

# CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting  
Tuesday, January 11, 2005 - - 7:00 p.m.

\*\*\*\*\*

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. Hartmann, City Manager; Ms. Evans, Assistant City Manager; Mr. Pessoa, City Attorney; Mr. Jinks, Assistant City Manager; Ms. Fogarty, Director of Planning and Zoning; Ms. Boyd, Director, Citizen Assistance; Mr. Neckel, Director, Finance; Mr. Baier, Director, Transportation and Environmental Services; Mr. Culpepper, Deputy Director, Transportation and Environmental Services; Mr. McCobb, Deputy Director of Operations, Maintenance, Transportation and Environmental Services; Mr. Kincannon, Director, Recreation, Parks and Cultural Services; Mr. Skrabak, Division Chief, Transportation and Environmental Services; Ms. Niebauer, Director, Human Rights; Ms. Barnett, Deputy Director of Program Operations, Parks, Recreation and Cultural Activities; Ms. Federico, Director of Historic Alexandria; Mr. Dahlberg, Code Enforcement Director; Mr. Mandley, Director of General Services; Fire Chief Mesaris; Mr. Penn, Emergency Management Coordinator; Ms. Collins, Human Services Coordinator; Police Lt. Uzzell, Police Department; and Mr. Lloyd, General Services.

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

## OPENING

1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:
  - (a) The Regular Meeting Minutes of December 14, 2004; and
  - (b) The Public Hearing Meeting Minutes of December 18, 2004.

**WHEREUPON**, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the minutes of the regular meeting of December 14, 2004 and the public hearing meeting of December 18, 2004. The voting was as follows:

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

4. Swearing in of City Manager James K. Hartmann by Alexandria Clerk of Court Edward Semonian.

Clerk of Court Semonian swore in City Manager James Hartmann.

#### **RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL**

None.

#### **PROCLAMATIONS**

5. Presentation of a Proclamation Declaring December 5, 2004, as Barbara Gilley Day.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5, 1/11/05, and is incorporated as part of this record by reference.)

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

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

6. Presentation of a Proclamation Proclaiming January as Stalking Awareness Month.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6, 1/11/05, and is incorporated as part of this record by reference.)

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

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

7. Presentation of a Proclamation Declaring January 16-22, 2005, as Jaycee 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. 7, 1/11/05, and is incorporated as part of this record by reference.)

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

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

8. Presentation of a Proclamation Expressing Appreciation to the Donor of the Christmas Tree at Market Square.

(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. 8, 1/11/05, and is incorporated as part of this record by reference.)

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

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

9. Presentation of a Proclamation Recognizing Members of the Beverley Hills Garden Club for the Holiday Decorations at City Hall.

(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. 9, 1/11/05, and is incorporated as part of this record by reference.)

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

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

10. Presentation of a Proclamation Recognizing Douglas MacArthur Elementary School Principal Debbie Thompson as the Winner of the *Washington Post* Distinguished Educational Leadership Award.

(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. 10, 1/11/05, and is incorporated as part of this record by reference.)

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

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

11. Presentation of a Proclamation Declaring January 15, 2005, as Martin Luther King, Jr., Day.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11, 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Gaines, seconded by Councilwoman Woodson and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

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

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

### CONSENT CALENDAR (12-24)

#### (Resignations and Uncontested Appointments)

12. Receipt of the Following Resignations from Members of Boards, Commissions and Committees.

- (a) Alexandria Social Services Advisory Board  
Michael Carrasco

(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. 12 (a), 1/11/05, and is incorporated as part of this record by reference.)

13. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Affordable Housing Advisory Committee  
1 Commissioner From the Alexandria Redevelopment and Housing Authority Board of Commissioners
- (b) Alexandria-Caen Exchange Committee  
1 Representative From the Alexandria Sister Cities Committee
- (c) Alexandria Beautification Commission  
1 Citizen Member
- (d) Alexandria Commission on Employment  
1 Business Representative From Among Recognized Area Businesses, Including Minority-Owned and Small Businesses
- (e) Alexandria Commission on Information Technology  
1 Member Representing An Institution of Higher Education Located In Northern Virginia
- (f) Alexandria Community Policy and Management Team  
1 Designee of the Director of the Alexandria Health Department
- (g) Alexandria Early Childhood Commission  
1 Citizen-at-Large
- (h) Alexandria Emergency Medical Services Council  
1 Representative of the Nursing Homes Located in the City

- (i) Alexandria Environmental Policy Commission  
2 Members From the Field of Environmental Sciences (e.g. Environmental/Sanitary Engineering, Ecology, Geology, Botany, Hydrology, Chemistry) or Who Have Alexandria Waterfront Expertise (One of Whom Must Have Scientific Expertise)
- (j) Alexandria George Washington Birthday Celebration Committee  
1 Citizen Member
- (k) Alexandria Human Rights Commission  
1 Representative From the Alexandria Commission on Persons With Disabilities
- (l) Alexandria Park and Recreation Commission  
1 Member From Among the High School Youth of the City
- (m) Alexandria Sanitation Authority Board of Directors  
2 Citizen Members
- (n) Alexandria Sister Cities Committee  
1 Citizen Member
- (o) Alexandria Waterfront Committee  
1 Representative From the Pleasure Boat Lease Holders at the Alexandria Marina

(A copy of the above appointments is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 13 (a-o), 1/11/05, and is incorporated as part of this record by reference.)

**(Reports and Recommendations of the City Manager)**

- 14. Consideration of Grant Application to the Virginia Department of Historic Resources Threatened Sites Program to Conduct an Archaeological Investigation on the Property at 108 North Quaker Lane.

(A copy of the City Manager's memorandum dated January 5, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14, 1/11/05, and is incorporated as part of this record by reference, and a copy of the City Manager's memorandum dated January 7, 2005, marked Exhibit No. 2 of Item No. 14 is incorporated as part of this record by reference.)

15. Submission of Interoperable Communications Grant Application to the Virginia Department of Emergency Management to Purchase Communications Equipment.

(A copy of the City Manager's memorandum dated January 3, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15, 1/11/05, and is incorporated as part of this record by reference.)

16. Receipt of the FY 2004 Annual Report From the Alexandria Waterfront Committee.

(A copy of the City Manager's memorandum dated January 3, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16, 1/11/05, and is incorporated as part of this record by reference.)

17. Submission of a Grant Application to the United States Department of Agriculture for the After School Snack Program for At Risk Children.

(A copy of the City Manager's memorandum dated January 5, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17, 1/11/05, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

18. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance To Convey Certain Real Property to VDOT For Use as Public Right-of-way.

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18, 1/11/05, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 18, 1/11/05, and is incorporated as part of this record by reference.)

19. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance To Authorize the Minor Amendment of an SUP For Extended Business Hours During a City-sponsored Festival or Event.

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19, 1/11/05, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 19, 1/11/05, and is incorporated as part of this record by reference.)

20. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance To Amend the Master Plan To Approve Multi-family Residential Land Use at 1323 Duke Street (Beasley Square).

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20, 1/11/05, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 20, 1/11/05, and is incorporated as part of this record by reference.)

21. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance To Rezone 1323 Duke Street (Beasley Square) to CRMU-L/Commercial Residential Mixed Use Low Zone, Subject To a Proffer.

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21, 1/11/05, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 21, 1/11/05, and is incorporated as part of this record by reference.)

22. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance To Approve an Encroachment For a Fence at 335 North Patrick Street.

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22, 1/11/05, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 22, 1/11/05, and is incorporated as part of this record by reference.)

23. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance To Approve an Encroachment For a Fence at 833 South Fairfax Street.

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23, 1/11/05, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 23, 1/11/05, and is incorporated as part of this record by reference.)

24. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance To Approve the Vacation of Public Right-of-way at 700 South Lee Street.

