members through messaging and signage. Staff also responded to questions about next steps and partnerships in the community to address the needs of high risk populations.

4. Consideration of the Proposed Plans for use of Federal CARES Act Funding for Residential Rental Assistance, Food Security and Small Business Assistance and COVID-19 Related Expenses of the City Government.

(A copy of the City Manager's memorandum dated May 7, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 05/12/20, and is incorporated as part of this record by reference.)

Councilman Chapman made a disclosure that due to his ownership of a small business in the City of Alexandria and possible interest in the transaction of this item and after discussing with the City Attorney, he will be participating in the consideration of this item under the law and to participate, fairly, objectively and in the public interest, has made the disclosure to the City Clerk and the community.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council: (1) affirmed that prime priorities of the City for the use of CARES Act funding are for funding the City's direct response expenses to the COVID-19 crisis, the funding of the expansion of the Alexandria Health Department's epidemiological staffing, the funding of expanded residential rental assistance, food assistance to needy individuals and families, and the provision of assistance to small businesses; (2) approved the proposed Residential Rent Assistance Program, Food Security Plan and Small Business Grant Program; (3) directed the City Manager to implement receipt of the above initiatives contingent upon the receipt of a Federal CARES allocation from the Commonwealth of Virginia; and (4) approved the allocation of the Federal CARES funds. 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.

- 4a. Consideration of REVISED Proposed plans for use of Federal CARES Act funding for Residential Rental Assistance, Food Security and Small Business Assistance and COVID-19 Related Expenses of the City Government.

(A copy of the City Manager's memorandum dated May 12, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4a; 05/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council: (1) affirmed that the prime priorities of the City

for the use of CARES Act funding are for funding the City's direct response expenses to the COVID-19 crisis, the funding of the expansion of the Alexandria Health Department's epidemiological staffing, the funding of expanded residential rental assistance, food assistance to needy individuals and families, and the provision of assistance to small businesses; (2) approved the proposed Residential Rent Assistance Program, Food Security Plan and Small Business Grant Program as detailed in Attachments 2, 3, and 4; (3) directed the City Manager to implement receipt of the above initiatives contingent upon the receipt of a Federal CARES allocation from the Commonwealth of Virginia; and (4) approved the allocation of \$13.9 million in Federal CARES funds as displayed in the last column of the REVISED Attachment 1. 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.

### **COVID-19 RELATED ORAL REPORTS AND ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

None.

### **OTHER**

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

(A copy of the City Manager's memorandum dated May 6, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 05/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously, City Council: (1) received and adopted the City Council Schedule for May 2020 through July 2020; and (2) received and adopted the Proposed City Council Schedule for August 2020 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council adjourned the regular meeting of May 12, 2020 at 10:23 p.m. 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.

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**APPROVED BY:**

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**JUSTIN M. WILSON    MAYOR**

ATTEST:

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Gloria A. Sitton, CMC    City Clerk

DRAFT

**City of Alexandria  
City Council Public Hearing Meeting  
Saturday May 16, 2020 9:30 AM  
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. Baker, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. Taylor, Director, Finance; Ms. McLean, Executive Assistant, City Manager's Office; Mr. Barre, Information Technology Services (ITS); Mr. Bradford, ITS; and Mr. Moss, ITS.

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

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**OPENING**

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via Zoom video webinar.

Mayor Wilson stated that due to the COVID-19 Pandemic Emergency, the May 16, 2020 Public Hearing 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 April 18, 2020 or Section 4-0.00(g) in HB29 and HB30 to undertake essential business. All members of 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 government channel 70, streaming on the City's website, and can be accessed via Zoom.

2. Public Discussion Period.

[The Public Discussion Period is open to comments on any topic including comments related to the COVID-19 emergency and/or the continuity of government.]

The following persons participated in the public comment period:

1. Leopoldo Ochoa, Alexandria, spoke about the impact of the pandemic on the

economy of the community and the social hardships being experienced by many and offered suggestions for addressing the impacts on the community and reopening the community.

2. Carolyn Lyle, Alexandria, spoke the upcoming North Potomac Yard project and the Oakville Triangle projects. Ms. Lyle spoke about the City's commitment to goals in the City's Environmental Action Plan and about the City-wide transition to a climate emergency mobilization effort to reverse global warming and how the designs of the projects were not addressing these matters adequately.

3. Geoff Hoppe, Alexandria, spoke about the removal of the Confederate monument and his disapproval of the removal.

4. Janice Grenadier, Alexandria, spoke about the impact of the pandemic on the country and spoke about the injustices in the court system.

5. Christopher Lewis, Alexandria, spoke the need for changes in policing practices and the need to review of system. Mr. Lewis requested that Council considered an ordinance to require accurate reporting in police practices in the City.

City Council requested an update that data receives regarding police stops in the City from staff.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public discussion period. 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.

3. Adjourn.

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council adjourned the public hearing meeting of May 16, 2020 at 9:58 a.m. 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.

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**APPROVED BY:**

**JUSTIN M. WILSON      MAYOR**

ATTEST:

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Gloria A. Sitton, CMC    City Clerk

DRAFT



**City of Alexandria  
City Council Legislative Meeting  
Tuesday, May 26, 2020 7:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

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; Dr. Haering, Director, Health Department; Ms. Horowitz, Principal Planner, Planning and Zoning; Mr. Moritz, Director, Planning and Zoning; Mr. Spengler, Director, Recreation, Parks, and Cultural Activities; Ms. Garvey, Director, Department of Community and Human Services; Ms. Talis, Health Department; Ms. North, Division Chief, Transportation and Environmental Services; Ms. McIlvaine, Director, Office of Housing; Mr. Keeler, Deputy Director, Office of Housing; Ms. Taylor, Legislative Director; Mr. Fifer, Director, Office of Communications and Public Information; Mr. Moss, Information Technology Services; and Mr. Barre, Information Technology Services.

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

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1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of Council were present via video conference.

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Mayor Wilson stated that the May 26, 2020 Legislative Meeting of the City Council was 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 April 18, 2020 and/or 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.

**ORAL REPORTS FROM MEMBERS OF COUNCIL ON BOARDS, COMMISSIONS, AND COMMITTEES (COVID-19 Related Topics)**

**\*Northern Virginia Transportation Authority (NVTA)(Mayor Wilson)**

Mayor Wilson reported that there was a change in the General Assembly membership representative on the Authority, with Delegate Donna Harone and Delegate Vivian Watts being designated to serve on the Authority. Mayor Wilson reported that there virtual public hearing for the Draft Six-Year FY2020-2025 program and board discussed the uncertainty of the revenue streams due to the pandemic emergency. Mayor Wilson noted that there was \$400 million in funding available and the number and cost of the requests received far exceed the funding availability.

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

Councilman Chapman reported on next steps for ACPS for summer programming and planning for fall semester as they continue to address school needs during the pandemic. Dr. Muzingo, Alexandria City Public Schools, gave Council a brief report on the plans for the schools and responded to questions from Council about plans and resources for the students. Councilman Chapman reported that the Patrick Henry planning/Capital Improvement Program is still on track. Mayor Wilson reported that Dr. Hutchings reviewed the range of options for school reopening during the pandemic with the subcommittee.

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

Vice Mayor Bennett-Parker reported that the VRE held a virtual meeting on May 15 and she noted that VRE has been operating on a reduced schedule because of the pandemic and the ridership was down 95% for the month of April. Vice Mayor Bennett-Parker reported that system has received money from the CARES Act to help with the significant loss of revenue because of the pandemic. Vice Mayor Bennett-Parker reported that board authorized a contract for design station improvement for the Alexandria station.

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

Vice Mayor Bennett-Parker reported that Visit Alexandria launched the “ALX At Home” website that began on March 16, with many ways support local businesses and has received numerous hits from press and marketing impressions. Vice Mayor Bennett-Parked noted that Visit Alexandria has been conducting membership surveys on COVID related business impacts and industry research on consumer sentiments as related to travel to work on recovery plan for travel in the area. Vice Mayor Bennett-Parker reported that Visit Alexandria has been working with the Health Department on the ALX Promise program for businesses to adopt safety standards for employees and customers. Vice Mayor Bennett-Parker reported that Alexandria was named one of the South’s best cities for 2020 by Southern Living Magazine and Alexandria was featured on the Editor’s Favorite Cities for Departures Magazine.

**\*Citizen Corps Council (Councilwoman Jackson and Councilman Seifeldein)**

Councilman Seifeldein reported that the Council worked on the Resiliency Charter, reaching out to stakeholders for input and received updates regarding food distribution and how nonprofit organizations are helping out during the pandemic.

**\*Chesapeake Bay and Water Resources (COG) (Councilwoman Jackson)**

Councilwoman Jackson reported that the committee discussed in great detail the Agricultural Task Force and there was a review of food distribution and needs for the regional and how resources were being distributed during this pandemic. Councilwoman Jackson reported that there were presentations from University of Maryland students on agriculture, urban agriculture and smart growth policies.

**\*MacArthur Design Advisory Committee (Councilwoman Jackson)**

Councilwoman Jackson reported that collaboration committee with Patrick Henry and MacArthur met for the first half of the meeting and the Design Advisory Committee met for the second half of the meeting. Councilwoman Jackson reported that the design advisory committee has requested additional design schematics for the proposed MacArthur building. Councilwoman Jackson noted that the project is moving forward as planned. Councilwoman Jackson reported that there will be after care and before care for the students that attend school at Patrick Henry and there was a discussion about buses for the students. Councilwoman Jackson also responded to questions from Councilman Chapman about the proposed cost for the MacArthur School project.

**\*Alexandria Works! Coalition (Vice Mayor Bennett-Parker and Councilwoman Pepper)**

Councilwoman Pepper reported that the coalition met virtually on May 19 and discussed the workforce development center held a virtual job fair/hiring event with 45 employers who participated. Councilwoman Pepper noted that there were 665 applicants for the available positions. Councilwoman Pepper reported that the Virginia Department of Health is recruiting 1300 contact tracers and the workforce development center is working to ensure that Alexandria residents are aware of these upcoming employment opportunities. Councilwoman Pepper reported that the center would be having the summer youth employment opportunities this year to youth 14 to 21 years old and the staff is working on alternative ways for the program participants to work during the pandemic.

**ORAL REPORT FROM THE CITY MANAGER**

None.

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

**2. COVID-19 Oral Update**

- (1) Dr. Stephen Haering, Director, Alexandria Health Department
- (2) Mark Jinks, City Manager
- (3) James Spengler, Director, Recreation, Parks, and Cultural Activities
- (4) Karl Moritz, Director, Planning and Zoning

Mayor Wilson noted that the City conducted almost 3000 COVID-19 tests at two sites over the Memorial Day weekend and he highlighted the partnerships between City and State agencies, nonprofits, and others, led by the Alexandria Health Department, to help this be a

successful event.

Dr. Haering, Director, Alexandria Health Department, gave an update to Council on the data and statistics for the COVID-19 cases in the City of Alexandria, including the number of cases, deaths and racial/ethnic breakdown of cases. Dr. Haering also noted that the Health Department is preparing for the reopening of Northern Virginia with the Governor's allowing the beginning of Phase 1.

Ms. Talis, Health Department, updated Council the major initiatives launched by the Health Department in response to COVID-19, including ALX Promise, the community testing effort, and the ongoing community outreach work. Ms. Talis stated that the Health Department working with Alexandria Economic Development Partnership (AEDP), Visit Alexandria, and numerous business and restaurant associations throughout the community, launched the program to help train businesses how safely reopen for staff and customers. Ms. Talis gave an updated on the community testing event that was held on Saturday in the Chirilagua neighborhood conducted by Neighborhood Health and she noted that the Health Department provided coordination, logistics, and communication support for the event. Ms. Talis noted that there were 238 people tested at the event and the Health Department has contacted all those with results and connected them with Neighborhood Health. Ms. Talis also discussed the testing events at Landmark Mall and Cora Kelly and how this opportunity gave access to those without traditional health care access and there were 2980 people tested in total. Ms. Talis stated that department undertook promotional efforts in the community to get the word out about the events and get the information to those who could benefit from service. Ms. Talis also stated that there were billboard trucks and yard signs to spread the message and the participants were provided with a packet of information on safety precautions and assistance programs available to the community. Ms. Talis also reported that the Health Department has been participating with ARHA staff and residents town hall web events. Ms. Talis noted that they are participating in the Equity Advisory group and other groups and providing support and information on the pandemic response for the community.

Dr. Haering and Ms. Talis responded to questions from Council about the response and other resources available to the community to address the pandemic crisis.

Mr. Jinks, City Manager, gave City Council an overview of governmental operations during the pandemic. Mr. Jinks noted that the City operations have been accessible to the community the entire time and the organization will begin to focus on phased reopening of government, focusing on standards for personal protective equipment, space standards for employees, and reviewing the use of alternate shifts for employees and continued use of telework and video conferencing. Mr. Jinks noted that the Governor addressed the use of face coverings for government facilities and the City will be exploring whether to implement additional requirements for those entering City buildings.

Mr. Spengler, Director, Recreation, Parks, and Cultural Activities (RPCA), stated that there has been a published plan for reopening recreation facilities for the City. Mr. Spengler noted that the specific challenges for reopening were likely to come from reopening swimming pools and daycare/summer camps. Mr. Spengler noted that there were a diminished number of sites and less students available for service and the staff was working the DCHS to determine if there were need-based services needed. Mr. Spengler stated that swimming pools in neighboring jurisdictions will not be opening and he pointed out that if City pools are opened,

there will be limited days and hours for operating and there will be some type of timed ticketed entry to give everyone a chance to use the pools. Mr. Spengler responded to questions from Council about availability of school facilities, scaling summer camp programs for use by residents returning to work, and the reopening of playgrounds. Mr. Spengler also responded to adequate equipment for employees who would be returning to work in the recreational facilities.

Mr. Moritz, Director, Planning and Zoning, and Ms. Landrum, President/CEO, Alexandria Economic Development Partnership (AEDP), gave a presentation on the plan for businesses and public spaces reopening. Mr. Moritz noted that there was a request Old Town Business and local business to close the entire 100 block of King Street to vehicular traffic and to allow for proper social distancing and outdoor dining in the area. Mr. Moritz gave an overview of the proposed program for outdoor dining and the temporary program was announced last week and the applications will be reviewed quickly to allow restaurants to open. Mr. Moritz stated that there has been a series of webinar to explain the requirements for businesses to reopen. Mr. Moritz responded to questions from Council about safety vehicular access, spacing for the dining seating and social distancing. Ms. Landrum gave an overview of the business grants available to community businesses and the process for applying for the grants. Ms. Landrum responded to question from Council about the grant program and the criteria for applying.

Mr. Fifer, Director, Office of Communications and Public Information, responded to questions from Councilman Aguirre, about the communication of information about the pandemic and the response to the pandemic. Mr. Fifer reviewed the strategies used by OCPI to distribute information to the community through collaboration with community and regional partners. Mr. Fifer also gave an update of the videos for information on COVID-19, participation and information from the Equity Advisory group, and the implementation of a text line for information distribution. Councilman Aguirre requested a memo on the feasibility of implementing a language access unit in the City.

3. Review and Confirmation of the Suspension of Enforcement of Certain City Codes and Ordinances Taken by the City Manager Pursuant to the City's Continuity of Government Ordinance to Allow Restaurants to Have Outdoor Dining in Compliance with the Governor's Executive Orders Easing the Restrictions on Businesses.

(A copy of the City Manager's memorandum dated May 20, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 05/26/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council confirmed that the suspension of enforcement of the codes and ordinances required to allow flexibility for outdoor dining as described in the attached document shall remain in place for ninety (90) days from the date that the City enters into Phase 1, unless the City Manager determines the suspension should be lifted for any reason before that time. 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.

4. City Council, Board and Commission Meetings Format During the COVID-19 Pandemic.

(A copy of the City Manager's memorandum dated May 20, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 05/26/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) hold its June 9 Legislative Meeting and June 20 Public Hearing meeting in an electronic format with a widening of docket subject matters to be considered; (2) determine at a later date in June in what form to hold Council's June 23 Legislative Meeting and July 7 Public Hearing meeting; and (3) provide continued guidance to City Boards and Commissions that they not meet until September 2020 unless considering COVID-19 matters or matters that relate to the continuity of government. 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.

#### **COVID-19 RELATED ORAL REPORTS AND ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

1. Councilman Aguirre requested information on the implementation of the hand washing stations for the City. Mr. Jinks stated that the stations have been ordered and staff is working on plan for appropriate placement of the stations.

2. Councilman Aguirre requested that staff investigate best practices used by communities hardest hit by the COVID-19 crisis to share with Council and the community.

#### **OTHER**

5. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May 20, 2020, and is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 05/26/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) received and adopted the updated City Council Schedule for May 2020 through July 2020; and (2) received and adopted the FY2021 City Council Schedule for August 2020 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council adjourned the legislative meeting of May 26, 2020 at 10:39 p.m. 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.

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**APPROVED BY:**

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

**ATTEST:**

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

DRAFT

**City of Alexandria  
City Council Regular Meeting  
Tuesday, November 10, 2020 7:00 PM  
Virtual Meeting  
Meeting Minutes**

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

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; Ms. Snow, Assistant City Attorney; Ms. Garvey, Director, Department of Community and Human Services; Ms. K. Taylor, Director, Finance; Ms. S. Taylor, Director, Legislative Director; Mr. Greenlief, Assistant Director, Finance; Mr. Routt, Director, Office of Management and Budget; Mr. Eger, Energy Manager, General Services; Mr. Greaves, Finance; Ms. Gilbert, Department of Community and Human Services; Mr. Mekibib, Department of Community and Human Services, Ms. Weledes, Special Assistant to the City Manager; Mr. Barre, Information Technology Services; and Mr. Smith, Information Technology Services.

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

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1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via Zoom webinar.

Mayor Wilson stated that due to the COVID-19 Pandemic Emergency, the November 10, 2020 Legislative Meeting of the Alexandria City Council is being held electronically pursuant to the 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 4.0-01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289), to undertake essential business. All the members of the City Council and staff are participating from remote locations through a video conference on Zoom. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. The meeting can be access 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 comment period:

1. Cathryn Evans, Alexandria, spoke in support of the ordinance amendment for the Community Criminal Justice Board.

2. Allison Ricketts, Alexandria, spoke about property damage to her home due to the construction of the Sunrise Living facility being constructed on Washington Street.

3. Kathie Hoekstra, Alexandria, chair of the Environmental Policy Commission, spoke in support of the items related to the environment and climate change in the City's Legislative Package and she requested that the items be moved in report to signify they are a priority for the City.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously, City Council closed the public comment period. 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.

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Councilwoman Pepper announced that she would not be running for another term to serve on City Council at the end of this term. Councilwoman Pepper stated that she would complete her current term focusing on the needs of the community.

Mayor Wilson thanked Councilwoman Pepper for her long service to the City of Alexandria and over the next year the City will recognize Councilwoman Pepper's historic service to the City.

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

### **\*Northern Virginia Transportation Commission (NVTC) (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Vice Mayor Bennett-Parker reported that the Commission authorized a report on the 2% cap growth and operating assistance payment to WMATA to the General Assembly and authorized a delay in the approving NVTC's FY2022 budget due to the effects of the pandemic. Vice Mayor Bennett-Parker reported that there was approval

of some policy changes to the commuter choice program and issued a call for projects on the I395/95 project. Vice Mayor Bennett-Parker reported that the Commission discussed their legislative program.

**\*Alexandria Campaign for Adolescent Pregnancy (ACAP) (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Councilman Aguirre thanked staff and volunteers for the celebration of the group's 20<sup>th</sup> Anniversary and Mayor Wilson presented a proclamation to the group. Councilman Aguirre noted that the teen pregnancy rate in the City has declined 76% since the founding of the group. Councilman Aguirre noted the group is working on the disparities in the teen pregnancy rate in the Latino community.

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

Councilwoman Pepper reported that nominating subcommittee selected Robert Day of the City of College Park, Maryland to chair the Committee.

**\*Health and Safety Coordinating Committee (Mayor Wilson and Councilwoman Jackson)**

Mayor Wilson reported that the Committee discussed vaccination distribution planning and logistics for long period of time for significant percentage of the City's population. Mayor Wilson reported that the Committee discussed the status of the Community Health Plan that has been delayed because of the pandemic. Mayor Wilson reported that Police Chief Brown discussed the increased number of cars stolen and how they working to bring that number down and the increase in the number of firearm related crimes and how to prevent them. Mayor Wilson reported that the Committee received an updated on challenges with parking enforcement and staffing.

**\*Audit Committee (Mayor Wilson and Councilman Seifeldin)**

Mayor Wilson deferred this report until later in the agenda.

**ORAL REPORT FROM THE CITY MANAGER**

City Manager Jinks recognized the Court Services Unit staff for their willingness to volunteer to fill in where needed during the pandemic emergency while performing their normal duties. City Manager Jinks noted that the Bloom, Carpenters' Shelter new building, has residents starting to move-in since the end of October and ARHA's project on North Patrick Street with 52 units will being having residents move in at the beginning of December and the Spire is on track to open in the Spring of 2021. City Manager Jinks stated the groundbreaking for the Wesley Housing project near Fairlington will be the second week in December.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (3-12)**

### **(Resignations and Uncontested Appointments)**

3. Receipt of the following resignations from Members of Boards, Commissions, and Committees:

- (a) Building Code Board of Appeals  
Douglas M. Salik
- (b) Commission for Women  
Maribel Ramos
- (c) Commission on HIV/AIDS  
Julie Harbour
- (d) Waterfront Commission  
Kleber S. Masterson

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3(a-d); 11/10/20, and is incorporated as part of this record by reference.)

4. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Beauregard Urban Design Advisory Committee  
1 Professional member skilled in architecture, planning, landscape architecture and/or urban design
- (b) Beautification Commission  
1 Citizen member
- (c) Budget and Fiscal Affairs Advisory Committee  
1 Representative of the Chamber of Commerce
- (d) Commission on Aging  
1 Representative of Older Persons
- (e) Commission on Employment  
1 Business Representative from recognized area businesses including minority-owned and small businesses
- (f) Environmental Policy Commission

- 1 Member with experience with Federal and State environmental statutes, regulation, and procedures
- (g) George Washington Birthday Celebration Committee  
1 Member to be nominated by the City of Alexandria Chapter of the Daughters of the American Revolution
- (h) Human Rights Commission  
1 Representative from the Economic Opportunities Commission
- (i) Industrial Development Authority  
1 Citizen Member
- (j) Landlord-Tenant Relations Board  
1 Tenant Member
- (k) Public Records Advisory Commission  
1 Citizen Member
- (l) Sister Cities Commission  
3 Citizen Members
- (m) Transportation Commission  
1 Representative of the Environmental Policy Commission
- (n) Urban Design Advisory Committee  
1 Old Town North business community representative
- (o) Waterfront Commission  
1 Representative from the Alexandria Seaport Foundation

(A copy of the applications for the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4(a-o); 11/10/20, and are incorporated as part of this record by reference.)

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

5. Consideration of the Monthly Financial Report for the Period Ending September 30, 2020.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 11/10/20, and is incorporated as part of this record by reference.)

6. Consideration of Authorization to Publish Delinquent Tax Listings Greater Than

\$1,000 Online, Write Off Balances Less Than Twenty Dollars, and Destroy Records as Required By State Law.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 11/10/20, and is incorporated as part of this record by reference.)

7. Receipt of Annual and Attendance Reports for Council-Appointed Boards, Commissions, and Committees for July 1, 2019 - June 3, 2020.

(A copy of the City Clerk's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 11/10/20, and is incorporated as part of this record by reference.)

### **(Ordinances for Introduction)**

8. Introduction and First Reading. Consideration of an Ordinance to vacate a portion of the public right-of-way on Commonwealth Avenue, adjacent to the property at 2 East Mason Avenue (VAC No. 2019-00002) (Implementation Ordinance for Vacation No. 2019-00002 associated with 2 East Mason Avenue approved by City Council on September 12, 2020).

(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. 8; 11/10/20, 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. 8; 11/10/20, and is incorporated as part of this record by reference.)

9. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 2-4-100 (CREATION, COMPOSITION AND ORGANIZATION) of Article L (ALEXANDRIA COMMUNITY CRIMINAL JUSTICE BOARD) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/10/20, 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. 9; 11/10/20, 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. 9; 11/10/20, and is incorporated as part of this record by reference.)

10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 2-4-180 (CREATION, COMPOSITION AND ORGANIZATION) of Article W (ALEXANDRIA GANG PREVENTION COMMUNITY TASK FORCE) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 11/10/20, 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. 10; 11/10/20, 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. 10; 11/10/20, and is incorporated as part of this record by reference.)

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the North Potomac Yard Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00005 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00005 associated with North Potomac Yard (3601 Potomac Avenue) approved by City Council on October 17, 2020).

(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. 11; 11/10/20, 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. 11; 11/10/20, and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00002 associated with 701 North Henry Street approved by City Council on July 7, 2020 (correction)).

(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. 12; 11/10/20, 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. 12; 11/10/20, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council approved the consent calendar, with the exception of items 6 and 7, which were considered under separate motions. The City Manager's recommendations were as follows:

3. City Council received with regret the resignations from the following members of City boards, commissions, and committees: (a) Douglas M. Salik, Building Code Board of Appeals; (b) Maribel Ramos, Commission for Women; (c) Julie Harbour, Commission on HIV/AIDS; and (d) Kleber S. Masterson, Waterfront Commission.

4. City Council appointed the following persons to City boards, commissions, and committees: (a) appointed Christine Hoeffner as the professional member skilled in architecture, planning, landscape architecture and/or urban design to the Beauregard Urban Design Advisory Committee; (b) appointed Karim Eskaf as the citizen member to the Beautification Commission; (c) reappointed Howard "Skip" Maginniss as the representative of the Chamber of Commerce to the Budget and Fiscal Affairs Advisory Committee; (d) appointed Barbara Huelat as the representative of older persons to the Commission on Aging; (e) appointed Mara Benner as the business representative from recognized area businesses including minority-owned and small businesses to the Commission on Employment; (f) appointed Brendan Owens as the member with experience with Federal and State environmental statutes, regulations, and procedures to the Environmental Policy Commission; (g) reappointed Claire Bennett as the member to be nominated by the City of Alexandria Chapter of the Daughters of the American Revolution to the George Washington Birthday Celebration Committee; (h) appointed

Janeke Cogdell as the representative from the Economic Opportunities Commission to the Human Rights Commission; (i) appointed Ken Notis as the citizen member to the Industrial Development Authority; (j) appointed Jeanette Shepherd as the tenant member to the Landlord-Tenant Relations Board; (k) reappointed Cameron Cook as the citizen member to the Public Records Advisory Commission; (l) reappointed Paul Anderson and Hannah Ledesma and appointed Steven Cohen to the Sister Cities Committee; (m) appointed Bill Pugh as the representative of the Environmental Policy Commission to the Transportation Commission; (n) appointed Theresa Del Ninno as the Old Town North Business community representative to the Urban Design Advisory Committee; and reappointed Kathleen Seifert as the representative from the Alexandria Seaport Foundation to the Waterfront Commission.

5. City Council received the Monthly Financial Report.

8. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, November 14, 2020.

9. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, November 14, 2020.

10. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, November 14, 2020.

11. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, November 14, 2020.

12. City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, November 14, 2020.

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 Authorization to Publish Delinquent Tax Listings Greater Than \$1,000 Online, Write Off Balances Less Than Twenty Dollars, and Destroy Records as Required By State Law.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Seifeldein and carried unanimously, City Council: (1) received the listings of delinquent local property taxes; (2) authorized the Director of Finance to write-off uncollected tax balances for tax year 2019 less than twenty dollars each, totaling \$21,463 as of June



30, 2020, for which the Director of Finance has determined that the cost of collecting such balances would exceed the recoverable amount, provided that the Director of Finance will not include any balance for which she has reason to believe the taxpayer has intentionally paid less than the amount due and owed; and (3) authorized the Director of Finance to dispose of records associated with taxes paid in calendar year 2014 and prior years in accordance with the Code of Virginia Section 58.1-3129(A). 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.

7. Receipt of Annual and Attendance Reports for Council-Appointed Boards, Commissions, and Committees for July 1, 2019 - June 3, 2020.

(A copy of the City Clerk's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council received the reports from Council appointed boards, commissions, and committees from July 1, 2019 - June 3, 2020. 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.

#### **ROLL-CALL CONSENT CALENDAR (13-14)**

13. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement 86 of the Zoning Ordinance. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 11/10/20, 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; 11/10/20, and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement 136 of the City Code. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14;

11/10/20, 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; 11/10/20, and is incorporated as part of this record by reference.)

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

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

13. City Council passed an ordinance to adopt Supplement 86 of the Zoning Ordinance.

The ordinance reads as follows:

### **ORDINANCE NO. 5305**

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

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

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 86," are hereby adopted as and shall constitute "The Eighty Sixth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Eighty Sixth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between June 9, 2020 and July 7, 2020, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor

shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between June 9, 2020 and July 7, 2020 inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Eighty Sixth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after the effective date of this ordinance.

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

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

14. City Council passed an ordinance to adopt Supplement 136 of the City Code.

The ordinance reads as follows:

#### ORDINANCE NO. 5306

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

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

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 136," are hereby adopted as and shall constitute "The One Hundred and Thirty Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundred and Thirty Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between June 9, 2020 through July 7, 2020, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after July 7, 2020, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 136; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between June 9, 2020 through July 7, 2020, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and Thirty Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it

affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundred and Thirty Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

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.

## CONTESTED APPOINTMENTS

15. Children, Youth, and Families Collaborative Commission  
1 ACPS Employee, identified by the Superintendent

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

NAME: ENDORSED BY:

Dr. Ingrid Bynum Dr. Gregory Hutchings, Superintendent

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 15; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and appointed Ingrid Bynum as the ACPS employee, identified by the Superintendent to the Children, Youth and Families Collaborative Commission. The votes were as follows:

Wilson	-	Bynum
Bennett-Parker	-	Bynum
Aguirre	-	Bynum
Chapman	-	Bynum
Jackson	-	Bynum
Pepper	-	Bynum
Seifeldein	-	Bynum

16. Citizen Corps Council  
1 Representative of the Alexandria Chapter of the American Red Cross

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

NAME: ENDORSED BY:

Sandy Habib

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 16; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and appointed Sandy Habib as the representative of the Alexandria Chapter of the American Red Cross to the Citizen Corps Council. The vote was as follows:

Wilson	-	Habib
Bennett-Parker	-	Habib
Aguirre	-	Habib
Chapman	-	Habib
Jackson	-	Habib
Pepper	-	Habib
Seifeldein	-	Habib

17. Commission on Aging  
1 Citizen Member

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

NAME: ENDORSED BY:

William Campbell  
Marie Smith

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 17; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following result: City Council appointed William Campbell as the citizen member to the Commission on Aging. The vote was as follows:

Wilson	-	Campbell
Bennett-Parker	-	Campbell
Aguirre	-	Campbell
Chapman	-	Campbell
Jackson	-	Smith
Pepper	-	Campbell
Seifeldein	-	Smith

18. Community Criminal Justice Board  
2 Citizen Members

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

NAME: ENDORSED BY:

Abdel-Rahman Elnoubi  
Nora Elnahas  
Emilygrace Mate  
Jenna Murray  
Mikal Rozenman  
Pegah Vakili  
Kendall Wangsgard

Katherine Waynick

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 18; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council unanimously appointed Abdel-Rahman Elnoubi at a citizen member to the Community Criminal Justice Board. A second vote was required for the other citizen member because no received a majority vote. The vote was as follows:

Wilson	-	Elnoubi, Vakili
Bennett-Parker	-	Elnoubi, Vakili
Aguirre	-	Elnoubi, Waynick
Chapman	-	Elnoubi, Vakili
Jackson	-	Elnoubi, Elnahas
Pepper	-	Elnoubi, Wangsgard
Seifeldein	-	Elnoubi, Waynick

**WHEREUPON**, ballots were again distributed, tellers were again appointed, and ballots tallied with the following result: City Council appointed Pegah Vakili as the citizen member to the Community Criminal Justice Board. The vote was as follows:

Wilson	-	Vakili
Bennett-Parker	-	Vakili
Aguirre	-	Waynick
Chapman	-	Vakili
Jackson	-	Vakili
Pepper	-	Wangsgard
Seifeldein	-	Waynick

19. Environmental Policy Commission  
1 Citizen Member

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

NAME: \_\_\_\_\_ ENDORSED BY: \_\_\_\_\_

Alexander Clark  
Jennifer Debias Mabry

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 19; 11/10/20, and is incorporated as part of this record by reference.)

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



Wilson	-	Mabry
Bennett-Parker	-	Mabry
Aguirre	-	Clark
Chapman	-	Clark
Jackson	-	Mabry
Pepper	-	Mabry
Seifeldein	-	Mabry

20. Public Health Advisory Commission

1 Citizen Member, who shall be a health professional and at the time of appointment derive, or within the previous five years derived, their principal income from providing health care, health services or health-related activities

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

NAME: ENDORSED BY:

Sylvia Jones  
Kali Maltese  
Andrew Romero

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 20; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and carried unanimously, City Council reappointed Andrew Romero as the citizen member, who shall be a health professional and at the time of appointment derive, or within the previous five years derived, their principal income from providing health care, health services or health related activities to the Public Health Advisory Commission. The vote was as follows:

Wilson	-	Romero
Bennett-Parker	-	Romero
Aguirre	-	Romero
Jackson	-	Romero
Pepper	-	Romero
Seifeldein	-	Romero

21. Alexandria Transportation Commission

1 Citizen Member who shall be a resident of the City possessing qualifications in land use, transportation, and/or municipal finance, of whom shall reside east of Quaker Lane

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

NAME: ENDORSED BY:

William Capers III  
Robert Crane  
Kellyanne Gallagher

Oscar Gonzalez  
Eric Randall

(A copy of the material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 21; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council reappointed Oscar Gonzalez as the citizen member who shall be a resident of the City possessing qualifications in land-use, transportation, and/or municipal finance, whom one shall reside east of Quaker Lane to the Transportation Commission. The vote was as follows:

Wilson	-	Gonzalez
Bennett-Parker	-	Gonzalez
Aguirre	-	Gonzalez
Jackson	-	Gonzalez
Pepper	-	Gonzalez
Seifeldein	-	Gonzalez

22. Waterfront Commission

1 Citizen Representative who resides east of Washington Street and south of King Street

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

NAME:	ENDORSED BY:
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Dan Morrison	
Barbara Saperstone	

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Barbara Saperstone as the citizen representative who resides east of Washington Street and south of King Street to the Waterfront Commission. The vote was as follows:

Wilson	-	Saperstone
Bennett-Parker	-	Saperstone
Aguirre	-	Morrison
Chapman	-	Saperstone
Jackson	-	Saperstone
Pepper	-	Saperstone
Seifeldein	-	Morrison

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

23. Introduction of the Proposed Alexandria Legislative Package for the 2021 General Assembly.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 11/10/20, and 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: (1) received the proposal for the City's 2021 Legislative Package, as recommended by Council's Legislative Subcommittee and Included in Attachment 1; (2) scheduled the Draft Legislative Package for public hearing on Saturday, November 14, 2020; (3) scheduled a work session with Alexandria's General Assembly delegation immediately preceding the Saturday, November 14, 2020 public hearing; and (4) scheduled final adoption of the Legislative Package for Tuesday, December 8, 2020. 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.

24. Receipt of the Fiscal Year 2020 Comprehensive Annual Financial Report (CAFR).

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council received the Fiscal Year 2020 Comprehensive Annual Financial Report (CAFR). 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.

25. Receipt of Proposed Coordinated Community Post-COVID-19 Recovery Plan.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 11/10/20, is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council received the report and directed the City Government Community Recovery Plan Team to provide the Proposed Coordinated Community Post -COVID-19 Recovery Plan to related City boards and commissions and community partners for feedback, and refinement, and then proceed to utilize the recommendations in this report in developing FY 2022 Proposed Operating Budget recommendations. 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.

26. Receipt of Franchise Proposals from telecommunications providers to grant one or more nonexclusive Telecommunications Facility Franchise(s) to telecommunications providers to install specified small cell facilities and related infrastructure in the City's public rights-of-ways and Referral of Such Proposals to City Staff for Review.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) received a summary of proposals submitted to the City; (2) received any additional proposals from bidders at the City Council meeting; (3) referred all proposals to the City Manager for evaluation, review and consideration in the manner prescribed by law, including the negotiation of a franchise agreement with preferred bidders/proposers; and (4) directed the City Manager to recommend to City Council at its December 8, 2020 meeting or as soon thereafter as is feasible, recommended telecommunication provider(s) to install small cell facilities and related infrastructure in the City's public rights-of-ways. 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.

27. Oral Report: Workforce Development Center Update

(A copy of the presentation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 11/10/20, and is incorporated as part of this record by reference.)

City Council received the update from the Workforce Development Center.

## **ORDINANCES AND RESOLUTIONS**

28. Consideration of a Resolution to Establish FY 2022 Budget Guidance. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously by roll-call, City Council adopted the FY 2022 Budget Guidance Resolution, which will provide guidance to the City Manager to be used in his preparation of the Proposed FY 2022 Operating Budget and Proposed FY 2022 to FY 2031 Capital Improvement Program to be presented on February 16, 2021 for City Council consideration. The resolution states: (1) the City Manager is directed to propose an operating budget and 10-year Capital Improvement Program (CIP) that seeks to balance the need to continue priority services and the need for an affordable tax and fee responsibility which may include tax and/or fee increases and increases in operating and capital project expenditures to fund priority services, but may also include service reductions to provide for higher priority services and minimize any tax rate increases; and (2) due to the amount of uncertainty about FY 2022 revenues due to the ongoing COVID-19 pandemic and economic recession, the City Manager is also directed to present two alternative budget scenarios: (a) one that identifies further service reductions that would be recommended to balance the budget if the real estate tax rate or other tax rates are not increased; and (b) budget scenarios that identifies the amount of revenue and real estate tax rate increase that would be required to fund a budget with few service reductions. 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. 2965**

### **Setting Guidance for FY 2022 General Fund Operating Budget and Capital Improvement Program for FY 2022 to FY 2031**

**WHEREAS**, the City Council of Alexandria passed a resolution establishing Council's process for formulating the Operating Budget and the Capital Improvement Program (CIP) and requires that City Council set budget guidance for the City Manager and the School Board for the FY 2022 budget; and

**WHEREAS**, the City will seek input into the development of the FY 2022 budget; and

**WHEREAS**, the City Council's budget deliberations and annual spending decisions should reflect a balancing of the goals articulated in the adopted FY 2017 to FY 2022 City's Strategic Plan (the "Strategic Plan"); and

**WHEREAS**, those services directly supporting the achievement of the City's strategic goals are considered for funding support; and

**WHEREAS**, additional priorities beyond those identified in the Strategic Plan have emerged since its adoption including recovery from the COVID-19 pandemic and related economic downturn, policing reform, and flood mitigation in response to climate change related increasingly intense and frequent major storm events; and

**WHEREAS**, the City Council is committed to continuously improving the efficiency and effectiveness of City government and expects the City Manager, City staff and all organizations that receive City budget dollars to focus on achieving service outcomes and providing programs that benefit the community and its residents; and

**WHEREAS**, the City Council is committed to the goal of continuing to provide core services expected of a municipal government including the provision and maintenance of the City's facilities and capital infrastructure; and

**WHEREAS**, the City Council will make budgetary changes that support maintaining the City's 'AAA'/'Aaa' bond ratings; and

**WHEREAS**, the City Council acknowledges that the resources required to achieve the goals of the Strategic Plan, various other adopted Strategic Plans and Master Plans, and other emerging priorities must be balanced with the tax responsibility placed upon residents and businesses; and

**WHEREAS**, the City Council recognizes the need to measure the impact of programs and lines of business against expected outcomes, to deemphasize or eliminate programs that

do not yield those outcomes desired, and to identify efficiencies wherever possible, to utilize Priority Based Budgeting to assist in setting budget priorities and funding level; and

**WHEREAS**, the City Council desires to emphasize a multi-year perspective for budget decision making and for long-range fiscal planning; and

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

(a) **Operating and Capital Improvement Program Expenditures:** The City Manager shall propose for Council consideration a proposed (1) operating budget and 10-year Capital Improvement Program (CIP) that seeks to balance the need to continue priority services and the need for an affordable tax and fee burden which may include an increase in tax and/or fee rates and increases in operating and capital project expenditures to fund priority services, but may also include service reductions to provide funding for higher priority services and minimize any tax rate increase and; (2) the City Manager shall present two alternative budget scenarios: one that identifies further service reductions that would be recommended to balance the budget if the real estate tax rate or other tax rates are not increased, and a second that identifies the amount of revenue and real estate tax or other tax rate increases that would be required to fund a budget with few service reductions.

(b) **Two-Year Presentation of Operating Revenue/Expenditures:** The City Manager's proposed Operating Budget shall include estimates of all operating revenues and expenditures for the proposed Fiscal Year 2022 and the subsequent Fiscal Year 2023.

(c) **Taxes, Fees, Fines and Service Charges:** In funding the proposed budget, the City Manager may consider changes to tax rates, tax designations/reservations, fees/fines/service charges that are equitable, fair and administratively feasible provided that these proposals are observant of the constraints imposed by the Code of Virginia. Such changes can only be considered where they advance the priorities of the Council as stipulated in this resolution, through Legislative Sessions, adopted master plans and policies, or the Council Retreat and Work Sessions. Additionally, the City Manager shall present two alternative tax rate scenarios including one in which tax rates are maintained at the current level and one which identifies that amount of tax rate increases required to fund a budget with no service reductions.

(d) **Cost Saving Measures:** The City Manager shall, in the proposed operating budget and two alternative scenarios, continually identify and propose cost saving measures and efficiencies in all City operations and consider reduction of service levels where the performance exceeds the level required by the community, where the current level of service is not a strategic priority, or where performance, over time, has not achieved the desired outcomes.

(e) **Use of Surplus:** The City Manager may recommend use of prior-year surplus funds first to ensure that the Capital Improvement Program includes sufficient cash capital funding, then to address one-time or manageable ongoing costs that positively impact expected goals.

(f) **CIP:** The proposed FY 2022 through 2031 CIP shall incorporate the following:

1. Compliance with the City's adopted Debt Related Financial Policy Guidelines for any debt issuance planned for FY 2022 through FY 2031;
2. Consistency with the City's adopted cash capital investment policy of a General Fund cash capital transfer of no less than 2.0% with the goal of funding the FY 2022 General Fund cash capital reflected at least at the level in the current adopted CIP;
3. The optional use, as determined by the City Manager, of an additional General Fund operating budget surplus from FY 2021, if any, as commitment for capital projects in FY 2022 and beyond;
4. Specific descriptions of projects that can be funded within recommended levels of funding, their associated operating costs, estimated for all years of the CIP, and a description of the criteria used to prioritize the projects as recommended by the Budget and Fiscal Affairs Advisory Committee (BFAAC);
5. Proposed funding for City and ACPS facility projects based in part on the recommendations of the Ad Hoc Joint City-Schools Facility Investment Task Force.

(g) **ACPS Funding:** That (1) the City Manager shall recommend for transfer to the Alexandria City Public Schools operating funding within a range of amounts, with the low end of the range being an appropriation equal to the amount approved by City Council for FY 2021 and the high end of the range being the low end amount plus the overall General Fund FY 2022 revenue rate of growth plus the cost of FY 2022 increased enrollment, (2) the Alexandria City Public Schools is requested by City Council to articulate in general categories and prioritize any City FY 2021 appropriation requests above the low end of the range, (3) the City Manager shall develop options for potential funding of proposed public school capital needs for the FY 2022 through FY 2031 time period taking under advisement the recommendations of the Ad Hoc Joint City-Schools Facility Investment Task Force, and (4) the City Manager shall recommend ACPS capital project debt service in the FY 2022 proposed budget and include such amount as an separate element of the total recommended FY 2022 budget for the ACPS.

(h) **Outside Agencies:** Organizations outside the City government that receive funding support from the City must demonstrate an alignment of their efforts with accomplishments of the City's strategic objectives. In cases where there is discretion over the level of funding, organizations external to the City government must demonstrate the purpose, benefits outcomes, and consequence of City funding.

29. Consideration of a Budget Resolution Establishing the Process to be Used to Adopt the FY 2022 Operating Budget and the FY 2022 to FY 2031 Capital Improvement Program.  
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the proposed resolution establishing the process to be used to adopt the FY 2022 Operating Budget and the

FY 2022 to FY 2031 Capital Improvement Program, with an amendment to section 9 to read as follows, "at least one digital or public meeting outside of City Hall..". The vote was as follow: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

## **RESOLUTION NO. 2966**

### **Budget Resolution Establishing the Process to be Used to Adopt the FY 2022 Operating Budget and the FY 2022 to FY 2031 Capital Improvement Program**

**WHEREAS**, the Alexandria City Council wishes to establish policies to guide upcoming budget deliberations to ensure responsible actions with current economic resources; and

**WHEREAS**, resolutions No. 2088, 2150, 2166, 2256, 2368, 2587, 2653, 2747, 2796, 2858 and 2915 previously adopted by City Council have now expired, or will soon expire; and

**WHEREAS**, City Council believes that flexibility is needed for both the preparation and evaluation of expense items as well as with regard to diversifying the sources of revenue available to fund the General Fund Operating Budget; and

**WHEREAS**, City Council's deliberations on the budget each year reflect a balancing of the needs of the community with the community's ability to afford services to meet those needs; and

**WHEREAS**, City Council desires to provide the core services expected of a municipal government and to continue to provide quality services and facilities for the residents and businesses of Alexandria, but understands that economic reality will require significant trade-offs between services and revenues; and

**WHEREAS**, City Council is committed to managing the cost of City General Fund operating and capital expenditures in order to properly balance the tax burden placed on the community; and

**WHEREAS**, City Council is committed to achieving the vision and strategic goals, long term outcomes, objectives, and initiatives as outlined in the City Council's Strategic Plan; and

**WHEREAS**, City Council desires to allow for a thoughtful and deliberate budget process given the budget's complexity and importance;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Alexandria, Virginia, that the Council shall, for the purposes of consideration of the Budget for the City of Alexandria, adopt this resolution and adhere to the following rules of procedure:

#### **Section (a) The City Manager's Budget Submission to City Council and the Setting of Budget Guidance by City Council**

(1) That the City Manager shall plan and prepare the proposed Operating Budget and proposed ten-year Capital Improvement Program and that such preparations shall include those programs and resources necessary to achieve the City Council Strategic Plan.



(2) That the City Manager shall present to City Council a preliminary forecast and outlook for (a) revenues and (b) expenditures necessary to maintain existing services and policies (including the City Manager's forecast of cash capital and debt service costs related to the most recently approved Capital Improvement Program).

(3) That City Council shall direct that the City Manager prepare a budget resolution to be adopted by City Council to guide the preparation of the upcoming Operating Budget and next Capital Improvement Program.

(4) That the City Manager shall submit a proposed Operating Budget and Capital Improvement Program to the City. Such budget shall meet any guidance for General Fund revenues and expenditures established by City Council and should include no more than one percent of unreserved fund balance.

**Section (b) The Budget Submission to City Council by the Alexandria Public Schools (ACPS)**

(5) That the Alexandria City School System (ACPS) shall separately present to City Council, but in a format coordinated with the City Manager, its preliminary forecast and outlook for (a) expenditures necessary to maintain appropriate services and policies, (b) the outlook for additional requests for Schools operating in the upcoming fiscal year and capital needs through the upcoming fiscal year and the succeeding 9 years, (c) projected ACPS capital related debt service for the upcoming fiscal year, (d) the outlook for possible budget reductions and increases in fees, fines and charges for services, (e) the outlook for Federal and State grants, and the costs of meeting unfunded Federal and State mandates, both current mandates and projected new mandates.

(6) That the Board of the Alexandria City Public Schools is requested to adopt a Capital Improvement Program no later than December 17, 2020 and an Operating Budget no later than February 18, 2021 so that any request may be considered by City Council in parallel with the City Manager's proposed operating budget and Capital Improvement Program. If the ACPS budget request exceeds or otherwise does not comply with any guidance regarding fiscal limitation provided by City Council to ACPS, then ACPS shall clearly identify what operating programs and activities would be funded if additional funding were provided.

**Section (c) Actions of City Council Concerning the Budget Submissions of the City Manager and the Alexandria Public Schools (ACPS)**

(7) That as part of a preliminary forecast of assessments and expenditures provided by the City Manager, City Council will consider this information and any other relevant information available to it at that time including the comments of residents provided via a public hearing or other public input opportunities.

(8) That the Council shall hold a budget public hearing on the City Manager's proposed budget in the month following the budget submission by the City Manager and should reserve time for public comment at the scheduled April Public Hearing once the

Preliminary Add/Delete list of City Council Budget Proposals and technical adjustments by the Office of Management and Budget has become available and distributed to the community. Any additional public hearing shall not conflict with or serve in place of a public hearing regarding the establishment of an effective tax rate as required by the Code of Virginia.

(9) That Council directs City staff to organize at least one digital or public meeting outside of City Hall to present the budget to interested residents and solicit input. Additionally, City staff shall provide an opportunity for residents and organizations to submit written budget comments to the Council in lieu of or in addition to participation in public meetings.

(10) That Council directs City staff to prepare motions for adoption of the Operating Budget and Capital Improvement Program and a summary of decisions made in the Final Add/Delete work session following the work session. Those motions and the summary of final decisions shall be released for public review no later than 24 hours prior to the scheduled adoption.

(11) That City Council shall consider these proposals and endeavor to enact an Operating Budget and Capital Improvement Program that balance the needs of the community with the community's desire and ability to pay for services to meet those needs.

(12) That City Council plans to adopt such a budget resolution.

#### **Section (d) Proposed Budget for the City of Alexandria**

(13) For purposes of this resolution, the proposed budget of revenue rates and expenditure levels for the fiscal year shall be that proposed by the City Manager.

(14) For purposes of this resolution, the Office of Management and Budget shall provide revenue and/or expenditure projections for any motion or amendment that could affect the proposed budget specified in Section (a) (2).

#### **Section (e) Maximum Expenditure Levels May Not Exceed Sum of Projected Revenue and Appropriation from Fund Balance in Proposed Budget**

(15) It shall not be in order in the Alexandria City Council to consider any motion or amendment to the proposed budget of the City of Alexandria if:

(i) there has not been a Budget Memo or formal information request submitted that relates to the specific item proposed for consideration or a Council discussion of the proposal during a budget work-session or public hearing has not occurred; and

(ii) any such motion or amendment that has the effect of increasing any specific budget expenditures proposed by the City Manager or would have the effect of reducing any specific revenue proposed by the City Manager unless such motion or amendment provides for a specific offset of either expenditure or revenue and ensures the maintenance of the fiscal balance of the proposed budget; and

(iii) such motion or amendment is not provided in the form of a City Council budget proposal submitted to the Office of Management and Budget (OMB) or an OMB technical adjustment at least 20 days prior to the adoption of the budget in accordance with the FY 2022 Rules of Engagement for the Add/Delete Process.

(16) In the Alexandria City Council, any appropriation from the Fund Balance or any like account beyond that proposed in the Manager's proposed budget shall require an affirmative vote of five Council Members.

### **Section (f) Actions of City Council Concerning the Add/Delete Process**

(17) The City Council shall adhere to the following Add/Delete Rules of Engagement for amending and adopting the final budget. These Rules of Engagement were first adopted for use during the FY 2016 budget process and continued in each of the subsequent budget processes:

(i) Continue use of the add/delete spreadsheet that was produced by OMB prior to the FY 2016 budget process and reintroduced in the FY 2017 budget process.

(ii) A City Council Budget Proposal form will be required in order to add or delete anything from the City Manager's Proposed Budget. The form will require the following prior to Council consideration:

- i. Additional information related to how the change advances the Council's goals/priorities.
- ii. Additional information related to how the change impacts the performance of that program, service or goal.
- iii. The support of at least 3 of 7 Council members (the original sponsor and two co-sponsors).
- iv. Must be accompanied by an add/delete spreadsheet prepared by the Council member or OMB in which the sum of the individual Council member's adds and deletes, including the items originally sponsored by that member and those co-sponsored by that member, are in balance or produce a revenue surplus.
- v. Any add/delete proposal requiring a change to a City Ordinance or requiring a new ordinance must be submitted to staff eight days prior to the first legislative meeting in April in order for the item to be introduced and docketed for the April public hearing [For FY 2022, March 29]

(iii) The completed City Council Budget Proposal form must be returned to the Office of Management & Budget (OMB), with each of the steps from #2 above completed, at least 20 days prior to the adoption of the budget [for FY 2021, April 15].

(iv) City Council will hold a second budget public hearing to receive feedback on the preliminary add/delete items submitted by City Council Members [for FY 2021, April 17]

(v) A combined list of all City Council Budget Proposals that meet the criteria in #2, any technical adjustments from OMB, and any City Manager recommended changes, will be provided and discussed at the 2<sup>nd</sup> Legislative Meeting in April [for FY 2021, April 27].

(vi) Council will work with OMB to refine/develop funding figures based on the proposals submitted, to be completed 7 days prior to budget adoption [for FY 2022, April 28].

(vii) Completed Council Budget Proposals, with funding, will be circulated to Council and the public the Friday prior to budget adoption [for FY 2022, April 30].

(viii) City Council will be required to keep the budget in balance once all decisions are made.

(ix) Budget Adoption will occur on May 5, 2020 with all City Council Budget Proposals, those approved and those not approved, made public upon adoption of the budget.

**Section (g) Expiration – The provisions of this resolution shall expire on June 30, 2021.**

30. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to enact Chapter 7 (COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (C-PACE)) of Title 7 (PLANNING AND DEVELOPMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 11/10/20, 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. 30; 11/10/20, 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. 30; 11/10/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Pepper and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and passage on final reading. 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.

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

1. Councilman Aguirre reported that Casa Chirilagua hosted an event that gave desks to students in the community for use at home. Councilman Aguirre noted that the event was a collaborative event with Casa Chirilagua, Virginia Tech, Building Momentum and the Carpenters' Union and he pointed out that the event was also attended by Councilman Chapman.

### OTHER

31. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 11/10/20, 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 received and adopted the FY 2021 City Council schedule for November 2020 through July 2021, noting that the remaining meetings for November 2020 will be held virtually. 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the regular meeting of November 10, 2020 at 11:11 p.m. 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.

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**APPROVED BY:**

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**JUSTIN M. WILSON MAYOR**

ATTEST:

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Gloria A. Sitton, CMC City Clerk

**City of Alexandria  
City Council Public Hearing Meeting  
Saturday, November 14, 2020 9:30 AM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Kerns, Division Chief, P&Z; Mr. Imm, Urban Planner, P&Z; Ms. Triggs, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. Suehr, Director, Department of Project Implementation; Mr. Swidrak, Urban Planner, P&Z; Mr. Geratz, Principal Planner, P&Z; Ms. Quinn, Management Analyst, City Manager's Office; Mr. Lucarelli, Urban Planner, P&Z; Ms. Cooper, Urban Planner, P&Z; Ms. Contreras, Urban Planner, P&Z; Mr. Demeke, Information Technology Services (ITS); Mr. Smith, ITS; Mr. Barre, ITS; Mr. Sherman, ITS; Ms. Horowitz, Principal Planner, P&Z; Ms. S. Taylor, Legislative Director; Ms. K. Taylor, Director, Finance; Ms. Kott, Division Chief, Department of Project Implementation; Mr. Trahn, Transportation and Environmental Services (T&ES); Mr. Sharma, Acting Deputy Director, T&ES; Ms. Miliaras, Principal Planner, P&Z; Mr. Eger, General Services; Mr. Knight, T&ES; Ms. Hinton, T&ES; Mr. Randall, Urban Planner, P&Z; Ms. McLean, Executive Assistant, City Manager's Office; Mr. LaColla, Division Chief, P&Z; Ms. Jovovic, Office of Housing;

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

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## **OPENING**

### **1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of City Council were present via Zoom webinar.

Mayor Wilson stated that due to the COVID-19 Pandemic Emergency, the November 14, 2020 Public Hearing Meeting of the Alexandria City Council is being held electronically pursuant to the 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

4.0-01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289), to undertake essential business. All the members of the City Council and staff are participating from remote locations through a video conference on Zoom. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. The meeting can be access 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. Work Session with Alexandria's Delegation to the General Assembly.

City Council held the work session with the City's Delegation to the General Assembly to discuss the City's proposed Legislative Package for the upcoming session. The following members of the Delegation were present: Senator Richard Saslaw, Senator Adam Ebbin, Senator George Barker, Delegate Charniele Herring, and Delegate Mark Levine.

3. Public Discussion Period.

The following persons participated in the public discussion period:

1. Zack DesJardins, Alexandria, spoke about the bicycle infrastructure in the City and the possibility of extending bicycle lanes on Commonwealth Avenue.
2. Nathan McKenzie, Alexandria, spoke about the bicycle infrastructure and the repaving options on Commonwealth Avenue including bicycle lanes and pedestrian improvements.
3. Janice Grenadier, Alexandria, spoke about corruption with the courts.
4. Rachel Wilson and Abigail St. Jean, Alexandria, spoke about the possibility of creation of bottle recycling fee that would help with conservation along the Potomac River.
5. James Hook, Alexandria, spoke about the bicycle infrastructure and inclusion on extended bicycle lanes along Commonwealth Avenue.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public comment period. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

### **ACTION CONSENT CALENDAR**

#### **Planning Commission**

None.

## END OF ACTION CONSENT CALENDAR

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

4. Public Hearing for Consideration of the Proposed Alexandria Legislative Package for the 2021 General Assembly.

(A copy of the City Manager's memorandum dated November 9, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 11/14/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council: (1) closed the public hearing and received the proposals for the City's 2021 Legislative Package, as recommended by Council's Legislative Subcommittee; and (2) scheduled final adoption of the Legislative Package for Tuesday, December 8, 2020. 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.

## REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

### Planning Commission (continued)

5. Special Use Permit #2019-00039  
Riparian area adjacent to 0 Prince Street (used and owned by 200 Strand Street)  
- Old Dominion Boat Club Pier Expansion  
Public Hearing and consideration of a request for a Special Use Permit to replace and expand a facility used for the docking or berthing of boats or ships; zoned: W-1/Waterfront Mixed Use. Applicant: Old Dominion Boat Club (ODBC), represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 11/14/20, and is incorporated as part of this record by reference.)

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

1. Robert Dugger, Alexandria, expressed concern about the impact of the project on taxpayers in the City considering the agreement between the City and the Old Dominion Boat Club.
2. Brian Buzzell, Alexandria, spoke in support of the project and expressed concern about the agreement with Old Dominion Boat Club.



3. Duncan Blair, Alexandria, attorney for the applicant, spoke in support of the project and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Seifeldein and carried unanimously, City Council approved the Planning Commission recommendation. 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. Development Special Use Permit #2020-10022  
5001 Eisenhower Avenue - Victory Center Retail Building  
Public Hearing and consideration of a request for a Development Special Use Permit (with site plan) to construct a new retail building with a drive-through facility; zoned: OCM(100) / Office Commercial Medium (100). Applicant: 5001 Eisenhower Office Owner, LLC, represented by, Kenneth W. Wire, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 11/14/20, and is incorporated as part of this record by reference.)

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

1. Kenneth Wire, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the Planning Commission recommendation. 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.

7. Zoning Text Amendment #2020-00008

Temporary Program for Business Relief and to Address Public Need Related to COVID-19

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to establish a temporary program for business relief and to address public need related to COVID-19. Staff: City of Alexandria, Department of Planning & Zoning

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 11/14/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

8. Special Use Permit #2020-00063  
515 Mount Vernon Avenue - Lena's Restaurant  
Public Hearing and consideration of a request for a Special Use Permit amending SUP #2014-00100 to permit live entertainment; zoned: CSL/Commercial Service Low. Applicant: Yates Restaurant Group LLC, a Virginia Limited Liability Company, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 11/14/20, and is incorporated as part of this record by reference.)

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

1. Duncan Blair, Alexandria, attorney for the applicant, spoke in support of the proposal and responded to questions from Council about the project.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation with an amendment to condition #11 to read: Live entertainment serving as the primary attraction at the restaurant shall be allowed for the

indoor dining area until 2 a.m. Event advertising and admission or a cover fee may be associated with live entertainment. Limited live entertainment that is subordinate to the restaurant use and takes the form of amplified background music is a by-right use given the restaurant location in a commercial complex. The applicant must comply with the City's noise ordinance. 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. Development Special Use Permit #2020-10020  
2401 and 3251 Potomac Avenue- Potomac Yard Metro Station - South Pavilion  
Public Hearing and consideration of a request for a Development Special Use Permit and site plan, with Subdivision to amend the previously approved Metro Station (DSUP #2018-0017) to add a south pavilion entrance at the end of Glebe Road, a bridge connecting the pavilion to the approved bridge system, and emergency egress stairs at the bridge knuckle; zoned: UT/Utilities and Transportation. Applicants: City of Alexandria and Washington Metropolitan Area Transit Authority (WMATA)  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/14/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

10. Special Use Permit #2020-00065  
765 John Carlyle Street and 1900 Eisenhower Avenue - Carlyle Block P Special Use Permit  
Public Hearing and consideration of a request for a Special Use Permit to change the use from office and retail to residential and increase the gross square footage allowable for block p within the allowed maximum for the Carlyle District. and to amend the Design guidelines for Block P which includes an increase in height from 200' to 210' (amending SUP#2018-0039) (Carlyle Block P); zoned: CDD #1/Coordinated Development District #1. Applicant: Carlyle Plaza, LLC, represented by Jonathan P. Rak, attorney  
Planning Commission Action: Recommended Approval 7-0

(The Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 11/14/20, and is incorporated as part of this record by reference.)

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

1. Jonathan Rak, Tysons, Virginia, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation. 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.

11. Master Plan Amendment #2020-00004  
Development Special Use Permit #2020-00009  
3425 North Beauregard Street - Benchmark at West Alex  
Public Hearing and consideration of requests for: (A) an amendment to the Alexandria West Small Area Plan Chapter of the Master Plan to change the height map to increase the maximum allowable height from 100' to 120'; and (B) a Development Special Use Permit and site plan to change the use at an existing pad site from office to continuum of care (amending DSUP #2013-00001); zoned: CRMU-H/Commercial Residential Mixed Use (high). Applicant: Orr-BSL King, LLC, represented by Duncan W. Blair, attorney  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 11/14/20, and is incorporated as part of this record by reference.)

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

1. Duncan Blair, Alexandria, attorney for the applicant, spoke in support of the proposal and responded to questions from Council about the project.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried 6-1, City Council approved the Planning Commission recommendation. The vote as follows: In favor, Mayor Wilson, Vice Mayor

Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

## ORDINANCES AND RESOLUTIONS

**\*\*Please note that docket items 13, 15, 16, and 17 were considered as a block.\*\***

12. Public Hearing, Second Reading and Final Passage of an Ordinance to enact Chapter 7 (COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (C-PACE)) of Title 7 (PLANNING AND DEVELOPMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 11/14/20; 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. 12; 11/14/20, 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. 12; 11/14/20 and is incorporated as part of this record by reference.)

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

1. Abigail Johnson, Williamsburg, Virginia, spoke in support of the ordinance.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried 5-2 by roll-call vote, City Council closed the public hearing and adopted an ordinance to enact Chapter 7 (COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY- [C-PACE]) of Title 7 (PLANNING AND DEVELOPMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. The vote was follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Aguirre and Councilman Seifeldein.

The ordinance reads as follows:

### ORDINANCE NO. 5307

AN ORDINANCE to enact Chapter 7 (COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (C-PACE) FINANCING PROGRAM) of Title 7 (PLANNING AND DEVELOPMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 7 of Title 7 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the addition of the following new chapter in underline as follows:

**CHAPTER 7 – Commercial Property Assessed Clean Energy (C-PACE) Financing Program**

**Sec. 7-7-1 – Purpose.**

The purpose of this chapter is to create a "City of Alexandria Commercial Property Assessed Clean Energy (C-PACE) Financing Program," in accordance with the Commonwealth of Virginia's Clean Energy Financing Law, section 15.2-958.3 of the Code of Virginia of 1950, as amended (hereinafter the "Act"). The C-PACE Program will facilitate loans made by Capital Providers to Borrowers to finance renewable energy production and distribution facilities, energy efficiency improvements, resiliency improvements, water usage efficiency improvements, or stormwater management improvements for which loans may be offered. Resiliency improvements may include mitigation of flooding or the impacts of flooding or stormwater management improvements with a preference for natural or nature-based features and living shorelines as defined in section 28.2-104.1. Subject to the limitations set forth in this chapter, the Act, or other applicable law, each C-PACE Loan, inclusive of principal, interest, and any financed fees, costs, or expenses, will be secured by a voluntary special assessment lien on the property that is the subject of such Loan.

**Sec. 7-7-2 – Definitions.**

For the purpose of this chapter, the following words shall have the meanings respectively ascribed to them as follows:

(a) "Act" means Virginia's "financing clean energy, resiliency, and stormwater management programs" law, section 15.2-958.3 of the Code of Virginia of 1950, as amended.

(b) "Amendment" means an amendment of the C-PACE Lien as permitted under the Loan Documents and Program Guide.

(c) "Assignment" means an assignment of the Loan Payments and/or C-PACE Lien pursuant to the terms of the assignment document.

(d) "Borrower" means:

(1) The owner(s) of Eligible Property who obtain(s) a C-PACE Loan from a Capital Provider in accordance with the Program Guide; or

(2) A successor in title to the Borrower.

(e) "Capital Provider" means:

(1) A private lending institution that has been approved by the Program Administrator in accordance with the Program Guide to originate a C-PACE Loan and its successors and assigns; or

(2) The current holder of a C-PACE Loan.

(f) "City" or "City of Alexandria" means the City of Alexandria, Virginia.

(g) "City Council" or "Council" means the City Council of the City of Alexandria, Virginia.

(h) "Commonwealth" means the "Commonwealth of Virginia."

(i) "C-PACE" means Commercial Property Assessed Clean Energy.

(j) "C-PACE Lien" or "Lien" means a voluntary special assessment lien duly Recorded against an Eligible Property to secure Loan Payment. Each Lien (i) shall run with the land, and those portions of Loan Payment secured by such Lien that have not yet become due are not eliminated by foreclosure of a property tax lien, and (ii) shall have the same priority status as a real property tax lien, except that such Lien shall have priority over any previously recorded mortgage or deed of trust lien on the Property only if a written subordination agreement is executed by the holder of each such previously recorded lien. Such subordination agreement shall be Recorded with the Lien, and shall be in a form and substance acceptable to the prior lienholder in its sole and exclusive discretion. Prior to the Recording of any Lien, Borrower must submit to the Capital Provider evidence that: (i) Borrower is current on payments on all loans secured by a mortgage or deed of trust lien on the Eligible Property and on property tax payments to the City, (ii) Borrower is not insolvent or subject to bankruptcy proceedings, and (iii) Borrower's title to the Eligible Property is not in dispute.

(k) "C-PACE Lien Certificate" means the voluntary special assessment lien document duly recorded among the Land Records against an Eligible Property to secure a C-PACE Loan.

(l) "C-PACE Loan" or "Loan" means a loan from a Capital Provider to a Borrower to finance a Project, in accordance with the Program Guide.

(m) "C-PACE Program" or "Program" means the program established by the City through this chapter, in accordance with the Act, that facilitates the financing of Eligible Improvements and provides for a C-PACE Lien to be levied and recorded against the Property to secure the C-PACE Loan.

(n) "C-PACE Program Agreement" means the Agreement between the Borrower, City, and Capital Provider, and their respective successors and assigns, which includes the terms and conditions for participation in the C-PACE Program; the Borrower's acknowledgment and consent for the City to impose a voluntary special assessment and record a C-PACE Lien Certificate against the Borrower's Eligible Property; and a summary of the terms of the C-PACE Loan. A copy of the draft C-PACE Program Agreement is included herein as Exhibit A.

(o) "Delinquent Payment" means any C-PACE Loan payment that was not paid by a Borrower in accordance with the Loan Documents.

(p) "DMME Guidelines" means the Uniform Statewide Financial Underwriting Guidelines for C-PACE Loans, issued on December 1, 2015, by the PACE Stakeholder Committee organized by the Virginia Department of Mines, Minerals, and Energy (DMME), as amended from time to time.

(q) "Eligible Improvement" means the initial acquisition and installation of clean energy, energy efficiency, water efficiency, resiliency, or stormwater improvements

for both existing properties and new construction, as further prescribed in this chapter and the Program Guide.

(r) "Eligible Property" or "Property" means real property located within the City other than residential property with fewer than five dwelling units or a condominium as defined in Virginia Code § 55.1-2000.

(s) "Financing Agreement" means the written agreement, as may be amended, modified, or supplemented from time to time, between a Borrower and a Capital Provider, regarding matters related to the extension and repayment of a C-PACE Loan to finance Eligible Improvements.

(t) "Land Records" means the land records of the Clerk of the Circuit Court of the City of Alexandria.

(u) "Loan Amount" means the aggregate amount of a Loan, inclusive of principal, interest, and any financed fees, costs, or expenses, all as provided for in the Loan Documents.

(v) "Loan Documents" means the C-PACE Program Agreement, Financing Agreement, a C-PACE Lien Certificate, and any other document, agreement, or instrument executed in connection with a C-PACE Loan.

(w) "Loan Payment," means the periodic installment payments of the C-PACE Loan by a Borrower, due and payable to the City or Capital Provider as permitted by the Act in such amounts and at such times as described in the Loan Documents.

