City of Alexandria

301 King St., Room 2400
Alexandria, VA 22314

Action Docket - Final

Tuesday, November 13, 2018
6:00 PM

Council Chambers

City Council Legislative Meeting
1. **Calling the Roll.**

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

2. **Closed Meeting.**

City Council convened in closed executive session at 6:07 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 litigation posture of the public body and to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel; specifically the settlement of a lawsuit involving an appeal of real estate assessments for multiple multifamily buildings and discussion of the processing of a certain transportation infrastructure project; pursuant to Sections 2.2-3711(A)(7) and (8) of the Code of Virginia.

City Council reconvened in open session at 7:18 p.m.

City Council adopted the resolution regarding the closed executive session previously circulated to Council. (RES. NO. 2851)

City Council authorized the City Attorney to enter into the settlement agreement to resolve the following lawsuits pertaining to real estate assessments: EQR Alexandria LLC v. City of Alexandria (3700 Jefferson Davis Highway); ERP Operating Limited Partnership (2201 Mill Road) v. City of Alexandria; EQR Millbrook I LLC (1459 North Beauregard Street) v. City of Alexandria; EQR Smoketree LLC (5020 Eisenhower Avenue) v. City of Alexandria; and EQR Town Square at Millbrook LLC (1401 North Beauregard Street) v. City of Alexandria.

**19-1396** 6:00 p.m. - Consideration of a Closed Meeting for consultation with legal counsel regarding actual or probable litigation and about a specific legal matter.

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

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

**NB Item #1:** City Council considered Docket Item #51 after the moment of silence and recited the Pledge of Allegiance.

City Council adopted a resolution denouncing hate and anti-Semitism in wake of murders in Pittsburgh at Tree of Life Synagogue. (RES. NO. 2852)

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

**19-1316** The Regular Meeting Minutes of October 9, 2018; The Public Hearing Meeting Minutes of October 13, 2108; and The Regular Meeting Minutes of October 23, 2018.
City Council approved the minutes for the following meetings: the regular meeting minutes of October 9, 2018; the public hearing meeting minutes of October 13, 2018; and the regular meeting minutes of October 23, 2018.

NB Item #2: Stephanie Landrum gave presentation on the announcement of the Amazon HQ2 coming to the National Landing area between Alexandria and Arlington.

PROCLAMATIONS

5. 19-1314  Presentation of a Proclamation Honoring the Campagna Center’s Annual Scottish Christmas Walk.

   City Council endorsed the proclamation.

6. 19-1003  Recognition of the City Academy Graduates.

   City Council recognized the graduates of the City Academy.

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

*Potomac Yard Metro Implementation Group (Vice Mayor Wilson and Councilman Smedberg)

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

*Northern Virginia Transportation Commission (NVTC)(Councilman Smedberg)

*CSO Project Review Team Workgroup (Councilman Chapman and Councilman Smedberg)

*Region Forward (Councilmember Lovain)

*Update on Patrick Henry Elementary School (Councilwoman Pepper)

   City Council gave the reports.

ORAL REPORT FROM THE CITY MANAGER

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (7-32)
(Resignations and Uncontested Appointments)

7. **19-1362** Receipt of the following resignations from Members of Boards, Commissions, and Committees:
   
   (a) Alexandria Housing Affordability Advisory Committee  
       Marian Wiggins
   
   (b) Historic Alexandria Resources Commission  
       Krystyn Moon
   
   (c) Real Estate Assessments Review Board  
       Robert Calhoun
   
   (d) Sister Cities Committee  
       Elizabeth Overmeyer

Uncontested Appointments to Boards, Commissions and Committees:

8. **19-1363** Uncontested Appointments for Boards, Commissions, and Committees:
   
   (a) Alexandria Housing Affordability Advisory Committee  
       1 Commission on Aging Representative
   
