

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

**Regular Meeting**  
**Wednesday, November 9, 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; Ms. Boyd, Director, Citizen Assistance; Ms. Collins, Director, Human Services; Mr. Powers, Human Services; Mr. Baier, Director, Transportation and Environmental Services; Ms. Collinson, Recycling Specialist, T&ES; Ms. McCoy, Solid Waste Planner, T&ES; Ms. Davis, Housing Director; Police Lt. Uzzell; Mr. Johnson, Director, Office of Management and Budget; Mr. Neckel, Director, Office of Finance; 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 Meeting of City Council:

**WHEREUPON**, upon motion by Councilman Gaines, seconded by Councilman Macdonald and carried unanimously, City Council approved the Regular Meeting Minutes of October 25, 2005. The voting was as follows:

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

## RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

## PROCLAMATIONS

4. Presentation by the Senior Services of Alexandria of its Calendar for 2006.

The calendar was presented by the members of Senior Services of Alexandria to the City Council and staff.

5. Presentation of a Proclamation Declaring November as America Recycles 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; 11/9/05, 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"	

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

### CONSENT CALENDAR (6-15)

#### (Resignations and Uncontested Appointments)

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

- (a) Alexandria Commission on Information Technology  
Samaria Sherman

(A copy of the above resignation is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 6(a); 11/9/05, and is incorporated as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Exchange Committee  
1 Citizen Member
- (b) Alexandria Archaeological Commission  
1 Member-at-Large  
1 Citizen Member From Planning District II
- (c) Alexandria Commission on HIV/AIDS  
1 Member From and Representing the Alexandria Commission for Women
- (d) Alexandria Community Criminal Justice Board  
2 Citizen Members
- (e) Alexandria Public Health Advisory Commission  
1 Health Professional Member

(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. 7(a-e); 11/9/05, and is incorporated as part of this record by reference.)

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

- 8. Consideration of the Alexandria Community Services Board's Application and Acceptance of Award from the Virginia Tobacco Settlement Foundation to Provide Tobacco Prevention Programming in Preschools.

(A copy of the City Manager's memorandum dated October 31, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 11/9/05, and is incorporated as part of this record by reference.)

- 9. Receipt of Comprehensive Annual Financial Report for the Period Ending June 30, 2005.

(A copy of the City Manager's memorandum dated November 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/9/05, and is incorporated as part of this record by reference.)

- 10. Receipt of Listing of Delinquent Taxes: Authorization to Advertise the Listings and Write-off Balances Less than Twenty Dollars.

(A copy of the City Manager's memorandum dated November 1, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 11/9/05, and is incorporated as part of this record by reference.)

- 11. Consideration of the FY 2005 Annual Report from the Alexandria Commission on

Persons with Disabilities.

(A copy of the City Manager's memorandum dated October 31, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 11/9/05, 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 Making Supplemental Appropriations for FY 2006.

(A copy of the City Manager's memorandum dated November 2, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 11/9/05, 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. 12, 11/9/05, 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. 12, 11/9/05, and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish the Cameron Station Election District and Polling Place.

(A copy of the City Manager's memorandum dated November 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 11/9/05, 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. 13, 11/9/05, 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. 13, 11/9/05, and is incorporated as part of this record by reference.)

14. 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 800 and 820 Slaters Lane (Diamond-Slaters Lane).

(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. 14,

11/9/05, 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. 14, 11/9/05, and is incorporated as part of this record by reference.)

15. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Rezone 800 and 820 Slaters Lane (Diamond-Slaters Lane) to RC/High Density Apartment 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. 15, 11/9/05, 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. 15, 11/9/05, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

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

6. City Council accepted the following resignation with regret: (a) Samaria Sherman, Alexandria Commission on Information Technology.

7. City Council made the following appointments: (a) appointed Nicholas Kuhn, Jr., as the one citizen member to the Alexandria-Caen Exchange Committee; (b) reappointed Don Kent as the one citizen member from Planning District II and reappointed Ann Davin as the one member-at-large to the Alexandria Archaeological Commission; (c) reappointed Susan Lowell Butler as the one member from and representing the Alexandria Commission for Women to the Alexandria Commission on HIV/AIDS; (d) appointed Raymond McKeough and reappointed Raighne Delaney as the two citizen members to the Alexandria Community Criminal Justice Board; and (e) reappointed Rika Maeshiro as the one health professional member to the Alexandria Public Health Advisory Commission.

8. City Council (a) authorized the acceptance of funds from the Virginia Tobacco Settlement Foundation, in the amount of \$75,000 per year for three years, to continue providing services to 300 children aged 3-5 years, including parenting workshops, monitoring the implementation of AI's Pals (a science-based prevention program delivered by trained preschool teachers), and providing consultation to parents and teachers regarding child behavior problems; (b) authorized continuation of a

full-time bilingual Therapist II (1.0 FTE) in the Department of Mental Health, Mental Retardation and Substance Abuse for three years; and (c) authorized the City Manager to execute all documents that may be required.

