

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, May 10, 2005 - - 7:00 p.m.

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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; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Baier, Director, Transportation and Environmental Services; Ms. Gordon, Public Information Officer; Ms. Boyd, Director, Citizen Assistance; Mr. Neckel, Director, Finance; Mr. Kincannon, Director, Parks, Recreation and Cultural Activities; Ms. Barnett, Deputy Director, Parks, Recreation and Cultural Activities; Mr. Culpepper, Deputy Director, T&ES; Mr. Skrabak, Division Chief, T&ES; Mr. McCobb, Deputy Director of Operations, T&ES; Robbie, the Recycling Squirrel; Ms. Fogarty, Director, Planning and Zoning; Mr. Josephson, Deputy Director, Planning and Zoning; Mr. Phipps, Planning and Zoning; Ms. Collins, Human Services Director (DHS); Mr. Powers, Director, Community Program, DHS; Mr. Hatfield, DHS; Ms. Griffin, Director of Aging and Adult Services, DHS; Ms. Davis, Housing Director; Mr. Fifer, E-Government Manager; Mr. Brooks, ITS; Police Lt. Uzzell; 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 the members of City Council were present.

2. Moment of Silence and Pledge of Allegiance.

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

3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:
 - (a) The Public Hearing Meeting Minutes of April 16, 2005;
 - (b) The Regular Meeting Minutes of April 26, 2005; and
 - (c) The Special Meeting Minutes of May 2, 2005.

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the public hearing meeting minutes of April 16, 2005 and the regular meeting minutes of April 26, 2005 (the minutes of May 2, 2005 were deferred.) The voting was as follows:

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

* * * * *

New Business Item No. 1: Mayor Euille said that since the adoption of the budget, he has been talking to Council about the admission tax, and he thought there was sentiment for doing some restructuring of the tax just approved. The new tax is sound and the broad exemptions appropriate, so it should be kept, but Council should rethink the structure. The 10 percent level with a 50 cent cap may be too high and Council should consider a lower rate. He said he has asked the City Manager to docket the item for reconsideration for the May 14 meeting.

New Business Item No. 2: Councilman Gaines noted the students from Bishop Ireton in the audience for a class assignment to observe the legislative process at the local level.

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RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

4. Presentation by the Alexandria Students Who Participated in the Youth Summit in Dundee, Scotland.

(This item was heard after item #6.)

5. Recognition of Graduates of the Life Skills for Successful Living Program.

City Council recognized the graduates of the Life Skills For Successful Living Program.

PROCLAMATIONS

- 6. Presentation of a Proclamation Declaring May as Older Alexandrians Month and Elder Abuse Prevention Month in the City of Alexandria.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 5/10/05, 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"	

- 4. Presentation by the Alexandria Students Who Participated in the Youth Summit in Dundee, Scotland.

City Council recognized the students who participated in the youth summit and heard the presentation the students gave while in Scotland. The students present were: Margaret Battey, Rachel Neurohr, Dylan Colligan, and Natalie Moore. Not present during the meeting was student Maurice Powell.

- 7. Presentation of a Proclamation Declaring May as Watershed Awareness Month in the City of Alexandria.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 5/10/05, 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"	

- 8. Presentation of a Proclamation Declaring May 15-21, 2005, as National Public Works Week 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. 8; 5/10/05, 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"	

9. Presentation of a Proclamation Declaring May 21, 2005, as Commemoration 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. 9; 5/10/05, and is incorporated as part of this record by reference.)

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

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

10. Presentation of a Proclamation Declaring May 15-21, 2005, as Emergency Medical Services Week 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. 10; 5/10/05, and is incorporated as part of this record by reference.)

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

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

11. Presentation of a Proclamation Declaring May 22, 2005, as Residential Youth Services 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; 5/10/05, 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"	

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 Emergency Medical Services Council
Mary Gregerson
 - (b) Alexandria Potomac Yard Design Advisory Committee
Raphael "Rocky" Semmes
 - (c) Alexandria Sister Cities Committee
Peggie Dill

(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-c); 5/10/05, and is incorporated as part of this record by reference.)

