

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Public Hearing Meeting
Saturday, November 12, 2005 - - 9:30 a.m.

* * * * *

Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Andrew H. Macdonald and Joyce Woodson.

Absent: Councilman Paul C. Smedberg.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Ms. Fogarty, Director, Planning and Zoning (P&Z); Mr. Josephson, Deputy Director, P&Z; Mr. Kincannon, Director, Parks, Recreation and Cultural Activities; Mr. Farner, Division Chief, P&Z; Ms. Peterson, Urban Planner, P&Z; Mr. Mason, Acting Public Information Officer; Mr. Haynes, Transportation Coordinator, Transportation and Environmental Services (T&ES); Ms. Vosper, Landscape Architect Supervisor, Parks, Recreation and Cultural Activities; Mr. LeGrant, Urban Planner, P&Z; Mr. Milone, Urban Planner, P&Z; Ms. Newton, Urban Planner, P&Z; Mr. Caton, Legislative Director; Ms. Barron, Division Chief, Office of Housing; Ms. Taylor, MH/MR/SA; Ms. Baker, City Engineer; Mr. Johnson, Director, Office of Management and Budget; Ms. Goodwine, ITS; Mr. Sood, ITS; Mr. Farid, ITS; and Police Lt. Uzzell.

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

OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the Deputy City Clerk called the Roll; all the Members of Council were present, except Councilman Smedberg, who had an excused absence.

New Business Item No.1 Planning and Zoning Director Eileen Fogarty made a presentation to Council, the Alexandria Redevelopment Housing Authority Board and Eakin-Youngentaub, of an award from the American Planning Association for Housing, Affordability and Choice in the region for the Chatham Square project.

2. Public Discussion Period.

(a) Patricia Soriano, 5405 Barrister Place, representing the Mount Vernon Chapter of the Sierra Club, announced that the Sierra Club has named Alexandria as one of the "Coolest Cities" in the nation by moving forward with solutions to reduce heat trapping, global warming pollution. Ms. Soriano reported that the Sierra Club thanked Mayor Euille for signing the U. S. Mayors Climate Protection Agreement and the Alexandria City Council for pledging to reduce the City's heat trapping, global warming pollution by 7 percent below 1990 levels by 2012.

(b) Ann Rollins, P.O. Box 1662, Washington, D.C., spoke about issues with Human Rights and requested assistance from the Mayor's office.

(c) Bert Ely, 200 South Pitt Street, spoke in opposition to the proposed Old Town Business Improvement District (BID) and requested that the Council appoint a committee to study the BID concept further, whether a BID should be created, and the form it should take.

(d) Michelle L'Heuroux, 1120 South Alfred Street, Apt. 203B, spoke about the sale of Hunting Terrace and Towers, which will be sold in February 2006 and how all residents did not receive the option of renewing their lease at the property. Ms. L'Heuroux stated that Council has not stated clearly its intention to preserve affordable housing at this site. Ms. L'Heuroux requested that Council provided residents with some assistance in maintaining residency at Hunting Terrace and Towers.

Mayor Euille requested that the City Manager have the Office of Housing work with the Virginia Department of Transportation to gain lease extensions for those residents of Hunting Terrace and Towers who were not offered extensions.

(e) Amy Slack, 2307 East Randolph Avenue, spoke about trees that were purchased at the Urban Forestry Steering Committee tree sale and suggestions about where to place trees on their property. Ms. Slack requested that Council investigate ways to improve the forestry programs that are in place now instead of creating new programs.

(f) Poul Hertel, 1217 Michigan Court, thanked Council for the leadership that the City is providing in dealing with the Mirant Power Plant. Mr. Hertel stated that Mirant has restarted unit number one and the Virginia Department of Environmental Quality has not required compliance with the modeling protocol. Mr. Hertel requested that Council reported the activities that Mirant is undertaking to Governor Mark Warner, so that the situation can be rectified immediately.

(g) Pat Troy, 310 Wolfe Street, thanked the City for replacing the lights throughout the City. Mr. Troy requested that the trash pick-up schedule be modified so that there would not be trash on the streets in Old Town until Monday.

(h) Gina Cerasani, 10007 Commonwealth Boulevard, Fairfax, Virginia, spoke on behalf of Social Action Linking Together (SALT) and requested that Council support

the Virginia Fair Wage Act as part of the City's Legislative Package.

(i) Robert McConnell, 823 South Columbus Street, requested that Council include the neighboring residents in the plans for Gunston Hall and how the acquisition will affect the residents in that area. Mr. McConnell requested that neighborhood meetings be part of the process.