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24, 1/11/05, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 24, 1/11/05, 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. The City Manager's recommendations were as follows:

12. City Council accepted the following resignation with regret: (a) Michael Carrasco, Alexandria Social Services Advisory Board.

13. City Council made the following appointments: (a) reappointed A. Melvin Miller as the Commissioner from the Alexandria Redevelopment and Housing Authority Board of Commissioners to the Alexandria Affordable Housing Advisory Committee (b) reappointed Jacqueline Manley as the representative from the Alexandria Sister Cities Committee to the Alexandria-Caen Exchange Committee; (c) reappointed Caroline Kennedy as the citizen member to the Alexandria Beautification Commission; (d) appointed Edward Walters as the business representative from among recognized area businesses, including minority-owned and small businesses to the Alexandria Commission on Employment; (e) waived the residency requirement and appointed Dale Wurzer as the member representing an institution of higher education located in

Northern Virginia to the Alexandria Commission on Information Technology; (f) waived the residency requirement and appointed Veronica Aberle as the designee of the Director of the Alexandria Health Department to the Alexandria Community Policy and Management Team; (g) appointed David Tarantino as the citizen-at-large to the Alexandria Early Childhood Commission; (h) waived the residency requirement and appointed Angela Mattocks as the representative of the Nursing Homes located in the City to the Alexandria Emergency Medical Services Council; (i) reappointed J. Kyle Lynch and appointed Robert Swanson as the two members from the field of Environmental Sciences (e.g. Environmental/Sanitary Engineering, Ecology, Geology, Botany, Hydrology, Chemistry) or who have Alexandria waterfront expertise (one of whom must have scientific expertise) to the Alexandria Environmental Policy Commission; (j) appointed Alison Maher as the citizen member to the Alexandria George Washington Birthday Celebration Committee; (k) reappointed Chester Avery as the representative from the Alexandria Commission on Persons with Disabilities to the Alexandria Human Rights Commission; (l) appointed Owen Jones as the member from among the high school youth of the City to the Alexandria Park and Recreation Commission; (m) reappointed F. Ellen Pickering and Thomas Van Wagner as the two citizen members to the Alexandria Sanitation Authority Board of Directors; (n) appointed Renee Manning as the citizen member to the Alexandria Sister Cities Committee; and (o) appointed Douglas Gosnell as the representative from the Pleasure Boat Lease Holders at the Alexandria Marina to the Alexandria Waterfront Committee.

14. City Council authorized the submission after the fact of a grant application to the Virginia Department of Historic Resources, Threatened Sites Program. It should be noted that the grant application was submitted on December 22, 2004, per state-set application deadlines. Due to the constrained time line for the grant submission, staff submitted the grant application, contingent upon City Council approval at its January 11, 2005, meeting.

15. City Council: (a) approved the submission of the grant application totaling \$100,000 to VDEM to purchase four mobile repeaters, four satellite phones, and four 800 MHz radios; and (b) authorized the City Manager to execute all necessary documents that may be required.

16. City Council received the Annual Report from the Alexandria Waterfront Committee and thanked the Committee for its efforts on behalf of the City.

17. City Council authorized the City Manager to: (a) approve the renewal request to the U.S. Department of Agriculture for monthly reimbursement not to exceed \$174,150 in estimated annual program expenses; and (b) execute all necessary documents that may be required.

18. City Council introduced and passed the ordinance on first reading; set it for public hearing, second reading and final passage on Saturday, January 22, 2005.

19. City Council introduced and passed the ordinance on first reading; set it for public hearing, second reading and final passage on Saturday, January 22, 2005.

20. City Council introduced and passed the ordinance on first reading; set it for public hearing, second reading and final passage on Saturday, January 22, 2005.

21. City Council introduced and passed the ordinance on first reading; set it for public hearing, second reading and final passage on Saturday, January 22, 2005.

