

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, June 27, 2006 - - 7:00 p.m.

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

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Police Chief Samarra; Police Lt. Uzzell; Ms. Boyd, Director, Citizen Assistance; Mr. Johnson, Director, Office of Management and Budget; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Mr. Blakeley, Deputy Director, Recreation, Parks and Cultural Activities; Ms. Barnett, Deputy Director, Recreation, Parks and Cultural Activities; Mr. Baier, Director, Transportation and Environmental Services; Mr. Culpepper, Deputy Director, Transportation and Environmental Services; Mr. Skrabak, Division Chief, Environmental Quality, Transportation and Environmental Services; Mr. Lambert, Bicycle Coordinator, Transportation and Environmental Services; Ms. Baker, Director, Office on Women; Mr. Mason, Special Assistant to the City Manager; Mr. Hannigan, Public Information Officer; Mr. Neckel, Director, Finance Department; Mr. Herway, Director, Information Technology; Mr. Fifer, E-Governmental Manager, Information Technology; Ms. Fogarty, Director, Planning and Zoning; Mr. Josephson, Deputy Director, Planning and Zoning; Mr. Phipps, Planning and Zoning; Mr. Webb, Planning and Zoning; Mr. Dahlberg, Director, Code Enforcement; Ms. Davis, Director, Office of Housing; Ms. McIlvane, Deputy Director, Office of Housing; Ms. Collins, Director, Human Services; and Mr. Lloyd.

Recorded by: Jackie M. Henderson, City Clerk and Clerk of Council

City Council met in a work session at 5:30 to hear an update on Jones Point Park from the National Park Service and City staff.

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.

NEW BUSINESS ITEM NO. 1: City Manager Hartmann, Code Enforcement Director Dahlberg, Transportation and Environmental Services Baier and Recreation, Parks and Cultural Activities Director Kincannon gave an update on the status of the flooding in the City caused by recent storms, the City's response to the storms, the Council of Governments report on what is anticipated for the evening and the cresting of the Potomac River, and responded to questions of Council.

Councilwoman Woodson requested that an article in the new *FYI* be written on what is going on behind the scenes.

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

- (a) The Regular Meeting Minutes of June 13, 2006; and
- (b) The Public Hearing Meeting Minutes of June 17, 2006.

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the regular meeting minutes of June 13, 2006 and the public hearing meeting minutes of June 17, 2006. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

4. Recognition of Victoria Barrera-Garces as Miss Teen Alexandria and Miss Virginia Teen America 2006.

City Council recognized Miss Barrera-Garces and presented her with a Key to the City.

PROCLAMATIONS

5. Recognition of the Graduates of the City of Alexandria Citizens Academy.

City Council recognized the graduates of the Citizens Academy.

NEW BUSINESS ITEM NO. 2: Recognition of Poet Laureate Taylor Dohmen.

City Council recognized Taylor Dohmen, who was named Alexandria Public Schools Poet Laureate.

6. Presentation of a Proclamation Recognizing Randy Merritt as the City Employee of the Month for April.

(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; 06/27/06, and is incorporated as part of this record by reference.)

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

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

7. Presentation of a Proclamation Honoring Outgoing Councilwoman Joyce Woodson.

(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; 6/27/06, and is incorporated as part of this record by reference.)

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

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

8. Presentation of a Proclamation Honoring Police Chief Charles Samarra.

(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; 6/27/06, and is incorporated as part of this

record by reference.)

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

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

- 8.1 Archaeological Commission's Presentation of the New Book on 40 Years of Archaeology in Alexandria.

City Council was presented with the Book on Archaeology.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (9-21)

(Resignations and Uncontested Appointments)

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

- (a) Alexandria Commission on Aging
Lisa Baranello

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked collectively Exhibit No. 1 of Item No. 9(a); 6/27/06, and is incorporated as part of this record by reference.)

10. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Board of Architectural Review - Parker-Gray District
1 Architect
- (b) Alexandria Carr/Norfolk Southern (Carlyle) Design Review Board
1 Citizen Member
- (c) Alexandria Citizen Corps Council
1 Representative of the Alexandria Commission on Persons
With Disabilities
- (d) Alexandria Community Services Board
2 Consumers (Current or Former Direct Recipients of Public

or Private Mental Health, Mental Retardation, or Substance Abuse Treatment Rehabilitation Services) or Family Members (Immediate Family Member or the Principal Caregiver Who Is Not Paid) of A Consumer

- (e) Alexandria Convention and Visitors Association Board of Governors
 - 1 Citizen-at-Large
 - 1 Attraction Representative
 - 1 Historic/Preservation Representative
 - 1 National or International Trade or Professional Association Executive
 - 2 Restaurant Owner/Manager Representatives
- (f) Northern Virginia Community College Board
 - 1 Citizen Member
- (g) Alexandria Waterfront Committee
 - 1 Representative From the Old Town Business Association/King Street Enterprise (KSMET)
 - 1 Representative From the Alexandria Chamber of Commerce
- (h) Alexandria Youth Policy Commission
 - 1 Individual Who Has An Interest in Issues Affecting Youth in the City

(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-h); 6/27/06, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 11. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated June 19, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 6/27/06, and is incorporated as part of this record by reference.)

- 12. Consideration of Application to Health and Human Services for One-Time Funding for Playground Renovation and Installation of a Security System at the Jefferson Houston Head Start Site.

(A copy of the City Manager's memorandum dated June 14, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 6/27/06, and is incorporated as part of this record by reference.)

13. Consideration of the FY 2003-2005 Annual Report from the Alexandria Environmental Policy Commission.

(A copy of the City Manager's memorandum dated June 16, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 6/27/06, and is incorporated as part of this record by reference.)

14. Consideration of Allocation of FY 2006 Arts Commission Contingent Reserve.

(A copy of the City Manager's memorandum dated June 23, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 6/27/06, and is incorporated as part of this record by reference.)

15. Consideration of the Alexandria Community Services Boards (1) Amended FY 2007 Plan of Services, Which Includes the FY 2007 Performance Contract with the State, and (2) Status of the Board's FY 2004 - FY 2008 Housing Plan.

(A copy of the City Manager's memorandum dated June 20, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 6/27/06, and is incorporated as part of this record by reference.)

16. Consideration of Authorization of Grant Application in the Amount of \$110,000 to the Commonwealth of Virginia's Department of Mental Health, Mental Retardation and Substance Abuse Services to Provide Mental Health and Substance Abuse Services to Youth in the Northern Virginia Detention Center.

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 6/27/06, and is incorporated as part of this record by reference.)