(h) Maureen Dugan, 816 Green Street, president of the Old Town/Hunting Creek Civic Association, spoke on the Gunston Hall issue and requested that the surrounding neighborhoods be part of the potential acquisition process. Ms. Dugan stated that other construction of rental units, as well the prospect of keeping Gunston Hall rental property, changes the character of the neighborhood to a rental area. Ms. Dugan also pointed out that traffic and parking were becoming a problem.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR¹ (3-5)

Planning Commission

3. SPECIAL USE PERMIT #2005-0101
5715 EDSALL ROAD (Parcel Address: 5725 Edsall Road)
AFGHAN MARKET
Public Hearing and Consideration of a request for a special use permit to operate a restaurant in an existing retail use; zoned CG/Commercial General.
Applicant: Raffiullah Habibi

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated November 1, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3, 11/12/05, and is incorporated as part of this record by reference.)

4. SPECIAL USE PERMIT #2005-0102
1007 KING STREET
MASSAGE THERAPY
Public Hearing and Consideration of a request for a special use permit to operate a massage therapy business; zoned CD/Commercial Downtown.
Applicant: Rany Srey and Caroline Pirtle

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated November 1, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4, 11/12/05, and is incorporated as part of this record by reference.)

5. SPECIAL USE PERMIT #2005-0106
4920 and 4915 BRENMAN PARK DRIVE (Parcel Address 4951 Brenman Park Drive)
BRIGHT START LEARNING CENTER
Public Hearing and Consideration of a request for a special use permit amendment to expand an existing child day care center; zoned CDD-9/Coordinated Development District. Applicant: Bright Start Learning Center by Kerri Chase

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated November 1, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5, 11/12/05, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the action consent calendar 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 voting was as follows:

| | | | |
|--------|---------|-----------|--------|
| Pepper | "aye" | Krupicka | "aye" |
| Gaines | "aye" | Macdonald | "aye" |
| Euille | "aye" | Smedberg | absent |
| | Woodson | "aye" | |

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

Note: The following two docket items were heard together.

6. Public Hearing To Consider the City's Legislative Package for the 2006 General Assembly Session. (Adoption is scheduled for November 22, 2005.) (#17, 10/25/05)
7. Public Hearing on Proposed Amendments to the Charter of the City of Alexandria, Virginia for the 2006 Session of the General Assembly. (Adoption is scheduled for November 22, 2005.)

(A copy of the City Manager's memorandum dated October 18, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Items No. 6 & 7, 11/12/05, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing for items 6 and 7:

(a) Mary Riley, 202 East Alexandria Avenue, spoke on behalf of the Alexandria Community Services Board and requested Council's support of the Virginia Association of Community Services Boards legislative priorities for the upcoming General Assembly Session including creation of a MH/MR/SA System Transformation Initiative, funding for additional early intervention services for infants and toddlers with disabilities, funding for additional programs to prevent high-risk behaviors among children and youth that lead to substance abuse, and additional funding for guardianship programs to serve consumers with mental retardation, mental illness and substance abuse.

(b) Judy Guse-Noritake, 605 Prince Street, spoke on behalf of the Parks and Recreation Commission and Open Space Steering Committee. Ms. Noritake stated that the Parks and Recreation Commission does not support the charter amendment requesting the one cent dedication be used for ordinary maintenance. Ms. Noritake reported that the Open Space Steering Committee opposed allowing the use of the dedicated funds for ordinary maintenance costs and urged its removal for the legislative package.

Mayor Euille noted that the City Attorney issued a memorandum responding to the issue of utilization of the one cent open space dedicated funds for maintenance costs.

(c) Ellen Pickering, 103 Roberts Lane, requested the removal from the legislative package the use of the one cent dedicated funds for ordinary maintenance costs.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council closed the public hearing to consider the City's Legislative Package for the 2006 General Assembly Session and closed the public hearing on proposed amendments to the Charter of the City of Alexandria, Virginia for the 2006 Session of the General Assembly. The voting was as follows:

| | | | |
|----------|---------|-----------|--------|
| Pepper | "aye" | Gaines | "aye" |
| Krupicka | "aye" | Macdonald | "aye" |
| Euille | "aye" | Smedberg | absent |
| | Woodson | | "aye" |

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

8. SPECIAL USE PERMIT (TMP) #2005-0057
5001 EISENHOWER AVENUE
VICTORY CENTER

Public Hearing and Consideration of a request for a special use permit for a transportation management plan for the Victory Center office buildings and parking structures; zoned OCM (100) Office Commercial Medium. Applicant: Eisenhower Real Estate Holdings, LLC c/o Spaulding & Slye Colliers by Jonathan P. Rak, agent

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated November 1, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8, 11/12/05, and is incorporated as part of this record by reference.)

