

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Regular Meeting
Tuesday, February 3, 2004 - - 7:00 p.m.**

Due to inclement weather, the meeting of January 27, 2004, was postponed until February 3, 2004.

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

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Mr. Jinks, Assistant City Manager; Mr. Baier, Director of Transportation and Environmental Services; Ms. Fogarty, Director of Planning and Zoning; Ms. Ross, Deputy Director of the Planning and Zoning; Ms. Gordon, Public Information Officer; Ms. Fogle, Development Division Chief, Planning and Zoning; Police Lieutenant Uzzell; Mr. Dahlberg, Director of Code Enforcement; Ms. Davis, Director of Housing; and Mr. Fairchild, Business Facilitator.

Recorded By: Jackie M. Henderson, City Clerk and Clerk of Council

City Council held a work session at 6:15 in the Council Workroom in which it received an update by Transportation and Environmental Services staff on transportation priorities and goals and went through next steps.

OPENING

1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

3. **WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the Minutes of (a) the

Regular Meeting of January 13, 2004. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

4. Recognition of Students in the Drama Group of the Nannie J. Lee Recreation Center's After School Program.

City Council recognized the students from the Group.

PROCLAMATIONS

5. Presentation of a Proclamation Declaring February as George Washington Birthday Month.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No.1 of Item No. 5, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

Vice Mayor Pepper presented the proclamation.

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

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

6. Presentation of a Proclamation Declaring February 1-7, 2004, as National Consumer Protection Week.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No.1 of Item No. 6, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

Mayor Euille presented the proclamation.

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

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (7-13)

(Resignations and Uncontested Appointments)

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

- (a) Alexandria Commission on Aging
Ralph C. Smith, III
- (b) Alexandria Community Services Board
Ryan A. Allain
- (c) Alexandria Emergency Medical Services Council
Michael Carrasco
- (d) Alexandria Landlord-Tenant Relations Board
Jacqueline McClain

(A copy of the above resignations is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 7 (a-d), 1/27/04 and 2/3/04, and is incorporated herewith as part of this record by reference.)

8. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Archaeological Commission
1 Member From the Alexandria Historical Society
- (b) Alexandria Economic Opportunities Commission
1 Representative of Councilman Andrew Macdonald
1 Representative of Councilman Ludwig Gaines
- (c) Alexandria Human Rights Commission
1 Representative From the Alexandria Commission for Women

(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 No. 8(a-c), 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

9. Consideration of a Request to Vacate Two Positions on the Alexandria Sister Cities Committee.

(A copy of the City Manager's memorandum dated January 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

10. Consideration of Monthly Financial Report for the Period Ending December 31, 2003.

(A copy of the City Manager's memorandum dated January 22, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

11. Consideration of Authorization of Recommended Capital Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated January 22, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

12. Consideration of Receipt of the FY2002-2003 Annual Report of the Economic Opportunities Commission.

(A copy of the City Manager's memorandum dated January 7, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

13. Consideration of a Request to Refer to the City Council Naming Committee the Proposed Change of the Name of the Alexandria Black History Resource Center to the Alexandria Black History Museum.

(A copy of the City Manager's memorandum dated January 21, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council approved the Consent Calendar, with the removal of items 10 and 11 and considered them under separate motion. The City Manager's recommendations are as follows:

7. City Council received the following resignations with regret: (a) Ralph C. Smith, III, Alexandria Commission on Aging; (b) Ryan A. Allain, Alexandria Community Services Board; (c) Michael Carrasco, Alexandria Emergency Medical Services Council; and (d) Jacqueline McClain, Alexandria Landlord-Tenant Relations Board.

8. City Council (a) appointed William H. Tabor as the member from the Alexandria Historical Society to the Alexandria Archaeological Commission; (b) appointed Matthew Natale as the representative of Councilman Macdonald and Lorenzo Esters as the representative of Councilman Gaines to the Alexandria Economic Opportunities Commission; (c) reappointed Jenny Wade as the representative from the Alexandria commission for Women to the Alexandria Human Rights Commission.

9. City Council declared as vacant two of the citizen positions on the Alexandria Sister Cities Committee and authorized the Executive Secretary for Boards and Commissions to advertise the vacancies.

12. City Council received the report, which covers the activities of the Economic Opportunities Commission over a two year period from July 1, 2001 to June 30, 2003.

13. City Council referred the proposal to change the name of the Alexandria Black History Resource Center to the Alexandria Black History Museum to the City Naming Committee for consideration and submission of a recommendation to Council.

