

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, May 13, 2008 - - 7:00 p.m.

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Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Timothy B. Lovain, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Caton, Legislative Director; Mr. Castrilli, Communications Director, City Manager's Office; Ms. Harris, Communications Officer, City Manager's Office; Mr. Mason, Special Assistant to the City Manager; Mr. Caton, Legislative Director; Ms. Winey, Grants Coordinator, City Manager's Office; Police Captain Ogden; Ms. Boyd, Director, Citizen Assistance; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Mr. Baier, Director, Transportation and Environmental Services; Mr. Culpepper, Deputy Director, Transportation and Environmental Services; Mr. McCobb, Deputy Director, Transportation and Environmental Services; Ms. Davis, Director, Office of Housing; Ms. McIlvane, Deputy Director, Office of Housing; Mr. Johnson, Director, Office of Management and Budget; Mr. Routt, Office of Management and Budget; Fire Battalion Chief North; Assistant Fire Chief Middleton; Mr. Penn, Emergency Management Coordinator; Ms. Baker, Director, Office on Women; Mr. Parkins, Registrar; Mr. Catlett, Director, Code Enforcement; Ms. Triggs, Director, Office of Finance; Robbie the Recycling Squirrel; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

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City Council held a work session at 6:00 with the ARHA Board and staff to discuss the redevelopment of James Bland and to discuss the Braddock East plan.

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OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll; all the members of Council were present.

2. Moment of Silence and Pledge of Allegiance.

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

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

- (a) The Special Public Hearing Meeting Minutes of April 14, 2008; and
- (b) The Regular Meeting Minutes of April 22, 2008; and
- (c) The Special Meeting Minutes of May 5, 2008.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the regular meeting minutes of April 14, 2008, April 22, 2008 and May 5, 2008. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Declaring May 7, 2008 as Excellence in Education Day.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

5. Presentation of a Proclamation Recognizing Mary T. LaMois.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried 6-0, City Council endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Gaines	absent
Krupicka	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

6. Presentation of a Proclamation Declaring May 2008 as Teen Pregnancy Prevention Month.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried 6-0, City Council endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Gaines	absent
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

7. Presentation of a Proclamation Declaring May 18-24, 2008 as National Public Works Week, The Future is Now.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried 5-0, City Council endorsed the proclamation. The voting was as follows:

Krupicka	"aye"	Pepper	absent
Smedberg	"aye"	Gaines	absent
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (8-24)

(Resignations and Uncontested Appointments)

8. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:

- (a) Alexandria Budget and Fiscal Affairs Advisory Committee
H. Scott Johnson, Jr.
- (b) Alexandria Community Services Board
Lourdes Quinteros

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 8 (a-b); 5/13/08, and is incorporated as part of this record by reference.)

9. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Sister City Committee
1 Citizen Member
- (b) Alexandria Citizen Corps Council
1 Citizen Member
- (c) Alexandria Consumer Affairs Commission
1 Business Member
- (d) Alexandria George Washington Birthday Celebration Committee
1 Citizen Member
- (e) Alexandria Transportation Commission
2 Planning Commission Members Nominated by the Commission
1 Traffic and Parking Board Member Nominated by the Board
1 Environmental Policy Commission Member Nominated by the Commission
1 Transit Company Board of Directors Member Nominated by the Board
- (f) Alexandria Waterfront Committee
1 Member From the Alexandria Park and Recreation Commission

(A copy of the above appointments is on file in the Office of the City Clerk and

Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 9 (a-f); 5/13/08, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

10. Consideration of the One-Year Action Plan For Housing and Community Development for City Fiscal Year 2009. (#4, 4/12/09)

(A copy of the City Manager's memorandum dated April 30, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 10; 5/13/08, and is incorporated as part of this record by reference.)

11. Consideration of Installation of a Pedestrian-actuated Hybrid Traffic Signal at the Intersection of North Van Dorn Street and Maris Avenue.

(A copy of the City Manager's memorandum dated May 5, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 11; 5/13/08, and is incorporated as part of this record by reference.)

12. Consideration of Grant Application to the Department of Criminal Justice Services to Continue Community Corrections (Local Probation) and Pretrial Services Under the Comprehensive Community Corrections Act and Pretrial Services Act For FY 2009-2010.

(A copy of the City Manager's memorandum dated April 29, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 12; 5/13/08, and is incorporated as part of this record by reference.)

13. Consideration of Application for Grant Funds to the Virginia Department of Emergency Management for Hazardous Materials and Emergency Equipment to Support the NOVA Regional Hazardous Material Team.

(A copy of the City Manager's memorandum dated April 23, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 5/13/08, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Provide For the Establishment of Fees Not Otherwise Provided For in the City Code, and For the Publication of a Compendium of Fees.
15. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Increase Towing/impound fees.
16. Introduction and First Reading. Consideration. Passage on First Reading of an

Ordinance to Increase Fees For Work Permits in the Public Right-of-way.

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Increase Fees For Overweight/oversize Vehicle Permits.

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 17; 5/13/08, 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. 17; 5/13/08, 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. 17; 5/13/08, and is incorporated as part of this record by reference.)

18. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Increase the Fee Charged For Presenting a Bad Check to the City.

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 18; 5/13/08, 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; 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

19. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize the Issuance of General Obligation Capital Improvement Bonds in the Estimated Maximum Amount of \$78,800,000, and to Provide For Reimbursement to the City From Bond Proceeds.

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 19; 5/13/08, 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. 19; 5/13/08, 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. 19; 5/13/08, and is incorporated as part of this record by reference.)

20. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Revise the Membership of the Consumer Affairs Commission.

(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; 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

21. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize a Vacation of, and Encroachment Into, the Public Right-of-way at the Northeast Corner of Duke Street and Reineker's Lane.

(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; 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

22. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize Outdoor Restaurant Seating in the Public Sidewalk at 220 North Lee Street.

