CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, March 27, 2007 - - 7:00 p.m.

******


Absent: Vice Mayor Andrew H. Macdonald

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; 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. Collins, Director, Department of Human Services (DHS); Mr. Farner, Division Chief, Planning and Zoning; Ms. Triggs, Acting Director, Finance; Mr. Culpepper, Deputy Director, Transportation and Environmental Services; Mr. Skrabak, Division Chief, Transportation and Environmental Services/Environmental Quality; Mr. Frazier, Director, DHS/Youth Services; Ms. Gilbert, Project Discovery Coordinator, DHS/Youth Services; Ms. Coachman, DHS/Youth Services; Mr. Caton, Legislative Director; Ms. Barnett, Deputy Director, Recreation, Parks and Cultural Activities; Mr. Josephson, Acting Director, Planning and Zoning; Dr. Gilmore, Director, Mental Health/Mental Retardation/Substance Abuse; Mr. Mackey, Gang Prevention and Intervention Liaison, Court Service Unit; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Police Lt. Uzzell; 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 the Council were present, with the exception of Vice Mayor Macdonald, who had an excused absence.


   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 Regular Meeting Minutes of March 13, 2007; and

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the regular meeting minutes of March 13, 2007 and the public hearing meeting minutes of March 17, 2007. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Recognizing the USS Pom Pon and the WWII Shipmates.

   (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; 03/27/07, and is incorporated as part of this record by reference.)

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

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

5. Presentation of a Proclamation Recognizing the City's Selection as One of the 100 Best Communities for Young People by America's Promise.

   (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; 03/27/07, and is incorporated as part of this record by reference.)

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

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6. Presentation of a Proclamation Declaring April 6, 2007, as National Tartan Day in Alexandria.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 03/27/07, and is incorporated as part of this record by reference.)

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

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7. Presentation of a Proclamation Declaring March 31, 2007 as Homeownership Fair Day in Alexandria.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 03/27/07, and is incorporated as part of this record by reference.)

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

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City Council recognized the graduates of the Citizens Academy.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

3
CONSENT CALENDAR (9-19)

(Resignations and Uncontested Appointments)

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

(a) Alexandria Waterfront Committee
   Jo Anne Mitchell

(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. 9(a); 03/27/07, and is incorporated as part of this record by reference.)

10. Uncontested Appointments to Boards, Commissions and Committees:

(a) Alexandria-Caen Exchange Committee
   1 Citizen Member

(b) Alexandria Budget and Fiscal Affairs Advisory Committee
   1 Member Designated by the Alexandria Chamber of Commerce

(c) Alexandria Commission for the Arts
   1 Member Who Represents the Public-at-Large As An Arts Consumer and Participant
   1 Member Who Represents Arts Education or Business Expertise Relative to Arts and Cultural Development, Including Such Perspectives As Marketing, Finance/Funding, Tourism Promotion and Organizational Development

(d) Alexandria Commission on Persons With Disabilities
   1 Citizen Member

(e) Historic Alexandria Resources Commission
   1 Representative From the Lee-Fendall House

(f) Alexandria Sister Cities Committee
   1 Citizen Member

(g) Alexandria Transportation Safety Commission
   4 Members From the Alexandria Traffic and Parking Board

(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-g); 03/27/07, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)
11. Submission of a Grant Application to the U.S. Department of Agriculture (USDA) for the Summer Food Service Program for Children.

(A copy of the City Manager's memorandum dated March 22, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 03/27/07, and is incorporated as part of this record by reference.)


(A copy of the City Manager's memorandum dated March 22, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 03/27/07, and is incorporated as part of this record by reference.)

13. Submission of a Grant Application to the Virginia Department of Criminal Justice Services for the Office on Women's Sexual Assault Response and Awareness (SARA) Program.

(A copy of the City Manager's memorandum dated March 21, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 03/27/07, and is incorporated as part of this record by reference.)

14. Submission of a Grant Application to the Department of Criminal Justice Services to Continue Community Corrections (Local Probation) and Pretrial Services Under the Comprehensive Community Corrections Act and Pretrial Services Act for FY 2008.

(A copy of the City Manager's memorandum dated March 15, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 03/27/07, and is incorporated as part of this record by reference.)

15. Consideration of a Grant Application to the Virginia Department of Emergency Management for the Alexandria Citizens Corps Council Program.

(A copy of the City Manager's memorandum dated March 19, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 03/27/07, and is incorporated as part of this record by reference.)