Planning and Zoning staff made a power presentation of the proposed special use permit and answered questions from Council.

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

(a) Mindy Lyle, 5235 Tancreti Lane, president of the Cameron Station Civic Association, spoke in support of the project, noting the concerns of the civic association, including the development contributions from the developer for the park in Cameron Station and the maintenance of the park.

(b) Jonathan Rak, 1750 Tysons Blvd, McLean, Virginia, attorney for the applicant, spoke in support of the proposed project.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows:

| | | | |
|--------|---------|-----------|--------|
| Pepper | "aye" | Krupicka | "aye" |
| Gaines | "aye" | Macdonald | "aye" |
| Euille | "aye" | Smedberg | absent |
| | Woodson | "aye" | |

9. DEVELOPMENT SPECIAL USE PERMIT #2004-0032
557 SOUTH VAN DORN STREET
COMMERCE BANK

Public Hearing and Consideration of a request for a development special use permit, with site plan, to construct a freestanding bank building with a four lane drive-through facility; zoned CG/Commercial General. Applicant: Commerce Bank/Pennsylvania, N.A. by M. Catharine Puskar, attorney

PLANNING COMMISSION ACTION: Recommend Approval as amended 7-0

(A copy of the Planning Commission report dated November 1, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9, 11/12/05, and is incorporated as part of this record by reference.)

Planning and Zoning staff made a presentation on the proposed project and responded to questions from Council.

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

(a) M. Catharine Puskar, 2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia, attorney for the applicant, spoke in support of the proposed project and requested a revision to Condition 1a.

(b) Poul Hertel, 1217 Michigan Court, stated that he was concerned about the form of the building displaying elements of strip malls and the building was not particularly pedestrian oriented.

(c) Ellen Pickering, 103 Roberts Lane, spoke in support of the project, with the modified architectural design.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Macdonald and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation with the following revision to condition 1a: The building shall be revised to incorporate the following, as reflected in the rendering, labeled Exhibit A and dated November 9, 2005:

- i) A more prominent corner element, which includes columns that project 18 inches from the face of the building, elimination of the spandrel metal panels in the glass, and addition of a skylight.
- ii) Precast or brick base
- iii) Vertical pilasters projecting approximately 8 inches from the face of building.
- iv) Addition of a band to the existing cornice.

The voting was as follows:

| | | | |
|-----------|---------|----------|--------|
| Pepper | "aye" | Gaines | "aye" |
| Macdonald | "aye" | Krupicka | "aye" |
| Euille | "aye" | Smedberg | absent |
| | Woodson | "aye" | |

10. SPECIAL USE PERMIT #2005-0114
301 LAVERNE AVENUE
SUBSTANDARD LOT DEVELOPMENT
Public Hearing and Consideration of a request for a special use permit to construct a single family dwelling on a substandard lot; zoned R-2-5/Residential.

Applicant: Brett Rice by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Denial 7-0

(A copy of the Planning Commission report dated November 1, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10, 11/12/05, and is incorporated as part of this record by reference.)

City Council deferred this item at the request of the applicant.

ORDINANCES AND RESOLUTIONS

11. Public Hearing, Second Reading and Final Passage of an Ordinance Making Supplemental Appropriations for FY 2006. (#12, 11/9/05) **(ROLL-CALL VOTE)**

(A copy of the City Manager's memorandum dated November 2, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11, 11/12/05, 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, 11/12/05, 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, 11/12/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing and passed the ordinance by roll-call vote making supplemental appropriations for FY 2006. The voting was as follows:

| | | | |
|--------|---------|-----------|--------|
| Pepper | "aye" | Krupicka | "aye" |
| Gaines | "aye" | Macdonald | "aye" |
| Euille | "aye" | Smedberg | absent |
| | Woodson | "aye" | |

The ordinance reads as follows:

ORDINANCE NO. 4429

An ordinance making supplemental appropriations for the support of the government of the City of Alexandria, Virginia for fiscal year 2006.