(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. 22; 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

23. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement No. 85 to the City Code.

(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. 23; 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

24. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement No. 45 to the Zoning Ordinance.

(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. 24; 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Wilson and carried unanimously, City Council approved the consent calendar, with the exception of docket items #12, 13, 17, 18, 23 and 24, which were considered under separate motions. The City Manager's recommendations were as follows:

8. City Council accepted the following resignations with regret: (a) H. Scott Johnson, Jr., Alexandria Budget and Fiscal Affairs Advisory Committee; and (b) Lourdes Quinteros, Alexandria Community Services Board.

9. City Council made the following appointments: (a) appointed Sean Kennedy as the one citizen member to the Alexandria-Caen Sister City Committee; (b) reappointed Caroline Faiella as the one citizen member to the Alexandria Citizen Corps Council; (c) appointed Miriam Leiva as the one business member to the Alexandria Consumer Affairs Commission; (d) appointed David Kaplan as the one citizen member to the Alexandria George Washington Birthday Celebration Committee; (e) appointed Donna Fossum and J. Lawrence Robinson as the two Planning Commission Members nominated by the Commission, Kevin Posey as the one Traffic and Parking Board Member nominated by the Board, Carol Braegelmann as the one Environmental Policy Commission Member nominated by the Commission, and Sean Kumar as the one Transit Company Board of Directors Member Nominated by the Board to the Alexandria Transportation Commission; and (f) appointed Henry Brooks as the one member from the Alexandria Park and Recreation Commission to the Alexandria Waterfront

Committee.

10. City Council: 1. approved the one-year action plan for Housing and Community Development for FY 2009, which includes the City's application for Federal Fiscal Year 2008 funding for \$1,233,389 in Community Development Block Grant (CDBG) monies and \$830,534 in Home Investment Partnership Program (HOME) monies; 2. as included in the action plan, approved a change in the income limits for the Homeownership Assistance Program (HAP) to the mathematical 80 percent of area median (currently \$79,200 for a four-person household), rather than the traditional capped HUD 80 percent of median (currently \$61,500 for a family of four); 3. approved the following transfer of HOME and matching funds in order to establish the budgeted carryover for FY 2009:

<u>From Program:</u>	<u>To Program:</u>	<u>Amount:</u>
Home Rehabilitation	Homeownership	\$412,844
Loan Program	Assistance Program	

and 4. authorized the City Manager to execute all necessary documents.

11. City Council authorized the installation of a new pedestrian-actuated hybrid traffic signal at the intersection of North Van Dorn Street and Maris Avenue.

14. This item was deferred to June 10, 2008.

15. This item was deferred to June 10, 2008.

16. This item was deferred to June 10, 2008.

19. City Council approved the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 20, 2008, authorizing and empowering the issuance, sale and delivery of bonds up to \$70.0 million to finance various public improvements, including up to \$12.2 million for affordable housing.

20. City Council approved the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 20, 2008.

21. City Council approved the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 20, 2008.

22. City Council approved the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 20, 2008.

The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Wilson	"aye"	Krupicka	"aye"

Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

12. Consideration of Grant Application to the Department of Criminal Justice Services to Continue Community Corrections (Local Probation) and Pretrial Services Under the Comprehensive Community Corrections Act and Pretrial Services Act For FY 2009-2010.

(A copy of the City Manager's memorandum dated April 29, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 12; 5/13/08, and is incorporated as part of this record by reference.)

Councilman Smedberg asked why if a grant is so vital to a program that it missed a deadline on it. He asked why they were in these situations time and time again and why the departments are not on top of it, especially since this is not a new grant and not a new program.

Mayor Euille asked that a letter be sent for his signature to the Sheriff stating Council's frustration with missing the deadline and to note that when they have a grant application before Council, they should have a Sheriff's representative at the meeting.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council authorized the City Manager to:

1. approve the grant submittal of FY 2009 funding of \$459,208 from the Virginia Department of Criminal Justice Services (DCJS) for continuation funding for the current biennial grant cycle (FY 2009,) under the Comprehensive Community Corrections Act-Pretrial Services Act (CCCA-PSA);
2. approved the continuation of six full-time positions to deliver the services to be provided under these grant programs. These grant funded positions would terminate upon the expiration of the grant, and the individuals who fill these positions have been notified of this condition of employment;
- and 3. executed all documents that may be required. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

13. Consideration of Application for Grant Funds to the Virginia Department of Emergency Management for Hazardous Materials and Emergency Equipment to Support the NOVA Regional Hazardous Material Team.

(A copy of the City Manager's memorandum dated April 23, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg and seconded by Vice

Mayor Pepper, City Council: 1. authorized the submission of the grant application (due May 15, 2008,) not to exceed \$140,923; and 2. authorized the City Manager to execute the necessary documents that may be required.

In response to a comment from Council, Assistant Chief Middleton explained the late timing for the grant application.

Council asked for a list of the grant due dates.

In response to a question from Council, Ms. Winey, Grants Coordinator, explained that she is putting a list together of all City grants and said she is working to correct all the issues that have been coming up.

The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Increase Fees For Overweight/oversize Vehicle Permits.

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 17; 5/13/08, 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. 17; 5/13/08, 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. 17; 5/13/08, and is incorporated as part of this record by reference.)

Questions were asked by Council about adoption of an automated process for fee increases, how vehicles are identified as overweight/oversized, and if buses are included, which were answered by City Attorney Pessoa and Director of Transportation and Environmental Services Baier.

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the ordinance on first reading and set it for second reading and final passage on Tuesday, May 20, 2008, with the proposed fee increase to be effective July 1, 2008. The voting was as follows:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

18. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Increase the Fee Charged For Presenting a Bad Check to the City.

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 18; 5/13/08, 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; 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 20, 2008. The voting was as follows:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

23. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement No. 85 to the City Code.