13. Uncontested Appointments to Boards, Commissions and Committees:
- (a) Alexandria-Caen Sister City Committee
2 Citizen Members
 - (b) Alexandria Archaeological Commission
1 Member From the Alexandria Historical Society

- (c) Alexandria Citizen Corps Council
 - 1 Representative of Alexandria Civic Associations
 - 1 Representative of the Crime Prevention Council, or An Individual With Law Enforcement or Crime Prevention Experience
- (d) Alexandria Commission on Information Technology
 - 1 Member Representing the Alexandria City School Board
- (e) Alexandria Commission on Persons With Disabilities
 - 1 Citizen Member Who Has A Disability
- (f) Alexandria Early Childhood Commission
 - Designee of the President of the Alexandria Chamber of Commerce
- (g) Alexandria Human Rights Commission
 - 1 Representative From the Alexandria Commission For Women
- (h) Alexandria Local Emergency Planning Committee
 - 2 Representatives of Community Groups

(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-h); 5/10/05, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 14. Consideration of Submission of a Grant Application to the Department of Criminal Justice Services to Continue Community Corrections (Local Probation) and Pretrial Services Under the Comprehensive Community Corrections Act and Pretrial Services Act for FY 2006.

(A copy of the City Manager's memorandum dated May 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 5/10/05, and is incorporated as part of this record by reference.)

- 15. Consideration of Submission of a Renewal Grant Application to the Virginia Department of Environmental Quality for FY 2006 Pass-Through Funding From the U.S. Environmental Protection Agency for the City of Alexandria Air Pollution Control Program.

(A copy of the City Manager's memorandum dated May 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 5/10/05, and is incorporated as part of this record by reference.)

16. Receipt of the Alexandria Commission for the Arts Fiscal Year 2003-2004 Annual Report.

(A copy of the City Manager's memorandum dated May 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 5/10/05, and is incorporated as part of this record by reference.)

17. Consideration of Modification of Housing Trust Fund Loans to Community Lodgings, Inc.

(A copy of the City Manager's memorandum dated May 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 5/10/05, and is incorporated as part of this record by reference.)

18. Consideration of Submission of Citizen Corps Program Grant Application to the Virginia Department of Emergency Management.

(A copy of the City Manager's memorandum dated May 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 5/10/05, and is incorporated as part of this record by reference.)

19. Consideration of Approval of Grant Award From the Virginia Department of Social Services For Employment Advancement For Temporary Assistance For Needy Families (TANF) Recipients.

(A copy of the City Manager's memorandum dated May 4, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 5/10/05, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

20. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Dedicate One Cent of the Real Estate Tax Rate to Affordable Housing, Beginning July 1, 2005.

(A copy of the City Manager's memorandum dated May 5, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 5/10/05, and is incorporated as part of this record by reference.)

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. 2 of Item No. 20;

5/10/05, 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. 3 of Item No. 20; 5/10/05, and is incorporated as part of this record by reference.)

21. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Adopt the New Mount Vernon Avenue Small Area Plan.

(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; 5/10/05, 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; 5/10/05, and is incorporated as part of this record by reference.)

22. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Adopt Zoning Regulations to Implement the New Mount Vernon Avenue Small Area Plan.

(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; 5/10/05, 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; 5/10/05, 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 into the Sidewalk at 315 North Payne 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; 5/10/05, 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; 5/10/05, 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 an Encroachment into the Sidewalk at Stabler Leadbeater Apothecary Museum.

(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; 5/10/05, 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; 5/10/05, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the Consent Calendar as follows. The City Manager's recommendations were as follows:

12. City Council accepted the following resignations with regret: (a) Mary Gregerson, Alexandria Emergency Medical Services Council; (b) Raphael "Rocky" Semmes, Alexandria Potomac Yard Design Advisory Committee; and (c) Peggie Dill, Alexandria Sister Cities Committee.