9. City Council received the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2005.

10. City Council: (a) received the listings of delinquent local property taxes; (b) authorized that parts of the delinquent real estate tax listing deemed advisable by the Director of Finance and having a balance due of \$1,000 or more be published in a newspaper having general circulation in the City. Also, that parts of the real estate tax and personal property tax listings deemed advisable by the Director of Finance be listed on the City of Alexandria website; and (c) authorized the Director of Finance to write off the uncollected tax balances amounting to less than twenty dollars each for which the Director of Finance has determined that the cost of collecting such balances would exceed the recoverable amount, provided that the Director of Finance will not include any balance which he has reason to believe the taxpayer has purposely paid less than the amount due and owed.

11. City Council received the annual report from the Alexandria Commission on Persons with Disabilities and thanked the commission members for their efforts on behalf of the City.

12. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, November 12, 2005.

13. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, November 12, 2005.

14. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, November 12, 2005.

15. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, November 12, 2005.

The voting was as follows:

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

Councilwoman Woodson asked that on item #13, the ordinance to establish the polling place, that representatives from the Electoral Board be present at Saturday's meeting to respond to questions of implementation.

**CONTESTED APPOINTMENTS**

- 16. Alexandria Public Health Advisory Commission  
1 Non-Health Professional Member

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

NAME: ENDORSED BY:

Jerome Cordts  
James Krustapentus

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 16; 11/9/05 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 James Krustapentus as the one non-health professional member to the Alexandria Public Health Advisory Commission. The voting was as follows:

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

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

- 17. Consideration of a Funding Allocation for the Acquisition and Rehabilitation of the Gunston Hall Apartments.

Action on this item was taken after the executive session at the end of the meeting.

- 18. Consideration of Proposed Uses and Allocation Process for Dedicated Affordable Housing Revenues.

This item was deferred.

- 19. Consideration of the Request to Provide Emergency Funding to Community Lodgings, Inc.

(A copy of the City Manager's memorandum dated November 2, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19;

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

Mr. Johnson and Mr. Powers presented the report.

**WHEREUPON**, a motion was made by Vice Mayor Pepper and seconded by Councilman Gaines, that City Council allocate \$63,250 from the General Fund Contingent Reserves to provide one-time emergency funding to Community Lodgings, Inc.

Councilman Krupicka requested that there be a real concerted look at the human services they are providing, as well as the human service needs in the community they are in, in general.

Mr. Johnson, Mr. Powers and Ms. Collins responded to questions of Council concerning Community Lodgings financial footing and building up their foundation again, staff and operating costs, and who provides the services if not CLI, outsourcing services and contracting services.

Councilwoman Woodson said staff should be looking at what services are being provided and who is providing the services and the use of funds, and she asked staff to respond to that over the next several weeks. She said CLI is paying taxes to the City on the real estate, and she asked if there was potential for tax relief in their real estate taxes, given their non-profit status.

Mr. Jinks responded that Council is allowed to receive requests for tax exemption for non-profit charitable organizations and Council can grant tax exemption, but it has been the City's policy to not provide that tax exemption and rather through contracts or grants, cover the cost of taxes in that manner.

Mr. Johnson said that last year, the City provided \$20,000 to the youth fund for their services and have given them loans for acquiring the property, which they are now paying off.

The voting on the motion carried 6-0-1, and is as follows:

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

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

None

**ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

(a) Councilwoman Woodson said she attended a Council of Government's meeting this morning where Dr. Chris Nelson, from the Virginia Tech Planning Department, Alexandria campus, made a phenomenal presentation, and she would like for him to visit with Council in a work session with Planning and the Planning Commission in the future. She said he brought to their attention the amount of property/housing that comes out of service every year. She said there is some statistical amount of current housing stock that leaves circulation on an annual basis. Over the next 25 years, it adds up to approximately 25 percent of the existing housing stock. She said she would like Dr. Nelson to address Council at some point.

Mayor Euille said he met Dr. Nelson and through his program at Virginia Tech, the students have worked with some departments in City Government, and the City should bring him in for one of the summit speaking opportunities.

(b) Mayor Euille reported that there is discussion under way between three organizations - Northern Virginia Transportation Commission, Northern Virginia Transit Authority and WMATA on trying to address a request by Congressman Davis to match \$1.5 billion in funding he is hoping to make available to support the WMATA transit system. As a result, Mayor Euille said he is serving on a dedicated funding workgroup and will be making recommendations back to their respective jurisdictions. He said they are also having discussions in collaboration with the State legislators on what to do in Northern Virginia to have dedicated funding. He said that collectively as a region it has to come up with the \$1.5 billion match over 10 years.

