

3A
11-26-02

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting

Tuesday, November 12, 2002 - - 7:30 p.m.

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

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Baier, Director of Transportation and Environmental Services; Ms. Fogarty, Director of Planning and Zoning; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; Ms. Ross, Deputy Director of Planning and Zoning; Mr. Neckel, Director of Finance; Ms. Moore, Acting Deputy Director of Management and Budget; Ms. Federico, Director of Historic Alexandria; Mr. Culpepper and Mr. McCobb, Deputy Directors of Transportation and Environmental Services; Ms. Boyd, Director of Citizen Assistance; Ms. Gordon, Public Information Officer; Mr. Caton, Legislative Director; Ms. Mitchell, Chief Executive Officer of the Alexandria Convention and Visitors Association, and Members of the ACVA Board and Staff; and Police Lieutenant Uzzell.

Recorded by: Susan K. Seagroves, Deputy City Clerk and Clerk of Council.

At 6:55 p.m., in the Council Workroom, the City Council held a Work Session to receive information from the Alexandria Convention and Visitors Association (ACVA). The agenda was followed.

ACVA Chair Riehle and Executive Director Mitchell presented statistics related to tourism, described some of ACVA's recent initiatives and listed the challenges it faces in fiscal year 2004. Chair Riehle and Director Mitchell responded to questions and participated in the discussion with Council Members and the City Manager.

The work session was concluded at 7:25 p.m.

(Material pertaining to this work session is on file in the office of the City Clerk and Clerk of Council and is incorporated herewith as part of the record.)

OPENING

The Meeting was called to Order by Mayor Donley, and the Deputy City Clerk called the Roll; all Members of City Council were present.

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

3. **THERE BEING NO DISCUSSION**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council approved the Minutes for (a) the Public Hearing Meeting of October 19, 2002; and (b) the Special Meeting of October 23, 2002 [in lieu of the Regular Meeting of October 22, 2002], as submitted. The voting was as follows:

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

4. **THERE BEING NO DISCUSSION**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried unanimously, City Council received the report of the City Clerk dated November 5, 2002, which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 11/12/02, and is incorporated herewith as part of this record by reference. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

5. Recognition of T.C. Williams High School Students for Their Involvement in the New Titan Credit Union.

Councilman Euille introduced Ms. Parker, the program sponsor, and the students. City Council acknowledged these T.C. Williams High School students who have been instrumental in developing the new Titan Credit Union for the participation of students and staff, commended them for their efforts, and applauded their initiative.

OPENING (continued)

6. Presentation of the Senior Services of Alexandria, Inc.'s, Alexandria Calendar, 2003.

(A copy of the Alexandria Calendar, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 11/12/02, and is incorporated herewith as part of this record by reference.)

Calendars were presented to the Members of City Council by representatives of Senior Services of Alexandria. It was reported that the calendars may be purchased from Senior Services at 121 North Saint Asaph Street and from some Alexandria shops and Alexandria museums.

7. Presentation of Proclamation Proclaiming November as National Adoption Month in the City of Alexandria.

(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; 11/12/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein presented the proclamation.

WHEREUPON, upon motion by Councilwoman Eberwein, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

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

8. Recognition of Alexandria's America Recycles Day Winners.

City Council congratulated Ms. Jane Dalton of 455 Argyle Drive, and Dr. Ann Rona of 1198 Janney's Lane, as Recycle Right Contest Winners for America Recycles Day. Recycling Coordinator DeLong presented each winner with a kit made of recycled material. Other winners who could not be present were: 1707 Oakcrest Drive and 1011 Gibbon Street.

9. Recognition of Appreciation by the Alexandria Christmas In April Affiliate to the City of Alexandria and Its Solid Waste Department for Their Participation in National Rebuilding Day.

The Alexandria Christmas in April Affiliate recognized the City and its Solid Waste Department for their participation in National Rebuilding Day and presented a plaque to Solid Waste Division Superintendent Conner and to Mayor Donley.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (10-13) (16-23)

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

- (b) Alexandria Social Services Advisory Board
Kathleen P. Tesi

(A copy of the above resignation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10(b); 11/12/02, and is incorporated herewith as part of this record by reference)

11. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Archaeological Commission
1 Representative From Planning District I
- (b) Alexandria Budget and Fiscal Affairs Advisory Committee
1 Member Designated by the Alexandria Chamber of Commerce
- (c) Alexandria-Gyumri Sister City Committee
2 Citizen Members
- (d) Alexandria Early Childhood Commission
1 Member of the Alexandria Social Services Advisory Board

- (e) Alexandria George Washington Birthday Celebration Committee
1 Citizen Member
- (f) Alexandria Historical Restoration and Preservation Commission
2 Citizen Members
- (g) Alexandria Library Board
1 Citizen Member
- (h) Alexandria Waterfront Committee
1 Representative From the Alexandria Convention and Visitors
Association Board of Governors

(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. 11(a-h); 11/12/02, and is incorporated herewith as part of this record by reference.)

