

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, February 14, 2006 - - 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; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Ms. Fogarty, Director, Planning and Zoning (P&Z); Ms. Boyd, Director, Citizens Assistance; Ms. Collins, Director, Department of Human Services; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Ms. Barnett, Deputy Director, Recreation, Parks and Cultural Activities; Ms. Davis, Director, Office of Housing; Mr. Josephson, Deputy Director, P&Z; Mr. Culpepper, Deputy Director, T&ES; Mr. Mason, Acting Public Information Officer/Special Assistant to the City Manager; Mr. Johnson, Director, Office of Management and Budget (OMB); Ms. Smith-Page, Director, Real Estate Assessments; Mr. Caton, Legislative Director; Mr. Bedwell, General Services; Ms. Webster, OMB; Mr. Coleman, OMB; Ms. Moore, OMB; Mr. Routt, OMB; Mr. Doku, OMB; Mr. Eisinger, OMB; Ms. Murphy, OMB; Ms. Padron, OMB; Ms. Salerno, OMB; Ms. Wheel, OMB; Mr. Dahlberg, Director, Code Enforcement; Dr. Gilmore, Director, MH/MR/SA; Mr. Blakeley, Deputy Director, Recreation, Parks and Cultural Activities; Mr. McCobb, Deputy Director of Operations, T&ES; Ms. Collinson, T&ES; Ms. McCoy, T&ES; Ms. Douglas, Department of Human Services; Ms. Akinbami, Office of the Sheriff; Ms. Johnson, MH/MR/SA; Mr. Penn, Emergency Management Coordinator, Fire; Police Lt. Uzzell; Mr. Colevas, ITS; Mr. Lloyd, General Services and Mr. Martinez, ITS.

Recorded by: Gloria Sitton, Deputy City Clerk and Clerk of Council

OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the Deputy 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 January 21, 2006; and
- (b) The Regular Meeting Minutes of January 24, 2006.

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the public hearing meeting minutes of January 21, 2006 and the regular meeting minutes of January 24, 2006. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Declaring February as George Washington Birthday Celebration 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. 4; 02/14/06, 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"	

5. Presentation of a Proclamation Recognizing Alexandria Office of Sheriff Public Safety Clerk Taiwo Akinbami as City Employee of the Month.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 02/14/06, 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"	

6. Announcement of Professional Builder Magazine Awards for the Samuel Madden Homes/Chatham Square Project.

Director of Planning and Zoning Fogarty gave a brief presentation on the three Awards from the Professional Builder Magazine for the Samuel Madden Homes/Chatham Square Project.

7. Consideration of Report on Legislation Introduced at the 2006 General Assembly Session.

(A copy of the City Manager's memorandum dated February 13, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 02/14/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Woodson, seconded Councilman Macdonald and carried unanimously, City Council approved the legislative positions included in the Recommended Positions on Bills of Importance to the City, as recommended by City Council's Legislative Subcommittee (Mayor Euille and Councilwoman Woodson). The voting was as follows:

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

8. Presentation of the Proposed Annual Operating Budget for FY 2007 (including Schools) and the Proposed Capital Improvements Program for FY 2007-2012 (including the Schools CIP).

City Manager Hartmann presented the proposed Annual Operating Budget for FY2007 (including Schools) and the proposed Capital Improvements Program for FY 2007-2012 (including the Schools CIP). Deputy City Manager Jinks, Director of the Office of Management and Budget Johnson and Director of Real Estate Assessments Smith-Page gave detailed descriptions of the different components of the proposed budget.

Members of Council posed questions to staff throughout the presentation and it was noted that staff would continue to report back to Council during the budget process.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (9-12)

(Resignations and Uncontested Appointments)

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

- (a) Alexandria Affordable Housing Advisory Committee
Mariella Posey
- (b) Alexandria Human Rights Commission
Andrew D. Hyman

(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. 9 (a-b); 02/14/06, and is incorporated as part of this record by reference.)

10. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria- Gyumri Sister City Committee
1 Citizen Member
- (b) Alexandria Beautification Commission
2 Citizen Members
- (c) Alexandria Citizen Corps Council
1 Citizen Designated by the Alexandria School Board
- (d) Alexandria Commission on HIV/AIDS
1 Citizen-at-Large
1 Member From and Representing the Alexandria Youth
Policy Commission

- (e) Alexandria Commission on Persons With Disabilities
1 Citizen Member (Must Have A Disability)
- (f) Alexandria George Washington Birthday Celebration Committee
1 Member Who Attends High School in the City
1 Member Nominated by the Alexandria Jaycees
- (g) Historic Alexandria Resources Commission
1 Representative From the Alexandria Convention and
Visitors Association Board of Governors
- (h) Alexandria Sister Cities Committee
1 Citizen Member
- (i) Alexandria Waterfront Committee
1 Citizen Who Resides East of Washington Street and North
of Pendleton Street
1 Citizen Who Resides East of Washington Street and North
of King Street

(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. 10 (a-i); 02/14/06, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 11. Consideration of Funding Allocation for Rebuilding Together Alexandria.

(A copy of the City Manager's memorandum dated February 8, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 02/14/06, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

- 12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish a City-wide Recycling Program as Well as Related Reporting and Enforcement.

(A copy of the City Manager's memorandum dated February 8, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 02/14/06, 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. 12; 02/14/06, 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. 12; 02/14/06, 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, with the exception of items #11 and #12, which were considered under separate motions. The City Manager's recommendations were as follows:

9. City Council accepted the following resignations with regret: (a) Mariella Posey, Alexandria Affordable Housing Advisory Committee; and (b) Andrew D. Hyman, Alexandria Human Rights Commission.

10. City Council made the following appointments: (a) waived the residency requirement and appointed Sandra Goshgarian as the citizen member to the Alexandria-Gymuri Sister City Committee; (b) appointed Laura Best and reappointed Jill Chiarello as the two citizen members to the Alexandria Beautification Commission; (c) appointed Edward Walters as the citizen designated by the Alexandria School Board to the Alexandria Citizen Corps Council; (d) appointed Chanel Johnson as the citizen-at-large and appointed Kimberly Moore as the member from and representing the Alexandria Youth Policy Commission to the Alexandria Commission on HIV/AIDS; (e) appointed Charles Benagh as citizen member (must have a disability) to the Alexandria Commission on Persons with Disabilities; (f) appointed Philippe Halbert as the member who attends high school in the City and waived the residency requirement and reappointed Sharon Sobel as the member nominated by the Alexandria Jaycees to the Alexandria George Washington Birthday Celebration Committee; (g) waived the residency requirement and appointed Mary Ruth Coleman as the representative from the Alexandria Convention and Visitors Association Board of Governors (ACVA) to the Historic Alexandria Resources Commission; (h) appointed Mary Brocking as the citizen member to the Alexandria Sister Cities Committee; and (i) reappointed Engin Artemel as the citizen who resides east of Washington Street and North of Pendleton Street and appointed Jay Atkinson as the citizen who resides east of Washington Street and North of King Street to the Alexandria Waterfront Committee.

The voting was as follows:

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

11. Consideration of Funding Allocation for Rebuilding Together Alexandria.

(A copy of the City Manager's memorandum dated February 8, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No.1 of Item No. 11; 02/14/06, 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 approved the allocation of \$35,000 in Housing Trust Fund (HTF) monies as a grant to Rebuilding Together Alexandria (RTA) to fund RTA's National Rebuilding Day activities for FY 2006. The voting was as follows:

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

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish a City-wide Recycling Program as Well as Related Reporting and Enforcement.

(A copy of the City Manager's memorandum dated February 8, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 02/14/06, 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. 12; 02/14/06, 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. 12; 02/14/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on February 25, 2006. The voting was as follows:

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

CONTESTED APPOINTMENTS

13. Alexandria-Caen Exchange Committee
1 Citizen Member

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

NAME: ENDORSED BY:

Tara Churik
Charles Gee
Sally Krahn

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 13; 02/14/06, 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 Sally Krahn as the citizen member to the Alexandria-Caen Exchange Committee. The voting was as follows:

Euille	-	Krahn
Pepper	-	Krahn
Gaines	-	Gee
Krupicka	-	Krahn
Macdonald	-	Krahn
Smedberg	-	Krahn
Woodson	-	Gee

14. Alexandria Public Health Advisory Committee
1 Non-Health Professional

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

NAME: ENDORSED BY:

Farhia Mussa
Gregory Russo

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 14; 02/14/06, 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 Farhia Mussa as the non-health professional to the Alexandria Public Health Advisory Committee. The voting was as follows:

Euille	-	Mussa
Pepper	-	Mussa

18. Consideration of Proposed Plans for the America's 400th Anniversary Celebration on the Alexandria Waterfront in Late May and Early June 2006.