   (b) Beautification Commission  
       1 Citizen Member
   
   (c) Budget and Fiscal Affairs Advisory Committee  
       1 Member Designated by the Alexandria Chamber of Commerce
   
   (d) Children, Youth, and Families Collaborative Commission  
       1 Community Member with experience as a parent, guardian, teacher, and/or with expertise in early childhood, youth, and general education policy  
       1 Community Member with expertise in children, youth, and family issues, public safety, medical/health related profession or non-profit experience who is a young adult
   
   (e) Citizen Corps Council  
       1 Citizen Member
   
   (f) Commission on Persons with Disabilities  
       1 Representative of the business community (Chamber of Commerce Representative)
(g) Environmental Policy Commission
   1 Member from the Field of Urban Planning

(h) Historic Alexandria Resources Commission
   1 Representative for the Alexandria Historical Society

(i) Waterfront Commission
   1 Representative from Park Planning District III

(Reports and Recommendations of the City Manager)

9.  18-7918 Consideration of the Monthly Financial Report for the Period Ending September 30, 2018


11. 18-7922 Consideration of Authorization to Advertise Delinquent Tax Listings Greater Than $1,000, Write Off Balances Less Than Twenty Dollars, and Destroy Records as Required by State Law.

12. 19-1114 Consideration of a Memorial Plaque at the Windmill Hill Park Shoreline Commemorating Captain Ryan Wojtanowski’s Service to the Community.


15. 19-1285 Introduction of a Renewed Five-Year License Agreement with Zayo Group LLC to Permit Zayo Group LLC.’S Existing Conduits and Fiber Optic Cables to Remain in the City of Alexandria’s Public Rights-Of-Ways and to Allow Placement of Additional Conduits and Fiber Optic Cable Telecommunication Services, Not Cable Television Services in the City of Alexandria.

16. 19-1349 Consideration of the Appointment of a Management Representative Alternate to the City of Alexandria Supplemental Retirement Board and Firefighters and Police Officers Pension Board.

(Ordinances for Introduction)

17. 18-7923 Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make Supplemental Appropriations for the Support of the City
18. **19-1259**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 2-4-114 (CREATION, COMPOSITION AND ORGANIZATION) of Article O (GEORGE WASHINGTON BIRTHDAY CELEBRATION COMMITTEE) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

19. **19-1261**

Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to amend and reordain Section 2-4-150 (CREATION, COMPOSITION, ORGANIZATION AND TERM) of Article T (CITIZEN CORPS COUNCIL) of Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

20. **19-1263**

Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to amend and reordain Section 3-2-353 (CONTESTED PARKING CITATIONS) of 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.

21. **19-1265**

Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to amend and reordain 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.

22. **19-1267**

Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to amend and reordain Chapter 14 (Delivery of Unsolicited Publications) of Title 9 (Licensing and Regulation) of the Code of the City of Alexandria, Virginia, 1981, as amended.

23. **19-1293**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance authorizing the owner of the property located at 815 Green Street to construct and maintain an encroachment into the public right-of-way at that location for a fence and existing steps (Implementation Ordinance for Encroachment approved by City Council on September 15, 2018).

24. **19-1294**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing the Owners of the Property Located at 2701 Dewitt Avenue
to Establish and Maintain an Encroachment into the Public Right-of-Way at that Location along the Frontage of Dewitt Avenue and East Randolph Avenue for an Existing Fence (Implementation Ordinance for an Encroachment Approved by City Council on September 15, 2018).

25. **19-1295**
Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing the Owners of the Property Located at 100 East Luray Avenue to Construct and Maintain an Encroachment into the Public Right-of-Way at that Location for a Fence and Side Yard Access.

26. **19-1296**
Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing the Owner of the Property Located at 1620 Prince Street to Construct and Maintain an Encroachment into the Sidewalk Right-of-Way at that Location for the Installation of Two Bollards (Implementation Ordinance for the Hilton Garden Inn Encroachment Authorized by City Council on October 13, 2018).