12. Receipt of the Supplement to the Annual Report on Committee Attendance For Fiscal Year 2002.

(A copy of the City Manager's memorandum dated October 30, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 11/12/02, and is incorporated herewith as part of this record by reference.)

13. VACATION #2002-0003 -- ONE W GLENDALE AVENUE -- Receipt of Viewers' Report regarding a request for vacation of a public alley right-of-way; zoned R-5/Residential. Applicant: Joseph and Jean Hodges. (#17 10/19/02)

(A copy of the Viewers' Report dated November 1, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 11/12/02, and is incorporated herewith as part of this record by reference.)

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend the commercial, office, industrial and mixed use zones of the Zoning Ordinance to require a special use permit for retail uses over 20,000 square feet.

(A copy of the City Manager's memorandum dated November 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 11/12/02, 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. 16; 11/12/02, 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. 16; 11/12/02, 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 amend Articles V and XI of the Zoning Ordinance to revise the procedures for processing development plan applications.

(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. 18; 11/12/02, 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. 18; 11/12/02, 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 amend Section 2-1-4 of the City Code to increase the compensation of the mayor and members of city council, effective July 1, 2003.

(A copy of the City Manager's memorandum dated November 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 11/12/02, 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; 11/12/02, 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; 11/12/02, 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 amend the King Street/Eisenhower Avenue Small Area Plan Chapter of the Master Plan to change the land use designation of the property at 1700 Duke Street to residential and retail.

(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; 11/12/02, 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; 11/12/02, and is incorporated herewith as part of this record by reference.)

21. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to approve a vacation of a portion of the public right-of-way at 1700 Duke 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. 21; 11/12/02, 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. 21; 11/12/02, and is incorporated herewith as part of this record by reference.)

22. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to approve the vacation of the public right-of-way easement of South 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. 22; 11/12/02, 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. 22; 11/12/02, and is incorporated herewith as part of this record by reference.)

23. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to make a supplemental appropriation of funds for the operation of city government in fiscal year 2003.

(A copy of the City Manager's memorandum dated November 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 11/12/02, 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. 23; 11/12/02, 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. 23; 11/12/02, and is incorporated herewith as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council approved the Consent Calendar as presented, with the exception of docket item nos. 10(a) and 17, which were considered under separate motions. The City Manager's recommendations are as follows:

10. (b) City Council received the following resignation with regret: (b) Kathleen P. Tesi from the Alexandria Social Services Advisory Board; requested the Executive Secretary to send the appropriate letter of appreciation and to advertise the vacancy in the usual manner.

11. City Council (a) reappointed Lillie Finklea as a Representative from Planning District I to the Alexandria Archaeological Commission; (b) appointed Margaret Gullen as a Member Designated by the Alexandria Chamber of Commerce to the Alexandria Budget and Fiscal Affairs Advisory Committee; (c) waived the residency requirements and reappointed Samuel Gyulnazarian and appointed Andy Torosyan as Citizen Members to the Alexandria-Gyumri Sister City Committee; (d) appointed Amy Haberman Gomez as a Member of the Alexandria Social Services Advisory Board to the Alexandria Early Childhood Commission; (e) appointed Marvin Heinze as a Citizen Member to the Alexandria George Washington Birthday Celebration Committee; (f) appointed Linda Boyle and Andrew Hackman as Citizen Members to the Alexandria Historical Restoration and Preservation Commission; (g) reappointed Dorothy Koopman as a Citizen Member to the Alexandria Library Board; and (h) appointed Lorraine Lloyd as a Representative from the Alexandria Convention and Visitors Association (ACVA) Board of Governors to the Alexandria Waterfront Committee.

12. City Council received the supplemental report, vacated the positions listed on page one of the report and authorized the Executive Secretary for Boards and Commissions to advertise the vacancies.

13. City Council received the Viewers' Report.

16. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, November 16, 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, November 16, 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, November 16, 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, November 16, 2002.

21. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, November 16, 2002.

22. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, November 16, 2002.

23. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, November 16, 2002.

END OF CONSENT CALENDAR

The voting was as follows:

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

10. (a) Alexandria Commission on HIV/AIDS
J. Vincent Guss, Jr.
Michael F. Starkweather

(A copy of each of the resignations is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 10(a); 11/12/02, and is incorporated herewith as part of this record by reference.

A copy of an e-mail from Reverend Guss dated November 12, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 10(a); 11/12/02, and is incorporated herewith as part of this record by reference.)

Mayor Donley removed this item from the Consent Calendar because Reverend Guss is not leaving the area, and he rescinded his resignation from the Commission.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously, City Council received the resignation of Michael F. Starkweather and requested the Executive Secretary to send the appropriate letter of appreciation and to advertise the vacancy in the usual manner, but did not accept the resignation of J. Vincent Guss, Jr. from the Alexandria Commission on HIV/AIDS. Pastor Guss will not be leaving Alexandria and has requested to retain his position on the Commission. The voting was as follows:

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

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Section 7-1800 of the Zoning Ordinance to revise the ATM regulations in the Old and Historic Alexandria and Parker-Gray Districts.

(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. 17; 11/12/02, 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. 17; 11/12/02, and is incorporated herewith as part of this record by reference.)

Mayor Donley removed this item from the Consent Calendar to announce, that due to his employment with Virginia Commerce Bank, he will not be participating in consideration of this item because it does affect the nature of his employment and that of his employer. He will be refraining from participation, and he turned over the meeting to Vice Mayor Cleveland.

(A copy of Mayor Donley's Transactional Disclosure Statement is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 17; 11/12/02, and is incorporated herewith as part of this record by reference.)

WHEREUPON, upon motion by Councilman Speck, seconded by Councilman Euille and carried on a vote of 5-to-1, City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, November 16, 2002. The voting was as follows:

Speck	"aye"	Cleveland	"no"
Euille	"aye"	Eberwein	"aye"
Donley	out of room	Pepper	"aye"
	Woodson	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

14. Verbal Report on the Three Corners of Lower King Street.

Assistant City Manager Jinks reported on improvements to be made to the storefronts of the three vacant sites. The Torpedo Factory Artists Association will sponsor an exhibit called "Looking In" to fill the lobby of the Alamo Restaurant similar to last year, and the Recreation Department will decorate outside for the holidays again this year. Mr. Jinks reported that at 101 and 103 King Street and around on to Union Street, the windows and doors of the building are being scraped of paint in order to hang silk screen pictures of City museums, their hours of operation and addresses.

Deputy Director of Planning and Zoning Ross reported they continue to hear that Starbucks is coming into the Union Street portion of the Seaport Inn. The contract on the Alamo space continues to be with the contract purchaser but the closing has been delayed for a month, for a technicality, and there continues to be a low level of activity at the old Fish Market space. Deputy Director Ross explained that Starbucks has submitted some signage in the BAR context but there is no formal application yet; they do not need a special use permit because of the grandfathering of the restaurant use at the Seaport Inn.

Councilman Euille expressed his desire that the City become more aggressive to address this issue, and he asked the City Attorney to see what the City can do in terms of condemnation actions.

15. Discussion of the Possible Reduction in the Size of the Alexandria Redevelopment and Housing Authority Board of Commissioners.

(A copy of a letter from Sylvia M. Brennan, Managing Attorney, Legal Services of Northern Virginia, Inc., dated November 12, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 11/12/02, and is incorporated herewith as part of this record by reference.

A copy of a partial 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. 15; 11/12/02, and is incorporated herewith as part of this record by reference.)

City Council discussed whether, and how, to reduce the membership of the ARHA board from nine to seven members as approved last year by the General Assembly in the City's legislative package.

The City Attorney participated in the discussion and opined that as part of the exercise of this new authority, if Council wanted to restructure the board and create a new board, that would be within the scope of the new authority.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously, City Council agreed to reduce the number of seats on the ARHA board from nine to seven. The voting was as follows:

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

THEREUPON, upon motion by Councilman Speck, seconded simultaneously by Councilwoman Eberwein and Councilman Euille and carried on a vote of 4-to-3, City Council will proceed to make the two appointments, and that prior to this Council adjourning in June, that it consider reconstituting the board to seven members and reappoint a new seven-member board prior to June 30, 2003. The voting was as follows:

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

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Mayor Donley stated that it was important for City Council to reaffirm the results of its Work Session on the Eisenhower-to-Duke Connector which were decided by consensus.

