

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

**Regular Meeting  
Tuesday, February 8, 2011 - - 7:00 p.m.**

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Present: Mayor William D. Euille, Vice Mayor Kerry J. Donley, Members of Council Frank H. Fannon, Alicia Hughes, K. Rob Krupicka, Redella S. Pepper and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Mr. Lerner, Deputy Director, T&ES; Ms. Hamer, Director, Planning and Zoning (P&Z); Ms. Ross, Deputy Director, P&Z; Mr. Spengler, Director, Recreation, Parks, and Cultural Activities; Ms. Collins, Assistant City Manager, Community and Human Services; Mr. Gates, Assistant City Manager, City Manager's Office; Mr. Johnson, Chief Financial Officer/Office of Management and Budget (OMB); Mr. Routt, Assistant Director, OMB; Ms. Taylor, Assistant Director, OMB; Mr. Stewart, Budget Analyst, OMB; Mr. Elliott, Budget Analyst, OMB; Mr. Touhill, Budget Analyst, OMB; Mr. Doku, Budget Analyst, OMB; Mr. Bever, Budget Analyst, OMB; Mr. Castrilli, Communications Director, Office of Communications and Public Information; Police Chief Cook; Fire Chief Thiel; Ms. Boyd, Special Assistant to the City Manager, City Manager's Office; Dr. Gilmore, Executive Director, Mental Health/Mental Retardation/ Substance Abuse (MH/MR/SA); Ms. Triggs, Director, Finance; Ms. Orr, Director, Human Resources; Mr. Mason, Assistant Director, Human Resources; Ms. Neibauer, Director, Human Rights; Ms. Dawson, Director, Library; Mr. Page, Acting Director, Real Assessments; Mr. Trobridge, Director, Information Technology Services (ITS); Mr. Caton, Legislative Director, City Manager's Office; Ms. Wheel, Police; Mr. Grover, BRAC Coordinator, T&ES; Ms. Luddington, Office for Aging Services; Ms. Griffith, Office for Aging Services; Mr. Coleman, General Services; Ms. Mellott, T&ES; Police Captain Ogden; Mr. Saenz, ITS; Mr. Martinez, ITS; and Mr. Lloyd.

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

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City Council held a work session at 5:30 p.m. in the City Council Work Room to discuss the proposed Waterfront Plan.

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1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:

(a) The Public Hearing Meeting Minutes of January 22, 2011; and

(b) The Regular Meeting Minutes of January 25, 2011.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried 6-0, City Council approved the public hearing meeting minutes of January 22, 2011. The voting was as follows:

Pepper	"aye"	Donley	"aye"
Hughes	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	abstain	

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried unanimously, City Council approved the regular meeting minutes of January 25, 2011. The voting was as follows:

Pepper	"aye"	Donley	"aye"
Hughes	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

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

None.

**PROCLAMATIONS**

None.

**OTHER**

4. Presentation of the Proposed Annual Operating Budget for FY 2012 (Including Schools) Calendar Year 2011 Real Property Assessments, and the Proposed Capital Improvement Program for FY 2012-2021 (including the Schools CIP).

City Manager Hartmann presented the FY 2012 Proposed Annual Operating Budget (Including Schools) Calendar Year 2011 Real Property Assessments, and the Proposed Capital Improvement Program for FY 2012-2021 (including the Schools CIP). Chief Financial Officer Johnson also gave a presentation on Real Property Assessments and Proposed Capital Improvement Program and responded to questions from Council.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

### **CONSENT CALENDAR (5-9)**

#### **(Resignations and Uncontested Appointments)**

5. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
  - (a) Community Criminal Justice Board  
Mark Sossa
  - (b) Community Services Board  
Dana Payne

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5 (a-b); 02/08/11, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:
  - (a) Commission on Aging  
1 Citizen Member
  - (b) Emergency Medical Services Council  
1 Citizen Member
  - (c) Historic Alexandria Resources Commission  
1 Business Representative  
1 Business Representative Endorsed by the Chamber of Commerce
  - (d) Park and Recreation Commission  
1 Member From Among the High School Youth of the City
  - (e) Sister Cities Committee  
1 Citizen Member

- (f) Social Services Advisory Board  
1 Citizen 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. 6(a-f); 02/08/11, and is incorporated as part of this record by reference.)