17. Consideration of Authorization of Grant Application in the Amount of \$475,000 to the Commonwealth of Virginia's Department of Mental Health, Mental Retardation and Substance Abuse Services to Provide Mental Health and Substance Abuse Services to Children and Youth to Help Prevent Out-of-Home Placements.

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 6/27/06, and is incorporated as part of this record by reference.)

18. Consideration of Proposed Lease for Property at 1900 North Beauregard Street for the Department of Human Services JobLink Program.

(A copy of the City Manager's memorandum dated June 22, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18;

6/27/06, and is incorporated as part of this record by reference.)

19. Consideration of Proposed Lease for Property at 1900 North Beauregard Street for the Alexandria Child Advocacy Center.

(A copy of the City Manager's memorandum dated June 23, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 6/27/06, and is incorporated as part of this record by reference.)

20. Receipt of Report on the Alexandria Fund for Human Services FY 2007 Grant Awards.

(A copy of the City Manager's memorandum dated June 14, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 6/27/06, and is incorporated as part of this record by reference.)

21. Receipt of the Monthly Financial Report for the Period Ending May 31, 2006.

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 6/27/06, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the Consent Calendar, with the removal of docket item #10e, which was considered under separate motion. The City Manager's recommendations were as follows:

9. City Council accepted the following resignation with regret: Lisa Baranello, Alexandria Commission on Aging.

10. City Council made the following appointments: (a) reappointed David Zuckerkandel as the one architect to the Alexandria Board of Architectural Review - Parker-Gray District; (b) reappointed Edward McKinney as the one citizen member to the Alexandria Carr/Norfolk Southern (Carlyle) Design Review Board; (c) reappointed Amanda Babcock as the one representative of the Alexandria Commission on Persons with Disabilities to the Alexandria Citizen Corps Council; (d) appointed Amber Nightingale and reappointed David O'Brien as the two Consumers (Current or Former Direct Recipients of Public or Private Mental Health, Mental Retardation, or Substance Abuse Treatment Rehabilitation Services) or Family Members (Immediate Family Member or the Principal Caregiver Who Is Not Paid) of A Consumer to the Alexandria Community Services Board; (f) appointed Lorenzo Esters as the one citizen member to the Northern Virginia Community College Board; (g) waived the residency requirement and appointed Willem Polak as the one representative from the Old Town Business Association/King Street Enterprise (KSMET) and waived the residency

requirement and reappointed Kent Barnekov as the one representative from the Alexandria Chamber of Commerce to the Alexandria Waterfront Committee; and (h) appointed Ryan Martin as the one individual who has an interest in issues affecting youth in the City to the Alexandria Youth Policy Commission.

11. City Council authorized the capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary.

12. City Council approved an application to the Federal Health and Human Services Head Start Bureau for one-time funding for the following projects at the Jefferson Houston Head Start site: \$54,950 for playground renovation, \$17,700 for the replacement of cabinets in four classrooms, and \$3,020 for the installation of a security system.

13. City Council received the FY 2003-2005 Annual Report from the Environmental Policy Commission and thanked the Commission members for their efforts on behalf of the City.

14. City Council allocated \$50,000 from the Public Arts Initiative funds, designated within the Council's FY 2006 Contingent Reserve, to the Department of Recreation, Parks and Cultural Activities.

15. City Council approved the Board's amended FY 2007 Plan of Services, which includes approval of the Performance Contract with the State and a net decrease of 0.25 FTE's.

16. City Council (a) approved the submission of the grant application to the Commonwealth of Virginia's Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) in the amount of \$110,000; and (b) authorized the City Manager to execute all necessary documents.

17. City Council (a) authorized the grant application to DMHMRSAS in the amount of \$475,000; and (b) authorized the City Manager to execute all necessary documents.

18. City Council authorized the City Manager to execute, on behalf of the City, and to deliver the lease for the third floor of 1900 North Beauregard Street, in substantially the form presented to the Council with such changes as are approved by the City Manager and City Attorney. The execution of these documents by the City Manager shall constitute conclusive evidence of his approval, and that of the City Attorney, of any and all changes, from the documents made available to the City Council. The proposed lease is for a term of ten years from October or November of 2006 with a unilateral right for the City to terminate after five years.

19. City Council authorized the City Manager to execute, on behalf of the City,

and to deliver the lease for a portion of the second floor of 1900 North Beauregard Street, in substantially the form presented to the Council with such changes as are approved by the City Manager and City Attorney. The execution of these documents by the City Manager shall constitute conclusive evidence of his approval, and that of the City Attorney, of any and all changes, from the documents made available to the City Council. The proposed lease is for a term of ten years from October or November of 2006 with a unilateral right for the City to terminate after five years.

20. City Council (a) received the report of the Alexandria Fund for Human Services, including the Children's Fund, Youth Fund and Community Partnership Fund for FY 2007 grant awards; and (b) thanked the members of the citizen review panels of the Early Childhood Commission, Youth Policy Commission, and Community Partnership Fund for their leadership in the allocation process.

21. City Council received the Monthly Financial Report for the period ending May 31, 2006.

The voting was as follows:

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

10. Uncontested Appointments to Boards, Commissions and Committees:

- (e) Alexandria Convention and Visitors Association Board of Governors
 - 1 Citizen-at-Large
 - 1 Attraction Representative
 - 1 Historic/Preservation Representative
 - 1 National or International Trade or Professional Association Executive
 - 2 Restaurant Owner/Manager Representatives

(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-h); 6/27/06, and is incorporated as part of this record by reference.)

Councilman Smedberg said the one citizen-at-large requires a residency waiver, and he said the citizen-at-large should be filled by a resident of the City of Alexandria.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Gaines and carried 6-1, City Council directed staff to readvertise the one citizen-at-large appointment; waived the residency requirement and reappointed Stephanie Brown as the one attraction representative; appointed Ellen Stanton as the one historic/preservation representative; waived the residency requirement and

reappointed James Singerling as the one national or international trade or professional association executive; and reappointed Wendy Albert and Patrick Troy as the two restaurant owner/manager representatives to the Alexandria Convention and Visitors Association Board of Governors. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

22. Receipt of Citywide Wireless Coverage Franchise Proposals.

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 6/27/06, and is incorporated as part of this record by reference.)

Mayor Euille announced that the following bids have been received: Annapolis Wireless Internet, Global Reliance Wireless, and Nortel Networks; ATC International, Wi-Fi American, Integral Wireless Solutions, Pronto Networks, Kosmo Systems and Cisco Systems; Azulstar, Cisco Systems, and IBM; Clearwire; Communications Technologies and SkyPilot Networks; EarthLink, Motorola, and Tropos Networks; MobilePro Corporation and Kite Networks; Shenandoah Telecommunication Company, Shentel Wireless Company, and CellNet Technology; and World Airwaves and SkyPilot Networks. Mayor Euille asked if there were any additional bidders present.