The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

10. Consideration of Monthly Financial Report for the Period Ending December 31, 2003.

Councilman Macdonald asked questions about the demand on the City's revenues. Mr. Jinks answered the questions.

WHEREUPON, upon motion by Councilman Macdonald, seconded by Vice Mayor Pepper and carried unanimously, City Council received the Monthly Financial Report for the period ending December 31, 2003. The voting was as follows:

Macdonald	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

11. Consideration of Authorization of Recommended Capital Allocations and Planned Expenditures.

Councilman Macdonald asked questions about the contract for Gadsby's Tavern and the Oronoco outfall. Mr. Jinks answered the questions.

WHEREUPON, upon motion by Councilman Macdonald, seconded by Vice Mayor Pepper and carried unanimously, City Council authorized the recommended capital project allocations and planned expenditures. The voting was as follows:

Macdonald	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

CONTESTED APPOINTMENTS

14. Incorporators of Proposed Alexandria Housing Development Corporation
5 Residents and Qualified Non-Residents Who Possess One or More of the Following Attributes: Background/Experience in the Housing Industry, e.g. Development, Real Estate, Architecture, Construction, Affordable Housing Programs, etc.; Background/Experience in Financing Industry; Background/Experience in Other Areas of the Private Sector; Active Involvement in the Faith Community, As Evidenced by Endorsement By a Faith Institution or Other Faith-Based Organizations; and Active Involvement In Community/Civic/Service Organizations

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

NAME

ENDORSED BY:

Daniel Abramson
Candace Baldwin
Frances Becker
William Brandon
Michael Caison
Christopher Campagna
Bradley Dean
Claire Eberwein
Rosa Fullerton
Janice Howard
Miles Keogh
Joseph Langhorn
Allen Lomax
Natalie Mosher
Evelyn Oliver

Catherine Pharis
Elbert Ranson, Jr.
James Roberts
Justin Sparrow
Jesse Suber
Renata Varmall

(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. 14; 1/27/04 and 2/3/04, and is incorporated 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 Daniel Abramson, Candace Baldwin, Michale Caison, Joseph Langhorn, and Catherine Pharis to the Alexandria Housing Development Corporation. The voting was as follows:

Euille	-	Abramson, Baldwin, Caison, Campagna, Langhorn
Pepper	-	Abramson, Pharis, Langhorn, Lomax, Ransom
Gaines	-	Abramson, Baldwin, Caison, Langhorn, Ransom
Krupicka	-	Abramson, Pharis, Langhorn, Lomax, Ransom
Macdonald	-	Abramson, Baldwin, Caison, Pharis, Langhorn
Smedberg	-	Abramson, Baldwin, Caison, Pharis, Langhorn
Woodson	-	Abramson, Baldwin, Caison, Pharis, Langhorn

15. Alexandria Commission for the Arts
1 Member Who Represents Arts Education or Business Expertise Relative to Arts and Cultural Development, Including Such Perspectives As Marketing, Finance/Funding, Tourism Promotion and Organizational Development

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

NAME	ENDORSED BY:
Kristen Desmond	
Brian Marquis	
Quinn McDonald	
Deborah Thomas-Campbell	
Colette Wachtel	

(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. 15; 1/27/04 and 2/3/04, and is incorporated 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 Deborah Thomas-Campbell as

the member who represents arts education or business expertise relative to arts and cultural development, including such perspectives as marketing, finance/funding, tourism promotion and organizational development to the Alexandria Commission for the Arts. The voting was as follows:

Euille	-	Thomas-Campbell
Pepper	-	Thomas-Campbell
Gaines	-	Thomas-Campbell
Krupicka	-	Thomas-Campbell
Macdonald	-	Wachtel
Smedberg	-	Thomas-Campbell
Woodson	-	Thomas-Campbell

16. Alexandria Commission on HIV/AIDS
1 Citizen-at-Large

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

NAME

ENDORSED BY:

Richard Cinquegrana, Jr.
Lester Hunt
Lillian Thompson

(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. 16; 1/27/04 and 2/3/04, and is incorporated 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 Lillian Thompson as the citizen-ad-large representative to the Commission on HIV/AIDS. The voting was as follows:

Euille	-	Thompson
Pepper	-	Thompson
Gaines	-	Thompson
Krupicka	-	Thompson
Macdonald	-	Hunt
Smedberg	-	Thompson
Woodson	-	Thompson