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, 2005, but which are payable in fiscal year 2006, and for which amounts were appropriated but not expended in fiscal year 2005, and further that the council does hereby allot the amounts so appropriated to the several city departments for fiscal year 2006, as follows:

EQUIPMENT REPLACEMENT RESERVE FUND

| | |
|--|--------------------|
| Finance | \$ 9,640 |
| General Services | 205,508 |
| Transportation and Environmental Services | 369,399 |
| Fire | 242,396 |
| Police | 144,256 |
| Mental Health/Mental Retardation/Substance Abuse | <u>52,308</u> |
| Total Equipment Replacement Reserve Fund | <u>\$1,023,507</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 2006, the source of such amount being external grant awards for which the proceeds were received or accepted prior to June 30, 2005, 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 2006, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

| | |
|---|---------------------|
| Office on Women | \$ 29,705 |
| Commonwealth's Attorney | 43,391 |
| Sheriff | 21,551 |
| Clerk of the Court | 62,915 |
| Court Services | 55,864 |
| Human Rights | 18,365 |
| Transportation and Environmental Services | 1,208,911 |
| Fire | 590,237 |
| Police | 1,155,889 |
| Housing - Affordable Housing | 9,667,007 |
| Human Services | 1,396,488 |
| Office of Historic Alexandria | 99,000 |
| Recreation and Cultural Activities | 77,841 |
| Non-Departmental | <u>2,588,782</u> |
| Total Estimated Revenue | <u>\$17,015,946</u> |

SPECIAL REVENUE FUND

APPROPRIATION:

| | |
|---|---------------------|
| Office on Women | \$ 29,705 |
| Commonwealth's Attorney | 43,391 |
| Sheriff | 21,551 |
| Clerk of the Court | 62,915 |
| Court Services | 55,864 |
| Human Rights | 18,365 |
| Transportation and Environmental Services | 1,208,911 |
| Fire | 590,237 |
| Police | 1,155,889 |
| Housing - Affordable Housing | 9,667,007 |
| Human Services | 1,396,488 |
| Office of Historic Alexandria | 99,000 |
| Recreation and Cultural Activities | 77,841 |
| Non-Departmental | <u>2,588,782</u> |
| Total Appropriation | <u>\$17,015,946</u> |

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision and appropriate to the Special Revenue Fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2006, the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2005, but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2006 as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

| | |
|--|---------------------|
| Office on Women | \$ (35,787) |
| Commonwealth's Attorney | (102,408) |
| Sheriff | (82,746) |
| Court Services | 71,948 |
| Transportation and Environmental Services | 145,000 |
| Fire | 261,313 |
| Police | 5,806 |
| Housing - Affordable Housing | 578,141 |
| Mental Health/Mental Retardation/Substance Abuse | 148,752 |
| Human Services | <u>279,135</u> |
| Total Estimated Revenue | <u>\$ 1,269,154</u> |

SPECIAL REVENUE FUND

APPROPRIATION:

| | |
|--|---------------------|
| Office on Women | \$ (35,787) |
| Commonwealth's Attorney | (102,408) |
| Sheriff | (82,746) |
| Court Services | 71,948 |
| Transportation and Environmental Services | 145,000 |
| Fire | 261,313 |
| Police | 5,806 |
| Housing - Affordable Housing | 578,141 |
| Mental Health/Mental Retardation/Substance Abuse | 148,752 |
| Human Services | <u>279,135</u> |
| Total Appropriation | \$ <u>1,269,154</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 2006, the source of such amount being the residual balances accumulated as of June 30, 2005, in accounts for donations and activities, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2006, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

| | |
|---|-------------------|
| Office on Women | \$ 21,235 |
| Citizen Assistance | 10,000 |
| Commonwealth's Attorney | 33,735 |
| Clerk of the Court | 75,586 |
| Court Services | 6,060 |
| Personnel | 100 |
| Transportation and Environmental Services | 5,000 |
| Fire | 2,895 |
| Police | 207,930 |
| Human Services | 82,973 |
| Office of Historic Alexandria | 87,067 |
| Recreation | 120,709 |
| Non-Departmental | <u>23,495</u> |
| Total Estimated Revenue | \$ <u>676,785</u> |

SPECIAL REVENUE FUND

APPROPRIATION:

| | |
|---|-------------------|
| Office on Women | \$ 21,235 |
| Citizen Assistance | 10,000 |
| Commonwealth's Attorney | 33,735 |
| Clerk of the Court | 75,586 |
| Court Services | 6,060 |
| Personnel | 100 |
| Transportation and Environmental Services | 5,000 |
| Fire | 2,895 |
| Police | 207,930 |
| Human Services | 82,973 |
| Office of Historic Alexandria | 87,067 |
| Recreation | 120,709 |
| Non-Departmental | 23,495 |
| Total Appropriation | <u>\$ 676,785</u> |

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the General Fund the amount hereafter stated that is required to defray certain expenditures of the city for fiscal year 2006, the source of such amount being undesignated General Fund Balance, and further that the Council does hereby allot the amount so appropriated to the several city departments, as follows:

