

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Regular Meeting
Tuesday, April 10, 2007 - - 7:00 p.m.**

Present: Mayor William D. Euille, Vice Mayor Andrew H. Macdonald, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Timothy B. Lovain, Redella S. Pepper and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Ms. Boyd, Director, Citizens Assistance; Mr. Mason, Special Assistant to the City Manager/Acting Public Information Officer; Ms. Davis, Director, Office of Housing; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Cochran, Division Chief, Office of Housing; Ms. Triggs, Acting Director, Finance; Mr. Culpepper, Deputy Director, Transportation and Environmental Services; Ms. Barnett, Deputy Director, Recreation, Parks and Cultural Activities; Ms. Baker, Director, Office on Women; Dr. Konigsberg, Health Director, Health Department; Mr. Johnson, Director, Office of Management and Budget; Police Lt. Uzzell; Ms. Hood, ITS; and Mr. Lloyd.

Recorded by: Gloria A. 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 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:

- (a) The Regular Meeting Minutes of March 27, 2007.

WHEREUPON, upon motion by Vice Mayor Macdonald, seconded by Councilwoman Pepper and carried unanimously, City Council approved the regular

meeting minutes of March 27, 2007. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Declaring April 21, 2007, as Alexandria Earth Day and Arbor Day and Recognition of the Lyles-Crouch Elementary School Recycling Initiative.

(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; 04/10/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Macdonald and carried unanimously, City Council endorsed the proclamation and recognized the Lyles-Crouch Elementary School Recycling Initiative. Parents and students of Lyles-Crouch gave a brief presentation of the recycling initiative. The voting was as follows:

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

5. Presentation of a Proclamation Declaring April as National Poetry Month and Mary McElveen as the City of Alexandria Poet Laureate.

(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; 04/10/07, and is incorporated as part of this record by reference.)

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

Gaines	"aye"	Krupicka	"aye"
Macdonald	"aye"	Lovain	"aye"
Euille	"aye"	Pepper	"aye"

Smedberg "aye"

6. Presentation of a Proclamation Declaring April as Sexual Assault Awareness Month.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 04/10/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Gaines and carried 4-0, City Council endorsed the proclamation. The voting was as following:

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

7. Presentation of a Proclamation in Recognition of the 50th Anniversary of the Metropolitan Washington Council of Governments.

(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; 04/10/07, and is incorporated as part of this record by reference.)

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

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

8. Presentation of a Proclamation Declaring April 15-22, 2007, as Days of Remembrance in Memory of the Victims of the Holocaust.

(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; 04/10/07, and is incorporated as part of this record by reference.)

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

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (9-14)

(Resignations and Uncontested Appointments)

9. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
- (a) Alexandria Citizen Corps Council
Richard Benet
 - (b) Alexandria Social Services Advisory Board
Robert D. Wavra

(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); 04/10/07, and is incorporated as part of this record by reference.)

10. Uncontested Appointments to Boards, Commissions and Committees:
- (a) Alexandria Affordable Housing Advisory Committee
1 Residential Tenant in the City
 - (b) Alexandria-Caen Exchange Committee
1 Citizen Member
 - (c) Alexandria-Gyumri Sister City Committee
1 Citizen Member
 - (d) Alexandria Commission on Aging
1 Citizen Member
 - (e) Alexandria Commission on Employment
1 Citizen-at-Large
 - (f) Alexandria Commission on HIV/AIDS
1 Citizen-at-Large
 - (g) Alexandria Commission on Persons With Disabilities
1 Citizen Member Who Has A Disability
 - (h) Alexandria Community Services Board

1 Consumer (Current or Former Direct Recipient of Public or Private Mental Health, Mental Retardation, or Substance Abuse Treatment Rehabilitation Services) or Family Member (Immediate Family Member or the Principal Caregiver Who Is not paid) of Consumer

- (i) Historic Alexandria Resources Commission
1 Business Representative
- (j) Alexandria Potomac Yard Design Advisory Committee
1 Member Representing the Business Community
- (k) Alexandria Sister Cities Committee
1 Citizen Member
- (l) Alexandria Urban Design Advisory Committee
1 Resident Representing the Old Town North Residential Community
- (m) USS Alexandria Liaison Committee
1 Citizen Member
- (n) Alexandria Waterfront Committee
1 Representative from the Alexandria Convention and Visitors Association Board of Governors

(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-n); 04/10/07, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

11. Consideration of Submission of Funding Application to the Virginia Housing Development Authority (VHDA) for the Round 6 Sponsoring Partnerships and Revitalizing Communities (SPARC) Program.

(A copy of the City Manager's memorandum dated April 2, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 04/10/07, and is incorporated as part of this record by reference.)