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

- 7. Receipt of Annual Reports from Council-Appointed Boards and Commissions.  
**(THIS ITEM IS BEING DEFERRED.)**
- 8. Receipt of Report of the City Council Naming Committee on the Proposal to Name the City Park at 3500 Jefferson Davis Highway in Honor of Ruby Tucker and Setting the Report for Public Hearing and Consideration on Saturday, February 12, 2011.

(A copy of the City Manager's memorandum dated February 1, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 8; 02/08/11, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

- 9. Introduction and First Reading. Consideration. Passage on First Reading of An Ordinance to Amend and Reordain Section 13-1-17 (Indecent Exposure) of Chapter 1 (General Offenses) of the Code of the City of Alexandria, Virginia, 1981, as Amended To Specifically Exempt Breastfeeding From the Ordinance Regarding Indecent Exposure.

(A copy of the City Manager's memorandum dated February 3, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 9; 02/08/11, 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. 9; 02/08/11, 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. 9; 02/08/11, and is incorporated as part of this record by reference.)

**END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council approved the consent calendar. The City

Manager's recommendations were as follows:

5. City Council accepted the following resignations with regret: (a) Mark Sossa, Community Criminal Justice Board and (b) Dana Payne, Community Services Board.

6. City Council made the following appointments to boards and commissions: (a) reappointed Lewis Simon as the citizen member to the Commission on Aging; (b) reappointed Robert Rapanut as the citizen member to the Emergency Medical Services Council; (c) appointed Daniel Schweihs as the business representative and reappointed George Kostel as the business representative endorsed by the Chamber of Commerce to the Historic Alexandria Resources Commission; (d) appointed Mollie Timmons as the member from among the high school youth of the City to the Park and Recreation Commission; (e) appointed Dylan Colligan as the citizen member to the Sister Cities Committee; and (f) reappointed Deann Hughes as the citizen member to the Social Services Advisory Board.

7. This item was deferred.

8. City Council: (1) received the recommendation of the City Council Naming Committee to name the property located at 3500 Jefferson Davis Highway Ruby Tucker Park; and (2) set the proposal for public hearing and consideration on Saturday, February 12.

9. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, February 12, 2011.

The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

## **CONTESTED APPOINTMENTS**

10. 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

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

NAME:

ENDORSED BY:

Leslie Hagan  
Kimberly Lewis

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 02/08/11, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council appointed Leslie Hagan as the one 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 to the Community Services Board. The voting was as follows:

Euille	-	Hagan
Donley	-	Hagan
Fannon	-	Hagan
Hughes	-	Hagan
Krupicka	-	Hagan
Pepper	-	Hagan
Smedberg	-	Hagan

11. Environmental Policy Commission  
1 Citizen-at-Large Member

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

NAME: ENDORSED BY:

Holly Carr  
Jennifer Hovis  
Amos Desjardins  
Mara Zimmerman

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 02/08/11, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Jennifer Hovis as the one citizen-at-large member to the Environmental Policy Commission. The voting was as follows:

Euille	-	Hovis
Donley	-	Hovis
Fannon	-	Zimmerman

Hughes	-	Hovis
Krupicka	-	Hovis
Pepper	-	Hovis
Smedberg	-	Desjardins

12. Library Board  
2 Members Appointed by City Council

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

NAME:	ENDORSED BY:
Gwendolyn Day-Fuller	Brooksie Koopman, Alexandria Library Board
Thom Downing	
Hillary Hoffman-Peak	Judy Miller League of Women Voters
Kathleen Schloeder	Cheryl Juneau
	Eileen Bradley, President, Burke Library
	Brooksie Koopman, Alexandria Library Board
Anthony Springer	
Martha-Helene Stapleton	

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 02/08/11, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Gwendolyn Day-Fuller and appointed Thom Downing as the two members appointed by City Council to the Library Board. The voting was as follows:

Euille	-	Day-Fuller, Downing
Donley	-	Day-Fuller, Downing
Fannon	-	Downing, Schloeder
Hughes	-	Day-Fuller, Downing
Krupicka	-	Day-Fuller, Downing
Pepper	-	Day-Fuller, Schloeder
Smedberg	-	Day-Fuller, Downing

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

13. Consideration of Recommendations and Status Report on Legislation Introduced at the 2011 General Assembly Session.

(A copy of the City Manager's memorandum dated February 7, 2011, is on file in

the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 02/08/11, and is incorporated as part of this record by reference.)