13. City Council made the following appointments: (a) appointed Laura Fields and Elizabeth Knisley as the two citizen members to the Alexandria-Caen Exchange Committee; (b) reappointed William Tabor as the member from the Alexandria Historical Society to the Alexandria Archaeological Commission; (c) appointed Mark Schwartz as the representative of Alexandria Civic Association and appointed Thomas Walczykowski as the representative of the Crime Prevention Council or an individual with law enforcement or crime prevention experience to the Alexandria Citizen Corps Council; (d) reappointed George Hagen as the member representing the Alexandria City School Board to the Alexandria Commission on Information Technology; (e) reappointed Ruth Soto as the citizen member who has a disability to the Alexandria Commission on Persons with Disabilities; (f) appointed Sean McEneaney as the designee of the president of the Alexandria Chamber of Commerce to the Alexandria Early Childhood Commission; (g) reappointed Jenny Wade as the representative from the Alexandria Commission for Women to the Alexandria Human Rights Commission; and (h) appointed Marilee Cunningham and reappointed Karen Helbrecht as the two representatives of community groups to the Alexandria Local Emergency Planning Committee.

14. City Council authorized the City Manager to: (a) submit a grant application to the Virginia Department of Criminal Justice Services (DCJS) for continuation funding for the second half of the current biennial grant cycle (FY 2006), in

the amount of \$424,097, under the Comprehensive Community Corrections Act-Pretrial Services Act (CCCA-PSA.) Last year's application covered funding for the FY 2004-2005 biennial grant cycle. Due to the short turn around time provided by DCJS, the submission was forwarded to DCJS in accordance with the May 2 deadline, contingent upon City Council's approval at its May 10, 2005, legislative session; (b) approve the continuation of six full-time positions to deliver the services to be provided under these grant programs. These grant funded positions would terminate upon the expiration of the grant and the individuals filling these positions will be notified of this condition of employment and sign an agreement of understanding with regard to this condition; and (c) execute all documents that may be required.

15. City Council authorized the City Manager to: (a) submit a renewal grant application to the Virginia Department of Environmental Quality for FY 2006 pass-through funding from EPA, in the amount of \$43,730, for the City of Alexandria Air Pollution Control Program; and (b) execute all necessary documents that may be required.

16. City Council received the annual report from the Alexandria Commission for the Arts and thanked the Commission for its efforts on behalf of the City.

17. City Council approved the following modification to the Housing Trust Fund loan on 612 Notabene Drive: Property: 612 Notabene; current payment: \$1,070.44; current payoff date: October 2006; proposed payment: \$194.50; proposed payoff date: July 2014; and monthly savings: \$875.94.

18. City Council: (a) approved the submission of the grant application to VDEM; and (b) authorized the City Manager to submit this application for State assistance.

19. City Council: (a) authorized the grant award in the amount of \$125,000 to provide intensive employment services for TANF (Temporary Assistance for Needy Families) recipients with special difficulties finding and maintaining employment; and (b) authorized the City Manager to execute all documents as may be required.

20. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 14, 2005.

21. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 14, 2005.

22. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 14, 2005.

23. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 14, 2005.

24. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on May 14, 2005.

The voting was as follows:

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

CONTESTED APPOINTMENTS

25. Alexandria Commission for Women
3 Citizen Members

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

NAME: ENDORSED BY:

Susan Butler
Sara Donahue
Tina Games-Evans
Limor Schafman

(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; 5/10/05 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 Susan Butler, Sara Donahue and Tina Games-Evans as the three citizen members to the Alexandria Commission for Women. The voting was as follows:

Euille	-	Butler, Donahue, Games-Evans
Pepper	-	Butler, Donahue, Games-Evans
Gaines	-	Butler, Donahue, Games-Evans
Krupicka	-	Butler, Donahue, Games-Evans
Macdonald	-	Butler, Donahue, Games-Evans
Smedberg	-	Butler, Donahue, Games-Evans
Woodson	-	Butler, Donahue, Games-Evans

26. Alexandria Citizen Corps Council
4 Citizen Members

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Macdonald	"no"
	Woodson	"no"	

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Councilman Smedberg said the Northern Virginia Regional Commission had a meeting with the State Delegation and talked about the relations between the State Legislators and what it could do to improve those relations.