(x) "Program Administrator" means the person or entity retained by the City to administer the Program in accordance with the requirements of the Act, this chapter, and the Program Guide.

(y) "Program Fee(s)" means the fee(s) authorized by the Act and charged to participating Borrowers to cover the costs to design and administer the Program, including without limitation, compensation of the Program Administrator and recovery of expenses incurred by the City.

(z) "Program Guide" means a comprehensive document setting forth the procedures, eligibility rules, restrictions, Program Fee(s), responsibilities, and other requirements applicable to the governance and administration of the Program.

(aa) "Program Manager" means the City Manager or such person designated in writing by the City Manager to supervise the Program and act as liaison with the Program Administrator.

(bb) "Project" means the construction or installation of Eligible Improvements on Eligible Property.

(cc) "Residential Property" means improved real property used or occupied, or intended to be used or occupied, for residential purposes with fewer than five dwelling units.

(dd) "Stabilized Occupancy" means the occupancy level that an income producing Property is expected to achieve after the property is exposed to the market for lease over a reasonable period of time and at comparable terms and conditions to other similar properties.

(ee) "Stabilized Value" means the market value of the Property after it reaches stabilized occupancy as evidenced by an appraisal of the Property.

(ff) "Subordination Agreement" means a written agreement executed by the holder of each existing lien, mortgage, or deed of trust on Eligible Property that is the subject



of a C-PACE Loan, which allows the C-PACE lien to have senior priority to the existing mortgage or deed of trust.

(gg) "Useful Life" means the normal operating life of the Fixed asset as determined by Generally Accepted Accounting Principles (GAAP).

### **Sec. 7-7-3 – Effective Date.**

This chapter shall become effective immediately following its adoption.

### **Sec. 7-7-4 – C-PACE Program; Eligible Improvements.**

(a) C-PACE Program. The C-PACE Program shall be available throughout the City of Alexandria, provided that the Borrower, the Property, and the proposed Eligible Improvements all qualify for the Program. The following types of Eligible Improvements may be financed with a C-PACE Loan:

(1) Renewable energy production and distribution facilities, including but not limited to, solar photovoltaic, solar thermal, geothermal, wind, fuel cells, biomass systems, biogas, or methane recovery systems;

(2) Energy usage efficiency systems reasonably expected to reduce the energy usage of the eligible property, including but not limited to, high efficiency lighting and building systems, heating, ventilation and air conditioning upgrades, air duct sealing, high efficiency boilers and furnaces, high efficiency hot water heating systems, combustion and burner upgrades, fuel switching, heat recovery and steam traps, cogeneration systems, building shell or envelope improvements, reflective roof, cool roof, or green roof systems, weather-stripping, fenestration and door improvements and modifications, insulation (both in walls, roofs, floors and foundations and in heating, ventilation and air conditioning systems' radiant barriers), building energy management systems, process equipment upgrades, and other forms of conservation; provided, that for qualifying improvements that are part of a new building or structure, such qualifying improvements shall exceed the minimum energy efficiency requirements of then applicable law, ordinance, regulation or code;

(3) Electric vehicle charging infrastructure;

(4) Water usage efficiency improvements such as recovery, purification, recycling, and other forms of water conservation. For new construction, these improvements qualify for program financing only if they exceed the minimum water usage efficiency requirements of then applicable law, ordinance, regulation, or code;

(5) Stormwater improvements that reduce onsite stormwater runoff into the stormwater system such as reduction in the quantity of impervious surfaces, and onsite filtering of stormwater;

(6) Improvements that reduce the impacts of water or wind-related natural or manmade events, such as installation of wet and dry floodproofing, raising mechanical and electrical equipment and reinforcement of building envelope to reduce impacts of wind;

(7) Construction, renovation, or retrofitting of a Property directly related to the accomplishment of any purpose listed in subsections (1), (2), or (3) above, whether such Eligible Improvement was erected or installed in or on a building or

on the ground, it being the express intention of the City to allow Eligible Improvements that constitute, or are a part of, the construction of a new structure or building to be financed with a C-PACE Loan; or

(8) Any other category of improvement approved by the Program Administrator with the consent of the Program Manager as qualifying for financing under the C-PACE Act and the Program.

(b) Use of C-PACE Loan Proceeds. The proceeds of a C-PACE Loan may be used to pay for the construction, development, and consulting costs directly related to Eligible Improvements, including without limitation, the cost of labor, materials, machinery, equipment, plans, specifications, due diligence studies, consulting services (e.g., engineering, energy, financial, and legal), Program Fees, C-PACE Loan fees, capitalized interest, interest reserves, and C-PACE transaction underwriting and closing costs.

(c) Program Applications; Prioritization. The Program Administrator will develop a Program application process that allows for the review and approval of proposed Eligible Improvements and C-PACE Loan Documents. Program applications will be processed on a first come, first serve basis; provided, however, that the applicant meets eligibility requirements as set forth in the Program Guide.

#### **Sec. 7-7-5 - C-PACE Loan Requirements; Program Fees; Reporting; Program Administrator; Program Guide.**

(a) Source of Loans. C-PACE Loans shall be originated by Capital Providers. The City shall have no obligation to originate or guarantee any C-PACE Loans.

(b) C-PACE Loan Amount Thresholds. The minimum Loan Amount that may be financed for each Project is fifty thousand dollars (\$50,000). The maximum Loan Amount that may be financed for each Project is twenty-five million dollars (\$25,000,000) or thirty percent (30%) of the Stabilized Value of the Property, whichever is greater. The Program Administrator may also accept other forms of valuation including, but not limited to, assessed value or value derived from a minimum assessment agreement. There shall be no limit on the total value of all C-PACE Loans issued under the Program.

(c) C-PACE Loan Interest. The interest rate of a C-PACE Loan shall be as set forth in the Loan Documents.

(d) C-PACE Loan Term. The term of a C-PACE Loan shall not exceed the (i) Useful Life of the Project Improvement with the longest Useful Life or (ii) thirty (30) years, whichever is less.

(e) C-PACE Loan Amortization. The amount of the C-PACE Loan shall be fully amortized in the C-PACE Payments over the term of the C-PACE Loan as agreed by the Borrower and the Capital Provider.

(f) Apportionment of Costs. All of the costs incidental to the financing, administration, collection, and enforcement of the C-PACE Loan shall be borne by the Borrower.

(g) Financing Agreements. Capital Providers may use their own Financing Agreements for C-PACE Loans, but the Financing Agreement may not conflict with the provisions of this chapter, the Act, or the C-PACE Program Agreement. To the extent of any conflict, this chapter, the Act, and the C-PACE Program Agreement shall prevail.

(h) C-PACE Program Agreement. In order to participate in the C-PACE Program, Borrower and Capital Provider shall enter into a C-PACE Program Agreement with the City, which sets forth certain terms and conditions for participation in the City's C-PACE Program. This Agreement shall be binding upon the parties and their respective successors and assigns until the C-PACE Loan is paid in full. Each C-PACE Program Agreement shall be in substantially the form provided herein in Exhibit A. The C-PACE Program Agreement may be modified as necessary to further the Program's purpose and to encourage Program participation, including such additions, deletions, or alterations as may be approved by the Program Manager and City Attorney, so long as such modifications do not conflict with the Program Guide, this chapter, or the Act.

(i) Repayment of C-PACE Loan; Collection of Loan Payments. C-PACE Loans will be repaid by the Borrower through Loan Payments. Upon assignment of the Lien to the Capital Provider, as described in §7-7-6(c) hereof, the Borrower shall make all such Loan Payments directly to the Capital Provider pursuant to the Financing Agreement, and the Capital Provider shall be responsible, subject to and in accordance with the terms of the Financing Agreement, for all billing, collection, enforcement and administrative duties in respect of each of the Loan, and the Loan Payment and the Lien. In the alternative, C-PACE Loans may be serviced by the Program Administrator, and the Program Administrator shall remit Loan Payments it receives from Borrowers to the Capital Provider within thirty (30) days of receipt.

(j) C-PACE Loan Assumed. The Borrower shall assume the obligation to repay all remaining unpaid Loan Payments, whether it obtained ownership of the Property voluntarily or involuntarily, which are due upon acquisition of the Property, if any, and which accrue during Borrower's period of ownership. Only the current Loan Payment and any Delinquent Payments, together with any costs of collection, shall be payable at the settlement of a Property upon sale or transfer, unless otherwise agreed to by the Capital Provider.

(k) Transfer of C-PACE Loans.

(1) C-PACE Loans may be transferred, assigned, or sold by a Capital Provider to another Capital Provider at any time unless the C-PACE Loan is paid in full provided that Capital Provider shall:

A. Notify the Borrower and Program Administrator prior to the billing date of the next Loan Payment due;

B. Record a C-PACE Loan Assignment among the Land Records; and

C. Deliver a copy of the recorded C-PACE Assignment to the Borrower, City, and Program Administrator as set forth in the C-PACE Program Agreement and Program Guide.

(2) Recordation of the C-PACE Assignment shall constitute an assumption by the new Capital Provider of the rights and obligations of the original Capital Provider contained in the Loan Documents.

(l) Program Fees. The Program will be self-financed through Program Fee(s) charged to participating Borrowers. The Program Fee(s) are established to cover the actual and reasonable costs to design and administer the Program, including the compensation of a third-party Program Administrator. Program Fee(s) will be assessed as a percentage fee of the C-PACE Loan paid at closing. The amount(s)

of the Program Fees shall be set forth in the Program Guidelines. Program Fee(s) may be changed by the Program Manager from time to time and shall only apply to C-PACE Loans executed after the date the revised Fees are adopted. The Capital Provider shall collect the Program Fee(s) from Borrower at Loan closing, and shall remit any such Program Fee(s) so collected to the Program Administrator within ten (10) days of the date of such closing, without requiring demand or notice from the Program Administrator.

(m) Notification of Proposed Loan and Closing. The Program Guide will set forth the C-PACE Loan notification requirements and Loan closing process.

(n) Reporting. The City may require the Capital Provider and/or the Program Administrator to provide a written report with summary information regarding the C-PACE Loan Program, the portfolio performance of participating Capital Providers, or other Program statistics as required in the Program Guide.

(o) Program Administrator. The City will enter into a contract with a third-party Program Administrator pursuant to the City's procurement process and in accordance with any requirements of the Virginia Public Procurement Act. The Program Administrator's principle duties shall be those set forth in its contract with the City, which may include, but not be limited to:

- (1) Creating the Program Guide and revising and updating the Guide, as necessary;
- (2) Certifying that prospective C-PACE service providers and Capital Providers are eligible to participate in the program;
- (3) Processing C-PACE applications to determine Project eligibility for a C-PACE Loan and related Eligible Improvements;
- (4) Coordinating the billing and collection process by serving as a servicer for C-PACE Loans or subcontracting with a qualified C-PACE Loan servicer;
- (5) Ensuring compliance with the requirements of the C-PACE Program; and
- (6) Performing marketing, outreach, and promotion for participation in the C-PACE Program.

In the alternative, the City may use any public C-PACE administrator established by the Commonwealth for the purposes of administering local C-PACE programs. The Program Administrator:

- (1) Will endeavor to conduct a competitive, open-market Program, available to all pre-certified Capital Providers, contractors, engineers, and consultants who apply to provide services or funding for the Program, and;
- (2) Shall not grant any Capital Provider or service provider an exclusive right to provide services or funding for the Program.

(p) Program Guide.

(1) The Program Guide shall be developed by the Program Administrator under the direction of, and in consultation with the Program Manager. The Program Guide and any subsequent amendments thereto shall become effective only:

- A. To the extent that the Program Guide and such amendments do not contravene this chapter or the Act; and
- B. After review by the City Attorney and written approval by Program Manager.

(2) The Program Guide shall include, without limitation:

- A. Disclosures about program fees, costs, and program processes;
  - B. Eligibility requirements for participation in the program by Capital Providers, Contractors, and other stakeholders;
  - C. Eligibility requirements for Borrowers, Eligible Improvements, and projects. Eligibility of Property Owners shall be contingent upon submission of a Property Owner Certification and any necessary Lender Consents;
  - D. Technical assessment requirements, which may be based on the size and type of the building and the size and scope of the proposed Eligible Improvements;
  - E. Template Program forms, including but not limited to, the program application, Property Owner Certification, and C-PACE assignment; and
  - F. Suggested underwriting criteria including, without limitation, underwriting guidelines established by the Virginia Department of Mines, Minerals, and Energy or the Mid-Atlantic PACE Alliance Regional C-PACE Toolkit published in June 2018, such as financial ratios related to:
    - 1. Total loan (including program loan) to value benchmarks;
    - 2. Program assessment to value benchmarks;
    - 3. Savings to investment ratio; and
    - 4. Debt service coverage ratio.
- (3) The Program Guide may incorporate other appropriate underwriting guidelines consistent with this type of Program. The Program Guide will be designed to create an open, competitive, and efficient Program. The Program Administrator may modify the Program Guide from time to time subject to the approval of the Program Manager and in accordance with the intent and purpose of the C-PACE Program as approved by the City Council.
- (4) The Program Guide, including any amendments thereto, shall contain the following provisions:
- A. "This Program Guide (this "Guide") has been prepared for purpose of providing a more detailed description of the requirements, rules, procedures, and fees applicable to the City of Alexandria Commercial Property Assessed Clean Energy (C-PACE) Financing Program (the "Program"). This Guide and all provisions hereof are subject to the applicable chapter of the Codified Ordinances of the City of Alexandria, Virginia (the "Chapter"), in all respects including, without limitation, the provisions of the Chapter governing the amendment of this Guide. In the case of any conflict between the provisions of this Guide and the provisions of the Chapter, the provisions of the Chapter shall control."
- "THIS GUIDE IS ONLY A REFERENCE DOCUMENT, AND CREATES NO LEGAL RIGHTS IN FAVOR OF ANY BORROWER, CAPITAL PROVIDER, SERVICE PROVIDER, CONTRACTOR, OR ANY OTHER PERSON, NOR DOES IT IMPOSE ANY LEGAL DUTY OR OBLIGATION ON THE CITY OF ALEXANDRIA, VIRGINIA."

#### **Section 7-7-6 – Levy of Assessment; Recordation; Priority; Amendment.**

(a) Levy of Voluntary Special Assessment Lien. Beginning on the effective date of this chapter and for each C-PACE Loan made under the Program, the City Council hereby levies a voluntary special assessment (C-PACE Lien) against each Property benefitting from Eligible Improvements financed with C-PACE Loans, in an amount equal to the C-PACE Loan, upon recordation of the C-PACE Lien Certificate.

(b) Notification of Closing. Upon the financial closing of a Project, the Capital Provider will promptly provide notice thereof to each of Program Manager and Administrator, which notice shall include: (i) a statement of the Loan Amount, (ii) a copy of the Financing Agreement executed by Borrower and Capital Provider, (iii) a written subordination agreement with each holder of a prior mortgage or deed of trust lien on the Eligible Property, and (iv) evidence that (A) Borrower is current on payments on loans secured by a mortgage or deed of trust lien on the Property and on property tax payments to the City, (B) Borrower is not insolvent or subject to bankruptcy proceedings, and (C) Borrower's title to the Eligible Property is not in dispute.

(c) Recordation of C-PACE Lien Certificate; Assignment. Upon receipt of such notice in §7-7-6(a) hereof, the Capital Provider, as authorized by the City for such purposes, shall promptly Record the Certificate of Levy and Lien of Special Assessment on behalf of the City. Promptly thereafter, the Capital Provider, as authorized by the City for such purposes, shall assign the Lien from the City to the Capital Provider, to cause the Capital Provider to be named as the holder of the Lien in the land records of the City, by Recording an Assignment of Special Assessment Lien. Such assignment shall include only the City's right, title and interest in and to the Loan Payment and the Lien, and the City shall retain all of its other rights and remedies, including any special powers of enforcement or collection to which the City, by virtue of its status as a political subdivision of the Commonwealth, is entitled or empowered to exercise under applicable laws of the Commonwealth.

(d) Priority. The C-PACE Lien shall have the same priority as a real property tax lien and priority over any previously recorded lien, mortgage, or deed of trust, as evidenced by Subordination Agreement(s) obtained from each prior lien holder, mortgagee, or trustee(s) of any deed(s) of trust. Only the current Loan Payment and any Delinquent Payments, in addition to real property taxes levied by the City, shall constitute a first lien on the Property.

(e) Amendment of Lien. Upon written request by a Capital Provider in accordance with the Program Guide, the Program Manager may execute an amendment of the C-PACE Lien after the closing of a C-PACE Loan. The Program Administrator will record the Amendment in the Land Records.

#### **Section 7-7-7 – Role of the City; Limitation of Liability.**

(a) By executing the Loan Documents including the C-PACE Program Agreement, or by otherwise participating in the Program, the Borrower and Capital Provider acknowledge and agree that as a condition of participation in the Program:

(1) The City undertakes no obligations under the Program except as expressly stated herein or in the C-PACE Program Agreement;

(2) In the event of a default by a Borrower, the City has no obligation to use City funds to make Loan Payments to any Capital Provider including, without

limitation, any fees, expenses, and other charges and penalties, pursuant to a Financing Agreement between the Borrower and Capital Provider;

(3) No C-PACE Loan, Loan Payment, C-PACE Lien, or other obligation arising from any Loan Document, the Act, or the chapter shall be backed by the credit of the City, the Commonwealth, or its political subdivisions, including, without limitation, City taxes or other City funds;

(4) No C-PACE Loan, Loan Payment, C-PACE Lien or other obligation arising from any Loan Document, the Act, or the chapter shall constitute an indebtedness of the City within the meaning of any constitutional or statutory debt limitation or restriction;

(5) The City has not made any representations or warranties, financial or otherwise, concerning a Borrower, Eligible Property, Project, Capital Provider, or C-PACE Loan;

(6) The City makes no representation or warranty as to, and assumes no responsibility with respect to, the accuracy or completeness of any Loan Document, or any Assignment or amendment thereof;

(7) The City assumes no responsibility or liability in regard to any Project, or the planning, construction, or operation thereof;

(8) Each Borrower or Capital Provider shall, upon request, provide the City with any information associated with a Project or a C-PACE Loan that is reasonably necessary to confirm that the Project or C-PACE Loan satisfies the requirements of the Program Guide; and

(9) Each Borrower, Capital Provider, or other participant under the Program, shall comply with all applicable requirements of the Program Guide.

#### **Sec. 7-7-8 – Additional Provisions.**

(a) Severability. The provisions of this chapter are severable. If a court of competent jurisdiction determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the chapter or provision to any person or circumstance is invalid, the remaining provisions of the chapter shall not be affected by that decision and continue in full force and effect.

Section 2. That Chapter 7 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.

13. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 2-4-180 (CREATION, COMPOSITION AND ORGANIZATION) of Article W (ALEXANDRIA GANG PREVENTION COMMUNITY TASK FORCE) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 11/14/20; 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. 13; 11/14/20, 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. 13; 11/14/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 2-4-180 CREATION, COMPOSITION AND ORGANIZATION) of Article W (ALEXANDRIA GANG PREVENTION COMMUNITY TASK FORCE) of Chapter 4 (COMMITTEES, BOARDS, AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. The 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 ordinance reads as follows:

**ORDINANCE NO. 5308**

AN ORDINANCE to amend and reordain Section 2-4-180 (CREATION, COMPOSITION AND ORGANIZATION) of Article W (ALEXANDRIA GANG PREVENTION COMMUNITY TASK FORCE) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Section 2-4-180 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 2-4-180 - Creation, composition and organization.

(a) There is hereby established a task force known as the Alexandria Gang Prevention Community Task Force ("task force").



(b) The task force shall consist of 17 members to be appointed by the city council. The composition of the commission shall be as follows:

- (1) two members from the city council;
- (2) one member from the Alexandria School Board;
- (3) the city manager or his designee;
- (4) one member from and representing TC Williams High School;
- (5) one member from and representing Alexandria City Middle Schools;
- (6) one member from and representing Alexandria City Elementary Schools;
- (7) one member from and representing private schools in Alexandria;
- (8) one member from and representing the Latino community;
- (9) one member from and representing the African-American community;
- (10) two at-large members from and representing the youth of the City of Alexandria;
- (11) one member from and representing the Alexandria Interfaith Council;
- (12) two citizens-at-large;
- (13) one representative of the Alexandria business community; and
- (14) one representative from and representing the parents of youth of the City of Alexandria.

(c) Members of the task force shall be appointed in the manner prescribed in article A of this title; provided, that a member who, under subsection (b), is representing an organization shall be nominated by the organization and appointed by city council.

(d) Members shall serve for a term of three years.

(e) All members of the commission shall, by virtue of their education, experience, interests, or employment, have a competence in one or more of the following areas:

- (1) crime prevention;
- (2) knowledge of the criminal laws and procedures of the Commonwealth of Virginia;
- (3) gang suppression, prevention and intervention;
- (4) education;
- (5) social work; or
- (6) counseling.

Section 2. That Section 2-4-180 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

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

14. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 2-4-100 (CREATION, COMPOSITION AND

ORGANIZATION) of Article L (ALEXANDRIA COMMUNITY CRIMINAL JUSTICE BOARD) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated November 4, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 11/14/20; 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. 14; 11/14/20, 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. 14; 11/14/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Aguirre and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain 2-4-100 (CREATION, COMPOSITION AND ORGANIZATION) of Article L (ALEXANDRIA COMMUNITY CRIMINAL JUSTICE BOARD) of Chapter 4 (COMMITTEES, BOARDS, AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. The 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 ordinance reads as follows:

#### ORDINANCE NO. 5309

AN ORDINANCE to amend and reordain Section 2-4-100 (CREATION, COMPOSITION AND ORGANIZATION) of Article L (ALEXANDRIA COMMUNITY CRIMINAL JUSTICE BOARD) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Section 2-4-100 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 2-4-100 - Creation, composition and organization.

(a) There is hereby established a board to be known as the Alexandria Community Criminal Justice Board.

(b) The board shall consist of 19 members to be appointed by the city council. The composition of the board shall be as follows:

- (1) one judge of the Alexandria general district court;
- (2) one judge of the Alexandria circuit court;
- (3) one judge of the Alexandria juvenile and domestic relations court;
- (4) the chief magistrate for the city;
- (5) the chief of police;
- (6) the sheriff;
- (7) the commonwealth's attorney;
- (8) the administrator of the city's community services board;
- (9) a local educator;
- (10) the chief public defender;
- (11) a person appointed by city council to serve as its representative;
- (12) the director of the city's office of adult probation and parole;
- (13) four citizens;
- (14) the director of the city's court services unit;
- (15) one representative of the business community; and
- (16) one representative of non-profit organizations.

(c) Members of the board shall be appointed in the manner prescribed by article A of this chapter; provided, that:

- (1) the member who is a local educator shall be nominated by the superintendent of schools and confirmed by city council;
- (2) the member who is a representative of the business community shall be recommended by the Alexandria Chamber of Commerce; and
- (3) all members of the board, except for the citizen members, shall be exempt from the application requirement set forth in section 2-4-7(c) of this code.

15. Public Hearing, Second Reading and Final Passage of an Ordinance to vacate a portion of the public right-of-way on Commonwealth Avenue, adjacent to the property at 2 East Mason Avenue (VAC No. 2019-00002) (Implementation Ordinance for Vacation No. 2019-00002 associated with 2 East Mason Avenue approved by City Council on September 12, 2020). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 11/14/20, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 11/14/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council closed the public hearing and adopted an ordinance to vacate a portion of the public right-of-way on Commonwealth Avenue, adjacent to the property at 2 East Mason Avenue (VAC No. 2019-00002). 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 ordinance reads as follows:

#### ORDINANCE NO. 5310

AN ORDINANCE to vacate a portion of the public right-of-way on Commonwealth Avenue, adjacent to the property at 2 East Mason Avenue (VAC No. 2019-00002).

WHEREAS, Jesse and Elizabeth Jardim (Owner) have applied for the vacation of a portion of the public right-of-way on Commonwealth Avenue and East Mason Avenue, adjacent to the property at 2 East Mason Avenue in the City of Alexandria, Virginia; and

WHEREAS, in Vacation No. 2019-00002, the planning commission recommended approval to the City Council on September 1, 2020 of a vacation of public right of way, which recommendation was approved by the City Council at public hearing on September 12, 2020; and

WHEREAS, viewers, Jason Dechant, Mary Morgan Wilson, and C.E. Palmer Johnson have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, the procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, have been followed in conjunction with this vacation; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of the City of Alexandria, has determined that the portion of the public right-of-way to be vacated is no longer desirable for public use and that the public interest will not be harmed by this vacation; therefore,

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

Section 1. That the vacation of the public right-of-way to Owner, as shown on the plat of vacation attached hereto and incorporated herein by reference, be, and the same hereby is, approved.

Section 2. That the vacation made and provided by the preceding section of this ordinance be, and the same hereby is, subject to the conditions set forth below:

1. The Owner shall prepare a plat of consolidation, showing the property vacated and all easements therein, and consolidating such property with their abutting property, and the plat of consolidation shall be filed with the Director of Planning and Zoning, the Director of Transportation and Environmental Services, and among the land records of the City.

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2. Easements shall be reserved for all existing public and private utilities within the area vacated. The Owner shall show all easements on the plat of consolidation.

3. Except for a fence, the Owner may not construct any buildings, or improvements, including driveways and parking spaces, on the vacated area and may not use the vacated land area to derive any increased development rights for the lands adjacent to the vacated area, including increased floor area, subdivision rights or additional dwelling units. This restriction shall appear as part of the deed of vacation and shall also appear as a note on the consolidated plat, both of which shall be approved by the Director of Planning and Zoning prior to recordation.

4. Owner shall pay \$1,186 to the City for the vacated land.

Section 3. The term "Owner" shall be deemed to include Jesse and Elizabeth Jardim, and their respective successors in interest.

Section 4. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this vacation, including the execution of documents.

Section 5. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall be effective upon the date and at the time of its final passage; provided, however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to Owner. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and Owner as grantee, and such recordation shall be done by the grantee at his or her own expense. In the event no such deed is recorded within 18 months of the effective date, this ordinance shall be void and of no effect.

16. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the North Potomac Yard Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00005 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00005 associated with North Potomac Yard (3601 Potomac Avenue) approved by City Council on October 17, 2020). [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. 16; 11/14/20, 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. 16; 11/14/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council adopted of an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the North Potomac Yard Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00005 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. 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 ordinance reads as follows:

#### ORDINANCE NO. 5311

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the North Potomac Yard Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00005 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2020-00005, 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 October 6, 2020 of an amendment to the North Potomac Yard Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend Figure 4.5B: Maximum Building Heights to increase building height from 85 feet to 95 on Block 15 and increase building height from 90 feet to 115 feet on Block 18, which recommendation was approved by the City Council at public hearing on October 17, 2020;
2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.
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 the North Potomac Yard Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by updating Figure 4.5b: Maximum Building Heights, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its

17. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00002 associated with 701 North Henry Street approved by City Council on July 7, 2020 (correction)).[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. 17; 11/14/20, 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. 17; 11/14/20 and is incorporated as part of this record by reference.)



**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 5312

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2020-00002, 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 25, 2020 of an amendment to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend the Development and Land Use Tables, which recommendation was approved by the City Council at public hearing on July 7, 2020;
2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.
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 the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by updating the Development and Land Use Tables, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Planning Commission (continued)**

**None.**

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, the public hearing meeting of November 14, 2020 was adjourned at 1:00 p.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON    MAYOR

ATTEST:

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Gloria A. Sitton, CMC City Clerk

**City of Alexandria  
City Council Regular Meeting  
Tuesday, November 24, 2020 6:00 PM  
Virtual Meeting  
Meeting Minutes**

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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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Ms. Collins, Deputy City Manager; Acting Sheriff Captain Casey; Mr. Routt, Director, Office of Management and Budget; Ms. S. Taylor, Legislative Director, Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Orr, Deputy Director, T&ES; Police Chief Brown; Police Captain Wemple; Ms. North, Division Chief, T&ES; Ms. Caudullo, Urban Planner, T&ES; and Mr. Duval, Deputy Director, T&ES.

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1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via Zoom webinar.

Mayor Wilson noted that due to the COVID-19 Pandemic Emergency, the November 24, 2020 Legislative Meeting of the Alexandria City Council was being held electronically pursuant to the 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 4.0-01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289, to undertake essential business. All members of the City Council and staff are participating from remote locations through video conference on Zoom. This meeting is being held, electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. The meeting can be accessed by the public through the live broadcast on the government channel 70, streaming on the City's website and via Zoom.

2. Closed Meeting.

6:00 p.m. - Consideration of a closed meeting for the discussion of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial

interest of the governmental unit would be adversely affected, to consult with legal counsel regarding a specific legal matter requiring the provision of legal advice and discussion of a personnel matter.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council convened in closed executive session at 6:03 p.m. to discuss the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the City would be adversely affected, to consult with legal counsel regarding a specific legal matter requiring provision of legal advice and to discuss a personnel matter; specifically, potential investment of public funds for development on the west end of the City, a decision by the City Manager regarding a personnel matter and the legal implications regarding the rights of public employees; pursuant to Sections 2.2-3711(A)(6), (A)(8) and (A)(1) of the Code of Virginia. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council reconvened in open session at 7:20 p.m. 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.

3. Public Comment Period.

There were no public speakers for the public comment period.

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

**\*Waterfront Commission (Councilman Seifeldein)**

Councilman Seifeldein reported that the Commission discussed the Torpedo Factory and the changes proposed for the building and he informed that the Council did not request an additional study. Councilman Seifeldein noted that the group discussed both artist involvement and the use of private management for the facility.

**\*COG Climate Energy and Environmental Policy Committee (CEEPC) (Councilwoman Pepper)**

Councilwoman Pepper that the committee reviewed the regional Metropolitan Washington 2030 Climate and Energy Action Plan and discussed ways to control climate change in the region.

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

Vice Mayor Bennett-Parker reported that the Board received the audit and approved the legislative agenda. Vice Mayor Bennett-Parker reported that the Board authorized a passenger rail operations and access agreement, to fund the Long Bridge Project in Virginia.

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

Vice Mayor Bennett-Parker reported that hotel revenue was down 69% for the City due to the pandemic and efforts are being focused on marketing to three hour drive area. Vice Mayor Bennett-Parker reported that Conde Nast named Alexandria one of the top small cities and Southern Living had a feature story on Alexandria. Vice Mayor Bennett-Parker reported that Visit Alexandria was awarded a \$20,000 grant from the Virginia Tourism Corporation for the Black History Travel Initiative. Vice Mayor Bennett-Parker noted that Alexandria Shop Small Week begins on Friday.

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

Councilwoman Jackson reported that Commission discussed the goals of the 2025 Youth Master Plan and Ms. Tucker, Racial Equity Officer gave a presentation and answered questions for the Commission. Councilwoman Jackson noted that the Commission has established subcommittees to work on the goals.

**\*COG - Food and Agriculture Committee (FARM) (Councilwoman Jackson)**

Councilwoman Jackson reported that the Committee was approved by resolution to establish the committee. Councilman Jackson reported that the Committee would support a resilient food and farm economy across the region.

**\*COG - Chesapeake Bay and Water Resources Policy Committee (Councilwoman Jackson)**

Councilwoman Jackson reported that the Committee discussed stream restoration, Earth Day activities and regional outreach, regional water quality and budget approval, and the annual paper competition and preparation for the Chesapeake Bay Awareness Week in May. Councilwoman Jackson reported that there was presentation on salt management for the region.

**\*Citizen Corps Council (Councilwoman Jackson and Councilman Seifeldein)**

Councilwoman Jackson reported that Council Resilient Alexandria charter will be coming to Council for consideration and there will be resuming of CERT training with enhanced certification and training.

**\*COG-Transportation Planning Board (TPB) (Councilman Aguirre)**

Councilman Aguirre reported that the Board discussed the Community Advisory Committee, which has been restructured and he will be encouraging City residents to apply to participate.

**\*Alexandria Campaign on Adolescent Pregnancy (ACAP) (Councilman Aguirre and Vice Mayor Bennett-Parker)**

Councilman Aguirre noted that School Board Member Jacinta Greene joined the group

to represent ACPS. Councilman Aguirre reported that the group reviewed information from the Biden transition team for possible funding for programs.

**\*Potomac Yard Metrorail Implementation Group (PYMIG)(Councilman Aguirre and Mayor Wilson)**

Councilman Aguirre and Mayor Wilson reported that the project is on schedule and addressed the impact of truck traffic on the surrounding neighborhood.

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

Mayor Wilson reported that three properties have been approved for Section 18 and will facilitate different alternatives as it relates to redevelopment. Mayor Wilson noted that three are at their fifteen year compliance period and allows for recapitalization of the project and for renovation of those properties. Mayor Wilson noted that the Lineage, formerly Ramsey Homes, will be opening soon and there will be virtual symposium on the history of the property in February.

**\*Northern Virginia Transportation Authority (NVTA) (Mayor Wilson)**

Mayor Wilson reported that Board held an Executive Session and there was a discussion on the extension of 495 Express Lanes, with an impact in Fairfax County. Mayor Wilson reported that the Board received the annual audit and discussed the draft 2021 Legislative program.

**\*Combined Sewer Workgroup (Mayor Wilson and Councilwoman Jackson)**

Mayor Wilson reported that the Alexandria Renew Board issued an award to the consortium of Traylor Shae to work on the combined sewer project.

**ORAL REPORT FROM THE CITY MANAGER**

\*Oral Update on Ongoing COVID-19 Pandemic Risks and Vaccination Planning by Dr. Stephen Haering, Health Director

City Council received an updated from Dr. Haering, Director, Alexandria Health Department, on the ongoing pandemic and the risks caused by the virus. Dr. Haering also gave an overview of the proposed distribution plan for any vaccines that may be approved for use and responded to questions from Council.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER  
CONSENT CALENDAR (4-8)**

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

4. Consideration of the nomination of the Contrabands and Freedmen Cemetery to the National Park Service African American Civil Rights Network.

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 11/24/20, and is incorporated as part of this record by reference.)

5. Consideration of a Submission of a Grant Application for The Center for Tech and Civic Life COVID-19 Response Grant.

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 11/24/20, and is incorporated as part of this record by reference.)

6. Consideration and Approval of the Pass-through of State Compensation Board Money to Sworn Sheriff's Department Personnel.

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 11/24/20, and is incorporated as part of this record by reference.)

7. Consideration of a Grant Application to the Institute of Museum and Library Services to support the digitization of the Moss Kendrix Collection at the Alexandria Black History Museum.

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 11/24/20, and is incorporated as part of this record by reference.)

8. Authorization to Participate in the Commonwealth of Virginia Municipal Utility Relief Program.

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 11/24/20, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council approved the consent calendar, with the exception of item #6, which was considered under a separate motion. The City Manager's recommendations were as follows:

4. City Council: (1) ratified the nomination of the Contrabands and Freedman Cemetery to the National Park Service African American Civil Rights Network; and (2) authorized the City Manager to execute all necessary documents that may be required.

5. City Council: (1) ratified the grant application and award of \$201,650 received from Center for Tech and Civic Life (CTCL). The City of Alexandria is eligible to apply for a grant amount based on a formula that considers the citizen voting age population and other jurisdiction demographic data; and (2) authorized the City Manager to execute all necessary documents that may be required.



7. City Council authorized the City Manager to: (1) approve the application to the Institute of Museum and Library Services for a \$237,355 grant; (2) approve the acceptance of funds from the Institute of Museum and Library Services for \$237,355, if the grant is awarded; and (3) authorize the City Manager to execute the necessary documents that may be required.

8. City Council: (1) supported the Alexandria Renew Enterprise's (AlexRenew) participation in the COVID-19 Municipal Utility Relief Program; and (2) authorized the City Manager to execute all required documentation for participation in the program.

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 and Approval of the Pass-through of State Compensation Board Money to Sworn Sheriff's Department Personnel.

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 11/24/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council, in carrying out the intent of the recently adopted State budget bill, approved the payment of one-time \$500 bonuses to all sworn employees of the Sheriff's Office. 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.

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

9. Duke Street Transitway Project Oral Update.

(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. 9; 11/24/20, and is incorporated as part of this record by reference.)

City Council received the oral update on the Duke Street Transitway Project.

10. Receipt of Body-Worn Camera Report.

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 11/24/20, and is incorporated as part of this record by reference.)

Staff from the Police Department, the Commonwealth Attorney's Office, and the City Attorney's Office gave a presentation on the Body-Worn Cameras and how implementation would impact the offices and their workload. Staff also responded to questions from Council about the report.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman

Jackson and carried unanimously, City Council: (1) received the Body-Worn Camera (BWC) Proposal Report; and (2) directed the City Manager to develop a plan for a multi-year phase in of the BWC program for the Alexandria Police Department. 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. Consideration of a Resolution to extend the Phase II Dockless Mobility Pilot Program through 2021. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 11/24/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried 5-2 by roll-call vote, City Council: (1) approved a resolution for a 12-month extension of the Phase II Dockless Mobility Pilot Program from January 1, 2021 to December 31, 2021; and (2) authorized the City Manager to amend the existing Memorandum of Understanding (MOU) with permitted dockless mobility operators to extend the terms of the MOU. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Pepper, and Councilman Seifeldein; Opposed, Councilman Chapman and Councilwoman Jackson.

The resolution reads as follows:

### **RESOLUTION NO. 2967**

#### **RESOLUTION TO EXTEND PHASE II OF THE DOCKLESS MOBILITY PILOT PROGRAM**

**WHEREAS**, the City Council wishes to study the use of shared mobility devices in the City and explore the implementation of a permanent shared mobility program; and

**WHEREAS**, the City Council approved the Phase II Dockless Mobility Pilot Program through December 31, 2020 and established an Ad Hoc Scooter Task Force; and

**WHEREAS**, due to the ongoing COVID-19 health emergency, scooter usage and deployments were much lower than 2019; and

**WHEREAS**, due to the ongoing COVID-19 health emergency, staff was not able to do community outreach events planned for 2020, nor meet with the Ad Hoc Scooter Task Force as planned; and

**WHEREAS**, if no action is taken, the Phase II Pilot Program will expire on December 31, 2020; and

**WHEREAS**, the City Council wishes to authorize the City Manager to proceed with all steps necessary to extend the Phase II Pilot Program through December 31, 2021;

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

1. That the City Council hereby extends the Phase II Dockless Mobility Pilot through December 31, 2021.
2. That the City Manager be, and hereby is, authorized and directed to take such additional actions as may be necessary or convenient to amend the Phase II Dockless Mobility Pilot Memorandum of Understanding to extend the Phase II Dockless Mobility Pilot through December 31, 2021.
12. Consideration of a Resolution for a competitive grant application to the Virginia Department of Transportation 2022-2023 State of Good Repair (Primary Extension) Program. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated November 18, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 11/24/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council: (1) adopted the resolution to apply for a Primary Extension Improvement Program funding allocation for \$1.5 million from Virginia Department of Transportation (VDOT) for the resurfacing of City-maintained primary route extensions; and (2) authorized the City Manager to submit this resolution to VDOT and enter into any agreements with the State that may be required to receive these funds should the requested allocation be approved. 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. 2968**

**RESOLUTION TO APPLY FOR VIRGINIA DEPARTMENT OF  
TRANSPORTATION (VDOT) PRIMARY EXTENSION GRANT FUNDING**

**WHEREAS**, the City Council of the City of Alexandria desires to submit an application for an allocation of funds of up to \$1,500,000 through the Virginia Department of Transportation Fiscal Year 2022-2023 State of Good Repair (Primary Extension) Program; and

**WHEREAS**, \$1,500,000 of these funds are requested to fund concrete rehabilitation for the following segments: Duke Street from Dulaney Street to Patrick Street, King Street from Janney's Lane to west of Callahan Drive, Northbound South Washington from I-495 to Prince Street and Northbound North Washington Street from Cameron Street to First Street;

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

1. Hereby supports this application for an allocation of \$1,500,000 through the Virginia Department of Transportation Fiscal Year 2022-2023 State of Good Repair (Primary Extension) Program.
2. Hereby grants authority for the City Manager to execute project administration agreements for any approved revenue sharing projects.

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

- a. Expanding Opportunities for Public Comment (Vice Mayor Bennett-Parker)

Vice Mayor Bennett-Parker requested information for City staff about different methods of receiving public comment beyond the current methods that are used by the City. The City Manager and City Clerk will provide information for Council to review and consider at a future meeting.

## **OTHER**

13. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated November 10, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 11/24/20, and 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 adopted the FY 2021 City Council Schedule for November 2020 through July 2021, with the remainder of the Council meetings for the calendar year to held in the virtual format. 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.

\*\*\*\*\*

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council reconvened in closed executive session at 11:13 p.m., to discuss the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected, to consult with legal counsel regarding a specific legal matter requiring provision of legal advice and to discuss a personnel matter; specifically, potential investment of public funds for development on the west end of the City, a decision by the City Manager regarding a personnel matter and the legal implications regarding the rights of public employees; pursuant to Sections 2.2-3711(A)(6), (A)(8) and (A)(1) of the Code of Virginia. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously, City Council reconvened in open session at 12:36 a.m. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the resolution regarding the closed executive session previously circulated to Council. 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. 2969**

**WHEREAS**, the Alexandria City Council has this 24th day of November, 2020 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 BE CONSIDERED**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the regular meeting of November 24, 2020 at 12:37 a.m. 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.

\*\*\*\*\*

APPROVED BY:

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

ATTEST:

\_\_\_\_\_

DRAFT

**City of Alexandria  
City Council Public Hearing Meeting  
Saturday, October 17, 2020 9:30 AM  
Virtual Meeting  
Meeting Minutes**

\*\*\*\*\*

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

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. Moritz, Director, Planning and Zoning; Mr. Farner, Deputy Director, Planning and Zoning; Mr. Lawrence, Principal Planner, P&Z; Ms. Brandt-Vorel, Urban Planner, P&Z; Ms. Hellman, Urban Planner, P&Z; Mr. Conkey, Urban Planner, P&Z; Ms. McIlvaine, Director, Office of Housing; Mr. Skrabak, Deputy Director, Transportation and Environmental Services; Ms. Bevis-Carver, Transportation and Environmental Services; Mr. Smith, Information Technology Services; and Mr. Barre, Information Technology Services.

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

\*\*\*\*\*

## **OPENING**

### **1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via video conference.

\*\*\*\*\*

Mayor Wilson noted that due to the COVID-19 Pandemic Emergency, the October 17, 2020 Public Hearing 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 4-0.01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289), to undertake essential business. All the members of the City Council and staff are participating from remote locations through a video conference call on Zoom. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. 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 person participated in the public discussion period:

1. Janice Grenadier, Alexandria, spoke about corruption in the court system.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public discussion period. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR**

### **Planning Commission (3-4)**

3. Special Use Permit #2020-00055  
3601 & 3951 Richmond Highway - Dominion Virginia Power Electrical Terminal  
Public Hearing and consideration of a request for a 5-year extension for the operation of an existing terminal station (amending SUP #2011-00014); zoned: CDD #10/Coordinated Development District #10 and CDD #19/Coordinated Development District #19. Applicant: Virginia Electric & Power Company, d/b/a Dominion Energy Virginia, represented by Sheri L. Akin and Jonathan P. Rak, agents  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 10/17/20, and is incorporated as part of this record by reference.)

4. Special Use Permit #2020-00057  
1413 & 1415 Princess Street  
Public Hearing and consideration of a request for a Special Use Permit for parking reductions and open space modifications to allow for the construction of one single-family dwelling on each lot; zoned: RB/Townhouse. Applicant: Deyi Awadallah  
Planning Commission: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 10/17/20, and is incorporated as part of this record by reference.)

## **END OF ACTION CONSENT CALENDAR**

City Council approved the consent calendar items under separate motions.



3. Special Use Permit #2020-00055  
3601 & 3951 Richmond Highway - Dominion Virginia Power Electrical Terminal  
Public Hearing and consideration of a request for a 5-year extension for the operation of an existing terminal station (amending SUP #2011-00014); zoned: CDD #10/Coordinated Development District #10 and CDD #19/Coordinated Development District #19. Applicant: Virginia Electric & Power Company, d/b/a Dominion Energy Virginia, represented by Sheri L. Akin and Jonathan P. Rak, agents  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 10/17/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

4. Special Use Permit #2020-00057  
1413 & 1415 Princess Street  
Public Hearing and consideration of a request for a Special Use Permit for parking reductions and open space modifications to allow for the construction of one single-family dwelling on each lot; zoned: RB/Townhouse. Applicant: Deyi Awadallah  
Planning Commission: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 10/17/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

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

None.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)** **Planning Commission (continued)**

5. Street Name Case #2020-00004  
Honorific Street Name - 1000 Block of Montgomery Street, between North Henry Street and North Patrick Street  
Public Hearing and consideration of a request for the addition of an honorific street

name to the 1000 block of Montgomery Street; zoned: RB/Townhouse. Applicant: Alexandria African American Hall of Fame  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 10/17/20, is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

6. Public Hearing and consideration of acceptance of the North Potomac Yard Environmental Sustainability Master Plan (NPY ESMP); zoned: CDD #19/Coordinated Development District #19. Staff: City of Alexandria, Department of Planning & Zoning (P&Z) and Department of Transportation & Environmental Services (T&ES)  
Planning Commission Action: Incorporate Amendments 5-2; Recommended Acceptance 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 10/17/20, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing on this item:

1. Kathie Hoekstra, Alexandria, representing the Environmental Policy Commission, spoke in support of the proposal.
2. Carolyn Lyle, Alexandria, spoke in support of the proposal and she was representing Alexandria for the EAP.
3. Scott Barstow, Alexandria, spoke in support of the proposal.
4. David Peabody, Alexandria, spoke in support of the proposal.
5. Ken Wire, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.
6. Cathy Puskar, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Seifeldein and carried unanimously, City Council approved the Planning Commission recommendation with the following amendments:

The applicant(s) shall update the ESMP to document progress of all completed and planned projects toward achieving the carbon neutrality goals of the Plan at least 120 days prior to the DSUP public hearings. The applicant(s) shall submit all reporting documents and updates to the ESMP, as required in the CDD and DSUP conditions, to the City, to be shared with the City Council, Planning Commission, and Environmental Policy Commission.

The applicants shall perform the proposed Zero Carbon Analysis of the Entire District. The scope shall be coordinated with staff, and the analysis shall be submitted to the City within twelve (12) months of City Council approval, to be shared with the City Council, Planning Commission, and Environmental Policy Commission.

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.

Please note: Item #7 and #8 were considered together.

7. Master Plan Amendment #2020-00005  
Coordinated Development District Concept Plan Amendment #2020-00004  
Development Special Use Permit #2020-00013 (Building 10)  
Development Special Use Permit #2020-00014 (Building 14)  
Development Special Use Permit #2020-00015 (Building 15)  
Development Special Use Permit #2020-00016 (Building 18)  
Development Special Use Permit #2020-00017 (Building 19)  
Development Special Use Permit #2020-00018 (Building 20)  
Encroachment #2020-00004 (Building 10)  
Encroachment #2020-00005 (Building 20)  
Transportation Management Plan Special Use Permit #2020-00042  
3601 Potomac Avenue - North Potomac Yard  
Public Hearing and consideration of requests for: (A) an amendment to the North Potomac Yard Small Area Plan chapter of the Master plan to increase the allowable building height for blocks 15 and 18; (B) an amendment to the previously approved (CDD #2019-0008) CDD Coordinated Development Design Plan #19 to amend the North Potomac Yard Height Diagram for blocks 15 and 18 and add CDD Conditions to implement the Environmental Sustainability Master Plan; (C) Development Special Use Permit with site plan for a new office building with ground floor retail/commercial uses, modifications to the biodiversity standards of the landscape guidelines and height-to-setback requirement of Section 6-403(A), (Building 10); (D) a Development Special Use Permit with site plan for a new office building with ground floor retail/commercial uses, including a special use permit for additional mechanical penthouse height and a modifications to the biodiversity standards of the landscape

guidelines and the height-to-setback requirement of Section 6-403(A) (Building 14); (E) a Development Special Use Permit with site plan for a multifamily residential building with ground-level retail/commercial uses, including modifications to the biodiversity standards of the landscape guidelines and to the height-to-setback requirement of Section 6-403(A) (Building 15); (F) a Development Special Use Permit with site plan for a new office building with ground floor retail/commercial uses, including modifications to the biodiversity standards of the landscape guidelines and to the height-to-setback requirement of Section 6-403(A) (Building 18); (G) a Development Special Use Permit with site plan for a multifamily residential building with ground-level retail/commercial uses, including modifications to the biodiversity standards of the landscape guidelines and to the height-to-setback requirement of Section 6-403(A) (Building 19); (H) a Development Special Use Permit with site plan for an office building with ground floor retail/commercial uses, including a Special Use Permit for additional mechanical penthouse height, modifications to and the biodiversity standards of the landscape guidelines and to the height-to-setback requirement of Section 6-403(A), (Building 20); (I) an Encroachment into the public right-of-way for building architectural features (Building 10); (J) an Encroachment into the public right of way for awnings (Building 20); and (K) a Special Use Permit for a Tier 3 Transportation Management Plan (two multi-family buildings and four office buildings); zoned: CDD #19/Coordinated Development District #19 (North Potomac Yard Small Area Plan). Applicant: CPYR Theater, LLC represented by M. Catharine Puskar, attorney  
 Planning Commission Action: Recommended Approval 5-0 (MPA2020-00005, CDD2020-00004, DSUP2020-00013, DSUP2020-00014, DSUP2020-00015, DSUP2020-00016, DSUP2020-00017, DSUP2020-00018, ENC2020-00004, ENC2020-00005, TMP SUP2020-00042); Approved 5-0 (SUB2020-00004, SNC2020-00003)

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/17/20, and is incorporated as part of this record by reference.)

8. Development Special Use Permit #2020-00012  
 Transportation Management Plan Special Use Permit #2020-00060  
 3601 Potomac Avenue - North Potomac Yard, Blocks 4 and 7  
 Public Hearing and consideration of a request for: (A) a Development Special Use Permit with site plan to construct an academic building with below and at-grade parking, including a modification to the height-to-setback requirement of Section 6-403(A) of the Zoning Ordinance; and (B) a Special Use Permit for a Transportation Management Plan for Tier 3; zoned: CDD #19/Coordinated Development District #19 (North Potomac Yard Small Area Plan). Applicant: Virginia Tech Foundation, Inc., represented by Kenneth W. Wire, attorney  
 Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 10/17/20, and is incorporated as part of this record by reference.)

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

1. Cathy Puskar, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.
2. Ken Wire, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing for items #7 and #8. The vote was as follows: 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.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation. 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.

\*\*\*This item was considered at the beginning of the meeting.\*\*\*

9. Vacation #2020-00003  
403 West Windsor Avenue  
Public Hearing and consideration of a request to vacate a portion of the public right-of-way along the eastern property line of 403 West Windsor Avenue and between West Windsor Avenue and Thomas Street; zoned: R-8/Single-family. Applicant: Cindy Anderson, represented by Christine A. Kelly, architect  
Planning Commission Action: Recommended Denial 4-3

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 10/17/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously, City Council deferred consideration of this item until the next public hearing meeting in November. 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. BAR #2020-00197 OHAD  
Public Hearing and consideration of an appeal of the Board of Architectural Review's (BAR) September 2, 2020 decision to approve a Permit for Complete Demolition at 450 South Patrick Street, 900 Wolfe Street, and 431 South Columbus Street.

APPLICANT: Heritage at Old Town PropCo. LLC  
APPELLANT: Various appellants

(A copy of the Board of Architectural Review report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 10/17/20, is incorporated as part of this record by reference.)

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

1. Michelle Krockner, Alexandria, chair of AHAAC, spoke in support of the BAR decision.
2. Christine Roberts, Alexandria, chair of the BAR, spoke in support of the BAR decision and responded to questions from Council.
3. Purvi Irwin, Alexandria, member of the BAR, spoke in support of the BAR decision.
4. Stafford Ward, Alexandria, spoke in support of the appeal.
5. David Marshall, Alexandria, representing the Arch Hall Homeowners Association, spoke in about the project and how the HOA views the redevelopment.
6. Marta Ali, Alexandria, spoke in support of the appeal.
7. Shelley Murphy, Alexandria, spoke in support of the BAR decision.
8. Maureen Dugan, Alexandria, spoke in support of the appeal.
9. David Scholl, Alexandria, spoke in support of the appeal.
10. Yvonne Callahan, Alexandria, spoke in support of the appeal.
11. Cathy Puskar, attorney for the applicant, spoke in support of the BAR decision.
12. Jim Simmons, applicant, spoke in support of the BAR decision.
13. Mary Morrow Bax, Alexandria, spoke in support of the appeal.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council denied approval of the appeal and upheld the BAR decision to approve a permit for complete demolition at 450 South Patrick Street, 900 Wolfe Street, and 431 South Columbus Street. Th 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. Public Hearing, Second Reading, and Final Passage of an Ordinance Soliciting Franchise Proposals for a Telecommunications Facility Franchise Agreement for the design, construction, installation, upgrade, repair, removal and operation of Specified Small Cell Facilities and Related Infrastructure in the public rights-of-ways in the City of Alexandria, Virginia.

(A copy of the City Manager's memorandum dated September 30, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 10/17/20, 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; 10/17/20, 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; 10/17/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance soliciting franchise proposals for a telecommunications facility franchise agreement for the design, construction, installation, upgrade, repair, removal and operation of specified small cell facilities and related infrastructure in the public rights-of ways in the City of Alexandria, Virginia. 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 ordinance reads as follows:

### **ORDINANCE NO. 5298**

AN ORDINANCE to initiate and establish the process for soliciting and granting non-exclusive Telecommunications Facility Franchise proposals by the City of Alexandria, Virginia, from telecommunications providers to install specified small cell facilities and related infrastructure to use the public rights-of-ways.

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

Section 1. That the City of Alexandria proposes to grant non-exclusive Telecommunications Facility Franchise(s) in the manner prescribed by law, for

telecommunications providers to install specified small cell facilities and related infrastructure in the public rights-of-ways, as set forth in the following proposed franchise ordinance.

ORDINANCE NO. \_\_\_\_\_

*AN ORDINANCE to grant to \_\_\_\_\_, its successors and assigns, a Telecommunications Facility franchise, under certain conditions, permitting the grantee to use the public rights-of-ways in the City of Alexandria for the design, construction, installation, maintenance, repair, upgrade, removal and operation of specified small cell facilities and related infrastructure in the City.*

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

*Section 1. That this Franchise is hereby granted to \_\_\_\_\_ hereinafter referred to as "Grantee," its successors and assigns, to permit the Grantee to design, construct, install, maintain, repair, upgrade, remove and operate specified small cell facilities and related infrastructure in the public rights-of-ways in the City in accordance with the terms and conditions set forth in the Telecommunications Facility Franchise Agreement, attached hereto as Exhibit A and fully incorporated herein by reference.*

*Section 2. That said Franchise is awarded to the Grantee after public notice and invitation for bids, as required by law, pursuant to Section 2. of Ordinance No. \_\_\_\_\_, and after the invitation for bids was duly closed and all bids were fully carefully investigated and evaluated. More than one franchise may be awarded pursuant to this Ordinance.*

*Section 3. That the Grantee be, and hereby is granted a franchise for an initial term of ten (10) years with automatic extension of up to three (3) additional periods of five years each, to design, construct, install, maintain, repair, remove and operate specified small cell facilities and related infrastructure in the public rights-of-ways in the City. The Grantee shall strictly comply with the terms of this Ordinance and with the Telecommunications Facility Franchise Agreement (Exhibit A), together with all applicable laws and regulations of the City of Alexandria, the Commonwealth of Virginia and the United States, and any regulatory agency having jurisdiction, including, without limitation, with the following conditions:*

- 1. All necessary permits shall be obtained for each and every excavation or installation, including but not limited to boring in and /or under public rights-of-ways or other public places and any associated parking and lane closure permits upon payment of applicable fees.*
- 2. In the event the relocation, construction, reconstruction maintenance or repair by the City, the Commonwealth of Virginia or the Washington Metropolitan Area Transit Authority of any facilities or services is necessary or desirable, and it is necessary to alter or relocate, either permanently or temporarily , any of the Grantee's property in the public rights-of-ways or other public property in order to accomplish the same, the Grantee shall, after reasonable notice, move, alter or relocate its property at its own*



*cost and expense and should the Grantee fail to comply with such notice, its property may be removed, altered or relocated by the City, Commonwealth or h Metropolitan Area Transit Authority at the cost of the Grantee and without liability for any resulting damage. The Grantee shall do everything reasonably necessary, in a timely manner, to prevent any delays in construction project of the City, the Commonwealth or the Washington Metropolitan Area Transit Authority.*

- 3. This Franchise may be assigned or transferred; provided, however, that no such assignment or transfer shall be effective without the prior written consent of the City, which consent will not be unreasonably withheld.*
- 4. The Grantee will obtain liability insurance to the satisfaction of the City Attorney, which insurance shall name the City as an additional insured.*
- 5. The Grantee will not use the privileges granted by this Franchise to provide the functional equivalent of a cable system or Cable Services as defined in sections 9-3-17 and 9-3-18 of the Code of the City of Alexandria (1950), as amended.*
- 6. The Grantee shall protect all property of the City or any other person during any work of designing, constructing, installing , maintaining, repairing, upgrading, removing or operating its system in or adjacent to the public rights-of-ways or other public place, and shall fully restore, in kind, any property damaged or destroyed during any such work.*
- 7. That nothing in this Franchise shall increase or strengthen the rights that other franchisees may have. The City shall have no liability to the Grantee for exercising any rights the City may have in general or under its franchises with other franchisees, regardless of the effect of the such exercise on the Grantee.*
- 8. The Grantee shall remove its property at its own expense at the expiration or termination hereof.*

*Section 4. That the City Manager be and hereby is authorized to execute such documents as may be required to effectuate the Franchise hereby granted.*

*Section. 5. That the City Clerk be and hereby is authorized to attest the execution of said documents and to affix thereon the official seal of the City of Alexandria, Virginia.*

Section 2. That as soon as this ordinance has been finally passed, the City Clerk shall cause to be advertised once a week for two successive weeks in a newspaper published in the City of Alexandria, Virginia, a descriptive notice of the proposed ordinance contained in Section 1 of this ordinance, and in addition thereto, shall by such advertisement invite bids for the Franchise(s) proposed to be granted by such proposed ordinance, by publishing with the descriptive notice of such ordinance a notice which shall be in substantially the following form:

## NOTICE

BIDS ARE INVITED BY THE CITY OF ALEXANDRIA, VIRGINIA, FOR THE GRANT OF A NON EXCLUSIVE FRANCHISE PERMITTING FRANCHISEE(S) TO USE THE PUBLIC RIGHTS-OF-WAYS IN THE CITY FOR THE DESIGN, CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, UPGRADE, REMOVAL AND OPERATION OF SPECIFIED SMALL CELL FACILITIES AND RELATED INFRASTRUCTURE IN THE CITY.

THE TERMS AND CONDITIONS FOR THE FRANCHISE ARE ATTACHED TO THE ORDINANCE AND ARE ON THE CITY'S WEBSITE <https://www.alexandriava.gov/planning/info/default.aspx?id=109058> .

THE TERM OF THE FRANCHISE IS NEGOTIABLE BUT SHALL BE FOR AN INITIAL TERM OF TEN (10) YEARS WITH UP TO THREE (3) ADDITIONAL EXTENSIONS OF FIVE (5) YEARS EACH.

ALL BIDS ARE TO BE SUBMITTED IN WRITING IN THE FORMAT OF THE TELECOMMUNICATIONS FACILITY FRANCHISE AGREEMENT ATTACHED HERETO AS EXHIBIT A AND ADDITIONAL DOCUMENTS REQUIRED BY TERMS AND SPECIFICATIONS. THE BID DOCUMENTS ARE TO BE SENT TO LALIT SHARMA, P.E. VIA E-MAIL [LALIT.SHARMA@ALEXANDRIAVA.GOV](mailto:LALIT.SHARMA@ALEXANDRIAVA.GOV), OR MAIL RM 4100, T&ES, 301 KING STREET, CITY HALL, CITY OF ALEXANDRIA, VA 22314 AND MUST BE RECEIVED ON OR BEFORE 3 PM EASTERN TIME ON OCTOBER 30, 2020. AT THAT TIME BIDS SHALL BE PUBLICLY OPENED AND BIDDERS IDENTIFIED.

IN ADDITION, IDENTIFICATION OF THE BIDDERS SHALL BE ANNOUNCED IN OPEN SESSION OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA IN THE COUNCIL CHAMBERS, CITY HALL, 301 KING STREET, SECOND FLOOR, ALEXANDRIA, VIRGINIA, 22314 ON NOVEMBER 10, 2020, AT 7 P.M. EASTERN TIME. IN THE EVENT THAT THE NOVEMBER 10, 2020, CITY COUNCIL MEETING, AND SUBSEQUENT MEETINGS OF CITY COUNCIL, ARE HELD ELECTRONICALLY DUE TO THE COVID-19 PANDEMIC EMERGENCY AND VIRGINIA CODE SECTION 2.2-3708.2(a)(3), THE CONTINUITY OF GOVERNANCE ORDINANCE ADOPTED BY THE CITY COUNCIL ON JUNE 20, 2020, AND/OR SECTION 4.0-00(G) IN HB29 AND HB30 TO UNDERTAKE ESSENTIAL BUSINESS, NOTICE WILL BE PROVIDED. AT THE NOVEMBER 10, 2020, MEETING, THE MAYOR SHALL REFER THE BIDS RECEIVED TO THE CITY MANAGER TO EVALUATE, REVIEW AND CONSIDER IN THE MANNER PRESCRIBED BY LAW, INCLUDING THE SELECTION OF, AND NEGOTIATION OF FRANCHISE AGREEMENT(S) WITH ONE OR MORE PREFERRED, RESPONSIVE BIDDER(S). AS SOON THEREAFTER AS PRACTICABLE, THE CITY MANAGER WILL RECOMMEND THE SUCCESSFUL BIDDER(S) AND PRESENT THE NEGOTIATED FRANCHISE AGREEMENT(S), FOR CONSIDERATION AND APPROVAL BY CITY COUNCIL.

THE CITY RESERVES THE RIGHT IN THE CITY MANAGER'S SOLE DISCRETION TO REJECT ANY AND ALL BIDS; TO TERMINATE NEGOTIATIONS AT ANY STAGE OF THE SELECTION PROCESS, AND TO REISSUE THE REQUEST FOR BIDS WITH OR WITHOUT MODIFICATION.

THE DESCRIPTIVE NOTICE OF THE PROPOSED FRANCHISE ORDINANCE IS AS FOLLOWS:

The proposed ordinance will grant a nonexclusive franchise or franchises, under certain conditions, permitting the grantee to use the public rights-of-ways in the City of Alexandria, for the design, construction, installation, maintenance repair, upgrade, removal and operation of specified small cell facilities and related infrastructure. (Complete text of the ordinance is available in the office of the city clerk).

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

12. Consideration of a resolution concerning the possible waiver in hardship circumstances of late payment penalties and interest for the second installment of tax year 2020 Real Estate Taxes. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated October 13, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 10/17/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted a resolution concerning the possible waiver in hardship circumstances of late payment penalties and interest for the second installment of tax year 2020 Real Estate Taxes. 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. 2963**

#### **RESOLUTION CONCERNING THE POSSIBLE WAIVER OF LATE PAYMENT PENALTIES AND INTEREST FOR THE SECOND INSTALLMENT OF TAX YEAR 2020 REAL ESTATE TAXES UNDER HARDSHIP CIRCUMSTANCES**

**WHEREAS**, national, state and local economies have been negatively impacted by the COVID-19 pandemic, arising from the public health threat presented by this spreading communicable disease; and

**WHEREAS**, the Commonwealth presently remains in Phase Three of the Forward Virginia reopening blueprint; and

**WHEREAS**, Phase Three means the public is still “safest at home except for essential trips such as food purchases and medical care;” and

**WHEREAS**, the communicable nature of the disease is such that City Council adopted a mandatory face covering ordinance effective October 1, 2020; and

**WHEREAS**, the economic impact from COVID-19 is reflected in the cumulative decreases since February 1, 2020 in taxable sales (Sales Tax) of -17%, Meals Tax -42%, and Transient Lodging Tax -71%; and

**WHEREAS**, Virginia’s overall seasonally adjusted unemployment rate in August was 6.1%, or 3.4 percentage points higher than last year, resulting in the loss of more than 200,000 jobs (almost 40% of this being from Northern Virginia); and

**WHEREAS**, the employment component for Leisure and Hospitality Services in Virginia has been particularly impacted, down -20.3% compared to August 2019; and

**WHEREAS**, City Council approved last May the expenditure of funds allocated to the City from the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 to include rental assistance (\$4.0 million), food security assistance (\$2.4 million), and small business assistance (\$2.4 million); and

**WHEREAS**, in September City Council approved the expenditure of a second tranche of CARES funding to assist the community, including \$2.5 million in rent assistance, housing stability and eviction prevention; \$2.4 million towards a second round of small business grants; \$2.0 million for the Alexandria Resilience Fund for community non-profits; \$1.53 million for food security programs; and, \$1.25 million in childcare support and programs and Workforce Development Center initiatives; and

**WHEREAS**, Council previously extended the Personal Property Tax due date by approximately two months to provide additional flexibility to the community; and,

**WHEREAS**, Real Estate bills are about to be mailed for the second installment of tax year 2020, due November 16<sup>th</sup>; and

**WHEREAS**, the Real Estate Tax represents over 60% of the General Fund budget; and,

**WHEREAS**, 62% of parcels in the City already have Real Estate taxes escrowed as part of the monthly mortgage payment, subsequently paid to the City by the applicable due date; and

**WHEREAS**, 38% of parcels in the City have Real Estate taxes paid directly by the property owner rather than through a mortgage company; and,

**WHEREAS**, the Department of Finance has the discretionary authority under Section 58.1-3916 of the Code of Virginia and Section 5.04 of the City Charter to waive late payment penalties and interest if due to “no fault of the taxpayer;” and,

**WHEREAS**, the Alexandria City Council desires to provide all support possible to the community at this time; and

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

1. That the City Council views the financial impact from the global pandemic to be “no fault of the taxpayer” if a COVID-19 related hardship condition exists as determined by the Department of Finance that materially impedes payment of the second installment of 2020 Real Estate taxes by November 16, 2020.

2. That if in such situation the taxpayer pays the 2020 second installment in full no later than March 1, 2021, then the City Council commends the Director of Finance to give such circumstances favorable consideration in the review of applicable late payment penalty and interest waivers.

3. That the Director of Finance continue the existing practice to offer payment plans when necessary, but that any such plan that extends beyond March 1, 2021 for the second installment of tax year 2020 Real Estate Taxes include normal penalties and interest.

13. Public Hearing, Second Reading and Final Passage of an Ordinance authorizing the owner of the property located at 1217 Colonial Avenue to construct and maintain an encroachment for a retaining wall at that location (Implementation Ordinance for Encroachment No. 2020-0003 associated with 1217 Colonial Avenue approved by City Council on September 12, 2020). [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; 10/17/20, 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; 10/17/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance authorizing the owner of the property located at 1217 Colonial Avenue to construct and maintain an encroachment for a retaining wall at that location. 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 ordinance reads as follows:

#### ORDINANCE NO. 5299

AN ORDINANCE authorizing the owner of the property located at 1217 Colonial Avenue to construct and maintain an encroachment for a retaining wall at that location.

WHEREAS, John D. Bullington is the Owner ("Owner") of the property located at 1217 Colonial Avenue, in the City of Alexandria, Virginia; and

WHEREAS, Owner desires to maintain an existing retaining wall which will encroach into the public sidewalk right-of-way at that location; and

WHEREAS, the public sidewalk right-of-way at that location will not be significantly impaired by this encroachment; and

WHEREAS, in Encroachment No. 2020-0003 the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on September 1, 2020, which recommendation was approved by the City Council at its public hearing on September 12, 2020; and

WHEREAS, it has been determined by the Council of the City of Alexandria that this encroachment is not detrimental to the public interest; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Owner be, and the same hereby is, authorized to establish and maintain an encroachment into the public sidewalk right-of-way at 1217 Colonial Avenue as shown in the attached Encroachment Plat, in the City of Alexandria, said encroachment consisting of a retaining wall, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner of liability for any negligence on his part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain said encroachment shall be subject to and conditioned upon Owner maintaining, at all times and at his own expense, liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

Bodily Injury: \$1,000,000 each occurrence  
\$1,000,000 aggregate

Property Damage: \$1,000,000 each occurrence  
\$1,000,000 aggregate

This liability insurance policy shall identify the City of Alexandria and Owner as named insureds and shall provide for the indemnification of the City of Alexandria and Owner against any and all loss occasioned by the establishment, construction, placement, existence, use or maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed with the city attorney's office. Any other provision herein to the contrary notwithstanding, in the event this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in force and effect, the authorization herein granted to establish and maintain the encroachment shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In that event, Owner shall, upon notice from the city, remove the encroachment from the public right-of-way, or the city, at its option, may remove the encroachment at the expense and risk of Owner.

Nothing in this section shall relieve Owner of his obligations and undertakings required under this ordinance.

Section 3. That the authorization hereby granted to establish and maintain said encroachment shall in addition be subject to and conditioned upon the following terms:

- (a) Neither the City of Alexandria nor any public or private utility company shall be responsible for damage to Owner's property encroaching into the public right-of-way during repair, maintenance or replacement of the public right-of-way or any public facilities or utilities in the area of encroachment.
- (b) The Owner shall be responsible for replacement and repairs to the adjacent City right-of-way, including any areas damaged during construction activity.
- (c) In the event the City shall, in the future, have need for the area of the proposed encroachment, the Owner shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City.
- (d) The applicant shall bear all the cost associated with any future removal of the encroachments.