(A copy of the City Manager's memorandum dated February 10, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 02/14/06, and is incorporated as part of this record by reference.)

Director of Recreation, Parks and Cultural Activities Kincannon gave a presentation on the proposed Jamestown Celebration and responded to questions from Council.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council: (1) permitted one-time exceptions to the Major Events Policy as described in the report allowing America's 400th Jamestown Anniversary Celebration to be held along the waterfront from Thursday, May 25, through Monday, June 5, 2006 (8 event days and 4 set-up and take-down days); (2) approved the use of the southern end of Founder's Park, the City Marina, King Street Park, a portion of the lower King Street unit block and Waterfront Park, for the event's activities as conceptually depicted in Option III; (3) authorized the City Manager to develop, execute and sign a Memorandum of Understanding with Jamestown 2007 to hold the celebration in Alexandria; and (4) directed the City Manager to establish a citizens' advisory committee to work with staff and the event planners on executing the event. The voting was as follows:

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

19. Consideration of Staff Report on Developer-Funded Review of Traffic Impact Studies.

(A copy of the City Manager's memorandum dated February 8, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 02/14/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council received the report implementing the third party review requirement which will be processed as a Code change through the Planning Commission and City Council in March. The voting was as follows:

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

20. Receipt of Recommendation on Revised Planning and Zoning Fees and Setting the Report for Public Hearing on February 25, 2006.

(A copy of the City Manager's memorandum dated February 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 02/14/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council: (1) received the report related to increasing Planning and Zoning land use and development fees; and (2) set the proposed fee increases for public hearing on Saturday, February 25, 2006. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

None

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille announced that he would be delivering the State of the City Address on Friday, February 24, 2006 at 8:00 a.m., at the Holiday Inn and Suites, 625 First Street. It is free to the public and will be televised on Comcast.

ORAL REPORT FROM THE CITY MANAGER

None

ORDINANCES AND RESOLUTIONS

21. Consideration of a Resolution on Community Pathways. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated February 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 02/14/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council approved the resolution on Community Pathways. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2178

WHEREAS, it is projected that the metropolitan Washington region will experience rapid growth and a strong regional economy that will add another 2 million residents and 1.6 million jobs over the next 25 years; and

WHEREAS, the City of Alexandria has adopted a Strategic Plan with an underlying principle to protect and encourage neighborhoods and urban villages with safe and secure pedestrian walkways, bicycle paths and trails that contribute to overall community health and well-being; and

WHEREAS, over sixty-percent of the traffic on Alexandria streets is often regional traffic that often spills into our neighborhoods and disrupts our community quality of life; and

WHEREAS, we seek to encourage alternative transportation approaches that will enhance our common safety, provide for a sensible and coherent plan for moving around our city and help to strengthen community life in Alexandria ; and

WHEREAS, we have created an Ad Hoc Transportation Task Force who is reviewing and rewriting our transportation element of the Comprehensive Plan in part to make it more accommodating to non-SOV (single occupancy vehicle) modes of transportation; and

WHEREAS, the City of Alexandria recently sponsored two very successful walk-able communities forums and in recognition of the broad community support of the forums, the dialogue that was begun, and goal of walk-able communities; and

WHEREAS, Alexandria's quality of life is enhanced by sidewalks, trails, bike paths, METRO and DASH routes linking our neighborhoods and community together; and

WHEREAS, to ensure that Alexandria is nationally recognized as a safe pedestrian and bicycle friendly City we seek a comprehensive plan to achieve this goal.