A representative from Great American Networks presented its bid to the City Council.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council: (a) received a summary of proposals submitted to the Director of Information Technology Services prior to the June 27 meeting; (b) received an additional proposal from Great American Networks at the Council meeting; (c) referred all proposals to the City Manager for evaluation, review and consideration in the manner prescribed by law, including the negotiation of a franchise agreement with a preferred bidder; and (d) directed the City Manager to recommend to Council at its September 12 meeting, or as soon thereafter that is feasible, a recommended firm to be awarded the wireless franchise by Council. The voting was as follows:

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

NEW BUSINESS ITEM NO 3: City Council was given information by Lewis Hicks on Securing the Blessings of Liberty: Freedoms Taken and Liberties Lost - an exhibition focusing on the African American experience in Virginia opening at the Alexandria Black History Museum.

CONTESTED APPOINTMENTS

23. Alexandria Board of Architectural Review - Old and Historic District
2 Citizen Members

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

NAME:

ENDORSED BY:

John Bramer
Oscar Fitzgerald
Lynn Neihardt
Barbara Rosen

(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. 23; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Oscar Fitzgerald and Lynn Neihardt as the two citizen members to the Alexandria Board of Architectural Review - Old and Historic District. The voting was as follows:

Euille	-	Fitzgerald, Neihardt
Pepper	-	Fitzgerald, Neihardt
Gaines	-	Fitzgerald, Neihardt
Krupicka	-	Fitzgerald, Neihardt
Macdonald	-	Fitzgerald, Neihardt
Smedberg	-	Fitzgerald, Neihardt
Woodson	-	Fitzgerald, Neihardt

24. Alexandria Board of Architectural Review - Parker-Gray District
2 Citizen Members

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

NAME:

ENDORSED BY:

Joseph Bondi
Robert Emard

Christina Kelley
Thomas Marlow

(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. 24; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Christina Kelley and Thomas Marlow as the two citizen members to the Alexandria Board of Architectural Review - Parker-Gray District. The voting was as follows:

Euille	-	Kelley, Marlow
Pepper	-	Kelley, Marlow
Gaines	-	Kelley, Marlow
Krupicka	-	Kelley, Marlow
Macdonald	-	Kelley, Marlow
Smedberg	-	Kelley, Marlow
Woodson	-	Kelley, Marlow

25. Alexandria Commission for Women
1 Citizen Member

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

NAME:	ENDORSED BY:
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Leemie Kahng-Sofer	
Kathleen Sander	

(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. 25; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Kathleen Sander as the one citizen member to the Alexandria Commission for Women. The voting was as follows:

Euille	-	Kahng-Sofer
Pepper	-	Sander
Gaines	-	Kahng-Sofer
Krupicka	-	Kahng-Sofer
Macdonald	-	Sander
Smedberg	-	Sander
Woodson	-	Sander

26. Alexandria Community Services Board
3 Citizen Members

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

NAME:

ENDORSED BY:

Masharia Holman
Susan Joseph
Lourdes Quinteros
Mary Riley

(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. 26; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Masharia Holman and reappointed Lourdes Quinteros and Mary Riley as the three citizen members to the Alexandria Community Services Board. The voting was as follows:

Euille	-	Holman, Quinteros, Riley
Pepper	-	Holman, Quinteros, Riley
Gaines	-	Holman, Quinteros, Riley
Krupicka	-	Holman, Quinteros, Riley
Macdonald	-	Joseph, Quinteros, Riley
Smedberg	-	Holman, Quinteros, Riley
Woodson	-	Holman, Quinteros, Riley

27. Alexandria Environmental Policy Commission
1 Citizen-at-Large

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

NAME:

ENDORSED BY:

Sarah Sturtevant
David Williamson

(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. 27; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Sarah Sturtevant as the one citizen-at-large to the Alexandria Environmental Policy Commission. The voting was as

follows:

Euille	-	Williamson
Pepper	-	Sturtevant
Gaines	-	Williamson
Krupicka	-	Sturtevant
Macdonald	-	Williamson
Smedberg	-	Sturtevant
Woodson	-	Sturtevant

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION (continued)

28. Consideration of Results of Fiscal Year 2006 Fair Housing Tests Conducted by the City.

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 6/27/06, and is incorporated as part of this record by reference.)

Housing Director Davis said they completed a round of testing and found no problems in the round of testing.

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council accepted the results of the fair housing tests conducted in Fiscal Year 2006 for discrimination in sales and real estate lending based on race and national origin. The voting was as follows:

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

29. Consideration of Funding for the Acquisition of ParcView Apartments by Wesley Housing Development Corporation.

(A copy of the City Manager's memorandum dated June 23, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 6/27/06, and is incorporated as part of this record by reference.)

Mr. Al Smuzynski, the applicant, appeared before Council and responded to questions.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council: (a) contingent upon final Council approval in September, indicate Council's interest in approving a loan of up to \$9 million

toward the total purchase price of \$24 million to Wesley Housing Development Corporation for the acquisition and rehabilitation of ParcView Apartments, as follows: (1) The loan, which would be formally reviewed and approved when the Council convenes again in September, would be funded from the Affordable Housing Initiatives account; (2) The loan would likely be an interest-only loan at 2 percent interest, with the interest (and, when possible, principal) to be repaid on a residual receipts basis once the deferred developer's fee earned by WHDC has been fully paid, but beginning not later than eleven years after permanent financing has closed; (3) for the length of WHDC's ownership, but in no event less than 40 years, 80 percent (117) of the units shall remain affordable to households at 60 percent of the area median income; (4) in the event WHDC elects to sell the property, WHDC shall offer the right of first refusal to the City, or its designee; (b) indicate that Council tentatively supports increasing the amount of City general obligation bonds allocated to affordable housing by at least \$1.0 million; and (c) docket Council's final consideration of approval of this loan and increasing the allocation of affordable housing bonds for its September 12 legislative meeting. The voting was as follows:

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

29.1 Receipt of Report on Parker Gray District National Register of Historic Places Nomination.

(A copy of the City Manager's memorandum dated June 22, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29.1; 06/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council received the report and indicated its support for proceeding with the staff work indicated in the report. The voting was as follows:

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

29.2 Receipt of Report on Planning and Zoning Department's Historic Preservation Program for FY 2007.

(A copy of the City Manager's memorandum dated June 22, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29.2; 6/27/06, and is incorporated as part of this record by reference.)