GENERAL FUND

ESTIMATED REVENUE:

| | |
|-----------------------------------|------------------|
| Undesignated General Fund Balance | <u>\$ 71,263</u> |
| Total Estimated Revenue | <u>\$ 71,263</u> |

APPROPRIATION:

| | |
|---------------------------------|------------------|
| Citizen Assistance | \$ 5,290 |
| City Clerk and Clerk of Council | 5,601 |
| Office of Historic Alexandria | <u>60,372</u> |
| Total Appropriation | <u>\$ 71,263</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 2006, the source of such amount being Designated General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

| | |
|---------------------------------|---------------------|
| Designated General Fund Balance | \$ 2,824,000 |
| Total Estimated Revenue | <u>\$ 2,824,000</u> |

APPROPRIATION:

| | |
|--|---------------------|
| City Manager | \$14,600 |
| Office on Women | 10,000 |
| Management and Budget | 23,000 |
| Sheriff | 45,000 |
| Court Service Unit | 18,000 |
| Information & Technology Services | 161,000 |
| Finance | 50,000 |
| Personnel | 49,000 |
| Other Planning Activities | 13,600 |
| Fire | 40,000 |
| Housing | 997,000 |
| Mental Health/Mental Retardation/Substance Abuse | 237,800 |
| Health | 76,800 |
| Historic Alexandria | 45,000 |
| Recreation | 50,000 |
| Non-Departmental | <u>993,200</u> |
| Total Appropriation | <u>\$ 2,824,000</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 2006, the source of such amount being intergovernmental revenue, and further, that the council does hereby allot the amount so appropriated for fiscal year 2006 as follows:

COMPONENT UNIT

ESTIMATED REVENUE

| | |
|----------------------------|-----------------|
| Intergovernmental Revenues | \$ <u>3,552</u> |
| Total Estimated Revenue | <u>\$ 3,552</u> |

APPROPRIATION:

| | |
|------------------------|-----------------|
| Component Unit Library | \$ <u>3,552</u> |
| Total Appropriation | <u>\$ 3,552</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 amounts

hereafter stated that are required to defray certain expenditures and liabilities of the city for fiscal year 2006, the source of such amounts being the proceeds of issuing city bonds which were authorized but not appropriated by Council, and further, that the Council does hereby allot the amount so appropriated, as follows:

SPECIAL REVENUE FUND - AFFORDABLE HOUSING

ESTIMATED REVENUE:

| | |
|---|----------------------|
| Other Financing Sources - Proceeds of Bonds | <u>\$ 22,100,000</u> |
| Total Estimate Revenue | <u>\$ 22,100,000</u> |

APPROPRIATION:

| | |
|---------------------|----------------------|
| Housing | <u>\$ 22,100,000</u> |
| Total Appropriation | <u>\$ 22,100,000</u> |

Section 9. 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 of fiscal year 2006, the source of such amount being developers payment, and further, that the council does hereby allot the amount so appropriated for fiscal year 2005 as follows:

CAPITAL PROJECTS FUND

ESTIMATED REVENUE

| | |
|-------------------------|-------------------|
| Developers payment | <u>\$ 205,247</u> |
| Total Estimated Revenue | <u>\$ 205,247</u> |

| | |
|---------------------|-------------------|
| Capital Projects | <u>\$ 205,247</u> |
| Total Appropriation | <u>\$ 205,247</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 amounts hereafter stated that are required to defray certain expenditures and liabilities of the city for fiscal year 2006, the source of such amounts being developer payment revenues, and further, that the Council does hereby allot the amounts so appropriated for fiscal year 2006 as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

| | |
|-------------------------|---------------------|
| Developer payment | <u>\$ 1,875,000</u> |
| Total Estimated Revenue | <u>\$ 1,875,000</u> |

APPROPRIATION:

| | |
|---|---------------------|
| Transportation and Environmental Services | \$ 1,875,000 |
| Total Appropriation | <u>\$ 1,875,000</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 amounts hereafter stated that are required to defray certain expenditures and liabilities of the city for fiscal year 2006, the source of such amounts being fines and forfeitures, use of money and property and miscellaneous revenues and further, that the Council does hereby allot the amounts so appropriated for fiscal year 2006 as follows:

GENERAL FUND

ESTIMATED REVENUE:

| | |
|---------------------------|-------------------|
| Fines and Forfeitures | \$ 23,150 |
| Use of Money and Property | 107,414 |
| Miscellaneous Revenues | <u>13,005</u> |
| Total Estimated Revenues | <u>\$ 143,569</u> |

APPROPRIATION:

| | |
|---------------------|-------------------|
| General Services | \$ 107,414 |
| Police | 23,150 |
| Non-Departmental | <u>13,005</u> |
| Total Appropriation | <u>\$ 143,569</u> |

Section 12. That the Council of the City of Alexandria, Virginia, does hereby and make provision for and transfer appropriations in the General Fund in the amounts hereafter stated that is required to defray certain expenditures and liabilities of the city.