City Council discussed this matter at great length, and City Manager Sunderland and Transportation and Environmental Services Director Baier participated in the discussion.

WHEREUPON, a motion was made by Councilman Speck and seconded by Councilman Euille to make it clear what is being removed from further consideration are all four-lane options as well as the no-build with improvements as a package. What we will continue for study and analysis are the two-lane roadway connections in multiple locations, specific projects that were previously in the no-build with improvements that are deemed to be necessary for traffic improvement, and public safety access routes. That staff report back to the Council with recommendations for undertaking [this study and analysis as part of the development of a revised small area plan for the western portion of Eisenhower Valley and] a comprehensive transportation plan for the entire Eisenhower Valley, as reflected in the documents developed by Councilman Euille, titled "Comprehensive and Integrated Transportation Solutions Action Plan."

THEREUPON, a substitute motion was made by Councilwoman Pepper and seconded by Vice Mayor Cleveland (1) That City Council at this time table further discussion or consideration of any additional roads connecting Eisenhower Avenue to Duke Street and request the City Manager to suspend any further study or examination of such a road. Further consideration of a two-lane roadway by staff as well as Council, should be undertaken only as part of (or after) a coordinated master planning effort addressing land use and transportation issues in the Eisenhower West and related areas of the City; (2) That City Council request the Manager to initiate an immediate study of emergency service vehicle access to and from the Eisenhower Valley, and present Council with interim as well as longer range recommendations for addressing any needed service improvements. Representatives from the Fire, Police, and EMS Departments should participate in this study; which motion FAILED on a vote of 2-to-5. The voting was as follows:

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

In response to Mayor Donley's question about the funding of such an emergency service vehicle access, Transportation and Environmental Services Director Baier responded that both VDOT and FHWA have stated it is doubtful that state and federal funds can be used for a private roadway. Councilwoman Pepper participated in this discussion as well.

City Council returned to consideration of Councilman Speck's motion, and there was further discussion. Council participated in the discussion with City Manager Sunderland in response to his request for clarification of the motion, and Director of Transportation and Environmental Services Baier participated in the discussion. The staff clarification is enclosed in brackets in the motion.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilman Euille and carried unanimously, to make it clear what is being removed from further consideration are all four-lane options as well as the no-build with improvements as a package. What we will continue for study and analysis are the two-lane roadway connections in multiple locations, specific projects that were previously in the no-build with improvements that are deemed to be necessary for traffic improvement, and public safety access routes. That staff report back to the Council with recommendations for undertaking [this study and analysis as part of the development of a revised small area plan for the western portion of Eisenhower Valley and] a comprehensive transportation plan for the entire Eisenhower Valley, as reflected in the documents developed by Councilman Euille, titled "Comprehensive and Integrated Transportation Solutions Action Plan." The voting was as follows:

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

(A copy of Councilman Euille's memorandum dated November 1, 2002, along with his proposed "Comprehensive and Integrated Transportation Solutions Action Plan," dated October 23, 2002, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Oral Presentation (a); 11/12/02, and is incorporated herewith as part of this record by reference

A copy of a partial verbatim transcript of this item is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Oral Presentation (a); 11/12/02, and is incorporated herewith as part of this record by reference.)

(b) Councilwoman Pepper brought attention to an article in the *Fire Chief Magazine* in which the Alexandria Fire Department received a gold medal for the design of renovated fire station #54.

(c) Councilwoman Woodson gave an update on the teen center. She reported that a meeting was held and that Gaver Nichols, a volunteer architect, will be working with the students. Karen Parker Thompson from the schools is coordinating activities with the young people at T.C. Williams. Councilwoman Woodson will return to Council with the results of their efforts.

(d) Councilman Speck brought up a serious need for traffic speed mitigation measures on some of the arterials, particularly Seminary Road and Quaker Lane. He requested some recommendations from staff on what can be done both from an enforcement and an engineering standpoint. T&ES Director Baier volunteered that he would like to bring in public education along with the enforcement and engineering, and they will return to City Council with a plan in January or February. Councilman Speck clarified that he was not proposing reducing the street width.

(e) Vice Mayor Cleveland reported that during the election last week, Lee District and the City of Alexandria were the first local jurisdictions to use a brand new voting machine called the E-slate which the City is looking into purchasing. The City Manager stated that staff will get with the Electoral Board to learn of its plans for acquiring new voting equipment and its plans for future use and will report back to Council.