NOW, THEREFORE, BY RESOLUTION OF THE CITY COUNCIL OF

ALEXANDRIA, IT IS HEREBY:

RESOLVED, that the City create the *Alexandria Community Pathways* program to focus on people, neighborhoods, parks, schools, recreation areas and trails to improve and enhance non-motorized opportunities for transportation and recreation throughout Alexandria; and

RESOLVED, the City Council formally requests the City Pedestrian/Bicycle coordinator prepare for the City Manager, an annual "Community Pathways" report on all pedestrian and bicycle accomplishments and challenges during the previous year, as well as goals and objectives for the upcoming year. Such a report should include clear benchmarks and metrics that the residents of Alexandria can use to measure success; and

RESOLVED, the City Council asks City staff to develop an education program for pedestrians, cyclists and motorists to promote pedestrian safety in Alexandria in collaboration with businesses, schools, neighborhood associations and that efficient mechanisms be developed to ensure compliance with governing rules and regulations; and

RESOLVED, that the City Council recognizes mass transit as a critical piece of the long-term transportation future for Alexandria and directs staff, the Traffic and Parking Board and the Ad Hoc Transportation Task Force to ensure Alexandria's mass transportation infrastructure is convenient, accessible and safe for pedestrians; and

RESOLVED, that the City Council recognizes that bike lanes, sidewalks and cross walks not only make it easier for pedestrians and bicyclists to move throughout our community, they also help to slow down speeding traffic and ensure our neighborhoods are people-friendly and therefore directs staff and the Ad Hoc Transportation Task Force to ensure bicycle and pedestrian infrastructure is a significant component of their efforts; and

RESOLVED, that the City Council directs staff to work with the community to evaluate and recommend pilot programs to test various parking, bicycle, pedestrian traffic calming and other strategies discussed during the walk-able communities forums; and

RESOLVED, that City Staff review its guidelines for the creation of sidewalks and other pedestrian infrastructure to ensure adequate sidewalks for pedestrian traffic and that pedestrian and bike pathways receive meaningful attention with every (re)development project considered as well as all capital improvement projects; and

RESOLVED, that City Staff and the Traffic and Parking Board work with parents, PTA organizations, neighborhood associations, and businesses to ensure every school in Alexandria is a pedestrian safe zone allowing children to walk to school whenever possible and that all areas of Alexandria are safe, accessible and encouraging for

pedestrians and bicyclists.

22. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 39 to the City of Alexandria Zoning Ordinance. **[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. 22; 02/14/06, 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; 02/14/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Macdonald and carried unanimously by roll-call vote, City Council approved the ordinance to adopt Supplement Number 39 to the City of Alexandria Zoning Ordinance. The voting was as follows:

The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4436

AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 39," are hereby adopted as and shall constitute "The Thirty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions

thereof, set forth in "The Thirty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between June 28, 2005 and November 12, 2005, inclusive, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between June 28, 2005 and November 12, 2005, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Thirty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after November 12, 2005.

Section 4. That one complete set of pages comprising "The Thirty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

23. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 78 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. 23; 02/14/06, 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; 02/14/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council approved the ordinance

to adopt Supplement Number 78 of the City Code. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4437

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. 78," are hereby adopted as and shall constitute "The Seventy-Eighth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Seventy-Eighth 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 June 28, 2005 through November 12, 2005, 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 June 28, 2005, 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 June 28, 2005 through November 12, 2005, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Seventy-Eighth 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-Eighth 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

24. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 9, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 02/14/06, 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 adopted the City Council Schedule for the months of February 2006 through June 2006, with the following additions and changes: the Mayor will be delivering the State of City Address, Friday, February 24, 2006 at 8:00 a.m., at the Holiday Inn and Suites, 625 First Street; the annual meeting of the Alexandria Transit Company Stockholders on Tuesday, February 28 at 6:45 p.m. in the Council Work room; the Alexandria Technology Achievement Awards reception on Tuesday, March 14 at 6:15 p.m., in the Vola Lawson Lobby; the Alexandria Technology Achievement Awards reception on Monday, March 20 at 5:30 p.m., at the Patent and Trademark Office in the Atrium of the Madison Building, 600 Dulaney Street; the Alexandria Technology Achievement Awards breakfast on Thursday, March 23 at 8:00 a.m., at the Belle Haven Country Club, 6023 Fort Hunt Road; the Alexandria Technology Achievement Awards luncheon on Friday, March 24 at noon at the Holiday Inn Hotel and Suites, 625 First Street; the Mayor's Walk through the Inner City on Saturday, April 1 (time and location to be provided at a later date); the annual City Employee Service Awards on Thursday, April 27 at 5:30 p.m., in the Lee Center Exhibit Hall, and set the date for a Historic Preservation meeting to be held at 7:00 p.m., Wednesday, April 26, 2006, at a location to be determined. The voting was as follows:

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