17. Alexandria Park and Recreation Commission
1 Representative From Planning District II

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

NAME

ENDORSED BY:

Montgomery Canfield
Gustav Chiarello
William Hendrickson
Linda Porter
Allison Silberberg

(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. 17; 1/27/04 and 2/3/04, and is incorporated 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 William Hendrickson as the representative from Planning District II to the Alexandria Park and Recreation Commission. The voting was as follows:

Euille	-	Hendrickson
Pepper	-	Hendrickson
Gaines	-	Hendrickson
Krupicka	-	Hendrickson
Macdonald	-	Hendrickson
Smedberg	-	Hendrickson
Woodson	-	Hendrickson

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

- 18. Consideration of Recommendations and Status Report on Legislation Introduced at the 2004 General Assembly Session.

(A copy of the City Manager's memorandum dated January 26, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

Legislative Director Caton went over the status of the legislation.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the following legislative positions as recommended by City Council's Legislative Subcommittee: 1. Recommended positions on bills of importance to the City, January 23, 2004; 2. Regional position on General Principles for Northern Virginia Transportation issues; and 3. A change to the City Charter Bill - House Bill 472 to remove the COLA provision for Council members. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"

Euille "aye" Macdonald "aye"
Woodson "aye"

The Mayor was also asked to send a letter to the Attorney General to act on the recommendations on the Mirant Plant.

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilwoman Woodson and carried unanimously by roll call vote, City Council adopted a resolution in concept outlining the City's justifications for the existing Living Wage outlining its benefits to the City to contract employers as well as to living wage earners and that the resolution be distributed to the Governor and appropriate committees. The voting was as follows:

Gaines "aye" Pepper "aye"
Woodson "aye" Krupicka "aye"
Euille "aye" Macdonald "aye"
Smedberg "aye"

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously by roll call vote, City Council adopted a resolution related to the vacancy on the Alexandria Virginia Circuit Court and recommended as read prior their findings and communicate those appropriately. The voting was as follows:

Gaines "aye" Krupicka "aye"
Pepper "aye" Macdonald "aye"
Euille "aye" Smedberg "aye"
Woodson "aye"

The resolution reads as follows:

RESOLUTION NO. 2091

WHEREAS, the retirement of Judge Alfred Swersky from the Alexandria, Virginia Circuit Court has created a vacancy on that court; and

WHEREAS, the Alexandria, Virginia Bar Association interviewed candidates for the vacancy and highly recommends that Judge Nolan Dawkins be appointed to fill the vacancy; and

WHEREAS, the City of Alexandria's legislative delegation to the General Assembly, following precedent in Northern Virginia and with input from the Bar and citizens, interviewed candidates, and unanimously recommended Judge Dawkins be appointed to the Alexandria Circuit Court by Governor Mark Warner; and

WHEREAS, Nolan B. Dawkins has served with distinction on the Alexandria

Juvenile and Domestic Relations Court for more than nine years; and

WHEREAS, during his tenure on the bench Judge Dawkins has been repeatedly recognized as an innovative and effective jurist, and the Alexandria Juvenile and Domestic Relations Court has been repeatedly recognized as an innovative body and model for courts in the region, state and nation; and

WHEREAS, Judge Dawkins' prior professional experience includes exemplary service as an Assistant Alexandria City Attorney, attorney in private practice, a Substitute District Court Judge, and a retired 1st Lieutenant in the United States Army; and

WHEREAS, Judge Dawkins' professional affiliations include membership in the Virginia State Bar Association, National Council of Juvenile and Family Court Judges, Old Dominion Bar Association, Alexandria Bar Association, Association of District Court Judges of Virginia, and the Virginia State Bar Association, Judicial Section; and

WHEREAS, Judge Dawkins' professional highlights include membership on numerous local and national judicial faculties and committees, membership on the Board of Governors of the Virginia State Bar, Criminal Law Section, membership on the Board of Governors of the Alexandria Bar Foundation, and former membership in the George Mason American Inn of Court, the Eighth District Ethics Committee of the Virginia State Bar, and the Virginia State Bar Faculty on Professionalism, among others; and

WHEREAS, Judge Dawkins' influence extends well into the Alexandria community and beyond where he has served numerous charitable organizations and has been recognized with numerous awards for his public service on and off the bench;

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

1. That City Council supports judicial independence in the Commonwealth of Virginia.
2. That City Council supports fairness in the Commonwealth's judicial selection process.
3. That City Council recognizes our diverse population and supports diversity in our judiciary through the appointment of qualified candidates regardless of gender, and racial and ethnic backgrounds.
4. That City Council acknowledges and supports the findings of the Alexandria Bar Association and of Alexandria's state delegation that Judge Nolan Dawkins is highly qualified and the recommended candidate for appointment to the Alexandria Circuit Court.