(c) Mayor Euille said Metro is having the highest ridership ever - both in buses and the rail system. He said that more than 63 percent of respondents to a survey said they much prefer utilizing transit and some of the folks came from parts of Northern Virginia where transit will never go.

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

(a) Councilwoman Woodson said there was an article in the paper on the agreement reached between VDOT and Hunting Terrace and she asked for an update on what happened.

Housing Director Davis said a contract was entered into for Hunting Terrace but they have not reached an agreement for Hunting Towers. The contract is such that tenants are now able to enter into a one-year lease starting in December. She said she was not clear what the status of the property will be at that point.

Councilwoman Woodson asked if there was any further staff discussion with Kay about their intent for the property in the future.

Mr. Jinks said he thought Kay's long-term vision would be to redevelop the Terrace side into new condominiums. In regard to the Towers, they and VDOT have

not reached agreement and Kay has filed suit in the Circuit Court to get that resolved. The two properties would come back to the City as a package of redevelopment and affordable housing, and it relates back to the language Council included in the Hunting Point plan, but at this stage, nothing is on paper and they do not have a specific proposal. There has been no further discussion with them, beyond those kind of details.

(b) Councilman Macdonald said the old Katz Auto on Prince and Peyton Streets is a good example of reuse and redevelopment of an existing building. He said the company has done a very nice job and is a good example of what someone can do with an older building.

(c) Councilman Macdonald said he heard that the Torpedo Factory Art League School at Union Street and Duke Street lease is coming up. He said it is part of the parcels of land that are within the waterfront zone, and he considered the current occupation by the Art League as an extremely good use they should try to preserve and encourage. He said he was concerned about their losing their space.

(d) Councilman Macdonald said that two weekends ago, there was a tree sale at Ft. Ward selling native and other plants, and a lot of citizens bought trees, and it is a simple thing to do for the City. He applauded the efforts of the tree stewardship group.

(e) Councilman Krupicka said the Early Childhood Commission had a preschool access planning meeting on Saturday at George Washington Middle School, and he, the Vice Mayor and members of the School Board were there. He said a number of citizens were there and they had a fantastic working meeting for four hours where it identified priorities, action steps and goals.

(f) Councilman Krupicka asked the Chief of Police to give a report on the Arlandria crime initiatives.

Police Chief Samarra said they have noticed an increase in certain crimes in Arlandria and they have put together a task force.

Police Captain David Huchler, in charge of the task force, gave a report on the crimes and the initiatives being taken in the Arlandria area, along with the impact in the area.

Councilman Krupicka asked staff to look at, in a comprehensive way, what efforts can be put in place over the long-term, whether it be more community police officers, human services efforts, working with non-profits, or a combination of all, to address it.

(g) Vice Mayor Pepper said they had the Family Involvement Rally at George Washington Middle School Saturday and it seemed very successful.

(h) Vice Mayor Pepper said she and the Mayor were at the topping off ceremonies at Cameron Station for the residences of Cameron Station and this is the last major project, the Mayor gave a good speech, and the Mayor and Council received a nice plaque.

(i) Vice Mayor Pepper said she read an article about VDOT and selling Hunting Terrace back to Kay Management. She said she made several calls herself and it was obvious that no one is saying much of anything and there is no information to be shared. She said that at some point, they might be able to talk to Kay Management in a meaningful way.

Mayor Euille said he had a discussion with the attorneys, Mr. Cecchi and Mr. Middleton, and there is not a lot to be said at the time being, because they have filed suit against VDOT, so until that is resolved, things are on hold, despite the fact that there has been a consummated sale of the Hunting Terrace site.

(j) Mayor Euille complimented staff and Council for the excellent retreat that was recently held. He said that in all the years on Council, this was the best retreat ever and a lot of information in budget and financial areas was given and was very worthwhile. He said he has asked staff to factor in to one of the legislative meetings at an appropriate time to do a brief synopsis or presentation during a work session portion of a Tuesday legislative meeting, so the public who were not present at the retreat can watch it on television and/or in the Council Chambers.

(k) Mayor Euille said because things happen on a daily basis with the Mirant Power Plant, he asked if Council could receive a summary and analysis in the form of a matrix that outlines where they are, what's pending and the timetable for when it expects things to happen.

Councilman Smedberg asked about setting up a work group meeting, and if evening does not work, then look at a morning meeting to update people.

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

Mr. Hartmann reported on the following: (a) the budget retreat information is on the City's website and they will put together ideas about a briefing at a legislative meeting, and the budget staff is working on ideas about taking a very abbreviated program to five locations throughout the community over the next few months; (b) he reminded Council that the Sierra Club Cool Cities Tour is stopping in the City on Saturday and there will be a brief recognition at the beginning of the public hearing at 9:30. The City is being recognized because it is one of 187 cities that participated on the U.S. Mayor's Climate Protection Agreement.