Section 4. That by accepting the authorization hereby granted to establish and maintain the encroachment and by so establishing and/or maintaining the encroachment, Owner shall be deemed to have promised and agreed to save harmless the City of Alexandria from any and all liability (including attorneys' fees and litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.

Section 5. That the authorization herein granted to establish and maintain the encroachment shall be subject to Owner maintaining the area of the encroachment at all times unobstructed and free from accumulation of litter, snow, ice and other potentially dangerous matter.

Section 6. That nothing in this ordinance is intended to constitute, or shall be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.



Section 7. That the authorization herein granted to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right-of-way for any purpose whatsoever and, by written notification, demands from Owner the removal of the encroachment. Said removal shall be completed by the date specified in the notice and shall be accomplished by Owner without cost to the city. If Owner cannot be found, or shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of Owner, and shall not be liable to Owner for any loss or damage to the structure of the encroachment or personal property within the encroachment area, caused by the removal.

Section 8. The terms "Owner" shall be deemed to include John D. Bullington, and his respective successors in interest.

Section 9. That this ordinance shall be effective upon the date and at the time of its final passage.

14. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 1-700 (ESTABLISHMENT OF ZONES) of Article I (GENERAL REGULATIONS); Sections 2-138 (DWELLING, TOWNHOUSE), 2-140 (DWELLING, TWO-FAMILY), 2-145 (FLOOR AREA), 2-154 (HEIGHT OF BUILDING), 2-174 (MEDICAL CARE FACILITY), of Article II (DEFINITIONS); Sections 3-707 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1108 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1406 (FLOOR AREA RATIO), of Article III (RESIDENTIAL ZONE REGULATIONS); Sections 7-202 (PERMITTED OBSTRUCTIONS), 7-1701 (OPEN AND CLOSED FENCES LESS THAN SIX FEET IN HEIGHT), 7-1702 (CORNER LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Sections 11-804 (CONDITIONAL ZONING), 11-1008 (FINAL DECISIONS SUBJECT TO JUDICIAL REVIEW), 11-1103 (STANDARDS FOR VARIANCE), 11-1104 (CONDITIONS AND RESTRICTIONS), 11-1207 (WRITTEN NOTICE OR ORDER), 11-1302 (SPECIAL EXCEPTION ESTABLISHED), of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); Sections 12-101 (TERMS DEFINED) and 12-102 (NONCOMPLYING STRUCTURES) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) and to add and ordain Section 7-1703 (THROUGH LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00005 (Implementation Ordinance for Text Amendment No. 2020-0005 associated with Zoning Ordinance Practical Updates approved by City Council on September 12, 2020). [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; 10/17/20, 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; 10/17/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted a of an Ordinance to amend and reordain Section 1-700 (ESTABLISHMENT OF ZONES) of Article I (GENERAL REGULATIONS); Sections 2-138 (DWELLING, TOWNHOUSE), 2-140 (DWELLING, TWO-FAMILY), 2-145 (FLOOR AREA), 2-154 (HEIGHT OF BUILDING), 2-174 (MEDICAL CARE FACILITY), of Article II (DEFINITIONS); Sections 3-707 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1108 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1406 (FLOOR AREA RATIO), of Article III (RESIDENTIAL ZONE REGULATIONS); Sections 7-202 (PERMITTED OBSTRUCTIONS), 7-1701 (OPEN AND CLOSED FENCES LESS THAT SIX FEET IN HEIGHT), 7-1702 (CORNER LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Sections 11-804 (CONDITIONAL ZONING), 11-1008 (FINAL DECISIONS SUBJECT TO JUDICIAL REVIEW), 11-1103 (STANDARDS FOR VARIANCE), 11-1104 (CONDITIONS AND RESTRICTIONS), 11-1207 (WRITTEN NOTICE OR ORDER), 11-1302 (SPECIAL EXCEPTION ESTABLISHED), of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); Sections 12-101 (TERMS DEFINED) and 12-102 (NONCOMPLYING STRUCTURES) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) and to add and ordain Section 7-1703 (THROUGH LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00005. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 5300

AN ORDINANCE to amend and reordain Section 1-700 (ESTABLISHMENT OF ZONES) of Article I (GENERAL REGULATIONS); Sections 2-138 (DWELLING, TOWNHOUSE), 2-140 (DWELLING, TWO-FAMILY), 2-145 (FLOOR AREA), 2-154 (HEIGHT OF BUILDING), 2-174 (MEDICAL CARE FACILITY), of Article II (DEFINITIONS); Sections 3-707 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1108 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1406 (FLOOR

AREA RATIO), of Article III (RESIDENTIAL ZONE REGULATIONS); Sections 7-202 (PERMITTED OBSTRUCTIONS), 7-1701 (OPEN AND CLOSED FENCES LESS THAN SIX FEET IN HEIGHT), 7-1702 (CORNER LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Sections 11-804 (CONDITIONAL ZONING), 11-1008 (FINAL DECISIONS SUBJECT TO JUDICIAL REVIEW), 11-1103 (STANDARDS FOR VARIANCE), 11-1104 (CONDITIONS AND RESTRICTIONS), 11-1207 (WRITTEN NOTICE OR ORDER), 11-1302 (SPECIAL EXCEPTION ESTABLISHED), of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); Sections 12-101 (TERMS DEFINED) and 12-102 (NONCOMPLYING STRUCTURES) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) and to add and ordain Section 7-1703 (THROUGH LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00005.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00005, 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 September 1, 2020 of a text amendment to the Zoning Ordinance to adopt practical updates, which recommendation was approved by the City Council at public hearing on September 12, 2020;
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 1-700 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 1-700 - Establishment of zones.

(A) This ordinance establishes the following zones, listed below in the order of their restrictiveness, with the most restrictive zone listed first:

\*\*\*

RT/Townhouse Zone

RMF/Residential multifamily Zone

\*\*\*

Section 2. That Section 2-138 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

2-138 - Dwelling, townhouse.

One of a series of three or more attached dwelling units separated from one another by continuous vertical ~~party~~ walls without openings from basement to roof or roofs.

Section 3. That Section 2-140 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

2-140 - Dwelling, two-family.

A building designed for or intended to be occupied by not more than two families living independently of each other. This use shall include both duplex (one dwelling unit above another in a single detached building) and semi-detached (two dwelling units having a common vertical ~~party~~ walls) dwellings. In the case of a semi-detached dwelling, no less than 50 percent of the common ~~party~~ wall of one of the two dwelling units shall be opposite the common ~~party~~ wall of the other.

Section 4. That Section 2-145 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

2-145 - Floor area.

- A. For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. It shall include all space seven feet or more in height. These areas shall be measured from exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

\*\*\*

(11) Sheds and other small accessory buildings in accordance with section 7-202~~(B)(4)~~(C)(2).

B. For properties except for those specified in subsection A. above, the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. These areas shall be measured from the exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. It shall include all space seven feet or more in height. It shall include all space within an above grade parking garage. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

\*\*\*

(12) Sheds and other small accessory buildings in accordance with section 7-202(B)(4) (C)(2).

\*\*\*

Section 5. That Section 2-154 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

2-154 - Height of building.

The vertical distance measured from average finished grade to the highest point of the building, except that:

\*\*\*

-Reserved.

\*\*\*

Section 6. That Section 2-174 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

2-174 - Medical care facility.

Any installation, place, building, or agency, whether or not licensed or required to be licensed by the State Board of Health or the State Hospital Board, by or in which facilities are maintained, furnished, conducted, operated, or offered for the prevention, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, whether medical or surgical, of mentally or physically sick or injured persons, or for persons requiring or receiving medical, surgical or nursing attention or service as acute, chronic, convalescent, aged, or physically disabled; including but not limited to emergency medical treatment, health professional office, medical laboratory, intermediate care facility, extended care facility, mental hospital, mental retardation facility, medical school, outpatient surgery centers, birthing, diagnostic imaging, radiation therapy, dialysis, medical/physical rehabilitation, and trauma units, substance abuse outpatient or day programs, and other related institutions and facilities, whether

operated for profit or nonprofit, and whether privately owned or operated by a local government unit. This term shall not include a ~~health profession office, first aid station~~ housing for the elderly,, nursing home or a facility which has as its primary purpose residential accommodation. Nothing in this definition is intended to interfere with or restrict the use of a dwelling unit by a family as that term is defined in this article, wherever such use is allowed in the zones.

Section 7. That Section 3-707 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

3-707 - Certain structures, lots and uses inconsistent with these provisions.

All land within the RB zone must be used and developed in compliance with the RB zone regulations unless otherwise provided in this ordinance or by the following exceptions:

\*\*\*

(B) Any land zoned to RB prior to February 27, 1973 may be developed at a minimum lot size of 1,600 square feet per dwelling; provided however that if the lot was recorded prior to December 28, 1951, the lot may be developed with a ~~single-family~~ dwelling unit and accessory structures at the lot size shown on the recorded plat.

\*\*\*

Section 8. That Section 3-1108 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

3-1108 - Certain structures, lots and uses inconsistent with these provisions.

All land within the RM zone shall be used and developed in compliance with the RM zone regulations unless otherwise provided by this ordinance or by the following exceptions, which exceptions shall nevertheless be subject to sections 3-1106(A)(1) and 3-1107.

\*\*\*

(B) Any lot of record on February 10, 1953 which does not comply with the lot area or width regulations of the RM zone may be developed with a dwelling unit with accessory structures.

\*\*\*

Section 9. That Section 3-1406 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

3-1406 - Floor area ratio.

The permitted floor area ratio of a development in the RMF zone shall be as follows:

\*\*\*

(B) Special use permit. The floor area ratio may be increased to an amount not to exceed 3.0 if the applicant commits to providing committed affordable housing in the building or project which is the subject of the permit application in compliance with the following requirements:

\*\*\*

(3) Rents payable by households for the committed affordable units shall not, on average, exceed the maximum rents allowed under the Federal Low-Income Housing Tax Credit program for households with incomes at 40 percent of the area median income for the Washington D.C. Metropolitan Statistical Area. Average rents payable by households for the committed affordable units may be increased up to the maximum rents allowed under the Federal Low-Income Housing Tax Credit program for households with incomes at 50 percent of the area median income for the Washington D.C. Metropolitan Statistical Area subject to the submission of a revised affordable housing plan. Any existing housing assistance payment contract in effect as of ~~effective date of the ordinance~~ March 16, 2019 and any extension thereof or new contract which maintains the material aspects of the existing contract shall be deemed to be in compliance with this subsection.

\*\*\*

Section 10. That Section 7-202 of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown in underline, as follows:

7-202 - Permitted obstructions.

The following obstructions shall be permitted when located in a required yard and placed so as not to obstruct light and ventilation and when otherwise permitted by law:

\*\*\*

(E) For any residential lot, single-story front porches with a maximum depth of ten feet shall be permitted in any required front or side yard provided that the porch shall be located on the first floor or at ground level and the front yard shall not be reduced to less than ten feet. Front porches shall not extend into required side yards further than the walls that face the side yards of the existing dwelling unless such extension complies with the regulations for the zone in which it is located.

(F) Open and closed fences which do not exceed ten feet in height shall be permitted in any required side or rear yard between residential properties that abut a property developed with a public or private academic school.

Section 11. That Section 7-1701 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

7-1701 – Open and closed fences less than six feet in height.-

Notwithstanding any other provisions of this ordinance save the permitted obstructions listed in section 7-200 and vision clearance requirements of section 7-800, open and closed fences not exceeding six feet in height shall be permitted on corner and through lots in required secondary front yards when in compliance with this section 7-1700. ~~with regard to permitted fences.~~

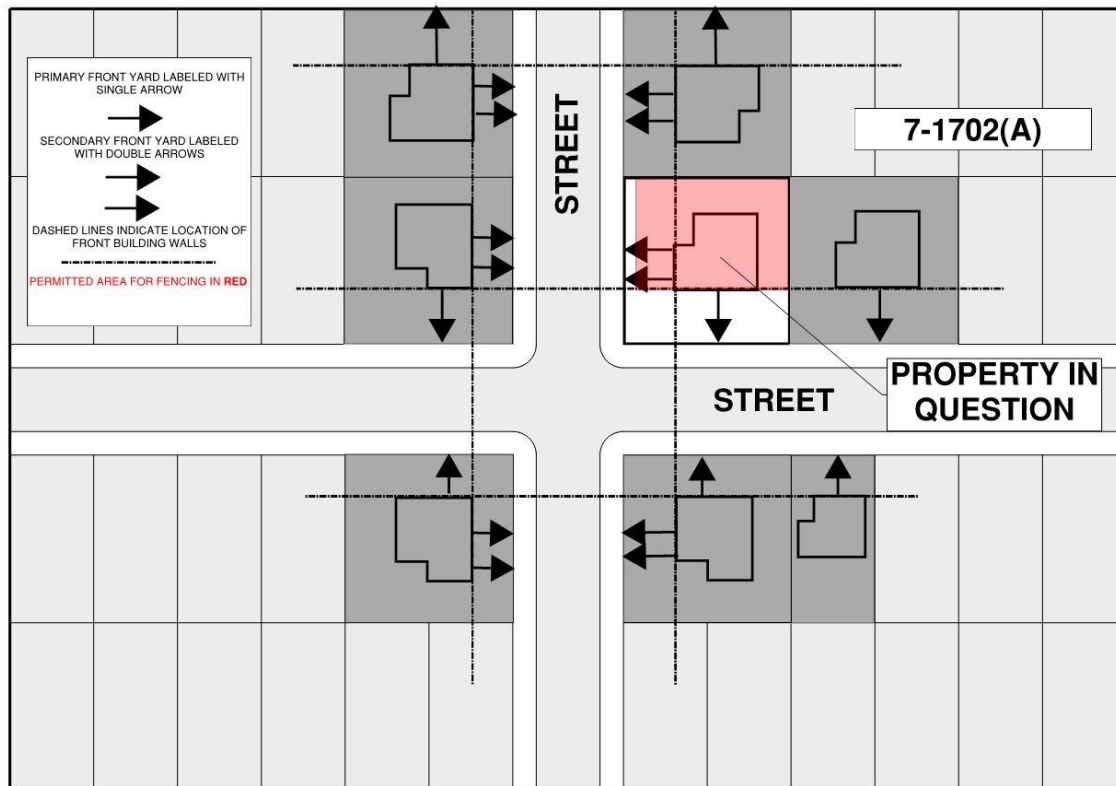
Section 12. That Section 7-1702 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language and diagram shown in strikethrough and inserting new language shown in underline and the diagrams following subsections (A) and (B), as follows:

Sec. 7-1702 – Corner lots.

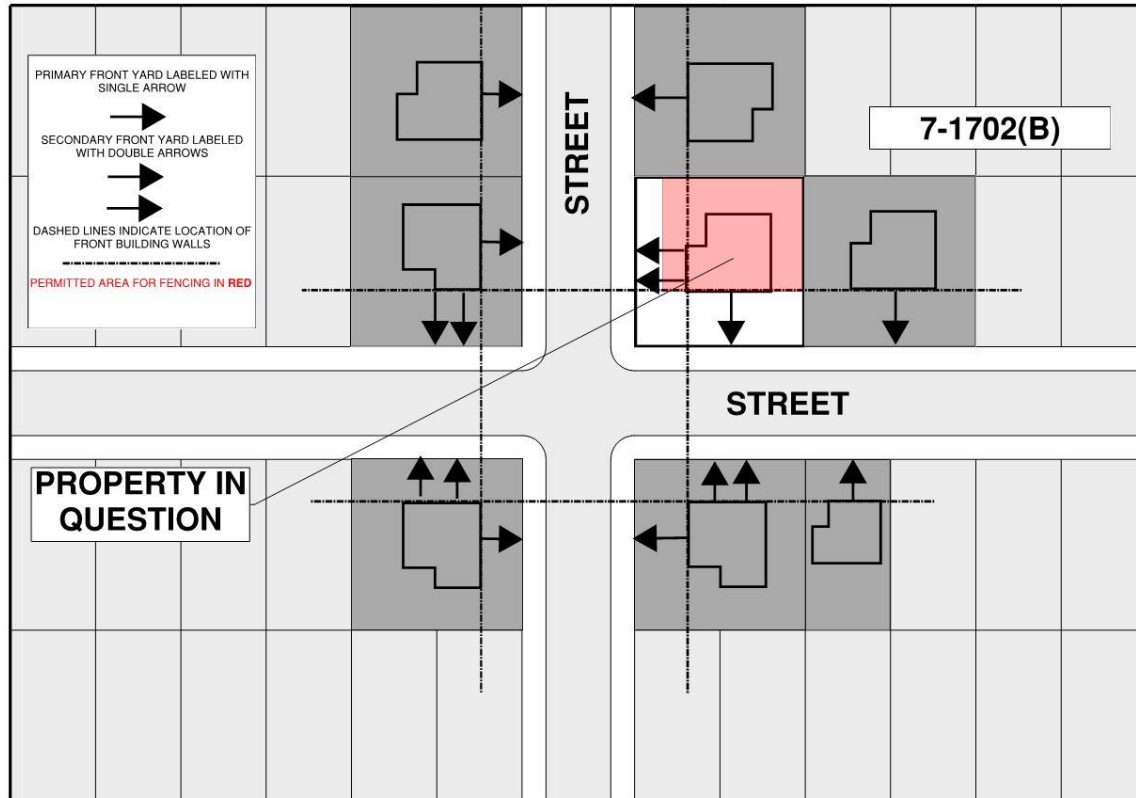
On corner lots, open and closed fences not exceeding six feet in height shall be located behind the front building wall facing the primary front yard. These fences shall be setback a minimum horizontal distance from the secondary front lot line established by either (A) or (B), below:

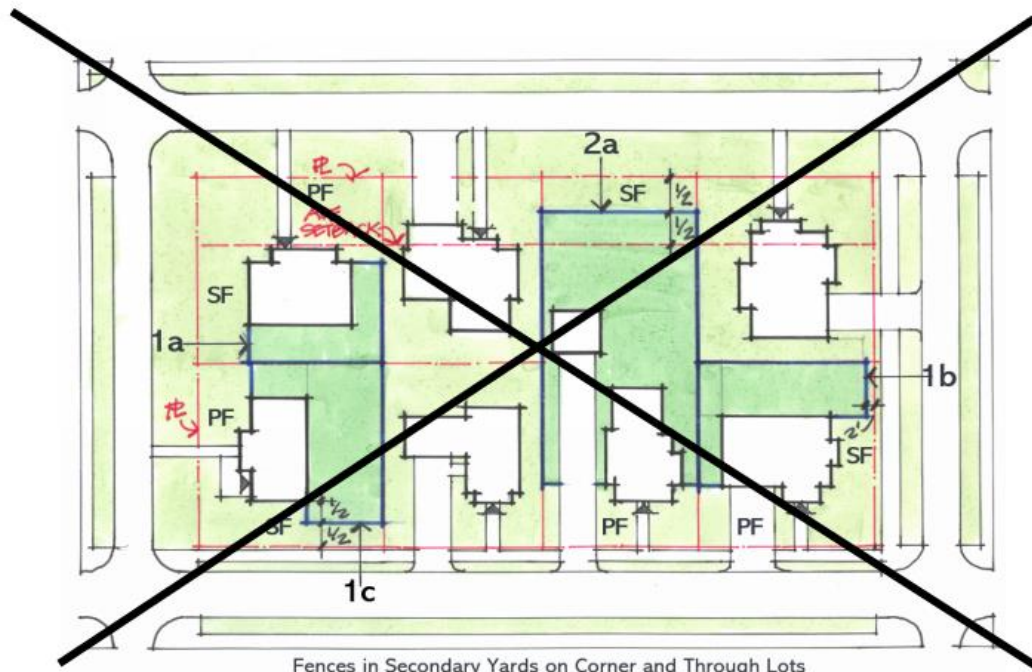
~~(b)~~ (A) Except for cases governed by section 7-1702 ~~(B)~~ fences shall be ~~it is~~ setback from the edge of the sidewalk by two feet or if there is no sidewalk at least two feet from the secondary front lot ~~property~~ line.





(B) Where the secondary front yard of the property in question is located on a block face on which the principal structures on the abutting properties face the street, fences shall be permitted if located no closer to the secondary front lot line than half the distance between the secondary front lot line and the front building wall facing the secondary front yard.





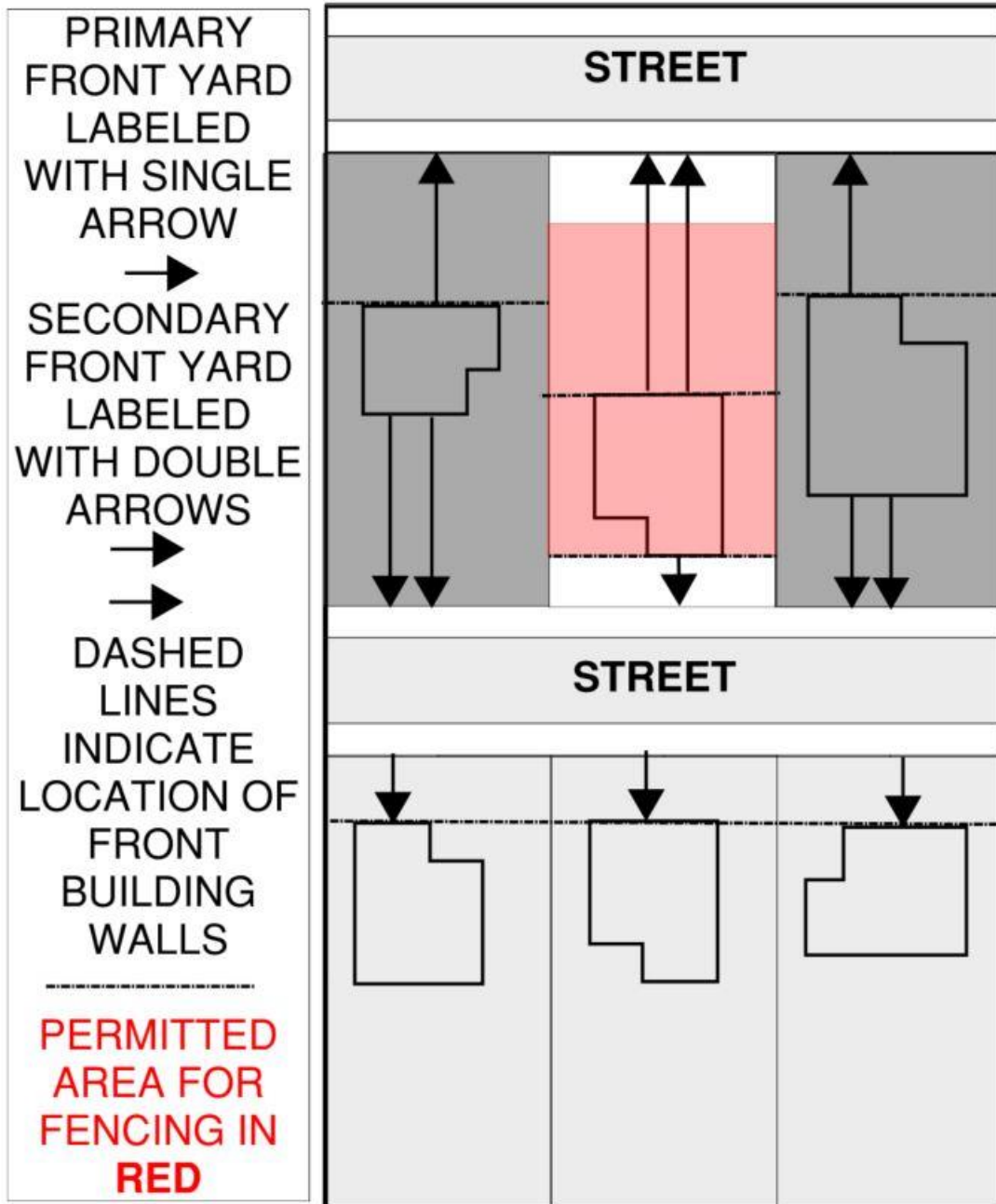
Section 13. That Section 7-1703 of the Zoning Ordinance be, and the same hereby is, added and ordained, as shown:

Sec. 7-1703 – Through lots.

On through lots, open and closed fences not exceeding six feet in height shall be setback a minimum horizontal distance from the secondary front lot line established by either (A) or (B), below:

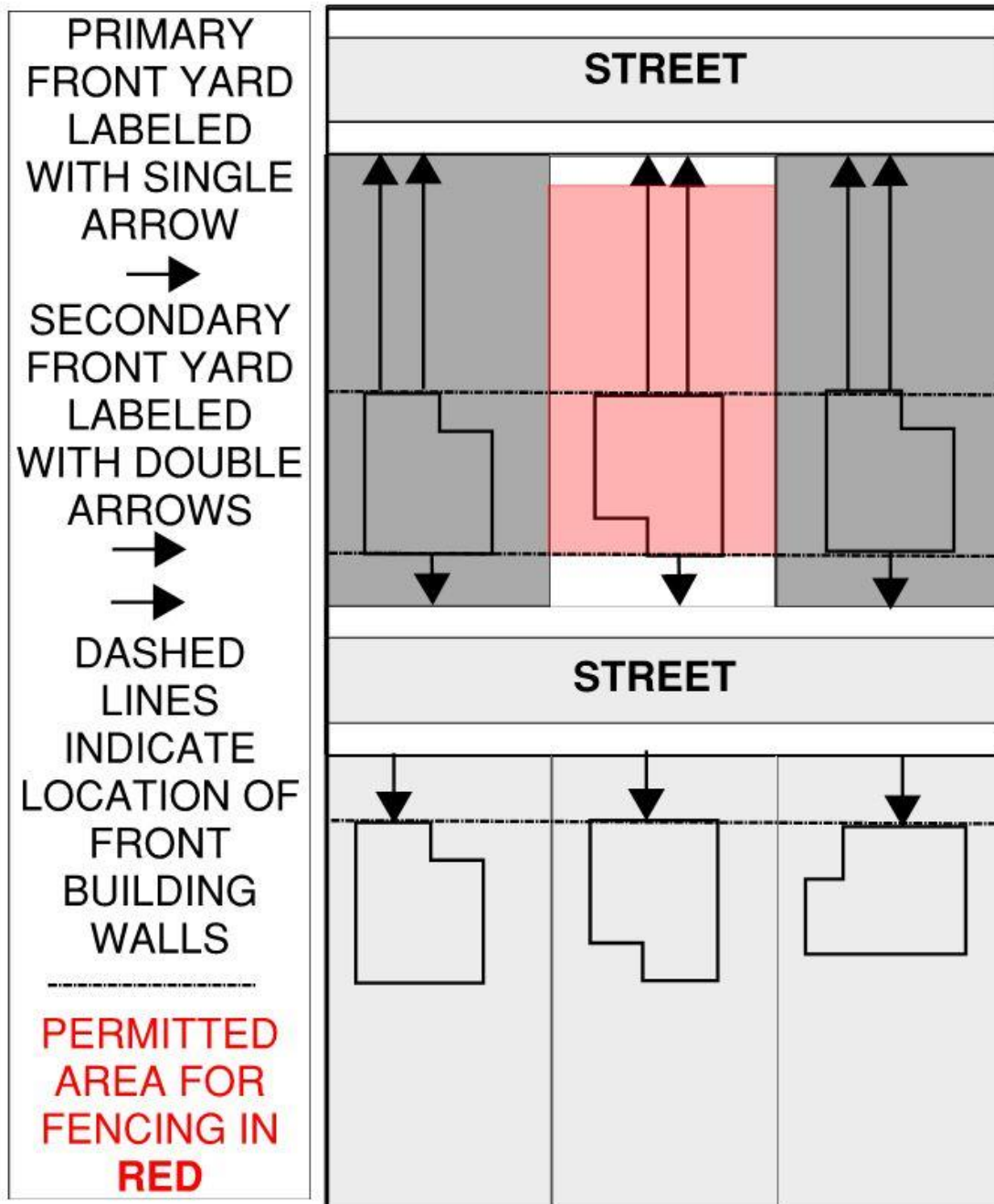
- (A) Where the secondary front yard of the property in question is located on a block face on which the principal structures on the abutting properties on the same side of the street face that street, fences shall be permitted if located no closer to the secondary front lot line than half the distance between the secondary front lot line and the average setback utilizing the two abutting properties.

## SECTION 7-1703(A)



(B) Where the secondary front yard of the property in question is located on a block face on which the principal structures on the abutting properties on the same side of the street do not face such street or there is no abutting house(s), a fences shall be permitted if located at least three feet from the secondary front lot line.

## SECTION 7-1703(B)



Section 14. That Section 11-804 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

11-804 - Conditional zoning.



As part of an application for a map amendment a property owner may proffer in writing the provision of reasonable conditions to apply and be part of the rezoning sought to be approved by said application. Proffered conditions shall include written statements, development plans, profiles, elevations, and/or other demonstrative materials and shall be subject to the following procedures and regulations:

\*\*\*

(C) Such proffered conditions shall become a part of the zoning regulations applicable to the property in question, unless changed by a subsequent map amendment which is not part of the comprehensive implementation of a new or substantially revised zoning ordinance, and such conditions shall be in addition to the specific regulations set forth in this ordinance for the zone in question. ~~Unless a contrary provision has been proffered by the applicant and accepted, any change in the zone applicable to land on which proffers have been accepted shall comply with the provisions of Code of Virginia, § 15.1-491(a).~~

\*\*\*

Section 15. That Section 11-1008 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

11-1008 - Final decisions subject to judicial review.

All final decisions of the board shall be subject to judicial review in the following manner.

\*\*\*

(C) Upon the presentation of such petition, the court shall allow a writ of certiorari to review the decision of the board and shall prescribe therein the time within which a return thereto must be made and served upon the secretary of the board or, if no secretary exists, the chair of the board, which shall not be less than ten days and may be extended by the court. Once the writ of certiorari is served, the board of zoning appeals shall have 21 days or as ordered by the court to respond. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board and on due cause shown, grant a restraining order.

\*\*\*

(G) Costs shall not be allowed against the city or council, unless it shall appear to the court that it the city or council acted in bad faith or with malice. In the event the decision of the board is affirmed and the court finds that the appeal was frivolous, the court may order the person or persons who requested the issuance of the writ of certiorari to pay the costs incurred in making the return of the record pursuant to the writ of certiorari. If the petition is withdrawn subsequent to the filing of the return, the locality may request that the court hear the matter on the question of whether the appeal was frivolous.

Section 16. That Section 11-1103 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

11-1103 - Standards for variances.

The board of zoning appeals shall not vary the regulations of this ordinance as authorized above unless it finds that:

\*\*\*

(B) The strict application of the terms of the ordinance would unreasonably restrict the utilization of the property, ~~or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability;~~

\*\*\*

Section 17. That Section 11-1104 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

11-1104 - Conditions and restrictions.

The board may impose such conditions and restrictions upon the premises benefitted by a variance as may be necessary to reduce, minimize, or mitigate the effect of such variance upon other property in the neighborhood, and better to carry out the general intent of the ordinance. The board may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. In addition, a variance shall specify whether it is granted generally for all potential uses or whether its effect is limited to specific uses of the property. Any variance granted to provide a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability may expire when the person benefitted by it is no longer in need of the modification to such property or improvements provided by the variance, subject to the provisions of state and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable. If a request for a reasonable modification is made to a locality and is appropriate under the provisions of state and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable, such request shall be granted by the locality unless a variance from the board of zoning appeals under this section is required in order for such request to be granted. Failure to comply with any such conditions and restrictions shall constitute a violation of this ordinance. Violations of this ordinance may be enforced and penalized in accordance with section 11-200.

Section 18. That Section 11-1207 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language



shown in underline, as follows:

11-1207 - Written notice or order.

Any written notice of a zoning violation or a written order of the director shall include a statement informing the recipient that he may have a right to appeal the notice of a zoning violation or a written order within 30 days in accordance with section 11-1200 and that the decision shall be final and unappealable if not appealed within 30 days. The zoning violation or written order shall include the applicable appeal fee and a reference to where additional information may be obtained regarding the filing of an appeal. ~~[Effective until 7/1/17 — The appeal period shall not commence until the statement is given. A written notice of a zoning violation or a written order of the director that includes such statement sent by registered or certified mail to, or posted at, the last known address of the property owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed sufficient notice to the property owner and shall satisfy the notice requirements of this section.]~~ [Effective on 7/1/17 — The appeal period shall not commence until the statement is given and the written notice of a zoning violation or a written order of the director is sent by registered or certified mail to, or posted at, the last known address or usual place of abode of the property owner or its registered agent, if any. There shall be a rebuttable presumption that the property owner's last known address is that shown on the current real estate tax assessment records, or the address of a registered agent that is shown in the records of the Clerk of the State Corporation Commission.]

Editor's note— [See] Code of Virginia § 15.2-2311.

Section 19. That Section 11-1302 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

11-1302 - Special exception established.

A lot developed with a single family, two family, or townhouse dwelling may be the subject of a special exception from the following zoning requirements pursuant to this section 11-1300:

\*\*\*

(C) – Yard and setback requirements for a front porch subject to the following requirements:

(1) The applicant for a front porch shall demonstrate by clear and convincing evidence that the proposed front porch is compatible with the existing building architecture, neighboring properties and neighborhood character. ~~and will comply with the following requirements:~~

~~(a) A front porch shall not extend into required side yards further than the walls that face the side yards of the existing dwelling portion of the front porch shall extend beyond either end of the front building facade unless such extension complies with the regulations for the zone in which it is located.~~

~~(b) The roof line of the porch shall be in scale with the existing building architecture.~~

\*\*\*

Section 20. That Section 12-101 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

12-101. - Terms defined.

\*\*\*

(B) A building on a lot that does not meet the current zoning requirements for residential use, that was originally constructed or principally used prior to June 24, 1992 as a residence, may be reverted from commercial use to a residential use and shall be a noncomplying structure provided that:

(1) The proposed residential use is permitted in the zone or is located in a building which faces the north side of the 1400 or 1500 block of King Street, or the south side of the 1600 block of King Street, which is setback from the front property line and has a first floor at least 3.00 feet above grade at the front building wall;

(2) The proposed residential use contains a number of dwelling units equal to or less than previously existed on the property;

(3) Since the most recent conversion to a commercial use, or since June 24, 1992, whichever is more recent, there has been no expansion to the structure and no changes to the lot of record that increase the degree of noncompliance for a residential use; and

(4) Since the building was last a residential use, the number of parking spaces has not been reduced notwithstanding the requirements to provide parking in section 8-200.

\*\*\*

Section 21. That Section 12-102 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

12-102 - Noncomplying structures.

Noncomplying structures shall be permitted to continue indefinitely and shall be considered legal structures, but subject to the following restrictions:

\*\*\*

(D) Residential reuse. A building which faces the unit through ~~4500~~ 1400 block of King Street and which is a noncomplying structure because it exceeds the floor area ratio of the CD zone, may be converted from nonresidential to same residential use, notwithstanding any requirement of the CD zone applicable to residential uses, provided that a special use permit is approved to allow such conversion.

Section 22. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 23. That Section 1-700 (ESTABLISHMENT OF ZONES) of Article I (GENERAL REGULATIONS); Sections 2-138 (DWELLING, TOWNHOUSE), 2-140 (DWELLING, TWO-FAMILY), 2-145 (FLOOR AREA), 2-154 (HEIGHT OF BUILDING), 2-174 (MEDICAL CARE FACILITY), of Article II (DEFINITIONS); Sections 3-707 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1108 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1406 (FLOOR AREA RATIO), of Article III (RESIDENTIAL ZONE REGULATIONS); Sections 7-202 (PERMITTED OBSTRUCTIONS), 7-1701 (OPEN AND CLOSED FENCES LESS THAN SIX FEET IN HEIGHT), 7-1702 (CORNER LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Sections 11-804 (CONDITIONAL ZONING), 11-1008 (FINAL DECISIONS SUBJECT TO JUDICIAL REVIEW), 11-1103 (STANDARDS FOR VARIANCE), 11-1104 (CONDITIONS AND RESTRICTIONS), 11-1207 (WRITTEN NOTICE OR ORDER), 11-1302 (SPECIAL EXCEPTION ESTABLISHED), of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); Sections 12-101 (TERMS DEFINED) and 12-102 (NONCOMPLYING STRUCTURES) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) and to add and ordain Section 7-1703 (THROUGH LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS), as added or amended pursuant to Sections 1 through 21 of this ordinance, be, and the same hereby are, ordained or reordained as part of the City of Alexandria Zoning Ordinance.

Section 24. 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.

15. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 7-2100 (Increased density and height for public elementary and secondary schools) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-00007 (Implementation Ordinance for Text Amendment No. 2019-00007 associated with Increased Density for Public School Sites approved by City Council on September 12, 2020). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 10/17/20, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 10/17/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain Section 7-2100 (Increased density and height for public elementary and secondary schools) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-00007. 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 ordinance reads as follows:

ORDINANCE NO. 5301

AN ORDINANCE to amend and reordain Section 7-2100 (Increased density and height for public elementary and secondary schools) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-00007.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2019-00007, 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 September 1, 2020 of a text amendment to the Zoning Ordinance to increase the floor area ratio from .60 to .75 for public elementary and secondary schools, in residential and mixed use zones, which recommendation was approved by the City Council at public hearing on September 12, 2020;
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 7-2100 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Notwithstanding any contrary provision of this ordinance, a public elementary or secondary school, located in a residential or mixed use zone, may be constructed, expanded or reconstructed to a size which exceeds the density and height otherwise permitted by the regulations in such zone; provided, that a special use permit is approved, and, provided further, that no increase in floor area ratio greater than ~~.60~~ 0.75, and no increase in height greater than

60 feet, shall be approved.

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

Section 3. That Section 7-2100, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, 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.

16. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 051.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning a portion of the property at 1101 Janneys Lane from, POS/Public open space and community recreation zone to R-8/Single-family zone; by rezoning 1201 and 1203 Janneys Lane from R-20/Single-family zone to R-8/Single-family zone; and by rezoning a portion of 1099 Francis Hammond Parkway from R-8/Single-family zone to POS/Public open space and community recreation zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00002 (Implementation Ordinance for Rezoning No. 2020-00002 associated with Douglas MacArthur Elementary School approved by City Council on September 12, 2020). [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. 16; 10/17/20, 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. 16; 10/17/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain Sheet No. 051.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning a portion of the property at 1101 Janneys Lane from

POS/Public Open Space and Community Recreation Zone to R-8/Single-family zone; by rezoning 1201 and 1203 Janneys Lane from R-20/Single-family zone to R-8/Single-family to POS/Public Open Space and Community Recreation zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00002. 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 ordinance reads as follows:

#### ORDINANCE NO. 5302

AN ORDINANCE to amend and reordain Sheet No. 051.02 of the "Official Zoning Map,Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning a portion of the property at 1101 Janneys Lane from, POS/Public open space and community recreation zone to R-8/Single-family zone; by rezoning 1201 and 1203 Janneys Lane from R-20/Single-family zone to R-8/Single-family zone; and by rezoning a portion of 1099 Francis Hammond Parkway from R-8/Single-family zone to POS/Public open space and community recreation zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00002.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2020-00002, 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 September 1, 2020 of a rezoning of a portion of the property at 1101 Janneys Lane from, POS/Public open space and community recreation zone to R-8/Single-family zone; by rezoning 1201 and 1203 Janneys Lane from R-20/Single-family zone to R-8/Single-family zone; and by rezoning a portion of 1099 Francis Hammond Parkway from R-8/Single-family zone to POS/Public open space and community recreation zone, which recommendation was approved by the City Council at public hearing on September 12, 2020;

2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 051.02 of the "Official Zoning Map, Alexandria,

Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: A portion of the property at 1101 Janneys Lane, Alexandria, Virginia 22302, 051.02-03-16, see attached diagram.

From: POS/Public open space and community recreation zone  
To: R-8/Single-family zone

LAND DESCRIPTION: 1201 Janneys Lane, Alexandria, Virginia 22302, 051.02-03-09, see attached diagram.

From: R-20/Single-family zone  
To: R-8/Single-family zone

LAND DESCRIPTION: 1203 Janneys Lane, Alexandria, Virginia 22302, 051.02-03-10, see attached diagram.

From: R-20/Single-family zone  
To: R-8/Single-family zone

LAND DESCRIPTION: A portion of 1099 Francis Hammond Parkway, Alexandria, Virginia 22302, 051.02-03-15, see attached diagram.

From: R-8/Single-family zone  
To: POS/Public open space and community recreation zone

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

Section 3. That Sheet No. 051.02 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

17. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Articles II - VIII, XI and XII to amend commercial use definitions, commercial use conditions and home occupation requirements and to change certain uses from requiring Special Use Permits and Administrative Use Permits to either Administrative Special Use Permits or permitted uses, of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00003 (Implementation Ordinance for Text Amendment No. 2020-00003 associated with small business practical updates approved by City Council on September 12, 2020). [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. 17; 10/17/20, 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. 17; 10/17/20 and is incorporated as part of this record by reference.)



**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain Article II-VIII, XI, and XII to amend commercial use definitions, commercial use conditions and home occupation requirements and to change certain uses from requiring Special Use Permits and Administrative Use Permits to either Administrative Special Use Permits or permitted uses, of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00003. 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.

The ordinance reads as follows:

#### ORDINANCE NO. 5303

AN ORDINANCE to amend and reordain Articles II – VIII, XI and XII to amend commercial use definitions, commercial use conditions and home occupation requirements and to change certain uses from requiring Special Use Permits and Administrative Use Permits to either Administrative Special Use Permits or permitted uses, of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00003.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2020-00003, 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 September 1, 2020 of a text amendment to the Zoning Ordinance to adopt amendments to sections in Articles II – VIII, XI and XII to amend commercial use definitions, commercial use conditions and home occupation requirements and to change certain uses from requiring Special Use Permits and Administrative Use Permits to either Administrative Special Use Permits or permitted uses, which recommendation was approved by the City Council at public hearing on September 12, 2020;
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 the following Sections of Article II of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough

and inserting new language shown in underline, as follows:

\*\*\*

#### 2-104 - Accessory use.

A use or structure which is clearly subordinate to and serves a permitted principal use; ~~is customarily found in connection with the permitted principal structure or use which it serves;~~ and is subordinate in area, extent and purpose to the principal structure or use served. An accessory use or structure generally occupies less than 33 percent of the principal use or structure's gross floor area and does not change the character of the principal structure or use.

\*\*\*

#### ~~2-110 - Amusement arcade.~~

~~An establishment in which are located three or more amusement machines. Up to two amusement machines in any one establishment shall be considered an accessory use. The limitations enumerated herein shall not apply to residential dwelling units with amusement machines for the use of residents thereof.~~

#### ~~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 parlors, amusement arcades, bingo halls and similar uses.~~

#### ~~2-112 - Amusement machine.~~

~~Any mechanical, electrical or electronic machine or device, which, upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as an amusement game, whether or not registering a score.~~

#### 2-112.10- Animal care facility.

A place where common household pets are cared for, such as a grooming, training, and temporary boarding facilities, veterinary/ animal hospitals, but not including businesses that meet the definition of animal shelter.

#### 2-112.21 - Animal shelter.

Any place designated to provide for the temporary accommodation of four or more common household pets which are stray or abandoned by their owners.

#### 2-113.2 - Apartment hotel.

A building or portion thereof designed for or containing guest rooms or suites of rooms and dwelling units with or without unit cooking facilities and with or without common kitchen, dining or living facilities for occupancy on a short or long term basis.

#### 2-113.4 - Arbor.

A freestanding structure consisting of a trellis or interwoven lattice pieces typically covered with climbing shrubs or vines. These structures usually define a point of entry or the division of two places along a path.

2-113.21 - Architectural feature.

Awnings, cornices, eaves, sills, canopies, gutters, overhangs or similar features (not including bay windows and balconies) that are unenclosed projections that extend beyond an exterior face of a wall or column.

2-113.32 - Attic.

A space or room, usually with sloping ceilings, created partially or wholly from the space immediately beneath a roof and above the uppermost story of rooms with finished ceilings.

\*\*\*

2-129.1 - Congregate recreational facilities.

A public use devoted to recreational activities typically or often pursued as a group or team, such as athletic fields, children's play apparatus areas, archery ranges, court game facilities, indoor and outdoor swimming pools, amphitheaters, band shells, and outdoor theaters, not including drive-in theaters.

\*\*\*

~~2-131 - Convenience store.~~

~~An establishment of 5,000 square feet or less of gross floor area, selling a variety of goods, comprised primarily of food and beverages, generally purchased in small quantities. It is the intention of this definition not to include small grocery, specialty or gourmet stores and to include quick service retail establishments which are characterized by high traffic generation and rapid turnover of customers.~~

~~2-131.4 - Co-ordinate station.~~

~~A station established under the provisions of sections 55-287 through 55-297 of the Code of Virginia and its amendments, known as the Virginia Co-ordinate System. as based on the co-ordinate positions established by the U.S. Coast and Geodetic Survey and extended by others with the approval of the director of transportation and environmental services, which has been permanently marked or so referenced to provide for the replacement at the exact position originally established.~~

2-131.1 – Crematorium.

A facility containing a furnace which is designed and licensed by the Commonwealth of Virginia for cremation of either animal or human remains. A crematorium shall not be considered an accessory use to a funeral home.

\*\*\*

#### 2-146.1 – Food court.

~~A food court is a restaurant use distinguished by common seating, more than one vendor and a common entrance. A food court shall contain at least three vendors, of which at least two shall be vendors of quick, carry-out type foods. A food court may include one or more full service restaurants, provided that the number of seats set aside for exclusive seating for full service restaurants shall not exceed 50 percent of the food court's total seating. Except as otherwise expressly provided by special use permit condition, not more than one full service restaurant shall be permitted within a food court and not more than two thirds of the food court vendors (including any full service restaurants) may offer alcoholic beverages for consumption on the premises. For purposes of this section, a full service restaurant is a restaurant use with any of the following characteristics: exclusive seating, distinct bar area or areas, host/hostess seating of patrons, waiter/waitress service at table, menu cards for individual ordering at table, or table settings of silverware, glassware and/or table linens. For purposes of this section, exclusive seating means seating attended by waiters/waitresses employed by or under the control of a full service restaurant. This definition shall apply to any existing uses specifically approved by special use permit as a food court or food court restaurant prior to June 28, 1994, and, as to past and future food court approvals, shall preempt any descriptions in applications or representations but shall not preempt express conditions of the approval therefor.~~

\*\*\*

#### 2-148.2 – Funeral home.

Establishments used for undertaking services such as burial preparation and where funeral services may be arranged and held. A crematorium shall not be considered an accessory use to a funeral home.

\*\*\*

#### 2-153.1 – Health and athletic club or fitness studio.

~~An establishment which as its primary purpose provides facilities, equipment and/or programs for exercise, athletics, and/or fitness, and typically includes equipment for class exercises, ball court games, running and jogging, weight and strength training, swimming, and saunas, as well as showers and locker rooms. Accessory massage and similar services may be provided. Such establishments may be open only to members and their guests on a membership basis in both individual and class formats.~~

\*\*\*

#### 2.164.1 - Live entertainment.

Entertainment as the primary attraction at a commercial use. Event advertising and admission or a cover fee are associated with live entertainment.

#### 2.164.2 - Limited live entertainment.

Entertainment as subordinate to the principal function of a commercial use. Background entertainment that does not require an admission or cover fee are associated with limited live entertainment.

\*\*\*

~~2-178 – Nursery school.~~

~~A place operated primarily for educational instruction for six or more children from two through six years of age away from their home for up to three hours per day, whether or not for compensation.~~

\*\*\*

2-181.2.1 – Outdoor dining.

An open-air seating area associated with uses that sell prepared food including, but not limited to, restaurants and food trucks.

2-181.2.2 – Outdoor market.

An open-air market held on a regular or seasonal basis, where individual sellers offer goods or services, new or used, for sale to the public. The outdoor market use shall not include garage sales, outdoor display or sales associated with retail establishments that are principally located in indoor facilities, or vehicle sales, rental or leasing facilities.

\*\*\*

2-183.1 - 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:

Animal care facility with no overnight accommodation;

\*\*\*

\*\*\*

2-187 - Private school, commercial.

A school use devoted to giving instruction in vocational, professional, musical, dramatic, artistic, athletic, or other special subjects, with the exception of fitness studios, in a class format and typically operated for commercial gain.

\*\*\*

2-188.1 – Recreation and entertainment use.

Commercial uses for indoor or outdoor participation in or observation of games, arts, culture, recreation or similar activities. Recreation uses in this definition are other than those listed in Section 2-129.1 for congregate recreational facilities. Recreation and entertainment uses include but are not limited to:

Amusement parks;

Athletic fields;

Billiard halls;

Bowling alleys;

Children's play areas;

Court game facilities;

Game rooms;

Golf courses, miniature or otherwise, and driving ranges;

Skating rinks;

Swimming pools;

Theaters;

Video arcades.

\*\*\*

~~2-190.1 – Restaurant, accessory.~~

~~A use involving the sale or presentation of food and beverages which is clearly subordinate in area, extent, and purpose to an approved principal use and which is customarily found in connection with and serving that principal use. Typically, an accessory restaurant is not larger than 33 percent of the floor area of the entire business; does not offer table or delivery service; does not have hours of operation longer than the principal use; and does not have a separate entrance.~~

~~2-190.2 – Restaurant, nightclub.~~

~~A restaurant where entertainment, live or otherwise, predominates over food service, becoming the principal use for at least during part of the business' operations, with or without dancing, and typically involving a cover or other charge for admission and event advertising.~~

~~2-190.3 – Restaurant, coffee or ice cream shop.~~

~~A small restaurant, typically no more than 2,000 square feet in area, where the principal business is either the sale of coffee and other hot beverages or the sale of ice cream, frozen yogurt or other related confections. Pastries, baked goods, cold beverages, sandwiches and other light fare may also be sold incidental to the service of coffee, and~~

~~other confections, but no alcohol is served, no entertainment takes place and no significant cooking, other than the application of heat by microwave, electric burner, espresso machine, the heating of soup or the boiling of water, typically takes place.~~

#### ~~2-190.4 - Restaurant, smoke-free.~~

~~A restaurant which does not permit patron or employee smoking within or on the premises, including without limitation in any bar, lounge, dining, waiting, storage or other enclosed area, or area under permanent roof or cover, and which does not permit patron or employee smoking within areas, or at seats or tables, located in the public right-of-way and used or controlled by the restaurant under license or permit from the city.~~

#### 2-191 - Retail shopping establishment.

A store or shop engaged in the sale of commodities or goods to individual consumers for personal use rather than for resale, including but not limited to:

\*\*\*

1 Food and beverage production (limited to a maximum of ~~3,500~~ 5,000 square feet);

2 \*\*\*

Groceries and convenience stores;

\*\*\*

~~Variety goods;~~

~~Video rental and sales;~~

\*\*\*

\*\*\*

#### 2-193.1 - ~~Shopping center~~ Commercial Complex.

A building or ~~complex group of buildings, including mixed-use buildings, in a commercial or mixed-use zone and~~ under common ownership and control which includes at least five two independent retail commercial businesses and provides shared parking, ~~and is at least 35,000 square feet of floor area in size.~~

#### ~~2-193.2 - Smoking.~~

~~The act of smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind, or lighting a cigar, cigarette or pipe of any kind.~~

\*\*\*

Section 2. That the following Sections of Division B of Article III of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

#### 3-603 - Special uses.

The following uses may be allowed in the RA zone pursuant to a special use permit:

\*\*\*

~~(E) Nursery school;~~

- (~~FE~~) Nursing or convalescent home or hospice;
- (~~F.1~~) Outdoor ~~food and crafts~~ market;

\*\*\*

\*\*\*

### 3-803 - Special uses.

The following uses may be allowed in the RCX zone pursuant to a special use permit:

\*\*\*

- ~~(E) Nursery school;~~
- (~~FE~~) Nursing or convalescent home or hospice;
- (F) Outdoor dining;
- (~~F.1~~) Outdoor ~~food and crafts~~ market;-

\*\*\*

- (J) The following commercial uses in a multifamily building of four or more stories in height if limited to an area the size of the first floor or a floor below it, whichever is less, and located on the first floor or any floor below the first floor of the building:

\*\*\*

- ~~(4) Convenience store;~~
- (~~4.1~~) Day care center;

\*\*\*

- (7) Grocery store or convenience store, where products are not prepared or consumed on premises;
- (8) Health and athletic club or fitness studio;
- (8.1) Medical care facility;

\*\*\*

\*\*\*

### 3-902 - Permitted uses.

The following uses are permitted in the RC zone:

\*\*\*

- (I) The following commercial uses in a residential development of at least 2,000 dwelling units if limited to an area the size of the first floor or any floor below it, whichever is less, and located on the first floor or any floor below the first floor of the building:

\*\*\*

- (5) Grocery or convenience store, where products are not prepared or consumed on the premises;

\*\*\*

- (6.1) Health and athletic club or fitness studio;

\*\*\*



### 3-903 - Special uses.

The following uses may be allowed in the RC zone pursuant to a special use permit:

\*\*\*

(G.1) Outdoor ~~food and crafts~~ market;

\*\*\*

(K) The following commercial uses in a multifamily building of four or more stories in height if limited to an area the size of the first floor or a floor below it, whichever is less, and located on the first floor or any floor below the first floor of the building:

\*\*\*

~~(4) Convenience store;~~

(4.4) Day care center;

\*\*\*

(7) Grocery store or convenience store, where products are not prepared or consumed on premises;

(8) Health and athletic club or fitness studio;

(8.1) Medical care facility;

(8.2) Outdoor dining;

\*\*\*

\*\*\*

### 3-1002 - Special uses.

The following uses may be allowed in the RD zone pursuant to a special use permit:

\*\*\*

(B.1) Medical care facility

\*\*\*

~~(C.1) Outdoor food and crafts market;-~~

(C.2) Outdoor dining;

\*\*\*

\*\*\*

### 3-1403 - Special uses.

The following uses may be allowed in the RMF zone pursuant to a special use permit:

\*\*\*

(C) The following uses shall be permitted with a special use permit within a multifamily building on the ground floor:

\*\*\*

(3) Health and athletic club or fitness studio;

~~(4) Convenience store;~~

(4) Medical care facility;

(5) Outdoor dining;

\*\*\*

### 3-1409 - Use limitations.

\*\*\*

(F) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

Section 3. That the following Sections of Article IV of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

### 4-102 - Permitted uses.

The following uses are permitted in the CL zone:

\*\*\*

~~(C) Animal care facility with no overnight accommodation;~~  
(C-1) Business and professional office;

\*\*\*

(F.1) Health and athletic club or fitness studio;

\*\*\*

(G.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

(J.1) Restaurant located within a ~~shopping center~~ commercial complex;

\*\*\*

(L.1) Social service use;

\*\*\*

### 4-102.1 - Administrative special uses.

The following uses may be allowed in the CL 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~~ commercial complex;

~~(A.1) Health and athletic club;~~

~~(A.2)~~ (B) Restaurant;

~~(B) Reserved;~~

\*\*\*

(D) Outdoor ~~food and crafts~~ market;

\*\*\*

### 4-103 - Special uses.

The following uses may be allowed in the CL zone pursuant to a special use permit:

\*\*\*

(A.1) Any use with live entertainment;

(A.42) Bus shelter on private property;

\*\*\*

\*\*\*  
~~(F.1) Health and athletic club, other than pursuant to section 4-102.1(A.1);-~~  
\*\*\*  
(I) ~~Reserved~~ Medical care facility;-  
\*\*\*  
(J.1) Outdoor dining, other than pursuant to sections 4-102 and 4-102.1;  
(J.42) Outdoor food and crafts market, other than pursuant to section 4-102.1;-  
(J.23) Outdoor garden center, other than pursuant to section 4-102.1;  
\*\*\*  
~~(M) Restaurant, other than pursuant to section 4-102(J.1) or 4-102.1;-~~  
(M.4) Retail shopping establishment, larger than 20,000 gross square feet;  
\*\*\*  
(N) Rooming house;  
~~(O) Social service use.~~  
\*\*\*

#### 4-107 - Use limitations.

\*\*\*  
(F) Parking for commercial uses may be located on a lot other than the one on which the commercial use is located if the other lot is zoned for commercial uses and is located within ~~500~~ 1000 feet of the use served.  
\*\*\*  
(I) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.  
\*\*\*

#### 4-202 - Permitted uses.

The following uses are permitted in the CC zone:

\*\*\*  
~~(C) Animal care facility with no overnight accommodation;-~~  
(C.4) Business and professional office;  
\*\*\*  
(F.1) Health and athletic club or fitness studio;  
\*\*\*  
(G.2) Outdoor dining located on private property at a commercial complex;  
\*\*\*  
(I.1) Restaurant located within a ~~shopping center~~ commercial complex or hotel;  
\*\*\*  
(K.1) Social service use;  
\*\*\*

#### 4-202.1 - Administrative special uses.

The following uses may be allowed in the CC 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~~ commercial complex;

~~(A.1) Health and athletic club;~~

(A.21) Restaurant;

\*\*\*

(D) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 4-203 - Special uses.

The following uses may be allowed in the CC zone pursuant to a special use permit:

\*\*\*

(A.1) Any use with live entertainment;

(A.42) Automobile service station;

\*\*\*

(D) Convenience store~~Reserved~~;

\*\*\*

~~(I.1) Health and athletic club, other than pursuant to section 4-202.1(A.1);~~

\*\*\*

(M) ReservedMedical care facility;

(M.1) Outdoor dining, other than pursuant to sections 4-202 and 4-202.1;-

\*\*\*

(N.1) Outdoor~~food and crafts~~ market, other than pursuant to section 4-202.1;-

\*\*\*

~~(R) Restaurant, other than pursuant to section 4-202(I.1) or 4-202.1;-~~

(R.4) Retail shopping establishment, larger than 20,000 gross square feet;

(S) Rooming house;-

~~(T) Social service use.-~~

\*\*\*

#### 4-207 - Use limitations.

\*\*\*

(H) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

#### 4-302 - Permitted uses.

The following uses are permitted in the CSL zone:

\*\*\*

~~(C) Animal care facility with no overnight accommodation;~~  
~~(C.1) Business and professional office;~~

\*\*\*

(F.1) Health and athletic club or fitness studio;

\*\*\*

(G.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

~~(J.1) Restaurant located within a shopping center~~ commercial complex or hotel;

\*\*\*

(K.1) Social service use;

\*\*\*

#### 4-302.1 - Administrative special uses.

The following uses may be allowed in the CSL 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~~ commercial complex;

~~(A.1) Health and athletic club;~~

(A.2.1) Restaurant;

~~(D) Outdoor food and crafts market;~~

\*\*\*

#### 4-303 - Special uses.

The following uses may be allowed in the CSL zone pursuant to a special use permit:

\*\*\*

(A.1) Any use with live entertainment;

~~(A.42) Automobile service station;~~

\*\*\*

~~(B.1) Food and beverage production exceeding 3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

~~(G) Convenience store~~ Reserved;

\*\*\*

~~(M.1) Health and athletic club, other than pursuant to section 4-302.1(A.1);~~

\*\*\*

~~(R) Reserved~~ Medical care facility;

\*\*\*

(S.1) Outdoor-dining, other than pursuant to sections 4-302 and 4-302.1;

~~(S.42) Outdoor food and crafts market, other than pursuant to section 4-302.1;-~~

~~(S.23) Outdoor garden center, other than pursuant to section 4-302.1;~~

\*\*\*

~~(Y) Restaurant, other than pursuant to section 4-302(J.1) or 4-302.1;~~

~~(Y.4) Retail shopping establishment, larger than 20,000 gross square feet;~~

\*\*\*

~~(AA) Social service use;-~~

(~~BBAA~~) Storage buildings and warehouses, not to include freight distribution centers;  
(~~CCBB~~) Wholesale business.

\*\*\*

#### 4-307 - Use limitations.

\*\*\*

(H) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

#### 4-402 - Permitted uses.

The following uses are permitted in the CG zone:

\*\*\*

~~(C) Animal care facility with no overnight accommodation;~~  
(C.1) Business and professional office;

\*\*\*

~~(E.1) Convenience store within an office complex;~~  
(E.21) Day care center;  
(E.32) Health and athletic club or fitness studio ~~located within a shopping center commercial complex, hotel or office complex;~~

\*\*\*

(F.1) Outdoor dining located on private property at a commercial complex;

\*\*\*

(J.1) Recreation and entertainment uses, indoor;  
(J.42) Restaurant located within a ~~shopping center~~ commercial complex or hotel;

\*\*\*

(L.1) Social service use;

\*\*\*

4-402.1 - Administrative special uses. The following uses may be allowed in the CG 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~~ commercial complex;

(A.1) Restaurant;

~~(A.2) Health and athletic club, other than pursuant to section 4-402(E.3);~~

\*\*\*

(D) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 4-403 - Special uses.

The following uses may be allowed in the CG zone pursuant to a special use permit:

(A) ~~Amusement enterprise~~ Any use with live entertainment;

\*\*\*

(D.1) Food and beverage production exceeding ~~3,500~~5,000 square feet, which includes a retail component;

\*\*\*

(G) ~~Convenience store, other than pursuant to section 4-402(E.1)~~ Reserved;-

\*\*\*

(M) ~~Health and athletic club, other than pursuant to section 4-402(E.3) or 4-402.1(A.2)~~ Reserved;

\*\*\*

(V.1) Outdoor dining, other than pursuant to sections 4-402 and 4-402.1;

(V.12) ~~Outdoor food and crafts market~~, other than pursuant to section 4-402.1;

(V.23) Outdoor garden center, other than pursuant to section 4-402.1;

\*\*\*

(Y) ~~Restaurant, other than pursuant to section 4-402(J.1) or 4-402.1~~ Recreation and entertainment use, outdoor;

\*\*\*

(Z) Rooming house;

(AA) ~~Social service use~~;

\*\*\*

#### 4-407 - Use limitations.

\*\*\*

(F) ~~A convenience store within an office complex shall limit alcohol sales as follows: Beer or wine coolers may be sold only in four packs, six packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not be sold. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.~~

\*\*\*

#### 4-502 - Permitted uses.

The following uses are permitted in the CD zone:

\*\*\*

(C) ~~Animal care facility with no overnight accommodation~~;

(C.1) ~~Business and professional office~~;

\*\*\*

(G.1) Health and athletic club or fitness studio;

\*\*\*

(H.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

(L.1) ~~Reserved~~ Recreation and entertainment use, indoor;

\*\*\*

(N.1) Social service use;

\*\*\*

#### 4-502.1 - Administrative special uses.

The following uses may be allowed in the CD 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~~ commercial complex;

~~(A.1) Health and athletic club;~~

~~(A.2) Reserved;~~

\*\*\*

(C) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 4-503 - Special uses.

The following uses may be allowed in the CD zone pursuant to a special use permit:

(A) ~~Amusement enterprise~~ Any use with live entertainment;

\*\*\*

(B.1) Food and beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

~~(K) Health and athletic club, other than pursuant to section 4-502.1(A.1)~~ Reserved;

\*\*\*

(T.1) Outdoor dining, other than pursuant to sections 4-502 and 4-502.1;

~~(T.12) Outdoor food and crafts market, other than pursuant to section 4-502.1;~~

~~(T.23) Outdoor garden center, other than pursuant to section 4-502.1;~~

\*\*\*

~~(W) Restaurant, other than pursuant to section 4-502.1~~ Recreation and entertainment use, outdoor;

\*\*\*

~~(Y) Social service use;~~

~~(ZY) Tourist home;~~

~~(AAZ) Wholesale business.~~

\*\*\*

#### 4-507 - Use limitations.

\*\*\*

(F) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks,



storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

#### 4-602 - Permitted uses.

\*\*\*

- ~~(C) Animal care facility with no overnight accommodation;~~
- (C.1) Business and professional office;

\*\*\*

(E.1) Health and athletic club or fitness studio;

\*\*\*

(F.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

(J.1) Recreation and entertainment use, indoor;

\*\*\*

(K.1) Restaurant located within a ~~shopping center~~ commercial complex or hotel;

\*\*\*

(L.1) Social service use;

\*\*\*

#### 4-602.1 - Administrative special uses.

The following uses may be allowed in the CD-X 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~~ commercial complex;

~~(A.1) Health and athletic club;~~

(A.21) Restaurant;

\*\*\*

(D) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 4-603 - Special uses.

- (A) ~~Amusement enterprise~~ Any use with live entertainment;

\*\*\*

(B.1) Food and beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

~~(J) Health and athletic club, other than pursuant to section 4-602.1(A.1)~~ Reserved;

\*\*\*

(R.1) Outdoor-dining, other than pursuant to sections 4-602 and 4-602.1;-

~~(R.12) Outdoor food and crafts market, other than pursuant to section 4-602.1;-~~

~~(R.23) Outdoor garden center, other than pursuant to section 4-602.1;~~

\*\*\*

(U) ~~Restaurant, other than pursuant to section 4-602(K-1) or 4-602.1~~ Recreation and entertainment use, outdoor;

\*\*\*

~~(W) Social service use;~~  
~~(XW) Tourist home;~~  
~~(YX) Wholesale business.~~

\*\*\*

#### 4-607 - Use limitations.

\*\*\*

(F) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

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#### 4-702 - Permitted uses.

The following uses are permitted in the CR zone:

~~(A) Amusement enterprise~~ Recreation and entertainment use, indoor and outdoor;  
~~(A.1) Animal care facility with no overnight accommodation;~~  
~~(A.2) Day care center;~~  
(B) Health and athletic club or fitness studio;

\*\*\*

(E.1) ~~Reserved~~ Outdoor dining located on private property at a commercial complex;

\*\*\*

#### 4-702.1 - Administrative special uses.

The following uses may be allowed in the CR 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~~ commercial complex;

\*\*\*

(D) ~~Outdoor food and crafts market;~~

\*\*\*

#### 4-703 - Special uses.

The following uses may be allowed in the CR zone pursuant to a special use permit:

\*\*\*

(A.2) Food and beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

(C) ~~Reserved~~Any use with live entertainment;

\*\*\*

(I) ~~Reserved~~Medical care facility;

\*\*\*

(J) ~~Reserved~~Outdoor-dining, other than pursuant to sections 4-702 and 4-702.1;

(K) Outdoor market, other than pursuant to section 4-702.1;-

(L) Outdoor garden center, other than pursuant to section 4-702.1.

\*\*\*

#### 4-707 - Use limitations.

\*\*\*

(A) All operations shall take place within a completely enclosed building except that a permit for the sale and/or display of plants, flowers or produce in conjunction with and on the same lot as an existing permitted use may be granted by the director and the permit shall indicate the location, size, duration and purpose of the accessory outdoor use.

(B) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

#### 4-802 - Permitted uses.

The following uses are permitted in the OC zone:

\*\*\*

~~(C) Animal care facility with no overnight accommodation;~~

~~(C.4) Business and professional office;~~

\*\*\*

~~(E.1) Convenience store within an office complex;~~

~~(E.21) Day care center;~~

~~(E.32) Health and athletic club or fitness studio located within a shopping center, hotel or office complex;~~

\*\*\*

(G.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

(J.1) Recreation and entertainment use, indoor;

\*\*\*

~~(K.1) Restaurant located within a shopping center~~ commercial complex or hotel;

\*\*\*

(L.1) Social service use;

\*\*\*

#### 4-802.1 - Administrative special uses.

The following uses may be allowed in the OC 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~~ commercial complex;

~~(A.1) Health and athletic club;~~

~~(A.2B) Restaurant;~~

~~(B) Reserved;~~

\*\*\*

(D) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 4-803 - Special uses.

The following uses may be allowed in the OC zone pursuant to a special use permit:

(A) ~~Amusement enterprise~~ Any use with live entertainment;

\*\*\*

(C.1) Food and beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

~~(G) Convenience store other than pursuant to section 4-802(E.1)~~ Reserved;

\*\*\*

~~(M) Health and athletic club, other than pursuant to section 4-802(E.3) or 4-802.1(A.1)~~ Reserved;

\*\*\*

(W.1) Outdoor dining, other than pursuant to sections 4-802 and 4-802.1;

(W.42) Outdoor ~~food and crafts~~ market, other than pursuant to section 4-802.1;

(W.23) Outdoor garden center other than pursuant to section 4-802.1;

\*\*\*

~~(AA) Restaurant, other than pursuant to sections 4-802(K.1) and 4-802.1~~ Recreation and entertainment use, outdoor;

\*\*\*

~~(CC) Social service use;~~

~~(DDCC) Wholesale business.~~

\*\*\*

#### 4-807 - Use limitations.

\*\*\*

~~(G) A convenience store within an office complex shall limit alcohol sales as follows:~~

~~Beer or wine coolers may be sold only in four packs, six packs or bottles of more than~~

~~40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces.~~

~~Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not~~

~~be sold. The placement or construction of items that block the visibility through~~

~~windows of the interior of the commercial space from the street and sidewalk, including~~

~~but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat~~

~~racks, storage bins, and closets, shall be prohibited. All windows shall remain~~

transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

#### 4-902 - Permitted uses.

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

\*\*\*

- ~~(C) Animal care facility with no overnight accommodation;~~
- (C.1) Business and professional office;

\*\*\*

- ~~(E.1) Convenience store within an office complex;~~
- (E.21) Day care center;
- (E.32) Health and athletic club or fitness studio located within a shopping center commercial complex, hotel or office complex;

\*\*\*

- (G.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

- (J.1) Recreation and entertainment use, indoor;

\*\*\*

- (K.1) Restaurant located within a ~~shopping center~~ commercial complex or hotel;

\*\*\*

- (L.1) Social service use;

\*\*\*

#### 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~~ commercial complex;
- ~~(A.1) Health and athletic club;~~
- (A.2B) Restaurant;
- ~~(B) Reserved;~~

\*\*\*

- (D) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 4-903 - Special uses.