Planning Director Fogarty made a presentation of the report.

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

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

29.3 Consideration of Making an Exception to the City's Special Events Policy To Permit a Hurricane Katrina Victims Benefit Run on Saturday, September 23, 2006.

(A copy of the City Manager's memorandum dated June 27, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29.3; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg and seconded by Vice Mayor Pepper, City Council: (a) indicated Council's interest in having this charitable 5K run occur in the fall; (b) directed staff and the event organizers to work with the impacted civic associations in developing the proposed event date, time and plans, and; (c) docketed the request for an exception to the Major Events Policy to be considered by Council in the fall.

Councilman Smedberg noted for the record that the applicant did make a very good faith effort to bring it forward in plenty of time for Council to have considered this prior to this evening to have a date well in place, and some things fell through the cracks.

The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Councilwoman Woodson reported on and shared information from the

conference she attended in her role in the National League of Cities Steering Committee for Finance, Administration and Intergovernmental Relations, and the gist of it was to bring the City Futures Committee together with the Finance Committee so they could begin to look at what's happening with the Federal government, but also at the State level as it pertains to taxes and what kind of an impact that will ultimately have on localities. She said some of the warnings was the tax sunsets and whether the Federal government will allow those tax sunsets, if they do not and there is a continuation and what type of impacts it will be on localities. She said she hoped that in the fall, or at some point next year, Council invite two of the speakers from the conference, as both are interested and willing to speak to Council. One was Paul Posner, Director of the Public Affairs Department at George Mason University. The other was from the Center on Budget and Policy Priorities and Nick Johnson is the Director of the State fiscal project. She said both are local and both were very clear and succinct and will bring a lot to the table for Council.

(b) Councilwoman Woodson asked Council to get involved in the Virginia Municipal League and the National League of Cities. She said the median size of the NLC membership was 89,000 for the FAIR Committee, which is the one that creates the policy that the NLC lobbyist takes to Congress, and that represents all of their opinions, but in fact it doesn't. She said some of the people on the committee are representing cities that are as small as 8,000, and they are making decisions along with the rest of them. She said the City brings something very different to the table.

(c) Councilman Smedberg said that at the last Northern Virginia Regional Commission meeting, there was a discussion about the recent regional visioning project that is underway with COG, the Board of Trade and another group. The discussion revolved around the fact that Virginia in general is not really part of that process. He said that if the City hasn't been contacted, that it should contact COG to be sure they are a part of that process.

City Manager Hartmann said the City has already applied to do that.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Krupicka said reflecting on a conversation earlier today about the flooding, the rain and the backflow preventers, it occurred to him that perhaps Council should empower the City Manager over the summer to use the money from contingent reserves to reinstate the backflow preventer program. He asked Council if it made sense to give the City Manager the ability to reinstate that program.

Mayor Euille said he and staff spoke about it yesterday and feel it is something that needs to be reinstated. He said since there was no opposition from Council, he gave the green light to the City Manager to move forward.

(b) Councilman Krupicka said the Council of Governments has been working on the issue for awhile, but on September 29, they will have a Regional Green Building

Summit to talk about establishing a Metropolitan area consistent approach to green buildings for all the jurisdictions. He encouraged staff to continue to participate in the summit.

(c) Councilman Krupicka said he went to Richmond last week to attend the first meeting of the Governor's Start Strong Preschool initiative. He said the Governor's charge to the group is to give him a preliminary report by October so he can include at least some preliminary preschool initiatives in the next budget, and he said he is encouraged by the Governor's action in moving forward with new policies. Councilman Krupicka pointed out a letter received by the Early Childhood Commission, which points out a number of areas where because of Federal or State or other funding challenges, Alexandria is falling behind as it relates to serving children in preschool, whether it be childcare or preschool programs, a lot is because of lost Federal money that passes through the State to the City. He said he thought it would become an increasing issue for the City. He said the City needs to start thinking hard about how they make sure it doesn't lose ground while it tries to move forward. He said he hoped staff could come back in September with some thoughts on how to address some of the things the ECC requested.

Mayor Euille said that was on the agenda and discussed at the joint Council School Board monthly meeting. He said in terms of the immediate needs, that has been addressed by both the Schools and Parks and Recreation. The budgetary/funding issues is something they will continue to review and work on, but he also suggested that when the new School Board and City Council take office, that one of the first joint work sessions between the School Board and City Council have this as an item.

Deputy City Manager Jinks said in response to the first paragraph of the letter where it speaks to the cut in State funding, where the State cut \$.5 million, the City has authorized DHS to spend the City match of \$.5 million to buy childcare slots, so that will not go unused. Today, he said, the Governor put in the budget amendment for \$6 million to restore some of those child care monies, so some of that \$.5 million the City lost it may see come back.

Councilman Krupicka thanked Mr. Jinks, as the issue of space has been up for awhile and he worked on helping to address one of the pieces of the puzzle. He said the letter outlined a number of the funding challenges that preschool faces in Alexandria and across the State, but it also identified some space constraints - finding space to even hold a preschool program. He said schools in the City are coordinating together to make sure school space and parks and recreation space are available, so the preschool programs are not turned away simply because they don't have a place to put them.

(d) Councilman Smedberg said the issues surrounding the Mirant Plant and particularly the issue with the Virginia State DEQ are becoming pretty serious. He said there is a draft SOP that the state is looking at right now and they appear to be moving toward issuing the SOP without first testing all the pollutants. He said the City has sent

a letter to the State Director asking for postponement until they have done the proper testing. Congressman Moran has also sent a letter to the EPA asking that the new EPA order issued in June increasing production at the Plant be rescinded since it accelerates already unhealthy air in Alexandria. He said Elizabeth Chimento, who is on the task force, attended one of the State hearings in Richmond last week and testified.

Mayor Euille said they have the state and federal sides with the EPA, and one of the suggestions made last week was to reach out to the Senators to seek their support on the City's behalf, so that is in process. He said there have been efforts by their legal advisors and outside scientific and engineering consultants and the City's internal staff. He said they will not give up.

Councilman Smedberg asked to work with the City Attorney to see what else it can do in terms of getting comments to the State. He said it appears it will be issued soon and the City needs to act as quickly as possible. He said he also wanted to see if the City sent the letter on Trona to the Governor's Office.

