

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Regular Meeting
Tuesday, February 12, 2002 - - 7:30 p.m.**

Present: Mayor Kerry J. Donley, Vice Mayor William C. Cleveland, Members of Council Claire M. Eberwein, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: Councilman William D. Euille.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mrs. Godwin, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Baier, Director of Transportation and Environmental Services; Ms. Boyd, Director of Citizen Assistance; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; Mr. Neckel, Director of Finance; Mr. Swearingen, Director of Management and Budget; Public Information Officer Gordon; Purchasing Agent Pitzer; Dr. Claiborn, Director of Mental Health, Mental Retardation and Substance Abuse; Ms. Davis, Director of Housing; City Arborist Noelle; Recreation Supervisor Powalisz; and Lieutenant Uzzell, Police Department.

Recorded by: Mrs. Beverly I. Jett, City Clerk and Clerk of Council.

The 6:00 p.m. work session with Congressman James P. Moran was canceled and rescheduled for 8:00 a.m., in the Council Workroom, on Tuesday, March 12, 2002.

OPENING

The Meeting was called to Order by Mayor Donley, and the City Clerk called the Roll; all Members of City Council were present with Vice Mayor Cleveland arriving at 8:15 p.m., and Councilman Euille being absent.

New Business Item No 1: Mayor Donley noted that Councilman Euille will be absent tonight due to the loss of his Mother. Mayor Donley expressed the Council's, the staff's and the citizens' sympathy and condolences to Councilman Euille and his family.

Mayor Donley indicated that Vice Mayor Cleveland, in his capacity as a Capitol Hill Police Officer, may be absent from or late arriving for the meeting tonight due to his work responsibilities.

The Invocation was pronounced by Councilman Speck.

3. **THERE BEING NO DISCUSSION**, upon motion by Councilwoman Pepper, seconded by Councilwoman Woodson and carried on a vote of 5-to-0, City Council approved the Minutes for (a) the Regular Meeting for January 22, 2002; and (b) the Special Public Hearing Meeting for January 26, 2002, as submitted. The voting was as follows:

Pepper	"aye"	Cleveland	not yet arrived
Woodson	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
	Speck	"aye"	

4. **THERE BEING NO DISCUSSION**, upon motion by Councilwoman Pepper, seconded by Councilwoman Woodson and carried on a vote of 5-to-0, City Council received the Report of the City Clerk dated February 4, 2002, which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 2/12/02, and is incorporated herewith as part of this record by reference. The voting was as follows:

Pepper	"aye"	Cleveland	not yet arrived
Woodson	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
	Speck	"aye"	

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

(a) City Council recognized a group of students from the STEP program and T.C. Williams High School who are members of the American Society of Black Engineers, Alexandria Student Chapter. They were recently highlighted in the recent issue of the society's magazine *Bridge*. They were recognized because of their diversity. John Nunn is their advisor and is also a teacher at STEP. This after-school program promotes careers in advanced math, science and engineering.

(A copy of the National Society of Black Engineers Pre-college Magazine *Bridge* is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Youth Recognition (a); 2/12/02, and is incorporated herewith as part of this record by reference.)

New Business Item No. 2: **Without objection**, City Council recognized First Night Alexandria Executive Director Ann Dorman and President David Martin who thanked the City Council for its support. Ms. Dorman presented Mayor Donley with a framed poster as a thank you. The poster will be hung in the City Council office. In addition, Ms. Dorman provided Council with some statistics on the success of the December 31, 2001, First Night Alexandria celebration.

(A copy of Ms. Dorman's memorandum dated February 12, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of New Business Item No. 2; 2/12/02, and is incorporated herewith as part of this record by reference.)

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OPENING (continued)

5. Presentation of Proclamation in Memory of Long-time City Employee Gary Post.

Councilman Speck and City Manager Sunderland presented the proclamation.

(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; 2/12/02, and is incorporated herewith as part of this record by reference.)