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

- (A) ~~Amusement enterprise~~ Any use with live entertainment;

\*\*\*

- (C.1) Food and beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

- ~~(G) Convenience store, other than pursuant to section 4-902(E.1);~~

\*\*\*

(M) ~~Health and athletic club, other than pursuant to section 4-902(E.3) or 4-902.1(A.1)~~Reserved;

\*\*\*

(W.1) Outdoor dining, other than pursuant to sections 4-902 and 4-902.1;-  
(W.42) Outdoor food and crafts market, other than pursuant to section 4-902.1;-  
(W.23) Outdoor garden center, other than pursuant to section 4-902.1;

\*\*\*

(AA) ~~Restaurant, other than pursuant to sections 4-902(K.1) and 4-902.1;~~Recreation and entertainment use, outdoor;

\*\*\*

~~(CC) Social service use;-~~  
~~(DDCC) Wholesale business.~~

\*\*\*

#### 4-906 - Use limitations.

\*\*\*

~~(G) A convenience store within an office complex shall limit alcohol sales as follows:- Beer or wine coolers may be sold only in four packs, six packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not be sold. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.~~

\*\*\*

#### 4-1002 - Permitted uses.

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

\*\*\*

~~(C) Animal care facility with no overnight accommodation;-~~  
~~(C.4) Business and professional office;~~

\*\*\*

~~(E.1) Convenience store within an office complex;-~~  
~~(E.21) Day care center;~~  
~~(E.32) Health and athletic club or fitness studio located within a shopping center commercial complex, hotel, industrial or flex space center or office complex;~~

\*\*\*

(G.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

(J.1) Recreation and entertainment use, indoor;

\*\*\*

(K.1) Restaurant, located within a ~~shopping center~~ commercial complex, hotel or industrial or flex space center;

\*\*\*

(L.1) Social service use;

\*\*\*

#### 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~~ commercial complex;

~~(A.1) Health and athletic club;~~

~~(A.2B) Restaurant;~~

~~(B) Reserved;~~

\*\*\*

(D) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 4-1003 - Special uses.

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

(A) ~~Amusement enterprise~~ Any use with live entertainment;

\*\*\*

(C.1) Food and beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

~~(G) Convenience store, other than pursuant to section 4-1002(E.1)~~ Reserved;

\*\*\*

(M) ~~Health and athletic club, other than pursuant to section 4-1002(E.3) or 4-1002.1(A.1)~~ Reserved;

\*\*\*

(W.1) Outdoor dining, other than pursuant to sections 4-1002 and 4-1002.1;-

(W.42) Outdoor ~~food and crafts~~ market, other than pursuant to section 4-1002.1;-

(W.23) Outdoor garden center, other than pursuant to section 4-1002.1;

\*\*\*

~~(AA) Restaurant, other than pursuant to sections 4-1002(K.1) and 4-1002.1~~

Recreation

and entertainment use, outdoor;

\*\*\*

~~(CC) Social service use;~~

~~(DDCC) Wholesale business.~~

\*\*\*

#### 4-1006 - Use limitations.

\*\*\*

(G) ~~A convenience store within an office complex shall limit alcohol sales as follows: Beer or wine coolers may be sold only in four packs, six packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not be sold.~~ The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

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#### 4-1102 - Permitted uses.

The following uses are permitted in the OCH zone:

\*\*\*

- ~~(C) Animal care facility with no overnight accommodation;~~
- (C.1) Business and professional office;

\*\*\*

- ~~(E.1) Convenience store within an office complex;~~
- (E.21) Day care center;
- (E.32) Health and athletic club or fitness studio ~~located within a shopping center,~~ hotel, industrial or flex space building or office complex;

\*\*\*

- (I.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

- (L.1) Recreation and entertainment use, indoor;
- (L.42) Restaurant located within a ~~shopping center~~ commercial complex or hotel;

\*\*\*

- (N.1) Social service use;

\*\*\*

#### 4-1102.1 - Administrative special uses.

The following uses may be allowed in the OCH 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~~ commercial complex;
- ~~(A.1) Health and athletic club;~~
- (A.2B) Restaurant;
- ~~(B) Reserved;~~

\*\*\*

- (D) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 4-1103 - Special uses.

The following uses may be allowed in the OCH zone pursuant to a special use permit:



- \*\*\*
- (A) ~~Amusement enterprise~~ Any use with live entertainment;
- \*\*\*
- (C.1) Food and beverage production exceeding 3,500 5,000 square feet, which includes a retail component;
- \*\*\*
- ~~(F) Convenience store, other than pursuant to section 4-1102(E.1)~~ Reserved;-
- \*\*\*
- ~~(L) Health and athletic other than pursuant to section 4-1102(E.3) or 4-1102.1(A.1)~~ Reserved;
- \*\*\*
- (S) ~~Reserved~~ Medical care facility;
- \*\*\*
- (T.1) Outdoor dining, other than pursuant to sections 4-1102 and 4-1102.1;-  
(T.12) Outdoor food and crafts market, other than pursuant to section 4-1102.1;-  
(T.23) Outdoor garden center, other than pursuant to section 4-1102.1;
- \*\*\*
- ~~(W) Restaurant, other than pursuant to sections 4-1102(L.1) and 4-1102.1-~~ Recreation and entertainment use, outdoor;
- \*\*\*
- ~~(Z) Social service use;~~  
~~(AAZ) Wholesale business.~~

\*\*\*

#### 4-1106 - Use limitations.

\*\*\*

~~(G) A convenience store within an office complex shall limit alcohol sales as follows: Beer or wine coolers may be sold only in four packs, six packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not be sold. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.~~

\*\*\*

#### 4-1202 - Permitted uses.

The following uses are permitted in the I zone:

\*\*\*

(L) Health and athletic club or fitness studio;

\*\*\*

(Q.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

\*\*\* (V.1) Restaurant located within a ~~shopping center~~ commercial complex or hotel;

\*\*\* (W.1) Social service use;

#### 4-1202.1 - Administrative special uses.

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

\*\*\* (D) Outdoor ~~food and crafts~~ market;

\*\*\* (F.1) Private school, ~~academic or commercial~~, with more than 20 students on the premises at any one time;

#### 4-1203 - Special uses.

The following uses may be allowed in the I zone pursuant to a special use permit:

\*\*\* (A.1) ~~Amusement enterprise~~ Any use with live entertainment;

\*\*\* (F) ~~Convenience store~~ Crematorium;

\*\*\* (P.1) Outdoor dining, other than pursuant to sections 4-1202 and 4-1202.1;  
\*\*\* (P.12) ~~Outdoor food and craft~~ market, other than pursuant to section 4-1202.21;  
\*\*\* (P.23) Outdoor garden center, other than pursuant to section 4-1202.1;

\*\*\* (R.1) ~~Restaurant, other than pursuant to section 4-1202(V.1) or 4-1202.1~~  
Recreation and entertainment use, outdoor;

#### 4-1206 - Use limitations.

\*\*\* (D) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

#### 4-1403 - Permitted uses.

(A) *Permitted ground floor uses.* The following uses are permitted on the ground floor of

buildings facing the sidewalk:

\*\*\*

(3) Banks, business and professional offices, medical laboratory, health profession offices, social service uses and laundromats, provided:

- (a) The business facade shall be no wider than 30 feet along the street;
- (b) No more than two such uses or entrances shall adjoin each other;

(4) Restaurants, when located within a ~~shopping center~~ commercial complex or hotel;

\*\*\*

(6) Private school, commercial, ~~with a maximum of 20 students on the premises at any one time~~ and with a frontage of less than 30 feet along Mount Vernon Avenue;

(7) ~~Animal care facility with no overnight accommodation~~ Recreation and entertainment use, indoor;

feet

(8) Health and athletic club or fitness studio if located within a ~~shopping center commercial complex~~, hotel or office complex or with a frontage of less than 30 feet along Mount Vernon Avenue;

\*\*\*

(10) Outdoor dining located on private property at a commercial complex.

(B) *Permitted uses above the ground floor:*

\*\*\*

(4) Private school, commercial ~~with more than 20 students on the premises at any one time.~~

#### 4-1403.1 - Administrative special uses.

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

(A) Animal care facility with overnight accommodation located in a ~~shopping center~~ commercial complex;

\*\*\*

(C) ~~Outdoor food and crafts market~~;

\*\*\*

~~(I) Health and athletic club, other than pursuant to section 4-1403(A)(8);~~

(J) Outdoor display of retail goods.

#### 4-1404 - Special uses.

The following uses may be allowed with a special use permit:

(A) ~~Amusement enterprise~~ Any use with live entertainment;

\*\*\*

(B) Banks, business and professional offices, medical laboratories, health profession offices, social service uses and laundromats, other than pursuant [to] section 4-1403(A)(3);

(C) ~~Convenience store~~ Medical care facility;

\*\*\*

(E) Private school, commercial, ~~with more than 20 students on the premises at any one time or~~ with a frontage of more than 30 feet along Mount Vernon Avenue;

\*\*\*

(G) Live theater, other than pursuant to section 4-1403.1(H);

\*\*\*

(I.1) Outdoor dining, other than pursuant to section 4-1403.1:

(J) ~~Outdoor food and crafts~~ market, other than pursuant to section 4-1403.1(G);

\*\*\*

(M) ~~Restaurant, other than pursuant to sections 4-1403(A)(4) and 4-1403.1(A.1)~~  
Recreation and entertainment use, outdoor;

\*\*\*

(P) Health and athletic club or fitness studio, other than pursuant to sections 4-1403(A)(8); ~~or 4-1403.1(I)~~

\*\*\*

(R) Outdoor garden center, other than pursuant to section 4-1403.1(B);

(S) Public building; ~~;~~

~~(U) Social service use.~~

\*\*\*

#### 4-1413 - Use limitations.

\*\*\*

(G) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

Section 4. That the following Sections of Article V of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

#### 5-102 - Permitted uses.

The following uses are permitted in the CRMU-L zone:

\*\*\*

~~(C.1) Convenience store within an office complex;~~

(C.21) Day care center;

(C.32) Health and athletic club or fitness studio ~~located within a shopping center commercial complex, hotel or office complex;-~~

\*\*\*

(E.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

(G.1) Recreation and entertainment use, indoor;

(G.12) Restaurant located within a shopping center commercial complex or hotel;

\*\*\*

(H.1) Social service use;

\*\*\*

#### 5-102.1 - Administrative special uses.

The following uses may be allowed in the CRMU-L zone with administrative approval, subject to section 11-513 of this ordinance:

~~(A) Health and athletic club;~~

(A.1) Restaurant;

\*\*\*

~~(D) Outdoor food and crafts market;~~

\*\*\*

#### 5-103 - Special uses.

The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-109 below:

~~(A) Amusement enterprise~~ Any use with live entertainment;

\*\*\*

(B.1) Food or beverage production exceeding ~~3,500~~5,000 square feet, which includes a retail component;

\*\*\*

~~(E) Convenience store, other than pursuant to section 5-102(C.1)~~ Reserved;

\*\*\*

~~(H) Health and athletic club, other than pursuant to section 5-102(C.3) or 5-102.1(A)~~ Reserved;

\*\*\*

(J.1) Medical care facility;

\*\*\*

(K.1) Outdoor dining, other than pursuant to sections 5-102 and 5-102.1;

~~(K.12) Outdoor food and crafts market, other than pursuant to section 5-102.1;~~

~~(K.23) Outdoor garden center, other than pursuant to section 5-102.1;~~

\*\*\*

~~(N) Restaurant, other than pursuant to section 5-102 (G.1) or 5-102.1;~~ Recreation and entertainment use, outdoor;

(O) Retail shopping establishment, larger than 20,000 gross square feet;

~~(P) Social service use.~~

\*\*\*

#### 5-108 - Calculation of floor area ratio and uses.

The following rules shall apply for the purpose of calculating the mix of uses under section 5-105.

- (A) The following uses shall be considered retail:
- (1) ~~Amusement enterprise~~ Recreation and entertainment use;
  - (2) Health and athletic club or fitness studio;

\*\*\*

\*\*\*

#### 5-110 - Use limitations.

\*\*\*

- (C) ~~A convenience store within an office complex shall limit alcohol sales as follows: Beer or wine coolers may be sold only in four packs, six packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not be sold. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.~~

\*\*\*

#### 5-202 - Permitted uses.

The following uses are permitted in the CRMU-M zone:

\*\*\*

- ~~(C.1) Convenience store within an office complex;~~  
(C.21) Day care center  
(C.32) Health and athletic club or fitness studio located within a shopping center, hotel or office complex;

\*\*\*

- (E.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

- (G.1) Recreation and entertainment use, indoor;  
(G.42) Restaurant located within a ~~shopping center~~ commercial complex or hotel;

\*\*\*

- (H.1) Social service use;

\*\*\*

#### 5-202.1 - Administrative special uses.

The following uses may be allowed in the CRMU-M zone with administrative approval, subject to section 11-513 of this ordinance:

- ~~(A) Health and athletic club;~~  
(A.4) Restaurant;

\*\*\*

- (D) Outdoor ~~food and crafts~~ market;

\*\*\*

#### 5-203 - Special uses.

The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-209 below:

(A) ~~Amusement enterprise~~Any use with live entertainment;

\*\*\*

(B.1) Food or beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

(E) ~~Convenience store, other than pursuant to section 5-202(C.1)~~Reserved;-

\*\*\*

(H) ~~Health and athletic club, other than pursuant to section 5-202(C.3) or 5-202.1(A)~~Reserved;

\*\*\*

(J.1) Medical care facility;

\*\*\*

(L.1) Outdoor dining, other than pursuant to sections 5-202 and 5-202.1;

(L.12) ~~Outdoor food and crafts market, other than pursuant to section 5-202.1~~;

(L.23) ~~Outdoor garden center, other than pursuant to section 5-202.1~~;

\*\*\*

(N) ~~Restaurant, other than pursuant to section 5-202(G.1) or 5-202.1(A.1)~~Recreation and entertainment use, outdoor;

(O) Retail shopping establishment, larger than 20,000 gross square feet;

(P) ~~Social service use~~.

\*\*\*

#### 5-208 - Calculation of floor area ratio and uses.

The following rules shall apply for the purpose of calculating the mix of uses under section 5-205.

(A) The following uses shall be considered retail:

(1) ~~Amusement enterprise~~Recreation and entertainment use;

(2) Health and athletic club or fitness studio;

\*\*\*

\*\*\*

#### 5-210 - Use limitations.

\*\*\*

(C) ~~A convenience store within an office complex shall limit alcohol sales as follows: Beer or wine coolers may be sold only in four packs, six packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not be sold. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not~~

limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

#### 5-302 - Permitted uses.

The following uses are permitted in the CRMU-H zone:

\*\*\*

- ~~(C.1) Convenience store within an office complex;~~
- (C.21) Day care center;
- ~~(C.32) Health and athletic club or fitness studio located within a shopping center, hotel or office complex;~~

\*\*\*

- (E.2) Outdoor dining located on private property at a commercial complex;

\*\*\*

- (G.1) Recreation and entertainment use, indoor;
- ~~(G.42) Restaurant located within a shopping center~~ commercial complex or hotel;
- (H.1) Social service use;

\*\*\*

#### 5-302.1 - Administrative special uses.

The following uses may be allowed in the CRMU-H zone with administrative approval, subject to section 11-513 of this ordinance:

- ~~(A) Health and athletic club;~~
- (A.4) Restaurant;

\*\*\*

- (D) Outdoor food and crafts market;

\*\*\*

#### 5-303 - Special uses.

The following uses may be approved, pursuant to the procedures and regulations for special use permits and subject to the criteria of section 5-309 below:

- ~~(A) Amusement enterprise~~ Any use with live entertainment;

\*\*\*

- (B.1) Food or beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

- ~~(E) Convenience store, other than pursuant to section 5-302(C.1)~~ Reserved;

\*\*\*

- ~~(H) Health and athletic club, other than pursuant to section 5-302(C.3) or 5-302.1(A)~~ Reserved;

\*\*\*

- (J.1) Medical care facility;

\*\*\*



- (L.1) Outdoor dining, other than pursuant to sections 5.302 and 5-302.1;  
~~(L.12) Outdoor food and crafts market, other than pursuant to section 5-202.1;~~  
~~(L.23) Outdoor garden center, other than pursuant to section 5-202.1;~~

\*\*\*

- ~~(N) Restaurant, other than pursuant to section 5-302(G.1) or 5-302.1(A.1)~~  
Recreation and entertainment use, outdoor;  
(O) Retail shopping establishment, larger than 20,000 gross square feet;  
~~(P) Social service use.~~

\*\*\*

#### 5-308 - Calculation of floor area ratio and uses.

The following rules shall apply for the purpose of calculating the mix of uses under section 5-305.

- (A) The following uses shall be considered retail:
- (1) ~~Amusement enterprise~~Recreation and entertainment use, outdoor;
  - (2) Health and athletic club or fitness studio;

\*\*\*

\*\*\*

#### 5-310 - Use limitations.

\*\*\*

~~(C) A convenience store within an office complex shall limit alcohol sales as follows: Beer or wine coolers may be sold only in four packs, six packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14 percent or more by volume) may not be sold. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.~~

\*\*\*

#### 5-402 - Permitted uses.

The following uses are permitted in the CRMU-X zone:

\*\*\*

- (A.8) Recreation and entertainment use, indoor;  
~~(A.89)~~ Retail shipping establishment, up to 20,000 gross square feet;

\*\*\*

- (F) Health and athletic club or fitness studio;  
(G) Social service use.

#### 5-402.1 - Administrative special uses.

The following uses may be allowed in the CRMU-X zone with administrative approval, subject to section 11-513 of this ordinance:

~~(A) Health and athletic club;-~~

(A.1) Restaurant;

\*\*\*

(D) Outdoor food and crafts market;

\*\*\*

#### 5-403 - Special uses.

The following uses may be approved, subject to the procedures and regulations for special use permits and subject to the limitations of section 5-609 below:

\*\*\*

~~(B) Amusement enterprise~~Any use with live entertainment;

~~(C) Animal care facility with no overnight accommodation;-~~

(C.1) Apartment hotel;

(C.21) Food or beverage production exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

~~(G) Convenience store~~Reserved;-

\*\*\*

~~(J) Health and athletic club, other than pursuant to section 5-402.1(A)~~Reserved;

\*\*\*

(P.1) Outdoor dining, other than pursuant to sections 5.402 and 5-402.1;

~~(P.12) Outdoor food and crafts market, other than pursuant to section 5-402.1;~~

(P.23) Outdoor garden center, other than pursuant to section 5-402.1;

\*\*\*

~~(V) Restaurant, other than pursuant to section 5-402.1~~ Recreation and entertainment use, outdoor;

(W) Retail shopping establishment, larger than 20,000 gross square feet;\_

~~(X) Social service use.~~

\*\*\*

#### 5-410 - Use limitations.

~~[Reserved.]~~

(A) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

#### 5-502 - Permitted uses.

The following uses are permitted in the W-1 zone:

\*\*\*

(C.2) Private school, commercial, ~~with a maximum of 20 students on the premises at any one time and pursuant to section 5-509;~~

\*\*\*

(I) Day care center, pursuant to section 5-509;

(J) Health and athletic club or fitness studio, pursuant to section 5-509.

#### 5-502.1 - Administrative special uses.

The following uses may be allowed in the W-1 zone with administrative approval, subject to section 11-513 of this ordinance.

(A) Valet parking;

(B) Restaurant;

(C) Outdoor dining;

(D) Outdoor market.

#### 5-503 - Special uses.

The following uses may be allowed in the W-1 zone pursuant to a special use permit:

\*\*\*

~~(D) Health and athletic club~~ Any use with live entertainment;

\*\*\*

~~(F) Nursery school~~ Outdoor dining other than pursuant to sections 5-502 and 5-502.1;

~~(G) Outdoor food and crafts market~~ other than pursuant to section 5-502.1;

\*\*\*

~~(J) Restaurant~~ Reserved;-

\*\*\*

\*\*\*

#### 5-511 - Use limitations.

~~Health club use shall include health, athletic, and bath clubs or establishments, massage establishment, including facilities incidental to such uses.~~

(A) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

\*\*\*

5-602 - Coordinated development districts created, consistency with master plan, required approvals.

(A) The CDD districts, as shown on Table 1, are as follows:  
Table 1. Coordinated Development Districts

\*\*\*

CDD No.	CDD Name	Without a CDD Special Use Permit	With a CDD Special Use Permit		
			Maximum F.A.R. and/or Development Levels	Maximum Height	Uses
25	ABC-Giant/Old Town North	CG/ Commercial Downtown regulations shall apply	<p>Maximum FAR: 3.5. Properties in this zone are ineligible to request Special Use Permit approval for the affordable housing bonus density provisions of Section 7-700 of the Zoning Ordinance.</p> <p>Minimum open space: Residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open</p>	The maximum heights shall conform to the Old Town North Small Area Plan as may be amended.	Multifamily dwelling; day care center; health and athletic club or fitness_ <u>studio</u> ; light assembly, service and crafts; personal service establishment; massage establishment; outdoor dining; pet supplies, grooming, training with no overnight accommodation; private school, academic or commercial, with more than 20 students on the premises at any one time; restaurant; retail shopping establishment; and valet parking.

			<p>space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the Director determines that such space functions as open space for residents to the same extent that ground level open space would. When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall be applicable to the residential component of the development.</p> <p>Minimum yards: None, except as may be applicable pursuant to the Old Town North Design Guidelines and pursuant to the supplemental yard and</p>		
--	--	--	--	--	--

			<p>setback regulations of Section 7-1000 and the zone transition requirements of Section 7- 900.</p> <p>Area Requirements: There are no lot area or frontage requirements.</p> <p>The height-to-setback ratio required in Section 6-403(A) of the Zoning Ordinance does not apply.</p> <p>All proposed development shall conform to the Old Town North Design Guidelines as may be amended.</p>		
26	Public Storage/ Boat US	I/Industrial regulations shall apply	<p>Maximum FAR: 2.5</p> <p>Minimum open space: A minimum of 10% of the land area occupied by primarily non-residential uses shall be provided as publicly-accessible,</p>	The maximum heights shall conform to the Eisenhower West Small Area Plan as may be amended.	Multifamily dwelling; self-storage/warehouse; animal care facility with no overnight accommodation; catering; glass shop; health and athletic club or fitness_ <u>studio</u> ; improved outdoor recreational facilities intended for passive and/or non-congregate

			<p>ground-level useable open space. A minimum of 30% of the land area within the CDD area occupied by primarily residential uses shall be provided as useable open space, half of which must be publicly-accessible, ground-level useable open space. Publicly-accessible, ground-level useable open space may be provided at any location within the CDD area to meet the open space requirement.</p> <p>Minimum yards: None, except as may be applicable pursuant to the supplemental yard and setback regulations of Section 7-1000.</p> <p>Area Requirements: There are no lot area or</p>		<p>recreational activities; light assembly, service and crafts; machine shop; manufacturing; massage establishment; motor vehicle parking or storage; outdoor dining; personal service establishment; printing and publishing services; private school, academic or commercial, with more than 20 students on the premises at any one time; recreational areas consisting of natural and unimproved geographic features; restaurant; retail shopping establishment; valet parking; and wholesale.</p>
--	--	--	--	--	---

			frontage requirements.  The height-to-setback ratio required in Section 6-403(A) of the Zoning Ordinance and the zone transition requirements of Section 7-900 do not apply.		
27	Greenhill/West Alexandria Properties	CG/Commercial General zone regulations shall apply except that I/Industrial zone regulations shall apply for the property currently addressed 611 South Pickett Street (Tax Map Number: 057.04-05-05).	Maximum FAR: 2.52, exclusive of: 1) bonus density and height as may be approved by Special Use Permit pursuant to Section 7-700 of the Zoning Ordinance as it may be amended; and 2) public school and public building uses.  Minimum open space: A minimum of 25% of the land area within the CDD area shall be provided as ground-level, useable open space. Ground-level useable open space may be	The maximum heights shall conform to the Landmark-Van Dorn Small Area Plan as may be amended.	Multifamily dwelling; <del>Amusement enterprise</del> <u>Recreation and entertainment use</u> ; active and/or congregate recreational facilities; animal care facility with no overnight accommodation; automobile and trailer rental or sales area; business and professional office; <del>convenience store</del> ; day care center; health and athletic club or fitness <u>studio</u> ; hotel; home for the elderly; improved outdoor recreational facilities intended for passive and/or non-congregate recreational activities; light assembly, service and crafts; massage establishment;



			<p>provided at any location within the CDD area to meet the open space requirement. In addition to the 25% requirement, primarily residential buildings shall provide rooftop open spaces/terraces or other outdoor amenity spaces.</p> <p>Minimum yards: None, except as may be applicable pursuant to the supplemental yard and setback regulations of Section 7-1000.</p> <p>Area Requirements: There are no lot area or frontage requirements.</p> <p>The height-to-setback ratio required in Section 6-403(A) of the Zoning Ordinance and the zone</p>		<p>medical office; outdoor dining; personal service establishment; private school, academic or commercial, with more than 20 students on the premises at any one time; public building; public park and community recreation buildings, including enclosed and semi-enclosed shelters and pavilions; public school; restaurant; retail shopping establishment; and valet parking.</p>
--	--	--	---	--	---

			transition requirements of Section 7-900 do not apply.		
--	--	--	--	--	--

\*\*\*

(E) Within each CDD, the following uses are permitted unless in specific conflict with the approved CDD concept plan or DSUP:

~~(1) Convenience store in an office complex.~~

(21) Health and athletic club or fitness studio in an office complex.

(32) Day care center.

Section 5. That the following Sections of Article VI of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

6-105 - Special uses.

The following uses may be allowed in the POS zone pursuant to a special use permit:

\*\*\*

(H) Outdoor ~~food and crafts~~ market;

\*\*\*

\*\*\*

6-202.1 - Administrative special uses.

The following uses may be allowed in the WPR zone with administrative approval, subject to section 11-513 of this ordinance.

(A) Restaurant;

(B) Outdoor dining;

(C) Outdoor market.

6-203 - Special uses.

The following uses may be allowed in the WPR zone pursuant to a special use permit:

(A) Any use with live entertainment;

(A.1) Bike rental;

\*\*\*

(D) Outdoor ~~food and crafts~~ market, other than pursuant to section 6-202.1;

(E) Outdoor dining, other than pursuant to section 6-202.1;

(~~E~~) Privately owned public use buildings such as civic auditoriums or performing arts centers;

(~~F~~) Restaurants, including outdoor cafes.

\*\*\*

6-503 - Retail focus areas.

A retail focus area (RFA) is a location at which retail and personal service uses are viewed as vital to the neighborhood. The locations designated as retail focus areas on the zoning maps are subject to the following requirements and regulations.

- (A) *Retail uses required.* One-twelfth of the area of each lot in a retail focus area, multiplied by the allowable floor area ratio for the site, shall be devoted to retail focus uses. The following uses, subject to the permitted and special use regulations of the underlying zone, qualify as retail focus uses:

~~Private school, commercial with a maximum of 20 students on the premises at one time;-~~

~~Convenience store;-~~

Health and athletic club or fitness studio;

~~Animal care facility with no overnight accommodation;-~~

Social service use;

~~Amusement enterprise~~ Recreation and entertainment use;

\*\*\*

\*\*\*

#### 6-603 - Uses.

\*\*\*

- (B) *Special use additions.* The following uses are allowed by special use permit, in addition to those listed in the CL zone:

- (1) ~~Amusement enterprise~~ Recreation and entertainment use, limited to live theater, music venues and similar entertainment opportunities.

- (C) *Retail focus uses.* Within the retail focus area, uses occupying first floor space of a building shall be limited to the following:

\*\*\*

- (3) ~~Amusement enterprise~~ Recreation and entertainment use, as limited in section (B)(1) above.

\*\*\*

- (7) Private school, commercial, with ~~a maximum of 20 students on the premises at one time and provided that the use shall occupy~~ no more than 30 feet frontage on Mount Vernon Avenue, and provided further that ~~more than 20 students on the premises at one time and~~ additional frontage space may be permitted with a special use permit.

- (D) *Administrative special uses.* Notwithstanding any contrary provisions of the zoning ordinance, the following uses may be allowed by the director by administrative review and approval pursuant to the standards and procedures of section 11-513.

\*\*\*

- (3) ~~Amusement enterprise, limited to live theater;~~

- (4) ~~Outdoor food and crafts markets;~~

\*\*\*

\*\*\*

6-702 - Uses.

(A) *Ground floor uses*

(1) *Permitted uses.*

~~(a) Animal care facility with no overnight accommodations;~~

(a.1) Building lobby, with a frontage of less than 30 feet along King Street;

(a.1) Day care center with frontage of less than 30 feet along King Street.

\*\*\*

(d) Private school, commercial, ~~with a maximum of 20 students on the premises at one time and~~ with a frontage of less than 30 feet along King Street;

(d.1) Recreation and entertainment use, indoor, with frontage of less than 30 feet along King Street;

\*\*\*

(g) Accessory uses-;

(h) Health and athletic club or fitness studio with frontage of less than 30 feet along King Street.

(2) *Special uses:*

~~(a) Amusement enterprise~~ Any use with live entertainment;

(b) Food and beverage production, exceeding ~~3,500~~ 5,000 square feet, which includes a retail component;

\*\*\*

~~(d) Convenience store~~ Reserved;

~~(e) Health and athletic club~~ Day care center extending for more than 30 feet along King Street;

\*\*\*

~~(g) Outdoor food and craft market,~~ other than pursuant to section 6-702(C);

\*\*\*

~~(i.1) Private school, commercial, with a maximum of 20 students on the premises at one time and~~ extending for more than 30 feet along King Street;

\*\*\*

~~(k) Restaurant, other than pursuant to section 6-702(C)~~ Recreation and entertainment use, outdoor;

\*\*\*

(B) *Upper floor uses.*

(1) *Permitted uses:*

\*\*\*

~~(f.1) Private school, commercial, with a maximum of 20 students on the premises at one time;~~

\*\*\*

(g) Radio or television broadcasting office and studio-;

(h) Social service use.

(2) *Special uses:*

\*\*\*

(k) Private school, ~~commercial or academic~~, with more than 20 students on the premises at one time;

\*\*\*

~~(m) Social service use-;~~

~~(n)~~ Wholesale business.

(C) *Administrative special uses.* Notwithstanding any contrary provisions of this ordinance, the following uses may be allowed by the director by administrative review and

approval pursuant to the standards and procedures of section 11-513 of this ordinance:

- (1) Valet parking;
- (2) ~~Reserved~~Outdoor market;
- (3) Restaurant ~~(ground floor only)~~;

\*\*\*

\*\*\*

#### 6-707 - Use limitations.

\*\*\*

(F) The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. All windows shall remain transparent. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage.

Section 6. That the following Sections of Article VII of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

#### 7-302 - Prohibited occupations.

Prohibited home occupations include but are not limited to the following:

\*\*\*

- (H) ~~Nursery school~~Day care center;-

\*\*\*

#### 7-303 - Use limitations.

Each home occupation shall be subject to the following use limitations each of which shall be applied equally and no one of which shall be interpreted as relaxing another:

- (A) ~~Only those persons who are bona fide residents of the premises may participate in the home occupation. There shall be no on site employment or use of labor from persons who are not bona fide residents of the dwelling. Up to two employees are permitted on-site.~~

\*\*\*

- (D) ~~There shall be no customers or clients permitted except in the case of instruction to students in which case~~ The number of patrons or students shall be limited to a total of 12 per day with no more than two patrons or students present at any one time. Patrons or students may visit the home occupation between the hours of 7 a.m. and 9 p.m., daily.

\*\*\*

Section 7. That the following Sections of Article VIII of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Sec. 8-200 - General parking regulations.

(A) *Schedule of requirements.* The following number of parking spaces shall be provided for each use listed. In the case of any use not listed in section 8-200(A), the requirements of the most similar listed use shall apply. The requirements of section 8-200(A) may be reduced when special zoning allows parking reductions and the required approvals of the director and the director of transportation and environmental services have been obtained and the conditions of said approval are complied with.

\*\*\*

- (13) ~~Amusement enterprise~~ Recreation and entertainment use (indoor): one space for each 200 square feet of floor area on all floors.
- (14) ~~Amusement enterprise~~ Recreation and entertainment use (outdoor): one space for each 400 square feet of designated use area. For the purposes of this section, designated use area does not include areas devoted exclusively to landscaping or parking.

\*\*\*

(16) *Specific commercial uses:*

\*\*\*

- (c) The following uses are specific commercial for the purposes of determining parking requirements:

- iii. ~~Convenience store~~ Reserved.

(17) *Restaurant:*

\*\*\*

- (c) For portions of a restaurant devoted to outdoor dining, the area occupied by the first 20 outdoor seats shall be exempt from the parking requirement. The area occupied by each seat over 20 shall be calculated as 15 square feet per seat.

- (18) Miscellaneous commercial uses, including, but not limited to, equipment and repair businesses, health and athletic club or fitness studios, garden centers, outdoor ~~food and crafts~~ markets, and funeral homes and all other commercial uses not otherwise defined: one space for each 400 square feet of floor area.

\*\*\*

\*\*\*

Sec. 8-400 - King Street Transit Parking District.

\*\*\*

- (B) *Requirements.* Within the King Street transit parking district, the following regulations shall apply to off-street parking; uses not listed shall provide parking pursuant to section 8-200(A):

\*\*\*

- (8) Hotel or office building projects with retail, restaurant or ~~amusement enterprise~~ recreation and entertainment use, indoor, as ancillary uses. No parking shall be required for the first 10,000 square feet of floor area for restaurants, for the first 10,000 square feet of floor area for retail uses and for the first 1,000 square feet of floor area for ~~amusement enterprise~~ recreation and entertainment use, indoor; provided, that such uses occupy not more than 25 percent of the total floor area of the mixed use building project. Parking for the excess floor area for such ancillary uses above 25 percent shall be provided pursuant to section 8-200(A).

\*\*\*

Section 8. That the following Sections of Division B of Article XI of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

11-511 - Administrative amendment to SUP.

The director is authorized to approve the following amendments to special use permits under the following circumstances and procedures:

(A) *Amendments authorized.*

\*\*\*

- (2) *Minor amendment.* Where an application proposes a change to a city council approved special use permit which constitutes no more than a minimal enlargement or extension, the director may administratively approve the change after determining that:
- (a) The changes are so insignificant, when the overall use is considered, that they will have little or no zoning impact on the adjacent properties or the neighborhood;
  - (b) The proposal will not change the character of the use or increase its overall intensity, including, without limitation,
    - (i) ~~No more than the following increases which may be permitted only once over the life of the permit:~~
      - ~~(a) Two additional hours of operation, but not to exceed hours consistent with an established neighborhood standard;~~
      - ~~(b) A maximum of 12 additional restaurant seats not to exceed 100 seats maximum;~~
      - ~~(c) Twenty percent additional classroom seats;~~
      - ~~(d) Twenty percent additional equipment;~~
    - (e) Up to 33 percent additional floor area;
  - ~~(e.1) Two delivery vehicles for restaurants with a minimum of 20 seats;~~
    - ~~(f) Similar increases for other aspects of the use; or alternatively,~~
  - (ii) The proposed change is no greater than what is allowed under the standards for administrative approval for the same use under section 11-513;
  - (c) There have been no substantiated violations of the special use permit conditions within the last five years;
  - ~~(d) The proposed change when considered in conjunction with all amendments since city council approval, does not exceed in the aggregate the limitations prescribed under this section 11-511.~~
  - (ed) The proposed change does not amend or delete conditions that were included to address community concerns.

\*\*\*

\*\*\*

11-513 - Administrative special use permit.

An applicant may seek the director's approval of a use identified in this ordinance as one for which administrative special use permit approval is available pursuant to the standards and procedures outlined in this section.

\*\*\*

(C) *General standards for all administrative uses:*

\*\*\*

- (2) The applicant shall provide information about alternative forms of transportation to access the ~~location of the use~~site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods.
- (3) The applicant shall encourage its employees ~~and customers~~ to use ~~mass transit~~public transportation ~~or to carpool when to traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities.~~

\*\*\*

- ~~(6) The applicant shall install signs inside the building indicating the location of off-street parking in the area and shall inform customers about the parking.~~
- (76) Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash and debris shall be allowed to accumulate outside of those containers. Outdoor trash receptacles shall be screened to the satisfaction of the director.
- ~~(8) The applicant shall contact the crime prevention unit of the Alexandria Police Department for a security survey and robbery awareness program for employees prior to the operation of the business.~~
- (97) Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation.
- ~~(108) The use must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line.~~
- (149) The administrative permit approved by the director pursuant to this section 11-513 shall be displayed in a conspicuous and publicly accessible place. A certificate provided by the city shall inform the public of its right to examine the list of standards associated with the permit. A copy of the list of standards associated with the permit shall be kept on the premises and made available for examination by the public upon request.
- (120) Improvements may be required to the facade or the front of the business establishment, including landscaping and site improvements, consistent with design guidelines and principles enumerated in the adopted small area plan for the neighborhood, and as determined by the director to be necessary and appropriate to achieve the design and streetscape objectives of that plan.
- (131) The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and methods to prevent underage sales of alcohol.
- (142) The director may require conditions additional to those listed in the standards of this section if the director finds it to be reasonable to support the use and its compatibility with surrounding uses and the neighborhood.
- (153) The request will not significantly and negatively impact nearby residential neighborhoods.



(164) The director of planning and zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the planning commission and city council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; or (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions; or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed.

(D) *Specific standards for day care in a church or school building.*

\*\*\*

(2) The facility shall provide adequate drop off and pick up facilities so as to create minimal impact on child safety and pedestrian and vehicular traffic.

\*\*\*

(E) *~~Specific standards for live theater:~~ Reserved.*

~~(1) The applicant may offer limited wine and beer sales in conjunction with performances at the intermission or one hour before the performances commence, with the appropriate licenses as required by law.~~

~~(2) The applicant may offer wine and beer in conjunction with a show opening or other wine and cheese event, with the appropriate licenses as required by law. A maximum of one event each month is permitted.~~

~~(3) The hours of performances shall be limited to 11:00 a.m. to 11:00 p.m. daily.~~

(F) *Specific standards for outdoor ~~food and crafts~~ markets:*

~~(1) No alcohol sales shall be permitted~~ On and off premises alcohol sales, consistent with a valid ABC license is permitted;-

~~(21) No on-site storage of trailers is permitted;~~

~~(3) No on-site food preparation shall be permitted;~~

~~(42) The hours of operation shall be limited to 7:00 a.m. to sundown 10 p.m. and the market shall be open on those days specified in the approved permit, not to exceed a maximum of two days a week.~~

(3) Limited live entertainment may be offered, and must comply with the City's noise ordinance.

\*\*\*

~~(5) Market operations shall include:-~~

~~(a) The applicant shall designate one person to serve as the market master, and another person to serve as alternate, and shall provide the names of those persons and their home and work telephone numbers to the director prior to the opening of the market;~~

~~(b4) The market master or his/her designee~~ applicant shall be present prior to the opening of the market and at the closing of the market and shall oversee the cleanup of the lot and adjacent sidewalk areas at the end of the market;

~~(c5) The market master~~ applicant shall prepare a plan for the layout of the market for approval by the director prior to beginning operations, and shall obtain approval of the director for any changes to those plans;

~~(d6) The market master~~ applicant shall prepare a set of rules for operation of the market for approval by the director who shall review any changes to those rules. Copies of

those rules shall be given to each vendor, to nearby residents and businesses, and to the civic associations in the vicinity;

~~(e) The rules shall state who is eligible to sell goods in the market and under what conditions. It is expected that the market shall include the sale of produce, and baked and prepared goods, and that the produce will be predominantly grown by the vendors, except during the spring and late fall when resale produce may predominate;~~

~~(f) The market master shall maintain a list of vendors with addresses and telephone numbers.~~

~~(6) All vendors shall adhere to, and the market master shall enforce, appropriate food safety guidelines developed by the Alexandria Health Department.~~

\*\*\*

(I) *Specific standards for catering operation.*

(1) The applicant shall post the hours of operation at the entrance of the business.

~~(2) No alcohol service is permitted.~~

~~(32) No food, beverages, or other material shall be stored outside.~~

~~(43) The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by transportation and environmental services.~~

~~(54) Deliveries to the business are prohibited between 11:00 p.m. and 7:00 a.m.~~

~~(65) The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the city's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the director of transportation and environmental services. The city's storage space guidelines and required recycling implementation plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the city's solid waste division at 703-519-3486 ext. 132.~~

~~(76) Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.~~

\*\*\*

(L) *Specific standards for restaurants.*

~~(1) The number of seats at the restaurant may not exceed 100.~~

~~(2) Reserved.~~

~~(3) The hours of operation shall be no greater than the prevailing hours of similar uses in the area, but in no event shall the restaurant stay open later than 12:00 midnight or open earlier than 5:00 a.m. Within the Mount Vernon Avenue Overlay zone and the NR zone areas, hours are limited to from 6:00 a.m. to 11:00 p.m., Sunday through Thursday, and from 6:00 a.m. to midnight, Friday and Saturday, although the closing hour for indoor seating may be extended until midnight four times a year for special events.~~

~~(41) The applicant shall post the hours of operation, as well as the location of off street parking at the entrance to the restaurant.~~

~~(52) Meals ordered before the closing hour may be served, but no new patrons may be admitted, n~~  
~~No new meals may be ordered and no alcohol served after the closing hour, and all patrons must leave by one hour after the closing hour.~~

~~(63) Limited, live entertainment may be offered and must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the~~

entertainment.

- (74) ~~Restaurants managed with a minimum of 20 seats may offer delivery service which shall be limited to two delivery vehicles, with a must be provided with dedicated off-street parking spaces for each delivery vehicle, and shall not be parked on the public right-of-way. No delivery of alcoholic beverages is permitted.~~
- (85) ~~On and off premises Full alcohol service sales, consistent with a valid ABC license is are permitted. No alcohol sales for off-premises consumption are permitted. Within the West Old Town neighborhood (bounded by Cameron, North West, Wythe and North Columbus Streets), no alcohol shall be served before 11:00 a.m. or after 10:00 p.m. daily. Within the Mount Vernon Avenue Overlay zone, the NR zone and the West Old town neighborhood areas, alcohol service is limited to table service.~~
- (96) No food, beverages, or other material shall be stored outside.
- (107) Kitchen equipment shall not be cleaned outside, including floor mats, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- (118) The applicant shall control odors, smoke and any other air pollution from the 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.
- (129) Deliveries to the business are prohibited between 11:00 p.m. and 7:00 a.m.
- (130) The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the city's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the director of transportation and environmental services. The City's storage space guidelines and required. Recycling implementation plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the city's solid waste division at 703-519-3486 ext. 132.
- (141) ~~Nightclub~~ Live entertainment is not permitted, as defined in section 2-190.22-164.1;
- (152) For restaurants within the Old Town Small Area Plan, all new restaurant uses and expansion or intensification of existing restaurant uses must satisfy the Old Town Restaurant Policies.
- (163) For restaurants within the Waterfront Small Area Plan, all new restaurant uses and expansion or intensification of existing restaurant uses must satisfy the Waterfront Restaurant Policies.
- (M) *Specific standards for outdoor dining.*
- (1) ~~Outdoor dining shall be accessory to an approved indoor restaurant~~ Reserved.

\*\*\*

- (3) A maximum of ~~20~~ 40 seats may be located at outdoor tables ~~in front of the restaurant.~~
- (4) The closing hours of operation for the outdoor dining shall be ~~the same as permitted for the indoor restaurant, unless a neighborhood standard has been established with a different time limited to 11 p.m.~~ Within the NR Zone, and the Mount Vernon Avenue Urban Overlay Zone ~~and the West Old Town neighborhood areas~~, outdoor dining shall be closed and cleared of all customers by 10:00 p.m. Sunday through Thursday and by 11:00 p.m. on Friday and Saturday. Within the Old Town Small Area Plan, outdoor dining shall be closed and cleared of all

customers by 11:00 p.m. daily, consistent with the King Street outdoor dining overlay zone section 6-805(E).

\*\*\*

- (6) Outdoor seating areas shall not include ~~advertising signage~~ on outdoor dining furniture or enclosures, including on umbrellas.
- (7) ~~On site alcohol service, to the extent allowed for indoor dining, is permitted; no off-premise alcohol sales are permitted.~~ On and off premises alcohol sales, consistent with a valid ABC license are permitted.

\*\*\*

(N) *Specific standards for valet parking.*

\*\*\*

- ~~(4) An approved permit for a valet parking operation shall be valid for an initial six-month period, after which it shall be reviewed for compliance with these standards and for its effectiveness in handling the drop off, ferrying, parking and retrieving of vehicles efficiently and effectively, and without undue interference with non-valet parking and traffic. If, on review, the directors determine that the valet parking program has operated successfully and in compliance with its permit, then the permit shall be extended indefinitely, with a similar review to occur at the end of each one-year period from that point forward. As part of the initial or annual review under this paragraph, the directors may require the operator to adjust the features of the program or, alternatively, to apply for a special use permit if there are concerns about the effectiveness, success or impacts of the valet parking program.~~

- (54) The provisions of section 8-300 of this ordinance, requiring an SUP for valet parking, shall not apply for valet parking approved under this section 11-513(M). In addition, a permit approved under this section may authorize valet parking to displace otherwise required parking spaces, notwithstanding the requirements of section 8-200, if it is determined that those spaces are not in demand during the times that the valet parking program will be in effect and that the use of the spaces for the valet parking program will reduce potential parking congestion on the public streets.

- (O) *Application to certain development special use permits.* The provisions of this section 11-513 have no application to any CO planned residential/commercial development and shall not preempt any conditions in any DSUP or CDD concept plan adopted prior to or after December 13, 2008, which conditions pertain to the establishment of restaurants and other uses which may be classified as permitted uses or as administrative SUP uses under this section 11-513 and under Ordinance #4573, adopted December 13, 2008, except as provided below:

- (1) Cameron Station, DSUP #2004-0026. In the commercial space along Brenman Park Drive, the following uses shall be permitted uses and the provisions of this section 11-513(O)(1) shall preempt any conflicting provisions of DSUP 2004-0026:

\*\*\*

- (d) ~~Convenience store~~Reserved;-

\*\*\*

- (f) Health and athletic club or fitness studio;

\*\*\*

- ~~(l) Pet supplies, grooming and training with no overnight accommodations;~~
- ~~(m) Restaurant; and~~
- ~~(n) Retail shopping establishments.~~

- (P) Specific standards for private schools, academic, and day care centers. Each such use

shall:

\*\*\*

- (2) Provide adequate drop off and pick up facilities so as to create minimal impact on child safety and pedestrian and vehicular traffic; and

\*\*\*

(Q) ~~Specific standards for health and athletic clubs~~. Each use shall: Reserved.

- (1) ~~Maintain hours of operation no greater than the prevailing hours of similar uses in the area, but in no event shall the health and athletic club stay open later than 12:00 midnight or open earlier than 5:00 a.m. Within the Mount Vernon Avenue Overlay zone and the NR zone areas, hours are limited to from 6:00 a.m. to 11:00 p.m., Sunday through Thursday, and from 6:00 a.m. to midnight, Friday and Saturday.~~

(R) *Specific standards for child and elder care homes for six to nine persons*. Each home operator of the use shall:

\*\*\*

- (5) Provide adequate drop off and pick up facilities so as to create minimal impact on child or elder safety and pedestrian and vehicular traffic.

\*\*\*

Section 9. That the following Section of Article XII of the Zoning Ordinance be, and the same hereby are, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

12-214 - Abatement of nonconforming uses.

\*\*\*

~~(D) Any convenience store existing on October 16, 1999, and any such store thereafter established, shall be considered to be a convenience store in perpetuity, notwithstanding the addition of floor area sufficient to remove the store from the size limitation set forth in the definition of such use, unless the store also adds features to the use which, regardless of size, are inconsistent with the definition of convenience store.~~

Section 10. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 11. That the foregoing Sections of Articles II – VIII, XI and XII, as amended pursuant to Section 1 through 9 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 12. 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.

18. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend Title 5, Chapter 6 of the City Code to update the existing sewage disposal ordinance related to

the discharge of Fats, Oils and Grease (FOG) into the sanitary sewer collection system from food service establishments.

(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. 18; 10/17/20, 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. 18; 10/17/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, motion by Councilwoman Chapman, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council deferred consideration on the ordinance until the next legislative meeting. 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.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Planning Commission (continued)**

None.

\*\*\*\*\*

**THERE BEING NO OTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council adjourned the public hearing meeting of October 17, 2020 at 2:30 p.m.. 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.

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APPROVED BY:

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JUSTIN M. WILSON    MAYOR

ATTEST:

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Gloria A. Sitton, CMC City Clerk

Adopted: February 9, 2021

Ratified:

**City of Alexandria  
City Council Legislative Meeting  
Tuesday, October 27, 2020 6:00 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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Triggs, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. Baker, Deputy City Manager; Ms. K. Taylor, Director, Finance; Mr. Greenlief, Assistant Director, Finance; Ms. S. Taylor, Legislative Director; Ms. Weledes, Special Assistant to the City Manager; Ms. Garvey, Director, Department of Community and Human Services (DCHS); Police Chief Brown; Ms. Wixson, Division Chief, DCHS; Ms. Layer, Assistant Director, DCHS; Ms. Bulova, Director, Office of Historic Alexandria; Mr. Duer, Emergency Services, DCHS; Mr. Barre, Information Technology Services; Mr. Skrabak, Deputy Director, T&ES; and Mr. Smith, Information Technology Services.

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 the members of City Council were present via Zoom webinar.

Mayor Wilson stated that due to the COVID-19 Pandemic Emergency, the October 27, 2020 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 4-0.01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289), to undertake essential business. All the members of the City Council and staff are participating from remote locations through a video conference call on Zoom. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, Virginia. The meeting can be access 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. Closed Meeting.

6:00 p.m. - Consideration of a closed meeting to discuss actual or probable litigation and a prospective business interest in locating or expanding its facilities in the City and for the discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council convened in closed executive session at 6:03 p.m., to consult with Legal Counsel and staff regarding actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiation or litigating posture of the public body and discussion of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected; specifically, potential settlement of litigation involving improvements at a school on the west end of the City; and the potential investment of public funds for development on the west end of the City; pursuant to Section 2.2-3711(A)(7) and (A)(6) of the Code of Virginia. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried 6-0, City Council reconvened in open session at 7:22 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Absent, Councilman Chapman.

**WHEREUPON**, upon, motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried 6-0 by roll-call vote, City Council adopted the resolution regarding the closed executive session previously circulated to Council. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Absent, Councilman Chapman.

The resolution reads as follows:

**RESOLUTION NO. 2964**

**WHEREAS**, the Alexandria City Council has this 27 day of October, 2020 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously, City Council authorized the City Attorney to enter into the settlement agreement to resolve the following four lawsuits to which the City is a party involving the improvements to the Parker Gray Stadium at T.C. Williams High School in the terms discussed in closed session:

\*Ky Lewis et. al. v. City of Alexandria et. al, Case No. CL-18-002864

\*William and Mimi Goff, et. al. v. The City Council of Alexandria, et. al., Case No. CL-18-003477

\*Dario Lugo III, et. al v. The City Council of Alexandria, et.al., Case No. CL-18-003479

\*Ethel Cacheris v. The City Council of Alexandria, et. al., Case No. CL-18-003463

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.

\*\*Mayor Wilson recognized the passing of two Alexandrians: Bernard Cohen, former State Delegate and attorney for the historic Loving v. Virginia case and Joe Shumard, City volunteer with many causes including the George Washington Birthday Celebration Parade, the Chamber of Commerce, the Friendship Firehouse and First Night Alexandria.\*\*

### 3. Public Discussion Period.

There were no speakers for the public discussion period.

Tim Sargent, Vic Atwall, and Rob McIntyre from Dominion Power were present to respond to questions and concerns about the recent power outages and how they plan to address the issues that have arose.

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

### **\*Legislative Subcommittee (Mayor Wilson and Vice Mayor Bennett-Parker)**

Mayor Wilson reported that the Legislative Subcommittee met to discuss the City's upcoming Legislative Package for 2021 and a review about the special session. Mayor Wilson noted that principles from the previous year were reviewed as well as recommendations from City boards and commissions, including various stormwater related items and the work session with the delegation is scheduled for November.

### **\*ARHA Redevelopment Committee (Mayor Wilson and Councilman Chapman)**

Mayor Wilson reported former Ramsey Homes will be completed soon with occupants moving in shortly thereafter and the ARHA Board making significant progress in selecting development partners for their other properties and they are awaiting final action on their HUD applications for final restructuring from the Federal government.

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

Mayor Wilson reported that the subcommittee discussed how the City could continue to partner with the schools to support reopening through City policies and other assistance to support a safe return for students.

### **\*COG Board of Directors (Mayor Wilson)**

Mayor Wilson reported that the Board adopted the jurisdictional contributions for the next year, decreasing the rate for the jurisdiction. Mayor Wilson reported that there was presentation on the regional rail run-through study and the feasibility of allowing inter-regional transit commuting with VRE and MARC.

### **\*Library Board (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the majority of the meeting was discussing the 10% budget reduction that the Library has been requested to submit for City Budget planning, with the potential elimination of Sunday services. Vice Mayor Bennett-Parker reported the usage statistics of the Library during the pandemic including well attended virtual events for Constitution Week and Hispanic Heritage Month.

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

Vice Mayor Bennett-Parker reported that the Board received a presentation on researching trends and slow recovery for travel during the pandemic, noting that people are feeling better about travel but remaining closer to home and fewer stops than in the past. Vice Mayor Bennett-Parker noted that travel was not expected to return to normal

volume until 2023. Visit Alexandria is planning Alexandria is planning Alexandria Shop Small week for November 27 – December 6 for the holidays.

**\*Northern Virginia Regional Commission (NVRC) (Vice Mayor Bennett-Parker and Councilman Chapman)**

Vice Mayor Bennett-Parker reported that the Commission approved the preliminary FY2022 budget and does not include an increase to per capita dues and renames the environmental division to environmental and resiliency planning adding a new position to address the issue of flooding. Vice Mayor Bennett-Parker noted that the Commission authorized the executive director to sign agreements with transportation technology partners to provide services to military bases in Northern Virginia. Vice Mayor Bennett-Parker noted that there was discussion about electronic participation at meetings. Councilman Chapman noted that most of the Commission was open to the discussion about the electronic participation at meetings.

**\*Washington Metropolitan Area Transit Authority (WMATA) (Councilman Aguirre)**

Councilman Aguirre noted that the WMATA received the audit and the opinion was that the financial statement was unmodified without any compliance issues and he thanked Chair Smedberg for his work on the audit. Councilman Aguirre reported that the rider advisory committee reported the lack of mask distribution and hand sanitizing stations at metro stations and he noted that there is increased communication campaign on the steps WMATA is taking to keep stations clean and safe for ridership.

**\*Alexandria Transportation Commission (Councilman Aguirre and Councilman Chapman)**

Councilman Aguirre reported that the Commission discussed the Transportation Long-Range Plan and the scoring sheets for specific projects, noting that the Commissioners agree with how staff has prioritized the projects. Councilman Aguirre reported that Commission reviewed the electric vehicle charging station strategy.

**\*COG Transportation Planning Board (Councilman Aguirre)**

Councilman Aguirre reported Citizen Advisory Committee is changing its name to the Community Advisory Committee and increasing membership from 15 seats to 21 seats with emphasis on participation.

**\*Potomac Yard Metrorail Implementation Group (PYMIG) (Councilman Aguirre and Mayor Wilson)**

Councilman Aguirre reported that the Metro station is on schedule. Mayor Wilson noted that there is a DSUP amendment to come before Council for consideration soon.

**\*2020 Census Complete Count Committee (Councilman Aguirre)**

Councilman Aguirre thanked staff that worked on the Census Complete Count and helped get the committee work into the community. Councilman Aguirre reported that the City of Alexandria had a self-response rate of 73.7% and the area census office reached 100%.

**\*INOVA Alexandria Health Systems Partners Board (Councilwoman Jackson)**

Councilwoman Jackson reported that received an updated from the Board and discussed vaccine distribution when it is ready. Councilwoman Jackson noted that Dr. Khan from Neighborhood Health reported that a majority of the visits to the clinic are telemedicine instead of walk-ins, with mobility community based testing. Councilwoman Jackson noted that opioid overdoses have increased significantly during the pandemic and the distribution of Narcan has increased. Councilwoman Jackson congratulated the Office of Emergency Management Responses on receiving a Gold Award for Cardiac Care. Councilwoman Jackson reported that patient capacity is below 50% but there has been a significant turnover of staff because of fatigue and PTSD during the pandemic. Councilman Seifeldein reported that the vaccination deployment plan was due to VDHS and they were waiting on approval of the plan.

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

Councilwoman Jackson reported that the Commission discussed affecting change through policy and concepts by applying a racial equity lens to the master plan for 2025. Councilwoman Jackson also noted that the Commission would focus on inclusion on mental health in the master plan for 2025. Councilman Aguirre recognized Ms. Eickert would work to engage a large group of individuals, particularly youth members, through workshops to gather feedback for master plan. Councilman Aguirre noted that the plan would be implanted in January 2021.

**\*Eisenhower East Design Review Board (Councilwoman Pepper)**

Councilwoman Pepper reported that the Board reviewed the two towers and approved the changes to the plans for the towers and those SUPs will be coming to Council for consideration.

**ORAL REPORT FROM THE CITY MANAGER**

City Manager Jinks reported that many of the streetlights throughout the City have been switched to LED lights and have helped reduced the cost of City's electricity bill, brighter lights and are using less energy.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER  
CONSENT CALENDAR (4-5)**

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

4. Consideration of the Monthly Financial Report for the Period Ending August 31, 2020.

(A copy of the City Manager's memorandum dated October 21, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 10/27/20, and is incorporated as part of this record by reference.)

5. Receipt of the Viewers' Report for Vacation for the vacation of a portion of the public right-of-way adjacent to 2 East Mason Avenue and along Commonwealth to add area to a residential side yard for a fence.

(A copy of the viewers' report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 10/27/20, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

City Council approved consent calendar items 4 and 5 under separate motions.

4. Consideration of the Monthly Financial Report for the Period Ending August 31, 2020.

(A copy of the City Manager's memorandum dated October 21, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 10/27/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council received the Monthly Financial Report. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

5. Receipt of the Viewers' Report for Vacation for the vacation of a portion of the public right-of-way adjacent to 2 East Mason Avenue and along Commonwealth to add area to a residential side yard for a fence.

(A copy of the viewers' report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 10/27/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council received the viewers' report for the vacation of a portion of the public right-of-way adjacent to 2 East Mason Avenue and along Commonwealth Avenue to add area to a residential side yard for a

fence. 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.

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

### **6. Report on the 2021 General Assembly Special Session.**

City Council received the report on the 2021 General Assembly Special Session from Legislative Director Sarah Taylor and responded to questions from Council.

### **7. Public Safety and Behavioral Health Response Models.**

(A copy of the City Manager's memorandum dated October 21, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/27/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Jackson and carried unanimously, City Council: (1) directed staff to continue work on policing and behavioral health issues identified in this report, including (a) data outcomes, (b) stakeholder engagement, (c) human services outreach in city facilities, and (d) coordination of the Children and Youth Master Plan Initiatives, and report back with an update to Council in six months; (2) considered resource needs related to policing and behavioral health issues in upcoming budget and policy discussions; and (3) allocate \$75,000 from the FY 2021 Policing Initiatives contingent to fund the recommended data analyst position for half a year. 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.

A motion was made by Councilman Chapman, seconded by Councilwoman Pepper, to defer docket item #8 and #9

**WHEREUPON**, upon substitute motion by Councilwoman Jackson, seconded by Vice Mayor Bennett-Parker and carried 6-1, to defer docket item #9. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, Councilwoman Pepper. The motion became the main motion.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council deferred docket item #9. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Pepper; Opposed, none.

\*\*\*Docket item #8 was heard out of order.\*\*\*

8. Office of Historic Alexandria Report on Plans and Initiatives.

(A copy of the presentation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 10/27/20, and is incorporated as part of this record by reference.)

City Council received the report from the Office of Historic Alexandria on Plans and Initiatives from Director Bulova.

9. Receipt of Proposed Coordinated Community Post-COVID-19 Recovery Plan.

(A copy of the City Manager's memorandum dated October 21, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 10/27/20, and is incorporated as part of this record.)

This item was deferred until a legislative meeting in November.

\*\*\*Docket Items #10 and #11 were heard out of order.\*\*\*

10. Consideration of the Reallocation of up to \$1.5 Million in Federal CARES Funding for Round 2 of Small Business Assistance Grants and for Winterization and Outdoor Activation Grants.

(A copy of the City Manager's memorandum dated October 21, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 10/27/20, and is incorporated as part of this record.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the allocation of Federal CARES funding to the following business support activities: (1) allocate up to \$995,000 in additional funding towards the second round of small business assistance grants to be administered by the Alexandria Economic Development Partnership (AEDP); and (2) allocate \$500,000 to initiate a Winterization and Outdoor Activation grants program for restaurants, retail, and fitness businesses with permits/permission to operate outdoors, to be administered by the AEDP. 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. Passage of an Ordinance to amend Title 5, Chapter 6 of the City Code to update the existing Sewage Disposal Ordinance related to the Discharge of Fats, Oils and Grease (FOG) into the Sanitary Sewer Collection System from Food Service Establishments.



(A copy of the City Manager's memorandum dated October 21, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 10/27/20, 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; 10/27/20, 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; 10/27/20 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved on second reading the ordinance that has been updated based on the feedback received from City Council following the introduction of the ordinance on October 6th and the public hearing on October 17th. A copy of the September 30th docket memo to City Council provides background information about Fats, Oils, and Grease (FOG) and a discussion that summarizes the need for a new ordinance and clarified that the date of enactment was July 1, 2021. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 5304

AN ORDINANCE to amend Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended by adding new Division 4 (FATS, OILS, AND GREASE (FOG), FOG MANAGEMENT PROGRAM).

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

Section 1. That Chapter 6 of Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding a new Division 4 as follows:

#### **Division 4 - FATS, OILS, AND GREASE (FOG), FOG MANAGEMENT PROGRAM**

##### **Sec. 5-6-226 - Purpose.**

The purpose of this division is to aid in preventing the introduction and accumulation of fats, oils and grease into the City's sanitary sewer collection system that may cause or contribute to sanitary sewer blockages, obstructions, and sanitary sewer overflows. All new and existing food service establishments and other industrial or commercial establishments generating wastewater containing fats, oils, and grease are subject to this section.

**Sec. 5-6-227 - Application.**

The FOG management program shall apply to all new and existing food service establishments and other industrial or commercial establishments generating wastewater containing fats, oils, and grease within the City of Alexandria.

**Sec. 5-6-228 - Definitions.**

(a) *Fats, oils, and grease (FOG)* shall mean any material, either liquid or solid, composed of fats, oils, or grease from animal or vegetable sources. Examples of FOG include, but are not limited to: kitchen cooking grease, cooking oil, shortening, fat from meats, dairy products, oily sauces, and any organic polar compounds derived from animal and/or plant sources that contain multiple carbon triglyceride molecules. FOG may be referred to herein as "grease" or "greases".

(b) *Food service establishments (FSE)* shall mean any commercial, industrial, institutional, or food processing facility discharging kitchen or food preparation wastewaters including, but not limited to: restaurants, commercial kitchens, caterers, hotels, cafeterias, prisons or jails, care institutions, hospitals, schools, and churches.

(c) *FOG Best management practices (BMPs)* shall mean a collection of industry accepted practices for handling and disposing of FOG laden wastewaters. Examples include, but are not limited to: prohibiting pouring or scraping FOG wastes down the drain; wiping grease out of pots, pans and plates prior to washing; posting "No Grease" signs; retaining operation and maintenance records; and related training of kitchen staff.

(d) *Grease control device (GCD)* shall mean a device used to collect, contain, or remove food waste and grease from the wastewater while allowing the remaining wastewater to be discharged to the sanitary sewer collection system. Devices include, but are not limited to grease interceptors, grease traps, grease recovery devices, and other devices approved by the Director.

(e) *Grease interceptor* shall mean a structure or device, usually located underground and outside of a food service establishment, designed to collect, contain, and remove FOG from the wastewater while allowing the remaining wastewater to be discharged to the City's sanitary sewer collection system by gravity.

(f) *Grease recovery device* shall mean an active, automatic device that separates and removes FOG from the wastewater and cleans itself of accumulated FOG at least once every twenty-four (24) hours.

(g) *Grease trap* shall mean a device, typically located indoors and under the sink, designed for separating and retaining FOG prior to the wastewater exiting the trap and entering the City's sanitary sewer collection system. Such devices are typically passive and compact with removable baffles.

(h) *Director* shall mean director of the department of transportation and environmental services or an authorized designee.

(i) *City's sanitary sewer collection system* shall mean the sanitary sewers owned, maintained, and operated by the City of Alexandria.

#### **Sec. 5-6-229 - FOG discharge limitations.**

No person shall discharge or cause to be discharged from any food service establishment any wastewater with FOG unless it employs a passive or active system as proscribed in this division.

Under no circumstances shall any food service establishment use the City's sanitary sewer collection system for disposal of FOG, including, but not limited to, discharging undiluted FOG or FOG that is not contained in wastewater into the City's sanitary sewer collection system.

##### **Sec. 5-6-229.1- Passive system requirements.**

(a) *Grease traps*. A grease trap shall be sized and engineered based upon the anticipated load and/or conditions of actual use and must be approved by an official designated by the City. A grease trap shall receive grease laden waste discharge from major point sources. A floor drain shall not be considered a major point source.

(b) *Grease interceptor*. The size, type, and location of each grease interceptor must be approved by an official designated by the City. Grease interceptors of pre-cast or poured in-place concrete shall be constructed of sound durable material, not be subjected to excessive corrosion or decay, and shall be water and gas tight.

##### **Sec. 5-6-229.2 - Active system requirements.**

(a) *Grease recovery devices*. Grease recovery devices shall be permitted in lieu of grease interceptors or grease traps as approved by an official designated by the City and in accordance with the following requirements:

(1) *Location*. Grease recovery devices shall receive all grease laden waste discharge from the major point sources. A floor drain shall not be considered a major point source.

(2) *Sizing*. Grease recovery devices shall be sized based upon the anticipated load and/or conditions of actual use.

### **Sec. 5-6-229.3- Installation of Active and Passive systems**

Food service establishments shall be required to install, operate, and maintain all active or passive systems in compliance with this division and the Virginia Plumbing Code or its successors, if applicable, and any other applicable laws. Grease control devices shall be installed prior to the issuance of a certificate of occupancy.

Active and passive systems shall be installed by a plumber licensed in the Commonwealth of Virginia. Prior to installation of grease control devices, any permits required to be obtained in accordance with the Virginia Plumbing Code or its successor must be secured. All systems shall be installed and connected so that it may be readily accessible for inspection, cleaning, and removal of the intercepted food waste and grease at any time.

Under no circumstances shall wastewater containing FOG be directly discharged into the City's sanitary sewer collection system in a manner that circumvents an installed active or passive system.

#### **Sec. 5-6-229.4- Existing establishments.**

Existing food service establishments in operation as of the effective date of this division shall be allowed to operate and maintain their existing grease control devices, provided such grease control devices are in proper operating condition and not found to be contributing FOG. If its grease control device is determined to be inadequately sized or maintained and is contributing FOG into the City's sanitary sewer collection system, the offending food service establishment shall comply with the requirements of this division.

#### **Sec. 5-6-229.5- Retrofitting and renovations by existing establishments.**

(a) Existing food service establishments may be required to install or upgrade their active or passive system in accordance with this division if such food service establishment is contributing FOG to the sanitary sewer system, as determined by the City of Alexandria.

(b) Food service establishments that are renovated or expanded shall, if required by the Virginia Plumbing Code, install new grease control devices meeting the requirements of such Code.

#### **Sec. 5-6-229.6 - Maintenance of active and passive systems.**

(a) All systems shall be maintained at the owner's expense. Maintenance shall include the complete removal of all contents, including floating material, wastewater, and settled solids. Decanting or discharging of removed waste back into the grease interceptor or private sewer line or into any portion of the City of Alexandria sanitary sewer collection system is prohibited.

(b) Grease interceptors shall be pumped out completely when the total accumulation of FOG, including floating solids and settled solids, exceeds twenty-five percent (25%) of the overall liquid volume. At no time shall a grease control device be cleaned less frequently than once every 3 months unless allowed by the director for good cause shown. Approval may be granted at the director's discretion on a case-by-case basis upon submittal of a request by the food service establishments, documenting reasons for the proposed frequency variance. The director shall not approve any request unless the applicant demonstrates that the frequency will not result in the introduction of any greater quantities of FOG into the City's sanitary sewer collection system than would otherwise be introduced.

(c) All other grease control devices shall be opened, inspected and completely cleaned of food solids and FOG a minimum of once per week, unless allowed by the director for good cause shown. Approval may be granted at the director's discretion on a case-by-case basis upon submittal of a request by the food service establishments documenting reasons for the proposed frequency variance. The director shall not approve any request unless the applicant demonstrates that the frequency will not result in the introduction of any greater quantities of FOG into the City's sanitary sewer collection system than would otherwise be introduced. In no event shall the content of food solids and FOG exceed twenty-five percent (25%) of the overall liquid depth of the device.