## **ORDINANCES AND RESOLUTIONS**

20. Consideration of a Resolution Authorizing the Donation of Thirteen Surplus First Generation Automatic External Defibrillators. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 2, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 11/9/05, 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 passed the resolution authorizing the City Manager to donate 13 surplus AEDs to various volunteer organizations. 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. 2164**

WHEREAS, cardiac arrest wipes out the lives of 450,000 each year (by comparison, 41,000 people die in car accidents each year); and

WHEREAS, each minute that passes after your heart stops, your chance of survival decreases by 100 percent; and

WHEREAS, when an automatic external defibrillator (AED) is used within a few minutes, it increases survival rates by 80 percent; and

WHEREAS, the Alexandria Fire Department has 13 surplus AEDs that were purchased in 1995 and still have limited usefulness; and

WHEREAS, various volunteer organizations have requested the donation of these AEDs.

NOW, THEREFORE, BE IT RESOLVED that City Council hereby declare this equipment surplus and authorizes the City Manager to convey 13 of the Fire Department's surplus AEDs to the following organizations:

Leonardtwn Volunteer Fire Department, Maryland  
Linden Volunteer Fire Department, Virginia  
Amissville Volunteer Fire & Rescue Company, Virginia  
Canaan Valley Volunteer Fire Department, West Virginia  
Boy Scout Troop 698, Burke, Virginia  
Maryland Army National Guard, Maryland

21. Consideration of a Resolution Pertaining to the FY 2007 Budget Process Including Setting City Council Budget Targets for FY 2007. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 11/9/05, and is incorporated as part of this record by reference.)

Mr. Johnson made a presentation of the staff report and Mr. Johnson and Mr. Jinks responded to questions of Council.

Councilman Smedberg said on page 4, he asked what the list would mean in context to the residents and Council, particularly deferring capital projects and freezing local funding for grants, they need context for the bullets in the list, and he asked that it be put in writing.

There were comments and discussion from Council and staff on the budget figures and information.

**WHEREUPON**, upon motion by Councilman Woodson, seconded by Vice Mayor Pepper and carried 6-1, City Council deferred action on this item to Saturday, November 12, 2005, until it has greater information. The voting was as follows:

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

22. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 38 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, 11/9/05, 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, 11/9/05, 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 adopted the ordinance to adopt supplement No. 38 to the City of Alexandria Zoning Ordinance. 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. 4428

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. 38," are hereby adopted as and shall constitute "The Thirty-Eighth 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-Eighth 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 January 25, 2005 and June 28, 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 January 25, 2005 and June 28, 2005, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Thirty-Sixth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after June 28, 2005.

Section 4. That one complete set of pages comprising "The Thirty-Eighth 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.

**OTHER**

23. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated November 3, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 11/9/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines, City Council received the revised schedule for November, 2005 through June, 2006, which includes: the Virginia Municipal League Day on Thursday, February 9, 2006, at the Richmond Marriott, 500 East Broad Street, with a joint dinner with Arlington County and the legislative delegations from Alexandria and Arlington at 6:00 p.m. at the Jefferson Hotel, 101 W. Franklin Street.

Assistant City Manager Evans said Congressman Moran has requested a breakfast meeting on Monday, January 9, 2006, at 8:00 a.m.

Mayor Euille asked staff to send an email with the date and Council can act on it at the next meeting.

The motion carried unanimously and was as follows:

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

**New Business Item No. 1:**

**Executive Session.**

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, at 9:30 p.m., City Council convened in executive session, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia for the purpose of discussing the acquisition of real property for public park and recreation, public utility and affordable or workforce housing purposes. 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 10:18 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 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. 2165

WHEREAS, the Alexandria City Council has this 9th day of November 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.

17. Consideration of a Funding Allocation for the Acquisition and Rehabilitation of the Gunston Hall Apartments.

(A copy of the City Manager's memorandums dated November 3 and November 4, 2005, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 11/9/05, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, contingent upon the seller's acceptance of the Alexandria Housing Development Corporation's (AHDC) offer to purchase the property, and contingent upon the satisfactory outcome of AHDC's due diligence analyses, Council approved the allocation from the expected proceeds of the previously authorized sale of General Obligation Bonds to support two loans to AHDC totaling \$12,800,000 for the acquisition of Gunston Hall, as follows: (a) a permanent loan of up to \$8,300,000 to be repaid at 2 percent interest on a residual receipts basis; (b) a no interest bridge loan for the balance of \$4,500,000 (based on the maximum permanent loan figure) that, within two years of the acquisition of the property, must be repaid; and (c) subject to final approval and execution of necessary documents by the City Manager. The voting was as follows:

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

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, the regular City Council meeting of November 9, 2005, was adjourned at 10:21 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE    MAYOR

ATTEST:

Jacqueline M. Henderson, CMC City Clerk