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Pepper and carried on a vote of 5-to-0, City Council endorsed the proclamation. The voting was as follows:

Speck	"aye"	Cleveland	not yet arrived
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
		Woodson	"aye"

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (6-12) (17-20)

Without objection, City Council removed docket item nos. 9 and 11 from the Consent Calendar and considered them under separate motions.

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

- (a) Alexandria Commission on HIV/AIDS
Nathan Monell
- (b) Health Systems Agency of Northern Virginia
Robert F. Haas
- (c) Alexandria Industrial Development Authority
Laura Hatton

(A copy of each 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 Nos. 6(a-c); 2/12/02, and is incorporated herewith as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Beautification Commission
1 Citizen Member
- (b) Alexandria Commission on Aging
2 Citizen Members

1 Individual With Leadership Experience in A Volunteer Organization
- (c) Alexandria Commission on Employment
1 Business Representative

- (d) Alexandria Commission on Information Technology
1 Member Representing the Alexandria Budget and Fiscal Affairs
Advisory Committee
- (e) Alexandria Consumer Affairs Commission
1 Business Member

1 Local Consumer Action Organization Member
- (f) Alexandria Economic Opportunities Commission
1 Representative of Councilwoman Joyce Woodson
- (g) Alexandria Environmental Policy Commission
1 Member From the Field of Ecology
- (h) Historic Alexandria Resources Commission
1 Representative From the Alexandria Archaeological Commission
- (i) Alexandria Human Rights Commission
1 Representative From the Alexandria Economic Opportunities
Commission
- (j) Alexandria Park and Recreation Commission
1 Member From Among the High School Youth of the City
- (k) Alexandria Waterfront Committee
1 Citizen Who Resides East of Washington Street and South of
Pendleton Street
- (l) Alexandria Youth Policy Commission
1 Parent From School Board District A

(Material pertaining to 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 Nos. 7(a-l); 2/12/02, and is incorporated herewith as part of this record by reference.)

8. Consideration of Request to Vacate a Position on the Alexandria Consumer Affairs Commission.

(A copy of the City Manager's memorandum dated January 24, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 2/12/02, and is incorporated herewith as part of this record by reference.)

10. Receipt of the Board of Zoning Appeals 2001 Annual Report

(A copy of the City Manager's memorandum dated January 28, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 2/12/02, and is incorporated herewith as part of this record by reference.)

12. Consideration of the Request by the Alexandria Community Services Board to Create a Grant-Funded Interagency Council Coordinator Position.

(A copy of the City Manager's memorandum dated January 28, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 2/12/02, and is incorporated herewith as part of this record by reference.)

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to change the membership of the Community Criminal Justice Board established by Section 2-4-10 of the City Code.

(A copy of the City Manager's memorandum dated February 6, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 2/12/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 17; 2/12/02, and is incorporated herewith as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council present 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; 2/12/02, and is incorporated herewith as part of this record by reference.)

18. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to make supplemental appropriations for the support of the government of the City of Alexandria for FY 2002.

(A copy of the City Manager's memorandum dated February 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 2/12/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 18; 2/12/02, and is incorporated herewith as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council present 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; 2/12/02, and is incorporated herewith as part of this record by reference.)

19. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to authorize the City to participate in and purchase electricity through the Virginia Energy Purchasing Governmental Association.

(A copy of the City Manager's memorandum dated February 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 2/12/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 19; 2/12/02, and is incorporated herewith as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council present 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; 2/12/02, and is incorporated herewith as part of this record by reference.)

20. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to authorize an encroachment into the public sidewalk right-of-way for a display window at 1102 King Street.

(A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 2/12/02, and is incorporated herewith as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council present 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; 2/12/02, and is incorporated herewith as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried on a vote of 5-to-0, City Council approved the Consent Calendar as presented with the exception of docket item nos. 9 and 11 which were considered under separate motions. The City Manager's recommendations are as follows:

6. City Council received the following resignations with regret: (a) Nathan Monell from the Alexandria Commission on HIV/AIDS; (b) Robert F. Haas from the Health Systems Agency of Northern Virginia; and (c) Laura Hatton from the Alexandria Industrial Development Authority; requested the Executive Secretary for Boards and Commissions to send the appropriate letters of appreciation and to advertise the vacancies in the usual manner.