Legislative Director Caton gave Council an overview of the General Assembly actions and responded to questions from Council about legislation being considered, particularly concerning funding for transportation in Northern Virginia.

Mayor Euille requested that the City Manager prepare a letter to send to the delegation stating the sentiment of Council concerning funding for the transportation project in Alexandria.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Krupicka and carried unanimously, City Council approved the legislative positions included in Recommended Positions on Bills of Importance to the City, as recommended by City Council's Legislative Subcommittee. The voting was as following:

Pepper	"aye"	Donley	"aye"
Krupicka	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

- 13.1 Receipt of Staff Report on the Proposal from the Virginia Department of Transportation (VDOT) to Construct a High Occupancy Vehicle (HOV) Ramp (Alternative F) at Seminary Road and I-395 and Scheduling the Report for Consideration by City Council on Saturday, February 12.

**(Please note that VDOT Representatives will make their presentation to Council on their proposal at the Saturday, February 12, Council meeting, not on Tuesday, February 8, as noted previously.)**

(A copy of the City Manager's memorandum dated February 4, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13.1; 02/08/11, and is incorporated as part of this record by reference.)

Director of Transportation and Environmental Services Baier gave a brief presentation of the proposal and noted that VDOT representatives will be present at Saturday's public hearing meeting to answer more specific questions. Mr. Baier responded to questions from Council about the proposal.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council received the report and scheduled it for consideration on Saturday, February 12, following a briefing by Virginia Department of Transportation representatives. The voting was as follows:

Donley	"aye"	Fannon	"aye"
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Smedberg	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

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

14. Consideration of the Monthly Financial Report for the Period Ending December 31, 2010.

(A copy of the City Manager's memorandum dated February 1, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 02/08/11, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Krupicka and carried unanimously, City Council received the Monthly Financial Report for the period ending December 31, 2010. The voting was as follows:

Pepper	"aye"	Donley	"aye"
Krupicka	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

15. Staff Presentation of Quality of Life Indicators Project.

(A copy of the City Manager's memorandum dated February 3, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 02/08/11, and is incorporated as part of this record by reference.)

Assistant City Manager Gates gave a brief presentation and introduced members of the committee. Mr. Gates and members of the committee responded to questions from Council about the project.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council received the report on the development of the Alexandria Quality of Life Indicator effort. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Hughes	"aye"	Krupicka	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	"aye"	

16. Consideration of Proposal for Continuation of the King Street Light Display.

(A copy of the City Manager's memorandum dated February 3, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 02/08/11, and is incorporated as part of this record by reference.)

Director of Recreation, Parks and Cultural Activities Spengler responded to questions from Council about the cost of the lights and the maintenance of the tree lights on King Street.

**A motion was made** by Councilwoman Pepper, seconded by Councilman Fannon, to approve option number 3 to maintain the tree lighting program through the end of June 2011.

Councilman Krupicka offered an amendment to the motion to approve option number 2 maintaining the tree lighting program through the end of March 2011 (\$9000). The maker and the seconder accepted the amendment.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Fannon and carried 6-1, City Council approved option number 2 which maintains the tree lighting program through the end of March 2011 (\$9000). The voting was as follows:

Pepper	"aye"	Donley	"aye"
Fannon	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"no"	

17. Consideration of Update on the Vending Carts Pilot Program in Market Square.

(A copy of the City Manager's memorandum dated January 31, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 02/08/11, and is incorporated as part of this record by reference.)

Council asked questions of staff about participation in the pilot program and the possibility of expanding to other areas of the City.

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

Smedberg	"aye"	Fannon	"aye"
Donley	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

17.1 Consideration of a Proposal to Extend Meals on Wheels Service to Seven Days a Week to Include the Provision of a Sunday Meal.

(A copy of the City Manager's memorandum dated February 3, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17.1;

02/08/11 and is incorporated as part of this record by reference.)

**A motion was made** by Councilwoman Hughes, seconded by Vice Mayor Donley, to appropriate from contingent reserves an amount not to exceed \$20,000 to fund meals on Sunday through Meals on Wheels Service between now and the end of the fiscal year.