22. City Council introduced and passed the ordinance on first reading; set it for public hearing, second reading and final passage on Saturday, January 22, 2005.

23. City Council introduced and passed the ordinance on first reading; set it for public hearing, second reading and final passage on Saturday, January 22, 2005.

24. City Council introduced and passed the ordinance on first reading; set it for public hearing, second reading and final passage on Saturday, January 22, 2005.

The voting was as follows:

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

#### **CONTESTED APPOINTMENTS**

25. Alexandria Commission on Persons With Disabilities  
2 Citizen Members (One Of Whom Must Have A Disability)

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

NAME: ENDORSED BY:

Sherman Anderson  
Randy Davis  
Tamara Hughes

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No.1 of Item No. 25; 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Sherman Anderson (identified a disability) and reappointed Tamara Hughes (identified a disability) as the two citizen

members to the Alexandria Commission on Persons with Disabilities. The voting was as follows:

|           |   |                  |
|-----------|---|------------------|
| Euille    | - | Hughes, Anderson |
| Pepper    | - | Hughes, Davis    |
| Gaines    | - | Hughes, Anderson |
| Krupicka  | - | Hughes, Anderson |
| Macdonald | - | Hughes, Davis    |
| Smedberg  | - | Hughes, Davis    |
| Woodson   | - | Hughes, Anderson |

26. Alexandria Emergency Medical Services Council  
1 Citizen Member

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

NAME: ENDORSED BY:

Francis Hoang  
Christopher Marston

(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; 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Francis Hoang as the citizen member to the Alexandria Emergency Medical Services Council. The voting was as follows:

|           |   |         |
|-----------|---|---------|
| Euille    | - | Martson |
| Pepper    | - | Hoang   |
| Gaines    | - | Hoang   |
| Krupicka  | - | Martson |
| Macdonald | - | Hoang   |
| Smedberg  | - | Hoang   |
| Woodson   | - | Hoang   |

27. Alexandria Environmental Policy Commission  
1 Member With Expertise in Federal/State Environmental  
Statutes, Regulations and Procedures (Preferably An Attorney)

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

NAME:

ENDORSED BY:

Danielle Fidler  
Eliza Dolin  
Mary Ramsdell  
Patrick Traylor

(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; 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Danielle Fidler as the member with expertise in Federal/State Environmental Statutes, Regulations and Procedures (preferable an attorney) to the Alexandria Environmental Policy Commission. The voting was as follows:

|           |   |         |
|-----------|---|---------|
| Euille    | - | Fidler  |
| Pepper    | - | Fidler  |
| Gaines    | - | Fidler  |
| Krupicka  | - | Fidler  |
| Macdonald | - | Fidler  |
| Smedberg  | - | Traylor |
| Woodson   | - | Fidler  |

- 28. Alexandria Public Records Advisory Commission  
1 Citizen Member

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

NAME:

ENDORSED BY:

Jessica Branco  
Gregory Colati

(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. 28; 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Jessica Branco as the citizen member to the Alexandria Public Records Advisory Commission. The voting was as follows:

|           |   |        |
|-----------|---|--------|
| Euille    | - | Colati |
| Pepper    | - | Colati |
| Gaines    | - | Colati |
| Krupicka  | - | Branco |
| Macdonald | - | Branco |
| Smedberg  | - | Branco |
| Woodson   | - | Branco |

29. Alexandria Waterfront Committee  
 1 Citizen-at-Large Who Resides West of Washington Street

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

NAME: ENDORSED BY:

Robert Griffin  
 Andrew Rosenberg  
 Marc Sukolsky

(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. 29; 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Robert Griffin as the citizen-at-large who resides west of Washington Street to the Alexandria Waterfront Committee. The voting was as follows:

|           |   |         |
|-----------|---|---------|
| Euille    | - | Griffin |
| Pepper    | - | Griffin |
| Gaines    | - | Griffin |
| Krupicka  | - | Griffin |
| Macdonald | - | Griffin |
| Smedberg  | - | Griffin |
| Woodson   | - | Griffin |