(d) The director may establish a more frequent cleaning schedule if the food service establishment is found to be contributing FOG in quantities sufficient to cause line stoppages or to necessitate increased maintenance of the sanitary sewer collection system.

(e) The use of additives including, but not limited to, products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes or bacteria are prohibited for use as grease management control; provided, however, that additives may be used to clean the food service

establishment drain lines so long as the usage of such additives will not cause FOG to be discharged from the grease control device to the sanitary sewer system. The use of additives shall not be substituted for the maintenance procedures required by this section.

(f) No materials removed from grease control devices shall be returned into any portion of the City's sanitary sewer collection system.

#### **Sec. 5-6-229.7 - Record Keeping**

Food service establishments shall retain and make available for inspection, records of all cleaning, maintenance, and disposal (waste manifests) for the previous 18 months for all grease control devices. Cleaning and maintenance records shall include, at a minimum, the dates of cleaning or maintenance, the names and business address of the company or person performing each cleaning or maintenance, the volume of waste removed in each cleaning, the transporter and the disposal site. Such records shall be kept on site and shall be made immediately available to the director or his or her designee. This includes grease that is donated, sent for recycling, or any other form of disposal

#### **Sec. 5-6-229.8 - Inspection of grease control devices.**

The director, or his or her designee, shall have the right of entry into any food service establishments for the purpose of making inspections, observation, measurements, sampling, testing or records review of the sanitary sewer collection system and active or passive systems installed in such building or premise to ensure that the food service establishment is in compliance with this division. The owner or occupant may accompany the director or his or her designee. Operational changes, maintenance, and repairs required by the director shall be implemented as noted in the written notice received by the food service establishments.

#### **Sec. 5-6-229.9 - FOG program compliance.**

Compliance with the requirements of the FOG program is mandatory for all food service establishments within the City of Alexandria and may require existing food service establishments to modify or repair any noncompliant active or passive systems and appurtenances as noted in the written notice received by the food service establishments.

If a food service establishment receives written notice requiring installation of an active or passive system, the food service establishment shall install such necessary grease interceptors within 120 days of receipt of the written notification or grease traps within 90 days of receipt of written notification.

#### **Sec. 5-6-229.10 - Penalties**

(a) It shall be unlawful for any food service establishment to fail to comply with any provision of this division that applies to it. The owner of any such food service establishment that fails to comply with any applicable provision shall be in violation of this division.

(b) Violations of this division shall be addressed, and penalties shall be issued in accordance with City Code 1-1-11. For each violation, the owner shall be liable for a class four civil violation.

(c) Each day that a violation exists or persists shall constitute a separate violation of this chapter.

(d) The remedies provided in this section are cumulative and not exclusive. The designation of a violation of this chapter as a civil violation shall not be construed as prohibiting initiation

of appropriate administrative or civil procedures pursuant to city, state, or federal law to prevent, correct, restrain, or abate violations of the chapter, including injunctive relief.

Section 2. That Chapter 6 of Title 5 is amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective July 1, 2021.

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

1. Councilman Aguirre reported that Senator Warner visited Alexandria to discuss Temporary Protective Status and discuss the issue with the community.

2. Councilman Aguirre thanked staff for the work on the Arlandria-Chirilagua Small Area Plan and work to include all the members of the community offering meetings in English and Spanish.

3. Councilman Aguirre thanked the Chamber of Commerce from restarting Leadership Alexandria, where he, Mayor Wilson, and City Manager Jinks participated in a session.

4. Councilman Chapman reported that the 100th Anniversary Celebration for Parker-Gray was held.

5. Councilman Chapman congratulated Councilman Aguirre on being named 40 Under 40 by the Chamber of Commerce.

## **OTHER**

12. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated October 21, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 10/27/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Bennett-Parker and carried 6-0, City Council: (1) received the updated FY 2021 City Council Schedule which includes: the City CIP/Process Overview and Major Project Updates Work Session on Thursday, October 29, 2020 at 7:00 p.m. (Virtual); the City CIP/Major Project Updates (continued) on Monday, November 16, 2020 at 7:00 p.m., location TBD; the Joint Work Session with City Council with City Council and ACPS on Tuesday, November 17, 2020 at 7:00 p.m., location TBD; and (2) adopted the FY 2021 City Council Scheduled for October 2020 through July 2021. City Council noted that the November 10 Legislative Meeting, November 14 Public Hearing meeting and the November 7 City Council Retreat would be held virtually. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Seifeldein and carried 6-0, City Council adjourned the legislative meeting of October 27, 2020 at 11:56 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

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**APPROVED BY:**

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**JUSTIN M. WILSON    MAYOR**

**ATTEST:**

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Gloria A. Sitton, CMC    City Clerk

Adopted:      February 9, 2021

Ratified:



**City of Alexandria  
City Council Legislative Meeting  
Tuesday, October 6, 2020 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. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Parks, Clerk of Court; Ms. Suehr, Director, Department of Project Implementation (DPI); Ms. Kott, Division Chief, DPI; Mr. Shelby, Urban Planner, Planning and Zoning; Ms. McIlvaine, Director, Office of Housing; Mr. Moritz, Director, Planning and Zoning; Mr. Ziemann, Division Chief, T&ES; Mr. Skrabak, Deputy Director, T&ES; Ms. Bevis-Carver, Civil Engineer, T&ES; Mr. Smith, Information Technology Services; and Mr. Barre, Information Technology Services.

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

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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, with Councilman Chapman and Councilman Aguirre joining following roll call. All members and staff were participating via video conference call.

Mayor Wilson stated that due to the COVID-19 Pandemic Emergency, the October 6, 2020 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 the 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.

There were no speakers signed up for the public discussion period.

## **PROCLAMATIONS**

3. Presentation of a Proclamation Recognizing Latino Heritage Month.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded Councilwoman Pepper, and carried unanimously, City Council endorsed the proclamation. 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.

4. Presentation of a Proclamation Recognizing October as National Bullying Awareness Month.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council endorsed the proclamation. 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.

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

### **\*Citizen Corps Council (Councilwoman Jackson and Councilman Seifeldein)**

Councilwoman Jackson reported that the Council discussed COVID-19 and the volunteer activity the Council has been performing to assist during this pandemic. Councilwoman Jackson also noted the Council reviewed the use of Google Maps Layer to track the cases in the community. Councilwoman Jackson recognized the CERT for being recognized as a hazmat training group nationally, offering training around the country.

### **\*Eisenhower Partnership Board of Directors (Councilwoman Jackson and Councilwoman Pepper)**

Councilwoman Jackson reported that Partnership will be sponsoring a fall drive-in movie series and they are still working with the Scholarship Fund of Alexandria to establish a scholarship in honor of Engin Artemel, a former director of City Planning and Zoning and prominent City resident.

### **\*COG Chesapeake Bay and Water Resources Commission (Councilwoman Jackson)**

Councilwoman Jackson reported that the Commission held a virtual water quality forum, with representation from the region to participate in the event and discussed climate resiliency, tree canopies including stormwater, stream restoration, and equity issues and reaching diverse communities.

### **\*Northern Virginia Regional Commission (NVRC) (Vice Mayor Bennett-Parker and Councilman Chapman)**

Vice Mayor Bennett-Parker reported that the Commission received an update on the

economic impact of immigrants on the Northern Virginia, noting the impact of the pandemic on immigrant communities and the level of entrepreneurship in those communities. Vice Mayor Bennett-Parker also reported that NVRC hosted a webinar on flood resiliency in Northern Virginia.

Councilman Chapman reported that Commission did an emergency resolution to modify meetings process to allow for virtual meetings. Councilman Chapman also reported that the Commission authorized the acceptance of a bicycle safety grant from VDOT and they received an updated on the Solarize NOVA program with 63 contracts looking to increase the use of solar energy in the region.

**\*Northern Virginia Transportation Commission (NVTC) (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Vice Mayor Bennett-Parker reported that WMATA CEO Weidefeld gave a presentation and noted that CARES Act funding for WMATA would likely be exhausted by December or January and the would be in need of additional funding to keep the system running and the WMATA Board approved a public hearing for mid-year budget to discuss decreasing services for rail and bus services, including reduction of routes and services in Alexandria. Vice Mayor Bennett-Parker reported that the program advisory committee approved reduced program for the I-66 project and they authorized the funding of the preliminary FY22 Capital Budget for VRE.

Councilman Aguirre reported noted that public comments on service changes to WMATA can be submitted through their website. Councilman Aguirre noted that service changes would affect the connectivity from the West End to the Pentagon. City Council requested that a letter be sent to the WMATA Board to express the City's concern about the changes.

**\*Alexandria Works! Coalition (Vice Mayor Bennett-Parker and Councilwoman Pepper)**

Councilwoman Pepper reported that the group received a presentation on snapshot of activities and impact of the COVID-19 pandemic on the Workforce Development Center and the services that are being offered at the center.

Vice Mayor Bennett-Parker reported on a new initiative offered by the center in conjunction with Arlington County to offer residents courses and skills enhancement for job preparation. Vice Mayor Bennett-Parker noted that there was the pilot program started for on-the-job training that was funded by CARES Act money.

**\*COG Climate Energy and Environment Policy Committee (CEEPC) (Councilwoman Pepper)**

Councilwoman Pepper reported the Committee was developing a regional 2030 Regional Greenhouse Gases Emissions Reductions goal and a 2030 Climate and Energy Action Plan.

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

Councilwoman Pepper reported that the air quality in the region was the best it had been since the air quality has been tracked.

**\*Sister Cities Committee (Councilman Chapman)**

Councilman Chapman reported that Committee discussed how to deal with activities and events during the pandemic and how to present their usual activities to the community. Councilman Chapman noted that the committee is working with staff to see how they can have events with Dundee during the holiday season virtually. Councilman Chapman noted that the committee would be contacting Helsingborg to get information on their upcoming climate change conference.

**\*COG Human Services Policy Committee (Councilman Chapman)**

Councilman Chapman reported that the Committee set the annual agenda and he noted that one of the main focus areas would be homelessness in the region. Councilman Chapman reported that Committee developed a regional compact addressing the issue and he would share the final document with Council once it is complete.

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

Mayor Wilson reported that the group received updates around early childhood education and work related to the COVID response. Mayor Wilson reported there was an update on afterschool plans and received an inventory of assets that can be used for after school services identified and partnered with public and private entities in the community who could service the needs. Mayor Wilson reported that they received a presentation from the ACPS staff on the upcoming rebuild at Minnie Howard and there will be more conversations with the school board on that project and the potential for co-location opportunities.

Councilman Chapman noted that there was a discussion about the temporary displacement of field space and how to address those needs as they come up.

**\*Northern Virginia Transportation Authority (NVTA) (Mayor Wilson)**

Mayor Wilson reported that they received a report on transit ridership and bus ridership that has decreased dramatically. Mayor Wilson also noted that drivers have returned to the roads in significant numbers, with toll roads having decreased usage. Mayor Wilson suggested that Council review the opportunity to shift capacity to usage of DASH and other transit options in the community.

**ORAL REPORT FROM THE CITY MANAGER**

City Manager Jinks reported that Conde Nast Traveler has ranked Alexandria in the top five for their readers' choice award.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER  
CONSENT CALENDAR (5-12)**

**(Resignations and Uncontested Appointments)**

5. Receipt of the following resignation from Members of Boards, Commissions and Committees:

- (a) Commission for the Arts  
Shaan Shuster

Uncontested Appointments to Boards, Commissions and Committees:

6. Uncontested Appointments to Boards, Commissions, and Committees:

- (a) Beautification Commission  
1 Citizen Member
- (b) Building Code Board of Appeals  
1 Citizen Member
- (c) Commission on Information Technology  
1 Member Representing an Institution of Higher Education located in Northern Virginia
- (d) Commission on Persons with Disabilities  
2 Citizen Members
- (e) Emergency Medical Services Council  
1 Citizen Member
- (f) George Washington Birthday Celebration Committee  
1 member to be nominated by the George Washington Chapter of the Sons of the American Revolution
- (g) Historic Alexandria Resources Commission  
1 Representative from the George Washington Masonic Memorial
- (h) Industrial Development Authority  
1 Citizen Member
- (i) Landlord-Tenant Relations Board  
1 Landlord Representative
- (j) Park and Recreation Commission  
1 Member from Planning District I
- (k) Urban Design Advisory Committee  
1 Resident Representing the Old Town North Residential Community

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6, 10/06/20; and is incorporated as part of this record by reference.)

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

7. Consideration of Submission of a Grant Application for a Circuit Court Records Preservation Program, Item Conservation Grant from the Library of Virginia.

(A copy of the City Manager's memorandum dated September 20, 2020, is on file in the Office of the City Clerk and Clerk of Council, 10/06/20; and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

8. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance authorizing the owner of the property located at 1217 Colonial Avenue to construct and maintain an encroachment for a retaining wall at that location (Implementation Ordinance for Encroachment No. 2020-0003 associated with 1217 Colonial Avenue approved by City Council on September 12, 2020).

(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. 8; 10/06/20, 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. 8; 10/06/20 and is incorporated as part of this record by reference.)

9. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 1-700 (ESTABLISHMENT OF ZONES) of Article I (GENERAL REGULATIONS); Sections 2-138 (DWELLING, TOWNHOUSE), 2-140 (DWELLING, TWO-FAMILY), 2-145 (FLOOR AREA), 2-154 (HEIGHT OF BUILDING), 2-174 (MEDICAL CARE FACILITY), of Article II (DEFINITIONS); Sections 3-707 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1108 (CERTAIN STRUCTURES, LOTS AND USES INCONSISTENT WITH THESE PROVISIONS), 3-1406 (FLOOR AREA RATIO), of Article III (RESIDENTIAL ZONE REGULATIONS); Sections 7-202 (PERMITTED OBSTRUCTIONS), 7-1701 (OPEN AND CLOSED FENCES LESS THAT SIX FEET IN HEIGHT), 7-1702 (CORNER LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS); Sections 11-804 (CONDITIONAL ZONING), 11-1008 (FINAL DECISIONS SUBJECT TO JUDICIAL REVIEW), 11-1103 (STANDARDS FOR VARIANCE), 11-1104 (CONDITIONS AND RESTRICTIONS), 11-1207 (WRITTEN NOTICE OR ORDER), 11-1302 (SPECIAL EXCEPTION ESTABLISHED), of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES); Sections 12-101 (TERMS DEFINED) and 12-102 (NONCOMPLYING STRUCTURES) of Article XII (NONCOMPLIANCE AND NONCONFORMITY) and to add and ordain Section 7-1703 (THROUGH LOTS), of Article VII (SUPPLEMENTAL ZONE REGULATIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00005 (Implementation Ordinance for Text Amendment No. 2020-0005 associated with Zoning Ordinance Practical Updates approved by City Council on September 12, 2020).

(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. 9; 10/27/20, 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. 9; 10/27/20 and is incorporated as part of this record by reference.)

10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 7-2100 (Increased density and height for public elementary and secondary schools) of Article VII (Supplemental Zone Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2019-00007 (Implementation Ordinance for Text Amendment No. 2019-00007 associated with Increased Density for Public School Sites approved by City Council on September 12, 2020).

(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. 10; 10/06/20, 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. 10; 10/06/20 and is incorporated as part of this record by reference.)

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Sheet No. 051.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning a portion of the property at 1101 Janneys Lane from, POS/Public open space and community recreation zone to R-8/Single-family zone; by rezoning 1201 and 1203 Janneys Lane from R-20/Single-family zone to R-8/Single-family zone; and by rezoning a portion of 1099 Francis Hammond Parkway from R-8/Single-family zone to POS/Public open space and community recreation zone in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00002 (Implementation Ordinance for Rezoning No. 2020-00002 associated with Douglas MacArthur Elementary School approved by City Council on September 12, 2020).

(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. 11; 10/27/20, 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. 11; 10/27/20 and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Articles II - VIII, XI and XII to amend commercial use definitions, commercial use conditions and home occupation requirements and to change certain uses from requiring Special Use Permits and Administrative Use Permits to either Administrative Special Use Permits or permitted uses, of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2020-00003 (Implementation Ordinance for Text Amendment No. 2020-00003 associated with small business practical updates approved by City Council on September 12, 2020).

(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. 12; 10/06/20, 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. 12; 10/06/20 and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council approved the consent calendar. The City Manager's recommendations were as follows:

5. City Council received the following resignation with regret: (a) Shaan Shuster, Commission for the Arts.

6. City Council appointed the following persons to boards, commissions, and committees: (a) appointed Steven Cohen as the citizen member to the Beautification Commission; (b) appointed James Jordan as the citizen member to the Building Code Board of Appeals; (c) appointed J.D. Maddox as the member representing an institution of higher education located in Northern Virginia to the Commission on Information Technology; (d) appointed Christopher Nace and Mark Reddish as the two citizen members to the Commission on Persons with Disabilities; (e) appointed Taylor Herbel as the citizen member to the Emergency Medical Services Council; (f) appointed Edgar Bates as the representative from the George Washington Chapter of the Sons of the American Revolution to the George Washington Birthday Celebration Committee; (g) appointed Shawn Eyer as the representative from the George Washington Masonic Memorial to the Historic Alexandria Resources Commission; (h) appointed Eric Strickland as the citizen member to the Industrial Development Authority; (i) appointed Soomin Kim as the landlord representative to the Landlord-Tenant Relations Board; (j) appointed Stuart Fox as the representative from Park Planning District I to the Park and Recreation Commission; and (k) reappointed Thomas Soapes as the resident representing Old Town North to the Urban Design Advisory Committee.

7. City Council: (1) approved a grant application totaling \$15,375, to be submitted not later than October 21, 2020, the Library of Virginia. The exact amount awarded will be determined by the Library of Virginia Grants Review Board which consists of LVA historical



and conservation experts along with four Circuit Court Clerks; and (2) authorized the City Manager and the Clerk of the Circuit Court to execute all necessary documents that may be required.

8. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading, and final passage on Saturday, October 17, 2020.

9. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading, and final passage on Saturday, October 17, 2020.

10. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading, and final passage on Saturday, October 17, 2020.

11. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading, and final passage on Saturday, October 17, 2020.

12. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading, and final passage on Saturday, October 17, 2020.

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.

## **CONTESTED APPOINTMENTS**

13. Alexandria-Caen Sister City Committee  
1 Citizen Member

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

NAME: ENDORSEMENT:

Scott Campbell  
Kylly Larriviere

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. of Item No. 13; 10/06/20, and is incorporated as part of this record by reference.)

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

Wilson	-	Campbell
Bennett-Parker	-	Campbell
Aguirre	-	Campbell
Chapman	-	Campbell
Jackson	-	Campbell
Pepper	-	Campbell

Seifeldein - Campbell

14. Commission for Women  
2 Citizen Members

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

NAME: ENDORSEMENTS:

Marie Divine  
Yvette Jiang  
Crystal Kramer

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. of Item No. 14; 10/06/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Marie R. Divine and Yvette Jiang as the two citizen members to the Commission for Women. The vote was as follows:

Wilson	-	Divine, Kramer
Bennett-Parker	-	Divine, Jiang
Aguirre	-	Jiang, Kramer
Chapman	-	Divine, Jiang
Jackson	-	Divine, Kramer
Pepper	-	Jiang, Kramer
Seifeldein	-	Divine, Jiang

15. Commission for the Arts  
1 Member Shall be a Student who Resides in the City and Attends a High School located in the City of Alexandria

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

NAME: ENDORSEMENTS:

Elizabeth Lo  
Sydney Payne  
Victoria Waller

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. of Item No. 15; 10/06/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Elizabeth Lo as the member who shall be a student resides in the City and attends a high school located in the City of Alexandria to the Commission for the Arts. The vote was as follows:

Wilson	-	Lo
Bennett-Parker	-	Lo
Aguirre	-	Lo
Chapman	-	Waller
Jackson	-	Lo
Pepper	-	Lo
Seifeldein	-	Waller

16. Traffic and Parking Board  
1 Citizen Member

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

NAME: ENDORSEMENTS:

Samantha Brann  
Lavonda Bonnard  
Frank Capone  
Harold Curry  
Geoffrey Goode

(Materials pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. of Item No. 13; 10/06/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots were tallied with the following results: No candidate received a majority of the vote and second vote was required. The vote was as follows:

Wilson	-	Goode
Bennett-Parker	-	Bonnard
Aguirre	-	Bonnard
Chapman	-	Curry
Jackson	-	Curry
Pepper	-	Bonnard
Seifeldein	-	Curry

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Lavonda Bonnard as the citizen member to the Traffic and Parking Board. The final vote was as follows:

Wilson	-	Bonnard
Bennett-Parker	-	Bonnard
Aguirre	-	Bonnard
Chapman	-	Curry
Jackson	-	Curry
Pepper	-	Bonnard

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

### **17. Potomac Yard Metro Oral 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. 17; 10/06/20, and is incorporated as part of this record by reference.)

City Council received the report on Potomac Yard Metro construction.

### **18. Oral Update Regarding the Accessory Dwelling Unit Policy Study.**

(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. 18; 10/06/20, and is incorporated as part of this record by reference.)

City Council received the update and the proposed schedule for further stakeholder engagement, as well as the timeline for bringing final recommendations back to City Council for consideration.

### **19. Review and Confirmation of the Extension of Suspension of Enforcement of Certain City Codes and Ordinances Taken by the City Manager Pursuant to the City's Continuity of Government Ordinance to Continue to Ease Certain Restrictions on Businesses that are Working to Comply with the Governor's Forward Virginia Plan.**

(A copy of the City Manager's memorandum dated September 30, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 10/06/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) confirmed the extension of the suspension of the codes and ordinances to allow flexibility for businesses as described in the document and allow the suspensions to continue until March 31, 2021 or sooner if the City Manager determines that the suspensions should be lifted for any reason; and (2) directed staff to prepare a text amendment and ordinance to be brought forward for Planning Commission and City Council consideration in November to address the longer term need for these necessary temporary changes. The vote was as follows: Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

## **ORDINANCES AND RESOLUTIONS**

### **20. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Soliciting Franchise Proposals for a Telecommunications Facility Franchise Agreement for the design, construction, installation, upgrade, repair, removal and operation of Specified Small Cell Facilities and Related Infrastructure in the public rights-of-ways in the City of Alexandria, Virginia.**

(A copy of the City Manager's memorandum dated September 30, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 10/06/20, 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. 20; 10/06/20, 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. 20; 10/06/20 and 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 passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passed on Saturday, October 17, 2020. 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.

21. Consideration of a Resolution to Support a Funding Request for \$4.5 million in FY 2027 Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) Funds. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 30, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 10/06/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion Councilwoman Jackson, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council: (1) approved the resolution supporting the \$4.5 million in FY 2027 CMAQ/RSTP funding request; and (2) authorized the City Manager to submit this funding request to the Northern Virginia Transportation Authority (NVTA) and enter into necessary agreements with the Commonwealth to accept these grants. 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. 2962**

#### **RESOLUTION TO APPLY FOR FY2027 CONGESTION MITIGATION AND AIR QUALITY (CMAQ) AND REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) FUNDS**

**WHEREAS**, the City Council of the City of Alexandria desires to submit an application to NVTA for \$4,500,000 in CMAQ and RSTP funds for FY27; and

**WHEREAS**, \$3,500,000 of these funds are requested to fund new transit service along the Duke Street Transitway and \$1,000,000 of these funds are requested to fund the Implementation of Smart Mobility;

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

1. Hereby supports this application for an allocation of \$4,500,000 in FY 2027 through the Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP), and
2. Hereby grants authority for the City Manager to execute project administration agreements for these funds.
22. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Title 5, Chapter 6 of the City Code to update the existing sewage disposal ordinance related to the discharge of Fats, Oils and Grease (FOG) into the sanitary sewer collection system from food service establishments.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, October 17, 2020. 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.

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

23. Consideration of a Proposal to Provide Board and Commission Applications to the Public.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried unanimously, City Council: (1) received and approved the proposal from Councilman Chapman; and (2) directed the City Clerk to attach the Personal Data Record form with redacted personal information to the online docket for board and commission considerations. The redaction should include references' information, resumes (which contain home addresses) and the addition of a privacy statement explaining the redaction. 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.

1. Councilman Chapman stated that there is small committee of community historians working to put together a virtual African American heritage trail along the Waterfront area. Councilman Chapman reported that the virtual tour is available for people to use as they walk along the Waterfront in Alexandria.

2. Councilman Chapman stated that several members will be attending the virtual Virginia Municipal League conference this week.

3. Councilman Chapman reported a number of Old Town businesses would be hosting Oyster Week from October 12 - October 17.

4. Councilman Aguirre gave an update on the 2020 Census, noting that the deadline has been extended until October 31. Councilman Aguirre also noted that the City of Alexandria has surpassed 73% for completion.

5. Councilman Aguirre thanked the Health Department for organizing the flu shots clinics for the past two weeks and he also thanked all the City departments that assisted in making the clinics a success for the community. Councilman Aguirre thanked the Medical Reserve Corps volunteers for helping with the events as well.

6. Councilwoman Jackson reported that the Commission for Women will be hosting a virtual event in recognition of Domestic Violence Awareness Month. Councilwoman Jackson noted that event begins at 6:00 p.m. on Zoom.

7. Mayor Wilson requested that City staff bring a proposal for request for additional time to pay the real estate tax that is due in November. Mayor Wilson stated that the request should include a process for taxpayers to request additional time to make payment prior to the deadline and be docketed for consideration at the October 17 Public Hearing meeting.

## **OTHER**

24. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated September 30, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 10/06/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) received the updated FY 2021 City Council Schedule which includes: the modified dates for the Virtual Virginia Municipal League (VML) Conference on October 7 and 8, 2020; the Interjurisdictional meeting on the Northern Virginia Juvenile Detention Center Study, which has been scheduled for Monday, October 19, 2020 at 6 p.m.; and the Virtual City Summit sponsored by National League of Cities (NLC) on November 18 through November 20, 2020; and (2) adopted the FY 2021 City Council Schedule from October 2020 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.

City Council had a discussion about the possibility of returning to in-person meetings at City Hall and Ms. Triggs, Deputy City Manager gave an overview of the layout for Council Chambers, showing seating arrangements, safety partitions and other precautions begin explored to provide a safe environment for Council members. City Staff will be reviewing Council's concerns and suggestions for returning to in-person meetings and the remaining meetings in October will be virtual.

\*\*\*\*\*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by

Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council adjourned the regular meeting of October 6, 2020 at 10:54 p.m. 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.

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APPROVED BY:

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

ATTEST:

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

Adopted:      February 9, 2021  
Ratified:



**City of Alexandria**  
**Saturday, May 15, 2021 9:30 AM**  
**Virtual Meeting**  
**City Council Public Hearing 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. Seifeldein.

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; Ms. S. Taylor, Assistant City Manager/Legislative Director; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Horowitz, Principal Planner, P&Z; Ms. Turner, Registrar, Voter Registration; Ms. Oleynik, Planner, Transportation and Environmental Services (T&ES); Ms. Hellman, Urban Planner, P&Z; Mr. LaColla, Division Chief, P&Z; Mr. Sharma, Deputy Director, T&ES; Ms. Randall, Urban Planner, P&Z; Mr. Swidrak, Urban Planner, P&Z; Ms. Fine, Assistant City Attorney; Mr. Lambert, Director, T&ES; Mr. Skrabak, Deputy Director, T&ES; Police Chief Brown; Ms. Cooper, Urban Planner, P&Z; Mr. Barre, Information Technology Services (ITS), Mr. Smith, ITS; and Ms. Demeke, ITS.

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

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**OPENING**

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 and Councilman Chapman arriving follow roll-call.

2. Resolution Finding the Need to Conduct City Council Meetings Electronically.  
[ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council adopted the resolution finding the need to conduct City Council meeting electronically. 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. 2993**

### **Resolution Finding Need to Conduct City Council Meeting Electronically**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia (the "City"), pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to by the City Council on March 14, 2020, pursuant to City Resolution No. 2928, as required by applicable law; on June 9, 2020, the City Manager extended such Declaration of Local Emergency through September 30, 2020 which extension was unanimously consented to by the City Council on June 9, 2020; on September 22, 2020, the City Manager extended such Declaration of Local Emergency through March 31, 2021 which extension was unanimously consented to by the City Council on September 22, 2020; on March 23, 2021, the City Manager extended such Declaration of Local Emergency through September 30, 2021 which extension was unanimously consented to by the City Council on March 23, 2021; (the "City Declaration"); and

**WHEREAS**, the City Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code § 44-146.16 being a "communicable disease of public health threat;" and

**WHEREAS**, on April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB29 and HB30 (Virginia Acts of Assembly Chapters 1283 and 1289), Section 4-0.01(g), that expressly authorize "any public body, including any state, local, [or] regional body" to "meet by electronic means

without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . . , provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities” among other provisions; and

**THEREFORE, BE IT RESOLVED**, that the City Council of the City of Alexandria, Virginia, hereby finds that the nature of the declared emergency makes it both impracticable and unsafe for the Council to assemble in a single location for its meeting on this date to discuss and transact the business of the City listed on the docket; and

**BE IT FINALLY RESOLVED**, that the City Council hereby finds that the items on the docket for this date are statutorily required or necessary to continue operations of the public body and the discharge of its lawful purposes, duties, and responsibilities.

3. Public Discussion Period

The following person participated in the public discussion period:

1. Janice Grenadier, Alexandria, spoke about issues with the court system and law enforcement.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public discussion period. 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.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**  
**ACTION CONSENT CALENDAR (4-8)**

**Planning Commission**

4. Special Use Permit #2020-00107  
5101 Seminary Road  
Public Hearing and consideration of a request for a Special Use Permit for the operation of a temporary trailer; zoned: CDD #21/Coordinated Development District #21. Applicants: Bashar Mehiar and Ramzi Haifawi  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item no. 4; 05/15/21, and is incorporated as part of this record by reference.)

5. Special Use Permit #2021-00011

3649 Wheeler Avenue - Heritage Montessori Day & Preschool

Public Hearing and consideration of a request for a Special Use Permit to operate a private academic school with over 20 students; zoned: CSL/Commercial Service Low. Applicant: Heritage Montessori Day & Preschool, LLC.

Planning Commission Action: Recommended Approval 6-0-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 05/15/21, and is incorporated as part of this record by reference.)

6. Special Use Permit #2021-00013  
1737 King Street

Public Hearing and consideration of a request for a Special Use Permit for additional square footage for projecting signs; zoned: KR/ King Street Urban Retail. Applicant: DREF King Street Metroplace, LLC, represented by Clay Bryan  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of City Clerk and Clerk of Council, marked Item No. 6; 05/15/21, and is incorporated as part of this record by reference.)

7. Encroachment #2021-00001

2800 Hope Way - The Spire & Episcopal Church of the Resurrection

Public Hearing and consideration of a request for an Encroachment into the public right-of-way on North Beauregard Street for steps; zoned: CDD #23/Coordinated Development District #23.Applicants: AHC, Inc., a Virginia Nonstock Corporation and Episcopal Church of the Resurrection, represented by Haley Norris, agent

Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 05/15/21, and is incorporated as part of this record by reference.)

8. Special Use Permit #2021-00017

1503 and 1505 Mount Vernon Avenue - Del Ray Gardens Restaurant

Public Hearing and consideration of a request for a Special Use Permit for a restaurant and an increase in outdoor seats; an increase in outdoor hours of operation; and a parking reduction (amending SUP2019-00004); zoned: CL/Commercial Low Applicant: Del Ray Gardens LLC., represented by M. Catharine Puskar, attorney

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 05/15/21, and is incorporated as part of this

record by reference.)

## **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the Consent Calendar, with the exception on docket item no. 8, which was considered under separate motion. The approval was as follows:

4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.
7. City Council approved the Planning Commission recommendation.

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.

8. Special Use Permit #2021-00017  
1503 and 1505 Mount Vernon Avenue - Del Ray Gardens Restaurant  
Public Hearing and consideration of a request for a Special Use Permit for a restaurant and an increase in outdoor seats; an increase in outdoor hours of operation; and a parking reduction (amending SUP2019-00004); zoned: CL/Commercial Low Applicant: Del Ray Gardens LLC., represented by M. Catharine Puskar, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 05/15/21, and is incorporated as part of this record by reference.)

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

1. Sarah Haut, Alexandria, requested amendments to the conditions to address the noise and trash issues from the restaurant.
2. Cathy Puskar, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing approved the Planning Commission recommendation, subject to the representation for the applicant's attorney regarding signage about noise that may affect neighbors and

the adjustments to trash collection for the business. 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,

#### **ROLL-CALL CONSENT CALENDAR (9-13)**

9. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend Chapter 2, Section 2-2-10 (F) and (J) to Rename the Maury School Election District and Voting Location to the Naomi L. Brooks School Election District And Voting Location and to Rename the Cora Kelly Center Election District and Voting Location to the Cora Kelly-"Chick" Armstrong Center Election District and Voting Location. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 05/15/21, 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 Item No. 9; 05/15/21, 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 Item No. 9; 05/15/21 and is incorporated as part of this record by reference.)

10. Public Hearing, Second Reading and Final Passage of an Ordinance to increase the Ambulance Service Charges by amending Article J (SERVICE CHARGES FOR CITY AMBULANCE AND HAZARDOUS MATERIALS INCIDENT RESPONSE SERVICES) to Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT).

(A copy of the City Manager's memorandum dated May 10, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 05/15/21, 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 Item No. 10; 05/15/21, 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 Item No. 10; 05/15/21 and is incorporated as part of this record by reference.)

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

and reordain Article D (CONTRACT FORMATION AND METHODS OF SOURCE SELECTION): Section 3-3-69 (CONTRACTING FOR PROFESSIONAL SERVICES BY COMPETITIVE NEGOTIATION); and Division 1 (COMPETITIVE SEALED BIDDING), Section 3-3-53 (ACTIONS ON PERFORMANCE BOND), all of Chapter 3 (PURCHASES AND CONTRACTUAL SERVICES) 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 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 05/15/21, 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 Item No. 11; 05/15/21, 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 Item No. 11; 05/15/21 and is incorporated as part of this record by reference.)

12. Public Hearing, Second Reading and Final Passage of an amended ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19 by requiring face coverings in certain indoor and outdoor locations. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 05/15/21, 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 Item No. 12; 05/15/21, 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 Item No. 12; 05/15/21 and is incorporated as part of this record by reference.)

13. Public Hearing, Second Reading and Final Passage of an ordinance to amend Article A (GENERAL PROVISIONS) of Chapter 4 (COMMITTEES, BOARDS, AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Clerk's memorandum dated May 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 05/15/21, 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 Item No. 13; 05/15/21, 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 Item No. 13; 05/15/21 and is incorporated as part of this record by reference.)

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

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved the roll-call consent calendar, with the exception of docket items 9 and 12, which were considered under separate motions. The approval was as follows:

10. City Council adopted an ordinance to increase the ambulance service charges by amending Article J (SERVICE CHARGES FOR CITY AMBULANCE AND HAZARDOUS MATERIALS INCIDENT RESPONSE SERVICES) to Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT).

The ordinance reads as follows:

### **ORDINANCE NO. 5343**

AN ORDINANCE to amend and reordain Section 3-2-131 (IMPOSITION; EXCEPTIONS) of Article J (SERVICE CHARGES FOR CITY AMBULANCE AND HAZARDOUS MATERIALS INCIDENT RESPONSE SERVICES), Chapter 2 (TAXATION), 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 Section 3-2-131 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-131 - Imposition; exceptions.

(a) The following words and phrases, when used in this section, shall have the meanings set out below:

(1) Basic Life Support (BLS): Medical treatment rendered to, or procedures performed upon, a patient as defined by the "National Emergency Medicine



Services Education and Practice Blueprint" for the medic B basic (EMT-Basic).

(2) Advanced Life Support, Level 1 (ALS-1): Medical treatment rendered to, or procedures performed upon, a patient beyond the scope of an EMT-Basic level, as defined by the National Emergency Medicine Services Education and Practice Blueprint.

(3) Advanced Life Support, Level 2 (ALS-2): Advanced life support treatment rendered to a patient that includes one or more of the following medical procedures:

- (A) defibrillation/cardioversion,
- (B) endotracheal intubation,
- (C) cardiac pacing,
- (D) chest decompression,
- (E) intraosseous line, or
- (F) the administration of three or more medications.

(4) Ground Transport Mileage (GTM): Distance traveled, measured in statute miles, from the location of the incident to a hospital or other facility to which a patient is transported.

(b) Except as hereinafter provided, there is hereby imposed a service charge of ~~\$500~~\$600 per BLS transport, ~~\$650~~\$780 per ALS-1 transport, ~~\$800~~\$900 per ALS-2 transport, plus a GTM charge of ~~\$10~~ \$12 per mile, on each person who is transported by ambulance service by the emergency medical services division of the City of Alexandria Fire Department. The funds received shall be paid into the general fund of the city to aid in defraying the cost of providing such service.

(c) No charge shall be imposed on persons in the following instances:

- (1) Persons in the custody of the police department or the office of the sheriff of the city;
- (2) Persons determined to be medically indigent according to (i) the eligibility determination made by the hospital to which the person is transported, or (ii) Level A of the income level scales established by the health department of the city for the purpose of determining eligibility for health services;
- (3) Victims of violent crime, as identified by the commonwealth's attorney for the city;
- (4) Persons affected by fire, flood, storm, natural or man-made calamity or disaster, or by widespread public disturbance or disorder when an emergency rescue vehicle of the city responds as a matter of policy without call;
- (5) City of Alexandria employees who become ill or are injured during working hours while carrying out work-related duties; or
- (6) Children 18 years of age or younger who require emergency medical service and transport while attending school or a school-related activity.

Section 2. That this ordinance shall become effective on July 1, 2021.

11. City Council adopted an ordinance to amend and reordain Article D (CONTRACT FORMATION AND METHODS OF SOURCE SELECTION): Section

3-3-69 (CONTRACTING FOR PROFESSIONAL SERVICES BY COMPETITIVE NEGOTIATION); and Division 1 (COMPETITIVE SEALED BIDDING), Section 3-3-53 (ACTIONS ON PERFORMANCE BOND), all of Chapter 3 (PURCHASES AND CONTRACTUAL SERVICES) of Title 3 (FINANCE, TAXATION, AND PROCUREMENT), of the Code of the City of Alexandria, Virginia, 1981, as amended.

The ordinance reads as follows:

#### ORDINANCE NO. 5344

AN ORDINANCE to amend and reordain Article D (CONTRACT FORMATION AND METHODS OF SOURCE SELECTION): Division 2 (COMPETITIVE NEGOTIATION), Section 3-3-69 (CONTRACTING FOR PROFESSIONAL SERVICES BY COMPETITIVE NEGOTIATION); and Division 1 (COMPETITIVE SEALED BIDDING), Section 3-3-53 (ACTIONS ON PERFORMANCE BOND), all of Chapter 3 (PURCHASES AND CONTRACTUAL SERVICES) 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 Section 3-3-69 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 3-3-69 - Contracting for professional services by competitive negotiation.

- (a) Professional services shall be procured by competitive negotiation. The purchasing agent may establish purchase procedures, if adopted in writing, not requiring competitive negotiation for single or term contracts for professional services if the aggregate or the sum of all phases is not expected to exceed the amounts set by the city manager [and] not to exceed the stated thresholds of the VPPA; however, such small purchase procedures shall provide for competition wherever practicable.
- (b) The purchasing agent shall engage in individual discussions with two or more offerors deemed fully qualified, responsible and suitable on the basis of initial responses and with emphasis on professional competence to provide the required services. Repetitive informal interviews shall be permissible. Such offerors shall be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed project and to explore alternative concepts of performance of the contract. In addition, offerors shall be informed of any ranking criteria that will be used by the purchasing agent in addition to the review of professional competence of the offeror. The request for proposals shall not seek estimates of person hours or costs for services. However, these discussions may encompass nonbinding estimates of total project costs, including, but not limited to, where appropriate design, construction, life cycle costs and nonbinding estimates of

price for services. Proprietary information from competitive offerors shall not be disclosed to the public or to competitors. At the conclusion of the discussions and on the basis of evaluation factors published in the request for proposals and all information developed in the selection process to this point, the purchasing agent shall select in the order of preference two or more offerors whose professional qualifications and proposed services are deemed most meritorious. Negotiations shall then be conducted, beginning with the offeror ranked first. If a contract satisfactory and advantageous to the city can be negotiated at a price considered fair and reasonable, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations shall be conducted with the offeror ranked second, and so on until such a contract can be negotiated at a fair and reasonable price. Notwithstanding the foregoing, if the terms and conditions for multiple awards are included in the request for proposal, the city may award contracts to more than one offeror. If, at the conclusion of the discussions, the purchasing agent determines in writing and in his sole discretion that only one offeror is fully qualified or that one offeror is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that offeror. Once formally terminated, negotiations may not be reopened with any offeror.

- (c) A contract for architectural or professional engineering services relating to multiple construction projects may be awarded by the purchasing agent, provided (i) the projects require similar experience and expertise, (ii) the nature of the projects is clearly identified in the request for proposal, and (iii) the contract is limited to a term of one year or when the cumulative total project fees reach the maximum cost authorized in this subsection, whichever occurs first.
- (1) Such contracts may be renewable for four additional one-year terms at the option of the purchasing agent. The fair and reasonable prices as negotiated shall be used in determining the cost of each project performed.
- (2) The sum of all projects performed in a one-year contract term shall not exceed **~~\$6~~ \$8 million.**
- (3) Competitive negotiations for such contracts may result in awards to more than one offeror provided (i) the request for proposal so states and (ii) the purchasing agent has established procedures for distributing multiple projects among the selected contractors during the contract term.
- (4) The fee for any single project shall not exceed \$2.5 million.
- (5) Any unused amounts from one contract term shall not be carried forward to any additional term.
- (d) Multiphase professional services contracts satisfactory and advantageous to the completion of large, phased, or long-term projects may be negotiated and awarded based on a fair and reasonable price for the first phase only, when completion of the earlier phases is necessary to provide information critical to the negotiation of a fair and reasonable price for succeeding phases. Prior to the entering into of any such contract, the purchasing agent shall state the anticipated intended total scope of the

project and determine in writing that the nature of the work is such that the best interests of the city require awarding the contract. (Ord. No. 2757, 1/22/83, Sec. 1; Ord. No. 2817, 6/28/83, Sec. 1; Ord. No. 3225, 6/13/87, Sec. 9; Ord. No. 4004, 6/13/98, Sec. 14; Ord. No. 4208, 6/16/01, Sec. 3; Ord. No. 4470, 12/16/06, Sec. 3; Ord. No. 4567, 12/13/08, Sec. 2; Ord. No. 4750, 2/25/12, Sec. 8; Ord. No. 4953, 6/13/15, Sec. 5; Ord. No. 5260, 12/14/19, Sec. 5)

Section 2. That Section 3-3-53 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 3-3-53 – Action on performance bond.

No action against the surety on a performance bond shall be brought unless within ~~one~~ **year five years** after:

(1) Completion of the contract, including the expiration of all warranties and guarantees, or

(2) Discovery of the defect or breach of warranty, if the action be for such. (Ord. No. 2757, 1/22/83, Sec. 1)

Section 3. That Article D as amended pursuant to Sections 1 and 2 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage.

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

The ordinance reads as follows:

#### ORDINANCE NO. 5346

AN ORDINANCE to amend Article A (General Provisions) of Chapter 4 (Committees, Boards and Commissions) of Title 2 (General Government) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Article A of Chapter 4 of Title 2 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined:

**Sec. 2-4-1 - Purpose.**

The city council recognizes that the several citizen boards, committees and commissions provide useful and meaningful citizen participation in and assistance to the government of the city and that such participation should be enhanced and strengthened. To improve the existing committee system and to enhance its role in the discussion and resolution of important matters of public policy, the council finds that it is desirable and necessary to establish certain basic procedures for the conduct of the committees' work, to provide a mechanism for the provision of adequate staffing and funding and to consolidate and reorganize the relationships between the city council, the city manager and the several committees. The purpose of this article is to accomplish the foregoing and nothing in this article is intended as or shall be deemed to be a derogation of any substantive right, function or power enjoyed by any committee under any provision of law.

#### **Sec. 2-4-2 - Definitions.**

As used in this article, unless otherwise stated or the context otherwise requires:

- (1) City council means the Alexandria City Council.
- (2) Committee means any board, committee, commission, authority or similar body established by the city council or established pursuant to, or required by, any provision of the laws or regulations of the Commonwealth of Virginia or the United States, which has one or more members appointed or designated by the city council, and which has (i) a fixed membership, including at least one person who is not a city employee, (ii) a defined purpose and (iii) regular or periodic meetings.
- (3) Head of a committee means the chairman, chairperson or other person designated or elected as the presiding officer of any committee.
- (4) Action means any decision, recommendation, ruling or advice of a substantive nature made by a committee in accordance with section 2-4-5, which a committee is, by the terms of its enabling legislation, authorized to make.
- (5) Enabling legislation means any constitutional provision, statute, city charter provision, resolution, ordinance or regulation or other provision of law enacted by the city council, the Commonwealth of Virginia or the United States which establishes the committee and determines its composition, functions and powers.
- (6) Standing committee means any committee established pursuant to law whose functions are established on a permanent, ongoing basis for an indefinite period of time.
- (7) Temporary committee means any committee established for a fixed and definite purpose and for a limited and fixed period of time, include any ad hoc committee, task force or group created by ordinance or resolution.
- (8) Designated member means a person appointed to a committee, pursuant to the terms of its enabling legislation, on behalf of, or as the representative of, another committee, organization or group.

(9) Executive secretary means the person and the functions described in section 2-4-9 of this article.

(10) Regional committee means a committee, the majority of whose members are appointed by one or more states or political subdivisions other than the city.

**Sec. 2-4-3 - Application.**

(a) Except as provided in subsection (b) of this section, the provisions of this article shall apply to all committees having one or more members appointed by the city council, notwithstanding other provisions of law to the contrary.

(b) Except for the provisions of section 2-4-7, relating to the making of appointments, the provisions of this article do not apply to:

- (1) any regional committee.
- (2) the Alexandria School Board.
- (3) the Alexandria Redevelopment and Housing Authority.
- (4) the Alexandria Sanitation Authority.
- (5) the Alexandria Industrial Development Authority.

**Sec. 2-4-4 - Composition, terms and duties of committees.**

(a) The composition, term of office, mission and function and other substantive duties relating to the work of any committee are those set forth by the terms of a committee's enabling legislation together with any additional functions or duties that may be assigned to a committee from time to time by the city council or other appropriate local authority.

(b) Whenever the city council has heretofore made or hereafter makes an appointment or reappointment of any person to any committee, and neither the law governing the appointment nor the council specifies any term of office for the person appointed then the appointment shall be deemed to be made for a term of two years beginning on the date of appointment.

(b.1) Unless otherwise specified in city code, state law or in a document creating the committee, no person shall be eligible for reappointment to any committee after having served 10 consecutive years as a member thereof. ~~This provision may be waived by city council by resolution.~~ Individuals may be eligible for appointment to the committee one calendar year after their term ends.

(c) In addition to any other function or duty that may be vested in a committee by its enabling legislation or otherwise, each committee shall:

- (1) designate one of its members as head of the committee and one member to act as the secretary of the committee for the purpose of keeping and preparing minutes or reports of all meetings or actions taken at any meeting and designate such other

officers as required by its enabling legislation. Where an officer or employee of the city has been assigned to assist a committee, such officer or employee may be designated as secretary unless the assignment is inconsistent with other tasks being performed by such officer or employee. The committee may also appoint any additional officers as it may deem proper.

(2) prepare minutes or reports not more than 30 days after the conclusion of any meeting of the committee. A notation shall appear on the minutes indicating whether they have been officially approved by the committee.

(d) In addition to any other function or duty that may be vested in a committee by its enabling legislation or otherwise, each standing committee shall:

(1) hold at least one regular meeting each year and as many additional meetings as may be required by its enabling legislation or as the business of the committee may require.

(2) prepare minutes or reports not more than 30 days after the conclusion of any meeting of the committee. A notation shall appear on the minutes indicating whether they have been officially approved by the committee.

(3) in addition to its annual report, any committee is authorized to make additional or special reports, oral or written, to the city manager of the city council at any other time that the committee determines that such reports may be needed, except that, no report requesting additional city funds or staff shall be submitted to the city council until it shall first have been submitted to the city manager for his comments and recommendations.

(4) prepare, in consultation with the city manager an annual budget, showing both the funding and staff directly assigned to the committee and estimated sums and staff time that may be used by the committee but are not directly assigned to it.

(5) prepare by-laws consistent with this code regulating procedures regarding the committee mission, membership, meetings, officers, committees, and amendments. Such by-laws should be filed with the office of the city clerk and reviewed by the committee annually.

#### **Sec. 2-4-5 - Procedure for committee meetings.**

(a) Except as otherwise provided in this section, each committee may hold and conduct its meetings in the form and manner set forth in its enabling legislation and by-laws. ~~establish procedures as may be most conducive to the conduct of its business.~~ Unless otherwise required by this article or other provision of law, all questions of procedure at any meeting shall be governed by Robert's Rules of Order.

(b) No action shall be taken nor business conducted by a committee without the presence of a quorum and such quorum shall consist of a majority of the voting members of the committee. A member present but not voting shall be considered in counting a quorum.

(c) No action which:

(1) is administratively final at the committee level without further appeal;

(2) may be appealed to either the city council or a court of competent jurisdiction; or

(3) constitutes a recommendation or proposal for action by the city council or any other city board or commission, shall be taken by a committee without the affirmative votes of a majority of the committee present unless a larger majority is required by the committee's enabling legislation. All votes shall be taken in public session and no proxy votes will be permitted.

(d) Any committee desiring to submit written or oral testimony to any federal or state legislative body or regulatory agency, other than the city council, in an official capacity shall first receive the approval of the city council. If time does not permit such submission, the committee shall state in its testimony to the legislative body or regulatory agency that its testimony reflects the position of the committee and does not necessarily represent the position of the city council. In such case a summary of testimony shall then be provided by the committee to the council for its information.

#### **Sec. 2-4-6 - Public participation in committee meetings.**

(a) All committee meetings shall be open to the public except as to matters which, by law, may be the subject of an executive session or a closed meeting. In determining to hold an executive session or a closed meeting, the head of a committee shall first consult with the city attorney as to the appropriateness of such a meeting and the procedure to be followed.

(b) Except as may be permitted by law, all books, papers and reports or other documents produced by or under the control of a committee shall be open for public inspection and copying. A reasonable charge may be made for the cost of copying, printing or distribution of any such books, papers, reports or other documents.

(c) In consultation with the executive secretary, each committee shall provide for reasonable public notice of the time and place of its meeting together with an agenda of the matters to be discussed and which, if any, items will be the subject of public testimony or comment. No recommendation by a committee for action by the city council shall be made without first affording an opportunity for public comment.

#### **Sec. 2-4-7 - Appointments to committees.**

(a) Unless an appointment or reappointment to a committee is expressly vested by law in the courts or in some other body, all appointments shall be made by the city council. No person shall be appointed to any committee without the affirmative votes of at least four members of the council.

(b) Before appointing or reappointing any person to a committee, the executive secretary shall give public notice of the impending appointment and cause the same to be advertised in the form and manner prescribed by law for public notices at least 21 days prior to consideration by the city council of the appointment or reappointment.



Insofar as practicable, the notice shall indicate the name of the committee, the number of positions to be filled, any special occupational, professional or other qualifications that may be required for a particular position and the time within which the application required by subsection (c) of this section must be filed. Where a position can be filled only by a designated member, the notice shall also include the name of the organization, group or committee from which such member must be designated.

(c) No person shall be appointed or reappointed by the city council to any committee until there is first submitted and filed with the executive secretary an application form. No person shall submit an application for membership for more than one committee position at any city council meeting at which appointments to committees are considered. Such application shall include personal data with respect to the applicant's name, address, age, educational background, practical experience, length of residency, employment of the applicant or any relative by the city and any special qualifications that the applicant possesses for a particular position. Applications must be filed with the executive secretary not less than seven days prior to the date that the appointment will be considered by the city council.

(d) Unless its enabling legislation expressly so provides, or unless waived by a majority of the city council when it deems such waiver in the best interest of the city and such waiver is not prohibited by any provision of law, no person shall be appointed to a committee unless at the time of the appointment the person is a resident of and residing in the city, and the person shall cease to be a member of a committee upon becoming a resident of any other jurisdiction.

(e) No person who holds any office or position in the city for compensation shall be appointed to any committee which is involved in, responsible for, oversees or regulates the subject matter, policy or rules of the city department or agency by which the person is employed. The executive secretary shall review all applications for appointments to committees. The executive secretary shall advise the council whether, in his or her opinion, the appointment of the person to the committee for which application has been made would result in such a situation.

(f) No person shall be appointed by the city council to more than one standing committee, or to more than one standing committee and one temporary committee, at the same time except as a designated member; provided, that, for the purposes of this subsection, a regional committee shall not be considered a standing or a temporary committee.

(g) Any person appointed to a committee shall, upon appointment, agree to comply with the provisions of chapter 5 of this title, concerning ethics, conflicts of interest and ownership of real property and, where applicable, the provisions of section 2-5-11 of this code.

(h) Every person appointed by the city council to any committee shall, on or before undertaking a position on such committee, qualify by taking the following oath or affirmation either: i) verbally before the city clerk, or other officer authorized to

administer oaths or affirmations, or ii) in writing on a form provided by the office of the city clerk and clerk of council:

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as (insert title of office) according to the best of my ability (so help me God).

Any person who fails to take the oath or affirmation within 60 days of appointment may be subject to removal from the committee.

(i)(1) The head of each committee shall keep or cause to be kept a record of each appointee's attendance at meetings of the committee, and shall, on or before July 1 of each year, forward to the executive secretary in writing, a copy of each attendance record for the immediately preceding 12 months. Appointees to committees shall attend at least 75 percent of the meetings of the bodies on which they serve each year. If the attendance record reflects that any appointee does not attend at least 75 percent of the meetings, the executive secretary shall advertise a vacancy so that city council can proceed to fill the vacancy at the first regular council meeting held in September, following any year during which an appointee has not attended at least 75 percent of the meetings. The executive secretary shall also forthwith notify the appointee of this action. The office of any appointee who has not attended the required number of meetings shall be automatically deemed vacant on the date of the abovementioned council meeting in September. If at any time during a year, a majority of the committee concludes that an appointee will be, based upon the appointee's attendance record, unable to meet the 75 percent attendance requirement, it may immediately direct the committee head to request the city council to declare the position vacant. If council determines that sufficient meetings have already been missed such that the 75 percent attendance requirement will not be met, it may declare the position vacant and may make an appointment to fill the vacancy for the remainder of the existing term of office of the appointee whose position was declared vacant.

(2) The committee head may excuse the absence of an appointee from a meeting or meetings if informed by the appointee of the absence within a reasonable period of time in advance of the meeting. Such excused absences shall not be considered by the committee head when preparing the appointee's attendance record but shall be noted as "excused absences" on the record.

(j) Any person appointed to a committee by the city council may be removed by the city council for neglect of duty or violations of this article or any other provision of law.

(k) Notwithstanding any contrary provision of this chapter, a member of city council, who serves a member of a committee established pursuant to this code, may appoint another person to represent the council member as an alternate member of such committee. Any such alternate member shall be appointed in writing, filed with the executive secretary and city clerk. Any such alternate member shall serve at the pleasure of the council member making the appointment, and, in the absence of the

council member, may exercise any or all of the rights, privileges and duties of the council member on such committee.

**Sec. 2-4-8 - Creation of new committees; term of temporary committees.**

(a) Any new standing committee shall be established by ordinance.

(b) Any new temporary committee shall be established by ordinance or resolution which shall specify the term during which the committee shall remain in existence. No temporary committee shall be established for a term of more than 365 days, the period to run from the date the committee holds its initial meeting. The term of a temporary committee may be extended by council by ordinance or resolution for additional periods of up to 365 days each. A temporary committee shall cease to exist upon (i) the completion of its designated task or assignment, (ii) the date it submits its final oral or written report to council, (iii) the expiration of the term specified in the ordinance or resolution creating the committee or of any extension of its original term, or (iv) three years from the date of its initial meeting, whichever occurs first.

(c) No new committee shall be established until the city manager has issued a report with comments and recommendations regarding the creation of the committee. The manager may delegate responsibility for preparing this report to any department head. The report required by this subsection shall include comments and recommendations concerning:

(1) the need for the committee and possible duplications or conflicts with other committees;

(2) the appropriateness of a committee format to deal with the issues involved; and

(3) the impact that creation of the committee will have on city staff resources, including:

(i) the estimated total amount of city staff time that will be required on an annual or other basis to staff the committee;

(ii) whether the committee can accomplish its assigned work with existing staff; and

(iii) if new staff will be required, the total amount of additional staffing that will be required and the projected annual cost of such additional staff.

**Sec. 2-4-9 - Executive secretary.**

(a) The city clerk appointed pursuant to Charter Section 3.06, or a person designated by him/her, shall be the executive secretary to all committees subject to this article. Where a person other than the city manager is designated, the person shall report to the city clerk. The executive secretary may attend and participate in all meetings of a committee but is not a member of any committee.

(b) The duties of the executive secretary shall include:

- (1) subject to the availability of funds and staff, the provisions of appropriate staff and other resources necessary for a committee's effective performance;
- (2) the review and establishment, insofar as possible, of uniform procedures and formats for the preparation of the attendance records, annual and other reports and minutes of committees;
- (3) the monitoring of the effectiveness and efficiency of particular committees and the committee system as a whole on an annual basis and the making of appropriate recommendations to the city council for action;
- (4) assisting, as requested, a committee in the preparation of its budgeted and other matters relating to the conduct of its work;
- (5) the maintenance and publishing, annually, in cooperation with the city clerk, of a roster of the members of each committee and other pertinent information relating to the committee system;
- (6) the preparation of a summary of the terms of this article and upon approval by the city attorney, make the summary available to all members of any committee or applicants for appointment; and
- (7) any other matters as may be assigned by the city manager or the city council.

#### **Sec. 2-4-10 - Staff assistance.**

No committee may request the assistance of city staff or make an assignment to city staff except pursuant to committee action, as defined in section 2-4-2(4). Unless acting pursuant to committee action, no member of a committee may request staff assistance, or make an assignment to staff, relating to committee business.

#### **Secs. 2-4-11 through 2-4-20 - reserved.**

Section 2. That Article A (General Provisions) of Chapter 4 (Committees, Boards and Commissions) of Title 2 (General Government), as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the Code of the City of Alexandria.

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

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

9. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend Chapter 2, Section 2-2-10 (F) and (J) to Rename the Maury School Election District and Voting Location to the Naomi L. Brooks School Election District And Voting Location and to Rename the Cora Kelly Center Election District and Voting Location to the Cora Kelly-"Chick" Armstrong Center Election District and Voting Location. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 05/15/21, 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 Item No. 9; 05/15/21, 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 Item No. 9; 05/15/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance to amend Chapter 2, Section 2-2-10 (F) and (J) to rename the Maury School Election District and Voting Location to the Naomi L. Brooks School Election District and Voting Location and to rename the Cora Kelly Center Election District and Voting Location to the Cora Kelly-"Chick" Armstrong Center Election District and Voting Location. 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 ordinance reads as follows:

#### ORDINANCE NO. 5342

AN ORDINANCE to amend and reordain Section 2-2-10 (ESTABLISHMENT OF ELECTION DISTRICTS AND VOTING PLACES) Subsections (f) and (j), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Section 2-2-10 (f) of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to delete the text shown in strikethrough and add the text shown in underline as follows:

(f) The Cora Kelly – “Chick” Armstrong Center Election District shall be bounded and described by the census blocks shown on the map adopted by section 2-2-13 of this code as comprising the said district.

The voting place within the Cora Kelly – “Chick” Armstrong Center Election District shall be the Cora Kelly – “Chick” Armstrong Center, located at 25 West Reed Avenue.

Section 2. That Section 2-2-10 (j) of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to delete the text shown in strikethrough and add the text shown in underline as follows:

(j) The Naomi L. Brooks School Election District shall be bounded and described by the census blocks shown on the map adopted by section 2-2-13 of this code as comprising the said district.

The voting place within the Naomi L. Brooks School Election District shall be the Naomi L. Brooks School, located at 600 Russell Road.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage and the adjustments contained herein will be utilized for the elections after June 8, 2021 and thereafter until or unless further modified and amended.

12. Public Hearing, Second Reading and Final Passage of an amended ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19 by requiring face coverings in certain indoor and outdoor locations. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 05/15/21, 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 Item No. 12; 05/15/21, 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 Item No. 12; 05/15/21 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 an amended ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19 by requiring face coverings in certain indoor and outdoor locations, with the following amendments:

- p. 2, Line 11 - change the reference from EO72 to generally EO
- p. 2, Lines 35-37 - delete the language
- p. 4 - age reference update
- p. 4, Line 31 - delete section with waiver of state law

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 ordinance reads as follows:

#### **ORDINANCE NO. 5345**

#### **AMENDED ORDINANCE NO. 5293**

### **AN ORDINANCE TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS COVID-19 BY REQUIRING FACE COVERINGS IN CERTAIN INDOOR AND OUTDOOR LOCATIONS.**

**WHEREAS**, on March 11, 2020, the World Health Organization declared the outbreak of the novel coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, a pandemic (for reference in this ordinance, this virus and the disease that it causes are referred to as "COVID-19"); and

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Number Fifty-One ("EO 51") declaring a state of emergency for the

Commonwealth of Virginia because of the COVID-19 pandemic; EO 51 acknowledged the existence of a public health emergency arising from the COVID-19 pandemic and that it constitutes a “disaster” as defined by Virginia Code § 44-146.16 because of the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia, pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to by the City Council on March 14, 2020, pursuant to City Resolution No. 2928, as required by applicable law; on June 9, 2020, such Declaration of Local Emergency was extended by the City Manager and confirmed by the City Council through September 30, 2020; on September 22, 2020 such Declaration of Local Emergency was extended by the City Manager and confirmed by the City Council through March 31, 2021; on March 23, 2021 such Declaration of Local Emergency was extended by the City Manager and confirmed by the City Council through September 30, 2021.

**WHEREAS**, since Governor Northam issued EO 51 on March 13, 2020, he has issued several more Executive Orders jointly with Orders of Public Health Emergency issued by M. Norman Oliver, MD, MA, State Health Commissioner, pertaining to COVID-19; and specifically issued Executive Order Seventy Two addressing requirements for face coverings in certain indoor and outdoor locations (EO 72); and

**WHEREAS**, on September 12, 2020 City Council adopted Ordinance No. 5293 requiring face coverings in certain indoor and outdoor locations which was effective by its terms on October 20, 2020. The reasons and justifications for taking such action are described in detail in that adopted ordinance; and

**WHEREAS**, the City of Alexandria is an urban jurisdiction situated in the metropolitan Washington, DC region with a compact downtown area that attracts visitors from around the region, and across the country and world, and includes workers who live outside the City and residents who regularly visit other jurisdictions, making it particularly susceptible to the spread of COVID-19; and

**WHEREAS**, on April 27, 2021 the Centers for Disease Control (CDC) issued new guidance for face coverings in indoor and outdoor locations given the number of people in the country who have been vaccinated against COVID-19 and the decrease in the number of new COVID-19 cases. On April 29, 2021, Governor Northam issued amendments to Executive Order Seventy-Two which revise the face covering requirements to be consistent with the CDC’s most recent guidance. Since the CDC will continue to issue guidance as the pandemic response evolves, the City Council would now like to also amend Ordinance 5293 to allow it to evolve with the Governor’s continued executive orders dealing with face coverings.



## **NOW THEREFORE, THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:**

### **Sec. 1. Purpose**

For the reasons stated in the recitals, the purpose of this ordinance is to prevent the spread of COVID-19.

### **Sec. 2. Authority**

This ordinance is authorized by Charter Section 2.04(h) “to make and enforce all regulations necessary to preserve and promote public health and sanitation and protect the inhabitants of the city from contagious, infectious or other diseases.” Section 15.2-1102 of the State Code generally and Section 2.01 of the City Charter grants the authority for a City to exercise all powers, not expressly prohibited by the state code or the constitution, that are necessary “to promote the general welfare of the city and the safety, health, peace, good order, comfort, convenience and morals of its inhabitants.”

### **Sec. 3. Definitions**

The following definitions apply to this ordinance:

- A. “Face covering” means an item normally made of cloth or various other materials, often with elastic bands or cloth ties, that is secured over the wearer’s nose and mouth in an effort to contain or reduce the spread of potentially infectious respiratory secretions at the source (i.e., the person’s nose and mouth).
- B. “Physical Distancing” means maintaining the physical distance of separation, which may change depending on the activity an individual is engaged in, as required by any applicable Executive Order of the Governor or Order of Public Health Emergency of the State Health Commissioner.
- C. “Public place” means any place
  - 1. That is:
    - i. indoors, other than a person’s residence or personal vehicle, or
    - ii. outdoors; and
  - 2. generally open to the public including, but not limited to, public parks and open spaces, sidewalks, trails, retail stores, food establishments, theaters, personal care and personal grooming services, common areas of condo or apartment buildings, and transportation other than a personal vehicle.

### **Sec. 4. Face Coverings**

A. *Face coverings required.* Face coverings must be worn by all persons in public places as described and required by any executive order issued by the Governor, except as provided in Sections 4(B).

B. *Exemptions.* The requirements of this ordinance do not apply to the following persons:

1. *Children and Students.*

- i. Children under 5 years of age;
- ii. students in daycare centers or participating in-person classes in K-12 education or institutions of higher education shall be governed by the plans submitted to the Commonwealth for such institutions, if one exists, and not by this ordinance.

2. *Medical Condition or Disability.* Persons for whom:

- i. wearing a face covering poses a substantial mental or physical health risk, such as persons who have trouble breathing while wearing a face covering or are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance;
- ii. persons with a health condition preventing the use of a face covering;
- iii. persons with a disability preventing the use of a face covering, or
- iv. persons seeking to communicate with the hearing impaired and for which the mouth needs to be visible.

Any person who declines to wear a face covering pursuant to this exception shall not be required to produce or carry medical documentation verifying the stated condition nor shall the person be required to identify the precise underlying medical condition.

3. *Physical Activity.* While persons are swimming, biking, jogging, or engaged in other physical activity where wearing a face covering has been determined to pose a health risk. Additionally, any outdoor activity considered "Recreational Sports" under the Governor's Executive Order 67 shall be governed by that Executive Order as the same may be amended, and not by this ordinance.

4. *Eating or drinking.* While a person is actively eating food or drinking a beverage. Face coverings are still required to be worn while waiting to receive food or beverages, or during substantial breaks between periods of eating and drinking.

5. *Work Conditions.* If wearing a face covering would subject the person to an unsafe work condition, as determined by federal, state, or local occupational safety regulators or workplace safety guidelines.

6. *Government or medical services.* When temporary removal of the face covering is necessary to secure government or medical (including dental) services.

7. *Religious rituals.* Face coverings may be removed to participate in a religious ritual.

*D. Responsibility of adults accompanying minors.* Adults accompanying minors between the ages of 5 years old and 17 years old must attempt to prompt the minors to wear face coverings while in public places.

**Sec. 7. Effect of More Restrictive Executive Order or Order of Public Health Emergency.**

This ordinance, or any part thereof, shall not be effective if there is a more restrictive requirement in an Executive Order or an Order of Public Health Emergency in effect.

**Sec. 8. Compliance**

If the City Manager or his designee determines that a person subject to this ordinance is not in compliance, he will request compliance and work with the person to obtain voluntary compliance including the provision of a covering with no cost to the person.

**D. Injunctive relief.**

The City, the City Council, and any City officer authorized by law, may seek to enjoin the continuing violation of any provision of this ordinance by bringing a proceeding for an injunction in any court of competent jurisdiction.

**Sec 9. Duration**

This amended ordinance is effective upon its adoption by City Council, and expires at 12:00 am on September 30, 2021; at the time the Local Declaration of Emergency expires, unless amended by the City Council; or when the waiver of Virginia Code § 18.2- 422, currently established in EO 67, or as it may be further amended or superseded, ends, whichever occurs first.

**Sec. 10. Effect of this Ordinance on the Powers of the Director of Emergency Management.**

This ordinance does not affect the powers of the City Manager, acting as the Director of Emergency Management, pursuant to Virginia Code § 44-146.21 during the COVID-19 disaster.

**Sec. 11. Severability.**

It is the intention of the City Council that any part of this ordinance is severable. If any part is declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, the unconstitutionality or invalidity does not affect any other part of this ordinance.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

14. Public Hearing on the City's Draft FY 2022 to FY 2026 Five-Year Consolidated Plan for Housing and Community Development and Draft One Year Action Plan to Enable HUD FY 2022 Funding.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 05/15/21, and 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: (1) closed the public hearing and (2) docketed the City's Draft FY 2022 to FY 2026 Five-Year Consolidated Plan for Housing and Community Development Draft FY 2022 Action Plan for Housing and Community Development for final Council approval on May 25, 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.

15. Public Hearing and Consideration of a License Amendment between the City of Alexandria and Hornblower Cruises & Events (Potomac Riverboat Co.) for a License Fee Repayment Plan in response to the COVID-19 Pandemic.

(A copy of the City Manager's memorandum dated May 7, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 05/15/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing and authorized the City Manager to execute the attached License Amendment Two with Hornblower Cruises and Events. 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.