City Attorney Pessoa said that yesterday they filed their comments with the EPA and Justice Department on the consent decree and they are moving forward on that. He said that on the State operating permit, on June 23, he and John Britton sent a letter to the Director outlining their legal objections to their proceeding without looking at the NSR issues. He said as much as he is unhappy that they are doing that, he would say that they have maneuvered it in a way that made it difficult for the City to get a clear legal claim to go after them for issuing them. He said because of some of the nuances of the Clear Air Act, certain violations can only be acted upon by the State or Federal Government and there cannot be any citizen suits based on that. The NSR violation is not among that class, so the tenor of the letter was if you go forward, the City will be after you for a Clear Air Act NSR violation, and the City intends to follow through on that.

ORAL REPORT FROM THE CITY MANAGER

City Manager Hartmann acknowledged that last week, the Masons gave the City a check for \$1,000 as part of the John the Baptist presentation at Christ Church.

Mayor Euille noted that this is the last meeting of the 2003 City Council and it wraps up this session on June 30. A new Council will be installed and take the oath of office next Wednesday, July 5 at Episcopal High School.

ORDINANCES AND RESOLUTIONS

30. Consideration of a Resolution on a City Initiative to Earn Bicycle Friendly Community Status by 2009. (#37, 6/13/06) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30;

6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Macdonald, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted the resolution on the City initiative to earn bicycle friendly community status by 2009. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2191

WHEREAS, we, the undersigned Mayor and Members of the Alexandria City Council, Virginia, make decisions every day affecting the health and safety of our residents, the efficient conduct of commerce and delivery of government services, and the long term quality of life in our communities; and

WHEREAS, City Council has already adopted a Community Pathways resolution on February 14, 2006 to focus on people, neighborhoods, parks, schools, recreation areas and trails to improve and enhance non-motorized forms of transportation and recreation throughout Alexandria and which provides the framework for the Spin City 2009 bicycle-friendly community initiative; and

WHEREAS, cities across the globe are managing diverse issues such as pollution, congestion, traffic safety, accessibility, social inclusion, and economic growth. Increasing urbanization and sprawl is generating extra demand for quality public spaces and recreation opportunities. A renewed emphasis on security and the costs of dealing with the emerging epidemics of obesity and physical inactivity are stretching limited resources even further; and

WHEREAS, solutions to these many challenges are equally diverse and complex. This Charter recognizes one policy initiative that addresses these challenges and contributes to many of the solutions necessary to improve the quality of life in cities: increasing the percentage of trips made by bicycle by making communities more bicycle friendly; and

WHEREAS, we recognize that increasing bicycle use can:

- Improve the environment by reducing the impact on residents of pollution and noise, limiting greenhouse gases, and improving the quality of public spaces;
- Reduce congestion by shifting short trips (the majority of trips in cities) out of cars. This will also make cities more accessible for public transport, walking,

- essential car travel, emergency services, and deliveries;
- Save lives by creating safer conditions for bicyclists and as a direct consequence improve the safety of all other road users. Research shows that increasing the number of bicyclists on the street improves bicycle safety;
- Increase opportunities for residents of all ages to participate socially and economically in the community, regardless income or ability. Greater choice of travel modes also increases independence, especially among seniors and children;
- Boost the economy by creating a community that is an attractive destination for new residents, tourists and businesses;
- Enhance recreational opportunities, especially for children, and further contribute to the quality of life in the community;
- Save city funds by increasing the efficient use of public space, reducing the need for costly new road infrastructure, preventing crashes, improving the health of the community, and increasing the use of public transport;
- Enhance public safety and security by increasing the number of "eyes on the street" and providing more options for movement in the event of emergencies, natural disasters, and major public events; and
- Improve the health and well being of the population by promoting routine physical activity.

NOW, THEREFORE, I, WILLIAM D. EUILLE, Mayor of the City of Alexandria, Virginia, and on behalf of the Alexandria City Council, am committed to taking the following steps to improve conditions for bicycling and thus to realizing the significant potential benefits of bicycling in our community. We hereby adopt the following Action Plan for Bicycle Friendly Communities:

1. Adopt a target level of bicycle use (e.g. percent of trips) and safety to be achieved within a specific timeframe, and improve data collection necessary to monitor progress;
2. Provide safe and convenient bicycle access to all parts of the community through a signed network of on- and off-street facilities, low-speed streets, and secure parking. Local cyclists should be involved in identifying maintenance needs and ongoing improvements.
3. Establish a program to encourage bicycle parking, standardize the style and location of bicycle racks and create a revolving fund to accommodate partial contributions to bicycle parking
4. Establish information programs to promote bicycling for all purposes, and to communicate the many benefits of bicycling to residents and businesses (e.g. with bicycle maps, public relations campaigns, neighborhood rides, a ride with the Mayor);
5. Make the City a model employer by encouraging bicycle use among its employees (e.g. by providing parking, showers and lockers, and establishing a city bicycle fleet);
6. Ensure all city policies, plans, codes, and programs are updated and implemented to take advantage of every opportunity to create a more bicycle-friendly community. Staff in all departments should be offered training to better enable them to complete this task;

7. Educate all road users to share the road and interact safely. Road design and education programs should combine to increase the confidence of bicyclists;
8. Enforce traffic laws to improve the safety and comfort of all road users, with a particular focus on behaviors and attitudes that cause motor vehicle/bicycle crashes;
9. Develop special programs to encourage bicycle use in communities where significant segments of the population do not drive (e.g. through Safe Routes to Schools programs) and where short trips are most common;
10. Promote intermodal travel between public transport and bicycles, e.g. by putting bike racks on buses, improving parking at transit, and improving access to rail and public transport vehicles;
11. Establish a citywide, multi-disciplinary committee for non-motorized mobility to submit to the Mayor/Council a regular evaluation and action plan for completing the items in this Resolution.

31. Consideration of a Resolution Authorizing the Issuance of Bonds by the Industrial Development Authority of the City of Alexandria for the American Association for the Study of Liver Diseases. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 15, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution authorizing the issuance of bonds by the Industrial Development Authority for the American Association for the Study of Liver Diseases. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2192

WHEREAS, the Industrial Development Authority of the City of Alexandria (the "Authority") has considered the application of the American Association for the Study of Liver Diseases (the "Applicant"), a not-for-profit Illinois nonstock corporation, for the issuance of the Authority's revenue bonds in an amount not to exceed \$7,000,000 (the "Bonds"), to be issued from time to time pursuant to a plan of financing over a three-year period, to finance or refinance the purchase and renovation of approximately 22,503 square feet of condominium space (the "Project") on the fourth floor of the building located at 1001 North Fairfax Street in the City of Alexandria, Virginia (the "City"), for the Applicant and has held a public hearing thereon on June 6, 2006;

WHEREAS, the Authority has requested that the City Council (the "Council") of the City approve the issuance of the Bonds to comply with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code");

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds, subject to terms to be agreed upon, a record of the public hearing and a "fiscal impact statement" with respect to the Project have been filed with the Council;

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

1. The Council hereby approves the issuance of the Bonds and the plan of financing by the Authority for the benefit of the Applicant to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, to permit the Authority to assist in financing or refinancing the Project.