GENERAL FUND

APPROPRIATION:

| | |
|--|----------------|
| General Services | \$ 48,031 |
| Transportation and Environmental Services | (1,551) |
| Mental Health/Mental Retardation/Substance Abuse | (4,822) |
| Police | (36,080) |
| Health | (3,818) |
| Recreation | <u>(1,760)</u> |
| Total Appropriation | <u>\$ 0</u> |

Section 13. 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 2006, the source of such amount being General Fund (Designated Fund Balance) and further, that the Council does hereby allot the amount so appropriated for fiscal year 2006, as follows:

GENERAL FUND

APPROPRIATION:

| | | |
|---------------------|----|---------------------|
| Sheriff | \$ | 250,000 |
| Non-Departmental | | <u>4,027,000</u> |
| Total Appropriation | | <u>\$ 4,277,000</u> |

Section 14. That this ordinance shall be effective upon the date and at the time of its final passage.

12. Public Hearing, Second Reading and Final Passage of an Ordinance to Establish the Cameron Station Election District and Polling Place. (#13, 11/9/05) **(ROLL-CALL VOTE)**

This item was deferred.

13. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend the Master Plan to Approve Multi-family Residential Land Use at 800 and 820 Slaters Lane (Diamond-Slaters Lane.) (#14, 11/9/05) **(ROLL-CALL VOTE)**

(A copy of the City Manager's memorandum dated November 2, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13, 11/12/05, 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, 11/12/05, and is incorporated as part of this record by reference.

A copy 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, 11/12/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing and passed the ordinance by roll-call vote to amend the Master Plan to approve multi-family residential land use at 800 and 820 Slaters Lane (Diamond-Slaters Lane). The voting was as follows:

| | | | |
|--------|---------|-----------|--------|
| Pepper | "aye" | Krupicka | "aye" |
| Gaines | "aye" | Macdonald | "aye" |
| Euille | "aye" | Smedberg | absent |
| | Woodson | "aye" | |

The ordinance reads as follows:

ORDINANCE NO. 4430

An ordinance to amend and reordain the 1992 Master Plan (1998 ed.) of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to such master plan as Master Plan Amendment No. 2005-0004 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. 2005-0004, an application has been made to amend the Northeast Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, by changing the land use designation of the property at 800 - 820 Slaters Lane (Diamond-Slaters Lane), from commercial to multifamily, and the proposed zoning designation of said property from CSL/Commercial Service Low to RC/High Density Apartment.
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 Land Use Plan and Proposed Zoning Maps of the Northeast Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) of the City of Alexandria, be, and the same hereby are, amended by changing the land use designation of the property at 800 - 820 Slaters Lane (Diamond-Slaters Lane), from commercial to multifamily, and the proposed zoning designation of said property from CSL/Commercial Service Low to RC/High Density Apartment as shown on the sketch plan entitled "DSP #2005-0002, MPA #2005-0004, REZ #2004-0006" dated October 4, 2005, 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 map amendments, as part of the Northeast Small Area Plan Chapter of 1992 Master Plan (1998 ed.) of the City of

Alexandria, Virginia.

Section 3. That all provisions of the Northeast Small Area Plan Chapter of the 1992 Master Plan (1998 ed.) 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 1992 Master Plan (1998 ed.) of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the 1992 Master Plan (1998 ed.) 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.

14. Public Hearing, Second Reading and Final Passage of an Ordinance to Rezone 800 and 820 Slaters Lane (Diamond-Slaters Lane) to RC/High Density Apartment Zone, subject to a proffer. (#15, 11/9/05) **(ROLL-CALL VOTE)**

(A copy of the City Manager's memorandum dated November 2, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14, 11/12/05, 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, 11/12/05, and is incorporated as part of this record by reference.