16. Public Hearing and Consideration of a License Amendment with ARP Waterfront, LLC for the Use of a Portion of the City Marina Plaza for Outdoor Dining to Allow for the Removal of Three Light Poles Consistent with the Terms in the Current License Agreement.

(A copy of the City Manager's memorandum dated May 11, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 05/15/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing and authorized the City manager to execute the License Amendment with ARP Waterfront, LLC. 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.

17. Public Hearing and Consideration of an Amendment of the Lease Between the

City and Seminary Road Owner, LLC for Rooftop Space at 4900 Seminary Road for a Public Safety Radio Antenna Site.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 05/15/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing and authorized the City manager to execute the proposed tenth amendment to the lease with Seminary Road Owner, LLC. 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.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**Planning Commission (continued)**

18. Master Plan Amendment #2020-00008

Rezoning #2020-00004

Development Special Use Permit #2020-10027

Transportation Management Plan Special Use Permit #2020-00076

Vacation #2020-00004

1352, 1356, 1360, and 1362 Madison Street; 711, 715, 719, and 727 North West Street; 1319, 1321, 1323, 1325, 1327, and 1329 Wythe Street - Braddock West  
Public Hearing and consideration of a request for: (A) Amendments to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan through updates to the Development Site Map, Development and Land Use tables in the Braddock Metro Neighborhood Plan Overlay, and the Development Framework Map and Land Use and Development tables in the Braddock East Master Plan Overlay; (B) amendment to the official zoning map to change the zone for the site from RB to OCH; (C) a Development Special Use Permit and site plan with modifications to construct a 180-unit multifamily building with ground-floor commercial uses, including special use permits to increase the floor area ratio to 3.0 in the OCH zone, the utilization of Section 7-700 for bonus density and height for the provision of affordable housing, for a parking reduction for residential and commercial uses, to allow a restaurant, retail shopping or personal service establishments on a lot which does not include office buildings, provided such use supports and serves office uses in the immediate zoned area, and a fraternal or private club; (D) a Special Use Permit for a Transportation Management Plan (tier two); and (E) the Vacation of two public alleys serving the site; zoned RB/Townhouse. Applicant: West Street Acquisitions, LLC, represented by Jonathan P. Rak, attorney; City of Alexandria (portions of the Master Plan Amendment only)

Planning Commission Action: Recommended Approval 6-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 18; 05/15/21, and is incorporated as part of this record by reference.)

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

1. Salena Zellers, representing the ARHA Board of Commissioners, spoke in support of the proposal.
2. Kenyon Wilker, Alexandria, spoke in support of the proposal.
3. Lorenzo Nichols, Florida, spoke in support of the proposal.
4. Judy Noritake, Alexandria, representing the Braddock Metro Civic Association, spoke in support of the proposal.
5. Eli Goodman, engineer for the applicant, spoke about flooding in the area and responded to questions about the project.
6. John Craig, Alexandria, spoke in opposition to the proposal.
7. Frank Capone, Alexandria, spoke in support of the proposal.
8. Ann Shack, Alexandria, spoke about stormwater and sewer issues and spoke in opposition to the proposal.
9. Jonathan Rak, attorney for the applicant, spoke in support of the project and responded to questions from Council.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried 6-1, City Council approved the Planning Commission recommendation with amendments to conditions 69, 2, 77, and 78. Mayor Wilson appointed the following persons as viewers for the vacation portion of the item: Jeanette Ankoma-Sey, Dr. C. E. Palmer Johnson, and Charles Sumpter. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

19. Public Hearing and Consideration of an appeal of the Planning Commission's

April 8, 2021 decision to approve a Preliminary Plat of a Subdivision (SUB #2020-00009) at 506 North Overlook Drive to re-subdivide two existing lots. Applicant: Brian Thomas, represented by Zachary Williams, attorney  
Appellant: Various Appellants  
Tax Assessment Map Number: 006.04-04-14

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 19; 05/15/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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 following persons participated in the public hearing for this item:

1. David Brown, Alexandria, representing the Planning Commission, explained the Planning Commission's decision and responded to questions from Council.
2. Jeanne Snapp, Alexandria, appellant, spoke in support of the appeal and responded to questions from Council.
3. Charles Kent, Alexandria, spoke in support of the appeal.
4. Zachary Williams, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**A motion was made by** Councilman Aguirre, seconded by Councilman Chapman, to uphold the Planning Commission recommendation (to allow the subdivision).

Councilman Chapman offered an amendment to remove condition #2. It was accepted by the maker of the motion.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried 6-0-1, City Council upheld the Planning Commission action on the subdivision action with following amendments:

-Delete condition #2.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Abstain, Councilman Seifeldein.

\*\*\*\*City Council took a recess for lunch at 1:10 pm. The meeting reconvened at 1:40 p.m.\*\*\*\*

**WHEREUPON**, upon motion by Councilman Aguirre, seconded Councilwoman Jackson and carried unanimously, City Council moved to reconsider docket item #19. 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried 6-0-1, City Council upheld the Planning Commission action on the subdivision action with following amendments:

-delete condition #2

3. Limit the limits of disturbance on the grading plan for construction to the greatest extent possible to provide for the construction of the primary dwelling units and/or accessory buildings in order to maximize the tree protection are. Where the critical root zone of trees outside of the limit of disturbance overlap with proposed construction, tree preservation measures shall be employed to ensure the survival of the roots within the critical root zone where possible.

4. A tree protection plan developed by an arborist shall be submitted with the grading plan submission to ensure preservation and protection of the following trees in the public right-of-way: numbers 101, and 163-167.

5. A tree protection plan developed by an arborist shall be submitted with the grading plan submission to ensure preservation and protection of tree number 139 or in May 2022, the applicant's arborist and the City arborist shall make a determination regarding the survivability and health of tree number 139.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, none; Abstain, Councilman Seifeldein

20. BAR #2020-00553 PG

Public Hearing and consideration of an appeal of the Board of Architectural Review's (BAR) February 17, 2021 decision to deny a request to install a small cell facility on a utility pole on public property adjacent to 215 North Patrick Street.



APPLICANT: Cellco Partnership dba Verizon Wireless, represented by Joshua Schakola

APPELLANT: Cellco Partnership dba Verizon Wireless, represented by Joshua Schakola

(A copy of the Board of Architectural Review report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 20; 05/15/21, and is incorporated as part of this record by reference.)

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

1. Robert Adams, representing the Board of Architectural Review, explained the decision of the BAR for this proposal and responded to questions from Council.

2. Richard Hagerty, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.

3. Joshua Shakola, applicant, spoke in support of the proposal and responded to questions from Council.

4. Craig Miller, Alexandria, spoke against the proposal.

5. Robert Meyers, Alexandria, spoke against the proposal.

6. Roy Shannon, Alexandria, spoke against the proposal.

7. Jamahl Bracey, Alexandria, spoke against the proposal.

8. Chris Kuhman, Alexandria, spoke against the proposal.

9. Steven Burke, Alexandria, spoke against the proposal.

10. Lisa Brock, Alexandria, spoke against the proposal.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council overturned the Board of Architectural Review's decision and approved the certificate of appropriateness. 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.

21. Zoning Text Amendment #2021-00001  
Permitted and Administrative Uses in CDD/Coordinated Development District Zones (A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section

5-602 to allow certain uses in CDD zones to be permitted or administrative uses.  
Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 21; 05/15/21, 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 closed the public hearing and approved the Planning Commission recommendation. 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.

22. Special Use Permit #2020-00106  
1015 Duke Street  
Public Hearing and consideration of a request for a Special Use Permit for a parking reduction and lot modifications for the conversion of a commercial use to a residential use; zoned: CL/Commercial Low. Applicant: Patrick Jansen  
Planning Commission Action: Recommended Approval 5-2

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 22; 05/15/21, and is incorporated as part of this record by reference.)

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

1. William Carle, Alexandria, spoke against the proposal.
2. Helena Choi, Alexandria, spoke against the proposal.
3. Kristen Brady, Alexandria, spoke against the proposal.
4. Kumar Pater, Alexandria, spoke against the proposal.
5. Theodora Stringham, attorney for the applicant, spoke in support of the proposal and responded to questions from Council.
6. Patrick Jansen, applicant. Spoke in support of the proposal and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**A motion was made by** Councilman Chapman, seconded by Vice Mayor Bennett-Parker, to deny the Planning Commission recommendation because of parking reduction and open space modification.

**A substitute motion was made by** Councilwoman Pepper, seconded by Councilman Aguirre and carried 5-2, for City Council approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Councilman Aguirre, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, Vice Mayor Bennett-Parker and Councilman Chapman. This becomes the main motion.

**WHEREUPON**, motion Councilwoman Pepper, seconded by Councilman Aguirre and carried 5-2, City Council approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Councilman Aguirre, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, Vice Mayor Bennett-Parker and Councilman Chapman.

## **ORDINANCES AND RESOLUTIONS**

23. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Title 11 Chapter 5: Noise Ordinance. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 19; 05/15/21, 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 Item No. 19; 05/15/21, 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 Item No. 19; 05/15/21 and is incorporated as part of this record by reference.)

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

1. Sara Casar, Alexandria, spoke about the need for clarifications to noise

variances and clear rules for businesses regarding the noise ordinance.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council adopted an ordinance to amend Title 11 Chapter 5: Noise Ordinance with the following amendments:

On page 19: Line 1 - add the word back, "and any subsequent"

Line 3-7 - delete

Line 24-29 - delete

Line 32 - delete words " or summons or arrests for a criminal violation"

Line 36 - delete words " or summons or arrests"

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 ordinance reads as follows:

#### ORDINANCE NO. 5347

AN ORDINANCE to amend Chapter 5 (NOISE CONTROL) of Title 11 (HEALTH, ENVIRONMENTAL, AND SANITARY REGULATIONS) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Chapter 5 of Title 11 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

#### **CHAPTER 5 - Noise Control**

##### **Sec. 11-5-1 - Title.**

This chapter shall be known and may be cited as the noise control code of the city.

##### **Sec. 11-5-2 - Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (1) *Aircraft*. Any device that is used or intended to be used for flight in the air, engaged in carrying persons or property.

- (2) *Acoustics*. The science of sound including its generation, propagation, measurement and physiological and psychological effects.
- (3) *Ambient noise*. The all encompassing noise associated with a given environment, being usually a composite of sounds from many sources, near and far.
- (4) *A-weighted sound level [dB(A)]*. A quantity, in decibels read from a sound level meter, that is switched to the weighting network labeled "A." The A-weighted network shall be as specified under the most recent specifications of the American National Standards Institute, Inc., New York, N.Y. (ANSI).
- (5) *Center frequency*. For acoustic measurement, the center frequency of an octave band which is the geometric mean of the upper and lower frequency limits of the band.
- (6) *Commercial use area*. The area within 200 feet of all boundaries of any property producing noise or, where such property is a railroad, the area within 200 feet perpendicular to the centerline of the railroad track at the source of the noise, when the predominant use of the properties in that area is for commercial purposes.
- (7) *Construction*. Any or all activity necessary or incidental to the erection, demolition, assembling, altering, installing or equipping of buildings, public or private highways, roads, railroads, premises, parks, utility lines including any lines in already constructed tunnels, or other property, including land clearing, grading, excavating and filling.
- (8) *Construction device*. Any device designed and intended for use in construction including, but not limited to any air compressors, backhoes, concrete vibrators, cranes (derrick), cranes (mobile), dozers (track and wheel), generators, graders, loaders (track and wheel), mixers, pavement breakers, pavers, pile drivers, power hoists, rock drills, rock crushers, rollers, scrapers, and shovels.
- (9) *Continuous noise*. Noise whose level remains essentially constant without interruption or break.
- (10) *Decibel (dB)*. A unit of sound magnitude equal to 20 times the logarithm to the base 10 of the ratio of the sound pressure being measured to a reference sound pressure of 20 micronewtons per square meter or 0.0002 microbars, abbreviated "dB."
- (11) *Director*. The director of the department transportation and environmental services of the City of Alexandria or his duly authorized representative.
- (12) *Emergency signal device*. Any gong, bell, siren, whistle or any horn or any similar device the use of which is permitted on authorized vehicles or which are mounted on poles, buildings, towers or other supports.
- (13) *Emergency work*. Work made necessary to restore property to a safe and working condition following a public calamity, or work required to protect persons or property from imminent danger.
- (14) *Engineer*. The noise pollution specialist designated or appointed by the director.

- (15) *Exhaust system*. A system which removes and transports air or gas from a device.
- (16) *Hertz*. A unit of measurement of frequency numerically equal to cycles per second.
- (17) *Impulsive noise*. A short burst of acoustical energy such as, but not limited to, that produced by weapon fire, punch press or drop hammer. A pressure time history of a single impulse includes a rapid rise to a maximum peak pressure followed by a somewhat slower decay, both occurring within one second.
- (18) *Industrial use area*. The area within 200 feet of all boundaries of any property producing noise or, where such property is a railroad, the area within 200 feet perpendicular to the centerline of the railroad track at the source of the noise, when the predominant use of properties in that area is for industrial purposes.
- (18.1) *Institutional use area*. Any property that is operated by a government, nonprofit, or quasi-public use or institution, such as a library, public or private school, religious institution, hospital, convalescent home, nursing home, continuum of care facility, or municipally owned or operated building, structure, or land used for public purposes.
- (19) *Internal combustion engine*. A device for the production of energy by means of combustion under pressure.
- (20) *Microbar*. Unit of pressure commonly used in acoustics and equal to one dyne per square centimeter or one-tenth (0.1) Newtons per square meter.
- (21) *Motorcycle*. Every motor vehicle designed to travel on not more than three wheels in contact with the ground and any four wheeled vehicle weighing less than 500 pounds and equipped with an engine of less than six horsepower.
- (22) *Motorized construction device*. Any construction device which is a motor vehicle.
- (23) *Motor vehicle*. Every device in, upon or by which any person or thing is or may be transported or drawn upon a highway which is self-propelled or designed for self-propulsion, except devices used exclusively upon stationary rails or tracks.
- (24) *Muffler*. An apparatus generally consisting of but not limited to a series of chambers or baffles for the purpose of transmitting gases while reducing sound level.
- (25) *Newton*. A unit of pressure. The force required to accelerate one kilogram of mass at one meter per second squared.
- (26) *Noise*. A steady-state or impulsive sound or sounds occurring on either a continuous or intermittent basis--
- (27) *Noise level*. See sound pressure level.
- (28) *Octave band*. An interval in the audible range of sound that has an upper frequency numerically exactly twice that of its lower frequency.
- (29) *Owner*. Owner shall have no connotations other than that customarily assigned to the term "person," but shall include bodies politic and corporate, associations,

partnerships, personal representatives, trustees and committees, as well as individuals.

- (30) *Person*. Any individual, corporation, cooperative, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state or any legal successor, representative, agent or agency of the foregoing.
- (31) *Power equipment*. Motorized or engine driven equipment such as, but not limited to, powered saws or chain saws and powered hand tools including hydraulic and pneumatic hand tools. Does not include air or surface transportation vehicles, construction devices, sound signaling devices or power lawn and garden equipment.
- (32) *Power lawn and garden equipment*. Powered devices for care and maintenance of lawns and gardens, including but not limited to, edgers, garden tractors, hedge clippers, home tractors, lawn mowers, snow and leaf blowers, tillers, and trimmers.
- (33) *Property*. The smallest area owned or leased by the same person or persons.
- (34) *Rail rapid transit system*. A railroad used exclusively for local service in the transportation of passengers as a common carrier for hire together with the appurtenances, facilities and equipment thereof.
- (35) *Railroad*. All the rights-of-way of any common carrier operating a railroad, whether owned or operated under contract, agreement or lease.
- (36) *Residential use area*. The area within 200 feet of all boundaries of any property producing noise or, where such property is a railroad, the area within 200 feet perpendicular to the centerline of the railroad track at the source of noise, when the predominant use of properties in that area is for residential purposes.
- (37) *Slow meter response*. The dynamic response of a sound level meter, as specified under the most recent specification of the American National Standards Institute, Inc., New York, N.Y. (ANSI) for sound level meters.
- (38) *Sound*. An auditory sensation evoked by alternating compression and expansion of air, or other medium, accompanied by changes in pressure, particle velocity or displacement.
- (39) *Sound level*. The weighted sound pressure level in decibels obtained by use of a sound level meter with a metering response (fast or slow) and A, B or C weighting networks as specified by the American National Standards Institute, Inc., New York, N.Y. (ANSI).
- (40) *Sound level meter*. An instrument comprising a microphone, amplifier, and output meter, and frequency weighting networks, that is used for the measurement of sound levels in a manner specified by the American National Standards Institute, Inc., New York, N.Y. (ANSI), in its standards 1.4-1971 or latest revision.
- (41) *Sound pressure*. The difference between the barometric or average pressure and the instantaneous pressure created at a given point by a source of sound: measured in Newtons per square meter.

- (42) *Sound pressure level (in decibels)*. 20 times the logarithm to the base of 10 of the ratio of the pressure of the sound being measured to a reference sound pressure of 20 micronewtons/m<sup>2</sup>(0.0002 microbars).
- (43) *Sound reproduction device*. A device intended primarily for the production or reproduction of sound including, but not limited to, any musical instrument, radio receiver, television, receiver, tape recorder, phonograph and sound amplifying system.
- (44) *Sound signal device*. A device designed to produce a sound signal when operated, including but not limited to, any klaxon, air horn, whistle, bell, gong, siren, but not an emergency signal device.
- (45) *Warning device*. Sound signal devices used to alert and warn people.

**Sec. 11-5-4 - Noises prohibited—enumeration.**

The following acts, among others, are declared to be unlawful, but this enumeration shall not be deemed to be exclusive, namely:

- (1) Sound signaling device. The sounding of any sound signal device on any automobile, motorcycle or other vehicle on any street or public place of the city, except as a warning of danger or as provided in subsection 11-5-6. The sounding of any sound signal device attached to a motor vehicle, wagon or manually propelled cart, from which food or any other items are sold, more frequently than once every two minutes in any one city block and with a duration of more than 10 seconds for any single emission.
- (2) Sound reproduction device. The using or operating of any sound reproduction device radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound, or permitting the same to be played, used or operated in such manner as to be plainly audible across property boundaries at a distance of 50 feet from the building, structure or vehicle in which it is located, except such operation by a public service company or the city to restore and maintain services provided by it.
- (3) Reserved.
- (4) Reserved.
- (5) -Reserved.
- Reserved.-
- (7) Exhausts. The discharge into the open air of the exhaust of any motor vehicle except through a muffler or other device pursuant to Virginia Code § 46.2-1049
- Reserved.
- (9) Reserved.
- (10) Construction or repairing of buildings, streets, walks, railways, sewers, utility lines, etc. The erection (including excavation), demolition, alteration or repair, and any and all activity necessary or incidental thereto, of any building, except a dwelling house when the activity is being conducted by an owner or occupant or



agent thereof and not for profit, any street, walk, railway, sewer, utility line or other construction other than between the hours listed in Table I except in case of urgent necessity in the interest of public health and safety or to restore and maintain public service and then only with a permit from the city manager, which permit may be granted for a period not to exceed six days while the necessity continues and which permit may be renewed for periods of six days while the necessity continues. If the city manager should determine that the public health and safety will not be impaired by any erection, demolition, alteration or repair and if he shall further determine that failure to permit erection, demolition, alteration or repair during such hours would result in loss or inconvenience to any party in interest, he may after consultation with the director grant permission for the work to be done within the hours prohibited in Table I, upon application being made at the time the permit for the work is awarded or during the progress of the work.

- (11) Reserved.
- (12) Reserved.
- (13) Reserved.
- (14) Reserved.
- (15) Construction devices and power equipment. The operation or permitting the operation during the hours prohibited in Table I of any construction device or power equipment unless permitted in accordance with section 11-5-7 of this chapter.

_____		
TABLE I		
	Prohibited Hours	
Day	Before	After
_____		
Monday through Friday	7:00 a.m.	6:00 p.m.
Saturday	9:00 a.m.	6:00 p.m.
Sunday	All Hours	
Holidays in Sec. 11-5-5(a)(5)a.		
_____		

- (16) Power lawn and garden equipment. The operation or permitting the operation during the times listed in Table II of any power lawn or garden equipment.

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TABLE II		
	Prohibited Hours	
Day	Before	After
_____		
Monday through Friday	7:00 a.m.	9:00 p.m.
Saturday, Sunday, Holidays as listed in Sec. 11-5-5 (a)(5)a.	9:00 a.m.	9:00 p.m.
_____		

- (17) Ventilation and air conditioning. The operation or permitting the operation of ventilation systems and air conditioning systems whose components, air ducts and vent opening may be installed on the roof or ground, in windows or walls the use of which exceeds the noise levels in Table III.
- (18) Trash collection. No person shall operate or permit the operation of any refuse collection motor vehicle for collection of solid waste except as permitted by title 5, chapter 1 of the city code.
- (19) *Pile driving*. Notwithstanding any contrary provision of this chapter, no person shall operate, and no person shall permit the operation by any employee, independent contractor or other person of, any pile driving equipment, except between the hours of 9:00 a.m. to 6:00 p.m., Monday through Friday, and 10:00 a.m. to 4:00 p.m., Saturday. The city manager is authorized, in his discretion, to grant relief from the provisions of this section, under the procedures set forth in section 11-5-7. In deciding whether to grant such relief, the city manager shall consider (i) the location at which pile driving is proposed to be conducted, (ii) its proximity to residential areas, business districts, public parks, recreation facilities, historic areas and tourist destinations, (iii) the availability and cost of alternative methods of construction, (iv) the mitigation measures available or proposed, (v) the impact upon the construction project, and upon the public, and (vi) such additional factors as the manager determines may be relevant to avoid injury, or danger to the welfare of residents, business employees and patrons, park patrons, students, tourists and other visitors to the city. For purposes of this subsection, pile driving shall mean the driving of piles into the earth through the use of a gravity- or pneumatic-driven hammer or similar device or mechanism, and person shall include any state, or agency, instrumentality or contractor of a state, in addition to the meaning defined in section 11-5-2(30).

**Sec. 11-5-4.1 - Same—central business district.**

- (a) Notwithstanding any conflicting provision of this chapter or other law, it shall be unlawful for any person to engage in, or to suffer or permit on or with property under such person's control, any sound generation, as defined in this section, in or on any public or private street, sidewalk or alley, any public park, marina or open space, or any private outdoor property that is open to the public for commercial or recreational

purposes, within the central business district established by section 8-300(A) of the City of Alexandria Zoning Ordinance, except as is permitted by this section.

- (b) "Sound generation" shall mean any conduct, activity or operation, whether human, mechanical, electronic or other, and whether continuous, intermittent or sporadic, and whether stationary, ambulatory or from a vehicle, which produces or generates sound in excess of the volume levels, and for a duration of time greater than the duration, specified in this section.
- (c) Between the hours of 7:00 a.m. and 11:00 p.m., Monday through Sunday, no sound generation shall result in sound having a volume of 75 db(A) or more, at a distance greater than 10 feet from the place at which the sound is being generated or produced, for an aggregate duration of time greater than 60 seconds in any one hour period or be plainly audible above the background noise level to a person of normal hearing acuity at a distance greater than 50 feet from the place at which the sound is being generated or produced
- (d) Between the hours of 11:00 p.m. and 7:00 a.m., no sound generation shall exceed a volume of 65 db(A) at a distance greater than 10 feet from the place at which the sound is being generated or produced, for an aggregate duration of 60 seconds ~~between such hours~~ or be plainly audible above the background noise level to a person of normal hearing acuity at a distance greater than 50 feet from the place at which the sound is being generated or produced
- (e) This section shall not apply to any sound generation which occurs:
  - (1) as part of a city-sponsored festival or event;
  - (2) at a designated performance area within a public park, marina or open space in conformity with regulations promulgated by the city manager or the director of parks, recreation and cultural activities;
  - (3) in conformity with regulations promulgated by the city manager for the use of market square;
  - (4) under a special permit, displayed at the place of sound generation, issued by the city manager pursuant to section 11-5-7; or
  - (5) on private property pursuant to a special use permit, displayed at the place of sound generation, approved by the city council under section 11-500 of the City of Alexandria Zoning Ordinance.
- (g) This section shall be enforced by the director, the chief of police, the director of citizen assistance, the director of parks, recreation and cultural activities within any public park, marina or open space, and the director of general services within market square, and by their respective designees.
- (h) As used in this section, "background noise level" means all sound sources impacting at the place of measurement, excluding the specific source that is suspected of violating this section.
- (i) A violation under the section may be proved by either or both:

- (1) Testimony or other evidence that the sound generation was plainly audible above the background noise level at the distance from the source, and for the duration of time, specified in subsections (c) or (d); or
- (2) Testimony or other evidence that the sound generation equalled or exceeded the sound level, at the distance from the source, and for the duration of time, specified in subsections (c) or (d), as measured with a sound level meter, maintained in good working order, and having an accuracy specification of 2 dB at 114 dBSPL (sound pressure level) or better, and using the A weighting network of such meter. The measurement of sound level under this section, made with such meter, need not comply with the provisions of section 11-5-5.

**Sec. 11-5-5 - Same—decibel provisions.**

- (a) Classification of use areas: residential, commercial, ~~and—industrial, and~~ institutional.
- (1) Except as otherwise provided by this chapter, on or after July 1, 1977, it shall be unlawful to project a sound or noise beyond the boundaries of the property from which such noise emanates which exceeds any of the limiting noise spectra set forth in Table III of this subsection which are applicable to that property. For the purposes of this section, the limiting noise spectra set forth in Table III of this subsection for industrial use areas shall be deemed to be the limiting noise spectra applicable to any property which is not located in a residential, commercial, ~~or~~ industrial, or institutional use area.
- (2) The measurement of sound or noise pursuant to this subsection shall be as follows:
  - a. The measurement of sound or noise shall be made with sound level meters type 1 or type 2 and meeting the standards prescribed by the American National Standards Institute, Inc., New York, New York. The instrument shall be maintained in calibration and good working order. Octave band corrections may be employed in meeting the response specification. A calibration shall be made of the system before and after the noise measurements. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Other than for instantaneous sound levels or for stated lengths of time, such as eight-hour or 24-hour averages, the following procedure will be used. With a continuous noise source in operation, a minimum of nine sound level readings will be taken at least 20 seconds apart excluding any readings taken if there is significant noise from extraneous sources. If the noise source is periodic or cyclical in nature, nine readings at least 20 seconds apart will be made only during those parts of the cycle when the source is operating. No readings will be made during the parts of the cycle when the source is not operating. The median of the valid readings will be used as the average sound level.

- b. The slow meter response of the sound level meter shall be used to determine that the maximum permissible dB(A) readings or the octave band levels set forth in Table III below have not been exceeded.
  - c. Unless otherwise specified the measurement shall be made at the boundary of the property on which such noise is generated, or perceived, as appropriate not less than three and one-half (3½) feet above ground.
  - d. Compliance with the noise limits is to be maintained at any elevation at the boundary.
- (3) The limits hereinabove referred to shall be in accordance with the following table:

<b>TABLE III</b>			
<b>MAXIMUM PERMISSIBLE SOUND LEVELS</b>			
<b>Use Areas</b>	<b>Maximum dB(A)</b>	<b>Octave Band</b>	
		<b>Center Frequency Hertz-(HZ)</b>	<b>Levels dB</b>
Residential	55	31.5	70
		63	69
		125	64
		250	59
		500	53
		1,000	47
		2,000	42
		4,000	38
		8,000	35
Commercial	60	31.5	75
		63	74
		125	69
		250	64
		500	58
		1,000	52
		2,000	47
		4,000	43

		8,000	40
Industrial	70	31.5	85
		63	84
		125	79
		250	74
		500	68
		1,000	62
		2,000	57
		4,000	53
		8,000	50
<u>Institutional</u>	<u>60</u>	<u>31.5</u>	<u>75</u>
		<u>63</u>	<u>74</u>
		<u>125</u>	<u>69</u>
		<u>250</u>	<u>64</u>
		<u>500</u>	<u>58</u>
		<u>1,000</u>	<u>52</u>
		<u>2,000</u>	<u>47</u>
		<u>4,000</u>	<u>43</u>
		<u>8,000</u>	<u>40</u>
<hr/>			

(4) The maximum permissible sound levels established in Table III for application to the boundaries of a property shall not applied to construction sites. Construction site noise shall be regulated by section 11-5-4(b)(10) and 11-5-4(b)(15) and other appropriate sections of this chapter.

(5) a. Days which shall have the same restrictions as Sundays are New Year's Day (the first day of January), Memorial Day (the last Monday in May). Independence Day (July 4), Labor Day (the first Monday in September). Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25).

b. The provisions of section 11-5-5(a). of this chapter shall not be applicable to any noise which is emitted without interruption for 24 hours every day for at least seven consecutive days, when the noise varies in intensity by less than three decibels in a 24-hour period; provided, that a permit for the emission of such noise has been issued by the city manager. Any permit shall be issued pursuant to section 11-5-7 of this chapter. Any permit issued by the city manager pursuant to this section, shall be valid until such time as the city manager, after giving notice in writing, to the

applicants for the permit at least 30 days in advance, shall modify or revoke the permit.

- (b) Power equipment and power lawn and garden equipment. It shall be unlawful to operate in the city any equipment which creates a noise or sound that exceeds the noise level limits set out in Table IV below. This equipment shall not be used during hours prohibited by either section 11-5-4(b)(15) or section 11-5-4(b)(16), as applicable.

<hr/>	
<b>TABLE IV</b>	
<b>LIMITING NOISE LEVELS FOR POWER LAWN OR GARDEN EQUIPMENT AND POWER EQUIPMENT</b>	
<hr/>	
Maximum Permissible Noise Level	75 dB(A)
Location of Measurements	Property Line of Noise Source
Measurement Procedure	As stated in sec. 11-5-5(a)(2)a.

**Sec. 11-5-6 - Exemptions.**

The following uses and activities shall be exempt from the provisions of this chapter:

- (1) Noises of safety signals, warning devices, and emergency pressure relief valves.
- (2) Noises resulting from any authorized police, fire or emergency vehicle, when responding to an emergency call or acting in time of emergency.
- (3) Noises resulting from emergency work as defined in section 11-5-2.
- (4) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefor has been granted by the city in accordance with section 11-5-7.
- (5) Any aircraft operated in conformity with, or pursuant to federal law, federal air regulations, and air traffic control instruction used pursuant to and within the duly adopted federal air regulations. Any aircraft operating under technical difficulties, in

any kind of distress, under emergency orders of air traffic control or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations.

- (6) Any railroad operated in conformity with, or pursuant to federal law or regulations.
- (7) Work necessary to restore and maintain services provided by public service companies, the rail rapid transit system and the city.
- (8) Noises resulting from the operation of rail rapid transit systems,
- (9) Interstate motor carriers, and medium and heavy trucks manufactured and operated in accordance with federal noise standards. Such vehicles may not be operated with a defective muffler or with tampered or missing noise control devices.

**Sec. 11-5-7 - Application for special permit.**

- (a) Applications for a permit for relief on the basis of undue hardship from a noise level or time limits designated in this chapter may be made to the city manager or his duly authorized representative. Any permit granted by the city manager hereunder shall contain all conditions upon which the permit has been granted and shall specify a reasonable time that the permit shall be effective. The city manager, or his duly authorized representative, shall grant the relief as applied for if he finds:
  - (1) that additional time is necessary for the applicant to alter or modify his activity or operation to comply with this chapter; or
  - (2) the activity, operation or noise source will be of temporary duration, or cannot be done in a manner that would comply with other subsections of this section, and that no other reasonable alternative is available to the applicant.
- (b) The city manager, or his duly authorized representative, may prescribe any conditions or requirements he deems necessary to minimize adverse effects upon the community or the surrounding neighborhood.
- (c) Any permit issued pursuant to this chapter shall be valid no longer than three years from the date it is issued. Upon the expiration of any such permit no new permit may be issued except in compliance with all the provisions of this section.

**Sec. 11-5-8 - Administration.**

- (a) The director shall be charged with administering and enforcing the provisions of this chapter.
- (b) The city manager shall, upon the request of the director, allocate such resources of the police department as the city manager shall deem necessary to assist the director in the administration and enforcement of the provisions of this chapter.
- (b.1) The fire marshal, deputy fire marshals, new construction inspectors and existing structures inspectors within the code enforcement bureau shall have concurrent jurisdiction to enforce the provisions of this chapter relating to construction, construction devices and power equipment as defined in section 11-5-2 of this Code.



- (c) The engineer and the director shall whenever possible coordinate their activities to the end that noise pollution in the city is regulated, prevented, abated and controlled.
- (d) In addition to any other powers vested in him, the director may, subject to the availability of funds:
  - (1) conduct studies, investigations and research relating to noise pollution and its prevention, abatement and control;
  - (2) issue such orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings;
  - (3) hold hearings relating to any aspect of or matter in the administration of this chapter;
  - (4) secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise;
  - (5) prepare and develop a comprehensive plan or plans for the prevention, abatement and control of noise pollution;
  - (6) advise, consult and cooperate with other local governmental units, agencies of the state, industries, interstate or interlocal agencies and the federal government, and with interested persons and groups;
  - (7) review those matters having a bearing upon noise pollution referred by other agencies(such as planning, zoning, building and fire departments) and make reports, including recommendations, to the referring agencies with respect thereto;
  - (8) collect and disseminate information and conduct educational and training programs relating to noise pollution;
  - (9) encourage voluntary cooperation by persons or affected groups to achieve the purposes of this chapter;
  - (10) do any and all acts which may be necessary for the successful prosecution of the policy of this chapter and such other acts as may be specifically enumerated herein;
  - (11) prepare annually a report to the city council on progress in implementation and enforcement of the provisions of the noise control code and make recommendations to the council of any changes in the noise control code he deems desirable;
  - (12) may coordinate the noise control activities of all agencies and departments of the city government and advise, consult, cooperate and coordinate noise control activities with other local governmental units, state agencies, interstate and interlocal agencies, the federal government, and with interested persons and groups with respect to the provisions of this chapter;
  - (13) may make recommendations to the city council for changes to this chapter to make it consistent with all preemptive state and federal legislation.
- (e) The city manager shall submit to the city council recommended noise design limits to be incorporated in city planning and zoning and the design and construction of

buildings, streets and highways and in the routing and rerouting of motor vehicle and pedestrian traffic.

**Sec. 11-5-9 - Inspections.**

Any duly authorized officer, employee, or representative of the engineer or the director may, when granted permission by the owner, or some person with reasonably apparent authority to act for the owner, enter and inspect any property, premises or place at any reasonable time for the purpose of investigating or testing either an actual or suspected source of noise pollution, or of ascertaining the state of compliance with the chapter and regulations enforced pursuant thereto.

**Sec. 11-5-10 - Enforcement procedure.**

- (a) Whenever the director has reason to believe that a violation of any provision of this chapter or a rule or regulation issued pursuant thereto has occurred, he may give notice of the violation to the owner failing to comply with this chapter, ordering him to take such corrective measures as are necessary within a reasonable time thereafter. The notice and order shall be in writing and shall be served personally upon the person to whom directed, or if he be not found, by mailing a copy thereof by certified mail to his usual place of abode and conspicuously posting, a copy at the premises affected by notice and order, if any.
- (b) Nothing in this chapter shall prevent the director from making efforts to obtain voluntary compliance through warning, conference or any other appropriate means.

**Sec. 11-5-11 - Emergency procedure.**

Notwithstanding the provisions of this chapter or any other provision of law, if the director finds that any owner is causing or contributing to noise pollution and that the causing or contributing to noise pollution creates an emergency which requires immediate action to protect the public health or safety, the director shall order the owner to reduce or discontinue immediately the causing or contributing to noise pollution and such order shall be complied with immediately. The order shall be deemed properly served if a copy thereof is delivered personally, or if the owner involved is not found, by mailing a copy thereof by certified mail to the owner involved at the premises involved or his business or residence address, if known, and by posting a copy thereof in a conspicuous place in or about the premises affected.

**Sec. 11-5-12 - Penalties.**

- (a) Civil violation. Any person who commits, permits, assists in or attempts any violation of this chapter, whether by act or omission, shall be liable for a civil violation as follows:
  - (1) The first violation of this chapter by such person shall be punished by a civil penalty in the amount of \$50.
  - (2) The second violation of this chapter committed by such person within seven days of the first violation shall be punished by a civil penalty in the amount of \$100.
  - (3) The third and any subsequent violation of this chapter committed by such person within 14 days of the first violation shall be punished by a civil penalty in the amount of \$500.

(b) Each hour of a continued violation shall constitute a separate offense under this chapter.

(c) Procedures.

(1) Civil Violations.

(i) If an authorized enforcement officer determines that a violation of this chapter has occurred, the officer may cause a notice of the violation to be served on any or all persons committing, permitting, assisting in or attempting such violation.

(ii) The notice shall provide that the person charged with a civil violation may elect to make an appearance in person, or in writing by mail, to the treasurer of the city, and admit liability for or plead no contest to the violation, abate the violation, and pay the civil penalty established for the violation, all within the time period fixed in the notice.

(iii) If a person charged with a civil violation does not elect to admit liability or plead no contest, and abate the violation, the violation shall be tried in the Alexandria General District Court upon a warrant in debt or motion for judgment, with the same right of appeal as provided for civil actions at law.

(iv) In the event the violation exceeds the jurisdictional limits of the General District Court, the violation shall be tried in the Alexandria Circuit Court.

(v) A finding of admission of liability or a plea of no contest to a civil violation shall not be deemed evidence of a criminal violation for any purpose.

(vi) A notice of civil violation, as provided in this section, may be issued or had, notwithstanding that no prior notice of violation and ordering of corrective measures as provided in section 11-5-10 has been given.

(vii) The provisions for judicial review contained in section 11-5-16 shall have no application to notices of violation, issued or made under the provisions of this section.

(viii) Any person operating or controlling a noise source shall be guilty of any violation caused by it. If the person operating or controlling the noise source cannot be identified, any owner, tenant, resident, or manager physically present on the property where the noise source is located may be charged if the circumstances establish their dominion and control over the noise source.

#### **Sec. 11-5-13 - Additional remedy; injunction.**

The operation or maintenance of any device, instrument, vehicle or machinery in violation of any provision hereof which endangers the health, comfort, safety, welfare and environment of residents in the area shall be deemed, and is declared to be, a public nuisance and may be subject to abatement by a restraining order or injunction issued by a court of competent jurisdiction.

#### **Sec. 11-5-14 - Confidentiality of records.**

Any records or other information which relate to processes or production unique to the owner or operator or which would tend to affect adversely the competitive position of the owner or operator shall be only for the confidential use of the director, the engineer and other departments, agencies and officers of the city, and appropriate federal and

Commonwealth of Virginia noise pollution control officials to the extent permitted by law, unless the owner or operator shall expressly agree to their publication or availability to the general public. Nothing herein shall be construed to prevent the use of such records or information by any department, agency or officer of the city in compiling or publishing analyses or summaries relating the general condition of the outside area; provided, that such analyses or summaries do not reveal any information otherwise confidential under this section.

**Sec. 11-5-15 - Application of chapter.**

Nothing contained in this chapter shall be construed to supplant or take the place of other provisions of the city code, as amended, or any other applicable provisions of law.

**Sec. 11-5-16 - Judicial review.**

- (a) Any person directly and either jointly or severally aggrieved by a final order or a final decision of the director is entitled to judicial review thereof under this chapter in the Circuit Court of the City of Alexandria.
- (b) Proceedings for review shall be instituted by filing a notice of appeal and a petition for review with the court within 30 days after the date of the final order or final decision and delivering, a copy of the notice and the petition to the director. The filing of an appeal shall not act to stay the order or the effect of the decision from which the appeal is taken. Within five working days after receipt the notice, the director shall file in the record of the suit a statement of the reason, including any finding of fact and/or conclusion of law, upon which the order or decision appealed from was based. Further proceedings shall be in accordance with equity jurisprudence and procedure. The court may render its judgment upon the record or it may hear such additional evidence as it deems proper.
- (c) The court may affirm the final order or final decision from which an appeal has been taken or it may remand the matter for further proceedings; or it may reverse or modify the order or decision on appeal if the substantial rights of the appellant have been prejudiced because the order or decision of the director is:
  - (1) in violation of any constitutional provision;
  - (2) in excess of lawful authority or jurisdiction;
  - (3) made upon unlawful procedure;
  - (4) affected by other error of law;
  - (5) unsupported by the evidence on the record considered as a whole; or
  - (6) arbitrary, capricious or an abuse of discretion.

Section 2. That Chapter 5 of Title 11 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

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

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Planning Commission (continued)**

None.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council adjourned the public hearing meeting of May 15, 2021 at 5:39 p.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON   MAYOR

ATTEST:

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Gloria A. Sitton, CMC   City Clerk

**City of Alexandria**  
**Tuesday, April 27, 2021 6:00 PM**  
**Virtual Meeting**  
**City Council Legislative Meeting**  
**Meeting Minutes**

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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. Seifeldein.

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; Ms. S. Taylor, Legislative Director/Assistant City Manager; Mr. Routt, Director, Office of Management and Budget (OMB); Ms. Poly, Analyst, OMB; Mr. Wick, Manager, OMB; Ms. Garvey, Director, Department of Community and Human Services (DCHS); Police Chief Brown; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Dr. Gaddy, Acting Director, Alexandria Health Department; Fire Chief Smedley; Mr. Maines, Division Chief, T&ES; Mr. Skrabak, Deputy Director, T&ES; Ms. Suehr, Director, Department of Project Implementation; Mr. Landes, Division Chief, Department of Project Implementation; Mr. Eger, General Services; Ms. Oleynik, T&ES; Mr. Moritz, Director, Planning and Zoning; Mr. Barre, Information Technology Services; Mr. Smith, ITS, and Ms. Demeke, ITS.

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

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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. Councilman Aguirre and Councilman Chapman arrived at the meeting following roll-call.

2. Resolution Finding Need to Conduct City Council Meetings Electronically.  
[ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried 5-0, City Council passed the resolution finding the need to conduct City Council meetings electronically. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Absent, Councilman Chapman.

The resolution reads as follows:

## **RESOLUTION NO. 2987**

### **Resolution Finding Need to Conduct City Council Meeting Electronically**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia (the "City"), pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to the by the City Council on March 14, 2020, pursuant to City Resolution No. 2928, as required by applicable law; on June 9, 2020, the City Manager extended such Declaration of Local Emergency through September 30, 2020 which extension was unanimously consented to by the City Council on June 9, 2020; on September 22, 2020, the City Manager extended such Declaration of Local Emergency through March 31, 2021 which extension was unanimously consented to by the City Council on September 22, 2020; on March 23, 2021, the City Manager extended such Declaration of Local Emergency through September 30, 2021 which extension was unanimously consented to by the City Council on March 23, 2021; (the "City Declaration"); and

**WHEREAS**, the City Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code § 44-146.16 being a "communicable disease of public health threat;" and

**WHEREAS**, on April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB29 and HB30 (Virginia Acts of Assembly Chapters 1283 and 1289), Section 4-0.01(g), that expressly authorize "any public body, including any state, local, [or] regional body" to "meet by electronic means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . ., provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities" among other provisions; and



**THEREFORE, BE IT RESOLVED**, that the City Council of the City of Alexandria, Virginia, hereby finds that the nature of the declared emergency makes it both impracticable and unsafe for the Council to assemble in a single location for its meeting on this date to discuss and transact the business of the City listed on the docket; and

**BE IT FINALLY RESOLVED**, that the City Council hereby finds that the items on the docket for this date are statutorily required or necessary to continue operations of the public body and the discharge of its lawful purposes, duties, and responsibilities.

### **Budget Work Session - Preliminary Add/Delete**

City Council held the preliminary add/delete budget work session. City Council reviewed the proposals that were submitted by City Council prior to the meeting. The proposal included the following:

- elimination of fares for DASH Bus to coincide with launch of the new DASH route network in September 2021;
- addition of experienced worker position assisting older adults seeking employment;
- utilizing revenue re-estimates and technical adjustments, including a one-time City employee bonus equal to 1% of an employee's annual compensation;
- Hensley Park Phase 2 Renovation acceleration;
- Enhancing OHA's oral history program; and
- reappropriation of School Resource Officers Fund for other services for students.

City Council held a discussion about the proposal and asked questions of City staff about the proposals.

### **3. Public Discussion Period.**

The following persons participated in the public discussion period:

1. Joe Sestak, Alexandria, representing Seminary Ridge Civic Association, spoke about Strawberry Run channel design and he requested that the City halt work on the stream
2. Susan Clark-Sestak, Alexandria, spoke about Strawberry Run and the need to revisit the design and stop work on the stream design.
3. Fran Vogel, Alexandria, representing Strawberry Hill Civic Association, spoke about Strawberry Run and the need to stop work on the stream design.
4. Jessica Salvador, Alexandria, spoke in support retaining School Resources Officers in ACPS.
5. Jeanne Jacob, Alexandria, spoke about process concerns related to the Strawberry Run stream restoration.
6. Christine Ann Walika, Alexandria, spoke about the need for community input on the Strawberry Run stream restoration.
7. Susan Gould, Alexandria, spoke about the stream restoration for Strawberry Run and need to review the process.

8. Gerry Frank, Alexandria, spoke about the stream restoration for Strawberry Run and the need for review of the process and more community input.

9. Richard Gould, Alexandria, spoke about the receipt of materials related to the Strawberry Run restoration by the neighborhood.

10. Alexander Cortez, Alexandria, spoke about community input and lack of contact about the Strawberry Run stream restoration.

11. Angel Bonilla, Alexandria, spoke in support of the School Resource Officers in ACPS.

12. Lyn Allen, Alexandria, spoke about the need for additional community input as it relates to Strawberry Run.

13. Carol Kocot, Alexandria, spoke about the need to review the process for the Strawberry Run stream restoration.

14. Larry Kocot, Alexandria, spoke about the Strawberry Run stream restoration and the lack of community input.

The following persons spoke at the conclusion of the docketed items:

15. Jeremy Flachs, Alexandria, spoke about the Strawberry Run stream restoration and spoke about credits and the about pausing the restoration.

16. Russell Bailey, Alexandria, spoke about the Strawberry Run stream restoration.

17. Ashley Moore, attorney, spoke about removing School Resource officers from ACPS.

18. Steve Tuttle, Alexandria, spoke about the Strawberry Run stream restoration.

19. John Craig, Alexandria, spoke against the reconsideration of the Braddock West project.

20. Robert Steele, Alexandria, spoke in support of the reconsideration of the Braddock West project.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public comment period. 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.

\*\*\*This item was considered following the Budget Work Session. \*\*\*

4. Wrap-up of the 2021 Virginia General Assembly Session.

City Council received a report of the wrap-up of the General Assembly activity from the local State Delegation. Del. Charniele Herring, Del. Mark Levine, Senator Adam Ebbin, Senator, George Barker, and Senator Richard Saslaw gave a report to Council and responded to questions.

## **PROCLAMATIONS**

5. Presentation of a Proclamation Recognizing Mental Health Awareness Month.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council endorsed the proclamation. 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. Presentation of a Proclamation Recognizing the SRG- Social Responsibility Group.

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

## **Oral Reports from Members of City Council on Boards, Commissions, and Committees**

### **\*ARHA Redevelopment Committee (Mayor Wilson and Councilman Chapman)**

Mayor Wilson reported that the Committee attended the new Lineage at North Patrick Street and 52 families moved in. Mayor Wilson reported that the Committee received an update on the ongoing redevelopment process for their properties.

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

Mayor Wilson reported that Subcommittee discussed reopening of City schools and the impacts of the process. Mayor Wilson noted that the superintendent gave an updated on the reopening of school buildings, the possible use of City facilities and the use of virtual academy.

### **\*City Council/Alexandria Renew CSO Committee (Mayor Wilson and Councilwoman Jackson)**

Mayor Wilson reported that the project has remained on schedule and on budget. Mayor Wilson noted that there was discussion about the credits that will be available as a result of the CSO work being performed.

**\*COG Board of Directors (Mayor Wilson)**

Mayor Wilson noted that the Council would be considering a resolution later that endorses DC statehood and he reported that the Council of Governments adopted a resolution endorsing DC statehood.

**\*Library Board (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the Board has approved funding for an internship at Special Collections and they discussed the elimination of library fines. Vice Mayor Bennett-Parker noted that the Library is planning to open on Sundays in July and will be filling positions to staff that opening shortly.

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

Vice Mayor Bennett-Parker reported that VRE is planning to return to full service on June 1 and the board continued the discussion of refunding and reimburse local jurisdictions at the May meeting.

**\*NVTC-PRTC Joint Commission Working Group (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the group endorsed 13 proposals for the I-95/I-395 Commuter Choice program, subject to comments received from the public.

**\*Northern Virginia Regional Commission (NVRC) (Vice Mayor Bennett-Parker and Councilman Chapman)**

Vice Mayor Bennett-Parker reported that the Commission received a presentation from the Community Foundation for Northern Virginia related to the housing research that they have been conducting, distributing data on households experiencing housing difficulties in the region.

**\*MacArthur Advisory Committee (Councilwoman Jackson)**

Councilwoman Jackson reported that the first demolition occurred at the old building on Janney's Lane and beginning the construction of the forest design.

**\*Chesapeake Bay and Water Resources Policy Committee (Councilwoman Jackson)**

Councilwoman Jackson reported that the Committee will be meeting with CEEPC on July 28 and she reported that the Chesapeake Bay Awareness Week Outline is available and the week will be held June 5 -13, bring awareness to the Bay.

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

Councilman Aguirre reported that the Commission held a review of implicit bias and racial and social equity by one of the subcommittees. Councilman Aguirre reported that the group discussed the Youth Master Plan and there was a discussion about truancy.

### **\*COG Transportation Planning Board (TPB) (Councilman Aguirre)**

Councilman Aguirre reported that the Board discussed the 2022 Unified Plan and continued to receive updates on the 2022 Commuter Connections and Visualize 2025.

### **\*Alexandria Campaign on Adolescent Pregnancy (ACAP) (Councilman Aguirre and Vice Mayor Bennett-Parker)**

Councilman Aguirre reported that the group continued its discussion on updating the by-laws and the values and mission statement. Councilman Aguirre noted that the group discussed how to assist the Children, Youth and Families Collaborative Commission with their work.

### **\*Alexandria Transportation Commission (ATC) (Councilman Aguirre and Councilman Chapman)**

Councilman Aguirre reported that the Commission discussed the Alexandria Mobility Plan during their meeting, highlighting accessibility, convenience, equity, and safety.

### **\*Minnie Howard High School Project (Councilman Aguirre)**

Councilman Aguirre reported that the group discussed the possibility of including a pool with the project and the cost of including that in the project.

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

(a) Report by Dr. Anne Gaddy, MD, MPH, Acting Director, Alexandria Health Department, on COVID-19 Mitigation and Vaccination Progress.

Dr. Gaddy, Acting Director, Alexandria Health Department gave an update on the COVID-19 status for the City and an update on vaccination distribution in the community and she responded to questions from Council about vaccine distribution and community engagement.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (7-10)**

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

7. Consideration of a License Amendment between the City of Alexandria and Hornblower Cruises & Events (Potomac Riverboat Co.) for a License Fee Repayment Plan in response to the COVID-19 Pandemic.
8. Consideration of a Grant application for the 2021 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Swift Water and Flood Rescue Teams.
9. Consideration of a Grant Application to the 2021 State Homeland Security Program

(SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Hazardous Materials Emergency Response Equipment.

10. Consideration of Grant Application for FY 2021 Port Security Grant Program (PSGP).

## **END OF CONSENT CALENDAR**

City Council approved the items on the consent calendar under separate motions. The City Manager's recommendations were as follows:

7. Consideration of a License Amendment between the City of Alexandria and Hornblower Cruises & Events (Potomac Riverboat Co.) for a License Fee Repayment Plan in response to the COVID-19 Pandemic.

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) received the report and scheduled the proposed license amendment two for public hearing on May 15, 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.

8. Consideration of a Grant application for the 2021 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Swift Water and Flood Rescue Teams.

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council: (1) authorized the acceptance of a grant for \$33,500; and (2) authorized the City Manager to execute the necessary documents that may be required. 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. Consideration of a Grant Application to the 2021 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Hazardous Materials Emergency Response Equipment.

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman

Chapman and carried unanimously, City Council: (1) authorized the submission of a grant application for \$66,500; and (2) authorized the City Manager to execute the necessary documents that may be required. 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. Consideration of Grant Application for FY 2021 Port Security Grant Program (PSGP).

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council: (1) approved the grant application to the 2021 Port Security Grant Program, U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) in the amount of \$350,624; and (2) authorized the City Manager to execute all necessary document that may be required. 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.

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

11. Stream Restoration Program Update (Lucky Run, Strawberry Run, and Taylor Run)

(A copy of the PowerPoint presentation is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 04/27/21, and is incorporated as part of this record by reference.)

City Council received the update and requested that staff proceed with the Lucky Run project and pause on the Strawberry Run and Taylor Run projects. City Council also requested that all three streams be tested. Staff will also continue to have discussions with the community on alternatives to the natural channel designs and about other options for working on the channel. Staff will also update the protocols to the natural channel designs. The Environmental Policy Commission will continue to be part of the discussions.

12. Receipt and Endorsement of the City of Alexandria Electric Vehicle Charging Infrastructure Readiness Strategy.

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council received and endorsed the City of Alexandria Electric Vehicle Charging Infrastructure Readiness Strategy. 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

13. Consideration of a Resolution Approving the City's Community Funding Priorities Submission to Congressman Beyer for Federal Funding Consideration. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted a resolution approving the City's Community Funding Priorities and Surface Transportation Act Funding Submission to Congressman Beyer for funding consideration. 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. 2988**

#### **Identifying City of Alexandria Priorities for Federal Funding Opportunities and Requesting Congressional Delegation Support**

**WHEREAS**, the COVID-19 pandemic has exposed many stark inequalities and significant needs in communities across our nation, including in the City of Alexandria, and;

**WHEREAS**, the City of Alexandria has invested significant City resources during the past year, as well as funding allocated to the City through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, in addressing inequalities and needs in our own city, including in the specific areas of housing security, business stability and recovery, food insecurity, continuity of government and public health education, outreach and service delivery, and;

**WHEREAS**, the United States Congress and the Executive Branch have identified numerous avenues for additional, significant, direct investment in communities as opportunities to create jobs, invest in both people and infrastructure, and work to address the ongoing needs of families, businesses, neighborhoods and communities across our country, and;

**WHEREAS**, currently these funding opportunities include Community Project Funding in appropriations bills in Fiscal Year 2022 and the Surface Transportation Reauthorization Bill, and;

**WHEREAS**, these potential funding sources present a significant opportunity for local governments to propose and request support from our Congressional delegation for critical projects in specific funding areas to benefit our residents, businesses and workers, and;

**WHEREAS**, these potential funding opportunities come at a critical time when people throughout our community are facing tremendous need, and;



**WHEREAS**, the City of Alexandria has identified eight projects appropriate for funding through the Community Project Funding process, including:

- Re-employment and upskilling programs and services;
- Flash flooding “spot improvement” projects;
- Seed funding for Alexandria Arts District Community Development Authority;
- Deployment of body worn cameras in the Alexandria Police Department;
- Regional trauma-informed crime prevention and intervention through engagement, equity and asset development;
- Early childhood education – aligning early childhood education and school readiness with best practices that lessen negative impacts on children, families and the community;
- Four Mile Run restoration – urban deck environmental remediation and design;
- Investment in enforcement and infrastructure to improve safety for pedestrians, bicyclists, and motorists on southern portion of the George Washington Memorial Parkway and;

**WHEREAS**, the City of Alexandria has identified five projects and funding areas appropriate for funding through the Surface Transportation Reauthorization Bill, including:

- Design and construction of the Mt Vernon Bridge connecting Alexandria and Arlington;
- I-395 at Duke / Landmark - Improved Landmark redevelopment site access;
- Acquisition and redevelopment of the Norfolk Southern rail spur right of way for a nonmotorized trail in Old Town North;
- Bridge preventative and restorative maintenance;
- ADA and Rapid Response Pedestrian Safety in High Transit and Equity Areas, and;

**WHEREAS**, these projects are clear priorities for the City and address significant inequalities and recognized needs in the City of Alexandria in the areas of human services, community development and infrastructure.

**THEREFORE BE IT RESOLVED**, the City Council of the City of Alexandria supports these local priorities and endorses them for consideration for federal funding opportunities.

**BE IT FURTHER RESOLVED**, the City Council of the City of Alexandria calls upon our Congressional delegation to support these local priorities in the areas of human services, community development and infrastructure and work to secure federal funding for these projects and programs.

**BE IT FINALLY RESOLVED**, that copies of this resolution be transmitted to the members of the Alexandria Congressional delegation – the Honorable Mark R. Warner, the Honorable Timothy M. Kaine, and the Honorable Donald S. Beyer, Jr.

14. Deferral of Upper King Street Multimodal Improvements SMART SCALE Grant Application. [ROLL-CALL VOTE]

(A copy of the City Manager’s memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council passed a resolution that: (1) deferred the \$36.8 million Upper King Street Multimodal Reconstruction grant application to the Virginia Department of Transportation (VDOT) SMART SCALE Round 4 (FY26 to FY27) program; and (2) tentatively plan to resubmit an Upper King Street project for SMART SCALE (FY28 to FY29) funding consideration after the necessary civic engagement has been undertaken and a preferred alternative approved by City Council. 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. 2989**

#### **RESOLUTION TO DEFER AND WITHDRAW THE PRIOR APPLICATION FOR UPPER KING STREET MULTIMODAL IMPROVEMENTS FROM SMART SCALE ROUND 4 (FY 2026 AND 2027) AND TENTATIVELY PLAN TO APPLY IN A SUBSEQUENT ROUND PENDING ADDITIONAL TRAFFIC ANALYSIS AND COMMUNITY ENGAGEMENT**

**WHEREAS**, the City Council of the City of Alexandria reaffirms its commitment to safety, multimodal transportation, improvements to stormwater infrastructure, and beautification in the area around Upper King Street; and

**WHEREAS**, the City Council of the City of Alexandria recognizes the importance of Upper King Street as a gateway to Alexandria for residents and visitors; and

**WHEREAS**, the City Council of the City of Alexandria desires to seek funding for critical improvements to this corridor, and had previously, at staff's recommendation, authorized submission to the Commonwealth of Virginia's SMART SCALE Round 4 program; and

**WHEREAS**, the purpose of SMART SCALE is to fund the most effective transportation projects through a prioritization process that evaluates each project's merits using key factors, including: improvements to safety, congestion reduction, accessibility, land use, economic development and the environment. The evaluation focuses on the degree to which a project addresses a problem or need relative to the requested funding for the project; and

**WHEREAS**, projects are scored based on an objective and fair analysis applied statewide. SMART SCALE also requires that project benefits be analyzed relative to project cost. CTB policy requires the project benefits be analyzed relative to the amount of SMART SCALE funds requested, so the final SMART SCALE score is based on the project cost to the state; and

**WHEREAS**, one of the City's initial submissions to SMART SCALE Round 4, the Upper King Street Multimodal Reconstruction project, requires more detailed traffic analysis and community engagement to develop a Council-approved preferred alternative for the corridor; and

**WHEREAS**, because significant changes to key elements of the project as submitted by the City could result in a future re-scoring and re-ranking that could result in the loss of some or all future potential SMART SCALE funds;

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

1. The City Council of the City of Alexandria hereby supports the deferral and withdrawal of its \$39.9 million Upper King Street Multimodal Reconstruction grant application to the Virginia Department of Transportation (VDOT) SMART SCALE Round 4 (FY 2026-2027) program;
  2. The City Council of the City of Alexandria tentatively plans to resubmit an Upper King Street project for SMART SCALE (FY 2028- 2029) funding consideration after the necessary civic engagement has been undertaken and a preferred alternative approved by City Council; and
  3. The City Council of the City of Alexandria hereby grants authority for the City Manager to execute all necessary documents that may be required by this action.
15. Consideration of a Resolution to Support District of Columbia Statehood. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilman Seifeldein and carried unanimously by roll-call vote, City Council adopted the resolution to support District of Columbia Statehood. 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. 2990**

### **RESOLUTION IN SUPPORT OF THE DISTRICT OF COLUMBIA STATEHOOD**

**WHEREAS**, this nation is founded on the belief that all people are endowed with certain inalienable rights and that to secure these rights, governments are instituted, deriving their just powers from the consent of the governed; and

**WHEREAS**, the United States is the formal union of states formed by their people and to have the full rights of self-government, one must be a citizen of a state; and

**WHEREAS**, statehood only requires a simple majority vote in each house of Congress and the President's signature and is the only form of self-government that Congress cannot amend or take away; and

**WHEREAS**, as a result, the people of the District of Columbia are the only Americans who bear all of the burdens of citizenship, but who do not enjoy all of the citizenship's benefits and remain effectively a colony; and

**WHEREAS**, Congress in the 1973 District of Columbia Self-Government and Government Re-organization Act, (the "Home Rule Act") has already carved out the federal core of the District, including the White House, Capitol, Supreme Court, Mall and monuments, as the National Capital Service Area and such area can constitutionally be the "Seat of the Government of the United States"; and

**WHEREAS**, District voters have overwhelmingly expressed their desire for statehood by voting in a 2016 advisory referendum in favor of statehood; and

**WHEREAS**, District residents pay the highest federal income tax per capita when compared to residents of any of the 50 states; and

**WHEREAS**, the District has passed 24 consecutive balanced budgets, achieved a "triple A" rating in 2018 and maintains enviable cash reserves. Washington, DC adds nearly 900 new residents per month; its \$16 billion local budget is funded by mostly local taxes and fees, the District has clearly proven its ability to self-govern; and

**WHEREAS**, statehood is the simplest and most constitutional way to make the people of the District of Columbia full citizens of the United States of America and is a matter of simple justice.

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

Urges the Congress to use its powers under Article IV, Section 3 of the United States Constitution and admit the residential and commercial areas of the District of Columbia, minus the National Capital Service Area which shall henceforth be the Seat of the Government of the United States, as the 51st State of the Union.

16. Consideration of Revised Resolution for the Order of Business of Council Meetings.  
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council adopted the revised resolution which: (1) adds "Reports and Recommendations from the City Manager" at the first legislative meeting; (2) adds "Ordinances and Resolutions" (not on consent or roll-call consent) at the first legislative meeting; and (3) adds "Roll-Call Consent Calendar" to the regular public hearing

meeting. 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. 2991**

**WHEREAS**, Resolution No. 2798, adopted November 28, 2017, revised and established rules of procedure, the order of business and a schedule for meetings of the City Council; and

**WHEREAS**, it is necessary and desirable to repeal Resolution No. 2798 to conform to the present practices of City Council and for other purposes;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Alexandria:

**Section 1. Schedule for Meetings and Official Events.** That the following schedule for City Council meetings and other official events be, and the same hereby is, adopted and shall be supplemental and in addition to the provisions contained in The Code of the City of Alexandria, Virginia, 1981, as amended:

1. The City Council shall, except during the months of July and August, hold regular legislative meetings on the second and fourth Tuesdays in each month at **7:00** p.m.; provided, however, that when any such day shall fall on a legal holiday, the meeting shall be held on the next succeeding day; and, provided further, that there shall be no regular legislative meeting on the fourth Tuesday in December. The first legislative meeting will be reserved for the business meeting of City Council; the second legislative meeting will be reserved for the policy discussion and debate meeting of City Council.
2. The City Council shall, except during the months of July and August, hold regular public hearing meetings on the Saturday following the second Tuesday in each month at 9:30 a.m., provided, however, that when such day shall fall on or within three days of a legal holiday, the meeting may be held on the Saturday preceding the fourth Tuesday of the month.
3. Special meetings of the City Council, held in lieu of or in addition to regular meetings, may be held at any time as provided for in Sec. 2-1-43 of The Code of the City of Alexandria, Virginia, 1981, as amended.
4. At the first regular meeting in September of each year, City Council shall approve a calendar of City Council Meetings and other official events, including any neighborhood meetings that are planned, for the entire year from September through June, and may amend the calendar as deemed desirable.

**Section 2. Order of Business for Regular, Public Hearing and Special Meetings.** That the following Order of Business for City Council Meetings be, and the same hereby is, adopted pursuant to Section 2-1-47 of The Code of the City of Alexandria, Virginia 1981, as amended.

1. At the first legislative meeting (business) the order of business shall be as follows:

- (a) Calling the Roll
- (b) Executive Session (if required)
- (c) Moment of Silence and Pledge of Allegiance
- (d) Reading and Acting Upon the Minutes
- (e) Recognition of Youth
- (f) Proclamations
- (g) Oral Reports from City Council on Boards, Commissions and Committees
- (h) Oral Reports from the City Manager
- (i) Consent Calendar
  - 1) Resignations and Uncontested Appointments
  - 2) Reports and Recommendations of the City Manager
  - 3) Ordinances for Introduction and First Reading
- (j) Roll-Call Consent Calendar
  - 1) Ordinances and Resolutions
- (k) Contested Board Appointments
- (l) Reports and Recommendations of the City Manager for Discussion (not on consent calendar)**
- (m) Ordinances and Resolutions (not on consent calendar)**
- (n) Oral Reports and Oral Presentations by Members of City Council
- (o) Executive Session (if required)
- (n) Adjournment

2. At the second legislative meeting (policy decisions/debate) the order of business shall be as follows:

- (a) Calling the Roll
- (b) Executive Session (if required)
- (c) Moment of Silence and Pledge of Allegiance
- (d) Reading and Acting Upon the Minutes
- (e) Oral Reports from City Council on Boards, Commissions and Committees
- (f) Oral Reports of the City Manager
- (g) Consent Calendar
  - 1) Reports and Recommendations of the City Manager
- (h) Roll-Call Consent Calendar
  - 1) Ordinances and Resolutions
- (i) Work Session
- (j) Reports and Recommendations of the City Manager for Discussion (Policy Items for Council Direction to Staff)
- (k) Oral Reports and Oral Presentations by Members of City Council
- (l) Adjournment

3. At regular public hearing meetings, the order of business shall be as follows:

- (a) Calling the roll
- (b) Public discussion period (30 minutes)
- (c) Action consent calendar
- (d) Roll-Call Consent Calendar**

**1) Ordinances (public hearing, second reading and final passage)**

- (d) Public hearing on reports and recommendations of the city manager
  - (e) Public hearing on reports of boards, commissions and committees
  - (f) Public hearing, second reading and final passage of ordinances, and public hearing and adoption of resolutions
  - (g) Deferral/withdrawal consent calendar
  - (h) Other business
  - (i) Executive sessions
4. At special meetings, the order of business shall conform to the order established for regular legislative or public hearing meetings, as appropriate, or shall be established in the notice of the meeting as provided by Sec. 2-1-43 of the Code of the City of Alexandria, Virginia, 1981, as amended.

**Section 3. Rules of Procedure for Regular, Public Hearing and Special Meetings.** That the following rules of procedure for regular legislative and public hearing, and special meetings of City Council be, and the same hereby are, adopted and shall be supplemental and in addition to the provisions contained in the Code of the City of Alexandria, Virginia, 1981, as amended:

1. All supporting reports, documents or material shall be delivered to each member of Council at least **48** hours in advance of the meeting. Supporting reports, documents or material may be delivered subsequently when exceptional circumstances so require.
2. All supporting reports, documents or material, other than material exempt from disclosure under the Freedom of Information Act, shall be made available to the public at the time such material is delivered to the members of council.
3. The public will normally not be recognized to speak on docket items at regular legislative meetings. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. (See also paragraph 7, below.) If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.
4. One or more consent calendars, comprised of docket items deemed to be routine and housekeeping in the discretion of the City Council or City Manager, shall be prepared for each meeting at the direction of the City Manager. Adoption or approval of all items on a consent calendar shall require but a single vote by City Council; except that upon the request of any member of the City Council any item on the consent calendar shall be voted upon separately; and, provided further, that upon the request of a member of the public, any item on a consent calendar for a public hearing meeting shall be heard and voted upon separately. A consent calendar shall not include ordinances docketed for public hearing, second reading and final passage, resolutions or other items requiring a roll-call vote by Council.
5. If the City Clerk, at least two days before the meeting, shall transmit to each member of

the City Council, **at the member's residence address or by electronic communication**, a copy of the minutes of such previous meeting for inspection, reading thereof before the City Council assembled may, unless a member otherwise requests, be dispensed with and such minutes so inspected may be acted upon without being read.

6. At all meetings the City Manager shall where reasonably possible arrange the docket so that items covering similar subject matter are grouped together.
7. The first 30 minutes of public hearing meetings will be open for public discussion on any subject not on the public hearing docket. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly significant reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply. Guidelines for the public discussion period shall be as follows:
  - (a) All speakers must complete a speaker request form and submit the completed form to the City Clerk by the time the item is called by the City Clerk.
  - (b) No speaker will be allowed more than three minutes, but that time may be extended by the Mayor or presiding member.
  - (c) If more speakers are signed up than would be allotted for in 30 minutes, the Mayor may organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will be allowed to speak during the 30-minute public discussion period.
  - (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order in which their request forms were received.
  - (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.
8. Any speaker wishing to address Council shall register his or her intent to do so on a speaker request form filed with the City Clerk in advance of the time that the item about which the speaker wishes to speak is called on the docket, or in advance of the public discussion period. The speaker request form shall be substantially in the form attached hereto.
9. The order of speakers shall be determined by the Mayor or other presiding member of council.
10. A speaker shall limit his or her remarks to three minutes and shall speak only once on any docket item. The Mayor or presiding member may allow rebuttal for a total of no more than three minutes, and a proponent may also speak during the time allowed for



rebuttal. The Mayor or presiding member may allow a speaker a brief extension of time to conclude the speaker's remarks. A speaker requiring more than three minutes for his or her presentation shall notify the City Clerk in writing before 5:00 p.m. of the day preceding the date of the meeting of the additional time required, together with the reasons. Council may, by consent of a majority of those present, grant additional time not to exceed fifteen minutes. A speaker shall be stopped if his or her comments become irrelevant or unnecessarily repetitious.