27. **19-1301**
Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to add Section 2-129.1 (CONGREGATE RECREATIONAL FACILITIES) of Article II (DEFINITIONS) and to amend and reordain Section 6-105 (SPECIAL USES) and 6-403 (GENERAL REGULATIONS AND EXCEPTIONS) of Article 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. 2018-0007 (Implementation Ordinance for Text Amendment No. 2018-0007 approved by City Council on October 13, 2018).

28. **19-1303**
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. 2018-00005 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. 2018-00005 associated with Monday Properties approved by City Council on October 13, 2018).

29. **19-1305**
Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 5-602(A) (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. 2018-00006 (Implementation Ordinance for Text Amendment No.
30. **19-1307**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Sheet No. 005.01 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 properties at 1, 11, 44, 66, and 99 Canal Center Plaza from, W-1 to CRMU-H with proffers in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2017-0003 (Implementation Ordinance for Rezoning No. 2017-0003 associated with Canal Center Rezoning approved by City Council on October 13, 2018).

31. **19-1309**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to authorize the owner of the property located at 699 Prince Street to construct and maintain an encroachment for a marquee awning at that location. (Implementation Ordinance for Encroachment No. 2018-0005 associated with 114 South Washington Street and 699 Prince Street approved by City Council on October 13, 2018).

32. **19-1406**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make a Supplemental Appropriation for the Support of the City Government for Fiscal Year 2019 (Union Station Project).

**END OF CONSENT CALENDAR**

City Council approved the consent calendar with the exception of items 13, 14, 20, 21, 23, 27, and 32, which were considered under separate motions. The City Manager's recommendations were as follows:

7. City Council received the following resignations with regret: (a) Marian Wiggins, Alexandria Housing Affordability Advisory Committee; (b) Krystyn Moon, Historic Alexandria Resources Commission; (c) Robert Calhoun, Real Estate Assessments Review Board; and Elizabeth Overmeyer, Sister Cities Committee.

8. City Council appointed the following persons to City boards, commissions, and committees: (a) reappointed William Harris as the Commission on Aging representative to the Alexandria Housing Affordability Advisory Committee; (b) appointed Donald Kent at the citizen member to the Beautification Commission; (c) reappointed Howard “Skip” Maginnis as the member designated by the Alexandria Chamber of Commerce to the Budget and Fiscal Affairs Advisory Committee; (d) appointed Brent McKenzie as the community member with experience as a parent, guardian, teacher, and/or with expertise in early childhood, youth and general education policy and appointed Bryana Head as the community member with expertise in children, youth and family issues, public safety, medical/health related profession or non-profit experience who is a young adult to the Children, Youth and Families Collaborative Commission; (e) appointed Patrick Moran as the citizen member to the Citizen Corps Council; (f) reappointed Edward Schirmer as the representative of the business community (Chamber of Commerce representative) to the Commission on...
Persons with Disabilities; (g) appointed Craig Berry as the member from the field of urban planning to the Environmental Policy Commission; (h) appointed Severiano Ortiz as the representative for the Alexandria Historical Society to the Historic Alexandria Resources Commission; and (i) appointed Rich Brune as the representative from Park Planning District III to the Waterfront Commission.

9. City Council received the monthly financial report.


11. City Council: (1) received the listings of delinquent local property taxes; (2) authorized that those parts of the delinquent real estate and personal property tax listings deemed advisable by the Director of Finance be published on the City of Alexandria website; (3) authorized the Director of Finance to write-off uncollected tax balances less than twenty dollars each, totaling $11,592 as of June 30, 2018, 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; (4) authorizes the Director of Finance to outsource the collection of delinquent business personal property taxes when appropriate during the delinquent tax collection process; and (5) authorized the Director of Finance to destroy records associated with taxes paid in calendar year 2012 and prior years in accordance with Code of Virginia Section 58.1-3129(A).