(f) Mayor Donley addressed the need for transportation and transportation revenue following the failure of the sales tax initiative and the need to look at how we are going to fund transportation and mass transit. The Mayor asked staff to prepare for Council's consideration a proposal for inclusion in our legislative package the option that would increase the Northern Virginia regional gas tax, currently at 2%, to 4%. He explained that this money stays in Northern Virginia and is dedicated 100% to mass transit funding. He recalled that this tax was instituted a number of years ago and was programmed by the General Assembly to increase to 4% but that increase was removed about ten years ago. Mayor Donley stressed that we must come up with solutions in the City. He reported that he has made the same request at the Northern Virginia Transportation Commission, has talked to other local leaders for their support and will bring it up at Sunday's Mayors and Chairs meeting.

REPORTS FROM THE CITY MANAGER

Mayor Donley announced that in the future, there will be a section on the docket which affords the City Manager an opportunity to give Council verbal updates as a separate part of the docket after Council's oral presentations.

(a) The City Manager reported that they have begun jointly working on the possible co-location of T.C. Williams. A concept for a joint-use facility should be in place by the middle of January for City Council and School Board consideration. The School Board will take a vote in December on which of the three sites to select, and in mid-January, he will be coming forward with a joint use concept plan for the facility.

(b) City Manager Sunderland stated that he put in Council's boxes today a letter from the Department of the Interior relating to Chinguapin and, potentially, T.C. He reported that the 23 acres of property at Chinguapin was purchased back in the 60s or 70s with federal Land and Water Conservation Funds. The federal money for the purchase of the Chinguapin land brought with it a restriction that if you are going to construct any buildings on Chinguapin Park, the buildings have to be exclusively recreational, and if they are not, you have to get the permission of the Interior Department to build and to find other offsetting recreational land. When a joint concept plan comes back, if part of the school is located on Chinguapin, we may then have to find some offsetting parkland which is adjacent to offset the reduction in the parkland.

Councilwoman Eberwein expressed concern about the Land and Water Conservation Funds restrictions, and Recreation, Parks and Cultural Activities Director Whitmore addressed the issues raised.

Councilman Speck stated that he had raised the issue that we have to be absolutely certain we have explored all other locations, including the possibility of having to acquire by eminent domain existing privately owned property, and he requested the status of that particular aspect. The Manager advised that a joint memorandum is being put into final form in the next few days, and he will have something to Council. He reported, however, that the conclusion is there is not another site.

(c) The City Manager apprised Council that demolition of the north building of Hunting Towers, the Hunting Terrace buildings and the office buildings is scheduled to begin on November 20. This will be conventional demolition.

(d) Mr. Sunderland announced that Transportation and Environmental Services has received two awards from EPA: the U.S. EPA Waste Wise Program for recycling and waste stream reduction--electronics challenge, and an honorable mention for the City's recycling program. These awards will be displayed and housed at the South Quaker Lane maintenance solid waste office, and the employees are very proud.

ORDINANCES AND RESOLUTIONS (continued)

24. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement Number 30 to the Zoning Ordinance. **[ROLL-CALL VOTE]**

WHEREUPON, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council introduced and passed the Ordinance on its First and Second Readings. The voting was as follows:

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

The ordinance finally passed reads as follows:

ORDINANCE NO. 4274

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. 30," are hereby adopted as and shall constitute "The Thirtieth 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 Thirtieth 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 May 18, 2002, and September 10, 2002, 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 May 18, 2002, and September 10, 2002, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Thirtieth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after September 10, 2002.

Section 4. That one complete set of pages comprising "The Thirtieth 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:	11/12/02
First Reading:	11/12/02
Second Reading:	11/12/02
Final Passage:	11/12/02

* * * * *

OTHER

25. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated November 7, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 11/12/02, and is incorporated herewith as part of this record by reference.

Communications received on this item are on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 2 of Item No. 25; 11/12/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper clarified that City Council will not be holding a public hearing on November 19, nor will Council be voting on a connector on November 26. She stressed that these will not happen now.

Vice Mayor Cleveland advised that he will be unable to attend the January 28, 2003, Council meeting because he will be protecting the President at the State of the Union Address.