(b) Vice Mayor Pepper said she represents the Council on the Commission on Aging and one of the things they have been concerned about is a letter received from the Alexandria Yellow Cab Company, and she asked for staff to give an update as to how they are responding to that letter.

Transportation and Environmental Services Deputy Director Culpepper gave an update on how staff is responding to the notice received from Yellow Cab to terminate its contract with the City. He noted that staff has had discussions with the back-up vendors and are working with the Purchasing Department to get a new request for proposals on the street in the very short-term and a new contract awarded within 60 days, as staff has accepted Yellow Cab's termination, so it will have a new contract in place.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Vice Mayor Pepper said that last weekend, there was a regional foster parent appreciation event, and a couple from Alexandria was recognized for taking a young lady into their home to be foster parents, and she represented the City when they received the honor.

(b) Councilman Krupicka said that on Saturday, May 21, Del Ray will have its first open air movie festival Cinema Del Ray, by the Mt. Vernon Recreation Center, from 7 to 10 p.m., and the movie will be Shrek.

(c) Councilman Krupicka said one of the recommendations BFAAC brought forward in the budget process was to take a look at health care benefits to make sure they are competitive with the region and sustainable financially, and he asked if Council needed to bring it formally back to give them that charge.

City Manager Hartmann said staff supports looking at that and he would convey the Council's wishes to BFAAC.

(d) Councilman Krupicka said he received the April crime report and it is an excellent document, and he appreciated the Police Department putting as much effort as they do into the reports, and he said he found them very helpful. He said the Police Department is also helping him to find a way to take the pictures and turn them into numbers so he can understand what is happening in a neighborhood-by-neighborhood basis.

(e) Councilman Krupicka said that over the last year, he has participated in a natural resources program put on by Virginia Tech and the University of Virginia, and once a month they go to a different part of the state and explore the natural resource issues in that part of the state. He said they have visited the coal mines of Appalachia, the polluted waters on the Chesapeake, as well as farmland in the state. He said applications are out for next year and are available in the City Clerk's Office.

(f) Councilwoman Woodson thanked all the people that helped and participated in the Parent Leadership Institute on April 28 in which it had a town hall type meeting with a group from Connecticut with well over 50 people. She thanked Giant, Safeway, Trader Joe's, Papa John's Pizza, Monterey Pizza, Firehook Bakery, Popeye's, Marianne Russell at Embassy Suites, Tenant and Workers Support Committee, volunteers Margaret Theill, Howard Woodson, Fay Slotnick and Fay's two children Jennifer and Phyllis, Debra Collins and her staff, Carol Farrell, Ron Frazier, Paulette Jarrett, Ricardo Drummond, Karen Parker-Thompson and her daughter Shannon, Michelle Robinson, Mike Maness, the City Manager and his friend from South Carolina, and the 50 or so parents who came out to get involved. She noted that a majority of this was donated and it is not something the municipality pays for.

(g) Councilwoman Woodson said she attended a meeting at ARHA on Monday, and there are issues that Council needs to talk about, and it very likely would require a great deal of City involvement in the way of money from the housing fund, and she asked that it be docketed at some point.

Mayor Euille said there is a standing subcommittee on the Chatham Square project, and he and Councilman Krupicka represent Council on that committee, and there is a standing subcommittee on ARHA, which he and Vice Mayor Pepper serve on. ARHA's subcommittee meeting is scheduled for this Friday at 2:30 and they will make sure they talk about Chatham Square. He said that rather than docketing the item, perhaps there needs to be an executive session meeting with Council and ARHA, since it involves contract matters and finances.