12. City Council: (1) received the recommendation from the City Naming Committee to place a memorial plaque at the Windmill Hill Park shoreline commemorating Captain Ryan Wojtanowski; and (2) set the proposal for public hearing and consideration on Saturday, November 17, 2018.

13. City Council received as information the FY 2019 First Quarter Capital Projects Status Report. (separate motion)

14. City Council received the reports from Council appointed boards, commissions, and committees for July 1, 2017 - June 30, 2018 and thanked the volunteers for their service to the community. City Council vacated the positions of the members that have not met the 75% attendance requirement. City Council also requested that the City Clerk bring back at the earliest convenience at recommendation for a subcommittee to review the current City boards and committees. (separate motion)

15. City Council set this matter for a public hearing on Saturday, November 17, 2018.

16. City Council appointed Shari Davidson, Benefits Manager, Department of Human Resources to the City of Alexandria Firefighters and Police Officers Pension Board and on the Supplemental Retirement Board.

17. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018.

18. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018.

19. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018.
20. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018. (separate motion)

21. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018. (separate motion)

22. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018.

23. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018. (separate motion)

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26. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018.

27. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018. (separate motion)

28. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018.

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30. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018.

31. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018.

32. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 17, 2018. (separate motion)

ROLL-CALL CONSENT CALENDAR

33. **19-1255**  
Consideration of a Resolution to Approve Change Orders to the City’s Contract with Tyler Technologies to Provide Additional Services to the APEX (Permitting Land Use Management IT System Replacement. [ROLL-CALL VOTE]  

City Council adopted a resolution to approve change orders to the City’s contract with Tyler Technologies to provide additional services to the APEX (Permitting Land Use Management IT System Replacement). (RES. NO. 2853)

CONTESTED APPOINTMENTS

34. **19-1372**  
Alexandria-Caen Sister City Committee
1 Citizen Member

City Council appointed Paul Rothman as the citizen member to the Alexandria-Caen Sister City Committee.

35. 19-1375 Commission on Employment
1 Citizen Member

City Council requested that the City Clerk readvertise the position.

36. 19-1364 Commission on Information Technology
4 Citizen Members

City Council appointed Christopher Lewis and reappointed Sean Rough, John Szczech, and Forrest Wilhoit as the four citizens members to the Commission on Information Technology.

37. 19-1366 Community Criminal Justice Board
2 Citizen Members

City Council appointed Abdel-Rahman Elnoubi and reappointed Emily Gordon as the two citizen members to the Community Criminal Justice Board.

38. 19-1365 Emergency Medical Services Council
1 Emergency Room Physician from INOVA Alexandria Hospital

City Council waived the residency requirement and appointed Dr. Jeremy Graf as the emergency room physician from INOVA Alexandria Hospital to the Emergency Medical Services Council.

39. 19-1367 Environmental Policy Commission
1 Citizen Member

City Council appointed Michael Kulas as the citizen member to the Environmental Policy Commission.

40. 19-1368 Historical Restoration and Preservation Commission
1 Citizen Member

City Council appointed Kenneth Carter Batey as the citizen member to the Historical Restoration & Preservation Commission.

41. 19-1369 Industrial Development Authority
1 Citizen Member

City Council appointed Dwight Dunton as the citizen member to the Industrial Development Authority.

42. 19-1374 Park and Recreation Commission
1 Planning District II Representative

City Council reappointed Stephen Beggs as the Planning District II representative to the Park and Recreation Commission.
43. **19-1370**
Public Health Advisory Commission  
1 Citizen Member, who is a health professional and at the time of the appointment derive, or within the previous five years derived, their principal income from providing health care, health services, or health related activities  

*City Council appointed Andrew Romero as the citizen member, who is a health professional and at the time of the appointment derive, or within the previous five years derived, their principal income from providing health care, health services, or health related activities to the Public Health Advisory Commission.*

44. **19-1371**
Sister Cities Committee  
2 Citizen Members  

*City Council reappointed Paul Anderson and William Booz as the two citizen members to the Sister Cities Committee.*

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION (60 min.)**

45. **19-1277**
Development of a Vibrancy and Sustainability Plan for the Torpedo Factory Art Center.  

