

CITY COUNCIL OF ALEXANDRIA, VIRGINIA**Regular Meeting****Tuesday, October 28, 2003 - - 7:00 p.m.**

Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, Rob Krupicka, Andrew H. Macdonald, Paul C. Smedberg 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; Mr. Neckel, Director of Finance; Mr. Caton, Legislative Director; Mr. Mandley, Director of General Services; Ms. Fogarty, Director of Planning and Zoning; Ms. Ross, Deputy Director of Planning and Zoning; Mr. Pinkney, Public Affairs Officer; Ms. Boyd, Director of Citizen Assistance; Police Chief Samarra; Police Lieutenant Uzzell; Ms. Whitmore, Director of Parks, Recreation and Cultural Activities; Ms. Collins, Director of Human Services; Ms. Federico, Director of Historic Alexandria; Ms. Niebauer, Director of Human Rights; Ms. Smith-Page, Director of Real Estate Assessments; Mr. Skrabak, Environmental Quality Division Chief; Mr. Johnson, Deputy Director of Management and Budget; Mr. Culpepper, Deputy Director of Transportation; Ms. Davis, Director of Housing; Mr. Winslow, Transportation and Environmental Services Civil Engineer; Mr. Chris Peacor, Customer Support Engineer, IT Department; Mr. Parkins, Voter Registrar; and Mr. Green, Transportation and Environmental Services.

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

OPENING

1. & 2. The meeting was called to order by Mayor Euille, and the 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.

New Business Item No. 1. The Mayor noted the Halloween costumes the Mayor and Council were wearing, and said that in citizens critiquing Council, they said Council were too serious, so in order to liven it up, Council came dressed as a diva witch, a wild guy, a sheriff, the judge, Jim Morrison, Superman, and a cat.

3. **THERE BEING NO DISCUSSION**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the minutes of the Regular Meeting of October 14, 2003, as submitted. The voting was as follows:

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

4. **THERE BEING NO DISCUSSION**, upon motion by Councilwoman Woodson, seconded by Councilman Gaines and carried unanimously, City Council received the Report of the City Clerk dated October 22, 2003, which is on file in the office of the City Clerk and Clerk of Council, marked exhibit No. 1 of Item No. 4; 10/28/03, and is incorporated as part of this record by reference. The voting was as follows:

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

5. Recognition of the Alexandria Volunteer Bureau Youth Service Coalition.

City Council recognized the Alexandria Volunteer Bureau Youth Service Coalition members for its work in the community.

New Business Item No. 2. Mayor Euille recognized Chief Samarra and the Police Department on receiving the Virginia Municipal League Achievement Award for creating an enhanced data communications system.

PROCLAMATIONS

6. Presentation of Proclamation Declaring Saturday, November 15, 2003, as America Recycles Day 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. 6, and is incorporated as part of this record by reference.)

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

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (7-11)

7. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
 - (a) Alexandria Board of Zoning Appeals
Linda Kung
 - (b) Alexandria Budget and Fiscal Affairs Advisory Committee
Bruce Johnson
 - (c) Alexandria Commission on Persons With Disabilities
Patrick Reilly

(A copy of the above resignations is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/28/03, and is incorporated as part of this record by reference.)

8. Uncontested Appointments to Boards, Commissions and Committees:
 - (a) Alexandria Commission on Employment
1 Representative From A Community-Based Organization

(A copy of the above appointments is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No 8; 10/28/03, and is incorporated as part of this record by reference.)

9. Consideration of the Monthly Financial Report for the Period Ending September 30, 2003.

(A copy of the City Manager's memorandum dated October 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 10/28/03, and is incorporated as part of this record by reference.)

10. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated October 17, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 10/28/03, and is incorporated as part of this record by reference.)

11. Consideration of Receipt of a Grant Award from the Federal Highway Administration for the Phase II East Eisenhower Multi-Use Trail.

(A copy of the City Manager's memorandum dated October 16, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 10/28/03, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the consent calendar as presented. The City Manager's recommendations are as follows:

7. City Council received the following resignations with regret: (a) Linda Kung from the Alexandria Board of Zoning Appeals; (b) Bruce Johnson from the Alexandria Budget and Fiscal Affairs Advisory Committee; and (c) Patrick Reilly from the Alexandria Commission on Persons with Disabilities.

8. City Council waived the residency requirement and reappointed Franklyn Malone to the Alexandria Commission on Employment.