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION**

30. Deferral of City Action on Acquisition of Property from the Old Dominion Boat Club.

(A copy of the City Manager's memorandum dated January 5, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30, 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Vice Mayor

Pepper and carried unanimously, City Council deferred action on acquisition of the Old Dominion Boat Club building and property, and the Boat Club parking lot, until such time as a feasibility study of potential waterfront locations for the Boat Club has been completed and discussions between representatives of the Old Dominion Boat Club and the City have occurred. The voting was as follows:

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

## **REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES**

**None**

### **ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

(a) Vice Mayor Pepper said she represents the Council on the Metropolitan Washington Council of Governments Air Quality Committee, and the region has been cited as being a non-attainment region because of the pollutants in the air. She said the MWAQ staff had received notice that the EPA has published its final ruling designating the Washington area as a non-attainment area for the fine particulate standard of PM2.5. Vice Mayor Pepper noted that the area has to meet two standards: it has to clean up the NOx contribution to the air and the particulate issue.

(b) Councilman Krupicka said he would be taking over as chair of CONAANDA, the Council of Governments Committee on Noise, Aviation and Air for the Metropolitan area, which oversees the activities of National and Dulles Airports, and the impacts on the surrounding community.

(c) Councilman Krupicka noted that there was an IT Commission meeting last week and he announced that Technology Achievement Awards week has been set for March 7-11, 2005, and it will present the annual technology achievement award and nominations are open. Announcements have been sent out and more information can be found on the City's website, on the Chamber of Commerce's website, or the Economic Development Partnership's website.

(d) Councilman Krupicka said Beatley Library is now wireless so people can now have wireless internet access at the library. He noted the City is close to having wireless internet access in Old Town at Market Square and a few other areas as a pilot project for a few months.

Vice Mayor Pepper said the Information Technology Week can be for anything. One of the most unusual awards was the YMCA won an award because they had a computer system whereby people could track their progress.

(e) Councilman Gaines thanked the Mayor who recently completed his term on the Northern Virginia Transportation Commission.

(f) Councilman Gaines said that at the Council of Governments Transportation Planning Board meeting in December, it was presented with the 2004 State of the Commute Survey and he noted those findings, which include the importance of employer sponsored commuter benefits, free parking was a major reason why people drive alone, statistics in telecommuting seems to be increasing, and travel time is important.

(g) Councilwoman Woodson spoke about the Smart Growth Video they saw in the work session this evening, and it will be shown in a variety of different places, such as COG's website, at public libraries and probably on the City's website soon.

(h) Mayor Euille said he returned on Sunday from Phoenix, Arizona after having been appointed by Washington, D.C. Mayor Tony Williams to serve on his leadership team as vice chair of the National League of Cities Committee on Community and Economic Development. It focused on coming up with the goals and strategic plan for 2005 for the NLC. Of particular concern is the issues the NLC will be following on behalf of the 1,800 plus members across America are matters such as the pending transportation bill, which is still stalled in Congress, Community Development Block Grant Funds, Section 8 Housing Programs, and consideration of taking away from all taxpayers in the United States the right to deduct both state and local taxes on Federal tax returns.

#### **ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Councilman Macdonald recognized the work of the firefighters who rescued an injured member of the helicopter which crashed south of the Woodrow Wilson Bridge.

Mayor Euille noted that the rescue was the debut of Alexandria's boat #201, which was purchased with Homeland Security funds, and it was the only enclosed rescue boat among the rescue boats that was able to get into the site of the downed helicopter.

Fire Chief Mesaris said the incident recognized the value of the marine operations training the personnel go through each year, and the boat is a state-of-the-art fire and rescue boat. It had a number of capabilities that it did not previously have, one of which was the ability to maneuver in shallow water, it was equipped with a dive platform on the rear, and the individual that was rescued was in such pain they were not able to get him into the craft and had to transport him on that platform.