(h) Councilwoman Woodson said the Freedom of Information Act is one of the hallmarks of democracy that people have access to information and have unfettered information. The sunshine laws in Virginia take it another step, and having citizen government in the way of commissions and task forces that advise Council point to the

kind of government that citizens in Virginia have expected. She said Council received a FOIA and she questioned its intent and the staff time for the request. She said if FOIA's can be done for anything and for harassment, they need to question whether staff time is being compensated, as she said the actual hourly rate doesn't cover the hourly cost for the staff. There are over 100 commissions and task forces and Council makes over 100 appointments every single year, and she found it discomfoting that a FOIA could be used to question a particular candidates win or lack thereof. She said her concerns are the amount of staff time dedicated is not being compensated by what the City charges, but that if it charges more, then that may be unfair to people who can't afford to pay what it is; and the Council has been tasked this year for the last four months, if not longer, with reducing budgets, efficiencies, with creating a government that is lean and mean. Councilwoman Woodson said she believes in FOIA, the Constitution, democracy, and in sunshine, but what she didn't believe in is using that to harass and she didn't believe it was fair to turn around and point fingers at the very group of people they are harassing and question how efficient they are with the tax dollars. She said that if it turns out that staff spends an unreasonable amount of time responding to FOIA's, and they have 100 people Council appoints every year, as an example, and every time someone is appointed and someone doesn't like that appointment, and they have the right to issue a FOIA, can one imagine the madness it would create.

(i) Councilman Smedberg said the Arlandria Clinic had its annual fundraiser where they raised \$70,000. The fundraiser is important for the many families and young children who are served by the Arlandria Clinic and all the great work they do.

(j) Councilman Smedberg acknowledged the efforts of the Mirant working group that he and the Vice Mayor serve on. He said they have learned that Mirant has applied to the FAA and the EPA for increased stack heights, it is believed so they can get around the downwash issue. He applauded the commission for its efforts.

(k) Councilman Macdonald sent his condolences to the family of 87-year old Jung Hee Yoon, a pedestrian who was struck and killed recently.

(l) Mayor Euille noted that tomorrow morning at 10 a.m., Council is invited to be with News Channel 4, who will be at the Woodrow Wilson Bridge Coordinating Offices on Eisenhower Avenue to have a news conference discussion with members of Council about the community pathways initiative.

ORAL REPORT FROM THE CITY MANAGER

The City Manager reported on the following: (a) he asked Assistant City Manager Jinks to report on a meeting yesterday with Congressman Moran regarding base closure recommendations from the Secretary of Defense to Congress. Mr. Jinks gave a report on the potential base closures and answered questions of Council; (b) the City docks damaged by Hurricane Isabel in 2003 have been open and are for use; (c) the Government Finance Officers Association presented the City with a certificate of

achievement for excellence in financial reporting for the 27th consecutive year; and (d) Alexandria Police Officer Steven Parker will receive a statewide award in Richmond for his efforts against auto theft and he will receive a LEO (Law Enforcement Officer) award from HEAT (Help Eliminate Auto Theft.)

Mayor Euille noted that the City has been honored and awarded by a national arts organization for being one of the top 25 cities in America for its commitment and dedication to the arts.

ORDINANCES AND RESOLUTIONS

- 28. Consideration of Amending the Resolution Establishing the Community Anti-Gang Task Force to Add a Representative of the Hispanic Business Community. **(ROLL-CALL VOTE)**

(A copy of the City Manager's memorandum dated May 5, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 5/10/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council: (a) approved the addition of a designated position for a leader in the Hispanic business community to the membership of the Alexandria Gang Prevention Community Task Force; (b) repealed Resolution No. 2028; and (c) adopted the resolution which effects the change and authorized the Mayor to make the appointment. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2151

WHEREAS, the local governments of the Washington, D.C. metropolitan region are working together to address gang activity in the region; and

WHEREAS, this fall several members of City Council participated in the Metropolitan Washington Council of Governments' regional forum to address ways to alleviate gang activity in the Washington metropolitan area; and

WHEREAS, the Alexandria City Council is concerned about the increasing incidents of gang-related activity in the metropolitan area, and wishes to improve education and communication regarding gangs among City agencies, between the City and others in the region, and within the Alexandria community; and