16. Submission of a Grant Application to the Virginia Commission for the Arts for Funds for a Local Government Challenge Grant for the Department of Recreation, Parks and Cultural Activities.

(A copy of the City Manager's memorandum dated March 19, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 03/27/07, and is incorporated as part of this record by reference.)
17. Submission of a Grant Application to America's Promise 100 Best Communities for Youth to Implement Prevention Initiatives for Youth.

(A copy of the City Manager's memorandum dated March 19, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 03/27/07, and is incorporated as part of this record by reference.)

18. Consideration of a Request to Expand the Membership of the Alexandria Commission on the Arts.

(A copy of the City Manager's memorandum dated March 22, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 03/27/07, and is incorporated as part of this record by reference.)


(A copy of the City Manager's memorandum dated March 22, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 03/27/07, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Consent Calendar, with removal of docket items #13 and #14, which were considered under separate motions. The City Manager's recommendations were as follows:

9. City Council accepted the following resignation with regret: (a) Jo Anne Mitchell, Alexandria Waterfront Committee.

10. City Council made the following appointments: (a) appointed Juliana Magloire as the citizen member to the Alexandria-Caen Exchange Committee; (b) reappointed Dennis Auld as the member designated by the Alexandria Chamber of Commerce to the Alexandria Budget and Fiscal Affairs Advisory Committee; (c) reappointed Maria Howell as the member who represents the public-at-large as an arts consumer and participant and reappointed Sylvia Sabrio as the member who represents arts education or business expertise relative to arts and cultural development, including such perspectives as marketing, finance/funding, tourism promotion and organization development to the Alexandria Commission for the Arts; (d) appointed Tanishia Williams-Minor as the citizen member to the Alexandria Commission on Persons with Disabilities; (e) reappointed David Heiden as the representative from the Lee-Fendall House to the Historic Alexandria Resources Commission; (f) appointed Paula Whitacre as the citizen member to the Alexandria Sister Cities Committee; and (g) reappointed John Cole, Thomas "Jay" Johnson,
Lawrence Ruggiero and Converse West as the four members from the Alexandria Traffic and Parking Board to the Alexandria Transportation Safety Committee.

11. City Council authorized the City Manager to: (1) submit the grant application to the United States Department of Agriculture for continued funding and an estimated reimbursement amount of $112,000 for program expenses; and (2) execute all necessary documents that may be required. The grant application is due to the United States Department of Agriculture on May 11, 2007. Staff will submit the grant proposal to the agency, contingent upon City Council’s approval at its April 24, 2007 session.

12. City Council received the Annual Report from the Alexandria Waterfront Committee and thanked the Committee for its efforts on behalf of the City.

15. City Council: (1) authorized the City Manager to apply for Citizens Corps Program Funding through the State Homeland Security Program grant funds in the amount of $60,231; and (2) authorized the City Manager to execute all the necessary documents that may be required.

16. City Council authorized the City Manager to: (1) submit a grant application, in the amount of $5,000, to the Virginia Commission for the Arts’ Local Government Challenge grant program; and (2) execute all necessary documents that may be required. The Alexandria Commission for the Arts (ACA) prepared the application and fully endorses its submission.

17. City Council: (1) authorized the grant application in the amount of $96,770 for funding to implement prevention initiatives for youth using the America’s Promise - The Alliance for Youth program model; (2) approved the establishment of one part-time, grant-funded position (up to 15 hours per week) for a senior high school student as a Youth Services Resource Assistant; and (3) authorized the City Manager to execute all necessary documents that may be required.

18. City Council approved the addition of a position on the Commission for the Arts for one student who resides in the City and attends a high school located in the City of Alexandria and request the City Attorney to prepare the ordinance for introduction and first reading at the April 10 meeting.


The voting was as follows:

Gaines    "aye"  Macdonald  absent
Pepper    "aye"  Krupica     "aye"
Euille    "aye"  Lovain      "aye"
Smedberg  "aye"
13. Submission of a Grant Application to the Virginia Department of Criminal Justice Services for the Office on Women's Sexual Assault Response and Awareness (SARA) Program.