11. Speakers are encouraged to prepare and deliver to the City Clerk for distribution to the Council written statements of their positions.
12. The City Clerk shall arrange for a timekeeper to assure that each speaker stays within the allotted speaking time.
13. When voting on final passage of any ordinance, or on any resolution, the name of each member voting and how the member voted shall be recorded by the City Clerk.

#### **Section 4. Miscellaneous provisions.**

1. That the Schedule of Meetings, Order of Business and Rules of Procedures adopted by this resolution shall not be departed from, except upon the consent of the majority of the Council members present.
2. That the Schedule of Meetings, Order of Business and Rules of Procedure adopted by this resolution, unless otherwise required by law, shall be directory only, shall not have the force or effect of law, and a departure therefrom shall not be construed to invalidate any Council proceeding or decision.
3. That this resolution shall become effective on April 27, 2021.

**Section 5. Repeal.** That Resolution No. 2798, adopted November 28, 2017, relating to rules of procedure, orders of business and schedules for meetings of the City Council be, and the same hereby is, repealed effective April 27, 2021.

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

17. Update on Recommendations from the Boards and Commissions Audit/Review Committee.

(A copy of the City Clerk's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council received the update from the Boards and Commissions Audit/Review Committee. 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.

18. Consideration of a motion to rescind the vote denying the request for Master Plan Amendment #2020-0008, Rezoning #2020-0004, Development Special Use Permit #2020-10027, Transportation Management Plan Special Use Permit #2020-00076 and Vacation #2020-00004 for the Braddock West Development at 1352, 1356, 1360, and 1362 Madison Street, 1319, 1321, 1323, 1325, 1327, and 1329 Wythe Street.

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 18; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried 5-2, City Council moved to rescind the vote from March 13. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, and Councilwoman Pepper: Opposed, Councilwoman Jackson and Councilman Seifeldein.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council scheduled the item for public hearing and consideration on May 15, 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.

## **OTHER**

19. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated April 21, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 19; 04/27/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council received and adopted the FY 2021 City Council Schedule for April through July 2021. 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council adjourned the regular meeting of April 27, 2021 at 1:46 a.m. 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.

APPROVED BY:

JUSTIN M. WILSON

MAYOR

ATTEST:

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Gloria A. Sitton, CMC City Clerk

**City of Alexandria**  
**Tuesday, May 11, 2021 7:00 PM**  
**Virtual Meeting**  
**City Council Legislative 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. Seifeldein.

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; Ms. Talis, Alexandria Health Department; Ms. S. Taylor, Assistant City Manager/Legislative Director; Ms. Garvey, Director, Department of Community and Human Services (DCHS); Mr. McPike, Director, General Services; Ms. Contreras, Urban Planner, Planning and Zoning; Ms. McIlvaine, Director, Office of Housing; Ms. Horner, Legal Services of Northern Virginia; Ms. Seau, Division Chief, Office of Housing; Ms. Gilbert, DCHS; Ms. Fields, DCHS; Mr. Keeler, Deputy Director; Mr. Skrabak, Deputy Director, Transportation and Environmental Services (T&ES); Ms. Goldberg, T&ES; Ms. Fine, Assistant City Attorney; Mr. Lambert, Director, T&ES; Mr. Tran, Division Chief, T&ES; Mr. Barre, Information Technology Services; Mr. Smith, ITS; and Ms. Demeke, ITS.

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

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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 Councilman Chapman arriving following roll-call.

2. Resolution Finding the Need to Conduct City Council Meetings Electronically.  
[ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council adopted the resolution finding the need to conduct City Council meetings electronically. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Absent, Councilman Chapman.

The resolution reads as follows:

## **RESOLUTION NO. 2992**

### **Resolution Finding Need to Conduct City Council Meeting Electronically**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia (the “City”), pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to the by the City Council on March 14, 2020, pursuant to City Resolution No. 2928, as required by applicable law; on June 9, 2020, the City Manager extended such Declaration of Local Emergency through September 30, 2020 which extension was unanimously consented to by the City Council on June 9, 2020; on September 22, 2020, the City Manager extended such Declaration of Local Emergency through March 31, 2021 which extension was unanimously consented to by the City Council on September 22, 2020; on March 23, 2021, the City Manager extended such Declaration of Local Emergency through September 30, 2021 which extension was unanimously consented to by the City Council on March 23, 2021; (the “City Declaration”); and

**WHEREAS**, the City Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code § 44-146.16 being a “communicable disease of public health threat;” and

**WHEREAS**, on April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB29 and HB30 (Virginia Acts of Assembly Chapters 1283 and 1289), Section 4-0.01(g), that expressly authorize “any public body, including any state, local, [or] regional body” to “meet by electronic means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . ., provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities” among other provisions; and

**THEREFORE, BE IT RESOLVED**, that the City Council of the City of Alexandria, Virginia, hereby finds that the nature of the declared emergency makes it both impracticable and unsafe

for the Council to assemble in a single location for its meeting on this date to discuss and transact the business of the City listed on the docket; and

**BE IT FINALLY RESOLVED**, that the City Council hereby finds that the items on the docket for this date are statutorily required or necessary to continue operations of the public body and the discharge of its lawful purposes, duties, and responsibilities.

3. Public Discussion Period.

There were no speakers for the public discussion period.

4. Reading and Acting Upon the Minutes of the Following Meetings of City Council:  
The Special Meeting Minutes of February 16, 2021 (Budget Presentation);  
The Public Hearing Meeting Minutes of February 20, 2021;  
The Regular Meeting Minutes of February 23, 2021;  
The Special Meeting Minutes of March 8, 2021 (Budget Public Hearing);and  
The Regular Meeting Minutes of March 9, 2021.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the minutes for the following meetings of City Council: the special meeting minutes of February 16, 2021 (Budget Presentation), the public hearing meeting minutes of February 20, 2021, the regular meeting minutes of February 23, 2021, the special meeting minutes of March 8, 2021 (Budget Public Hearing), and the regular meeting minutes of March 9, 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.

## **PROCLAMATIONS**

5. Presentation of the Ellen Pickering Environmental Excellence Award.

City Council presented the Ellen Pickering Environmental Excellence Award to Joyce Hylton.

## **Oral Reports from Members of City Council on Boards, Commissions, and Committees**

### **\*Northern Virginia Transportation Commission (NVTC) (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Vice Mayor Bennett-Parker reported that the Commission received an update on the Commuter Choice Program and recommendations for funding for the I-395 projects, noting that the public comment period is open until May 17. Vice Mayor Bennett-Parker reported that the Commission took action on VRE items, including an agreement with CSX. Vice Mayor Bennett-Parker also reported that the Commission appointed Steven McIssick as the General Counsel for VRE.

Councilman Aguirre reported that there was a discussion about WMATA and its operation and there will be a subcommittee meeting on May 20.

### **\*Minnie Howard High School Project (Councilman Aguirre)**

Councilman Aguirre reported that group selected the pinwheel design with the bus route/car pickup parallel to Braddock Road, as well as planting additional trees and preserve those on the property. Councilman Aguirre reported that the proposed budget for the project is about \$150 million and any co-location of additional amenities/spaces would increase the cost of the project.

**\*Northern Virginia Transportation Authority (NVTa) (Mayor Wilson)**

Mayor Wilson stated that he chairs the Planning and Programming Committee, which met to produce the final recommendation on the Transportation and Technology Strategic Plan and an associated action plan. Mayor Wilson noted that the Plan was designed to be a framework for all of the projects funded by NVTa to encourage localities to look at standardized technologies and the Authority would consider the plan at the next meeting.

**\*Health and Safety Coordinating Committee (Mayor Wilson and Councilwoman Jackson)**

Mayor Wilson reported that the Committee held a joint meeting with the Community Criminal Justice Board to discuss COVID and coordination with the schools for planning for student vaccinations. Mayor Wilson reported that there was an update from the Commonwealth's Attorney on the status of the Treatment Court.

**\*Alexandria Works! Coalition (Councilwoman Pepper and Vice Mayor Bennett-Parker)**

Councilwoman Pepper reported that the Department has held 15 hiring events with 150 job placements during the pandemic. Councilwoman Pepper reported that the department has been working with Visit Alexandria to help local employers fill job openings in their businesses. Councilwoman Pepper noted that the Senior Placement Assistant position had been increased to full-time and has worked with AARP to hold workshops for improving job skills. Councilwoman Pepper also reported on the Summer Youth Employment Program, which will continue this year.

**ORAL REPORT FROM THE CITY MANAGER**

City Manager Jinks reported that the City of Alexandria would receive \$59.6 million in American Rescue Plan funding, with the City receiving city and county funding. Mr. Jinks noted that staff is still receiving public comment on what to use the funding for in the City.

(a) Report by Natalie Talis, MPH on COVID-19 Mitigation and Vaccination Progress.

Ms. Talis, Alexandria Health Department, gave an update on the outreach efforts to get residents vaccinated, noting that the demand has slowed. Ms. Talis noted that the department is working with many groups to coordinate more outreach and vaccination events to reach those still not vaccinated and she responded to questions from Council.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER  
CONSENT CALENDAR (6-21)**

**(Resignations and Uncontested Appointments)**

6. Receipt of the following Resignations from Members for Boards, Commissions, and Committees:

- (a) Beautification Commission  
Christina Kang  
Christopher Petersen
- (b) Citizen Corps Council  
Taryn Wilkinson
- (c) Commission on Aging  
Katherine Seifu
- (d) Commission on HIV/AIDS  
Natasha Hansen
- (e) Historical Restoration and Preservation Commission  
Lauren Waldron
- (f) Northern Virginia Juvenile Detention Commission  
Wykiki Alston

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 05/11/21, and is incorporated as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions, and Committees:

- (a) Alexandria Housing Affordability Advisory Committee  
1 Civic Association Representative
- (b) Alexandria Transportation Commission  
1 Traffic and Parking Board Representative
- (c) Beautification Commission  
1 Citizen Member
- (d) Children, Youth, and Families Collaborative Commission  
1 Community Member with experience as a parent, guardian, teacher and/or expertise in early childhood, youth, or general education policy
- (e) Commission for the Arts  
1 Member with expertise in visual arts as a professional practitioner of visual art, curator of visual art, or as a professional arts administrator currently working in the field
- (f) Commission on Aging  
1 Representative of a Health Care Provider Organization



- (g) Commission on HIV/AIDS  
1 Member representing INOVA Juniper
- (h) Emergency Medical Services Council  
1 Citizen Member
- (i) George Washington Birthday Celebration Committee  
1 Member Nominated by the First Virginia Regiment of the Continental Line  
1 Member Nominated by the Masonic Fraternity
- (j) Historic Alexandria Resources Commission  
1 Member-at-Large, representing an Alexandria Civic Association  
1 Planning District III Representative

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7(a-j); 05/11/21, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 8. Consideration of the Monthly Financial Report for the Period Ending March 31, 2021.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 05/11/21, and is incorporated as part of this record by reference.)

- 9. Introduction of the City's Draft FY 2022 to FY 2026 Five-Year Consolidated Plan for Housing and Community Development and Draft One Year Action Plan to Enable HUD FY 2022 Funding.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 05/11/21, and is incorporated as part of this record by reference.)

- 10. Consideration of Second Predevelopment Loan of \$500,000 to the Alexandria Housing Development Corporation for its Arlandria-Chirilagua Affordable Housing Development.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 05/11/21, and is incorporated as part of this record by reference.)

- 11. Disposition of City-owned Property Located at 3002A Mosby Street.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 05/11/21, and is incorporated as part of this record by reference.)

- 12. Consideration of a Memorandum of Understanding between the Virginia Department of

Historic Resources and the City of Alexandria related to \$2.443 million in Grant Funds to Preserve and Rehabilitate the Freedom House Museum (1315 Duke Street).

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 05/11/21, and is incorporated as part of this record by reference.)

13. Consideration of an Amendment of the Lease Between the City and Seminary Road Owner, LLC for Rooftop Space at 4900 Seminary Road for a Public Safety Radio Antenna Site.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 05/11/21, and is incorporated as part of this record by reference.)

14. Consideration of a License Amendment with ARP Waterfront, LLC for the Use of a Portion of the City Marina Plaza for Outdoor Dining to Allow for the Removal of Three Light Poles Consistent with the Terms in the Current License Agreement.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 05/11/21, and is incorporated as part of this record by reference.)

15. Request to vacate a position on the Building Code Board of Appeals.

(A copy of the City Clerk's memorandum dated May 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 05/11/21, and is incorporated as part of this record by reference.)

16. Supporting the Dissolution of the Alexandria Industrial Park Covenants.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 05/11/21, and is incorporated as part of this record by reference.)

#### **(Ordinances for Introduction and First Reading)**

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Article D (CONTRACT FORMATION AND METHODS OF SOURCE SELECTION): Section 3-3-69 (CONTRACTING FOR PROFESSIONAL SERVICES BY COMPETITIVE NEGOTIATION); and Division 1 (COMPETITIVE SEALED BIDDING), Section 3-3-53 (ACTIONS ON PERFORMANCE BOND), all of Chapter 3 (PURCHASES AND CONTRACTUAL SERVICES) of Title 3 (FINANCE, TAXATION, AND PROCUREMENT), of The Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 05/11/21, 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 Item No. 17; 05/11/21, 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 Item No. 17; 05/11/21 and is incorporated as part of this record by reference.)

18. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend Chapter 2, Section 2-2-10 (F) and (J) to Rename the Maury School Election District and Voting Location to the Naomi L. Brooks School Election District And Voting Location and to Rename the Cora Kelly Center Election District and Voting Location to the Cora Kelly-"Chick" Armstrong Center Election District and Voting Location.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 18; 05/11/21, 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 Item No. 18; 05/11/21, 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 Item No. 18; 05/11/21 and is incorporated as part of this record by reference.)

19. Introduction and First Reading. Consideration of an Ordinance to increase the Ambulance Service Charges by amending Article J (SERVICE CHARGES FOR CITY AMBULANCE AND HAZARDOUS MATERIALS INCIDENT RESPONSE SERVICES) to Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT).

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 19; 05/11/21, 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 Item No. 19; 05/11/21, 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 Item No. 19; 05/11/21 and is incorporated as part of this record by reference.)

20. Introduction and First Reading. Consideration. Passage on First Reading of an

amended ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19 by requiring face coverings in certain indoor and outdoor locations.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 20; 05/11/21, 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 Item No. 20; 05/11/21, 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 Item No. 20; 05/11/21 and is incorporated as part of this record by reference.)

21. Introduction and First Reading. Consideration. Passage on first reading of an ordinance to amend Article A (GENERAL PROVISIONS) of Chapter 4 (COMMITTEES, BOARDS, AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Clerk's memorandum dated May 6, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 21; 05/11/21, 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 Item No. 21; 05/11/21, 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 Item No. 21; 05/11/21 and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the consent calendar, with the exception of docket items 10, 16, and 20, which were considered under separate motions. The City Manager's approval was as follows:

6. City Council received the following resignations with regrets: (a) Christina Kang and Christopher Petersen, Beautification Commission; (b) Taryn Wilkinson, Citizen Corps Council; (c) Katherine Seifu, Commission on Aging; (d) Natasha Hansen, Commission on HIV/AIDS; (e) Lauren Waldron, Historical Restoration and Preservation Commission; and (f) Wykiki Alston, Northern Virginia Juvenile Detention Commission.

7. City Council appointed the following persons to boards, commissions, and committees:

(a) reappointed Peter-Anthony Pappas as the civic association representative to the Alexandria Housing Affordability Advisory Committee; (b) reappointed Casey Kane as the Traffic and Parking Board representative to the Alexandria Transportation Commission; (c) appointed Chirag Mapara as the citizen member to the Beautification Commission; (d) reappointed Amanda Hazelwood as the community member with experience as a parent, guardian, teacher and/or with expertise in early childhood, youth or general education policy to the Children, Youth, and Families Collaborative Commission; (e) reappointed Brian Kelley as the member with expertise in visual arts either as a professional practitioner of visual art, curator of visual art, or as a professional arts administrator currently working in the field to the Commission for the Arts; (f) reappointed Jim Lindsay as the representative of a health care provider organization to the Commission on Aging; (g) waived the residency requirement and reappointed Gerald Padmore as the member representing INOVA Juniper to the Commission on HIV/AIDS; (h) appointed Timothy Dombro as the citizen member to the Emergency Medical Services Council; (i) appointed Thomas Smith as the member nominated by the First Virginia Regiment of the Continental Line and reappointed Tyler Vanice as the member nominated by the Masonic Fraternity to the George Washington Birthday Celebration Committee; and (j) reappointed Michael Hobbs as the member-at-large, representing an Alexandria civic association and reappointed Stephen Stuart as the Planning District III Representative to the Historic Alexandria Resources Commission.

8. City Council received the Monthly Financial Report.

9. City Council scheduled the plan for public hearing on May 15, 2021 for the City's Draft FY 2022 to FY 2026 Five-Year Consolidated Plan for Housing and Community Development Draft FY 2022 Action Plan for Housing and Community Development.

11. City Council: (1) declared City-owned property located at 3002A Mosby Street surplus property and authorized the City Manager to seek offers of bids as described in the City Real Estate Disposition Policy; and (2) authorized the City Manager to issue an Invitation to Bid (ITB) for the disposition and sale of City-owned property at 3002A Mosby Street for no less than thirty (30) days following the process detailed in the City Real Estate Disposition Policy.

12. City Council authorized the City Manager to execute a Memorandum of Understanding related to a \$2.443 million grant to preserve and rehabilitate the Freedom House Museum between the Virginia Department of Historic Resources (DHR) and the City of Alexandria.

13. City Council received the report and set the tenth amendment to the public safety radio antenna site lease for public hearing on May 15, 2021.

14. City Council received the report and scheduled the proposed license amendment for public hearing on May 15, 2021.

15. City Council vacates a position on the Building Code Board of Appeals for a citizen member due to lack of attendance and requested that the Executive Secretary for Boards and Commissions re-advertise the position as a vacancy.

17. City Council adopted the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, May 15, 2021.

18. City Council adopted the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, May 15, 2021.

19. City Council adopted the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, May 15, 2021.

21. City Council adopted the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, May 15, 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.

10. Consideration of Second Predevelopment Loan of \$500,000 to the Alexandria Housing Development Corporation for its Arlandria-Chirilagua Affordable Housing Development.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 05/11/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council approved additional investment of City predevelopment funds with a second \$500,000 loan to the Alexandria Housing Development Corporation (AHDC) for its planned 480-unit Arlandria-Chirilagua project. 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.

16. Supporting the Dissolution of the Alexandria Industrial Park Covenants.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 05/11/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilman Seifeldein and carried unanimously, City Council: (1) approved supporting the dissolution of the Alexandria Industrial Park Covenants; and (2) authorized the City Manager to issue a letter of the City's support for the dissolution of the Alexandria Industrial Covenants contingent to confirmation by the Planning Commission via the 9.06 process that the dissolution of the Covenants is consistent with the City's Master Plan and specifically the Eisenhower West Small Area Plan pursuant to Section 9.06 of the City Charter. 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.

20. Introduction and First Reading. Consideration. Passage on First Reading of an amended ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19 by requiring face coverings in certain indoor and outdoor locations.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 20; 05/11/21, 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 Item No. 20; 05/11/21, 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 Item No. 20; 05/11/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously, City Council approved the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, May 15, 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.

## **CONTESTED APPOINTMENTS**

22. Alexandria Housing Affordability Advisory Committee  
1 Real Estate Professional

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

NAME: ENDORSED BY:

William Alexander  
Michael Jackson

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 22; 05/11/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and reappointed William Alexander as the real estate professional to the Alexandria Housing Affordability Advisory Committee. The vote was as follows:

Wilson	-	Jackson
Bennett-Parker	-	Jackson
Aguirre	-	Jackson
Chapman	-	Alexander
Jackson	-	Alexander
Pepper	-	Alexander
Seifeldein	-	Alexander

23. Citizen Corps Council  
1 Citizen Member

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

NAME: ENDORSED BY:

Brian Lundeen  
Spencer Schargorodski

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 23; 05/11/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Spencer Schargorodski as the citizen member to the Citizen Corps Council. The vote was as follows:

Wilson	-	Schargorodski
Bennett-Parker	-	Schargorodski
Aguirre	-	Schargorodski
Chapman	-	Schargorodski
Jackson	-	Lundeen
Pepper	-	Schargorodski
Seifeldein	-	Schargorodski

24. Commission for Women  
2 Citizen Members

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

NAME: ENDORSED BY:

Gina Allen  
Emily Eckert  
Julie Harbour  
Sarah Holley  
T. Nicole Hutchinson  
Emily Marge  
Mary Savino

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 24; 05/11/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council reappointed Julie Harbour and T. Nicole Hutchinson as the two citizen members to the Commission for Women. The vote was follows:



Wilson	-	Harbour, Hutchinson
Bennett-Parker	-	Harbour, Hutchinson
Aguirre	-	Harbour, Hutchinson
Chapman	-	Harbour, Hutchinson
Jackson	-	Harbour, Hutchinson
Pepper	-	Harbour, Hutchinson
Seifeldein	-	Harbour, Hutchinson

25. Human Rights Commission  
1 Citizen Member

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

NAME: ENDORSED BY:

Samantha Armstrong  
Lashae Lambert  
Dane Lauritzen  
Christopher Outlaw  
Scott Schwartz

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 25; 05/11/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council reappointed Scott Schwartz as the citizen member to the Human Rights Commission. The vote was as follows:

Wilson	-	Schwartz
Bennett-Parker	-	Schwartz
Aguirre	-	Schwartz
Chapman	-	Schwartz
Jackson	-	Schwartz
Pepper	-	Schwartz
Seifeldein	-	Schwartz

26. Sister Cities Committee  
1 Citizen Member

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

NAME: ENDORSED BY:

Tamara Boorstein  
Rita Jupe  
Christina Naston  
Debra Walker

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 26; 05/11/21, and is incorporated as part of this record by reference.)

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

Wilson	-	Jupe
Bennett-Parker	-	Jupe
Aguirre	-	Jupe
Chapman	-	Jupe
Jackson	-	Jupe
Pepper	-	Jupe
Seifeldein	-	Jupe

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

### **27. Oral Report from the Eviction Task Force**

(A copy of the PowerPoint presentation is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 27; 05/11/21, and is incorporated as part of this record by reference.)

City Council received the oral report from the Eviction Task Force.

### **28. Authorization of Exercise of a Notice of Intent by the City to Purchase Property at 4850 Mark Center Drive (IDA Office Building).**

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 28; 05/11/21, and is incorporated as part of this record by reference. )

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council authorized the City Manager to give notice to the Institute for Defense Analyses (IDA) by August 19, 2021 of the City's intent to purchase from the IDA, its office building and related property at 4850 Mark Center Drive for \$58.7 million. 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**

### **29. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Title 11 Chapter 5: Noise Ordinance.**

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 29; 05/11/21, 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 Item No. 29; 05/11/21, 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 Item No. 29; 05/11/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the ordinance on first reading and scheduled it public hearing, second reading and final passage on Saturday, May 15, 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.

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

(1) Councilwoman Pepper announced the VFW would be placing flags on headstones of veterans in Alexandria on May 29.

#### **OTHER**

30. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 30; 05/11/21, and 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 approved the updated City Council Schedule which includes: the USA/Alexandria Birthday Celebration on Saturday, July 10 at 7 p.m., in Oronoco Bay Park. 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council adjourned the regular meeting of May 11, 2021 at 10:27 p.m. 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.

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APPROVED BY:

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JUSTIN M. WILSON      MAYOR

ATTEST:

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Gloria A. Sitton, CMC   City Clerk

**City of Alexandria  
City Council Public Hearing Meeting  
Saturday, September 12, 2020, 9:30 AM  
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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Collins, Deputy City Manager; Ms. Triggs, Deputy City Manager; Ms. Baker, Deputy City Manager; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. LaColla, Division Chief, P&Z, Mr. Geratz, Principal Planner, P&Z, Mr. Kerns, Division Chief, P&Z; Ms. Horowitz, Principal Planner, P&Z; Mr. Roakes, Urban Planner, P&Z, Ms. Ruggiero, Deputy Director, Recreation, Parks, and Cultural Activities; Mr. Johnson, Program Manager, Recreation, Parks, and Cultural Activities; Ms. Oleynik, Urban Planner, T&ES; Ms. McIlvaine, Director, Office of Housing; Ms. Sample, Urban Planner, P&Z; Mr. Swidrak, Urban Planner, P&Z; Mr. Barre, Information Technology Services; Mr. Smith, Information Technology Services; and Ms. Quinn, City Manager's Office.

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

\*\*\*\*\*

**OPENING**

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of Council were present via video conference.

\*\*\*\*\*

Mayor Wilson noted that due to the COVID-19, pandemic emergency , the September 12, 2020 Public Hearing 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/or Section

4.0-00(g) in HB29 and HB30 to undertake essential business. All the 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.

City Council received an update on the flooding event that occurred in the City this week from Mr. Lambert, Director of Transportation and Environmental Services and he reviewed what the City is doing to address the issues that are affecting neighborhoods. City Council gave Mr. Lambert a list of questions and concerns that they would like reviewed during a scheduled work session on flood mitigation and stormwater investments on September 22 at the Legislative meeting.

## 2. Public Discussion Period.

The following persons participated in the public discussion period:

1. Jim Burkart, Alexandria, spoke about the recent flooding that occurred in the City of Alexandria.
2. Andrea Koslow, Alexandria, spoke about the recent flooding that occurred in the City of Alexandria.
3. Janice Grenadier, Alexandria, spoke about corruption in the courts.
4. Brian Sands, Alexandria, spoke about the recent flooding that occurred in the City of Alexandria.
5. Whitney Redding, Alexandria, representing Friends of Holmes Run, spoke about urbanization taxing the watershed and how it is affecting the environment and about the deferral of capital investment for capacity issues in the area.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded Councilman Chapman and carried unanimously, City Council closed the public discussion period. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR**

### **Planning Commission (3-6)**

3. Special Use Permit #2019-00107  
300 King Street (Parcel Address: 302 King Street) - Kisso Asian Bistro

Public Hearing and consideration of a request for a Special Use Permit to increase the hours of operation and to add delivery vehicles at an existing grandfathered restaurant; zoned: KR/King Street Urban Retail. Applicant: Ren Yong Cai

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 09/12/20, and is incorporated as part of this record by reference.)

4. Special Use Permit #2020-00039  
2050 Ballenger Avenue - Catholic University of America  
Public Hearing and consideration of a request for a Special Use Permit for a private academic school; zoned: CDD#1/Coordinated Development District #1. Applicant: The Catholic University of America, represented by David S. Houston, agent  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 09/12/20, and is incorporated as part of this record by reference.)

5. Encroachment #2020-00003  
1217 Colonial Avenue - Residential Encroachment  
Public Hearing and consideration of a request for an Encroachment into the public right-of-way on Colonial Avenue for a retaining wall; zoned: RB/Townhouse. Applicant: John D. Bullington, represented by Minturn Wright, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 09/12/20, and is incorporated as part of this record by reference.)

6. Zoning Text Amendment #2020-00005  
Zoning Ordinance Practical Updates  
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 1-700 to add to the list of zones the RMF Zone; to amend definitions for floor area (Section 2-145(A)(11) and (12)), medical care facilities (Section 2-174) and townhouse dwelling and two-family dwelling (Sections 2-138 and 2-140); to amend the RB and RM zone grandfathering provisions (Section 3-707(B) and 3-1108 (B)); to amend Section 3-1406 to add the effective date of the ordinance; to allow open porches meeting specific criteria in required side yards (Sections 7-202 and 11-302); to add Section 7-202(E) to allow fences taller than 6 feet between

residential properties and certain other uses; to clarify provisions regarding fences on corner lots (Sections 7-1700, 7-1701 and 7-1702); to add Section 7-2600 to limit the percentage of a window that may be blocked by art, signs or other materials; to amend Section 11-804 to remove reference to a repealed law; to amend various provisions related to the Board of Zoning Appeals to comply with the Code of Virginia (Sections 11-1008, 11-1103, 11-1104, and 11-1207); to amend Section 12-101(B)(3) to expand the applicability of the residential reversion criteria; to amend Section 12-102(D) to correctly reference the KR zone and apply residential reuse to specific blocks along King Street. Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 09/12/20, and is incorporated as part of this record by reference.)

## **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the consent calendar, with the exception of item #6, which was considered under separate motion. The approval was as follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.

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. Zoning Text Amendment #2020-00005  
Zoning Ordinance Practical Updates  
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 1-700 to add to the list of zones the RMF Zone; to amend definitions for floor area (Section 2-145(A)(11) and (12)), medical care facilities (Section 2-174) and townhouse dwelling and two-family dwelling (Sections 2-138 and 2-140); to amend the RB and RM zone grandfathering provisions (Section 3-707(B) and 3-1108 (B)); to amend Section 3-1406 to add the effective date of the ordinance; to allow open porches meeting specific criteria in required side yards (Sections 7-202 and 11-302); to add Section 7-202(E) to allow fences taller than 6 feet between residential properties and certain other uses; to clarify provisions regarding



fences on corner lots (Sections 7-1700, 7-1701 and 7-1702); to add Section 7-2600 to limit the percentage of a window that may be blocked by art, signs or other materials; to amend Section 11-804 to remove reference to a repealed law; to amend various provisions related to the Board of Zoning Appeals to comply with the Code of Virginia (Sections 11-1008, 11-1103, 11-1104, and 11-1207); to amend Section 12-101(B)(3) to expand the applicability of the residential reversion criteria; to amend Section 12-102(D) to correctly reference the KR zone and apply residential reuse to specific blocks along King Street. Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 09/12/20, and 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 approved the Planning Commission recommendation, with the following proposed amendment to read as:

12-102 - Noncomplying structures.

Noncomplying structures shall be permitted to continue indefinitely and shall be considered legal structures, but subject to the following restrictions:

(D) Residential reuse. A building which faces the unit through 1400 1500 block of King Street and which is a noncomplying structure because it exceeds the floor area ratio of the CD zone, may be converted from nonresidential to same residential use, notwithstanding any requirement of the CD zone applicable to residential uses, provided that a special use permit is approved to allow such conversion.

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.

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

7. Public Hearing and Consideration of a Form Lease for Renewing and Issuing Leases to Artists and Arts Organizations through March 31, 2022 at the Torpedo Factory Art Center located at 105 N. Union Street.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion Councilwoman Pepper, seconded by Councilman

Chapman and carried unanimously, City Council closed the public hearing and authorized the City Manager to renew current leases and issue new leases to artists and arts organizations. 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.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **Planning Commission (continued)**

8. Zoning Text Amendment #2019-00007  
Increased Density for Public School Sites  
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend Section 7-2100 to allow for an increase in density for public school use. Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 09/12/20, and is incorporated as part of this record by reference.)

Mr. Geratz, Principal Planner, Planning and Zoning gave a presentation on the text amendment and responded to questions from Council.

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

1. William Pfister, Alexandria, spoke in support of the text amendment.
2. Peter Benavage, Alexandria, representing the Seminary West Civic Association and the Alexandria Federation of Civic Association, spoke support the text amendment.
3. Roy Byrd, Alexandria, representing Clover College Park Civic Association, spoke in support of the text amendment.
4. Reginald Brown, Alexandria, spoke in support of the text amendment.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council approved the Planning

Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

9. Rezoning #2020-00002

Development Special Use Permit #2020-00010

1009, 1101, 1201 & 1203 Janney's Lane and 1099 Francis Hammond Parkway - Douglas MacArthur Elementary School

Public Hearing and consideration of requests for: (A) an amendment to the official zoning map to change the POS/Public open space and community recreation zone portion to R-8/Single-family zone at 1101 Janney's Lane, change the R-20/Single-family zone to R-8/Single-family zone at 1201 and 1203 Janney's Lane, and change the R-8/Single-family zone portion to POS/Public open space and community recreation zone at 1099 Francis Hammond Parkway; and (B) a Development Special Use Permit and site plan to demolish the existing building and construct a new public school, including Special Use Permits for an increase in floor area and height pursuant to Section 7-2100 of the Zoning Ordinance (if Text Amendment #2019-00007 is approved), to exceed the maximum parking requirement, an indoor and outdoor recreation facility and community center use, and modifications to the front and rear yard setbacks; zoned: R-8/Single-family, R-20/Single-family, and POS/Public Open Space and Community Recreation. Applicants: Alexandria City Public Schools and City of Alexandria

Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 09/12/20, and is incorporated as part of this record by reference.)

Mr. Geratz, Principal Planner, Planning and Zoning, gave a presentation on the proposed project and he along with Mr. Kerns, Division Chief, Planning and Zoning, and Ms. Gulick, ACPS representative, and Dr. Hutchings, Superintendent, ACPS, responded to questions from Council about the layout of the project, traffic management, parking, open space and other environmental amenities.

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

1. Lisa Porter, Alexandria, member of the McArthur Advisory Group, spoke in support of the project with modifications.

2. William Pfister, Alexandria, representing the Seminary Hill Association on the McArthur Advisory Group, spoke in support of the project.

3. James Byrnes, Alexandria, spoke in about the process for the proposal of the project.

4. Meredith Pugh, Alexandria, spoke in support of the project.
5. Stewart Bartley, Alexandria, spoke in support of the project.
6. Dr. Gregory Hutchings, Superintendent for ACPS, spoke in support of the project and responded to questions from Council about cost, design, traffic management and timeline for construction.
7. Kathie Hoekstra, Alexandria, spoke in support of the project, particularly the amenities that would benefit the environment.
8. Carolyn Lyle, Alexandria, spoke in support of the project, particularly the amenities that would benefit the environment.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Seifeldein and carried unanimously, City Council approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilman Pepper, and Councilman Seifeldein; Opposed, none.

10. Special Use Permit #2020-00045  
3410 Mount Vernon Avenue (Parcel Address: 3408 Mount Vernon Avenue) - Hops 'N Shine  
Public Hearing and consideration of a request for a Special Use Permit for outdoor live entertainment; increase in indoor and outdoor seats; increase in hours of indoor and outdoor hours of operation; an outdoor bar, outdoor cooking and outdoor games; and delivery vehicles for an existing restaurant (amending SUP #2017-0091); zoned: CG/Commercial General. Applicant: Abe Hadjiesmaeiloo  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 09/12/20, and is incorporated as part of this record by reference.)

Mayor Wilson recused himself from consideration of this item as he is an adjacent property owner.

Mr. Roakes, Urban Planner, Planning and Zoning, gave a presentation and he, along with Ms. Horowitz, Principal Planner, Planning and Zoning and Mr. Moritz, responded to questions from Council.

The following persons participated in the public hearing for the following item:

1. Matt Rofougaran, Reston, Virginia, spoke in support of the permit.
2. C. J. Cross, Alexandria, spoke in support of the permit.
3. Paymon Hadjiesmaeiloo, Arlington, Virginia, spoke in support of the permit.
4. Stephen Harris, Alexandria, requested that the permit not receive approval until all the conditions of the original special use permit are met.
5. Tara Zurawski, Alexandria, spoke in support of the permit.
6. Meghan Kissell, Alexandria, spoke in support of the permit.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried 6-0, City Council closed the public hearing. The vote was as follows: In favor, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Recused, Mayor Wilson.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried 6-0, City Council approved the Planning Commission recommendation. In favor, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Recused, Mayor Wilson.

11. Vacation #2019-00002  
2 East Mason Avenue - Vacation  
Public Hearing and consideration of a request to vacate a portion of the public right-of-way adjacent to 2 East Mason Avenue and along Commonwealth Avenue to add area to a residential side yard for a fence; zoned: RB/Townhouse.  
Applicants: Elizabeth and Jesse Jardim  
Planning Commission Action: Recommended Approval 5-1

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 09/12/20, and is incorporated as part of this record by reference.)

Ms. Horowitz, Principal Planner, Planning and Zoning, gave a presentation on

the proposed vacation and she, along with Mr. Moritz, Director, responded to questions from Council.

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

1. Elizabeth Jardim, Alexandria, spoke in support of this vacation and she responded to questions.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council approved the Planning Commission recommendation and Mayor Wilson appointed the following viewers for the vacation: Shelli Vasser Gilliam, Jason DeChant, and Mary Wilson. 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.

12. Zoning Text Amendment #2020-00003  
Small Business Practical Updates  
(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend sections in Articles II - VIII, XI and XII to amend commercial use definitions, commercial use conditions and home occupation requirements and to change certain uses from requiring Special Use Permits and Administrative Use Permits to either Administrative Special Use Permits or permitted uses.  
Staff: City of Alexandria, Department of Planning & Zoning  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 09/12/20, and is incorporated as part of this record by reference.)

Ms. Horowitz, Principal Planner, Planning and Zoning, gave a presentation on the proposed text amendments and she along with Mr. Moritz, responded to questions from Council.

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

1. Alex Montgomery, Alexandria, spoke in support of the text amendment.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by and carried Councilman Seifeldein, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation for the text amendments with the exception of the amendment for daycare centers. The vote was as follows: Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Jackson and carried 6-1, City Council approved the inclusion a daycare centers in the zoning text amendment on separate motion. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

13. Development Special Use Permit #2019-00033  
Special Use Permit #2020-00036  
116 South Henry Street - GCP Henry Street  
Public Hearing and consideration of a request for (A) a Development Special Use Permit and site plan with modifications to construct a 16-unit mixed-use retail/residential building with ground floor commercial uses facing South Henry Street, a three-unit multi-family residential building facing South Patrick Street and a 142-space automated parking garage, including special use permits for motor vehicle parking or storage for more than 20 vehicles for the six-story automated parking structure, to increase the number of dwellings per acre to no more than 54.45, to exceed the maximum parking requirement, and for a loading space reduction to allow reduced loading space ceiling height and modifications for open space, setbacks, crown coverage and street tree requirements; and (B) a Special Use Permit for a restaurant; zoned: CD/Commercial Downtown. Applicant: Galena Capital Partners, represented by Mary Catherine Gibbs, attorney  
Planning Commission Action: Recommended Approval 5-0

Ms. Sample, Urban Planner, Planning and Zoning, gave a presentation and she along with Ms. McIlvaine, Director, Office of Housing,

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

1. Mary Catherine Gibbs, attorney for the applicant, spoke in support of the project and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried 6-1, City Council approved the Planning Commission, with an amendment to Condition #40, adding a period after the word "Parking". The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson and Councilwoman Pepper; Opposed, Councilman Seifeldein.

14. Development Special Use Permit #2019-00032  
Special Use Permit #2020-00033  
Transportation Management Plan Special Use Permit #2020-00034  
912, 916 and 920 King Street - GCP King Street  
Public Hearing and consideration of a request for (a) a Development Special Use Permit and site plan with modifications to construct a 30-unit multifamily building with ground-floor commercial uses, including Special Use Permits to increase the floor area ratio to 2.5 in the KR zone, a parking reduction to provide all required parking spaces in the garage at 116 South Henry Street and a loading reduction to allow for reduced loading space ceiling height; (b) a Special Use Permit for a restaurant; and (c) a Special Use Permit for a Transportation Management Plan; zoned: KR/King Street Urban Retail. Applicant: Galena Capital Partners, represented by Mary Catherine Gibbs, attorney  
Planning Commission Action: Recommended Approval 5-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 09/12/20, and is incorporated as part of this record by reference.)

Mr. Swidrak, Urban Planner, Planning and Zoning, gave a presentation on the proposed project and he, along with Mr. Moritz, responded to questions from Council.

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

1. Steve Milone, Alexandria, representing Old Town Civic Association, spoke in about the mass and scale of the project and parking and about the pedestrian alley.
2. Mary Catherine Gibbs, attorney for the applicant, spoke in support of the project and responded to questions from Council.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by



Councilwoman Pepper and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Pepper and carried 6-1, City Council approved the Planning Commission recommendation with the following amendments: amend condition 6(a)(public access easements) to read: "The pedestrian alley from the King Street right-of-way to the southern property line" and amendment condition 119(i)(disclosures): Residents are not eligible for residential street parking permits because the property is not located within a residential permit parking district and are not eligible for a permit in a sub-district based on code requirements. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilwoman Pepper; Opposed, Councilman Seifeldein.

## **ORDINANCES AND RESOLUTIONS**

15. Public Hearing, Second Reading and Final Passage of an ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, by requiring face coverings in certain indoor and outdoor locations. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 09/12/20, 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 and Council, marked Exhibit No. 2 of Item No. 15; 09/12/20, 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. 15; 09/12/20, and is incorporated as part of this record by reference.)

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

1. Alan Pounders, Alexandria, spoke in opposition to the proposed ordinance.
2. Drew Dormer, Alexandria, spoke in opposition to the proposed ordinance.
3. Joe Chamberlain, Alexandria, spoke in opposition to the proposed ordinance.

4. Lisa McNichols, Alexandria, spoke in opposition to the proposed ordinance.

5. Tom McCarthy, Alexandria, spoke in opposition to the proposed ordinance.

6. Lynne Rusillo, Alexandria, spoke in opposition to the proposed ordinance.

7. Sametta Barnett, Alexandria, spoke in opposition to the proposed ordinance.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Jackson and carried unanimously, City Council closed the public hearing. 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.

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved on second reading and final passage an ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, by requiring face coverings in certain indoor and outdoor locations, with an amendment to the ordinance on page 5 omitting lines 11 beginning with the sentence, "If compliance..." through lines 15 and including the following language in the "Physical Activity" section on page 4, "while persons are swimming, biking, jogging or engaged..." 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 ordinance reads as follows:

#### ORDINANCE NO. 5293

### **AN ORDINANCE TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS COVID-19 BY REQUIRING FACE COVERINGS IN CERTAIN INDOOR AND OUTDOOR LOCATIONS.**

**WHEREAS**, on March 11, 2020, the World Health Organization declared the outbreak of the novel coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, a pandemic (for reference in this ordinance, this virus and the disease that it causes are referred to as "COVID-19"); and

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Number Fifty-One (“EO 51”) declaring a state of emergency for the Commonwealth of Virginia because of the COVID-19 pandemic; EO 51 acknowledged the existence of a public health emergency arising from the COVID-19 pandemic and that it constitutes a “disaster” as defined by Virginia Code § 44-146.16 because of the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia, pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to by the City Council on March 14, 2020, pursuant to City Resolution No. 2928, as required by applicable law; on June 9, 2020, the City Manager extended such Declaration of Local Emergency through September 30, 2020 which extension was unanimously consented to by the City Council on June 9, 2020; and

**WHEREAS**, COVID-19 spreads from person to person and, at this time, it appears that COVID19 is spread primarily through viral respiratory droplets, which are expelled when an infected person coughs, sneezes, talks, sings, or engages in physical activity; and confined spaces when people are in close contact with one another (within about six feet) increase the ability of individuals to breathe in these respiratory droplets, contract COVID-19, and is more likely to spread COVID-19 within the community; (See *Xponential Fitness v. Arizona*, No CV-20-01310-PHX-DJH, 2020 WL 3971908 at \*1); [World Health Organization Scientific Brief, July 9, 2020](#)) and

**WHEREAS**, COVID-19 is extremely easy to transmit, can be transmitted by infected people who show no symptoms, and the population has not developed herd immunity (See *Xponential Fitness v. Arizona*, No CV-20-01310-PHX-DJH, 2020 WL 3971908 at \*1) ; and

**WHEREAS**, at this time, there is no known cure, no effective treatment, no vaccine; and because people may be infected but asymptomatic, they may unwittingly infect others ( See *South Bay United Pentecostal Church v Newsom*, 140 S. Ct. 1613 (May 29, 2020) (Roberts concurring in denial of application for injunctive relief); on the fact that there is no effective treatment as of the date of this ordinance, see also [WHO Report: Coronavirus disease \(COVID-19\) advice for the public: MythBusters](#), [Mayo Clinic: Coronavirus disease 2019 \(COVID-19\)](#)); and

**WHEREAS**, the World Health Organization, the United States Centers for Disease Control and Prevention (“Centers for Disease Control”) and the Virginia Department of Health have identified several behaviors and practices that are fundamental in controlling the spread of COVID-19 in the community: frequently washing hands, sanitizing frequently touched surfaces, wearing a cloth face covering

when in public, maintaining a separation of at least six feet between people who do not regularly live together, limiting the size of gatherings in public places, and limiting the duration of gatherings; (See [CDC Considerations for Events and Gatherings July 2020](#), [CDC Consideration for Restaurants and Bars July 17, 2020](#), and [Virginia Department of Health COVID 19 Resources](#)); and

**WHEREAS**, with respect to people wearing face coverings when in public, current evidence suggests that transmission of COVID-19 occurs primarily between people through direct, indirect, or close contact with infected people through infected secretions such as saliva and respiratory secretions, or through their respiratory droplets, which are expelled when an infected person coughs, sneezes, talks or sings; and some outbreak reports related to indoor crowded spaces have suggested the possibility of aerosol transmission, combined with droplet transmission, for example, during choir practice, in food establishments, or in fitness classes; (See [World Health Organization Scientific Brief, July 9, 2020](#)); and

**WHEREAS**, the Centers for Disease Control states that cloth face coverings are strongly encouraged in settings where persons might raise their voice (e.g., shouting, chanting, singing) ([See CDC Report Considerations for Events and Gatherings July 7, 2020](#)); and

**WHEREAS**, the Centers for Disease Control advises, in restaurants: (i) wearing cloth face coverings when less than six feet apart from other people or indoors; (ii) wearing face coverings as much as possible when not eating; (iii) maintaining a proper social distancing between persons who do not regularly live together; and (iv) sitting outside when possible (See [CDC Personal and Social Activities Website dated July 30, 2020](#)); and

**WHEREAS**, for these and related reasons, the Virginia Department of Health has stated that those businesses that operate indoors and at higher capacity, where physical distancing “recommendations” are not observed, sharing objects is permitted, and persons are not wearing cloth face coverings, create higher risk for the transmission of COVID-19 (See [VHD Website](#)); and

**WHEREAS**, since Governor Northam issued EO 51 on March 13, 2020, he has issued several more Executive Orders jointly with Orders of Public Health Emergency issued by M. Norman Oliver, MD, MA, State Health Commissioner, pertaining to COVID-19; as of the date of adoption of this ordinance, “Executive Order Number Sixty-Seven (2020) and Order of Public Health Emergency Seven, Phase Three Easing of Certain Temporary Restrictions Due to Novel Coronavirus (COVID-19)” (collectively referred to as “EO 67”), which became effective at 12:00 a.m. on July 1, 2020, is in effect; and

**WHEREAS**, the City of Alexandria is an urban jurisdiction situated in the metropolitan Washington, DC region with a compact downtown area that attracts

visitors from around the region, and across the country and world, and includes workers who live outside the City and residents who regularly visit other jurisdictions, making it particularly susceptible to the spread of COVID-19.

## **NOW THEREFORE, THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:**

### **Sec. 1. Purpose**

For the reasons stated in the recitals, the purpose of this ordinance is to prevent the spread of COVID-19.

### **Sec. 2. Authority**

This ordinance is authorized by [Charter Section 2.04\(h\)](#) “to make and enforce all regulations necessary to preserve and promote public health and sanitation and protect the inhabitants of the city from contagious, infectious or other diseases.” [Section 15.2-1102](#) of the State Code generally and [Section 2.01](#) of the City Charter grants the authority for a City to exercise all powers, not expressly prohibited by the state code or the constitution, that are necessary “to promote the general welfare of the city and the safety, health, peace, good order, comfort, convenience and morals of its inhabitants.”

### **Sec. 3. Definitions**

The following definitions apply to this ordinance:

- A. “Face covering” means an item normally made of cloth or various other materials, often with elastic bands or cloth ties, that is secured over the wearer’s nose and mouth in an effort to contain or reduce the spread of potentially infectious respiratory secretions at the source (i.e., the person’s nose and mouth).
- B. “Physical Distancing” means maintaining the physical distance of separation, which may change depending on the activity an individual is engaged in, as required by any applicable Executive Order of the Governor or Order of Public Health Emergency of the State Health Commissioner. In the event there is no other applicable requirement, “physical distancing” means maintaining at least six feet of distance between persons who do not regularly live together.
- C. “Public place” means any place
  - 1. That is:
    - i. indoors, other than a person’s residence or personal vehicle, or
    - ii. outdoors where physical distancing between persons not living in the same household cannot be maintained, and
  - 2. generally open to the public including, but not limited to, public parks and open spaces, sidewalks, trails, retail stores, food establishments, theaters,

personal care and personal grooming services, common areas of condo or apartment buildings, and transportation other than a personal vehicle.

#### **Sec. 4. Face Coverings**

A. *Face coverings required.* Face coverings must be worn by all persons in public places except as provided in Sections 4(B).

B. *Exemptions.* The requirements of this ordinance do not apply to the following persons:

1. *Children and Students.*

- i. Children 10 years of age and under; provided, that children under 10 years of age may be required to wear face coverings if a plan submitted to the Commonwealth for a school or other facility where children congregate so requires;
- ii. students in daycare centers or participating in-person classes in K-12 education or institutions of higher education shall be governed by the plans submitted to the Commonwealth for such institutions, if one exists, and not by this ordinance.

2. *Medical Condition or Disability.* Persons for whom:

- i. wearing a face covering poses a substantial mental or physical health risk, such as persons who have trouble breathing while wearing a face covering or are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance;
- ii. persons with a health condition preventing the use of a face covering;
- iii. persons with a disability preventing the use of a face covering, or
- iv. persons seeking to communicate with the hearing impaired and for which the mouth needs to be visible.

Any person who declines to wear a face covering pursuant to this exception shall not be required to produce or carry medical documentation verifying the stated condition nor shall the person be required to identify the precise underlying medical condition.

3. *Physical Activity.* While persons are swimming, biking, jogging, or engaged in other physical activity where wearing a face covering has been determined to pose a health risk. Additionally, any outdoor activity considered "Recreational Sports" under the Governor's Executive Order 67 shall be governed by that Executive Order as the same may be amended, and not by this ordinance.

4. *Eating or drinking.* While a person is actively eating food or drinking a beverage. Face coverings are still required to be worn while waiting to receive

food or beverages, or during substantial breaks between periods of eating and drinking.

5. *Work Conditions.* If wearing a face covering would subject the person to an unsafe work condition, as determined by federal, state, or local occupational safety regulators or workplace safety guidelines.

6. *Government or medical services.* When temporary removal of the face covering is necessary to secure government or medical (including dental) services.

7. *Religious rituals.* Face coverings may be removed to participate in a religious ritual.

D. *Responsibility of adults accompanying minors.* Adults accompanying minors between the ages of 10 years old and 17 years old must attempt to prompt the minors to wear face coverings while in public places.

#### **Sec. 7. Effect of More Restrictive Executive Order or Order of Public Health Emergency.**

This ordinance, or any part thereof, shall not be effective if there is a more restrictive requirement in an Executive Order or an Order of Public Health Emergency in effect.

#### **Sec. 8. Compliance**

If the City Manager or his designee determines that a person subject to this ordinance is not in compliance, he will request compliance and work with the person to obtain voluntary compliance including the provision of a covering with no cost to the person.

#### **D. Injunctive relief.**

The City, the City Council, and any City officer authorized by law, may seek to enjoin the continuing violation of any provision of this ordinance by bringing a proceeding for an injunction in any court of competent jurisdiction.

#### **Sec 9. Duration**

This ordinance is effective 12:00 a.m., October 1, 2020 and expires at the time the Local Declaration of Emergency expires, unless amended by the City Council; or when the waiver of Virginia Code § 18.2- 422, currently established in EO 67, Section (C)(3), or as it may be further amended or superseded, ends.

#### **Sec. 10. Effect of this Ordinance on the Powers of the Director of Emergency Management.**

This ordinance does not affect the powers of the City Manager, acting as the Director of Emergency Management, pursuant to Virginia Code § 44-146.21 during the COVID-19 disaster.

#### **Sec. 11. Severability.**

It is the intention of the City Council that any part of this ordinance is severable. If any part is declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, the unconstitutionality or invalidity does not affect any other part of this ordinance.

Please note: City Council considered items 16 and 17 together.

16. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00002 associated with 701 North Henry Street approved by City Council on July 7, 2020). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 16; 09/12/20, 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. 16; 09/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and approved on second reading and final passage an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of said master plan as may be inconsistent with such amendment. 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 ordinance reads as follows:



## ORDINANCE NO. 5294

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2020-00002, 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 25, 2020 of an amendment to the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend the Development and Land Use Tables, which recommendation was approved by the City Council at public hearing on July 7, 2020;
2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.
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 the Braddock Road Metro Station Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by updating the Development and Land Use Tables, attached hereto and incorporated fully herein by reference, as a new chapter of the Master Plan of the City of Alexandria, Virginia.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

DRAFT

17. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 054.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 701 North Henry Street from, CSL/Commercial Service Low to CRMU-M/Commercial Residential Mixed Use (Medium) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00001 (Implementation Ordinance for Rezoning No. 2020-00001 associated with 701 North Henry Street approved by City Council on July 7, 2020). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 17; 09/12/20, 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. 17; 09/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, by roll-call vote, City Council closed the public hearing and approved on second reading and final passage and ordinance to amend and reordain Sheet No. 054.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 701 North Henry Street from, CSL/Commercial Service Low to CRMU-M/Commercial Residential Mixed Use (Medium) in accordance with the said zoning map amendment heretofore approve by city council as Rezoning No. 2020-00001. 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 ordinance reads as follows:

#### ORDINANCE NO. 5295

AN ORDINANCE to amend and reordain Sheet No. 054.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 701 North Henry Street from, CSL/Commercial Service Low to CRMU-M/Commercial Residential Mixed Use (Medium) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00001.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2020-00001, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require,

recommended approval to the City Council on June 25, 2020 of a rezoning of the property at 701 North Henry Street from CSL/Commercial Service Low to CRMU-M/Commercial Residential Mixed Use (Medium), which recommendation was approved by the City Council at public hearing on July 7, 2020;

2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;

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

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

Section 1. That Sheet No. 054.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

**LAND DESCRIPTION:** 701 North Henry Street, Alexandria, Virginia  
22314, 054.04-05-17

From: CSL/Commercial Service Low  
To: CRMU-M/Commercial Residential Mixed Use (Medium)

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

Section 3. That Sheet No. 054.04 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

18. Public Hearing, Second Reading, and Final Passage of an Ordinance to Amend City Code Section 2-5-31 Regarding the Employee Homeownership Incentive Program to Update Assistance Amounts Pursuant to FY 2021 Budget. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 18; 09/12/20, 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. 18; 09/12/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved on second reading and final passage and ordinance to amend City Code Section 2-5-31 regarding

the Employee Homeownership Incentive Program to update assistance amounts pursuant to FY2021 Budget. 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 ordinance reads as follows:

#### ORDINANCE NO. 5296

AN ORDINANCE to amend and reordain Section 2-5-36, in Article C (EMPLOYEE HOMEOWNERSHIP INCENTIVE PROGRAM) of Chapter 5 (OFFICERS AND EMPLOYEES) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

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

Section 1. That Section 2-5-36 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

(a) The ~~maximum~~ amount of each loan under this article shall be as follows:

~~(1) Applicant who is a full-time (40 hours per week or equivalent) employee - \$10,000.~~

(1) For full time employees (40 hours per week or equivalent):

a. \$15,000 for applicants with household incomes below 80% of the Area Median Income (AMI);

b. \$11,500 for applicants with household incomes from 80 - 120% of AMI; and

c. \$7,500 for applicants with household incomes greater than 120% of AMI.

AMI shall be guided by determinations, based on household size, which are published annually by the U.S. Department of Housing and Urban Development for the Washington DC metropolitan statistical area.

~~(2) Applicant who is a For Ppart-time (less than 40 hours but at least 20 hours per week or equivalent) employees (less than 40 hours but at least 20 hours per week or equivalent), eligibility will be based on household income as set out above - \$10,000 times the ratio of and the loan amount prorated based on the number of hours per week the applicant is regularly employed over 40 (or equivalent denominator).~~

(b) For each covered entity, the total amount of loans under this article in any fiscal year shall not exceed the sum lawfully appropriated therefor or allocated thereto by the Alexandria City Council, from funds other than state funds, and for covered entities other than the City of Alexandria, shall in addition not exceed the sum approved for such loans by such covered entity. Loans under this article shall be subject to such funding availability, and provided on a first-come, first-served basis.

Section 2. That Section 2-5-36 as amended pursuant to Section 1 of this ordinance,

be, and the same hereby is, reordained as part of the City of Alexandria City Code.

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

19. Public Hearing, Second Reading and Final Passage of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2021. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 19; 09/12/20, 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. 19; 09/12/20, and is incorporated as part of this record by reference.)

Vice Mayor Bennett-Parker recused herself from voting on this item as a result of her employment. Councilman Chapman noted that he would be participating in the consideration on this item since he would not receive funding as small business owner in the City of Alexandria.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried 6-0, City Council closed the public hearing and approved on second reading and final passage a supplemental appropriation ordinance for the support of the City Government for FY 2021. The vote was as follows: In favor, Mayor Wilson, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Recused, Vice Mayor Bennett-Parker.

The ordinance reads as follows:

#### ORDINANCE NO. 5297

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2021

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

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2021 the source of such amount being CARES Act Funds for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot or reduce the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

#### CARES ACT FUND

#### APPROPRIATION:

Housing	\$ 1,000,000
Community and Human Services	5,990,000
Alexandria City Public Schools	290,000
Non Departmental	<u>6,629,478</u>
Total Appropriation	<u>\$ 13,909,478</u>

#### CARES ACT FUND

##### ESTIMATED REVENUE:

Housing	\$ 1,000,000
Community and Human Services	5,990,000
Alexandria City Public Schools	290,000
Non Departmental	<u>6,629,478</u>
Total Appropriation	<u>\$ 13,909,478</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2021 the source of such amount being CARES Act Funds for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot or reduce the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

#### CARES ACT FUND

##### APPROPRIATION:

Voter Registration	\$ <u>98,504</u>
Total Appropriation	<u>\$ 98,504</u>

#### CARES ACT FUND

##### ESTIMATED REVENUE:

Voter Registration	\$ <u>98,504</u>
Total Appropriation	<u>\$ 98,504</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2021 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2020 but not appropriated, and further that the council does hereby allot or reduce the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

#### SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Community and Human Services	\$ 1,405,375
Fire Department	594,984
Court Service Unit	<u>49,980</u>
Total Estimated Revenue	<u>\$ 2,050,339</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Community and Human Services	\$ 1,405,375
Fire Department	594,984
Court Service Unit	<u>49,980</u>
Total Estimated Revenue	<u>\$ 2,050,339</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City in Fiscal Year 2021 the source of such amount being donations or other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2021, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Community and Human Services	\$ 35,000
Total Estimated Revenue	<u>\$ 35,000</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Community and Human Services	\$ 35,000
Total Estimated Revenue	<u>\$ 35,000</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the CARES Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

GENERAL FUND

APPROPRIATION:

Alexandria Health Department	\$ (350,000)
Non Departmental	<u>350,000</u>
Total Appropriation	<u>\$ 0</u>



Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2021, the source of such amount being Committed General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Committed General Fund Balance	\$ 608,874
Total Estimated Revenue	<u>\$ 608,874</u>

APPROPRIATION:

Economic Development Activities	\$ 608,874
Total Appropriation	<u>\$ 608,874</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the City for Fiscal Year 2021 the source of such amount being Developer Contributions, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2021, as follows:

OTHER SPECIAL REVENUE

ESTIMATED REVENUE:

Planning and Zoning	\$ 190,000
Total Estimated Revenue	<u>\$ 190,000</u>

APPROPRIATION:

Planning and Zoning	\$ 190,000
Total Estimated Revenue	<u>\$ 190,000</u>

Section 8. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the Alexandria City Public Schools for Fiscal Year 2021, the source of such amount being CARES Act Funds, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Alexandria City Public Schools	\$ 290,000
Total Estimated Revenue	<u>\$ 290,000</u>

**APPROPRIATION:**

Alexandria City Public Schools	\$ 290,000
Total Appropriation	<u>\$ 290,000</u>

Section 9. That this ordinance shall be effective upon the date and at the time of its final passage.

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)  
DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

**Planning Commission (continued)**

None.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Chapman, seconded by Councilman Aguirre and carried unanimously, City Council adjourned the public hearing meeting of September 12, 2020 at 6:22 p.m. 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.

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**APPROVED BY:**

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

ATTEST:

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

**City of Alexandria  
City Council Legislative Meeting  
Tuesday, September 8, 2020 6:00 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. Seifeldein.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Attorney; Ms. Baker, Deputy City Attorney; Ms. Collins, Deputy City Attorney; Ms. K. Taylor, Director, Finance; Ms. S. Taylor, Legislative Director; Ms. Ruggiero, Deputy, Recreation, Parks, and Cultural Activities (RPCA); Ms. Garvey, Director, Department of Community and Human Services (DCHS); Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Police Chief Brown; Assistant City Attorney Roberts; Ms. Turner, Registrar of Voters; Ms. McIlvaine, Director, Office of Housing; Dr. Haering, Alexandria Health Department; Assistant City Attorney McAndrews; Mr. Keeler, Deputy Director, Office of Housing; Mr. Moritz, Director, Planning and Zoning; Mr. Barre, Information Technology Services; Mr. Bradford, Information Technology Services; Fire Chief Smedley; Mr. Smith, Information Technology Services; Ms. McLean, Executive Assistant to the City Manager; and Ms. Quinn, City Manager's Office.

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

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**1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of Council were present at the meeting via Zoom webinar. Mayor Wilson noted that due to the COVID-19 pandemic emergency, the September 8, 2020 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/or Section 4.0-00(g) in HB29 and HB30 to undertake essential business. All the members of the City Council and staff

are participating from remote locations through a video conference call on Zoom.

Mayor Wilson noted the passing of State Senator and former City Council member Robert Calhoun and the recent passing of Traffic and Parking Board member and community activist Kevin Beekman.

## **2. WORK SESSIONS**

### **a. Registrar of Voters Update on the November 3, 2020 Presidential Election.**

City Council received an update on the preparations for the upcoming Presidential elections in November from Ms. Turner, Registrar of Voters, and she responded to questions from Council about early voting and drop boxes for ballots, absentee voting, providing voter information in multiple language and safety precautions being taken to prevent the spread of coronavirus at voting precincts.

### **b. Update on General Assembly Special Session 2020.**

Ms. Taylor, Legislative Director, gave Council an update on the special session of the General Assembly to address the pandemic and the State's response to it and providing funding throughout the State and she responded to questions from Council.

## **3. Public Discussion Period.**

Please Note: The public discussion period will begin at 7:00 p.m.

The following persons participated in the public discussion period:

1. Maureen Muncy, Alexandria, expressed concern about the proposed housing project on Seminary Road.

2. Ellen Briscoe, Alexandria, expressed concern about the proposed housing project on Seminary Road.

3. Kirk McPike, Alexandria, spoke in support of the proposed housing project on Seminary Road.

4. Carter Flemming, Alexandria, representing Seminary Hill Association, expressed concern about the proposed housing project on Seminary Road.

5. Christopher Page, Alexandria, expressed concern about the proposed housing project on Seminary Road.

6. Brian Lee, Alexandria, spoke in opposition to the ordinance requiring face coverings in the City.

7. Mino Isopescu, Alexandria, requested that the loan be denied for the proposed housing project on Seminary Road.

#### **4. PROCLAMATIONS**

Presentation of a Proclamation Recognizing Citizenship Day.

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

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

##### **\*Chesapeake Bay Water and Resources Policy Committee (Councilwoman Jackson)**

Councilwoman Jackson reported that Committee met over the summer to discuss numerous issues including issues dealing with food insecurity in the region.

##### **\*Chesapeake Bay Water and Policy Resources Policy Committee - Agriculture Task Force (Councilwoman Jackson)**

Councilwoman Jackson reported that Task Force would be forwarding a resolution to the Council of Governments Board of Directors that would endorse the establishment of a Regional Food and Agriculture Ad Hoc Committee.

##### **\*Douglas MacArthur Elementary School Advisory Committee (Councilwoman Jackson)**

Councilwoman Jackson reported that the Committee meet several times over the summer with the architects to make the upcoming project more neighborhood compatible, noting that there would be adequate space and open space included in the project. Councilwoman Jackson also reported that traffic management of the new project was discussed and the possible cost overruns for the project.

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

Councilwoman Jackson reported that Annual Youth Leadership Conference was held via Zoom and discussed opportunities and careers with youth in the City.

Councilman Aguirre also reported that event was successful and give the youth the opportunity to learn about different career paths.

**\*Eisenhower Partnership Board of Directors (Councilwoman Jackson and Councilwoman Pepper)**

Councilwoman Jackson reported that the Drive-In movies being hosted by the Partnership. Councilwoman Jackson also noted that a scholarship would be established in honor of Engin Artemel, who recently passed.

**\*Citizen Corps Council (Councilwoman Jackson and Councilman Seifeldein)**

Councilwoman Jackson reported that Council is still working on the charter for Resilient Alexandria. Councilwoman Jackson reported that the CERT team would be hosting a virtual training for new members.

**\*Health and Safety Committee (Mayor Wilson and Councilwoman Jackson)**

Mayor Wilson reported that the members of the CCJB has combined with the Health and Safety Committee. Mayor Wilson reported that there was a presentation from the Health Department on vaccination distribution planning and the upcoming flu shot distribution here in the City. Mayor Wilson noted that the City has published a vaccination distribution framework. Mayor Wilson also reported that there was discussion about mental health efforts and drug overdoses, particularly during the pandemic. Mayor Wilson reported that there was a report from the Police Department on the increase of auto theft throughout the City and the efforts to reduce those thefts. Mayor Wilson reported that there was an update on the treatment court.

Councilwoman Jackson reported that ACPS 7000 devices have been distributed to students for virtual learning and meals distribution would be continuing throughout the City. Councilwoman Jackson reported that high school sports would be postponing seasons until later in the year. Councilwoman Jackson reported that DCHS is available for those in abusive situations.

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

Vice Mayor Bennett-Parker reported that ridership is still down on VRE but it is increasing as people return to work and other activities and she noted the safety precautions and cleaning measures in place to keep everyone safe. Vice Mayor Bennett-Parker reported that staff would be presenting a preliminary budget to the Board later in the month to discuss key budget issues for FY22, including revenue shortfall.

**\*Northern Virginia Transportation Commission (Vice Mayor Bennett-Parker and Councilman Aguirre)**

Vice Mayor Bennett-Parker reported that the Commission hired Rich Dalton as the new CEO for VRE. Vice Mayor Bennett-Parker reported that the Commission discussed the state of transit in Northern Virginia, with the decreases in ridership and commuter transit. Vice Mayor Bennett-Parker reported that the Commission received a legislative update on both State and Federal funding.

Councilman Aguirre reported that the decreases in the gas tax has affected funding to WMATA and there would be cuts that need to be made to continue to operate. Councilman Aguirre noted that there work on the 3% Cap Working Group and would not likely seek changes. Councilman Aguirre mentioned the passing of Joe Alexander, former Fairfax County Supervisor and one of the founding commissioners for NVTC.

**\*Climate, Energy, and Environment Policy Committee (COG)(CEEPC)  
(Councilwoman Pepper)**

Councilwoman Pepper reported that Committee worked on developing a regional 2030 Action Plan and an interim Greenhouse Gas Emissions Reduction goal. Councilwoman Pepper also noted that the regional has only experienced two code orange unhealthy air days this summer and there was a code red day for fine particulate material due to Fourth July fireworks.

**\*Eisenhower East Design Review Board (Councilwoman Pepper)**

Councilwoman Pepper reported that the Board met to consider two towers on Eisenhower Avenue and Carlyle Street with office space and ground floor retail and the projects are proceeding to the final site plan approve and request for amendments.

**\*Alexandria Works! Coalition (Youth Summer Program) (Councilwoman Pepper and Vice Mayor Bennett-Parker)**

Councilwoman Pepper reported on the summer youth program and noted that there were 201 participants in the program and they held a virtual graduations at the end of the program, attended by other members of Council and staff.

**\*COG Board of Directors (Mayor Wilson)**

Mayor Wilson reported that the Board met in July and approved the allocation for the fair housing initiative and had a racial equity exchange that included Ms. Tucker, Race and Social Equity Officer for the City and others to discuss the work surrounding racial equity in the region. Mayor Wilson reported that at the August meeting there was discussion about election coordination throughout the region and there was continued discussion about land use optimization and transit oriented communities and there a presentation an update on the issue. Mayor Wilson reported that COG Board endorsed

the National Capital Trail Network.

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

City Manager Jinks reported that Washington Business Journal just announced 25 best real estate deals for the region for 2019 and Alexandria had three projects on the list: Carlyle Crossings aka Wegmans, Victory Center, and Virginia Tech/JBG agreement. Mr. Jinks reported that Public Technology Institute awarded the City of Alexandria a small sized city award in public safety and emergency management for the work from home/911 system used during the pandemic emergency.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (5-15)**

### **(Resignations and Uncontested Appointments)**

5. Receipt of the following resignations from Members of Boards, Commissions, and Committees:
  - (a) Commission on Aging  
Carol Downs  
Amanda Hayes Rudolph
  - (b) Industrial Development Authority  
Allison Cryor DiNardo  
Andrew Palmieri  
Mark Williams
  - (c) Planning Commission  
Maria Wasowski
  - (d) Redevelopment and Housing Authority  
Salena Zellers

(A copy of the resignations is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 5; 09/08/20, and is incorporated as part of this record by reference.)