5. That City Council firmly believes Judge Nolan Dawkins possesses the professional experience, legal and judicial expertise, judicial temperament, and commitment to the Constitutions and laws of the Commonwealth of Virginia and United States to serve honorably on the Alexandria Circuit Court.

6. That City Council strongly urges the members of the Commonwealth's House and Senate committees for Courts of Justice and the entire General Assembly to support Judge Dawkins' appointment to the Alexandria Circuit Court, and requests that copies of this resolution be provided to Governor Mark Warner, members of the Courts of Justice committees and the City's General Assembly delegation.

ADOPTED: February 3, 2004

19. Update on the Duke Street Concourse Project. (**verbal report**)

City Engineer Baker and Transportation Director Baier gave an update on the Duke Street Concourse Project.

20. Consideration of Report on City Enforcement of Special Use Permit Conditions and the Inclusion of Project Impact Statements in City Staff Reports on Development Special Use Permit Reports

(A copy of the City Manager's memorandum dated January 22, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Woodson and carried unanimously, City Council endorsed staff's efforts to refine the special use permit system in the following ways: 1. Include project impact statements in development SUP reports; 2. Include specific triggers in conditions for infrastructure requirements; and 3. Enhance SUP enforcement by (a) increasing outreach to the community on SUP enforcement; (b) increasing fines for repeat SUP violators; (c) eliminating necessity of a hearing for minor infractions; and (d) providing Council with an annual report on enforcement. The voting was as follows:

Smedberg	"aye"	Pepper	"aye"
Woodson	"aye"	Gaines	aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

21. Consideration of the Visitors Center Study Report. (#22, 12/8/03, and #9, 1/24/04)

(A copy of the City Manager's memorandum dated December 4, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21,

1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilwoman Woodson and carried unanimously, City Council received the report and 1. Removed the Market Square and the expanded Ramsey House Visitors Center options from further consideration; 2. Maximized the benefit of Ramsey House for visitors by improving its interior programming of space; 3. Pursued initiatives regarding improved signage, marketing, kiosks, parking, tour bus management, and a new King Street Metrorail station visitor information area; and 4. Pursue the possibility of 132 N. Royal Street being studied and reviewed for leasing. (The spirit of the motion is to have a workgroup that might study Ramsey House and items 2, 3 and 4, and leave it to the City Manager and the Mayor to understand the spirit of who Council would like on the workgroup and to make those appointments.) The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Woodson	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

None.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Vice Mayor Pepper said the George Washington Birthday Celebration breakfast is at 9 a.m. on Monday, February 16 at the Holiday Inn and Suites on First Street.

(b) Vice Mayor Pepper said the Public Information Officer needs to speak to the newspapers about the fact that not everyone who claims to be in Alexandria lives within the City limits of Alexandria.

(c) Vice Mayor Pepper said it was hard to be a pedestrian in Old Town during the recent snow and ice, as people hadn't shoveled their sidewalks.

Mayor Euille said the snow removal problem wasn't just in Old Town, as Council had e-mails and phone calls from citizens all over the City for places that weren't cleared of snow and ice. There is a policy and the City should endeavor to get that message out that it is the property owner's responsibility to clear the snow.

(d) Councilman Gaines said the City Code requires that within 24 hours after the snow has ended that the snow be removed and the property owners can be charged if staff has to do it.

(e) Councilman Gaines said he distributed a memo on adding regional analysis to staff reports so it can see if development projects in Fairfax, Arlington and Prince George's County impact on projected projects within the City. He said it will add an extra level of analysis.

Mayor Euille said Councilman Gaines has asked the City Manager to come back to the Council with a response and recommendation to his suggestion.

(f) Councilman Krupicka said the D.C. Federal Appeals Court today said that the Federal EPA's plans as relates to air quality in the region are not in keeping with the Clean Air Act. He said it is an encouraging sign that the Courts may help them do what the Federal Government has failed to do, which is to move on cleaning up the air.

(g) Councilman Krupicka said he was encouraged on the memo on the Duncan Library as relates to putting a green roof on the library. He asked for an update on where that was.

Deputy Director of General Services Geiling gave the update on the Library.