(b) Councilman Macdonald noted the sad incident at Goodwin House

recently, and they are proud of the work of the Police to step in and do what they could, and to one of the visitors to the Goodwin House who stepped in to help prevent further tragedy.

(c) Councilman Macdonald asked for an update on the repair of the City docks and the effort to get funds from FEMA.

Emergency Management Coordinator Mark Penn explained that the City won its appeal with FEMA, so they are now eligible for category C-G, which is permanent work to the City facilities. The next step is to write a project worksheet, which will take about 30 days, but in the meantime, the City has received the verbal okay to proceed with work.

General Services Director Ed Mandley said there is a meeting on Tuesday with barge companies, the bids open on January 27, and it will take about 60 days for completion of the entire project, weather permitting.

Councilman Macdonald said although probably a budget issue, it would be nice to dovetail some of the projects like fixing the bulkhead at Windmill Hill Park, as it might be a lot less expensive to do them at the same time.

(d) Vice Mayor Pepper said First Night was absolutely terrific and she hoped to have a report from them. She said there were estimated to be 13,000 people at the event. She said there were new performances and advertising this year.

(e) Vice Mayor Pepper said the *Gazette* had its review of 2004, and Council were asked to give their top ten news stories, and she wished she had been able to give her top ten heroes or heroines of the year, and they are: 1. Phil Sunderland, who served as City Manager for the last five years; 2. Paul Darby, who put together a coats for kids drive operating mainly out of his home; 3. Poul Hertel and Lisa Chimento for the report on the Mirant Plant; 4. DeForrest Talbert, the first Alexandrian to die in Iraq; 5. Ann Plamondan and all the Ann Plamondans in the City, who cleans up her neighborhood every day; 6. Chuck Hamill, who lives in Old Town, who took on the Alaska Oil Industry; 7. Ellen Pickering, who was a member of Council some time ago and then followed as someone who was an activist and thought in a positive way of the views she held; 8. Governor Mark Warner, for trying to keep the State's finances in line; 9. Delegate Marian Van Landingham, for the inspiration she gives us all on the way she has handled her return of cancer; and 10. All the wonderful City workers. She said that as she begins her 2005 list, at the top is John Springer, who was the gentleman who was visiting his 95-year old mother at the Goodwin House and pulled the attacker off a woman who was being knifed.

(f) Councilman Gaines said the T.C. Williams basketball team continues to excel and are currently 4-1 in their division and are ranked in the top ten in Northern Virginia.

(g) Councilman Gaines said they were all very disturbed by the news reports at the Goodwin House. He said John Springer is the hero, as when he heard the cries for help, he went to assist, and it was heroic what he did. He conveyed to the residents and workers at Goodwin House the Council's and his concern for their continued healing and well-being.

(h) Councilman Gaines said yesterday was the launch event for the PTO lunch-time shuttle. It will link the several thousand employees with businesses, restaurants and shops in Old Town and benefit both parties in the process. He asked staff to get periodic reports as to ridership.

(i) Councilman Gaines asked staff to speak to the independent funding of independent TMP's.

Transportation and Environmental Services Director Rich Baier noted that a report would be put together and sent to Council and the Planning Commission, and then it will take it to the Planning Commission. Planning Director Eileen Fogarty noted that this topic came up in a meeting with a group of developers a couple of weeks ago and they expressed a desire to be part of a working group looking at it.

(j) Councilman Gaines recognized small business owner Josie Bruland, the owner of Bradlee Florist, who won the IBM Award that is given to a small business who has shown innovation for the use of her laptop computer to increase productivity and growth of her small business.

(k) Councilman Smedberg said the American Red Cross is soliciting nominations for their 25th annual Burke Award, which recognizes Alexandrians who have contributed in an outstanding way to any philanthropic or humanitarian service to the community at large. The deadline for the applications is January 22.