9. City Council received the monthly financial report for the period ending September 30, 2003.

10. City Council authorized the capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary.

11. City Council approved the grant award in the amount of \$100,000 from the Federal Highway Administration and authorized the City Manager to execute all documents that may be required.

The voting was as follows:

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

CONTESTED APPOINTMENTS

- 12. Alexandria Board of Zoning Appeals
2 Citizen Members

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

NAME	ENDORSED BY:
Paul Brockway	
Christopher Campagna	
Richard Cinquegrana, Jr.	
Harold Curry	
Mary Lyman	
Matthew Slavin	
Michael Zito	

(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. 12; 10/28/03, 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 reappointed Harold Curry and Mary Lyman to the Alexandria Board of Zoning Appeals. The voting was as follows:

Euille	-	Lyman, Curry
Pepper	-	Lyman, Curry
Gaines	-	Lyman, Curry
Krupicka	-	Lyman, Curry
Macdonald	-	Lyman, Slavin
Smedberg	-	Lyman, Curry
Woodson	-	Lyman, Curry

- 13. Alexandria Environmental Policy Commission
1 Citizen-at-Large

(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. 13; 10/28/03, and is incorporated as part of this record by reference.)

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

NAME	ENDORSED BY:
Samantha Ahdoot	
Thomas Ballantine	

James Lowenstern
Patrick Traylor
Joseph Wiegand

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council appointed James Lowenstern to the Alexandria Environmental Policy Commission. The voting was as follows:

Euille	-	Lowenstern
Pepper	-	Ballantine
Gaines	-	Lowenstern
Krupicka	-	Lowenstern
Macdonald	-	Lowenstern
Smedberg	-	Ballantine
Woodson	-	Lowenstern

14. Alexandria Traffic and Parking Board
1 Citizen Member

(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; 10/28/03, and is incorporated as part of this record by reference.)

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

NAME	ENDORSED BY:
Kathleen Burns	Sandra Bowman Ann Plamondon
Matthew Joseff Matthew Natale Edward Sargeant Amy Slack	Patrick and Monique Devereux Del Ray Citizens Association Sarah L. Haut Judy Lowe Kevin Reilly Elizabeth Wright
Paul Stilp Patrick Troy Brian Tynan	Cameron Station Civic Association

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following result: No one received a majority vote, so there had to be a second voting. The voting was as follows:

Euille	-	Slack
Pepper	-	Tynan
Gaines	-	Tynan
Krupicka	-	Slack
Macdonald	-	Burns
Smedberg	-	Slack
Woodson	-	Natale

WHEREUPON, ballots were again distributed, tellers were again appointed and the ballots were again tallied with the following result: City Council appointed Amy Slack to the Alexandria Traffic and Parking Board. The voting was as follows:

Euille	-	Slack
Pepper	-	Tynan
Gaines	-	Tynan
Krupicka	-	Slack
Macdonald	-	Slack
Smedberg	-	Slack
Woodson	-	Slack

15. Alexandria Youth Policy Commission
 1 Representative of the Business Community

(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; 10/28/03, and is incorporated as part of this record by reference.)

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

NAME	ENDORSED BY:
Montgomery Canfield	
Mary Catherine Puskar	

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council reappointed Mary Catherine Puskar to the Alexandria Youth Policy Commission. The voting was as follows:

Euille	-	Puskar
Pepper	-	Puskar
Gaines	-	Puskar
Krupicka	-	Puskar
Macdonald	-	Canfield
Smedberg	-	Puskar
Woodson	-	Puskar

(City Council took the following item out of order:)

WORK SESSION

- 20. Presentation by Dominion Virginia Power.

Representatives from Dominion Virginia Power made a presentation of the impact of Hurricane Isabel in the area.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

- 16. Consideration of Reallocation of Capital Funds for New Voting Equipment for the City.

(A copy of the City Manager's memorandum dated October 23, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 10/28/03, and is incorporated as part of this record by reference.)

Voter Registrar Parkins, along with Assistant City Manager Jinks, made a presentation of the item and answered questions of the City Council.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council, subject to a negotiation of a contract acceptable to the City, reallocated \$641,150 from the Market Square capital renovation account to the Information Technology Plan capital account to purchase new voting equipment and authorized the Electoral Board to seek partial reimbursement from the State Electoral Board (estimated at \$75,000.) The voting was as follows:

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

- 17. Receipt of Proposed City Legislative Package for the 2004 General Assembly Session and Scheduling it for Public Hearing on Saturday, November 15, 2003.