(A copy of the City Manager's memorandum dated March 21, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 03/27/07, 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: (1) approved the submission of the grant application to the Department of Justice Services (DCJS) for funding in the amount of $410,538 that would result in the continued funding of positions within the Office on Women's Sexual Assault Response & Awareness (SARA) Program and add a position; (2) approved the continuation of funding for one Social Worker, and potential funding for one Volunteer Developer and one Outreach and Prevention Specialist for the Office on Women's SARA Program. The grant-funded positions would terminate upon the expiration of the grant. The individuals who fill these positions were notified of this condition of employment at the time they were hired. They signed an agreement of understanding with regard to this condition. It should be noted that there are no funds available in the City budget to continue these activities once the grant funds expire; (3) approved the request to DCJS to fund one additional full time Social Worker for the SARA Program. If funded, this position would terminate upon the expiration of the grant and the individual who fills this position would be notified of this condition of employment at the time she/he was hired, signing an agreement of understanding with regard to this condition. There are no funds available in the City budget to continue these activities once the grant funds expire; and (4) authorized the City Manager to execute all documents that may be required prior to the grant application due date of April 13, 2007. The SARA Program has received DCJS funding since 1999, and this application would request continuation of the existing funding and an additional amount for the adding one SARA staff position. The voting was as follows:

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14. Submission of a Grant Application to the Department of Criminal Justice Services to Continue Community Corrections (Local Probation) and Pretrial Services Under the Comprehensive Community Corrections Act and Pretrial Services Act for FY 2008.

(A copy of the City Manager's memorandum dated March 15, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 03/27/07, 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 authorized the City Manager to: (1) approve the grant application to the Virginia Department of Criminal Justice Services (DCJS) for continuation funding for the current biennial grant cycle (FY2008), in the amount of $444,133, under the Comprehensive Community Corrections Act-Pretrial Services Act (CCCA-PSA); (2) approve the continuation of six full-time positions to deliver the services to be provided under these grant programs. These grant funded positions would terminate upon the expiration of the grant, and the individuals who fill these positions have been notified of this condition of employment; and (3) execute all documents that may be required. The voting was as follows:

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

CONTESTED APPOINTMENTS

20. Alexandria Affordable Housing Advisory Committee
   1 Homeowner In the City

(The following persons volunteered for appointment to above Commission)

NAME:

Derek Hyra
Pat Phibbs-Rizzuto

ENDORSED BY:

Board of Directors of Northeast Citizens Assn.

(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. 20; 03/27/07, 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 Pat Phibbs-Rizzuto as the homeowner in the City to the Alexandria Affordable Housing Advisory Committee. The voting was as follows:

Euille       -       Phibbs-Rizzuto
Macdonald   -       absent
Gaines       -       Phibbs-Rizzuto
Krupicka    -       Phibbs-Rizzuto
Lovain      -       Phibbs-Rizzuto
Pepper      -       Phibbs-Rizzuto
Smedberg    -       Phibbs-Rizzuto
21. Alexandria Community Criminal Justice Board
   1 Citizen Member

   (The following persons volunteered for appointment to above Commission)

   NAME:                      ENDORSED BY:

   Joseph Dunn
   Heidi Meinzer

   (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. 21;
   03/27/07, 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 appointed Heidi Meinzer as the citizen
member to the Alexandria Community Criminal Justice Board. The voting was as
follows:

   Euille     -     Dunn
   Macdonald -     absent
   Gaines    -     Meinzer
   Krupicka  -     Meinzer
   Lovain    -     Meinzer
   Pepper    -     Meinzer
   Smedberg  -     Dunn

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

22. Consideration of a Support Letter to the Virginia Housing Development Authority
    for the Glebe Park Low Income Housing Tax Credit Application.

    (A copy of the City Manager's memorandum dated March 22, 2007, is on file in
    the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22;
    03/27/07, and is incorporated as part of this record by reference.)

    WHEREUPON, upon motion by Councilman Gaines, seconded by
Councilmember Lovain and carried unanimously, City Council authorized the City
Manager to execute a letter to the Virginia Housing Development Authority (VHDA) in
support of the application for low income housing tax credits for the Old Dominion
phase of the Alexandria Redevelopment and Housing Authority's (ARHA) proposed
redevelopment of Glebe Park. City Council added the provision that ARHA and the
ARHA Redevelopment Work Group should look into opportunities to provide more
market rate housing, particularly on West Glebe, and a community work group should
be established to work with ARHA and the City in this process. Council also requested
that the Work Group develop a neighborhood planning process. The voting was as follows:

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REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille stated that he attended Governor Kaine's press conference in Richmond yesterday concerning amendments and changes to the Legislature's Transportation Budget Plan. Mayor Euille offered a resolution that supports the Governor's compromise on the Transportation Plan.