(l) Councilman Smedberg said the real issue at Goodwin House and others like Goodwin House was what kind of opportunities they have to do serious background checks. The stabber had some prior history of this and was arrested but not convicted of something similar to this a year ago. He said the real issue is are there lapses in the background checks and is that something the State legislature has to look at.

Councilman Gaines noted that the General Assembly has that on their agenda. He said that Debra Collins, in response to his request about enhanced enforcement for assisted living facilities, shared with him what legislators are looking at the State level.

Human Services Director Debra Collins said they are looking at the State level, as it is a problem across the State. She noted that there are levels of checking that need to occur, and more needs to be done to protect the vulnerable citizens.

(m) Councilman Smedberg said he was headed north on Route 1 this morning and saw an incident of people running across Route 1 to get to the other side, he assumed to get to the Braddock Road Metro.

Mr. Baier gave an update on the analysis of the pedestrian crossings and traffic at that location and noted that he will bring to the Parking and Traffic Board in February a docket item to have their review and public hearing for an additional pedestrian actuated signal to be added between Montgomery and Slaters Lane. It should come to Council at the second meeting in March.

Councilwoman Woodson asked that the countdown be long enough for people to get across the street before it changes.

(n) Councilwoman Woodson said a client was in town trying to decide between living in Alexandria and living in Arlington, and the client had an excellent experience with a staff member who she thought was from Transportation and Environmental Services on King Street, who directed them to City Hall, who had an excellent experience in Citizens Assistance.

(o) Councilwoman Woodson said the Women's Commission is also soliciting recommendations from the general community, as well as from Council, for their awards in March. The deadline for submission is February 25. The event will be March 28 at the Holiday Inn on First Street. There are four categories: health and safety, legislative advocacy, cultural affairs, and women who have been providing opportunities for youth.

(p) Councilman Krupicka said First Night was fantastic. He said he learned that he can see the Masonic Temple and hear the loud speakers from his porch, which tells him that most of the City heard First Night happening.

(q) Councilman Krupicka thanked Vice Mayor Pepper for recognizing the citizens on her top ten list, as the City is blessed with fantastic residents.

(r) Councilman Krupicka thanked Mayor Euille for representing the Council so well with the Goodwin House incident, as it helped the residents feel better. He also thanked the City staff, Commonwealth's Attorney Office and the Police Department who also responded quickly.

(s) Councilman Krupicka said in talking with members of the Environmental Policy Commission and local residents, he was asked questions about Cameron Run, and it would be an exciting opportunity as they could reintroduce fish into Cameron Run. He asked what the City is doing with Fairfax County and what is the status of looking at Cameron Run and reintroducing fish into Cameron Run.

Environmental Quality Division Chief Bill Skrabak explained the process with Fairfax County and the Army Corps of Engineers to do a watershed feasibility study. He noted that Congressman Moran's office is aware of the project.

(t) Mayor Euille said that as noted, he immediately went to the Goodwin House on his return from Phoenix on Sunday, and the suggestion from Councilwoman Woodson that they come up with some type of program to honor its citizens on a monthly, quarterly or annual basis is of worthy consideration and will be working on coming up with a constructive program. Mayor Euille said the incident at Goodwin House with Mr. Springer is an opportunity to recognize Mr. Springer for his heroic efforts, and he requested the staff to collaborate with Goodwin House to honor Mr. Springer at an upcoming legislative meeting.

#### **ORAL REPORT FROM THE CITY MANAGER**

City Manager Hartmann reported on the following: (a) he has had a good first two days and is impressed by the staff, tours and briefings; (b) he asked Mr. Baier to give an update on the solid waste collection.

Mr. Baier made a presentation of the changes to the new refuse and recycling collection days.

(c) Mr. Hartmann asked Ms. Collins to make a report on the Tsunami relief effort.

Ms. Collins made a presentation on the Tsunami relief effort in Alexandria.

Mayor Euille thanked staff for its work and said he mentioned to his colleagues that perhaps the City can adopt a village in one of the countries in order to have a more direct communication means.