2. Approval of the issuance of the Bonds, as required by Section 147(f) of the Code, does not constitute an endorsement of the Bonds or the creditworthiness of the Applicant, but, as required by Section 15.2-4909 of the Virginia Code, the Bonds shall provide that neither the City nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth, the City or the Authority shall be pledged thereto.

3. This resolution shall take effect immediately upon its adoption.

32. Consideration of a Resolution on the Closing of the George Mason Station of the United States Postal Service (Old Town Post Office.) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted a resolution in support of relocating the George Mason Station of the United States Postal Service within the boundaries of Old Town. 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. 2193

WHEREAS, the United States Postal Service (USPS) has been advised that its landlord will not renew USPS' lease for the George Mason Postal Station at 126 Washington Street when it expires at the end of March 2007; and

WHEREAS, the unique character of the community of Old Town in Alexandria depends on the continued vitality of both its historic residential community and its vigorous commercial sector; and

WHEREAS, the George Mason Station is a valued part of the healthy mix of residential, business and service uses in Old Town's livable and walkable community; and

WHEREAS, the George Mason Station provides an essential service to both the residential and business communities of Old Town, and its loss would damage both, and indeed the entire City of Alexandria.

NOW, THEREFORE, BE IT RESOLVED, that the Alexandria City Council urges the United States Postal Service, if at all possible, to relocate the George Mason Branch within the area bounded by Fairfax, Prince, Patrick and Cameron Streets in Old Town and, ideally, as close as possible to its present site near the intersection of Prince and Washington Streets; and

BE IT FURTHER RESOLVED, the Alexandria City Council and the Alexandria Economic Development Partnership plan to provide assistance to the USPS in identifying alternative sites that would preserve this important asset to our community and to its small businesses, and strongly urge USPS to avail itself of that assistance in its search for a new location for the George Mason Station within the heart of Old Town Alexandria.

33. Introduction, First and Second Reading, Public Hearing and Final Passage of an Emergency Ordinance to Amend the City's Zoning Ordinance by Adopting Interim Residential Infill Regulations. **[ROLL-CALL VOTE]**

(A copy of the informal memorandum explaining the emergency ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 33; 6/27/06, and is incorporated as part of this record by reference.

A copy of the emergency ordinance referred to in the above item is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 33; 6/17/06, and is incorporated as part of this record by reference.)

Deputy Director of Planning and Zoning Josephson appeared to answer questions of Council.

WHEREUPON, upon motion by Councilman Macdonald, seconded by Councilwoman Woodson and carried 6-1 by roll-call vote, City Council passed an emergency ordinance to amend the City's Zoning Ordinance by adopting interim residential infill regulations. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4457

AN EMERGENCY ORDINANCE to adopt interim residential infill development regulations as part of Section 7-1002 (RESIDENTIAL SETBACK IN LINE WITH EXISTING DEVELOPMENT), and Subsection (B) of Section 11-1710 (SUBDIVISION REQUIREMENTS-RESUBDIVISIONS), of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2006-0003.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2006-0003, the planning commission initiated an amendment to adopt interim residential infill development regulations, and
2. The City Council has approved the adoption of Text Amendment No. 2006-0003, and
3. An emergency exists by virtue of the fact that established residential neighborhoods in the City, which constitute a vital part of the City's character, are threatened by the development of overly large new houses and additions which are out of scale with the neighborhood, disrupt and harm the established neighborhood character, and adversely impact the neighboring properties, and, absent the adoption of this emergency ordinance, this threat will continue unabated during the Council's summer recess.
4. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 7-1002 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

Sec. 7-1002 Residential setback and front door threshold height in line with existing

development.

(A) Unless a different rule is specified for average setbacks, wherever the major portion of a block is developed, and the majority of the buildings built on one side of a street between two intersecting streets or between one intersecting street and a street dead end have been built with a different minimum setback than prescribed for the zone in which such buildings are located, no residential building hereafter erected or altered shall project beyond the minimum setback line so established; provided, that no dwelling shall be required to set back a distance more than ten feet greater than the setback required by the regulations of the zone in which it is located.

(B) Whenever the major portion of a block is developed, no front door threshold of a single family, two-family or townhouse residential building erected or altered after June 27, 2006, shall exceed the average height of the front door threshold of the residential buildings built on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent, provided, that additional front door threshold height may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and city council determines that the proposed construction will not detract from the value of and will be of substantially the same residential character as adjacent and nearby properties.

(C) For the purposes of this section 7-1002, where the number of buildings on one side of a street between two intersecting streets or between one intersecting street and a street dead end is either fewer than five or where the distance between streets as specified above is less than 200 feet or where the number of buildings is greater than 15 or where the distance between streets as specified above is greater than 600 feet, the director may designate an appropriate block for purposes of calculating front door threshold height without regard to intersecting streets subject to an administrative protocol similar to that applied in substandard lot cases, and subject to city council approval as part of the special use permit, if there is one, granted pursuant to this section 7-1002.

Section 2. That Subsection (B) of Section 11-1710 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

(B) No lot shall be resubdivided in such a manner as to detract from the value of adjacent property. Lots covered by a resubdivision shall be of substantially the same character as to suitability for residential use and structures, lot areas, orientation, street frontage, alignment to streets and restrictions as other land within the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision. In determining whether a proposed lot is of substantially the same character for purposes of complying with this provision, the Commission shall consider the established neighborhood created by the original subdivision, evidence of which may be shown by (1) subdivision

plat documents, including amendments to the subdivision over time, as well as the development that has occurred within the subdivision., and (2) land in the same general location and zone as the original subdivision with the same features so as to be essentially similar to the original subdivision area.

Section 3. That Section 7-1002 and Subsection (B) of Section 11-1710, as amended by this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which are on such date pending before any city department, agency or board, or before city council, shall apply to all such applications which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance; provided, however, that this emergency ordinance shall expire on December 31, 2006.