7. **For the record**, Councilwoman Pepper noted that in docket item no. 7(h), the applicant, S. Kathleen Pepper, is not related to her, nor does she know her.

City Council (a) reappointed Walter Pickard as a Citizen Member to the Alexandria Beautification Commission; (b) reappointed J. Donald Edwards and Justine Rowe as Citizen Members and Stefanie Reponen as an Individual with Leadership Experience in a Volunteer Organization to the Alexandria Commission on Aging; (c) appointed Beverly Winterscheid as a Business Representative to the Alexandria Commission on Employment; (d) appointed Mark Feldheim as a Member Representing the Alexandria Budget and Fiscal Affairs Advisory Committee (BFAAC) to the Alexandria Commission on Information Technology; (e) appointed Todd Ruopp as a Business Member and reappointed Annette Cleckner as a Local Consumer Action Organization Member to the Alexandria Consumers Affairs Commission; (f) appointed Jeffrey Carpenter as a Representative of Councilwoman Joyce Woodson to the Alexandria Economic Opportunities Commission; (g) reappointed Lisa Edouard as a Member from the Field of Ecology to the Alexandria Environmental Policy Commission; (h) appointed S. Kathleen Pepper as a Representative from the Alexandria Archaeological Commission to the Historic Alexandria Resources Commission; (i) appointed Cecelia Godfrey as a Representative from the Alexandria Economic Opportunities Commission to the Alexandria Human Rights Commission; (j) reappointed Todd Knisley as a Member from among the High School Youth of the City to the Alexandria Park and Recreation Commission; (k) reappointed Robert Roland as a Citizen Who Resides East of Washington Street and South of Pendleton Street to the Alexandria Waterfront Committee; and (l) reappointed Darryl Francois as a Parent from School Board District A to the Alexandria Youth Policy Commission.

8. City Council declared as vacant one of the citizen positions on the Alexandria Consumer Affairs Commission and authorized the Executive Secretary for Boards and Commissions to advertise the vacancy.

10. City Council received the report and thanked the Board of Zoning Appeals for its efforts on behalf of the City.

12. City Council approved the creation of a 0.5 FTE position for a Part C Interagency Council Coordinator. This grant-funded position would terminate upon the expiration of the grant. The individual who will fill this position will be notified of this condition of employment at the time they are hired, and will sign an agreement of understanding with regard to this condition.

17. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, February 23, 2002.

18. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, February 23, 2002.

19. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, February 23, 2002.

20. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, February 23, 2002.

END OF CONSENT CALENDAR

Woodson	"aye"	Cleveland	not yet arrived
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
	Speck	"aye"	

9. Receipt of the Alexandria Commission for the Arts Fiscal Year 2000-2001 Annual Report.

(A copy of the City Manager's memorandum dated January 28, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 2/12/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper requested Council's endurance for Annemarie Pittman, chair of the Commission for the Arts, to have an opportunity to say a few words. She stated that this is a wonderful annual report, filled with all of the creative and clever things that we are doing in this City, and she is really so proud of it.

Without objection, Annemarie Pittman, chair, Alexandria Commission for the Arts, provided City Council with an overview of the report and thanked the Council for its continued support.

Councilman Speck stated that Council's decision last year to increase the funding for the Arts Commission was the first of a three-year plan to increase the budget by 100 percent; and he certainly expects it will see the second year of that with a desire to create a level of funding that would allow for some of the meaningful contributions that the Commission is making to particularly some of the smaller arts organizations where literally a few hundred or a thousand dollars can make a difference between existing or not. He echoed Councilwoman Pepper's comments about the quality of the report, and the effort the Commission is doing and looks forward to us seeing more of that.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Speck and carried on a vote of 5-to-0, City Council received the report and thanked the Alexandria Commission for the Arts for its efforts on behalf of the arts and the City. The voting was as follows:

Pepper	"aye"	Cleveland	not yet arrived
Speck	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
		Woodson	"aye"

11. Receipt of the Proposed Alexandria Spring 2002 Gypsy Moth Suppression Program and Setting it for Public Hearing On Saturday, February 23.