12. Consideration of the Alexandria Commission for the Arts Annual Report for Fiscal Year 2006.

(A copy of the City Manager's memorandum dated April 3, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 04/10/07, and is incorporated as part of this record by reference.)

13. Consideration of a Request to Hold a Foot Race in the Del Ray Area on Saturday, June 2, 2007 from 8:00 a.m. to 12:00 Noon in Honor of Kelley Swanson (also to be held in June 2008 and June 2009.)

(A copy of the City Manager's memorandum dated April 3, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 04/10/07, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance on Changes to the FDA Food Code, to Require Mobile Food Units To Be Clearly Identified, and To Amend the Requirements For Issuance of a Food Manager Certificate.

(A copy of the City Manager's memorandum dated April 3, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 04/10/07, 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. 14; 04/10/07, 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. 14; 04/10/07, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

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

9. City Council accepted the following resignations with regret: (a) Richard Benet, Alexandria Citizen Corps Council; and (b) Robert D. Wavra, Alexandria Social Services Advisory Board.

10. City Council made the following appointments: (a) reappointed Michelle L'Heureux as the residential tenant in the City to the Alexandria Affordable Housing Advisory Committee; (b) reappointed Joseph Slye as the citizen member to the Alexandria-Caen Exchange Committee; (c) reappointed Jane Coughran as the citizen member to the Alexandria-Gyumri Sister City Committee; (d) appointed Evelyn Oliver as the citizen member to the Alexandria Commission on Aging; (e) reappointed Alysia Lajune as the citizen-at-large to the Alexandria Commission on Employment; (f)

appointed Tara Villano as the citizen-at-large to the Alexandria Commission on HIV/AIDS; (g) appointed Christine Marschall (identified a disability) as the citizen member who has a disability to the Alexandria Commission on Persons with Disabilities; (h) appointed Susan Thompson as the consumer (current or former direct recipient of public or private mental health, mental retardation, or substance abuse treatment rehabilitation services) or a family member (immediate family member or the principal caregiver who is not paid) or consumer to the Alexandria Community Services Board; (i) reappointed Florence King as the business representative to the Historic Alexandria Resources Commission; (j) appointed Joseph Hart as the member representing the business community to the Alexandria Potomac Yard Design Advisory Committee; (k) reappointed Tara Churik as the citizen member to the Alexandria Sister Cities Committee; (l) appointed Marie Tavernini as the resident representing the Old Town North Residential Community to the Alexandria Urban Design Advisory Committee; (m) appointed Robert Yakeley as the citizen member to the USS Alexandria Liaison Committee; and (n) appointed John Renner, II as the representative from the Alexandria Convention and Visitors Association Board of Governors (ACVA) to the Alexandria Waterfront Committee.

11. City Council approved the submission of an application to the Virginia Housing Development Authority (VHDA) for \$19,900,000 in Sponsoring Partnerships and Revitalizing Communities (SPARC) Round 6 program funding to provide first-trust, low-interest, mortgage financing for participants in the City's Homeownership Assistance Program (HAP) and Moderate Income Homeownership Program (MIHP).

12. 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.

13. City Council: (1) permitted the exception to the Major Events Policy to allow the Kelley Cares 5K Run/Walk scheduled for June 2, 2007, sponsored by the Kelley Cares Committee. The Rosemont Citizens Association, the Del Ray Citizens Association and the Potomac West Business Association support this recommendation. In addition, signatures have been collected in support of the event in the Del Ray area; and (2) because this race is expected to be an annual event, and is supported by the community, staff recommends that Council permit an exception to the Major Events Policy for the race in 2007, 2008 and 2009.

14. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 14, 2007.

The voting was as follows:

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

CONTESTED APPOINTMENTS

- 15. Alexandria Affordable Housing Advisory Committee
1 Financial Professional with Knowledge and Experience in the Field of Finance

(The following persons volunteered for appointment to above Commission)

NAME: ENDORSED BY:

Carroll Kissar
Amy Rose

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 15; 04/10/07, 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 Amy Rose as the financial professional with knowledge and experience in the field of finance to the Alexandria Affordable Housing Advisory Committee. The voting was as follows:

Euille	-	Rose
Macdonald	-	Rose
Gaines	-	Rose
Krupicka	-	Rose
Lovain	-	Rose
Pepper	-	Rose
Smedberg	-	Rose

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

- 16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish the Real Estate and Personal Property Tax Rates for Calendar Year 2007. The Public Hearing Is Set for April 24, 2007, and Adoption is Scheduled for May 7, 2007.