A copy 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, 11/12/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Macdonald, seconded by Vice Mayor Pepper and carried unanimously, City Council closed the public hearing and passed the ordinance by roll-call vote to rezone 800 and 820 Slaters Lane (Diamond-Slaters Lane) to RC/High Density Apartment Zone, subject to a proffer. The voting was as follows:

| | | | |
|-----------|---------|----------|--------|
| Macdonald | "aye" | Gaines | "aye" |
| Pepper | "aye" | Krupicka | "aye" |
| Euille | "aye" | Smedberg | absent |
| | Woodson | | "aye" |

The ordinane reads as follows:

ORDINANCE NO. 4431

An ordinance to amend and reordain Sheet No. 44.02 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 the property at 800 - 820 Slaters Lane (Diamond-Slaters Lane) from CSL/Commercial Service Low Zone to RC/High Density Apartment Zone, subject to a proffer, in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2005-0006.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2005-0006, an application has been made to rezone the property at 800 - 820 Slaters Lane (Diamond-Slaters Lane) from CSL/Commercial Service Low Zone to RC/High Density Apartment Zone, subject to a proffer;
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. 44.02 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:

The property at 800 - 820 Slaters Lane (Diamond-Slaters Lane) (Tax Map and Zoning Map Parcel Nos. 44.02-02-05 and 44.02-02-06), comprising 22,463 square feet of land, more or less, as shown on the sketch plan entitled "DSP #2005-0002, MPA #2005-0004, REZ #2005-0006" dated October 4, 2005, attached hereto and incorporated fully herein by reference.

FROM: CSL/Commercial Service Low Zone
TO: RC/High Density Apartment Zone
SUBJECT, however, to the following proffer:

1. The development of the subject property shall occur in substantial conformance with the final approved Development Site Plan proposed as Development Site Plan (DSP) # 2005-0002, for a four story, 50 foot high condominium building.

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. 44.02 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.

14.1 Consideration of a Resolution Pertaining to the FY 2007 Budget Process Including Setting City Council Budget Targets for FY 2007 (Deferred from the November 9, 2005 meeting). **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 10, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14.1; 11/12/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried 5-1, City Council passed a resolution by roll-call vote pertaining to the FY 2007 Budget Process including setting City Council budget targets for FY 2007, with target ranges from target B (8.5%) to target F (6.0%). The voting was as follows:

| | | | |
|----------|---------|-----------|--------|
| Krupicka | "aye" | Gaines | "aye" |
| Pepper | "aye" | Macdonald | "aye" |
| Euille | "aye" | Smedberg | absent |
| | Woodson | "no" | |

The resolution reads as follows:

RESOLUTION NO. 2166

WHEREAS, the City Council of Alexandria passed Resolution 2150 on May 2, 2005 that made changes in the process to be used for formulating the FY 2007 budget; and

WHEREAS, Resolution 2150 provided:

Section 1. That the City Manager shall begin immediately to plan and prepare the FY 2007 Operating Budget and FY 2007 - 2012 Capital Improvement Program and that such preparations shall include, but not be limited to, requests for City departments to identify efficiencies, low priority programs not crucial to achieving City Council strategic objectives, potential discretionary supplemental increases for FY 2007 crucial to achieving City Council's strategic objectives, and potential City-wide process changes that would be beneficial to City operations and to the public.

Section 2. That the City Manager shall present to City Council in time for the fall Council Retreat a preliminary forecast and outlook for (a) revenues (including the

outlook for real estate assessments), (b) expenditures necessary to maintain appropriate services and policies (including in the City Manager's forecast of cash capital and debt service costs related to the approved FY 2006 – 2011 Capital Improvement Program), (c) the outlook for additional requests for City operating needs in FY 2007 and capital needs in FY 2007 through FY 2012, (d) the outlook for Federal and State grants, and (e) the outlook for the costs of meeting unfunded Federal and State mandates, both current mandates and projected new mandates.

Section 3. That the Alexandria City School System 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 FY 2007 and capital needs through FY 2007 through FY 2012, (c) the outlook for Federal and State grants, and (d) the outlook for the costs of meeting unfunded Federal and State mandates, both current mandates and projected new mandates.

Section 4. That as part of its fall Retreat, City Council will consider this information and any other relevant information available to it at that time from the efforts described above, including citizen input to be provided by a public hearing on the FY 2007 budget to be conducted prior to City Council's fall Retreat.

Section 5. That City Council shall, as a result of information available to it at the Retreat, direct that the City Manager prepare a budget resolution to be adopted by City Council to guide the preparation of the FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program and that such a resolution would contain (a) a target for City General Fund expenditure growth (including cash capital and debt service), (b) a target for a budget transfer to the Alexandria City Public Schools for operating expenses and capital expenditure needs in FY 2007 to FY 2012, and (c) a calculation of the estimated difference between FY 2007 preliminary forecast revenues and the expenditure targets to be established by City Council.