**WHEREUPON**, upon substitute motion by Councilman Krupicka, seconded by Councilman Smedberg and carried 6-1, City Council postponed the proposal indefinitely and will discuss it more in-depth during the FY 2012 budget process. The voting was as follows:

Krupicka	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"no"
	Pepper	"aye"	

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

None

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

and

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

(a) Mayor Euille noted that February is Black History Month and he highlighted events happening in the City of Alexandria to commemorate the month, including Sunday, February 13 at 5:00 p.m. at the Carlyle Club, a program honoring the life of Paul Robeson and on Monday, February 28, Agenda Alexandria will host a forum entitled, "Alexandria and the Civil War- Pride and Shame in Black and White."

(b) Mayor Euille reported that City Council has received a letter of resignation from City Manager James "Jim" Hartmann on January 31, 2011. Mayor Euille requested a motion from Council to formally accept the letter of resignation.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council formally accepted the letter of resignation with regret from City Manager James Hartmann. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

(c) Mayor Euille reported that the 2010 U.S. Census results have been released and staff will present the report at the February 22 legislative meeting.

(d) Councilwoman Pepper reported that there was a Norfolk Southern train involved in an accident in Ohio. Councilwoman Pepper noted that residents in Cameron Station have expressed concern, pointing out that the train was carrying ethanol and could have possibly been traveling through Alexandria. Councilwoman Pepper asked staff to comment on the incident.

In response to Councilwoman Pepper, Fire Chief Thiel stated that Norfolk Southern trains do not travel at full speed through the City and he noted that he did not know the exact route of the train involved in the Ohio incident.

(e) Councilman Fannon thanked staff for all the work on the commemoration event for President Reagan's 100th Birthday and he noted that the event was well attended.

(f) Councilman Fannon noted that he would be sponsoring the Third Annual Alexandrians Have Heart Food and Clothing Drive, to be held on February 19, from 8 a.m to 1 p.m, in the 200 block of South Henry Street, to benefit ALIVE! and Christ House.

(g) Councilwoman Hughes reported that the Alexandria Community Trust (ACT) has launched a new website that encourages civic engagement in the community.

(h) Councilwoman Hughes recognized participants in the Parent Leadership Training Institute (PLTI) who were present at tonight's meeting.

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

**None.**

## **ORDINANCES AND RESOLUTIONS**

18. Consideration of Resolution to Extend the Term of the BRAC-133 Advisory Group for an Additional Year.

(A copy of the City Manager's memorandum dated February 1, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 02/08/11, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council approved the resolution to extend the term of the BRAC-133 Advisory Group for an additional year. The voting

was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

The resolution reads as follows:

### **RESOLUTION NO. 2435**

**WHEREAS**, the United States Department of Defense (DoD) has selected and purchased a building site at the Mark Center as the location to construct a major office building (the "BRAC-133 office building") for occupancy by the Washington Headquarters Service and other DoD agencies; and

**WHEREAS**, this BRAC-133 office building will entail 1,380,000 square feet of office space, house approximately 6,400 employees, and provide approximately 3,900 parking spaces; and

**WHEREAS**, this proposed BRAC-133 office building, while similar in overall square footage to the Mark Winkler office buildings the City approved for this site in 2004, is substantially different in overall design; and

**WHEREAS**, there are transportation improvements that can potentially mitigate the impact of transportation and traffic issues associated with the BRAC-133 office project on the nearby neighborhoods; and

**WHEREAS**, the creation of an advisory group can create a forum for developing ideas and recommendations relating to transportation improvements and other issues associated with the BRAC-133 office building, as well as to serve as a communications forum among all parties; and

**WHEREAS**, there are significant issues with the BRAC-133 project that still remain unresolved.

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

1. The term of the BRAC/Mark Center Advisory Group ("Advisory Group") and its members shall be extended for an additional to twelve months.

2. This Advisory Group's original membership shall be expanded by one to consist of members appointed by the Mayor, including 11 representatives nominated by the following groups and civic associations:

Brookville-Seminary Valley  
Lincolnia Hills/Heywood Glen  
Parkside of Alexandria  
Seminary Heights  
Seminary Park  
Seminary Ridge  
Seminary West  
Seminary Hill  
Beauregard Heights Civic Association  
Alexandria Economic Development Partnership (AEDP)  
West End Business Association (WEBA)

3. In addition, the Mayor shall request the participation in the Advisory Group of one representative of the DoD and one representative of Duke Realty.