(A copy of the City Manager's memorandum dated October 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 10/28/03, and is incorporated as part of this record by reference.)

Legislative Director Caton answered questions of the City Council.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, City Council received the proposals for the City's 2004 Legislative Package; scheduled the legislative package proposals for

public hearing on Saturday, November 15; scheduled the proposed Charter amendments for public hearing on Saturday, November 15, 2003; and scheduled adoption of the legislative package for Tuesday, November 25, 2003, following Council's work session with the General Assembly Delegation. The voting was as follows:

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

18. Consideration of City Testimony on Virginia Department of Transportation's (VDOT) Six-Year Improvement Program (FY2005 to 2010.) (staff presentation)

(A copy of the City Manager's memorandum dated October 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 10/28/03, and is incorporated as part of this record by reference.)

Director of Transportation and Environmental Services Baier and Deputy Director of Transportation Culpepper made a presentation of the item and answered questions of the City Council.

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the listing of transportation projects in the amounts and timing described for transmittal by the Mayor to the Commonwealth Transportation Board (CTB) at the Northern Virginia District November 13, 2003, financial planning hearing; and directed staff to prepare letters for the Mayor's signature providing the City's recommendations to the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (VDRPT), as appropriate. The voting was as follows:

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

19. Consideration of a Memorandum of Understanding with the Northern Virginia Conservation Trust Related to Open Space Easements and Other Preservation Mechanisms. (staff presentation)

(A copy of the City Manager's memorandum dated October 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 10/28/03, and is incorporated as part of this record by reference.)

Director of Parks, Recreation and Cultural Activities Whitmore, Deputy Director of Planning Ross, along with Mike Nardolilli, vice president and general counsel of the

Northern Virginia Conservation Trust, made a presentation of the report and answered questions of the City Council.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the one year Memorandum of Understanding with the Northern Virginia Conservation Trust, and requested the City Manager to finalize the document, including necessary revisions, and sign it on behalf of the City. The voting was as follows:

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

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilwoman Woodson said the *Washington Post* is running a series called "The Road Ahead," and the second in the series was "Steering employees toward telework," which is a synopsis of the values of teleworking.

City Manager Sunderland said telecommuting is underway and will be studied more.

Mayor Euille said there is a symposium on telecommuting next week.

(b) Councilman Gaines spoke about a memorandum from Councilman Macdonald and himself on strengthening zoning compliance outreach and enforcement, which includes creating and instituting a compliance deadline and fines structure, outreach to the business community, enforcement against repeat offenders, and establishing a reporting system.

(c) Councilman Gaines said there will be a community rally for Judge Nolan Dawkins on Monday, November 3 on the steps of the Courthouse.

Mayor Euille said on his memorandum on zoning compliance, staff will investigate the opportunities for strengthening the compliance outreach in collaboration with the Planning staff and Planning Commission and will get back to Council at a later date with recommendations for moving the request forward.

(d) Vice Mayor Pepper suggested the City Hall hours of 8 a.m to 5 p.m. Monday through Friday and the Saturday hours of 8 a.m. to noon for the Finance Office be put on the website.

(e) Vice Mayor Pepper said it appears that the ground has been broken for the Duke Street Concourse.

(f) Councilman Krupicka commended the Potomac West Business Association for its successful Halloween Parade.

(g) Councilman Krupicka said he had a meeting with the Alexandria Research Institute, Virginia Tech Campus in Alexandria, and he noted their fantastic facility in the City.

(h) Councilman Krupicka said he spent the day with a number of people from the Child Protective Services staff, where it went to court and did home visits.

(i) Councilman Krupicka said he participated in Mentoring Day and had a fantastic lunch with a number of children and young adults. He said there may be more they can do to better coordinate between the City's schools and the services for the disabled so there is a better plan for the kids when they leave school and become working members of the community.

(j) Councilman Macdonald said the recent Virginia Municipal League conference was very educational, and one session he attended was conflict resolution in the land use arena, and there are lots of things it can do to strengthen what is already being strengthened by the City staff for community involvement in decision making.

(k) Councilman Macdonald said he worked with residents of Taylor Run last week and City staff who have come up with a neighborhood partnership program which puts out grants of up to \$5,000.

(l) Councilman Macdonald said the T.C. Williams renovation is on the minds of many, and he looked forward to having some deeper discussions about it in the next month or so.

(m) Councilman Macdonald said on the open space easement program, it's an extension of the historic easement program and is a good way for neighbors to do their thing to help save land and get tax breaks.