(h) Councilman Krupicka said he spent the day with the Code Enforcement staff a few weeks ago, and he complimented them on the hard work and creativity they bring to the day-to-day operations.

(i) Councilman Krupicka said Council had previously asked for a report on the number of boards and commissions and which commissions are still in good standing, and he asked when it would get that feedback.

City Manager Sunderland said it will come to Council in a few weeks.

Mayor Euille said that will be a policy of Council to make those choices.

(j) Councilman Macdonald thanked staff for doing the analysis on the green roof at the Duncan Library.

(k) Councilman Macdonald said snow and ice removal is an issue around the City and is something it needs to keep abreast of.

(l) Councilman Macdonald said he appreciated the meeting last evening with the Planning staff and Planning Commission on planning objectives.

(m) Councilman Macdonald noted the kids who sled down the hill and the steps at the Masonic Memorial. He said it is a great open space and asset to the

community.

(n) Mayor Euille said there was a record setting time for the public hearing last Saturday, and Council needs to look at and reflect upon the speaker's process and the allotment of three minutes and whether people have the right to pass their time on to other people.

ORAL REPORT FROM THE CITY MANAGER

City Manager Sunderland reported on: (a) Historic African-American sites were added to the National Registry of Historic Places. They are Alfred Street Baptist Church, Beulah Baptist Church, Roberts Memorial United Methodist Church, Dr. Albert Johnson House, Odd Fellows Hall, the Moses Hepburn Rowhouses, and George Lewis Seaton House; (b) The City received an allocation of \$3.8 million in SPARC funding, and in 2003 it received \$4.43 million; (c) the City's United Way contributions went up 29 percent, for a total contribution of \$65,000; (d) The James Duncan Estate left to the Duncan Library half of the estate and it settled on \$980,000; (e) Samuel Madden finally closed the other day and it will have a celebration March 10th; and (f) he introduced Tom Fairchild, the City's new Business Facilitator.

ORDINANCES AND RESOLUTIONS

22. Consideration of a Grant Application and Resolution for FY2005 Funding for the Continuation of the Alexandria Rideshare Program. **(ROLL-CALL VOTE)**

(A copy of the City Manager's memorandum dated January 20, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

Councilman Smedberg asked staff to look at the ad for the Alexandria RideShare, as the photos in the advertisement are very dated looking.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously by roll call vote, City Council adopted the resolution and authorized the City Manager to: 1. Submit a grant application and the resolution to the Virginia Department of Rail and Public Transportation for FY 2005 funding, in the amount of \$175,419 for the continuation of the City's ridesharing services through Alexandria Rideshare; 2. Approved the continuation of two full-time grant-funded positions (Transit Specialist I and Transit Services Assistant I) to administer the on-going Alexandria Rideshare program. Continuation of these positions is contingent upon continuation of funding from the Virginia Department of Rail and Public Transportation or other non-City sources; and 3. Executed all necessary documents that may be required under this program. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Macdonald	"aye"

Euille "aye" Smedberg "aye"
Woodson "aye"

The resolution reads as follows:

RESOLUTION NO. 2092

WHEREAS, in accordance with Virginia Department of Rail and Public Transportation allocation procedures, it is necessary that a request by City Council resolution be made in order that the Virginia Department of Rail and Public Transportation fund a rideshare program in the City of Alexandria;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City Manager is authorized, for and on behalf of the City of Alexandria, hereafter referred to as the PUBLIC BODY, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as the DEPARTMENT, for a grant of financial assistance in the amount of \$175,419 to defray the costs borne by the PUBLIC BODY for continuation of the ALEXANDRIA RIDESHARE program and to accept from the DEPARTMENT grants in such amounts as may be awarded, and to authorize the City Manager to furnish the DEPARTMENT grants in such amounts as may be awarded, and to authorize the City Manager to furnish to the DEPARTMENT such documents and other information as may be required for processing the grant request. The City Council certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the *Code of Virginia*.

BE IT FURTHER RESOLVED, that the PUBLIC BODY will provide funds in the amount of \$35,084, which will be used as a 20 percent match to the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the PUBLIC BODY may be subject to audit by the DEPARTMENT and by the State Auditor of Public Accounts, and that funds granted to the PUBLIC BODY for defraying the expenses of the PUBLIC BODY shall be used only for such purposes as authorized in the *Code of Virginia*. The undersigned duly qualified and acting as City Clerk of the PUBLIC BODY certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the City Council held on the 3rd day of February 2004.