(A copy of the City Manager's memorandum dated April 4, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 04/10/07, 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. 1 of Item No. 16; 04/10/07, 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. 16; 04/10/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Macdonald and carried unanimously, City Council: (1) introduced and advertised the ordinance to consider a real estate tax rate of 83.5 cents and a personal property tax rate of 4.75 cents for calendar year 2007, and (2) scheduled this ordinance for public hearing on Tuesday, April 24, 2007, and for second reading and final passage on Monday, May 7, 2007. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

Please Note: These two items were heard together.

(a) Councilman Smedberg reported that the City Attorney and several other representatives attended the proceedings at the State Air Quality Board meeting in Lexington, Virginia today regarding the Potomac Generating Plant. Councilman Smedberg stated that the State Air Quality Board voted to open up the various proposals for public comment, in effect rejecting the Virginia Department of Environmental Quality's (VDEQ) proposal. Councilman Smedberg also noted that the base permits will have very restrictive limits on levels of pollution allowed into the atmosphere.

(b) Councilwoman Pepper noted that the last action was for the parties involved to reach an agreement through negotiations, which was not successful. Councilwoman Pepper stated that there would be an opportunity to submit written remarks to the State Air Quality Board and possibly to speak at their next meeting in May.

(c) Vice Mayor Macdonald announced that Councilman Gaines was elected Vice Chair of the Council of Governments Metropolitan Development Committee.

(d) Mayor Euille stated that he recently spoke with Governor Kaine concerning the Mirant issue and noted that the Governor asked to be kept abreast of the situation.

(e) Mayor Euille noted that there was shortage of blood and encouraged everyone to donate blood at their local Red Cross.

(f) Councilman Smedberg suggested that the poem presented earlier by the new Poet Laureate be framed and hung in the lobby of City Hall.

(g) Councilman Gaines also requested that the poem be made accessible to the public on the City's website.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

17. Consideration of a Resolution Establishing a Task Force to Study Infill Development. **[ROLL-CALL VOTE]**

WHEREUPON, upon motion by Vice Mayor Macdonald, seconded by Councilman Gaines and carried unanimously by roll-call vote, City Council: (1) approved the resolution establishing an Infill Task Force and (2) authorized the Mayor to appoint the members of the Task Force. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2223

WHEREAS, Infill development has been a concern to the City Council; and

WHEREAS, the City Council wishes to study the impact of constructing very large houses in neighborhoods that consist of mainly small or medium-sized houses; and

WHEREAS, City Council wishes to establish a task force to study and make recommendations for addressing the impact of large houses in existing single family neighborhoods;

NOW THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL OF ALEXANDRIA, VIRGINIA THAT:

1. There is hereby established an Infill Task Force.
2. The Task Force shall consist of nine members chaired by a member of the Planning Commission, as follows: the member of the Planning Commission who shall serve as chair, four members representing residents in neighborhoods impacted by infill development and four members from the development community; e.g., architects, small builders, large builders.
3. The Mayor shall appoint the nine members of the Task Force.
4. The functions of the Task Force shall be to:
 - a. Study the impact of large new housing construction and major residential additions, in existing single-family neighborhoods;
 - b. Analyze existing City regulations that pertain to limiting infill impacts and make recommendations to the Planning Commission and City Council for any regulatory changes; and
 - c. Keep the public informed about the study, briefing the community at large on the progress of the infill study, and briefing the Planning Commission and City Council on their analysis and recommendations.
5. Administrative and technical staff assistance to the Task Force be provided by the Department of Planning and Zoning and supplemented by staff from other City agencies.
6. The Task Force shall endeavor to present its findings and recommendations to the Planning Commission and City Council by Winter of 2008.

OTHER

18. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated April 4, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 04/10/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Macdonald, seconded by Councilman Gaines and carried unanimously, City Council: (1) scheduled a Pandemic Flu Town Hall meeting on Wednesday, May 30 at 7:00 p.m. (location to be determined); (2) received the revised calendar which includes: the 2007 Flora Krause Casey Public Health Award reception at 5:30 p.m. before Council's Tuesday, April 24 legislative meeting in the Vola Lawson Lobby and the dedication of the Woodrow Wilson Bridge Urban Deck on Tuesday, June 12 at 1:00 p.m. and (3) received the draft Council

Calendar for September - October 2007 for planning process which includes: the Virginia Municipal League Annual Conference from late on Sunday, October 14 through Tuesday, October 16 in James City County; and the grand opening celebration for the new T.C. Williams High School on Sunday, October 14 (time to be determined). The voting was as follows:

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

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Vice Mayor Macdonald, seconded by Councilwoman Pepper and carried unanimously, the regular City Council meeting of April 10, 2007, was adjourned at 8:35 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria A. Sitton, CMC Deputy City Clerk