(A copy of the City Manager's memorandum dated February 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 2/12/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein asked City Arborist Noelle why the area on West Taylor Run Parkway is not included in the spraying as she had received an inquiry from a constituent who thought there were a lot of gypsy moths and perhaps some defoliation in the last couple of years. She asked Mr. Noelle to get back to her if he could not address it this evening.

City Arborist Noelle indicated that staff did not find any infestation or significant infestation that would call for the spraying of that area, but he would review this area again and report back to Councilwoman Eberwein if it should be included in the spraying this year.

WHEREUPON, upon motion by Councilwoman Eberwein, seconded by Councilwoman Pepper and carried on a vote of 5-to-0, City Council scheduled the proposed 2002 gypsy moth suppression program for public hearing on Saturday, February 23, 2002. The voting was as follows:

Eberwein	"aye"	Cleveland	not yet arrived
Pepper	"aye"	Euille	absent
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

At 8:15 p.m., Vice Mayor Cleveland arrived.

13. Consideration of Update Report on Items Before the 2002 General Assembly Session.

(A copy of the Legislative Director's memorandum dated February 11, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 2/12/02, and is incorporated herewith as part of this record by reference.

A copy of the verbatim transcript of this item is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 2/12/02, and is incorporated herewith as part of this record by reference.)

Legislative Director Caton provided an overview and update on the legislative items.

Members of Council and Legislative Director Caton participated in an extensive discussion on the legislation to increase the sales tax for transportation, education or both.

Mayor Donley made a recommendation to Council that rather than take a position on the specific bills, that we support a half-penny increase in the sales tax, with the referendum requirement for education with no less than a 50-percent floor on the distribution method. In other words, if we are going to get 9.5 million dollars based upon point of sale, we will accept no less than 50-percent if there is a distribution method identified. We will not support a distribution method based upon school-age population. We would support a 50-percent school-age population and 50-percent point of sale. Relating to transportation, we have shown some general support for the notion of a referendum for a sales tax increase for transportation, but those dollars truly need to be retained up here in Northern Virginia. We would support a 100-percent point of sale distribution back to the region to support project lists that would include sufficient funding for Metro capital, sufficient funding for urban road improvements, and 25 million dollars for DASH, with the understanding that the funds would flow to the Northern Virginia Regional Authority for distribution.

WHEREUPON, a motion was made by Councilwoman Pepper that Council support a half-penny increase in the sales tax, with the referendum requirement for education with no less than a 50-percent floor on the distribution method. We will not support a distribution method based upon school-age population. We would support a 50-percent school-age population and 50-percent point of sale; and relating to transportation, we have shown some general support for the notion of a referendum for a sales tax increase for transportation, but those dollars truly need to be retained up here in Northern Virginia. We would support a 100-percent point of sale distribution back to the region to support project lists that would include sufficient funding for Metro capital, sufficient funding for urban road improvements, and 25 million dollars for DASH, with the understanding that the funds would flow to the Northern Virginia Regional Authority for distribution; which motion **FAILED** for lack of a second.

There was further discussion by Council.

THEREUPON, a motion was made by Councilwoman Eberwein that Council support the Colgan Bill inasmuch as the formula for education is split between school-age population and point of sale, and with regard to transportation, no less than 50-percent floor and making sure that it includes mass transit and some of the projects; which motion **FAILED** for lack of a second.

WHEREUPON, a motion was made by Councilman Speck, seconded by Vice Mayor Cleveland with respect to the education part of the bill, it is Council's clearly stated preference for point of sale and certainly no less than 50 percent of point of sale as our distribution.

Councilwoman Eberwein offered a friendly amendment for no less than 60 percent; which friendly amendment was not accepted by the maker of the motion.