*City Council received and discussed the recommendation and set the public hearing for November 17.*

46. **19-1223**
Consideration of a Nine-Month Pilot Shared Mobility Program.  

*City Council authorized the City Manager to enter into a Memorandum of Understanding, similar in form and substance to the draft provided in this item, subject to City Attorney approval, with participating companies for a nine-month pilot program for operation of private dockless shared mobility devices within the City right-of-way.*

47. **19-1288**
Introduction of Requests for a Loan of Up to $7.65 Million to Wesley Housing Development Corporation (Wesley) for the Fairlington Presbyterian Church Affordable Housing Development, for a Rental Assistance Grant of $270,000 and for Designation of the Development Site as a Revitalization Area  

*City Council scheduled the requests for consideration on November 17, 2018.*

48. **19-1358**
Consideration of Scheduling a July 2019 Public Hearing Meeting.  

*City Council approved an early summer public hearing meeting on its schedule for Tuesday, July 9, 2019.*

**RESOLUTIONS**

49. **18-7936**
Consideration of the Resolution to Establish the FY 2020 Budget Guidance.  

[ROLL-CALL VOTE]  

*City Council adopted the FY2020 Budget Guidance Resolution with a modified Section (b) Taxes, Fees, Finances and Service Charges to reflect the maintenance of the*
existing real estate tax rate of $1.13 to reflect the comments received in advance, and at the meeting, by the Vice Mayor. (RES. NO. 2854)

50. 19-1373

Consideration of a Budget Resolution Establishing the Process to be Used to Adopt the FY 2020 Operating Budget and the FY 2020 to FY 2029 Capital Improvement Program. [ROLL-CALL VOTE]

City Council adopted a resolution establishing the process to be used to adopt the FY 2020 Operating Budget and the FY2020 to FY 2029 Capital Improvement Program with the following modifications:

• Modified Section (c)(8) to reflect the addition of the words “at the scheduled April Public Hearing” as requested via email from the Vice Mayor on November 13th

• Modified Section (e)(15)(iii) to reflect the new calendar as adjusted at last night’s meeting (moving add/delete one week earlier)

• Created Section (f)(17)(ii)(5) to include the requirement that staff be notified of any add/deletes requiring an ordinance change as discussed in last night’s meeting

• Modified Section (f)(17)(iii) to reflect the new calendar as adjusted at last night’s meeting (moving add/delete one week earlier)

• Created Section (f)(17)(iv) to reflect the decision to have a second budget public hearing for the purpose of receiving feedback on preliminary add/delete items. (RES. NO. 2855)

51. 19-1379

Resolution Denouncing Hate and Anti-Semitism in Wake of Murders in Pittsburgh at Tree of Life Synagogue. [ROLL-CALL VOTE]

ORAL REPORTS AND ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

None.

OTHER

52. 19-1328

Consideration of City Council Schedule.

City Council: (1) received the updated City Council Schedule which includes: a City Council Retreat is proposed for Saturday, January 26, 2019 at 9 a.m. The location will be determined at a later date; and the CITY Awards Luncheon is scheduled for Thursday, May 30, 2019 at 12 p.m. and will be held at the Alexandria Police Department; and (2) approved the City Council Schedule for November 2018 to June 2019.

Closed Meeting (if needed)

53. 19-1397

Consideration of a Closed Meeting for consultation with legal counsel regarding actual or probable litigation and about a specific legal matter.

This meeting was not needed.
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The meeting was adjourned at 11:15 p.m.

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NOTE: The action docket is a summary of Council's meeting deliberations prepared largely for staff follow-up. Formal minutes of the meeting, when approved by Council become the official record of the meeting and of Council decisions made at the meeting.