(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. 23 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Wilson and carried unanimously by roll-call vote, City Council approved the proposed ordinance on first and second reading. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Wilson	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4537

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. 85," are hereby adopted as and shall constitute "The Eighty-Fifth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Eighty-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 July 26, 2007 through February 23, 2008, 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 26, 2007, 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. 1250; 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 July 26, 2007 through February 23, 2008, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Eighty-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 Eighty-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.

24. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement No. 45 to the Zoning Ordinance.

(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. 24; 5/13/08, 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; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Gaines and carried unanimously by roll-call vote, City Council approved the proposed ordinance on first and second reading. The voting was as follows:

Wilson	"aye"	Pepper	"aye"
Gaines	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4538

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. 45," are hereby adopted as and shall constitute "The Forty-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 Forty-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 June 26, 2007 and January 12, 2008, inclusive, 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 26, 2007 and January 12, 2008, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Forty-Fifth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after January 12, 2008.

Section 4. That one complete set of pages comprising "The Forty-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.

Section 5. That this ordinance shall become effective upon the date and at the time of its final passage.

CONTESTED APPOINTMENTS

- 25. Alexandria Commission for Women
3 Citizen Members

(The following persons volunteered for appointment to the above Commission)

Amanda Baran
Susan Butler
Tina Games-Evans
Alicia Hughes
Elizabeth Johnson
Noemi Perez

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 25; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Susan Butler, Tina Games-Evans and Elizabeth Johnson as the three citizen member to the Commission for Women. The voting was as follows:

Euille	-	Butler, Games-Evans, Johnson
Pepper	-	Butler, Games-Evans, Johnson
Gaines	-	Butler, Games-Evans, Johnson
Krupicka	-	Butler, Games-Evans, Johnson
Lovain	-	Butler, Games-Evans, Johnson
Smedberg	-	Butler, Games-Evans, Johnson
Wilson	-	Butler, Games-Evans, Johnson

26. Alexandria Transportation Commission

1 Citizen Member Possessing Qualifications in Land-Use, Transportation and/or Municipal Finance Who Resides East of Quaker Lane and Is A Resident of the City

1 Citizen Member Possessing Qualifications in Land-Use, Transportation and/or Municipal Finance Who Resides West of Quaker Lane and Is A Resident of the City

(The following persons volunteered for appointment to the above Commission)

NAME:

ENDORSED BY:

Jennifer Mitchell
Mark Schofield
Lois Walker

Jayne Blakesley
Richard Williamson

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 26; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Jennifer Mitchell as the one citizen member possessing qualifications in land-use, transportation and/or municipal finance who resides east of Quaker Lane and is a resident of the City, and appointed Jayme Blakesley as the one citizen member possessing qualifications in land-use, transportation and/or municipal finance who resides west of Quaker Lane and is a resident of the City. The voting was as follows:

Euille	-	Mitchell, Blakesley
Pepper	-	Schofield, Williamson
Gaines	-	Schofield, Blakesley
Krupicka	-	Mitchell, Blakesley
Lovain	-	Walker, Blakesley
Smedberg	-	Mitchell, Blakesley
Wilson	-	Mitchell, Blakesley

27. Northern Virginia Health Center Commission (Birmingham Green) Board of Directors

1 City of Alexandria Alternate Member

(The following persons volunteered for appointment to the above Commission)

NAME:	ENDORSED BY:
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Leticia Lacomba

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 27; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council waived the residency requirement and appointed Leticia Lacomba as the one City of Alexandria alternate member to the Northern Virginia Health Center Commission (Birmingham Green) Board of Directors. The voting was as follows:

Euille	-	Lacomba
Pepper	-	Lacomba
Gaines	-	Lacomba
Krupicka	-	Lacomba
Lovain	-	Lacomba
Smedberg	-	Lacomba

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

28. Staff Presentation on the City of Alexandria/ACAP Efforts to Reduce Teen Pregnancy.

City Council received the report from Community Education Specialist Griesse with the Office on Women, along with the students, on the efforts to reduce teen pregnancy.

29. Consideration of a Report on Changing the Election of the Mayor, Members of the City Council and Members of the School Board From the May General Election Cycle to the November General Election Cycle, and of a Resolution Proposing an Advisory Referendum On This Issue During the November 4, 2008, General Election. (#31, 3/11/08, #12, 4/12/08, #17, 4/22/08)

(A copy of the memorandum dated February 12, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 29; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council deferred this item to May 27, 2008, to provide opportunity for public comment at that meeting on the final list of referendum questions, and to schedule a joint work session with the Electoral Board. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
Wilson	"aye"		

Mayor Euille noted that between now and the public hearing, there has to be very clear outreach on what the citizenry is able to comment on at the public hearing.

30. Transmission of the Affordable Housing Initiatives Work Group Initial Recommendations to City Council.

(A copy of the memorandum dated May 7, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 30; 5/13/08, and is incorporated as part of this record by reference.)

Housing Director Davis made a presentation of the recommendations and responded to questions of Council.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman

Gaines and carried unanimously, City Council received the report and directed staff to bring forward a work plan to implement the preliminary recommendations that have been laid out. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

31. Receipt of Report of the Naming Committee on the Proposal to Name the Duke Street Bridge Near the Beatley Library in Honor of the Late Richard Leibach and Setting the Report for Public Hearing on Tuesday, May 20, 2008.

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 31; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper and seconded by Councilman Gaines, City Council received the report and set the report for public hearing on Tuesday, May 20, 2008.

Council asked the Naming Committee, separate from this item, to think through what the right policy is for when it entertains naming things after people and what the criteria should be, and also to have standards by which it moves forward - to have guidelines and standards, perhaps to have a memorial garden or wall or something on Market Square, or in some visible place, recognizing those in the community who have contributed a great deal.

The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

32. Consideration of the City's Requests for Funding in the Commonwealth Transportation Board's FY 2009-2014 Six-Year Improvement Plan.

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 32; 5/13/08, and is incorporated as part of this record by reference.)