THEREUPON, Council returned to the motion made by Councilman Speck, seconded by Vice Mayor Cleveland and carried on a vote of 4-to-2, with respect to the education part of the bill, it is Council's clearly stated preference for point of sale and certainly no less than 50 percent of point of sale as our distribution. The voting was as follows:

Speck	"aye"	Eberwein	"no"
Cleveland	"aye"	Euille	absent
Donley	"aye"	Pepper	"aye"
		Woodson	"no"

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Woodson and carried unanimously by all those present, regarding the allocation of any new sales tax revenue for transportation, City Council supported 100-percent point of sale with the project lists which include funding for Metro, urban system improvements, DASH, etc. The voting was as follows:

Speck	"aye"	Cleveland	"aye"
Woodson	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
		Pepper	"aye"

THEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Pepper and carried unanimously by all those present, City Council approved the following as recommended by the City Council's legislative subcommittee: (1) adopted the positions on legislation that have been introduced in the 2002 General Assembly Session as noted in Attachment 1 of the City Manager's memorandum. The voting was as follows:

Speck	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
		Woodson	"aye"

New Business Item No. 3: Councilman Speck reported on the Transportation Coordination Council of Northern Virginia's meeting on Friday, February 8, 2002, at which there were presentations by Tom Boyd and Bob Cassada concerning VDOT funding constraints and the effort to achieve a more realistic six-year plan, and noted the City Manager's letter dated February 12, 2002, expressing the City's concern that critical construction in the City may get deferred.

Members of City Council participated in the discussion.

(A copy of the City Manager's letter dated February 12, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of New Business Item No. 3; 2/12/02, and is incorporated herewith as part of this record by reference.)

14. Consideration of City Policy on Penalties for Late Filings and Late Tax Payments.

(A copy of the City Manager's memorandum dated February 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 2/12/02, and is incorporated herewith as part of this record by reference.)

A copy of Jack Taylor's letter dated February 1, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 2/12/02, and is incorporated herewith as part of this record by reference.)

City Council participated in a discussion with and directed questions to Assistant City Manager Jinks and Finance Director Neckel. City Manager Sunderland also participated in the discussion.

City Council took no action at this time. Staff was requested to report back to Council on the issues that were raised.

15. Consideration of Report on the Status of Chetworth Park's Fenced Dog Exercise Area Upon Completion of the New Rail Park Fenced Dog Exercise Area on Potomac Yard.

(A copy of the City Manager's memorandum dated February 8, 2002, requesting that this item be deferred, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 2/12/02, and is incorporated herewith as part of this record by reference.)

A copy of the City Manager's memorandum dated February 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 2/12/02, and is incorporated herewith as part of this record by reference.)

A copy of a letter dated February 12, 2002, from the Concerned Fairlington Residents, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of item No. 15; 2/12/02, and is incorporated herewith as part of this record by reference.)

As a result of the Planning Commission's deferral of the SUP application, City Council consideration of the status of Chetworth Park's fenced dog exercise area was deferred until a future date.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried on a vote of 5-to-0, City Council noted the deferral of this item. The voting was as follows:

Pepper	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	absent
Donley	"aye"	Speck	out of room
	Woodson	"aye"	

16. Consideration of Allocations and Program Changes to Support Employer-Assisted Housing Pilot Initiative and the Virginia Sponsoring Partnerships and Revitalizing Communities (SPARC) Programs.

(A copy of the City Manager's memorandum dated February 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 2/12/02, and is incorporated herewith as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried on a vote of 5-to-0, City Council: (1) allocated \$50,000 in Housing Trust Fund monies to establish a matching fund as part of the Employer-Assisted Housing program to serve EAH-eligible employees who are ineligible for the City's Homeownership Assistance Program (HAP) and Moderate-Income Homeownership Program (MIHP) for reasons other than income; (2) allocated \$11,500 in Housing Trust Fund monies to provide homeownership counseling in connection with the EAH program; and (3) authorized the City Manager to establish and modify such procedures for the administration of the EAH and SPARC programs as may be necessary. The voting was as follows:

Woodson	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
		Speck	out of room

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilwoman Woodson recognized Ramsay Elementary School for its success in parental involvement at the school.

(b) Councilwoman Woodson announced that there will be a special School Board election in District C on March 19, for a vacancy on the Alexandria School Board due to the resignation of Dan Goldhaber.