Councilman Euille announced that he has another engagement starting at 7:30 p.m. on the date of the Wednesday, April 2, 2003 public hearing meeting scheduled to start at 4:30 p.m., and he may have to leave the public hearing meeting before it is concluded.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Woodson and carried unanimously, City Council: (1) adopted the following schedule for consideration of the Proposed FY 2004 budget: (a) Tuesday, March 11, 7:30 p.m., Presentation of the Proposed FY 2004 Operating Budget and Proposed FY 2004-2009 Capital Improvement Program (CIP); (b) Wednesday, March 19, 7:30 p.m., Work Session on the revenue overview, and other Operating or CIP topics; (c) Wednesday, March 26, 7:30 p.m., Work Session, topics to be determined; (d) Tuesday, April 1, 7:30 p.m., Joint Work Session with the School Board on the School's CIP and FY 2004 Operating Budget; (e) Wednesday, April 2, 4:30 p.m., Public Hearing; (f) Monday, April 21, 7:30 p.m., Work Session on BFAAC Report, and Preliminary Add/Delete List Review; (g) Tuesday, April 29, 6:30 p.m., Work Session on finalization of Add/Delete List, and 7:30 p.m., Budget Adoption; (2) canceled the Eisenhower-to-Duke Connector special public hearing that had been planned for Tuesday, November 19; and (3) received the revised calendar which includes: the America Recycles Day festival on Friday, November 15, at 12:00 noon, on Market Square; the annual Hanukkah Celebration on Tuesday, December 3, at 5:30 p.m., in the INOVA Alexandria Hospital Atrium; the Martin Luther King Memorial community program on Wednesday, January 15, at 7:30 p.m. (location to be determined); the Martin Luther King Memorial City employee program on Friday, January 17, at 12:00 noon, at the Lee Center, 1108 Jefferson Street; the Black History Month Luncheon, on Monday, February 3, at 11:30 a.m. Program to begin at 12:30 p.m. (location to be determined); and the annual Take Our Daughters to Work Day, sponsored by the Office on Women, on Thursday, April 24. Kickoff at 8:00 a.m. in the Vola Lawson Lobby, City Hall. The voting was as follows:

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

CONTESTED APPOINTMENTS

26. Alexandria Archaeological Commission
1 Member-at-Large

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

NAME	ENDORSED BY:
------	--------------

Timothy Bouchard

Timothy Peterson

* * * * *

(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; 11/12/02, 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 Timothy Peterson as a Member-at-Large to the Alexandria Archaeological Commission. The voting was as follows:

Donley	-	Peterson
Cleveland	-	Peterson
Eberwein	-	Peterson
Euille	-	Peterson
Pepper	-	Peterson
Speck	-	Peterson
Woodson	-	Peterson

27. Alexandria Urban Design Advisory Board
1 Resident Representing the Old Town North Residential
Community

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

NAME	ENDORSED BY:
------	--------------

Marian Clarke*

Richard Kreutz

Caroline Maffeo

*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. 27; 11/12/02, 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 Marian Clarke as a Resident Representing the Old Town North Residential Community. The voting was as follows:

Donley	-	Clarke
Cleveland	-	Clarke
Eberwein	-	Clarke
Euille	-	Clarke
Pepper	-	Clarke
Speck	-	Clarke
Woodson	-	Clarke

EXECUTIVE SESSION

28. Consideration of the Convening of an Executive Session to discuss with legal counsel and staff actual litigation, pursuant to Va. Code Section 2.2-3711(A)(7).

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 9:50 p.m., City Council convened in executive session at this time, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for the purpose of consulting with legal counsel and briefing by staff: (1) with respect to probable litigation regarding the disposition of charitable trust assets, and (2) with respect to the settlement of a construction contract claim pending in the Alexandria Circuit Court, styled Jeffrey Stack, Inc. v. City of Alexandria. The voting was as follows:

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

THEREUPON, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried on a vote of 6-to-0, at 10:15 p.m., City Council reconvened the meeting. The voting was as follows:

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

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried on a vote of 6-to-0, City Council authorized the city attorney to settle the pending claim which was the subject of the executive session along the lines discussed in the executive session. The voting was as follows:

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

THEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried on a ROLL-CALL vote of 6-to-0, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2046

WHEREAS, the Alexandria City Council has this 12th day of November 2002, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried on a vote of 6-to-0, at 10:17 p.m., the Regular Meeting of November 12, 2002, was adjourned. The voting was as follows:

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

* * * * *

APPROVED BY:

KERRY J. DONLEY

MAYOR

ATTEST:

Susan K. Seagroves, Deputy City Clerk