Deputy Director of Transportation Culpepper and Director Baier made a presentation of the report and responded to questions of Council.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman

Gaines and carried unanimously, City Council: 1. approved the funding requests for transportation projects totaling \$52.74 million discussed in the memorandum as the City of Alexandria's official request to the Commonwealth Transportation Board for funding in the FY 2009-2014 Six-Year Improvement Program; and 2. directed staff to transmit the City's requests as approved by City Council to the Commonwealth Transportation Board. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille said they are making progress with Washington Metropolitan Area Transportation Authority on the Old Town Royal Street bus barn facility, and there seems to be a commitment to make it happen sooner rather than later, it is in the CIP program, and they are working with Fairfax County relative to a site location to relocate the buses. He said that hopefully by early Fall they will be able to report that they have something more substantive on this project.

(b) Mayor Euille said the City was one of six U.S. cities to receive an award from the National Association of Realtors as being chosen as a 2008 Ambassador City, which was in partnership with the U.S. Conference of Mayors. The purpose is to encourage cities and local realtors to form partnerships with local homeownership in the communities.

(c) Vice Mayor Pepper said they had an Eco-City Cafe on March 8 with 120 people and from the input they received, Virginia Tech, the Environmental Policy Commission, the Steering Committee and staff were able to put together the Charter which was presented to the City on April 26. From there, that Charter was brought to a major event on Saturday, May 10 at T.C. Williams, where it held the Eco-City Summit, which was attended by 150 people. She said it was a wonderful opportunity to learn about Alexandria's vision for what they want their community to look like in the years to come in terms of the environment. They had an outstanding speaker - Mayor Bob Harvey, from New Zealand. She said the point of the Summit was to talk about a lot of the items in the Charter. They will take that input and will form an action plan, which will be done over the summer and that will come back to the Council in the Fall.

Councilman Krupicka said staff did a great job, and the thing that was most important was to not just have one department in City Hall leading environmental issues, but to have every department in City Hall focused on what they can do to help the environment. The most gratifying aspect of the Summit was that at every single event, every major department was represented. He applauded the way staff has gotten enthusiastic about it and has jumped into with full energy and enthusiasm. He said that to meet their goal, they will need every single department working and will need the community doing it. For them to fulfill the vision, they need every individual citizen leading on the issue and they made a huge step in that direction on Saturday.

Vice Mayor Pepper said they have to remember the four R's - reuse, recycle, reduce and retool.

(d) Councilman Krupicka said there has been news in the press that Capitol Hill is once again looking at ways to expand the number of slots available at National Airport, and the unanimous opinion in the region is that expanding capacity is not something to do. He said it looks like the Senate will not move forward with the action, but it is not dead yet. He said it is unthinkable that expanding National Airport would be on the table when the facility at Dulles Airport is available, has the adequate infrastructure and is better equipped to handle the capacity expansion items.

(e) Councilman Smedberg said that earlier this year, the State passed legislation expanding the membership of the State Air Pollution Control Board from the current five to seven members. The state is now accepting applications to that panel, and there is a desire among certain individuals in the community in support of Bob Burnley, who is the former Virginia Department of Environmental Quality Director, who was head of that organization when the Mirant Plant was shut down for violations. He asked Council to consider drafting a letter in support of Mr. Burnley's nomination to that board.

Mayor Euille said a letter went out two days ago on behalf of City Council.

(f) Councilman Gaines updated Council on the tourism and the Alexandria Convention and Visitors Association. The ACVA spring-summer advertising campaign is running in five different markets, and since March, visits to the ACVA website has increased by 76 percent. Since www.visitalexandriava.com added Travelocity to the website, there have been 30 reservations worth over \$12,000 in bookings. The King Street trolley numbers are staggering - it went from 8,000 boardings in the first week, to 9,000 riders in the second week, to 11,000 in the third week and to 13,000 in the fourth week, which is a little over 40,000 boardings. He said the trolley is exceeding expectations.

Councilman Smedberg said he and Councilman Krupicka chair the Economic Sustainability Task Force, and it is great that the numbers are up, but there is another way to measure it - that is how are the businesses and restaurants, particularly in the upper part of King Street, benefitting and measuring.

ORAL REPORT FROM THE CITY MANAGER

City Manager Hartmann introduced Tony Castrilli, the City's new Communications Director.

Director of Transportation and Environmental Services Baier gave an update on the small embankment failure on Telegraph Road.

ORDINANCES AND RESOLUTIONS

33. Second Reading and Final Passage of an Ordinance to Increase the Business Professional and Occupational License Tax Rate Applicable to Pay Day and Car Title Lenders. (#3, 4/14/08, #31, 4/22/08, #12, 5/5/08)) **[ROLL-CALL VOTE]**

This item was deferred to May 27, 2008.

34. Consideration of a Resolution for the Implementation of the Comprehensive Community Corrections Act, the Pretrial Services Act and the Alexandria Community Criminal Justice Board Under Current Code Provisions. **[ROLL-CALL VOTE]**

This item was deferred to May 27, 2008.

35. Consideration of a Resolution to Adopt Code Enforcement Fee Increases. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 35; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously by roll-call vote, City Council adopted the resolution to adopt Code Enforcement Fee Increases. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2275

WHEREAS, section 8-1-29(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. 2179, adopted by city council on February 25, 2006, which incorporates an attached fee schedule is the most recent establishment of such fees by the Council; and

WHEREAS, city council has determined that the fee schedule set forth in Resolution No. 2067 is in need of amendment and adjustment to change the fees charged for permits that authorize construction.