4. In addition, the Mayor shall appoint to the Advisory Group one member of the Alexandria Planning Commission, one member of the Alexandria Transportation Commission, and one to two at-large members.

5. Additional members representing stakeholder organizations in the geographic area of the BRAC-133 project may be added to the group, if requested by the Advisory Group Chairperson, with the agreement of the City Council.

6. The Advisory Group shall meet periodically, as it deems necessary, with its meetings open to the public.

7. Administrative and technical staff assistance to the Advisory Group shall be provided by the Department of Transportation and Environmental Services, the Department of Planning and Zoning, and supplemented by staff from other City agencies, as necessary.

19. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement Number 54 of the Zoning Ordinance.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 02/08/11, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 19; 02/08/11, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously by roll-call vote, City Council adopted an ordinance to adopt Supplement Number 54 of the Zoning Ordinance. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Hughes	"aye"	Krupicka	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

**ORDINANCE NO. 4704**

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. 54," are hereby adopted as and shall constitute "The Fifty-Fourth 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 Fifty-Fourth 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 22, 2010 and November 13, 2010, 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 22, 2010 and November 13, 2010, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Fifty-Fourth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after November 13, 2010.

Section 4. That one complete set of pages comprising "The Fifty-Fourth 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.

20. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement Number 96 of the City Code.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 02/08/11, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 20; 02/08/11, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Krupicka and carried unanimously by roll-call vote, City Council adopted an ordinance to adopt Supplement Number 96 of the City Code. The voting was as follows:

Hughes	"aye"	Donley	"aye"
Krupicka	"aye"	Fannon	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

#### **ORDINANCE NO. 4705**

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. 96," are hereby adopted as and shall constitute "The Ninety-Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Ninety-Sixth 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 22, 2010, through November 13, 2010, 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 22, 2010, 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 22, 2010 through November 13, 2010, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Ninety-Sixth 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 Ninety-Sixth 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**

21. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 2, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 02/08/11, and is incorporated as part of this record by reference.)

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

Smedberg and carried unanimously, City Council noted that: (1) the Alexandria Transit Company Stockholders meeting will begin at 5:30 p.m. before Council's Tuesday, February 22 legislative meeting; (2) the location of the 7:00 p.m. March 14 joint City Council/School Board budget work session will be the Alliance for Learning and Leading Center at George Washington Middle School (3rd floor); (3) the acceptance of the list of topics proposed for Council consideration for Budget Work Sessions; (4) the Budget Work Session for March 30 and April 4 have been deleted, but the date of March 30 will be held in case another budget work session with the School Board is needed; and (5) the naming ceremony for the Adult Detention Center in honor of the late Deputy Sheriff William G. Truesdale and unveiling of the monument memorializing Alexandria Sheriff's Deputies killed in the line of duty will occur at 11:00 a.m. on Thursday, May 5 at the Public Safety Center. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Smedberg	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

## EXECUTIVE SESSION

22. Consideration of an Executive Session For the Purpose of Consulting With Legal Counsel Regarding Potential and Pending Litigation and Discussing a Personnel Matter.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council convened in closed executive session at 10:05 p.m., pursuant to Section 2.2-3711(A)(1) & (7) of the Code of Virginia, for the purpose of discussion and consideration of the appointment of a specific appointee of City Council and consultation with legal counsel pertaining to actual or probable litigation where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body and for consultation regarding specific legal matters requiring the provision of legal advice. The voting was as follows:

Hughes	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, City Council reconvened the meeting at 10:53 p.m. The voting was as follows:

Hughes	"aye"	Fannon	"aye"
Donley	"aye"	Krupicka	"aye"
Euille	"aye"	Pepper	"aye"

Smedberg "aye"

**WHEREUPON**, upon motion by Councilwoman Hughes, 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:

Hughes	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

The resolution reads as follows:

**RESOLUTION NO. 2436**

**WHEREAS**, the Alexandria City Council has this 8th day of February 2011, 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.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the regular meeting of February 8, 2011 at 10:54 p.m. The voting was as follows:

Hughes	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

APPROVED BY:

\_\_\_\_\_  
WILLIAM D. EUILLE      MAYOR

ATTEST:

Gloria A. Sitton, CMC Deputy City Clerk