WHEREAS, although to date the City of Alexandria has experienced a relatively low amount of criminal activity by gang members, in part due to the effective suppression efforts of the Alexandria Police Department, gangs are a regional problem, and as such, could impact Alexandria at any time (for instance, if gang members from other jurisdictions come into the City to recruit members or commit crimes); and

WHEREAS, numerous City and state departments and agencies serving Alexandria have an interest in gang suppression, prevention and intervention; and

WHEREAS, City Council wishes to establish an Alexandria Gang Prevention Community Task Force to address gang issues;

NOW, THEREFORE, BE IT RESOLVED, that the Alexandria City Council hereby establishes an Alexandria Gang Prevention Community Task Force which shall be appointed by the mayor and shall consist of the following 14 members;

- Two members of the Alexandria City Council
- One member of the Alexandria School Board
- One representative of TC Williams High School
- One representative of City Middle Schools
- One representative of Alexandria Elementary Schools
- One representative of the private schools in Alexandria
- One representative of the Alexandria Tenant and Workers Support Committee
- One representative of the Alexandria Branch of the NAACP
- One representative of the Alexandria Youth Council
- One representative of the Alexandria Interfaith Council
- Two representatives from the City at-large
- One representative of the Hispanic business community

BE IT FURTHER RESOLVED, that advisors to the Task Force shall include, as needed, the City Manager, the Commonwealth's Attorney, the Police Chief, the Sheriff; and the Directors of Court Services, Human Services, Recreation, Parks and Cultural Activities, Mental Health, Mental Retardation and Substance Abuse, Adult Probation and Parole, and the Office on Women.

BE IT FURTHER RESOLVED, that the Task Force shall continue for a period of 18 months from the date of its first meeting, and shall at that time dissolve unless authorized to continue by the City Council; and that at least 30 days before the end of its first year, the Task Force shall inform the Council whether it believes it should be authorized to continue in existence and, if so, it shall recommend the length of time it believes it should continue.

BE IT FURTHER RESOLVED, that the charge to the Task Force shall be to undertake the following:

- (1) to receive briefings on the status of gang suppression, prevention and intervention programs and activities in the City and, insofar as directly relevant to the City, the status of similar programs and activities in the metropolitan region;
- (2) to assist in informing and educating the Alexandria community about the gang suppression, prevention and intervention programs and activities that are occurring in the City and in the region;
- (3) to assist in identifying programs and activities that will address specific gang-related problems or issues in the City, with a particular emphasis on programs and activities that will prevent individuals from joining gangs and/or that will intervene with individuals who are members of a gang to facilitate their withdrawal from such membership;
- (4) to assist in identifying opportunities to obtain funding for programs and activities that will address such gang-related problems or issues in the City; and
- (5) to assist in identifying state or local laws that should be enacted or amended to enable the City, and possibly other local governments, to better address problems and issues arising from or related to gangs.

ADOPTED: May 10, 2005

OTHER

29. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May 5, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 5/10/05, 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 received a revised calendar for April through June, 2005, which includes: scheduling a work session on the presentation of the design work on Four Mile Run before its Tuesday, June 14 legislative meeting at 6:30 p.m., in the Council Work Room following the 6 p.m. reception for Alexandria Commission on Persons with Disabilities award winners; and noted the All America City Award Competition will be held in Atlanta on Friday, June 24 and Saturday, June 25.

Councilwoman Woodson noted that she will be out of town for the dedication on the 21st.

The voting was as follows:

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

EXECUTIVE SESSION

30. Consideration of Convening An Executive Session Closed to the Public For Discussion of Pending and Probable 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 9:35 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 and briefing by staff with respect to actual and probable litigation regarding zoning and environmental matters. 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, at 9:43 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 authorized the City Attorney to proceed with litigation along the lines discussed with Council. 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. 2152

WHEREAS, the Alexandria City Council has this 10th day of May 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.

ADOPTED: May 10, 2005

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, the regular City Council meeting of May 10, 2005, was adjourned at 9:43 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, CMC City Clerk