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

1. That the fee schedule attached hereto, entitled "City of Alexandria, Virginia Code Enforcement Bureau, Fee Schedule," is deemed to contain fair and appropriate fees to be paid by persons seeking various permits, inspections, and certificates, and other services, from the City's Code Enforcement Bureau;
2. That said fee schedule shall be, and hereby is, approved and incorporated by reference in this resolution, and shall, until amended or rescinded, set forth the fees to be charged for various permits, inspections and certificates that are required by the Virginia Uniform Statewide Building Code and are issued by the city's Code Enforcement Bureau, as well as for other services that are performed by the bureau;
3. That Resolution No. 2179, adopted on February 5, 2006, shall be, and hereby is, rescinded; and
4. That this resolution shall be effective July 1, 2008, and the attached fee schedule shall, from that date on, be in full force and effect.

The following is a description of the fees charged for various permits and certificates issued by, and for various services performed by, the Alexandria Code Enforcement Bureau. No permit or certificate may be issued, nor service rendered, until the applicable fee has been paid in full. Permits remain the property of the City of Alexandria from the time of issuance until time of expiration.

ADMINISTRATIVE FEE: A fee of 8% shall be charged on all permits issued by the Alexandria Code Enforcement Bureau.

PERMIT CENTER SURCHARGE: A fee of 5% shall be charged on all permits issued by the Alexandria Code Enforcement Bureau.

TRAINING PROGRAM LEVY: A levy of .5% shall be assessed on all fees related to permits to support staff training and customer training provided by the Bureau.

VA. TRAINING ACADEMY LEVY: As established by the Virginia Uniform Statewide Building Code, a mandatory state levy as set by the Virginia Board of Housing and Community Development shall be assessed on all permit fees to support training provided by the Jack Proctor Virginia Building Code Academy.

CONSTRUCTION FEES

A. MINIMUM BUILDING PERMIT FEE **\$50.00**

B. BASIS OF FEES: The fee for each permit for new construction shall be six dollars (\$6.00) per thousand (\$1,000) of the estimated total construction cost. The total construction cost shall **include all involved labor and material** valued at the current retail market value **plus overhead and profit**.

Total construction costs for new construction, **to include additions**, shall be computed by multiplying the total gross **area** square footage of the structure by the figure in Table 1 of the current "Building Valuation Data" as published in the **Building Safety Journal** by International Code Council (ICC), corresponding to the appropriate use group and type of construction. Total gross area square footage is defined as the gross area of each floor, including basement and garage, in addition to the horizontal projection of the roof area including roof including roof coverings and overhangs. Separate permits are required for specialty items described below.

EXCEPTION: Modular/factory-built single family homes

\$150.00

ALL OTHER STRUCTURES - (ALT/REPAIRS)

C. NON-RESIDENTIAL TENANT IMPROVEMENTS - are calculated at \$0.15 per square foot of gross floor area or fifteen dollars (\$15.00) per thousand (\$1,000) of the estimated construction costs, whichever is greater. The gross floor area shall be the floor area within the perimeter of the outside walls of the building or space under

construction.

D. RESIDENTIAL ALTERATIONS/REPAIRS - are calculated at \$0.15 per square foot of gross floor area or fifteen dollars (\$15.00) per thousand (\$1,000) of the estimated construction costs, whichever is greater. The total construction cost shall **include all involved labor and material** valued at the current retail market value **plus overhead and profit.**

E. SPECIALTY ITEMS - are calculated at \$0.15 per square foot of gross floor area or fifteen dollars (\$15.00) per thousand (\$1,000) of the estimated construction costs, whichever is greater. The total construction cost shall **include all involved labor and material** valued at the current retail market value **plus overhead and profit.**

Specialty items include the following:

- (1) excavation, sheathing, shoring, construction of footings and foundations (when special approval is obtained from the Building Official) prior to issuance of a permit for full construction;
- (2) installation of retaining walls, signs and other miscellaneous structures;
- (3) re-roofing;
- (4) installation of fireplace inserts; and
- (5) any other construction or installation not mentioned above.

F. RELOCATION

The fee for a building permit to remove a building or structure from one lot to another or to a new location on the same lot shall be fifteen dollars (\$15.00) per thousand (\$1000) of the total estimated cost of moving, **plus** the cost of new foundations and all work necessary to place the building or structure in its completed condition in the new location.

G. CERTIFICATE OF USE AND OCCUPANCY

• one or two family dwellings	\$125.00
• commercial space 500 square feet and less	\$100.00
• commercial space 501 and 1500 sq. ft.	\$125.00
• commercial space greater than 1500 sq. ft.	\$150.00
• shell and core areas of any building	\$500.00
• Master Certificate of Use & Occupancy	\$150.00

Temporary Certificate of Occupancy

Fees for Temporary Certificates of Occupancy shall be the same as

for a permanent Certificate. The fee to extend an issued temporary Certificate of Use and Occupancy shall be 50% of the original fee paid for each extension. To convert a temporary Certificate of Occupancy to permanent status, the fee shall be 50% of the original fee paid.

H.DEMOLITION
per building or structure

\$100.00

A performance bond or cash deposit is required in the amount of one dollar per square foot (\$1.00/sq. ft.) for the gross square footage of the building to be razed for the purpose of assuring the completion of the demolition, securing the site for public safety, finished grading, sodding/seeding the site and other necessary measures to prevent soil erosion. The minimum cash deposit or bond shall be \$1,000.00. Should the bond/cash deposit not adequately fulfill this purpose, the City of Alexandria shall have the right to place a lien on the property in an amount sufficient to reimburse it for the expenses made to enforce or accomplish compliance with the above to the extent the same are not adequately provided for by the bond.

I. AMUSEMENT RIDES

	• Kiddie Rides	\$25.00 each
• Major Rides		\$35.00 each
• Spectacular Ride		\$55.00 each

Amusement Ride Operators have the option of hiring State certified third party inspectors or having the City perform inspections on the

amusement devices. If a third party inspector is used, a \$50.00 administrative fee is charged to cover the cost of processing the permit application. Proof of financial responsibility, (bond or Certificate of Insurance) in the amount of \$300,000 must be provided.