She also announced the joint work session with the Alexandria City Council, School Board and Electoral Board to discuss options for revising the School Board Election Districts as a result of population changes reflected in the 2000 Census. It will be held at Samuel Tucker Elementary School Cafeteria on Wednesday, February 13, at 7:30 p.m.

(c) Councilwoman Woodson noted that there will be a public information meeting to discuss plans for a proposed skatepark at Lockett Field on Duke Street on Thursday, February 21, at 7:00 p.m. at the Lee Center, 1108 Jefferson Street.

(A copy of the press release dated February 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Oral (c); 2/12/02, and is incorporated herewith as part of this record by reference.)

(d) Councilwoman Woodson provided kudos to our choral music director William Hubbard who was the writer/composer of much of the music in the production "Harlem Rose." She encouraged everyone to go see the performance of "Harlem Rose" which is being featured at MetroStage.

(e) Councilwoman Pepper questioned the abundance of crows on the West End and the City's role in any baiting program. She wondered if the baiting program had anything to do with the death of a couple of hawks. She also asked questions about the sound cannons which were used in the past to scare off crows.

Environmental Quality Division Chief Skrabak responded to her concerns.

(f) Councilwoman Eberwein spoke to a recent article in *The Washington Post's Alexandria Arlington Extra* about T.C. Williams High School. It was a good article highlighting the needs of the school and the lack of alternative sites in the City, but it left the impression that the only option is renovation in place. Ms. Eberwein just wanted to let the public know, and she is hoping that her fellow Council Members share this opinion. Councilwoman Eberwein spoke to Superintendent Perry and Recreation, Parks and Cultural Activities Director Whitmore today, and the fact that this is the only option out there as stated in the papers is just not so. They are looking first, and she thinks very prudently, at renovating the existing building, but so much of it needs re-working that it may actually end up being cheaper to build a new school. And if that is so and if you were to go up in height, you could conceivably create more open space at that site. She stated that she thinks that what we want to assure students, citizens and the School Board is that we remain committed to working with them as they look at their options and that we will work with them on the whole Chinquapin site as an integrated piece of land with shared uses.

(g) Councilwoman Eberwein reported on an activity she attended on Friday, January 25, relating to the Fire Department's Technical Rescue Team exercise at the Vulcan Materials yard. She recognized Cornell Walker who is the sales yard manager at Vulcan. She commended Vulcan Materials for providing a practice site, donating supplies, providing storage areas, pointers on the use of heavy equipment and working very closely with our Fire and Rescue Team over the years. Ms. Eberwein thanked Fire Lieutenant David Bogozi. In addition, Councilwoman Eberwein shared some photographs of her experience.

(h) Councilman Speck expressed appreciation for the alertness of a City PEO who discovered and reported the recent fire on South Union Street. He was overwhelmed with the competence and the level of professionalism of those who fought the fire. Councilman Speck stated that this was a case to be made for regional cooperation with four different jurisdictions responding, all operating with their own systems and their own leadership all working together, all working in consort for an objective of putting out this fire and making sure it did not spread. He stated that it is another instance where we are so blessed in this City with the kind of abilities that are reflected in a lot of different levels, but certainly in this case in our public safety, Fire, EMT and Police.

(i) Councilman Speck requested a status report on the King Street CSX overpass.

Transportation and Environmental Services Director Baier provided an overview of this issue and indicated that staff is reviewing CSX's suggested painting technique of both the King Street and Commonwealth Avenue overpasses.

(j) Councilman Speck asked staff to provide Council with a status report on the Datatel Building spot blighting issue.

City Manager Sunderland addressed this issue and reported that there is a potential buyer for this building.

Councilman Speck requested that a status report for both the CSX overpass and the Datatel building be docketed at the first legislative meeting of every month until resolution.

(k) Councilman Speck queried staff on the agreements for the schedule regarding the Mirant coal trains crossing the George Washington Parkway. He noted that recently one had blocked the flow of traffic prior to 7:00 p.m. which is still during the rush hour.