NEW BUSINESS ITEM NO. 1

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Gaines and carried 5-0, City Council passed a resolution that requests the General Assembly to support the compromised Transportation Package Plan as presented by the Governor when they reconvene on April 4, 2007. The voting was as follows:

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The resolution reads as follows:

RESOLUTION NO. 2221

WHEREAS, significant unmet transportation needs exist in Northern Virginia and throughout the Commonwealth; and

WHEREAS, Northern Virginia local governments identified at least $16.6 billion in unfunded transit and other transportation projects that are needed by 2030; and

WHEREAS, the City and the region have gone to every recent General Assembly Session and asked for new sources of transportation revenues; and
WHEREAS, the 2007 General Assembly passed House Bill 3202, which sought to provide new funding for transportation in Northern Virginia and statewide; and

WHEREAS, elected officials on the Northern Virginia Transportation Authority (NVTA) expressed “grave concerns with key aspects of the regional component of the measure as approved by the General Assembly”; and

WHEREAS, the NVTA advised the Governor that this legislation was not workable and would not be implemented by the region; and

WHEREAS, the Governor has proposed modifications to the bill in response to the concerns that Northern Virginia and other elected officials expressed to him; and

WHEREAS, these modifications will enable the region to move forward on some of the region’s most-needed transportation improvements; and

WHEREAS, the economic vitality of Northern Virginia, and therefore of the Commonwealth, is at risk if we do not begin making critical investments allowed with this new revenue; and

WHEREAS, it is important that the General Assembly approve the Governor’s proposed amendments to House Bill 3202 at its reconvened Session on April 4, 2007;

NOW, THEREFORE, BE IT RESOLVED that the Alexandria City Council express its gratitude to Governor Kaine for his responsiveness to the concerns of the City of Alexandria and other localities with regard to House Bill 3202; and

BE IT FURTHER RESOLVED that City Council requests that its General Assembly delegation support the Governor’s amendments; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, the City’s General Assembly delegation, and the leadership of the General Assembly to apprise them of the City’s position.

(b) Councilwoman Pepper reported that she and Councilman Smedberg attended a meeting in Richmond of the State Air Pollution Control Board to discuss the new operating consent order for Mirant. Councilwoman Pepper noted that the purpose of the new consent order was to govern the plant emissions until a comprehensive State permit for the plant can be issued. Councilwoman Pepper stated that Virginia Department of Environmental Quality (VDEQ) proposed three options and recommended option two, which the City opposed.

Councilwoman Pepper noted that several residents, staff, outside counsel and the City’s consultant attended the meeting and presented the case. Councilwoman Pepper reported that the Board decided VDEQ, the City and Mirant should try to negotiate a revised consent order that all parties could agree upon, with the City being
a full partner in the negotiations. Councilwoman Pepper also noted that the parties are to report on the outcome of the negotiations at the next meeting on April 10, with the Board imposing an order if no agreement is met.

Councilwoman Pepper requested that City Attorney Pessoa report on the dates for the next steps for this matter.

In response, City Attorney Pessoa stated that City staff would be conducting a conference call in the morning and meeting with Mirant and VDEQ on Friday to discuss the negotiations. City Attorney Pessoa requested that an Executive Session on Mirant be scheduled following the Budget public hearing on April 9.

(c) Councilman Smedberg stated that the stack merger would allow Mirant to put more pollutants into the air and is an issue of concern for the neighbors.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

None.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

None.

OTHER

23. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated March 22, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 03/27/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) scheduled a work session with the Planning Commission on Carlyle Retail at 5:30 p.m. in the Council work room before its Tuesday, April 10 legislative meeting; (2) scheduled a City Community Transportation Forum at 7:00 p.m. on Thursday, April 19 (location TBD); and (3) received the revised calendar which includes: a reception for a group of photography students from Minnie Howard Ninth Grade Center and their parents at 6:00 p.m. in the Council work room before Council's Tuesday, May 8 legislative meeting; and the Freedmen's Cemetery rededication ceremony on Saturday, May 12 from 6:00 p.m. to 8:00 p.m. The voting was as follows:
Gaines    "aye"     Macdonald    absent
Pepper    "aye"     Krupicka    "aye"
Euille    "aye"     Lovain      "aye"
Smedberg  "aye"

*******

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Pepper, seconded by Councilmember Lovain and carried unanimously, the regular City Council meeting of March 27, 2007, was adjourned at 8:43 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE    MAYOR

ATTEST:

Gloria A. Sitton, CMC    Deputy City Clerk