Amusement ride inspections are based upon contracts with third-party inspectors. The fees to the consumer are calculated at one hundred percent (100%) of the actual cost to the City of Alexandria plus seven percent (7%) as administrative fees.

FIRE PROTECTION SYSTEMS

A. FIRE SUPPRESSION SYSTEMS

\$50.00 or 3.5% of estimated cost of total purchase and installation costs including overhead and labor or ten dollars (\$10.00) per head, whichever is greater. **Exception:** No permit fee will be charged for the replacement of Omega sprinkler heads manufactured by Central Sprinkler Company. All required inspections shall be performed following the completion of work.

B.FIRE ALARMS

\$75 + \$13.00 per initiating and indicating device **or** 3.5% of the total purchase and installation costs, whichever is greater.

C.FIRE HYDRANT FLOW RATE TESTING FEE \$200.00

FIRE PROTECTION SYSTEMS RETESTING FEES

A. RETESTING FEES

Required annual inspections and testing of fire protection systems fees shall be twenty dollars (\$20) per quarter hour or part thereof for each inspector required to witness the

inspection.

A. CANCELLATION FEES **\$160.00**

A fee of one hundred and sixty \$160.00 will be charged for each cancellation of a scheduled retest or inspection of an existing fire protection system.

ELECTRICAL PERMIT FEES

A.MINIMUM ELECTRICAL FEE **\$50.00**

B. New Construction - Other than One & Two Family Dwelling

The electrical fee for new construction is included in the base building permit fee. The electrical contractor must obtain an electrical permit at the minimum fee of fifty dollars (\$50.00).

C. Residential - One & Two Family Dwellings

a. The fee for services in residential use shall be as follows:

	• 100 Amperes or less	\$ 50.00
	• 101 to 200 Amperes	
100.00	• 201 to 300 Amperes	150.00
	• 301 to 400 Amperes	200.00
	401 Amperes or greater	250.00

b. **Supplemental electrical work** **\$50.00**

New appliance/fixture installation; relocation of fixtures, outlets, sub-panels, wiring, service; and/or the replacement of ungrounded outlets with grounded (3-prong) type.

D. Non-residential and other than One/Two Family Dwellings

a. **Renovation, Conversion, General Reconstruction** shall be charged at \$3.00 per kilovolt ampere (\$3.00/kVA) rating of each circuit at the service panel, but not less than fifteen dollars \$15.00 per thousand (\$1000) of the estimated cost nor less than fifty dollars (\$50.00).

b. **Replacement of Equipment, Appliances & Devices** not requiring replacement or new circuits shall be \$3.00 per kilovolt ampere (\$3.00/kVA) rating of the replacement item, but not less than \$15.00 per thousand (\$1000) of the estimated cost nor less than fifty dollars (\$50.00).

c. **Service Panel Replacement** shall be \$3.00 per kilovolt-ampere (\$3.00/kVA) rating of the new panel less the kilovolt-ampere (kVA) rating of the old panel, but not less than fifteen (\$15.00) per thousand (\$1000) of the estimated cost nor less than fifty dollars (\$50.00).

E. Special Electrical Permit Fees

The minimum fees for special electrical permits are as follows:

- **Electric Signs** **\$50.00**
- **Transformers** **\$0.20/kVA rating or \$50.00**
- **Indoor expositions, exhibitions** **\$7.00**
per 3,000 sq.ft. or \$50.00 - whichever is greater

- **Special Electrical Equipment**

The permit fee for any special electrical equipment not mentioned above shall be determined by the Building Official based upon the costs involved in the enforcement of the Virginia Uniform Statewide Building Code (USBC).

ELEVATOR PERMIT AND INSPECTION FEES

Elevator, escalator, dumbwaiter, chairlift, manlift, and moving walkway inspection and permit fees are based upon the award of an annual contract to a qualified third party elevator inspection services. The fees to the consumer are calculated at one hundred percent (100%) of the actual cost to the City of Alexandria **plus** a seven percent (7%) administrative fee.

A. INSTALLATIONS - 1.2% of the total installation cost **plus** \$49.00 per unit.

B. ANNUAL ELEVATOR CERTIFICATES **\$79.00**
per elevator or escalator \$39.50 per dumbwaiter, chairlift, manlift.

PLUMBING PERMIT FEES

A. MINIMUM PERMIT FEE **\$50.00**

B. NEW CONSTRUCTION

The plumbing fee for new construction is included in the base building permit fee. The plumbing contractor must obtain a plumbing permit at the minimum fee of fifty dollars (\$50.00).

C. EXISTING CONSTRUCTION

Replace, extend or modify water pipe, relocate existing fixtures or install

fixtures where plumbing is roughed in, is \$50.00 per dwelling unit or non-residential occupancy plus \$3 each for the fourth and each subsequent fixture, but not less than fifteen dollars (\$15.00) per thousand (\$1,000) of the estimated cost, whichever is greater. Permits are not required for the exact replacement of plumbing fixtures.

MECHANICAL PERMIT FEES

A.MINIMUM PERMIT FEE **\$50.00**

B. NEW CONSTRUCTION

The mechanical fee for new construction is included in the base building permit fee. The mechanical contractor must obtain a mechanical permit at the minimum fee of fifty dollars (\$50.00).

C. EXISTING CONSTRUCTION

\$50.00 or fifteen dollars (\$15.00) per thousand (\$1000) of estimated cost of purchase and installation, including materials, overhead and labor, whichever is greater for the installation of mechanical systems (which includes gas piping and/or the relocation, extension, modification or replacement of ductwork, piping, venting or wiring) and equipment.

FIRE PREVENTION CODE PERMITS

The article of the Fire Prevention Code being permitted determines the fee. **With the exception of Assembly/ Educational permits, the minimum fee for FPC permits is \$100.00.** Hazardous Use permits for Fireworks require proof of financial responsibility (certificate of insurance naming the City as co-insured) in the amount of \$1,000,000.