34. Consideration of a Resolution Establishing the Mayor's Economic Sustainability Work Group. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 23, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 34; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted a resolution establishing the Mayor's ten member economic sustainability work group, with amendments to add a timeframe of December 31, 2006 to report back to City Council, and to add a bullet on developing appropriate organizational framework to move some of the recommendations forward. The voting was as follows:

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

Mayor Euille noted that confirmation letters will go out to the members of the Committee and the list will be made available.

The resolution reads as follows:

RESOLUTION NO. 2194

WHEREAS, The City of Alexandria held its Economic Development

Sustainability Summit on January 28, 2006; and

WHEREAS, the participants at the Summit produced a series of goals and actions related to (1) attracting and retaining businesses and associations, (2) enhancing the quality of life, and (3) assisting small businesses and entrepreneurs, and creating broad based employment opportunities; and

WHEREAS, an economically and fiscally strong City creates an environment where there are opportunities for Alexandria residents to work and for businesses to grow and thrive; and

WHEREAS, an economically and fiscally strong City helps keep tax rates and burdens low on a sustainable basis; and

WHEREAS, it is important for the City to plan for its economic future; and

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

There is hereby established an ad hoc work group known as the Mayor's Economic Sustainability Work Group.

The Work Group shall consist of about 10 members. The composition of the Work Group and the appointment of its members shall be determined by the Mayor. The members appointed shall serve until the expiration of the term of the Work Group. If a member resigns, he or she may be replaced by the Mayor.

The Mayor's Economic Work Group will:

1. Review and analyze information on the City's economic and financial status, its demographics, its current economic development programs and services (including those provided by City-funded non-profit organizations), and the economic development potential based on the City's adopted land use plans.
2. Understand the external economic factors that will influence the City over the next twenty years, as well as the opportunities and challenges that the City is likely to face.
3. Review the recommended goals and actions which were developed by participants in the City's Economic Development Sustainability Summit held on January 28, 2006.
4. Review and benchmark existing City policies, practices and programs in order to determine if any of these should be modified in the areas of:
 - a. Economic development programs and services

- b. Small business and entrepreneur assistance
 - c. Tax policies
 - d. Business and association retention and recruitment
 - e. Incentives
 - f. Targeted business sectors
 - g. Creating broad based employment opportunities
 - h. Quality of life (Alexandria as a place to live, work, visit, shop, and dine)
5. Examine benchmarks/examples of cities that have wrestled with similar issues. What have they done, how successful were their actions?
 6. Assess the reputation of the City with potential businesses. What can be improved?
 7. Develop recommendations with regard to the future economic sustainability of the City and how best to achieve economic vitality and stability for the next ten years and beyond, to include addressing the above issues, as well as:
 - a. Workforce/affordable housing – density.
 - b. Attracting new/different types of businesses.
 - c. Reducing reliance on real estate taxes and its burden, and identifying ways to increase and expand new revenue sources.
 - d. Developing a proposed organizational framework to implement and to move the Work Group's recommendations forward.
 - e. Other areas which the Work Group determines are key to the long-term economic sustainability of the City.

The Work Group's report and recommendations shall be transmitted to City Council by December 31, 2006, in the form of a preliminary implementation plan.

The Work Group may adopt rules and regulations on procedure and other matters as long as same are not inconsistent with the City Code including, but not limited to, the establishment of sub-committees through which it may carry on its functions and purposes.

The Mayor shall appoint from among the members a convenor, who shall serve as chairman.

The City Manager shall designate City staff as needed to provide administrative and logistical support to the Work Group.

35. Consideration of a Resolution Establishing a Work Group to Make Recommendations on Affordable Housing. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 35;

6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted a resolution establishing a work group to make recommendations on affordable housing, with an amendment to the membership to add a representative from the teacher/police officers/City employees, a representative of the Commission on Persons with Disabilities, a representative from the Commission on Aging, to make the two City Council representatives liaison members, and to include a sunset date of September 1, 2007. 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. 2195

WHEREAS, affordable housing is a high priority in the City of Alexandria as reflected in the City Council's Strategic Plan goal calling for a caring community that is diverse and affordable, and its related objective that an increased number of affordable housing units are available with emphasis on low and moderate income city workers, seniors, and individuals with disabilities.

WHEREAS, the City operates a variety of affordable programs to make housing more affordable and also supports the production of affordable housing through various funding and land use mechanisms, and

WHEREAS, there are additional mechanisms for supporting affordable housing that merit further exploration for potential use in the City of Alexandria, and

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

There is hereby established an ad hoc work group known as the Affordable Housing Strategy Work Group.

The composition of the work group shall include two members of City Council as liaisons, and 14 members, as follows: one member of the Affordable Housing Advisory Committee; one member of the Planning Commission; one member of the Alexandria Redevelopment and Housing Authority; one representative of the Alexandria Housing Development Corporation; one representative of Housing Action; one non-profit housing developer; one for-profit developer with affordable housing experience; one land use attorney with affordable housing experience; one person with expertise in

affordable housing finance; one Chamber of Commerce representative; one teacher, police officer, or City employee; one representative of the Commission on Persons with Disabilities, one representative from the Commission on Aging, and one civic association representative.

The term of the Work Group shall be one year, with the understanding that the term shall not extend past the sunset date of September 1, 2007 .

Members of the Work Group shall be appointed by the Mayor, with input from other members of the City Council; provided, that a member who is the representative of an organization shall be nominated by the organization. The members appointed shall serve until the expiration of the term of the Work Group; provided, that a member who is the representative of an organization shall cease to be a member at such time that such member shall cease to be a member in good standing of the organization for which such member serves as representative and may be replaced by another representative appointed by the Mayor.

The Work Group will:

(1) Review information on City demographics, and characteristics and affordability of the City's housing stock.

(2) Review tools and mechanisms for affordable housing production and housing assistance, including those used in the City as well as elsewhere, to include:

- rental assistance programs
- home purchase assistance programs
- other affordability programs for assistance to renters and homeowners
- mechanisms for preservation of existing affordable housing
- land use and financing tools for development of affordable rental housing
- land use and financing tools for development of affordable sales housing

(3) Review existing City goals and targets for affordable housing.

(4) Make recommendations concerning the use of additional tools and mechanisms in Alexandria.

(5) Make recommendations for new or modified affordable housing goals and targets, to include numbers of units to be developed or preserved with specific mechanisms, and specify the funding and other resources necessary to achieve these goals.

The Work Group may adopt rules and regulations on procedure and other matters so long as same are not inconsistent with the City Code including, but not limited to, the establishment of sub-committees through which it may carry on its functions and purposes.

The mayor shall appoint from among the members a convenor, who shall serve as chairman.

The city manager shall designate City staff as needed to provide administrative and logistical support to the work group.