ADOPTED: February 3, 2004

23. Consideration of a Resolution and Contract of Sale to Purchase the Building Located at 2900 Business Center Drive for Current and Future City Uses.
(ROLL- CALL VOTE)

(A copy of the City Manager's memorandum dated January 23, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

City Manager Sunderland gave an update on the process and what and who the property is to be used for.

Vice Mayor Pepper stated that the seller, Pepper Lane Junction, LLC, has nothing to do with her.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously by roll call vote, City Council: 1. Approved the City's acquisition of the property at 2900 Business Center Drive; 2. Ratified and confirmed the attached contract for the acquisition of this property which has been executed by the City Manager conditional upon Council's approval; and 3. Authorized the City Manager to re-execute and amend the contract to make needed clarifications, if any, and to execute any additional documents that are necessary to complete the transaction. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2093

WHEREAS, the City of Alexandria, Virginia, desires to acquire 159,162 square feet of land, more or less, bounded by Duke Street to the north, Van Dorn Street to the west, Telegraph Road to the east, and the Capital Beltway to the south; and located at 2900 Business Center Drive, within the City of Alexandria, the said land being shown on a plat attached hereto and made part hereof, together with a one story flex-warehouse building containing approximately 61,125 square feet, all other improvements and fixtures on the said land, and all rights, privileges, easements, benefits and agreements appurtenant thereto (collectively, the "Property"); and

WHEREAS, the City of Alexandria is empowered by section 13.01 of its charter to acquire private property for the purpose of carrying out its powers and duties; and

WHEREAS, the City Council is of the opinion that a public necessity exists for the acquisition by the City of Alexandria of the Property for purposes of current and future city use, and so finds;

WHEREAS, the land records of the City of Alexandria indicate that the owners of the Property are Pepper Lane Junction, LLC, a California limited liability company; and

WHEREAS, the city attorney has negotiated, and the city manager has executed, a Contract of Sale, for the acquisition of the Property by the City of

Alexandria (the "Contract");

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

1. That, pursuant to the provisions of section 13.01 of the Charter of the City of Alexandria, the acquisition of the Property is approved.

2. That the Contract, in the form presented to Council, is approved, ratified and confirmed.

3. That the city manager is authorized to amend and re-execute the Contract to make any needed clarifications or corrections and to execute on behalf of the city such other requisite documents in connection with the settlement of the transaction contemplated by the Contract, and, if required, the city clerk is authorized and directed to affix or to cause to be affixed the seal of the city to such documents executed by the city manager and to attest such seal. Such officers or their designees are authorized to execute and deliver on behalf of the city such instruments, documents or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transaction authorized by this Resolution or contemplated by the Contract; and all of the foregoing, previously done or performed by such officers or agents of the city are in all respects approved, ratified and confirmed.

4. That the city is authorized to perform as required in connection with the Contract and such other requisite documents.

ADOPTED: February 3, 2004

OTHER

24. Consideration of a License Agreement to Extend For Three Years the Authorization Previously Granted WilTel Communications (formerly Williams Communications) to Utilize the Public Right-of-Way of Metro Road For Telecommunications Facilities.

This item was deferred at the request of the City Attorney.

25. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated January 22, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25, 1/27/04 and 2/3/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council adopted the schedule of Council's regular City Council meetings for January 2004 through June 2004, with the following

additions and changes: 1. Scheduled a brief Alexandria Transit Company Stockholders meeting at 6:45 p.m., before Council's Tuesday, February 10 legislative meeting in the Council Workroom; 2. Scheduled February 19 at 6:00 p.m., in the Council Workroom for continued discussion of Council's Retreat vision materials; 3. Changed the date of the work session with the Public Health Advisory Commission from March 9 to March 23 at 6:00 p.m. to enable Council to attend the DASH 20th Anniversary reception on March 9; and 4. Received the revised calendar which includes the DASH 20th Anniversary reception on March 9 at 6:00 p.m., in the Vola Lawson Lobby and the City's annual employee service awards program scheduled for April 19 at 5:30 p.m. at the Lee Center, 1108 Jefferson Street. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, at 10:03 p.m., the Regular Meeting of Tuesday, February 3, 2004, was adjourned. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

APPROVED BY:

WILLIAM D EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson City Clerk

This docket is subject to change.

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Full-text copies of ordinances, resolutions, and agenda items are available in the Office of the City Clerk and Clerk of the Council.

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Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 838-4500 (TTY/TDD 838-5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.

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