### **Uncontested Appointments to Boards, Commissions and Committees:**

6. Uncontested Appointments to Boards, Commissions, and Committees:
  - (a) Alexandria-Caen Sister City Committee  
1 Citizen Member



- (b) Beautification Commission  
1 Citizen Member
- (c) Children, Youth and Families Collaborative Commission  
1 High School Student
- (d) Commission on HIV/AIDS  
1 Citizen Member
- (e) Commission Persons with Disabilities  
1 Citizen Member
- (f) Community Services Board  
1 Consumer (current or former direct recipient of public or private mental health, intellectual disability, or substance abuse treatment rehabilitation services) or a family member (immediate family member or the principal caregiver who is not paid)  
1 Sheriff's Designee
- (g) George Washington Birthday Celebration Committee  
1 Representative Nominated by the American Legion  
2 Citizen Members
- (h) Historic Alexandria Resources Commission  
1 Representative from Planning District I  
1 Representative from the Historical Alexandria Foundation
- (i) Historical Restoration and Preservation Commission  
1 Citizen Member appointed by City Council
- (j) Industrial Development Authority  
1 Citizen Member
- (k) Park and Recreation Commission  
1 Park Planning District I Representative
- (l) Urban Design Advisory Committee  
1 Qualified Professional in Urban Design/Architecture

(A copy of the uncontested appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 09/08/20, and is incorporated as part of this record by reference.)

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

7. Consideration of a Temporary Construction Use and Maintenance Agreement with Arlington County to Construct the Potomac Yard/Four Mile Run Connector Trail over City-Owned Property.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 09/08/20, and is incorporated as part of this record by reference.)

8. Consideration of a Form Lease for Renewing and Issuing Leases to Artists and Arts Organizations through March 31, 2022 at the Torpedo Factory Art Center located at 105 N. Union Street.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 09/08/20, and is incorporated as part of this record by reference.)

9. Consideration of the Submission of a Grant Application for Expansion of the Alexandria Treatment Court ("ATC").

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 09/08/20, and is incorporated as part of this record by reference.)

10. Consideration of an Intergovernmental Agreement to Facilitate the City's Participation in a Regional Analysis of Impediments to Measure Alexandria's Progress in Affirmatively Furthering Fair Housing and to Inform its Upcoming Five-Year Consolidated Plan to HUD.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 09/08/20, and is incorporated as part of this record by reference.)

11. Consideration of Receipt of City Council Closed Meetings Report for FY2019 to FY 2020.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 09/08/20, and is incorporated as part of this record by reference.)

#### **(Ordinances for Introduction)**

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore

approved by city council to the Braddock Road Metro Station Small Area Plan chapter of such master plan as Master Plan Amendment No. 2020-00002 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment (Implementation Ordinance for Master Plan Amendment No. 2020-00002 associated with 701 North Henry Street approved by City Council on July 7, 2020).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 12; 09/08/20, 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. 12; 09/08/20, and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Sheet No. 054.04 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 701 North Henry Street from, CSL/Commercial Service Low to CRMU-M/Commercial Residential Mixed Use (Medium) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2020-00001 (Implementation Ordinance for Rezoning No. 2020-00001 associated with 701 North Henry Street approved by City Council on July 7, 2020).

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 13; 09/08/20, 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; 09/08/20, and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend City Code Section 2-5-31 Regarding the Employee Homeownership Incentive Program to Update Assistance Amounts Pursuant to FY 2021 Budget.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 14; 09/08/20, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 09/08/20, and is incorporated as part of this record by reference.)

15. Introduction and First Reading. Consideration. Passage on First Reading of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2021.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk and Council, marked Exhibit No. 1 of Item No. 15; 09/08/20, 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.21; 12/11/18, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the consent calendar, with the exception of items #5, #8, #10, and #15, which were considered under separate motions. The City Manager's recommendations were as follows:

6. City Council made appointments to the following boards, commissions and committees: (a) appointed Allison Wynn as the citizen member to the Alexandria-Caen Sister City Committee; (b) appointed Jessica Karode as the citizen member to the Beautification Commission; (c) appointed Janell Sendi as the citizen member to the Commission on HIV/AIDS; (d) reappointed Toni Popkin as the citizen member to the Commission on Persons with Disabilities; (e) appointed Sarah Riley as the consumer member (current or former direct recipient of public or private mental health, intellectual disability, or substance abuse treatment rehabilitation services) or family member (immediate family member or the principal caregiver who is not paid) and appointed Andrea Oliver as the Sheriff's designee to the Community Services Board; (f) appointed Carol Myers as the representative nominated by the American Legion and appointed Chris Jones and Jennifer Warren as the two citizen members to the George Washington Birthday Celebration Committee; (g) appointed Rosemarie Esber as the representative from Planning District I and reappointed Gail Rothrock as the representative from the Historic Alexandria Foundation the Historic Alexandria Resources Commission; (h) appointed Deborah Osborne as the citizen member appointed by City Council to the Historic Restoration and Preservation Commission; (i) appointed Lisa Edouard as the citizen member to the Industrial Development Authority; (j) reappointed Barbara Marvin as the Park Planning District 1 representative to the Park and Recreation Commission; and (k) reappointed Abbey Oklak as the qualified professional in urban

design/architecture to the Urban Design Advisory Committee.

7. City Council authorized the City Manager to enter into a temporary construction use and maintenance agreement with Arlington County to construct the Potomac Yard/Four Mile Run Connector Trail over City-owned property and to authorize the City Manager, if necessary, to execute additional documents to effectuate the construction use and maintenance agreement.

9. City Council: (1) ratified a grant application, to the Bureau of Justice Assistance in the amount of \$499,112 for the funds to expand the Alexandria Treatment Center (ATC); and (2) authorized the City Manager to execute all necessary documents that may be required.

11. City Council received the report on Closed Meetings for FY2019 to FY2020.

12. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2020.

13. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2020.

14. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2020.

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.

5. Receipt of the following resignations from Members of Boards, Commissions, and Committees:

- (a) Commission on Aging  
Carol Downs  
Amanda Hayes Rudolph
- (b) Industrial Development Authority  
Allison Cryor DiNardo  
Andrew Palmieri  
Mark Williams
- (c) Planning Commission  
Maria Wasowski
- (d) Redevelopment and Housing Authority

Salena Zellers

(A copy of the resignations is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 5; 09/08/20, and 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 accepted the following resignations from boards, commissions, and committees with regret: (a) Carol Downs and Amanda Hayes Rudolph, Commission on Aging; (b) Allison Cryor DiNardo, Andrew Palmieri, and Mark Williams, Industrial Development Authority; (c) Maria Wasowski, Planning Commission; and (d) Salena Zellers, Redevelopment and Housing Authority. 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.

8. Consideration of a Form Lease for Renewing and Issuing Leases to Artists and Arts Organizations through March 31, 2022 at the Torpedo Factory Art Center located at 105 N. Union Street.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 09/08/20, and is incorporated as part of this record by reference.)

Ms. Ruggiero, Deputy Director, Recreation, Parks and Cultural Activities, reviewed the community engagement plan and bring the updated plan for Torpedo Factory Art Center to Council for consideration.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Jackson and carried unanimously, City Council scheduled a public hearing on September 12 regarding the form and content of the proposed lease to be used for renewals and new leases at the Torpedo Factory Art Center, and at the conclusion of the public hearing, authorize the City Manager, using of the form lease, to renew current leases and issue new leases to artists and arts organizations. 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. Consideration of an Intergovernmental Agreement to Facilitate the City's Participation in a Regional Analysis of Impediments to Measure Alexandria's Progress in Affirmatively Furthering Fair Housing and to Inform its Upcoming Five-Year Consolidated Plan to HUD.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10;

09/08/20, and is incorporated as part of this record by reference.)

Ms. McIlvaine, Director, Office of Housing, reviewed the City's process to for preparing the consolidated plan as part of this regional effort.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) approved the draft Intergovernmental Agreement for a regional analysis of impediments to housing convened by the Metropolitan Washington Council of Governments (COG); and (2) authorized the City Manager to enter into an agreement that is in substantial conformance with the draft agreement. 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.

15. Introduction and First Reading. Consideration. Passage on First Reading of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2021.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 09/08/20, and is incorporated as part of this record by reference.)

Vice Mayor Bennett-Parker recused herself from voting on this item as a result of her employment with Together We Bake located at 212 South Washington Street. Councilman Chapman noted that he would be participating in the consideration but would not benefit from the funding as a small business owner in the City of Alexandria.

**WHEREUPON**, upon motion by Councilman Pepper, seconded by Councilman Aguirre and carried 6-0, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2020. The vote was a follows: In favor, Mayor Wilson, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Recused, Vice Mayor Bennett-Parker.

## **ROLL-CALL CONSENT CALENDAR (16-19)**

16. Consideration of a Resolution to Request that the Potomac Yard Metrorail Station Official Name be "Potomac Yard-VT" Metrorail Station.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 16; 09/08/20, and is incorporated as part of the record by reference.)

17. Consideration of a Resolution to Authorize the City Manager to Execute an Agreement to Finalize a Bequest from the Demaris Jarroll Williams Revocable Trust to The Lyceum.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 17; 09/08/20, and is incorporated as part of the record by reference.)

18. Consideration of a Resolution to Extend the Payment Deadline for Tax Year 2020 Personal Property Taxes (Car Tax and Business Personal Property Tax) from October 5, 2020 to December 15, 2020. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 18; 09/08/20, and is incorporated as part of the record by reference.)

19. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement 135 of the City Code. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 09/08/20, 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. 21; 09/08/20, and is incorporated as part of this record by reference.)

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

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved the Roll-Call Consent calendar, with the exception of item #16, which was considered under a separate motion. The approvals were as follows:

17. City Council approved a resolution authorizing the City Manager to execute an agreement to finalize a bequest from the Demaris Jarroll Williams Revocable Trust to the Lyceum.

The resolution reads as follows:

## **RESOLUTION NO. 2956**



**RESOLUTION** authorizing the City Manager to execute an agreement to  
Finalize

**A BEQUEST FROM the Demaris Jarroll Williams Revocable Trust  
TO THE LYCEUM**

**WHEREAS**, pursuant to Section 2.02 (e) of the Charter of the City of Alexandria (1950), as amended, City Council has the authority to accept gifts and donations; and

**WHEREAS**, The Lyceum is the beneficiary of a specific bequest of a Greene Plantation Desk, Chapman Snuff Box, and Chapman Ring under the terms of the Demaris Jarroll Williams Revocable Trust, under trust agreement dated January 9, 2007;

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

1. Accepts the bequest from the Demaris Jarroll Williams Revocable Trust; and
2. Authorizes the City Manager to execute an agreement and if necessary other documents, to finalize the bequest from the Demaris Jarroll Williams Revocable Trust.

18. City Council adopted a resolution extending the proposed property tax deadline from October 5, 2020 to December 15, 2020.

The resolution reads as follows:

**RESOLUTION NO. 2957**

**RESOLUTION TO EXTEND THE PERSONAL PROPERTY TAX PAYMENT  
DEADLINE FOR TAX YEAR 2020**

**WHEREAS**, national, state and local economies have been negatively impacted by the COVID-19 pandemic, arising from the public health threat presented by this spreading communicable disease; and

**WHEREAS**, the Commonwealth presently remains in Phase Three of the Forward Virginia reopening blueprint; and

**WHEREAS**, Phase Three means the public is still “safest at home except for essential trips such as food purchases and medical care;” and

**WHEREAS**, the economic impact from COVID-19 is reflected in the cumulative decreases since February 1, 2020 in taxable sales (Sales Tax) of 19.%, Meals Tax 46%, and Transient Lodging Tax 72%; and

**WHEREAS**, Virginia's overall seasonally adjusted unemployment rate in June was 8.4%, or 5.6% higher than last year, resulting in the loss of more than 300,000 jobs (almost 116,000 being from Northern Virginia); and

**WHEREAS**, the employment component for Leisure and Hospitality Services in Virginia has been particularly impacted, down 28.7% compared to June 2019 ; and

**WHEREAS**, whereas the City of Alexandria has spent \$2.4 million to date from the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, along with \$195,000 in General Fund contributions, and approximately \$900,000 from Industrial Development Authority (IDA) bond fee earnings to support over 300 small business with grants through the Alexandria Economic Development Partnership (AEDP); and

**WHEREAS**, the City of Alexandria has supported the community by spending \$1.4 million thus far in CARES funding via the Office of Housing to provide rent grants to 800 low-income renters, along with \$439,000 in Emergency Rent Relief using federal CDBG funds for another 324 renters; and

**WHEREAS**, the Personal Property Tax (Car Tax and Business Personal Property Tax) bills have been mailed, with payment due by October 5, 2020, subject to penalties and interest at 10% per annum for late payments pursuant to Title 3, Article M, Division 3, Section 3-2-230 of the Code of the City of Alexandria; and

**WHEREAS**, the Car Tax bill is the means by which Residential Parking Permits are disseminated to the appropriate vehicle owners pursuant to Title 5, Article F, Chapter 8 of the Code of the City of Alexandria; and

**WHEREAS**, Section 58.1-3916 of the Code of Virginia empowers the Alexandria City Council to grant by resolution an extension of time, not to exceed 90 days, for the payment of Personal Property Taxes;

**WHEREAS**, the Alexandria City Council desires to provide all support possible to the community at this time; and

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

1. That the due date in FY 2021 for the payment of Personal Property Taxes for tax year 2020 is hereby extended to December 15, 2020, and that payment can be made up to that time without late penalties and interest.

2. That the Alexandria Police Department delay enforcement of the red 2020-2021 Residential Parking Permit from November 15, 2020 through December 15, 2020; however, enforcement should continue as regularly scheduled if a vehicle is not otherwise displaying the prior year permit.
  3. That staff immediately communicate the extension information to the community.
19. City Council approved an ordinance to adopt Supplement 135 of the City Code.

The ordinance reads as follows:

#### ORDINANCE NO. 5292

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

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

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 135," are hereby adopted as and shall constitute "The One Hundred and Thirty Fifth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundred and Thirty Fifth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between March 24, 2020 through April 29, 2020, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after April 29, 2020, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 135; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the

City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between March 24, 2020 through April 29, 2020, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and Thirty Fifth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundred and Thirty Fifth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

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.

16. Consideration of a Resolution to Request that the Potomac Yard Metrorail Station Official Name be "Potomac Yard-VT" Metrorail Station.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 16; 09/08/20, and is incorporated as part of the record by reference.)

Mr. Lambert, Director, Transportation and Environmental Services, reviewed the request to rename the Potomac Yard Metrorail Station and responded to questions from Council about the process for the name change and the cost of changing the name. Mr. Lambert, Ms. Landrum, CEO, Alexandria Economic Development Partnership, and Mr. Baker, representative from Virginia Tech, responded to questions from Council.

**WHEREUPON**, upon motion Councilman Aguirre, seconded by Councilman Seifeldein and carried 5-2, City Council deferred approval of the resolution and requested that staff return at the next legislative meeting with additional information about the cost and timeline for naming the new metro station. The vote was as follows: In favor, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Pepper, and Councilman Seifeldein; Opposed, Mayor Wilson and Councilwoman Jackson.

## **CONTESTED APPOINTMENTS**

20. Alexandria Gang Prevention Community Task Force  
1 Member from/and representing a community organization with specific outreach to the Latino Community

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

NAME:

ENDORSEMENT:

Marilyn Cruz  
Richard Vargus

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

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre, City Council requested that the appointment be deferred and staff review the membership composition for the Alexandria Gang Prevention Community Task Force and return to Council with any recommendations. 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.

21. Budget and Fiscal Affairs Advisory Committee  
1 Citizen Member

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

NAME:

ENDORSEMENT:

Nicholas Lee  
Sasha Rousseau  
Alex Sproveri  
Emmanuel Teferra

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council reappointed Nicholas Lee as the citizen member to the Budget and Fiscal Affairs Advisory Committee. The vote was as follows:

Wilson	-	Lee
Bennett- Parker	-	Lee
Aguirre	-	Lee
Chapman	-	Lee
Jackson	-	Lee
Pepper	-	Lee
Seifeldein	-	Lee

22. Children, Youth, and Families Collaborative Commission  
1 ACPS Employee, identified by the Superintendent  
1 Member who shall be a community member with experience as a parent, guardian, teacher and/or with expertise in early childhood, youth or general education policy

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

NAME:

ENDORSEMENT:

Parris Elliott  
Kaitlin Opie

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council deferred the appointment for the ACPS employee, identified by the Superintendent to the Children, Youth and Families Collaborative Commission, until confirmation is received from the Superintendent. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein.

NAME:

ENDORSEMENT:

Kevin Brady  
Jessica Cuddy  
Claudette Haynes  
Andrea Jackson  
Jametia Pettiway

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Claudette Haynes as the community member with experience as a parent, guardian, teacher and/or with expertise in early childhood, youth, or general education policy to the Children, Youth and Families Collaborative Commission. The votes were as follows:

Wilson	-	Haynes
Bennett-Parker	-	Haynes
Aguirre	-	Cuddy
Chapman	-	Cuddy
Jackson	-	Cuddy
Pepper	-	Haynes
Seifeldein	-	Haynes

23. Commission on Employment  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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Travis Chatfield	
Patrick Edwards	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council reappointed Patrick Edwards as the citizen member to the Commission on Employment. The vote was as follows:

Wilson	-	Edwards
Bennett-Parker	-	Edwards
Aguirre	-	Edwards
Chapman	-	Edwards
Jackson	-	Edwards
Pepper	-	Edwards

Seifeldein - Edwards

24. Commission on HIV/AIDS  
1 Citizen Member

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

NAME: ENDORSEMENT:

Arion Lillard-Green

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were appointed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and appointed Arion Lillard-Green to the Commission on HIV/AIDS. The vote was as follows:

Wilson	-	Lillard-Green
Bennett-Parker	-	Lillard-Green
Aguirre	-	Lillard-Green
Chapman	-	Lillard-Green
Jackson	-	Lillard-Green
Pepper	-	Lillard-Green
Seifeldein	-	Lillard-Green

25. Commission on Information Technology  
1 Student Representing T.C. Williams High School, recommended by faculty

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

NAME: ENDORSEMENT:

Madeline Glanz  
Marcus Washington

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Marcus Washington as the student representing T.C. Williams High School to the Commission on Information Technology. The votes were as follows:

Wilson	-	Glanz
Bennett-Parker	-	Washington
Aguirre	-	Washington
Chapman	-	Washington



Jackson	-	Washington
Pepper	-	Washington
Seifeldein	-	Washington

26. Landlord-Tenant Relations Board  
1 Landlord Representative

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

NAME:	ENDORSEMENT:
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Razvan Cernucan

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council waived the residency requirement and appointed Razvan Cernucan as the landlord representative to the Landlord-Tenant Relations Board. The vote was as follows:

Wilson	-	Cernucan
Bennett-Parker	-	Cernucan
Aguirre	-	Cernucan
Chapman	-	Cernucan
Jackson	-	Cernucan
Pepper	-	Cernucan
Seifeldein	-	Cernucan

27. Planning Commission  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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Robert Duffy	
Geoffrey Goode	
Lyn Gubser	
Kyle Martin	
Josh Price	
Vivian Ramirez	Helene Delaunay-Dunagan
Jacob Wildfire	
Rabih Zahnan	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council appointed Vivian Ramirez as the citizen member to the Planning Commission.

Wilson	-	Ramirez
Bennett-Parker	-	Ramirez
Aguirre	-	Ramirez
Chapman	-	Ramirez
Jackson	-	Ramirez
Pepper	-	Duffy
Seifeldein	-	Duffy

28. Public Health Advisory Commission  
1 Citizen Member

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

NAME:	ENDORSEMENTS:
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Nora Elnahas	
Sylvia Jones	
Patricia Rodgers	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council reappointed Patricia Rodgers as the citizen member to the Public Health Advisory Commission. The vote was as follows:

Wilson	-	Rodgers
Bennett-Parker	-	Rodgers
Aguirre	-	Rodgers
Chapman	-	Rodgers
Jackson	-	Rodgers
Pepper	-	Rodgers
Seifeldein	-	Rodgers

29. Redevelopment and Housing Authority  
1 Citizen Member

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

NAME:	ENDORSEMENT:
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Salena Zellers	
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(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council waived the residency requirement and appointed Salena Zellers to the Redevelopment and Housing Authority. The vote was as follows:

Wilson	-	Zellers
Bennett-Parker	-	Zellers
Aguirre	-	Zellers
Chapman	-	Zellers
Jackson	-	Zellers
Pepper	-	Zellers
Seifeldein	-	Zellers

30. Sister Cities Committee  
2 Citizen Members

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

NAME:	ENDORSEMENT:
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Steven Cohen	
Kelly Sullivan	
David Vondle	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots tallied with the following results: City Council appointed Kelly Sullivan and David Vondle as the two citizen members to the Sister Cities Committee. The vote was as follows:

Wilson	-	Sullivan, Vondle
Bennett-Parker	-	Sullivan, Vondle
Aguirre	-	Sullivan, Vondle
Chapman	-	Cohen, Vondle
Jackson	-	Sullivan, Vondle
Pepper	-	Sullivan, Vondle
Seifeldein	-	Sullivan, Vondle

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

31. Receipt of the Draft Community Policing Review Board and Independent Policing Auditor Ordinance

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 09/08/20, and is incorporated as part of this record by reference.)

Ms. Taylor, Legislative Director, gave a presentation on the draft community policing review board and independent policing auditor ordinance and she along with Police Chief Brown, City Manager Jinks, and City Attorney Anderson responded to questions from Council about the proposal and the draft ordinance.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilwoman Jackson and carried, City Council received the City Manager's recommendation and thanked him for the report. City Council requested that the City Manager make the following changes to the proposal, including a re-draft of the ordinance to including granting investigative and subpoena powers to the board, if necessary (a hybrid investigator/auditor proposal). City Council would like at least two options to consider and the pros/cons of the two different options along with range of options available for consideration. City Council would also like for the City Manager to bring forth information related to most conservative financing of the initiative. All of these recommendations will be brought to Council for consideration at a subsequent meeting in the future with the goal being October presentation. 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.

32. Consideration of Proposed Plans for the Allocation of the Second \$13.9 Million Grant of Federal CARES Act Funding Towards Mitigating the Impact of COVID-19 on Residents, Businesses and City of Alexandria Government.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 09/08/20, and is incorporated as part of this record by reference.)

Vice Mayor Bennett-Parker recused herself from voting on this time as result of her employment at Together We Bake, located at 212 South Washington Street.

Councilman Chapman noted that he would be participating in the consideration for this item since he would not be receiving funds as a small business owner in the City of Alexandria.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried 6-0, City Council: (a) allocated the second tranche of the \$13,909,478 in Federal CARES funding to the following:

1. \$4.23 million for the City government's direct costs incurred in response to the COVID-19 pandemic;
2. \$2.5 million to benefit renters through the provision of \$1.0 million to continue the Office of Housing emergency rental assistance program and \$1.5 million to continue the Department of Community and Human Services (DCHS) eviction prevention and housing stability (includes rent, mortgage, and utilities) assistance program;
3. \$2.4 million toward a second round of small business assistance grants to be

administered by the Alexandria Economic Development Partnership (AEDP);

4. \$1.53 million toward expanding and extending food security programs;

5. \$2.0 million to start the Alexandria Resilience Fund for community non-profits;

6. \$960,000 toward Department of Community of Human Services (DCHS) childcare and workforce development initiatives; and

7. \$290,000 ACPS's Virtual Plus+ childcare program for school-aged children;

(b) allocated \$190,000 in Braddock Small Area Plan developer contributions from AEDP to provide small business grants to storefront businesses in the Braddock Small Area Plan neighborhood. The vote was as follows: Mayor Wilson, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none; Recused, Vice Mayor Bennett-Parker.

33. Consideration of a \$2.5 Million Capital Improvement Loan to Landmark Towers, LLC to Preserve Market Affordability and Secure a Right of First Refusal of a Multi-Family Apartment Building at 101 South Whiting Street.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 33; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: (1) approved a loan of \$2.5 million to Landmark Towers, LLC for capital improvements at 101 South Whiting Street, contingent on preservation of its long term market affordability and provision of a right of first refusal in the event of its future sale, as well as potential joint exploration of redevelopment options to increase affordable and workforce rental housing onsite; and (2) authorized to the City Manager to execute the loan agreement and related documents. 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.

34. Consideration of a Predevelopment Loan of \$500,000 to AHDC for an Arlandria Project at West Glebe Road and Mount Vernon Avenue that Includes Affordable Rental Housing and a Mix of Community-Serving Uses.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 34: 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Seifeldein and carried unanimously, City Council approved the predevelopment loan of \$500,000 and authorized the City Manager to execute a loan agreement for a proposed mixed use residential and commercial development at 221 West Glebe Road, as well as 3610, 3612, and 3700 Mount Vernon Avenue. 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.

35. Consideration of a Predevelopment Loan of \$250,000 to AHDC for a New Project at 4547, 4555, and 4575 Seminary Road that Combines Affordable Rental Housing, Affordable Homeownership Options, and a Component of Permanent Support Housing for Alexandrians with Development Disabilities.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 35; 09/08/20, and is incorporated as part of this record by reference.)

Mr. Lambert, Director, Transportation and Environment Services, and Ms. McIlvaine, Director, Office of Housing, responded to questions from Council about the site with regard to open space, stormwater management, and protected natural resources on the site.

**A motion was made** by Councilman Seifeldein to approve the \$250,000 predevelopment loan to AHDC for a proposed project at 4547, 4555, and 4575 Seminary Road and authorized the City Manager to execute the necessary loan documents with the contingency that staff will address the residents' concerns and questions about the project prior to disbursement of the loan (either in a memorandum or a community engagement session). The motion died for lack of a second.

**A motion was made** by Councilman Aguirre to approve the \$250,000 predevelopment loan to AHDC for a proposed project at 4547, 4555, and 4575 Seminary Road and authorize the City Manager to execute the necessary loan documents. The motion died for lack of a second.

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously, City Council approved the \$250,000 predevelopment loan to AHDC for a proposed project at 4547, 4555, and 4575 Seminary Road and authorized the City Manager to execute the necessary loan documents, with the contingency that staff will address the residents' concerns and questions about the project prior to disbursement of the loan (either in a memorandum or community engagement session). 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.

36. Consideration of a Predevelopment Loan of \$400,000 to Wesley Housing for Development of Parcview II, a New Committed Affordable Rental Project at 5380 Holmes Run Parkway to be collocated with Parcview Apartments.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 36; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Seifeldein and carried 6-0, City Council: (1) approved a predevelopment loan in the amount of \$400,000 to Wesley Housing to facilitate predevelopment activities at 5380 Holmes Run Parkway related to Parcview II; and (2) authorized the City Manager to execute the appropriate agreements.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

### **ORDINANCE (for introduction and first reading)**

37. Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to prevent the spread of the Novel Coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, by requiring face coverings in certain indoor and outdoor locations.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 37; 09/08/20, 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. 37; 09/08/20, 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. 37; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Seifeldein, seconded by Councilman Aguirre and carried 6-0, City Council approved the proposed face covering ordinance with an effective date of October 1, 2020 on first reading and set it for second reading, public hearing and adoption on September 12, 2020. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

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

None.

### **OTHER**

38. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated September 2, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 38; 09/08/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Seifeldein, seconded by Councilman Aguirre and carried 6-0, City Council received and adopted the FY 2021 City Council Schedule for September 2020 through July 2021, noting the balance of the meetings for the calendar year are listed as "Council Chambers" as a placeholder until Council determines whether future meetings will be virtual or in-person in Council Chambers. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman,

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

\*\*\*\*\*

**THERE BEING NO OTHER BUSINESS TO BE CONSIDERED**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Aguirre and carried 6-0, City Council adjourned the regular meeting of September 8, 2020 at 12:51 a.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, and Councilman Seifeldein; Opposed, none; Absent, Councilwoman Pepper.

\*\*\*\*\*

**APPROVED BY:**

JUSTIN M. WILSON MAYOR

ATTEST:

Gloria A. Sitton, CMC City Clerk



**City of Alexandria  
City Council Legislative Meeting  
Tuesday, September 22, 2020 6:00 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. Seifeldein.

Absent: Absent.

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. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Skrabak, Deputy Director, Environmental Quality, T&ES; Mr. Duval, Deputy Director, T&ES; Mr. Maines, Division Chief, T&ES; Ms. Tucker, Race & Social Equity Office, City Manager's Office; Ms. Suehr, Director, Department of Project Implementation; Ms. Taylor, Director, Finance; Ms. Slesinger, T&ES; Mr. Barre, Information Technology Services; Mr. Smith, Information Technology Services; Mr. Whatley, Emergency Manager, Fire Department; Ms. Jovovic, Office of Housing; Mr. Keeler, Deputy Director, Office of Housing; Mr. Routt, Director, Office of Management and Budget (OMB); Mr. Moritz, Director, Planning and Zoning; Mr. Eger, General Services; Mr. Bradford, Information Technology Systems; Mr. Spengler, Director, Recreation, Parks, and Cultural Activities; Ms. Bevis-Carver, Transportation and Environmental Services; Mr. McPike, Director, General Services; Mr. Coleman Deputy Director, General Services; Fire Chief Smedley; Ms. Henley, Director, Animal Welfare League; and Mr. Moss, Information Technology Services.

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, with Councilman Chapman and Councilwoman Pepper joining the meeting during the work session. All members and staff were participating via video conference call.

Mayor Wilson noted that due to the COVID-19 pandemic emergency, the September 22, 2020 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/or 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.

## **WORK SESSION**

### **2. Work Session on Acceleration of Flood Mitigation and Stormwater Investments.**

City Manager Jinks introduced Mr. Lambert, Director, Transportation and Environmental Services, who gave a presentation on the flooding events in the City and to review the action plan for reprioritizing and accelerating investments in stormwater management and flood mitigation for the City. Mr. Lambert and members of the Transportation and Environmental Services staff reviewed several areas including the action plan, investment areas, storm sewer capacity projects accelerated, storm infrastructure maintenance and standards, policy review and areas for immediate aid. Transportation and Environmental Services staff responded to questions from Council about the presentation and next steps for addressing the issues and community engagement.

\*\*\*Please note: The public discussion period will begin at 7:00 p.m. or shortly thereafter.\*\*\*

### **3. Public Discussion Period.**

The following persons participated in the public discussion period:

1. Michael Fujka, Alexandria, spoke about flooding the recent flooding in the City.
2. LaMonica Johnston, Alexandria, spoke about the recent flooding in the City.
3. Jeff Reczek, Alexandria, spoke about the recent flooding in the City.
4. Kathie Hoekstra, Alexandria, spoke about amendments to the Ad Hoc Energy and Climate Change Task Force.
5. Arthur Impastato, spoke about amendments to the Ad Hoc Energy and Climate Change Task Force.

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

### **\*Virginia Railway Express (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett- Parker reported that the Board discussed the preliminary for FY2022 Budget that was referred to NVTC and PRTC for their consideration. Vice Mayor Bennett-Parker \$91.9 million, about \$500,000 more than the last budget, with staff working to identify expense reductions. Vice Mayor Bennett-Parker noted that the preliminary budget would not include any fare increases and no increase to jurisdictional subsidies and the preliminary budget assumes the budget will stay at the current range. Vice Mayor Bennett-Parker reported that the final budget would be presented to Board in December.

### **\*Library Board (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the Library reopened to the public on August 17, with curbside service still available to patrons. The Library will continue with much of their virtual programming. Vice Mayor Bennett-Parker noted that the Board officers were re-elected to their positions. Vice Mayor Bennett-Parker noted that the Library received the 2020 John Cotton Dana Public Relations Award for their programming celebrating 80<sup>th</sup> Anniversary of the library sit-in.

**\*Washington Metropolitan Area Transit Authority (WMATA) (Councilman Aguirre)**

Councilman Aguirre reported that WMATA has a \$212 million budget shortfall and the Board recently approved management actions to address some of the issues, along with other board actions such as deferral of capital improvement projects.

**\*Economic Opportunities Commission (EOC)(Councilman Aguirre)**

Councilman Aguirre reported that Jeff Caldwell was elected as chair of the Commission and the Commission received a presentation on the COVID response report. Councilman Aguirre also noted that the Commission were seeking new members and encouraged community members to apply.

**\*Transportation Planning Board (TPB-COG)(Councilman Aguirre)**

Councilman Aguirre reported that today was Car-Free Day in the region and the Board reviewed a variety of issues, included reviewing the participation plan through the equity lenses to get input on public transportation and the setting of regional safety targets around fatalities, system events and reliability. Councilman Aguirre reported that the Board received an update on Visualize 2025, to review Vision Zero policies in the region.

**\*Potomac Yard Metrorail Implementation Group (PYMIG)(Mayor Wilson and Councilman Aguirre)**

Councilman Aguirre noted that the project was on schedule and there would be an outage a couple of the Metrorail stations over the Presidents' Day holiday weekend.

Mayor Wilson reported that there was an overview of the project and he noted that he toured the construction site recently. Mayor Wilson noted the closing of the CSX railroad for moving of the pedestrian walkway in for installation and upcoming closing of Metrorail stations south of the station to accommodate the shifting of the tracks.

**\*Alexandria Transportation Commission (Councilman Aguirre and Councilman Chapman)**

Councilman Aguirre reported that the Commission reviewed the Long Range Plan, to prioritize different projects and making sure they aligned with the City's goals. Councilman Aguirre noted that the Commission endorsed CMAQ/RSTP grants for eventual forwarding to Council for consideration and approval. Councilman Aguirre reported that the Commission also reviewed the legislative priorities. Councilman Aguirre also reported that Oscar Gonzalez was elected as the new vice chair.

### **\*Census 2020 Complete Count Committee (Councilman Aguirre)**

Councilman Aguirre noted that the City had 72.2% completion of the Census and that Virginia was in the top 7 for states with completion of the Census.

### **\*Alexandria Campaign on Adolescent Pregnancy (ACAP)(Councilman Aguirre and Vice Mayor Bennett-Parker)**

Councilman Aguirre reported that the group welcomed a new member, Zeda Morales. Councilman Aguirre noted that ACAP will celebrate its 20<sup>th</sup> Anniversary this year and will be release some new data. Councilman Aguirre noted that the group is still looking at ways to contribute to the Health Improvement Plan and the Youth

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

City Manager Jinks recognized Police Officer Bennie Evans, who was appointed to the Commonwealth of Virginia Criminal Justice Services Board and EMS Captain Lisa Simba who was appointed to the State Emergency Medical Services Advisory Board. City Manager also congratulated James Hixon, City Dockmaster, who will be retiring from the City of Alexandria and thanked him for his years of service.

City Council approved each item on the consent calendar under separate motions. The City Manager's recommendations were as follows:

### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (4-6)**

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

4. Consideration of Receipt of Fiscal Year 2020 Fourth Quarter Capital Projects Status Report Related to City Council Approved Capital Projects.

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council received as information the FY 2020 Fourth Quarter Capital Projects Status Report. 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.

5. Consideration of the Appointment of the Chief Animal Control Officer.

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 09/22/20, and 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 approved the appointment of Mr. Anthony Rankin as Chief Animal Control Officer pursuant to City Code Section 5-7-44, which includes the requirement that Council appoint the City's Chief Animal Control Officer. 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 the Monthly Financial Report for the Period Ending July 31, 2020 and June 30, 2020.

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously, City Council received the Monthly Financial Report. 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.

## **END OF CONSENT CALENDAR**

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

7. Race and Social Equity Officer Introduction and Update.

(A copy of the presentation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Councilman Aguirre and carried unanimously, City Council directed staff to begin a public engagement process to gain community feedback and input on a resolution on race and social equity to be formally adopted at the conclusion of the engagement period. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein.

8. Update Regarding the Housing Contributions Policy Review.

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilwoman Pepper and carried unanimously, City Council received the Housing Contributions Policy update and the proposed schedules for further stakeholder engagement, as well as the timeline for final recommendations to be proposed for City Council consideration. 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. Consideration of a Comprehensive Intergovernmental Agreement between Arlington County and the City of Alexandria for Maintenance, Inspection and Rehabilitation or Replacement of the five Four Mile Run Bridges.

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) approved the agreement between the City of Alexandria and Arlington County related to the capital rehabilitation or replacement of the five bridges over Four Mile Run which service both Arlington and Alexandria; and (2) authorized the City Manager to execute the agreement and any additional necessary documents. 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. Consideration of Mitigation Measures for the Washington Metropolitan Area Transit Authority (WMATA) Planned Three-Month Platform Reconstruction Closure of Arlington Cemetery Station.

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council approved the letter to Washington Metropolitan Area Transit Authority (WMATA) regarding mitigation for the planned temporary closure of the Arlington Cemetery Station. 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. Consideration of a Resolution to Establish an Ad Hoc Energy and Climate Change Task Force. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously by roll-call vote, City Council: (1) approved the resolution establishing the Ad Hoc Energy and Climate Change Task Force, with the following amendments: under section 1, amend the paragraph to read as follows: That there is hereby established the Energy and Climate Change Task Force (the "Task Force") whose mission is to provide feedback and guidance on the update of the Energy and Climate Change Action

Plan, including a plan on specific, measurable, time-bound steps to implement the targets of the Environmental Action Plan (EAP) 2040 on climate change, energy, and transportation; and under section 2, include healthcare in the list of interests or expertise in relevant fields; and (2) authorized the City Manager to appoint no more than 13 members of the Task Force. The vote was as follows:

The resolution reads as follows:

### **RESOLUTION NO. 2958**

**WHEREAS**, City Council wishes to establish an Energy and Climate Change Task Force, and

**WHEREAS**, the Energy and Climate Change Task Force will conduct specified tasks outlined in this resolution.

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

1. That there is hereby established the Energy and Climate Change Task Force (the "Task Force") whose mission is to provide feedback and guidance on the update of the Energy and Climate Change Action Plan, including a plan on specific, measurable, time-bound steps to implement the targets of the Environmental Action Plan (EAP) 2040 on climate change, energy, and transportation.
2. That the Task Force shall consist of 13 members and the composition of the group shall be as follows:
  - 1 person designated by, but who need not be a member of, the Environmental Policy Commission
  - 1 person representing an environmental, clean energy, or climate change action advocacy organization or interests
  - 3 persons who are residents of Alexandria at-large and who's representation reflects:
    - The differing areas/neighborhoods of the City and differing interests of homeowners, condo or multi-family residents, and renters/tenants
    - Involvement in civic or community organizations or faith organizations
    - Interests or expertise in relevant fields such as renewable energy, energy efficiency and energy conservation, climate change vulnerabilities, climate change adaptation, land use, energy/resource economics, community engagement, transportation, healthcare, or finance
  - 2 persons with interest or expertise in diversity, race and social equity, and inclusivity issues of diverse Alexandria populations, including those of Alexandria's aging population
  - 2 persons representing Alexandria youth interests with specific priority of Alexandria high school students
  - 2 business representatives from the Alexandria business community which may include representation of a business membership organization, business owner,

- commercial building owner, or an institutional organization with consideration of ensuring representing racial and social equity among these representatives,
- 1 person representing the interest of leveraging climate change solutions to support the City's economic development goals as well as support Alexandria's COVID-19 pandemic economic recovery efforts
  - 1 person who is a professional representing clean energy and climate policy or technology interests
3. The Environmental Policy Commission shall designate its own representative. The City Manager shall appoint the remaining 12 members of the Task Force and designate the Chair of the Task Force whose role is to serve as a meeting facilitator, spokesperson, and work with City staff to set Task Force meeting agendas.
  4. That the City Manager be, and hereby is, authorized and directed to take such additional actions as may be necessary or convenient to establish the Task Force as set forth by this Resolution.
  5. That members of the Task Force are expected to:
    - Provide feedback and guidance to City staff on the Energy and Climate Change Action Plan development process relative to their representation or area of expertise;
    - Assist and support the City's community engagement outreach efforts and meeting activities;
    - Attend all meetings prepared by reading assigned materials and information.
  6. That the Task Force will be staffed by representatives of the Department of General Services, with support from representatives of the Department of Transportation and Environmental Services and assistance from other City departments and partner organizations. Additional assistance shall be provided as needed by consultants and outside experts.
  7. That the Task Force will hold a minimum of (4) four public meetings or meet as needed.
  8. Pursuant to City Code Section 2-4-8, the Task Force shall sunset upon the City Council's adoption of the Energy and Climate Change Action Plan update, or 365 days from the date of its initial meeting, or when it submits its final oral or written report to council, whichever occurs first.
  12. Consideration of a Resolution to Establish an Ad Hoc RiverRenew Stakeholder Advisory Group in Support of RiverRenew. [ROLL-CALL VOTE]

(The City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council adopted the resolution to establish an Ad Hoc RiverRenew Stakeholder Advisory Group in support of RiverRenew; and (2) requested the City Manager and General Manager of Alexandria Renew Enterprises to



appoint members to the Ad Hoc Stakeholder Advisory Group. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilman Pepper, and Councilman Seifeldein; Opposed, none.

The resolution reads as follows:

### **RESOLUTION NO. 2959**

**WHEREAS**, City Council wishes to establish a temporary stakeholder advisory group in support of RiverRenew;

**WHEREAS**, RiverRenew is the program being implemented by Alexandria Renew Enterprises in partnership with the City of Alexandria to remediate its combined sewer system and;

**WHEREAS**, a diverse group of City residents with a wide variety of interests can assist in monitoring the implementation of this program;

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

1. That there is hereby established the Ad Hoc RiverRenew Stakeholder Advisory Group;
2. That the Ad Hoc RiverRenew Stakeholder Advisory Group shall consist of nine (9) members, as follows:
  - a. One (1) member that is nominated by the North Old Town Independent Citizens' Association
  - b. One (1) member that is a resident or representative of a business near Tobacco Quay, Oronoco Waterfront Residences or Rivergate
  - c. One (1) member that is nominated by the Old Town Civic Association
  - d. One (1) member that is a resident, representative of a business, or representative of a non-profit near South Royal/Green Streets
  - e. One (1) member that is nominated by the Eisenhower Partnership
  - f. One (1) member that is resident or representative of a business of the Carlyle community or Duke Street corridor
  - g. One (1) at-large member that is a resident of the City with an interest in the RiverRenew project
  - h. One (1) member that is a resident with engineering, environmental, financial or related experience that is not a member of any firm involved with or in pursuit of work associated with RiverRenew.
  - i. One (1) member with interest or expertise in diversity, race and social equity and inclusivity issues.
3. That the City Manager, or his or her designee, and Alexandria Renew Enterprises General Manager, or his or her designee, shall appoint the eight (8) members for the Ad Hoc RiverRenew Stakeholder Advisory Group, naming one as Chairperson;

4. That the functions of the Ad Hoc RiverRenew Stakeholder Advisory Group shall be to:
  - a. Review and monitor the progress of RiverRenew through the final design and construction phases;
  - b. Communicate the progress of RiverRenew to the community by leveraging existing networks and serve as spokespeople for RiverRenew;
  - c. Serve as a central body for receipt and dissemination of information for RiverRenew; and
  - d. Review and provide recommendations to minimize community impacts.
5. That the organizations listed will nominate an individual for appointment as their designated representative.
6. That all other members will be appointed by the City Manager, or his or her designee, and the Alexandria Renew Enterprises General Manager, or his or her designee, following a call for nominations that is publicized through public meetings, print media, online, and community and business association meetings.
7. That Alexandria Renew Enterprises, with support from the City, will staff the Ad Hoc RiverRenew Stakeholder Advisory Group.
8. That pursuant to City Code Section 2-4-8, the Ad Hoc RiverRenew Stakeholder Advisory Group shall meet on an *ad hoc* basis and will be formed for a duration of one (1) year starting from the date the group holds its initial meeting in January 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.
9. That pursuant to City Code Section 2-4-8, the Ad Hoc RiverRenew Stakeholder Advisory Group member appointments shall be revisited on an annual basis.
10. That the Ad Hoc RiverRenew 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 occurs first.
13. Resolution Consenting to an Extension of the Declaration of Local Emergency through March 31, 2021.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council: (1) adopted the amendment to Resolution 2928, Declaration of Local Emergency to extend the emergency through March 31, 2021; and (2) authorized the Director of Emergency Management to enter into contracts and incur obligations as enumerated in section 44-146.21 of the Code of Virginia. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldin; Opposed, none.

The resolution reads as follows:

**RESOLUTION NO. 2960**

**DECLARATION OF LOCAL EMERGENCY  
CITY OF ALEXANDRIA, VIRGINIA**

**WHEREAS**, the Director of Emergency Management of the City of Alexandria, Virginia finds that the Coronavirus Disease 2019 (COVID-19) is a Communicable Disease of Public Health Threat for Virginia and is of sufficient severity and magnitude to warrant a coordinated response by City departments, agencies, and voluntary organization.

**WHEREAS**, on March 14, 2020, City Council adopted Resolution No. 2928 confirming the Director of Emergency Management's Declaration of Local Emergency which extended through June 10, 2020. On June 9, 2020, City Council amended such resolution extending the Declaration of Local Emergency through September 30, 2020.

**WHEREAS**, the Director of Emergency Management finds that the emergency continues to exist and will exist into the future.

**THEREFORE, IT IS HEREBY DECLARED**, that a local emergency exists throughout the City of Alexandria; and

**IT IS FURTHER DECLARED AND ORDERED**, that during the existence of said emergency, the powers, functions and duties of the Director of Emergency Management shall be those prescribed by state law and the ordinances, resolutions and operations plans of the City of Alexandria, and that any actions taken under this declaration shall be directed at the prevention or response for, damages, loss, hardship or suffering threatened by, or resulting from, the emergency.

The declaration for COVID-19 effective as of March 9, 2020, at 8:00 am and shall remain in full force and effect until March 31, 2021 at midnight unless sooner amended or rescinded by resolution of the City Council.

14. Consideration of a Resolution to Request that the Potomac Yard Metrorail Station Official Name be "Potomac Yard - VT" Metrorail Station. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 09/22/20, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council endorsed the resolution formally requesting that WMATA begin the process to consider "Potomac Yard-VT" as the name for the Potomac Yard Metrorail Station. 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. 2961**

**WHEREAS**, the Potomac Yard Metrorail station is currently being constructed with an anticipated completion date of March 2022.

**WHEREAS**, Virginia Tech's Innovation Campus will be located in Potomac Yard within ¼ mile of the station.

**WHEREAS**, Virginia Tech's Innovation Campus will be the University's flagship campus in Northern Virginia and larger than the existing three campuses in Northern Virginia combined.

**WHEREAS**, 750 Master's and PhD students are anticipated to be enrolled annually, resulting in two to three thousand students at the Innovation Campus.

**WHEREAS**, The Innovation Campus will be a major center of activity at the Potomac Yard site.

**WHEREAS**, Universities are commonly included in Metrorail station names, as a secondary name and using abbreviations.

**WHEREAS**, At this time, there is no additional cost of changing the name of Potomac Yard Metrorail Station.

**WHEREAS**, Residents and stakeholders have been notified of the proposal to change the Potomac Yard Metrorail station name and all written feedback supported such change.

**WHEREAS**, The WMATA board must approve all station names and name changes.

**RESOLVED**, That Council supports "Potomac Yard-VT" as the official station name for the new station in Potomac Yard.

**RESOLVED**, That Council requests that WMATA proceed with its process for vetting station name proposals.

**RESOLVED**, That pending positive feedback from the market research, Council recommends that the WMATA board approve "Potomac Yard-VT" as the official station name for the new station in Potomac Yard.

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

1. Councilwoman Jackson recognized the passing of Supreme Court Justice Ruth Bader Ginsberg and noted that there will be a candlelight vigil and march to the Waterfront on Thursday, September 24 beginning at 7 p.m. on Market Square.

2. Councilman Chapman presented a memorandum to his colleagues requesting that board and commission applications be included as part of the docket for the public in an

effort to be more transparent.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried unanimously, City Council moved to docket for consideration at the next legislative meeting a request for including board and commission applications as part of the docket for the public. 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.

3. Councilman Aguirre recognized this month as Latino Heritage Month (September 15 through October 15) and noted that he would be requesting a proclamation for presentation at the October council meeting.

4. Councilman Aguirre recognized Retired Naval Captain Debra Magee who served the Alexandria Health Department for managing the call center for the past six months. Councilman Aguirre thank all MRC employees and volunteers for their service.

5. Councilman Aguirre recognized Ms. McIlvaine, Director of the Office on Housing, for receiving an award from Northern Virginia Affordable Housing Alliance for her work in that area.

#### **OTHER**

15. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated September 16, 2020, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 09/22/20, and 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: (1) received the updated FY 2021 City Council Schedule which includes: the City Council Retreat on Saturday, November 7, 2020 at 9 a.m., location TBD; dates for the upcoming budget work session from February 2021 through April 2021; Budget Public Hearing on Monday, March 8, 2021 at 5:30 p.m., in the Council Chambers; and Budget Adoption on Wednesday, May 5, 2021 at 7 p.m., in the Council Chambers; and (2) adopted the FY 2021 City Council Schedule for September 2020 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion Councilwoman Pepper, seconded by Councilman Seifeldein and carried unanimously, City Council adjourned the regular meeting of September 22, 2020 at 11:57 p.m. 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.

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**APPROVED BY:**

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

**ATTEST:**

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

DRAFT

**City of Alexandria**  
**Wednesday, May 5, 2021 7:00 PM**  
**Virtual Meeting**  
**City Council Special Meeting-Budget Adoption**  
**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. Baker, Deputy City Manager; Ms. Collins, Deputy City Manager; Fire Chief Smedley; Ms. Garvey, Director, Department of Community and Human Services; Mr. Routt, Director, Office of Manager and Budget (OMB); Ms. Poly, Analyst, OMB; Dr. Gaddy, Acting Director, Alexandria Health Department; Ms. Howard, Chief Human Resources Officer, Human Resources; Ms. Dawson, Director, Library; Mr. McPike, Director, General Services; Mr. Hetland, Analyst, OMB; Mr. Kurbanov, Analyst, OMB, Ms. McGrane, Analyst, OMB; Ms. Taylor, Analyst, OMB; Ms. Turner, Registrar, Voter Registration; Ms. Lawson, Analyst, OMB; Mr. Lambert, Director, Transportation and Environmental Services; Ms. Kelley, Analyst, OMB; Ms. McIlvaine, Director, Office of Housing; Ms. K. Taylor, Director, Finance; Ms. Suehr, Director, Department of Project of Implementation; Mr. Fields, Director, Code Administrator; Mr. Wicks, Manager, OMB; Ms. McLean, Executive Assistant to the City Manager; Ms. Schaub, Deputy City Attorney; Ms. Landrum, CEO, Alexandria Economic Development Partnership; Police Chief Brown, Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Ms. Bulova, Director, Office of Historic Alexandria; Ms. S. Taylor, Assistant City Manager/Legislative Director; Ms. Kelleher, Director, Office of Human Rights; Ms. Gordon, Director, Office of Emergency Communications; Ms. Gilfillen, Acting Director, Office of Communications and Public Information; Ms. Demeke, Information Technology Services, Mr. Barre, Information Technology Services; and Mr. Smith, Information Technology Services.

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

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Please take notice that the Alexandria City Council will hold a Special City Council meeting on May 5, 2021 at 7:00 p.m., by Zoom to adopt the City's FY2022 Proposed Annual Operating Budget (including Schools) and FY2022 to FY203 Proposed Capital Improvement Program (CIP) (including Schools CIP).

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.

2. Resolution Finding Need to Conduct City Council Meetings Electronically. [ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Seifeldein and carried unanimously by roll-call vote, City Council adopted resolution finding the need to conduct City Council meetings electronically. 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. 3001**

**Resolution Finding Need to Conduct City Council Meeting Electronically**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

**WHEREAS**, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia (the "City"), pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to by the City Council on March 14, 2020, pursuant to City Resolution No. 2928, as required by applicable law; on June 9, 2020, the City Manager extended such Declaration of Local Emergency through September 30, 2020 which extension was unanimously consented to by the City Council on June 9, 2020; on September 22, 2020, the City Manager extended such Declaration of Local Emergency through March 31, 2021 which extension was unanimously consented to by the City Council on September 22, 2020; on March 23, 2021, the City Manager extended such Declaration of Local Emergency through September 30, 2021 which extension was unanimously consented to by the City Council on March 23, 2021; (the "City Declaration"); and

**WHEREAS**, the City Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code § 44-146.16 being a "communicable disease of public health threat;" and



**WHEREAS**, on April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB29 and HB30 (Virginia Acts of Assembly Chapters 1283 and 1289), Section 4-0.01(g), that expressly authorize “any public body, including any state, local, [or] regional body” to “meet by electronic means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . ., provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities” among other provisions; and

**THEREFORE, BE IT RESOLVED**, that the City Council of the City of Alexandria, Virginia, hereby finds that the nature of the declared emergency makes it both impracticable and unsafe for the Council to assemble in a single location for its meeting on this date to discuss and transact the business of the City listed on the docket; and

**BE IT FINALLY RESOLVED**, that the City Council hereby finds that the items on the docket for this date are statutorily required or necessary to continue operations of the public body and the discharge of its lawful purposes, duties, and responsibilities.

3. Public Discussion Period.

There were no speakers for public comment.

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

4. Consideration of the Proposed Annual Operating Budget for FY 2022 (Including Schools) and the Proposed Capital Improvement Program FY 2022 to FY 2031 (Including Schools CIP) and Adoption of a Resolution. [ROLL-CALL-VOTE]

(A copy of the proposed resolution is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 05/05/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the budget resolution which includes an annual General Fund operating budget for FY 2022 of \$770,708,947; and the FY 2022 to FY 2031 Capital Improvement Program of \$2,661,511,337 in total; including \$293,102,842 in total for FY 2022. 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. 3002**

**WHEREAS**, the City Manager submitted the proposed Fiscal Year 2022 budget to the City Council on February 16, 2021 for its consideration; and

**WHEREAS**, upon due and proper notice, published in accordance with the law, said proposed budget was advertised in a newspaper of general circulation on February 25, 2021; and

**WHEREAS**, a public hearing was held March 8, 2021, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

**WHEREAS**, City Council amended the budget in the Final Add/Delete Work Session on May 3, 2021; and

**WHEREAS**, the budget as amended by City Council remains balanced with projected revenues and expenditures for Fiscal Year 2022 of \$770,708,947; and

**WHEREAS**, the budget as amended by City Council includes revenues generated by a Residential Refuse Fee change to be considered for final adoption with the adoption of the budget on May 5, 2021 and Ambulance Service Charge changes to be considered for final adoption on May 15, 2021;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Alexandria, Virginia that:

1. The General Fund operating budget is \$770,708,947 as submitted, amended, and summarized below. It is hereby approved and adopted as the budget of the City of Alexandria for Fiscal Year 2022 (July 1, 2021 to June 30, 2022).

- a. Accountable, Effective and Well-Managed Government: \$66,780,620
- b. Healthy and Thriving Residents: \$96,460,336
- c. Livable, Green and Prospering City: \$100,113,635
- d. Safe, Secure and Just Community: \$166,314,552
- e. Alexandria City Public Schools: \$239,437,296
- f. Debt Service / Cash Capital: \$101,602,508

2. That the 10-year Capital Improvement Plan for Fiscal Year 2022 to 2031 is \$2,661,511,337.

3. That this resolution shall become effective upon its adoption by the City Council.

5. Final Passage of an Ordinance on the Proposed Real and Personal Property Tax Rates and Proposed Effective Tax Rate Increase for Calendar Year 2021 (Fiscal Year 2022). [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 5, 2021, is on file in the Office of the City Clerk, marked Item No. 5; 05/05/21, 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 Item No. 5; 05/05/21, 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 Item No. 05; 05/05/21 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Jackson, seconded by Vice Mayor Bennett-Parker and carried unanimously by roll-call vote, City Council adopted an ordinance to set the City's calendar year 2021 blended real property tax rate at \$1.11 on each \$100 of assessed value, which is reduced by two cents from the calendar year 2020 rate. The calendar year 2021 real property tax rate contains the following:

- The sum of \$0.022 on each \$100 of assessed value of the one dollar and eleven cents real property tax rate will be collected and reserved for the Transportation Improvement Fund.
- The sum of \$0.006 on each \$100 of assessed value of the one dollar and eleven cents real property tax rate will be dedicated for affordable housing purposed to continue to pay budgeted debt service on affordable housing bonds, beginning on July 1, 2021.
- The total blended real property tax rate for the City in calendar year 2021 will be \$1.11.

The calendar year 2021 personal property tax rates contain the following:

- The sum of \$5.33 on each one-hundred dollars of assessed value of vehicle personal property. This rate remains unchanged from calendar year 2020.

- The sum of \$4.75 on each \$100 of assessed value of tangible business personal property. This rate remains unchanged from calendar year 2020.

- The sum of \$4.50 on each \$100 of assessed value of machinery and tools personal property. This rate remains unchanged from calendar year 2020. 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 ordinance reads as follows:

#### ORDINANCE NO. 5348

AN ORDINANCE to amend and reordain Section 3-2-181 (LEVIED; AMOUNT), Section 3-2-188 (CLASSIFICATION AND TAXATION OF CERTAIN COMMERCIAL AND INDUSTRIAL REAL PROPERTY), and Section 3-2-189 (TIER I POTOMAC YARD METRORAIL STATION SPECIAL SERVICES DISTRICT TAX) of Division 1, (REAL ESTATE), and Section 3-2-221 (LEVIED ON TANGIBLE PERSONAL PROPERTY OTHER THAN MOBILE HOMES, AUTOMOBILES, TRUCKS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTOR VEHICLES WITH SPECIALLY DESIGNED EQUIPMENT FOR USE BY THE HANDICAPPED, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT), Section 3-2-222 (LEVIED ON MACHINERY AND TOOLS USED IN MINING OR MANUFACTURING BUSINESS; AMOUNT), Section 3-2-223 (LEVIED ON MOBILE HOMES; AMOUNT), Section 3-2-224 (LEVIED ON AUTOMOBILES, TRUCKS, TRAILERS, SEMI-TRAILERS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT) of Division 3 (TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS), all of Article M (LEVY AND COLLECTION OF PROPERTY

TAXES), Chapter 2 (TAXATION), 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 Section 3-2-181 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-181 Levied; amount.

There shall be levied and collected for the calendar year 2021 on all real estate located within the territorial boundaries of the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$1.11 on each \$100 of the assessed value of all taxable real property, to include residential property and commercial property value, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 2. That Sec. 3-2-188 of The Code of the City of Alexandria, 1981 as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-188 Classification and taxation of certain commercial and industrial real property.

(a) Pursuant to the authority granted by Section 58.1-3221.3 of the Code of Virginia (1950), as amended, all commercial and industrial real property in the City of Alexandria classified by the General Assembly as a separate class of real property for local taxation shall be designated, assessed and taxed as a separate class of real property. Such separate class of real property shall not include any residential uses excluded by Section 58.1-3221.3 of the Code of Virginia.

(b) In addition to all other taxes and fees permitted by law, the class of real property designated in this section may, and if imposed by ordinance shall, be subject to a real property tax, in addition to that imposed by City Code Section 3-2-181 and any other applicable law, at the rate established by the City Council of the City of Alexandria not to exceed the rate authorized by the Code of Virginia.

(c) All revenues generated from the real property tax imposed by this Section 3-2-188 shall be used exclusively for transportation-related projects and services that benefit the City of Alexandria.

(d) The real property tax imposed by this Section 3-2-188 shall be levied, administered, enforced and collected in the same manner as set forth in Subtitle III of Title 58.1 of the Code of Virginia and Chapter 2 of this Title for the levy, administration, enforcement and collection of local taxes.

(e) The director of the division of real estate assessments shall separately assess and set forth upon the City of Alexandria's land book the fair market value of that property that is designated as a separate class of real property in accordance with the provisions of this section.

(f) There shall be levied and collected for the calendar year 2021 on all real estate located within the territorial boundaries of the city and subject to taxation pursuant to this section, a tax of \$0 on each \$100 of the assessed value thereof, for the purposes set forth in subsection (c) above.

Section 3. That Section 3-2-189 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-189 Tier I Potomac Yard Metrorail Station Special Services District Tax.

(a) Pursuant to the authority granted by Section 15.2-2400, et seq. of the Code of Virginia (1950), as amended, all real property located in the Tier I Potomac Yard Metrorail Station Special Services District, established pursuant to Ordinance Number 4693, classified by the city council as a separate class of real property for local taxation shall be designated, assessed and taxed as a separate class of real property.

(b) In addition to all other taxes and fees permitted by law, the class of real property designated in this section may, and if imposed by ordinance shall, be subject to a real property tax, in addition to that imposed by city code section 3-2-181 and any other applicable law, at the rate established by the city council of the City of Alexandria.

(c) As detailed in Ordinance Number 4693, all revenues generated from the real property tax imposed by this Section 3-2-189 shall be used exclusively for the purpose of providing facilities and services related to the construction of the Potomac Yard Metro Station in the City of Alexandria and the construction of a pedestrian bridge from Potomac Greens to Potomac Yard.

(d) The real property tax imposed by this section 3-2-189 shall be levied, administered, enforced and collected in the same manner as set forth in Subtitle III of Title 58.1 of the Code of Virginia and chapter 2 of this title for the levy, administration, enforcement and collection of local taxes.

(e) The director of the division of real estate assessments shall separately assess and set forth upon the City of Alexandria's land book the fair market value of that property that is designated as a separate class of real property in accordance with the provisions of this section.

(f) There shall be levied and collected for the calendar year 2021 on all real estate located within the territorial boundaries of the city and subject to taxation pursuant to this section, a tax of \$0.20 on each \$100 of the assessed value thereof, for the purposes set forth in subsection (c) above.

Section 4. That Section 3-2-221 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-221 Levied on tangible personal property other than mobile homes, automobiles, trucks, antique motor vehicles, taxicabs, motor vehicles with specially designed

equipment for use by the handicapped, motorcycles, campers and other recreational vehicles, boats and boat trailers; amount.

There shall be levied and collected for the calendar year 2021 on all tangible personal property, other than mobile homes, automobiles, trucks, antique motor vehicles, taxicabs, motor vehicles with specially designed equipment for use by the handicapped, motorcycles, campers and other recreational vehicles, boats and trailers, owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs within the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$4.75 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 5. That Section 3-2-222 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-222 Levied on machinery and tools used in mining or manufacturing business; amount.

There shall be levied and collected for the calendar year 2021 on all machinery and tools used in a mining or manufacturing business taxable on capital and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$4.50 on each \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 6. That Section 3-2-223 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-223 Levied on mobile homes; amount.

There shall be levied and collected for the calendar year 2021 on all vehicles without motor power, used or designed to be used as mobile homes as defined in section 46.2-100 of the Code of Virginia, owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs within the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$1.11 on each \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 7. That Section 3-2-224 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-224 Levied on automobiles, trucks, trailers, semi-trailers, antique motor vehicles, taxicabs, motorcycles, campers and other recreational vehicles, boats and trailers; amount.

(a) Except as provided in subsections (b), (c) and (d), there shall be levied and collected for the calendar year 2021 on all automobiles, trucks, trailers, semi-trailers, antique motor vehicles (as defined in Section 46.2-100 of the Code of Virginia, 1950, as amended, which

may be used for general transportation purposes as provided in subsection C of Section 46.2-730 of the Code of Virginia, 1950, as amended), taxicabs, motorcycles, campers and other recreational vehicles, boats and boat trailers owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs for taxation in the city, a tax of \$5.33 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(b) There shall be levied on and collected for the calendar year 2021 on all automobiles, trucks, trailers and semi-trailers with a gross vehicle weight of 10,000 pounds or more which are used to transport property for hire by a motor carrier engaged in interstate commerce, and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$ 4.50 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(c) There shall be levied on and collected for the calendar year 2021 on all automobiles and trucks which are equipped with specially designed equipment for use by the handicapped and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$3.55 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(d) There shall be levied on and collected for the calendar year 2021 on all privately owned pleasure boats and watercraft, which are used for recreational purposes only, and are owned or held by residents or citizens of the city, or are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$.01 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

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

(i) The city shall, following adoption of the annual budget adopted pursuant to Chapter 25 of Title 15.2 of the Code of Virginia and Sections 6.01 through 6.15 of the City Charter, set the rates of tax relief under this subsection at such a level that it is anticipated fully to exhaust relief funds under the Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the Code of Virginia, as amended, provided to the city by the Commonwealth.

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

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

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

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

(A) Relief with respect to vehicle value up to and including \$20,000 shall be provided at a rate that is approximately 15 percent higher than that applied to vehicle value described in subsection (B) of this section;

(B) Relief with respect to vehicle value in excess of \$20,000, but not more than \$25,000, and applied to the first \$20,000 in value, shall be provided at a rate that is approximately 15 percent higher than that applied to vehicle value described in subsection (C) of this section; and

(C) Relief with respect to vehicles in excess of \$25,000, and applied to the first \$20,000 in value.

Section 8. That this ordinance shall become effective January 1, 2021, nunc pro tunc.

6. Consideration of a Resolution to Adopt Residential Refuse Fee Increase for FY 2022. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated April 29, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 05/05/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilwoman Jackson and carried unanimously by roll-call vote, City Council adopted the resolution setting the annual charge for the collection and disposal of solid waste, ashes, recyclable materials and yard debris from required residential user property at \$484.22 per household. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

The resolution reads as follows:

**RESOLUTION NO. 3003**

**RESOLUTION TO ADOPT FEE INCREASES  
ADMINISTERED BY THE DEPARTMENT OF  
TRANSPORTATION AND ENVIRONMENTAL SERVICES**



## **FOR FY 2022**

**WHEREAS**, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, under City Code Section 5-1-34(a), City Council is required, from time to time, to set by resolution the annual fee that is to be paid by the owners of 'required user property,' as defined in Section 5-1-2(12b) of the City Code, for the City's collection and disposal of solid waste, ashes, recyclable materials, and yard debris from their properties on a fiscal year basis, and

**WHEREAS**, in Resolution No. 2941, adopted April 29, 2020 City Council set the annual fee for such collection and disposal services at \$460 per household and \$411 for commercial properties; and

**WHEREAS**, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

**WHEREAS**, under City Code Section 3-1-8(a), except as otherwise expressly provided in this code or in the zoning ordinance, all fees and charges for applications submitted to; for permits and approvals issued by, and for activities, programs and services provided by, the City of Alexandria shall be established by resolution of the City Council.

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

1. That, beginning in fiscal year 2022, the annual charge for the collection and disposal of solid waste, ashes, recyclable materials, and yard debris from required user properties shall be ~~\$460~~ \$484.22 per household, with each single-family, two-family and row dwelling in the City, and each separate dwelling unit in a building or structure in the city that contains four or fewer dwelling units, constituting a "household."
2. That the annual fee established in Section 1 above shall apply, unless and until revised by City Council, to such services provided during subsequent fiscal years.
3. That the fee for the collection and disposal of solid waste for commercial properties shall be \$411.00 per unit of services per year.
4. That the fees established in Section 3 above shall apply, unless and until revised by City Council, to such services provided during subsequent fiscal years.
5. To the extent that these rates differ from those in Resolutions 2279, 2555, 2723, 2768, 2880 and 2941 those provisions in Resolutions 2279, 2555, 2723, 2768, 2880 and 2941 are hereby repealed.
6. That this resolution shall be effective July 1, 2021.

7. Consideration of a Resolution Making the Planned 1% Pay Bonus Applicable to Certain Commonwealth of Virginia Employees Based in Alexandria. [ROLL-CALL VOTE]

(A copy of the proposed resolution is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 05/05/21, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Bennett-Parker, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted a resolution for approval of the planned 1% pay bonus and making it applicable to certain Commonwealth of Virginia employees based in Alexandria. 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. 3004**

**WHEREAS**, the City of Alexandria desires to make the planned 1% pay bonus applicable to certain Commonwealth of Virginia Employees based in Alexandria; and

**WHEREAS**, the City of Alexandria desires to adopt and incorporate certain details to the planned 1% bonus as set forth below and

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

1. All active regular full-time and part-time employees will be eligible to receive a one-time 1% bonus.
2. The 1% one-time bonus will not get built into ongoing pay, and will be paid as a lump sum
3. Seasonal and temporary employees will be eligible for this bonus.
4. Election day poll workers will not be eligible for this bonus; other Registrar's employees are eligible.
5. Per the City's MOU with the Virginia Department of Health, all Alexandria Health Department (AHD) employees will be eligible for the 1% bonus/\$500 minimum/prorated amounts (see below).
  - a. AHD is determining whether the Virginia Department of Health will allow temporary AHD workers to receive this bonus.
  - b. FEMA paid workers who have just started to work the vaccination PODs will not be eligible.
6. All courts employees and the Public Defender's Office will be eligible, except for judges.
7. Minimum bonus amount paid will be \$500 and pro-rated for part time workers (\$125, \$250, \$375), if applicable.
8. The bonus is a percentage of regular full-time employees' annualized base salary ("regular pay") as of first day of FY 2022 first pay period (or June 26, 2021).

9. The bonus for regular part-time employees' will be pro-rated and calculated based on employees' base pay rate and their standard schedule as follows:
- a. 0.25 FTE (25% of bonus)
  - b. 0.50 FTE (50% of bonus)
  - c. 0.75 FTE (75% of bonus)
  - d. 1.00 FTE (100% of bonus)

10. Bonuses will be paid the second pay period of July 2021.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the Special Meeting of May 5, 2021 at 7:37 p.m. 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.

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APPROVED BY:

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

ATTEST:

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