Section 6. That City Council plans to adopt such a budget resolution during the month of November 2005.

Section 7. That the Board of the Alexandria City School Schools is requested to approve a FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program by no later than January 31, 2006. Such budget shall seek not to exceed the Council approved budget targets for the Operating Budget transfer and Capital Improvement Program given to the Alexandria City Public Schools, and clearly identify what operating programs and activities and capital projects would be funded if additional funding were provided above that target.

Section 8. That the City Manager shall submit a proposed FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program to the City Council no later than February 14, 2006, that does not exceed the target for General Fund expenditure growth established by City Council, and clearly identifies what operating

programs and activities and capital projects would be recommended if additional funding were provided, and/or what tax rate changes could be enacted with whatever additional revenues might be available above the revenues needed to meet the expenditure target and still provide a structurally sound budget.

Section 9. That City Council shall consider these recommendations and endeavor to enact a FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program that balances the needs of the community with the community's ability to afford meeting those needs; and

WHEREAS, the City Council has held a public hearing on October 15, 2005 on the FY 2007 budget; and

WHEREAS, the City Manager and the Alexandria City Public Schools have presented to City Council at its October 29, 2005 retreat their preliminary forecasts of revenues, expenditures and capital needs; and

WHEREAS, the City Council is committed to managing the growth of City General Fund operating and capital expenditures in order to help address the issue of increasing residential real estate taxes; and

WHEREAS, the City Council also is committed to continuing to perform fully its obligations, to continue to provide quality services and facilities for the residents and businesses of Alexandria, to maintain competitive compensation for City and School employees, to see continuous improvement in City government effectiveness and efficiency, and to achieve the vision and strategic goals and objectives outlined in the City Council's adopted Strategic Plan; and

WHEREAS, Council's deliberations on the budget each and every year reflect a balancing of the needs of the community with the community's ability to afford meeting those needs;

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

1. That the City Manager shall submit a proposed FY 2007 Operating Budget and FY 2007 to FY 2012 Capital Improvement Program to the City Council no later than February 14, 2006, that does not exceed a target of \$350.5 million for General Fund expenditures as well as an alternative target of \$343.6 million for General Fund expenditures. Neither this target nor the alternative target includes the operating budget transfer to the Alexandria City Public Schools. The targets exclude funds for whatever cost of living adjustment is provided to City employees.
2. That the School Board of the Alexandria City Public Schools is requested to approve a FY 2007 Operating Budget by no later than January 31,

2006. Such budget shall seek not to exceed a target of \$148.9 million for the operating budget transfer provided to the Alexandria City Public Schools, as well as an alternative target of \$146.0 million for the operating budget transfer provided to the Alexandria City Public Schools. Both the target and the alternative target for the operating budget transfer exclude funds for whatever cost of living adjustment is provided to School employees.

3. That the budget documents of the City Manager and the School Board shall clearly describe and compare the target budget and alternative target budget in regard to the details of what operating programs, activities and capital projects could be funded within one target budget and not the other target budget. In addition, the budget documents also may outline operating programs, activities, capital projects and other policy options that may exceed the target budget or the alternative target budget.
4. That the proposed cost of living pay adjustment allowance for City and Schools employees will be recommended by the City Manager after consultation with the School Superintendent. A different cost of living pay adjustment may be recommended by the City Manager for the alternative target budget.
5. That the City Manager propose a budget real estate tax rate necessary for financing the target budget, as well as provide tax, fee and other revenue options necessary for financing the alternative target budget, as appropriate.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR (15)

Planning Commission (continued)

15. DEVELOPMENT SPECIAL USE PERMIT #2002-0054
1261 MADISON STREET
BRADDOCK METRO PLAZA CONDOMINIUM
Consideration of a request for a development special use permit, with site plan, to increase density to construct a residential condominium building and for a bonus height increase for affordable housing, zoned CRMU/Commercial Residential Mixed Use High. Applicant: Madison Street, LLC by Harry P. Hart, attorney

ACTION: DEFERRED (Applicant's Request)

END OF DEFERRAL/WITHDRAWAL CONSENT CALENDAR

City Council noted the deferrals.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council adjourned the Public Hearing Meeting of November 12, 2005, at 1:00 p.m. The voting was as follows:

| | | | |
|----------|-------|-----------|--------|
| Krupicka | "aye" | Gaines | "aye" |
| Pepper | "aye" | Macdonald | "aye" |
| Euille | "aye" | Smedberg | absent |
| Woodson | "aye" | | |

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria Sitton, CMC Deputy City Clerk