Transportation and Environmental Services Director Baier and City Attorney Pessoa addressed his concerns.

Councilman Speck asked staff to sit down with involved parties to develop a voluntary agreement where there are some parameters to go by.

Mayor Donley noted with respect to Canal Center, this is not only a convenience problem, but more importantly, it's a public safety problem.

City Manager Sunderland stated that staff will have some discussions with Mirant, the owners of the power plant, and report back to Council.

Mayor Donley asked the City Manager to include after those discussions with Mirant, that the City contact the business owners, primarily the folks at Canal Center, Rivergate, representatives of the Old Town North Civic Association and others who are impacted with a report.

(A copy of the verbatim transcript is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Oral (k); 2/12/02, and is incorporated herewith as part of this record by reference.)

(l) In an effort to avoid some scheduling conflicts, Councilman Speck requested staff to consider the role of developing a central community calendar that would include city-wide events and would be posted on our website. It would be for information sharing, and the City would not become an arbitrator to resolve conflicts.

City Manager Sunderland noted that staff will look into it. It will take a lot of staff time to develop so there will be major costs involved in developing it.

(m) Councilwoman Pepper announced that the Alexandria Eisenhower Avenue-to-Duke Street Connector Task Force will hold a meeting at 5:00 p.m. on Wednesday, February 27, 2002, at Samuel Tucker Elementary School, 435 Ferdinand Day Drive.

(n) Mayor Donley spoke to a recent press release announcing that there will be increased traffic enforcement on West Glebe Road.

(o) Mayor Donley requested staff to review the issue of safety at the waterfront at Ford's Landing where a man had difficulty getting out of the river when he went in after his dog. Staff was asked to contact the Ford's Landing Homeowners' Association for its input in assessing the problem.

(p) Mayor Donley asked the City Manager to assess whether the City can close the first two blocks of King Street on May 7. National Teacher Appreciation Day is May 7, and it would be nice to do something special this year for our teachers. He requested that the Special Events Committee look into this and report back to him by February 26.

Councilwoman Woodson noted that the businesses might not embrace this idea; however, should they do so, First Night Alexandria would probably be requesting to do this also since it was raised at the meeting today.

ORDINANCES AND RESOLUTIONS (continued)

21. Introduction and First Reading. Consideration. Passage on First and Second Readings of an Ordinance to adopt Supplement No. 27 to the City Of Alexandria Zoning Ordinance. **[ROLL-CALL VOTE]**

The City Clerk read the docket item.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried on a ROLL-CALL vote of 6-to-0, City Council introduced and finally passed the ordinance on its First and Second Readings. The voting was as follows:

Pepper	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	absent
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

The ordinance finally passed reads as follows:

ORDINANCE NO. 4236

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. 27," are hereby adopted as and shall constitute "The Twenty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Twenty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between June 12, 2001 and November 17, 2001, 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 12, 2001 and November 17, 2001, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Twenty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after November 17, 2001.

Section 4. That one complete set of pages comprising "The Twenty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

KERRY J. DONLEY
Mayor

Introduction:	February 12, 2002
First Reading	February 12, 2002
Second Reading	February 12, 2002
Final Passage:	February 12, 2002

* * * * *

OTHER

22. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 2/12/02, and is incorporated herewith as part of this record by reference.)

Councilman Speck reported that he will not be present for the March 16, 2002 public hearing meeting nor the Tuesday, April 23, 2002 legislative meeting.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried on a vote of 6-to-0, City Council: (1) received the revised calendar which includes: (a) *Christmas in April* on Saturday, April 27 (time and location to be determined); (b) Alexandria's 2002 *Successful Aging Expo* and Awards Presentation at the Holiday Inn Hotel and Suites, 625 First Street, on Thursday, May 9, from 8 a.m. to 2 p.m.; and (c) City Council's community meeting at Patrick Henry Elementary School at 7:30 p.m. on Wednesday, May 22; (2) scheduled a work session to discuss Woodrow Wilson Bridge noise mitigation issues at 6 p.m. before Council's Tuesday, February 26 legislative meeting; (3) scheduled the annual meeting of the Alexandria Transit Company Board of Directors at 7:15 p.m. on Tuesday, February 26,

in the Council Workroom, immediately after the proposed work session to discuss Woodrow Wilson Bridge noise issues; **and (4) rescheduled the work session with Congressman Moran to Tuesday, March 12, at 8:00 a.m. in the Council workroom.** The voting was as follows:

Pepper	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	absent
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

CONTESTED APPOINTMENTS

- 23. Alexandria-Gyumri Sister City Committee
1 Citizen Member

(The following person volunteered for appointment to the above Committee:)

NAME	ENDORSED BY:
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Samuel Gyulnazarian*

*Residency Waiver Required

(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. 23; 2/12/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council waived the residency requirement and appointed Samuel Gyulnazarian as a Citizen Member to the Alexandria-Gyumri Sister City Committee. The voting was as follows:

Donley	-	Gyulnazarian
Cleveland	-	Gyulnazarian
Eberwein	-	Gyulnazarian
Euille	-	absent
Pepper	-	Gyulnazarian
Speck	-	Gyulnazarian
Woodson	-	Gyulnazarian

24. Alexandria Commission on Persons with Disabilities
1 Representative From the Business Community Designated
by the Alexandria Chamber of Commerce

(The following person volunteered and was recommended for appointment to the above Commission:)

NAME	ENDORSED BY:
Donald Misner*	Ken Moore, President & CEO Alexandria Chamber of Commerce

*Residency Waiver Required

(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. 24; 2/12/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council waived the residency requirement and appointed Donald Misner as a Representative From the Business Community Designated by the Alexandria Chamber of Commerce to the Alexandria Commission on Persons with Disabilities. The voting was as follows:

Donley	-	Misner
Cleveland	-	Misner
Eberwein	-	Misner
Euille	-	absent
Pepper	-	Misner
Speck	-	Misner
Woodson	-	Misner

25. Alexandria Public Health Advisory Commission
1 Non-Health Professional Member

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

NAME	ENDORSED BY:
Christine Marschall	
Tonette Mobley	
Lara Swanson*	

*Incumbent

(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; 2/12/02,

and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council reappointed Lara Swanson as a Non-Health Professional Member to the Alexandria Public Health Advisory Commission. The voting was as follows:

Donley	-	Swanson
Cleveland	-	Swanson
Eberwein	-	Swanson
Euille	-	absent
Pepper	-	Swanson
Speck	-	Swanson
Woodson	-	Swanson

26. Alexandria Social Services Advisory Board
1 Parent Member

(The following person volunteered for appointment to the above Board:)

NAME	ENDORSED BY:
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Johnnie Saunders*

*Residency Waiver Required

(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; 2/12/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council waived the residency requirement and appointed Johnnie Saunders as a Parent Member to the Alexandria Social Services Advisory Board. The voting was as follows:

Donley	-	Saunders
Cleveland	-	Saunders
Eberwein	-	Saunders
Euille	-	absent
Pepper	-	Saunders
Speck	-	Saunders
Woodson	-	Saunders

27. Alexandria Youth Policy Commission
1 Representative of A Community Non-Profit Agency Having An
Interest in Youth Issues

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

NAME ENDORSED BY:

Toyasha Albert*

Elizabeth Johnson

*Residency Waiver Required

* * * * *

(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; 2/12/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council appointed Elizabeth Johnson as a Representative of a Community Non-Profit Agency having an Interest in Youth Issues to the Alexandria Youth Policy Commission. The voting was as follows:

Donley	-	Johnson
Cleveland	-	Johnson
Eberwein	-	Johnson
Euille	-	absent
Pepper	-	Johnson
Speck	-	Johnson
Woodson	-	Johnson

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously, at 10:30 p.m., the Regular Meeting of Tuesday, February 12, 2002, was adjourned. The voting was as follows:

Woodson	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	absent
		Speck	"aye"

* * * * *

APPROVED BY:

KERRY J. DONLEY

MAYOR

ATTEST:

Beverly I. Jett, CMC

City Clerk