Mayor Euille said on the T.C. Williams comments, there will be discussions most likely in the budget process when it meets with the School Board to discuss its operating budget and Capital Improvement Program. The Council and the general public will be kept abreast of the significant project as it moves forward, and anyone can inquire of the School Board and Superintendent prior to any formal meetings.

(n) Mayor Euille said the entire City Council was present at the Virginia Municipal League meeting in Roanoke last week. He said the event will be in Alexandria next October, and he thanked the City Manager and staff that volunteered at the hospitality room, which was 100 percent paid for by the Alexandria Hotel Association, and for those which devoted time manning the booth in the exhibit hall.

(o) Mayor Euille said the City Council's annual retreat will occur Friday, November 7 at 5 p.m., at the Lloyd House and Saturday at the new library in the GW Middle School.

(p) Mayor Euille said the Youth Policy Commission will have its first retreat this Saturday from 8:30 a.m. to 1:30 p.m., at Episcopal High School in the library.

(q) Mayor Euille said there will be a public hearing in Room 2410 at City Hall at 7 p.m. on Thursday, November 6 hosted by WMATA on the proposal and request by Maryland to eliminate bus routes N11 and N13, which travel from Prince Georges County into Alexandria across the Woodrow Wilson Bridge. The concern is the impact it will have on the employees of the Patent and Trade Office.

(r) Mayor Euille said the skateboard park dedication is November 1 at 3 p.m. at the park.

(s) Mayor Euille said he and the City Manager have had discussions about the City applying for an All-American City designation.

City Manager Sunderland said he is looking into it.

REPORT FROM THE CITY MANAGER

The City Manager reported on: (a) the Breast Cancer Walk last weekend, which had fewer participants but raised far more money - over \$125,000; (b) the Fire Department graduated its first CERT (Community Emergency Response Team) class last week; (c) Mental Health/Mental Retardation/Substance Abuse won a contract for well over \$100,000 to provide detox services for Federal probation and parole; (d) Mental Health was evaluated by the CSB and received a very high review, and it will have a party tomorrow at 3 p.m. at the Lyceum to celebrate how well it did in the accreditation, and everyone will be in their Halloween costume; (e) there will be a meeting tomorrow night on the PTO concourse at Minnie Howard; and (f) the Human Rights Commission will have its review and presentation on the First Street incident from the Police Department on Thursday night in Room 2000.

WORK SESSION

21. Work Session with the Alexandria Convention and Visitors Association.

The Alexandria Convention and Visitors Association presented its annual report.

Mayor Euille said Council will receive the report.

ORDINANCES AND RESOLUTIONS

22. Consideration of a Resolution on the U.S.A. Patriot Act. **(ROLL-CALL VOTE)**

This item was deferred until November 11, 2003.

23. Consideration of a Resolution Establishing the Order of Business for City Council Meetings. **(ROLL-CALL VOTE)**

(A copy of the City Attorney's memorandum dated October 24, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 10/28/03, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously on a **ROLL CALL** vote, City Council adopted the resolution establishing the order of business of City Council meetings. The roll call vote was recorded as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2085

WHEREAS, Resolution No. 1944, adopted January 11, 2000, established rules of procedure, the order of business and a schedule for meetings of the City Council; and

WHEREAS, it is necessary and desirable to amend Resolution No. 1944 to conform to the present practices of City Council and for other purposes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alexandria:

Section 1. Schedule for Meetings and Official Events. That the following schedule for City Council meetings and other official events be, and the same hereby is, adopted and shall be supplemental and in addition to the provisions contained in The Code of the City of Alexandria, Virginia, 1981, as amended:

1. The City Council shall, except during the months of July and August, hold regular legislative meetings on the second and fourth Tuesdays in each month at 7:00 p.m.; provided, however, that when any such day shall fall on a legal holiday, the meeting shall be held on the next succeeding day; and, provided further, that there shall be no regular legislative meeting on the fourth Tuesday in December.

2. The City Council shall, except during the months of July and August, hold regular public hearing meetings on the Saturday following the second Tuesday in each month at 9:30 a.m., provided, however, that when such day shall fall on or within three days of

a legal holiday, the meeting may be held on the Saturday preceding the fourth Tuesday of the month.

3. Special meetings of the City Council, held in lieu of or in addition to regular meetings, may be held at any time as provided for in Sec. 2-1-43 of The Code of the City of Alexandria, Virginia, 1981, as amended.