Assembly/Educational permit fees are based on the occupancy as follows:

- | | |
|--------------------------|------------------|
| • less than 50 occupants | \$ 50.00 |
| • 50-100 occupants | \$ 100.00 |
| • over 100 occupants | \$ 250.00 |

Carnivals and Fairs	\$ 250.00
Outdoor Assembly & Events	\$ 250.00

ANNUAL RESIDENTIAL RENTAL PERMITS

Fifty dollars (\$50.00) shall be charged for each residential rental unit inspected. This fee includes one reinspection at no additional charge. Each subsequent reinspection will be charged at fifty dollars (\$50.00) per unit reinspected.

For Multi-family developments with more than ten (10) rental dwelling units, no less than two (2) units and no more than ten percent (10%) shall be inspected. A fee of fifty dollars (\$50.00) per unit shall be charged for no more than 10 units, regardless of the number of units actually inspected. This fee includes one reinspection at no additional charge. If the 10% inspection determines that serious violations exist, additional units may be inspected at a fee of fifty dollars (\$50.00) per unit. Each subsequent reinspection will be charged at fifty dollars (\$50.00) per unit reinspected. All fees must be paid before a Certificate of Compliance will be issued.

REGISTRATION OF VACANT BUILDINGS **\$25.00**

A building which has been continuously vacant for a period of 12 months or more must be registered with the Director of Code Enforcement.

ADDITIONAL SPECIAL SERVICE FEES FOR ALL PERMIT TYPES / TRADES

A. Deposit for Plan Review **20%**

of estimated permit fee for those permit applications which require plans review. This deposit is non-refundable. The amount will be deducted from the total permit fee when the permit is issued.

B. Plan Revisions & Amendments

Plan reviews subsequent to the initial plan review due to revisions of the plan or amendments to the approved plans will be charged a flat fee per trade discipline (ie: plumbing, electrical, fire protection, mechanical or structural) by use:

- **\$100** per trade discipline for new commercial, single family and multi-family construction;

- **\$50** per trade discipline for single family residential & commercial alteration.

C. Code Modification Fee

\$125.00

To process an application for a modification to the Uniform Statewide Building Code, Property Maintenance,

or to the Fire Prevention Code.

D.Extension of Permit

\$30.00

Per 6 month extension. **NOTE:**
Expired permits cannot be extended.

E.Amendment of a Permit

\$25.00

To reflect a change in property ownership, address, and/or a change in contractor information.

F. Inspections

**a. Multiple Reinspections
\$55.00/hr**

Routine inspections are defined as one inspection and one reinspection. In the event that more than one reinspection is required to approve any element of construction, an administrative fee of \$55.00 will be applied to the second and sub-sequent reinspection. No second or subsequent reinspection will be conducted until the applicant has paid all administrative reinspection fees.

b. Overtime

Overtime inspections, weekend inspections, holiday inspections, plans review or other use of Code Enforcement services **will be charged a minimum fee of \$280.00 for the first four hours and seventy dollars (\$70.00) per hour, per employee, involved in the special service thereafter.**

G. Work Without Permits -

STOP WORK ORDERS

For work begun without a permit when a permit is required, a fee of two times the regular permit fee, or \$250.00, whichever is lesser, will be charged, **in addition to the regular**

permit fee, to offset the administrative costs.

H. Building Code Compliance Date Extension

The fee to request an extension to the compliance date for a building code case is \$35.00. This request must be made **prior** to the expiration of the original compliance date. The fee is non-refundable.

I. Building Code Board of Appeals Hearing Fee:

The filing fee for an appeal to the Alexandria Building Code Board of Appeals shall be one hundred and twenty-five dollars (\$125) for appeals relating to the Uniform Statewide Building Code, Fire Prevention Code or the Property Maintenance Code. The fee must be paid at the time of submitting the application for the appeal and is non-refundable.

A. Pass-through Fees for Plan Review and Inspections Services

At the discretion of the Building Official, projects may be approved for third party plan review and inspection services with the understanding that 100% of the fees associated with these services will be recovered and paid to the City **in addition** to the regular permit fees

36. Consideration of a Resolution to Adopt Fee Increases for the Department of Recreation, Parks and Cultural Activities for FY 2009. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 36; 5/13/08, and is incorporated as part of this record by reference.)

Questions were asked about the fees for soccer, lacrosse, Little League and other programs, which were answered by Director of Recreation, Parks and Cultural Activities Kincannon.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried 5-1 by roll-call vote, City Council adopted the resolution for the recommended RPCA fee increases of non-programmatic fees, fees for youth sports participation, and youth sports field use, effective July 1, 2008. The voting was as follows:

Pepper	"aye"	Gaines	absent
Krupicka	"aye"	Lovain	"no"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2276

Resolution to Adopt Fees Increases Administered by the Department of Recreation, Parks and Cultural Activities for FY 2009

WHEREAS, the last increase to non-programmatic fees collected by the Department of Recreation, Parks and Cultural Activities (RPCA) occurred in Fiscal 2008; and

WHEREAS, the majority of non-programmatic fees charged by RPCA fell within the Baltimore Washington CPI-U fee adjustment guidelines set forth by City Council in Fiscal 2008; and

WHEREAS, the Youth Sports Participation fees are significantly below what other jurisdictions charge and the costs of providing those programs; and

WHEREAS, the costs of providing these and other leisure services to the general taxpayer continue to increase year-by-year and the fees do not cover the entire costs of these programs;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alexandria, Virginia, that the Picnic Area Rental, Youth Sports Participation, Field Use, and Marina fees administered by the Department of Recreation, Parks and Cultural Activities shall be as updated beginning July 1, 2008, as follows:

Section (a) Picnic Area Rental Fees are hereby established as contained in Attachment 2.

Section (b) Youth Sports Program Participation fees are hereby established as contained in Attachment 2.

Section (c) Youth Sports Field Use fee is hereby established as contained in Attachment 2.

Section (d) Marina fees are hereby established as contained in Attachment 2.