(d) Mr. Hartmann passed out the latest edition of *FYI Alexandria* ; (e) he passed out the report on the Council's strategic plan; and (f) he echoed acknowledgement of the public safety crews that worked at last night's helicopter crash.

#### **ORDINANCES AND RESOLUTIONS**

31. Consideration of Grant Application and Resolution for the FY 2006 Funding for the Continuation of the Alexandria Rideshare Program. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated January 3, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31, 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously by roll-call vote, City Council adopted the resolution and authorized the City Manager to: (a) Submit a grant application and the resolution to the Virginia Department of Rail and Public Transportation for FY 2006 funding: (i) in the amount of \$140,355, which will be matched by \$34,084 of City funds, for a total program of \$175,419, for the continuation of the City's ridesharing services through Alexandria Rideshare; and (ii) in the amount of \$23,750, which will be matched by \$1,250 of City funds, for a total of \$25,000 to hire a new public transportation intern; (b) approved the continuation of two full-time grant-funded positions (Transit Specialist I and Transit Services Assistant I) to administer the ongoing 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 (c) execute all necessary documents that may be required under this program.

Councilman Smedberg asked that commercials shown in the Hoffman Theaters with the old car be changed to update the slide or graphic to show a newer vehicle.

The voting was as follows:

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

The resolution reads as follows:

#### RESOLUTION NO. 2131

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 and to fund a public transportation intern;

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 \$140,355 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 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 \$23,750 to defray the costs borne by the PUBLIC BODY to fund a public transportation intern 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.

BE IT FURTHER RESOLVED that the PUBLIC BODY will provide funds in the amount of \$1,250, which will be used as a 5 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 11th day of January 2005.

32. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 74 of the City Code.  
**[ROLL-CALL VOTE]**

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32, 1/11/05, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the

office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 32, 1/11/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously by roll-call vote, City Council introduced and passed the ordinance on first and second readings. The voting was as follows:

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

The ordinance reads as follows:

#### ORDINANCE NO. 4379

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 74," are hereby adopted as and shall constitute "The Seventy-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Seventy-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between January 24, 2004, through October 16, 2004, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after January 24, 2004, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices;

nor shall it affect any provision of any ordinance adopted between January 24, 2004, through October 16, 2004, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Seventy-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The Seventy-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

## **OTHER**

### 33. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated January 6, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 33, 1/11/05, 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 adopted the City Council schedule for the months of January through June, 2005, with the following additions and changes: (a) change the date of the joint work session with the School Board on the Schools' CIP and FY 2006 Operating Budget from Wednesday, April 20 to Wednesday, April 6 at 7 p.m. with the location to be determined; (b) change the date of the Monday, April 25 budget work session on the add/delete list to Wednesday, April 27 at 7 p.m., in the Council Workroom; and (c) receive the revised calendar which includes the Alexandria Chamber of Commerce State of the City breakfast on Friday, February 25 at 7:30 a.m. (location to be determined), and the celebration of the 5th anniversary of the opening of the Charles E. Beatley, Jr. Library and the naming of the William J. Birchler Periodical Room on Sunday, January 30 at 2 p.m.

Councilwoman Woodson noted that she would be out of town January 30 so would not be able to attend the fifth anniversary celebration.

The voting was as follows:

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

34. Consideration of Convening An Executive Session Closed to the Public To Discuss Pending Litigation, pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia*.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, at 9:50 p.m., City Council convened in closed executive session, 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 with respect to actual and probable litigation concerning land use, civil rights and other claims against the City. 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 reconvened in open session at 10:24 p.m. 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 by roll-call vote, City Council adopted the resolution pertaining to the executive session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2132

WHEREAS, the Alexandria City Council has this 11th day of January 2005, 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 Pepper and carried unanimously, City Council adjourned the regular meeting of January 11, 2005, at 10:26 p.m. The voting was as follows:

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

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APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jackie M. Henderson, City Clerk