4. At the first regular meeting in September of each year, City Council shall approve a calendar of City Council Meetings and other official events, including any neighborhood meetings that are planned, for the entire year from September through June, and may, from time to time, amend the calendar as deemed desirable.

Section 2. Order of Business for Regular, Public Hearing and Special Meetings. That the following Order of Business for City Council Meetings be, and the same hereby is, adopted pursuant to Section 2-1-47 of The Code of the City of Alexandria, Virginia 1981, as amended.

1. At regular legislative meetings the order of business shall be as follows:

- (a) Calling the roll.
- (b) Moment of silence.
- (c) Pledge of allegiance.
- (d) Reading and acting upon the minutes of the previous meeting.
- (e) Recognition of youth.
- (f) Proclamations.
- (g) Consent calendar:
 - 1. Resignations and uncontested appointments.
 - 2. Reports and recommendations of the City Manager.
 - 3. Ordinances for introduction and first reading.
- (h) Contested appointments.
- (i) Reports and recommendations of the City Manager for discussion.
- (j) Reports and Recommendations from boards, commissions and committees.
- (k) Oral reports by members of City Council.
- (l) Oral presentations by members of City Council.
- (m) Oral report by the City Manager.
- (n) Ordinances and resolutions for discussion or adoption without public hearing.
- (o) Other business.
- (p) Executive sessions.

2. At regular public hearing meetings, the order of business shall be as follows:

- (a) Calling the roll.
- (b) Public discussion period (30 minutes).
- (c) Action consent calendar:
 - 1. Reports of boards, commissions and committees.
 - 2. Reports and recommendations of the city manager.

- (d) Public hearing on reports and recommendations of the city manager.
- (e) Public hearing on reports of boards, commissions and committees.
- (f) Public hearing, second reading and final passage of ordinances, and public hearing and adoption of resolutions.
- (g) Deferral/withdrawal consent calendar.
- (h) Other business.
- (i) Executive sessions.

3. At special meetings, the order of business shall conform to the order established for regular legislative or public hearing meetings, as appropriate, or shall be established in the notice of the meeting as provided by Sec. 2-1-43 of the Code of the City of Alexandria, Virginia, 1981, as amended.

Section 3. Rules of Procedure for Regular, Public Hearing and Special Meetings. That the following rules of procedure for regular legislative and public hearing, and special, meetings of City Council be, and the same hereby are, adopted and shall be supplemental and in addition to the provisions contained in the Code of the City of Alexandria, Virginia, 1981, as amended:

1. All supporting reports, documents or material shall be delivered to each member of Council at least 48 hours in advance of the meeting. Supporting reports, documents or material may be delivered subsequently when exceptional circumstances so require.

2. All supporting reports, documents or material, other than material exempt from disclosure under the Freedom of Information Act, shall be made available to the public at the time such material is delivered to the members of council.

3. The public will normally not be recognized to speak on docket items at regular legislative meetings. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. (See also paragraph 7, below.) If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

4. One or more consent calendars, comprised of docket items deemed to be routine and housekeeping in the discretion of the City Council or City Manager, shall be prepared for each meeting at the direction of the City Manager. Adoption or approval of all items on a consent calendar shall require but a single vote by City Council; except that upon the request of any member of the City Council any item on the consent calendar shall be voted upon separately; and, provided further, that upon the request of a member of the public, any item on a consent calendar for a public hearing meeting shall be heard and voted upon separately. A consent calendar shall not include ordinances docketed for public hearing, second reading and final passage, resolutions or other items requiring a roll-call vote by Council.

5. If the city clerk, at least two days before the meeting, shall transmit to each member of the City Council, at the member's business or residence address, a copy of the minutes of such previous meeting for inspection, reading thereof before the City Council assembled may, unless a member otherwise requests, be dispensed with and such minutes so inspected may be acted upon without being read.

6. At all meetings the city manager shall where reasonably possible arrange the docket so that items covering similar subject matter are grouped together.

7. The first 30 minutes of public hearing meetings will be open for public discussion on any subject not on the public hearing docket. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly significant reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply. Guidelines for the public discussion period shall be as follows:

(a) All speakers must complete a speaker request form and submit the completed form to the City Clerk by the time the item is called by the City Clerk.

(b) No speaker will be allowed more than three minutes, but that time may be extended by the mayor or presiding member.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor may organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will be allowed to speak during the 30 minute public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order in which their request forms were received.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

8. Any speaker wishing to address Council shall register his or her intent to do so on a speaker request form filed with the City Clerk in advance of the time that the item about which the speaker wishes to speak is called on the docket, or in advance of the public discussion period. The speaker request form shall be substantially in the form attached hereto.