RPCA FEE SCHEDULE – JULY 1, 2008
FEE INCREASES IN EXCESS OF THE CPI-U

Picnic Area Rental Fees			
Picnic Area	Current Fee/day	Proposed Fee	Fee/day
		with Large Shelter	\$100/\$150
		with Small Shelter	\$75/\$100
		no Shelter	\$50/No Change
		Ft. Ward Amphitheater	\$60/hr (4-hr min)/No Change
Youth Sports Program Participation Fees			
	Current Fee/sport	Proposed Fee	
Youth Sports	\$20	\$25	
Youth Sports Field Use Fee (New Fee)			
		Current Fee	Proposed Fee
	Per person/season/sport		
Youth Sports Field Use	None	\$5	
Marina Fees			
		Current Fee	Proposed Fee
Pleasure Boats			
	Short-Term Docking Fee	\$10/\$11	Up to 4 hours
	Drop off or Pick-up Fee	\$5/\$6	
	Overnight Docking Fee In-Season (Apr 1 – Oct 31)	\$1.50/\$2	per foot, per night
	Overnight Docking Fee Off-Season (Nov 1 – Mar 31)	\$1/\$1.50	per foot, per night
	Annual Leasing: Resident		
	Nonresident	\$7.25/\$8	per ft., per mo., paid annually
		\$8.25/\$9	per ft., per mo., paid annually
Commercial/Cruise/Charter/Business Vessels			
	Base rate - no utilities	\$3/\$4	per foot, per day
	Per Passenger Rate (determined by total # of passengers)	\$25/\$30	per day (cruise ships)
Utilities/Electrical (includes water in-season)			
	30 amp electrical connection	\$3/\$4	/night
	50 amp electrical connection	\$6/\$7	per connection/night
	100 amp electrical connection	\$12/\$13	per night
Sewage Pump-out Facility	No Change		
		Per Use	\$25

37. Consideration of Resolution to Increase the Solid Waste Hauler Permit Fees.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 37; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution increasing the solid waste hauler permit fees as approved in the FY 2009 budget. The voting was as follows:

Pepper	"aye"	Gaines	absent
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2277

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 5-1-53(a), City Council is required to set by resolution the fee that is to be paid as defined in Section 5-1-53(a) of the City Code, for the City to issue applicants permits per vehicle; authorizing the applicant to collect, transport or dispose of solid waste, ashes, or yard debris collection and disposal of solid waste, ashes, yard debris and recyclable material, in the city during the fiscal year; and

WHEREAS, City Council has now determined that it is necessary and desirable to increase the permit fee to \$150 for pick up trucks and \$200 for all other vehicles;

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

1. That, beginning in fiscal year 2009, the charge for the City to issue applicants permits per vehicle, authorizing the applicant to collect, transport or dispose of solid waste, ashes, or yard debris collection and disposal of solid waste, ashes, yard debris and recyclable material, in the city shall be \$150 for pick up trucks and \$200 for all other vehicles.

2. That the fee established in Section 1 above shall apply to the permit for the collection and disposal services provided by the permit applicant during fiscal year 2009 and, unless and until revised by the City Council, to such services provided during subsequent fiscal years.

3. That this resolution shall be effective on the date and at the time of adoption.

38. Consideration of a Resolution to Establish a Fee for White Goods Pick-up Service. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 38; 5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution authorizing the establishment of a fee for residential white-goods pick up as approved in the FY 2009 operating budget. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2278

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 5-1-41(g), City Council may impose a separate fee, established by resolution, for the collection and disposal of special collection items, as defined in Section 5-1-41(g) of the City Code, for the City's collection and disposal of white goods for the fiscal year; and

WHEREAS, City Council has now determined that it is necessary and desirable to establish for such collection and disposal services at the rate \$20.00 per pick up;

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

1. That, beginning in fiscal year 2009, the charge for the collection and disposal of white goods shall be \$20.00 per pick up.

2. That the fee established in Section 1 above shall apply to collection and disposal services provided by the City during fiscal year 2009 and, unless and until revised by the City Council, to such services provided during subsequent fiscal years.

3. That this resolution shall be effective on the date and at the time of adoption.

39. Consideration of a Resolution to Establish New Planning and Zoning Fees.

(A copy of the City Manager's memorandum dated May 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 39;

5/13/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council adopted the new Planning and Zoning fees. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Krupicka	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

OTHER

40. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May 9, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 40; 5/13/08, 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: 1. scheduled a meeting of the Capital Development Foundation Members (City Council) at 6:45 p.m. before Council's May 27, 2008 legislative meeting; scheduled a work session on Arts Issues at 5:30 p.m. before the June 10, 2008 legislative meeting in the Council Work Room; and scheduled the ribbon cutting ceremony for the Wilkes Street tunnel at 8:30 a.m. before Council's Saturday, June 14, 2008 public hearing meeting; 2. received the revised calendar which includes the following events before Council's Tuesday, May 13 legislative meeting: 5:00 p.m., The Duke Townhomes and Flats groundbreaking ceremony, 1300 block of Duke Street; 5:30 p.m., Art in City Hall Reception, Room 2000; 5:30 p.m., Reception for commission for the Arts grant awardees; 6:00 p.m., Work Session with the Alexandria Redevelopment and Housing Authority, Council Work Room; the Virginia Municipal League Conference in Norfolk, Virginia, on Sunday, October 19 through Tuesday, October 21; and the 15th Annual Walk to Fight Breast Cancer on Saturday, October 25 at 8:00 a.m. Also added was a work session with the ARHA Board at 5:30 p.m. on May 27, 2008; and tentatively set was a work session on Tuesday, June 17, 2008 at 6:00 or 7:00 for a work session with the Electoral Board, with a final decision to be made on May 27. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion

by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, the regular City Council meeting of May 13, 2008, was adjourned at 10:15 p.m. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, CMC, City Clerk