9. The order of speakers shall be determined by the mayor or other presiding member of council.

10. A speaker shall limit his or her remarks to three minutes and shall speak only once on any docket item. The mayor or presiding member may allow rebuttal for a total of no more than three minutes, and a proponent may also speak during the time allowed for rebuttal. The mayor or presiding member may allow a speaker a brief extension of time to conclude the speaker's remarks. A speaker requiring more than three minutes for his or her presentation shall notify the City Clerk in writing before 5:00 p.m. of the day preceding the date of the meeting of the additional time required, together with the reasons. Council may, by consent of a majority of those present, grant additional time not to exceed fifteen minutes. A speaker shall be stopped if his or her comments become irrelevant or unnecessarily repetitious.

11. Speakers are encouraged to prepare and deliver to the City Clerk for distribution to the Council written statements of their positions.

12. The City Clerk shall arrange for a timekeeper to assure that each speaker stays within the allotted speaking time.

13. When voting on final passage of any ordinance, or on any resolution, the name of each member voting and how the member voted shall be recorded by the City Clerk.

Section 4. Miscellaneous provisions.

1. That the Schedule of Meetings, Order of Business and Rules of Procedures adopted by this resolution shall not be departed from, except upon the consent of the majority of the Council members present.

2. That the Schedule of Meetings, Order of Business and Rules of Procedure adopted by this resolution, unless otherwise required by law, shall be directory only, shall not have the force or effect of law, and a departure therefrom shall not be construed to invalidate any Council proceeding or decision.

3. That this resolution shall become effective on November 1, 2003.

Section 5. Repeal. That Resolution No. 1944, adopted January 11, 2000, relating to rules of procedure, orders of business and schedules for meetings of the City Council be, and the same hereby is, repealed effective October 31, 2003.

24. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated October 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 10/28/03, and is incorporated as part of this record by reference.)

Vice Mayor Pepper recommended that the work session November 11 at 6 p.m. with the Board of Architectural Review be at another time or be made as part of the regular meeting because of the Senior Services reception in the Vola Lawson Lobby at 6 p.m.

Mayor Euille suggested the Senior Services reception stand and the staff would work out the details of the work session.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council adopted the schedule of Council's regular City Council meetings for October 2003 through June 2003, with the following additions and changes: the BAR work session is November 11, along with the reception with Senior Services of Alexandria for distribution of the new calendar; there will be a work session meeting with the Alexandria Transit Company stockholders November 11 prior to the start of the meeting; a change of date for the Patent and Trademark Office building to 6 p.m., December 2 instead of December 4; the Martin Luther King Memorial Community Program on January 15, 2004 at 7:30 p.m. at Immanuel on the Hill Church on Seminary Road; the Martin Luther King City employee program on January 16, 2004, at 12:00 noon at the Lee Center on Jefferson Street; the Black History Month luncheon on February 9, 2004 at 11:30 at the Charles Houston Rec Center; and Saturday, November 22 is the City's adoption day from 11 to 2 p.m. at the Juvenile and Domestic Relations Court and Judge Rideout will be honored at that time. The voting was as follows

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

EXECUTIVE SESSION

25. Consideration of convening an executive session closed to the public for discussion of pending litigation, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Smedberg and carried unanimously, at 10:38 p.m., City Council convened in executive session, pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia* for the purpose of consulting with legal counsel with respect to a lawsuit filed against the City by Nicole Hazen, now pending in the U.S. District Court in Alexandria. The voting was as follows:

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

THEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, at 11:10 p.m., City Council reconvened the meeting. The voting was as follows:

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

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, City Council moved to authorize the City Attorney to settle the lawsuit which was the subject of the closed executive session along the lines discussed in the executive session. The voting was as follows:

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

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously on a **ROLL CALL** vote, City Council adopted the resolution pertaining to the executive session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2084

WHEREAS, the Alexandria City Council has this 28th day of October, 2003, recessed into closed 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 Pepper and carried unanimously, at 11:12 p.m., the Regular Meeting of October 28, 2003, was adjourned. The voting was as follows:

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

* * * * *

The meeting adjourned at 11:12 p.m.

* * * * *

APPROVED BY:

WILLIAM D. EUILLE

MAYOR

ATTEST:

Jacqueline M. Henderson, CMC 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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Individuals who require translation services to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 703-838-4500. We request that you provide a 48-hour notice so that the property arrangements may be made.