36. Consideration of a Resolution Establishing a Community Group to Provide Advice on the Hunting Creek Area Plan.

(A copy of the City Manager's memorandum dated June 23, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 36; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Macdonald and carried unanimously, City Council directed the City Manager to establish a Stakeholders Panel for the dissemination of information and solicitation of a broad range of comments and ideas regarding a proposal to amend the Hunting Creek Plan to increase height in exchange for an extraordinary affordable housing contribution. The voting was as follows:

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

37. Consideration of a Resolution Approving the Execution and Delivery of a Cooperation Agreement in Connection with the Issuance by the Industrial Development Authority of the County of Loudoun, Virginia of its Lease Revenue Bonds for the Benefit of the Northern Virginia Criminal Justice Training Academy. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 23, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 37; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Macdonald and carried unanimously by roll-call vote, City Council: (1) adopted a resolution authorizing: (a) the lease financing of an emergency vehicle operations center for the Northern Virginia Criminal Justice Training Academy on property in Prince William County owned by the Academy; (b) refinancing existing remaining indebtedness

issued by the Industrial Development Authority of Loudoun County, Virginia, previously issued for the acquisition of the Academy training facility in Loudoun County; (c) establishing a debt service reserve fund, if required, and (d) financing costs of issuance related to the project; and (2) authorized the City Manager to execute the required documents on behalf of the City and take any other actions, as necessary, to accomplish the intended project and its financing. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2196

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA, APPROVING THE EXECUTION AND DELIVERY OF A COOPERATION AGREEMENT IN CONNECTION WITH THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF LOUDOUN, VIRGINIA OF ITS LEASE REVENUE BONDS FOR THE BENEFIT OF THE NORTHERN VIRGINIA CRIMINAL JUSTICE TRAINING ACADEMY RECITALS

A. The Northern Virginia Criminal Justice Training Academy (the "Academy") presently owns, operates and maintains a regional criminal justice training academy and other public safety facilities serving the needs of the residents of the City of Alexandria, Virginia (the "City") and its other member jurisdictions.

B. The Authority has determined it to be advisable, necessary and in the best interests of the residents of the City to (i) finance the acquisition and construction of an emergency vehicle operations center located in Prince William County, Virginia (the "Leased Project"); (ii) refinance existing indebtedness originally issued to finance the Academy's training facility; and (iii) finance costs of issuance related thereto (collectively, the "Project") and to finance the Project by requesting the Industrial Development Authority of the County of Loudoun, Virginia (the "Authority") to issue its lease revenue bonds in one or more series in an aggregate principal amount not to exceed \$16,500,000 (the "Bonds") to be secured in part by a leasehold interest in the Leased Project pursuant to a financing lease (the "Financing Lease") between the Authority and the Academy, and if deemed appropriate, Prince William County, Virginia.

C. The City Council of the City (the "Council") has determined to undertake a nonbinding obligation to consider certain appropriations in support of the rental payments under the Financing Lease to pay debt service on the Bonds and the Project conditioned upon the participation of the County Board of Arlington County, Virginia ("Arlington") and the Board of Supervisors, of Loudoun County, Virginia ("Loudoun") in such non-binding obligation.

D. The foregoing arrangements will be reflected in a Cooperation Agreement, (the "Cooperation Agreement"), between the Council, Arlington, Loudoun, the Authority and the Academy, the form of which has been presented to this meeting and filed with the City.

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

1. Approval of Cooperation Agreement. The Cooperation Agreement is approved in substantially the form presented to this meeting, with such changes, insertions or omissions as may be approved by the Mayor, whose approval shall be evidenced conclusively by the execution and delivery of the Cooperation Agreement on the City's behalf; provided, however that the principal amount of Bonds the payment of which is supported by the Cooperation Agreement shall not exceed \$16,500,000 and the true interest cost on the Bonds shall not exceed 6.50%. The Mayor is authorized to execute and deliver the Cooperation Agreement and such other documents and certificates as such officer may consider necessary in connection therewith.

2. No Pledge. Nothing contained herein or in the Cooperation Agreement is or shall be deemed to be a lending of the credit of the City to the Authority, the Academy or to any holder of the Bonds or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the City, nor shall anything contained herein or in the Cooperation Agreement legally bind or obligate the Council to appropriate funds for the purposes described in the Cooperation Agreement.

3. Further Actions; Authorized Representations. All officers and agents of the Council and the City are authorized and directed to take such further actions in conformity with the purpose and intent of this Resolution as may be necessary or appropriate in connection with the issuance and sale by the Authority of the Bonds, the execution, delivery and recording of the Financing Lease, and the execution, delivery and performance of the Cooperation Agreement including the execution and delivery on behalf of the City of such instruments, documents or certificates as necessary or appropriate to carry out the transactions contemplated by this Resolution. All actions previously taken by such officers and agents in connection with the issuance and sale of the Bonds and the execution, delivery and recording of the Financing Lease are ratified and confirmed.

4. Repeal of Conflicting Resolutions. All resolutions are repealed to the extent they are inconsistent with this Resolution.

5. Effective Date. This Resolution shall take effect immediately; provided, however that the Cooperation Agreement shall not be executed and delivered on behalf of the City until Arlington and Loudoun have authorized the execution of the Cooperation Agreement.

38. Consideration of a Resolution on Proposed Fee Increases at the City Marina.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 38; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted a resolution on proposed fee increases at the City Marina. The fee increases for transient pleasure boats and visiting commercial, cruise and charter vessels would begin July 1, 2006 and the annual fees for pleasure boat slip leases would increase with the next renewal period, beginning in April 2007. These fees would be effective January 1, 2007. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2197

WHEREAS, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

WHEREAS, under City Code Section 6-3-6 the City Manager or his designee, shall establish fees for all vessels which use the City marina; and

WHEREAS, in February 2000, the City Council approved increasing the marina fees for the leasing of boat slips at the City marina. At that time, the marina fees had not been increased since 1986; and

WHEREAS, the current City marina fees are lower and not competitive with local marinas of similar service levels and do not cover many of the administrative costs of the marina such as personnel expenses, utilities and other costs which have increased over the past six years; and

WHEREAS, City Council has now determined that it is necessary and desirable to increase the City marina fees;

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL OF ALEXANDRIA**

1. That, beginning on July 1, 2006, the transient and visiting commercial, cruise and charter vessel fees shall be as follows:

Transient/Pleasure Boats

Type of Fee	Current Rate	Proposed FY07
4 Hour Boat Docking	\$5 for 4 hrs	\$10 for 4 hrs
Drop Off/Pickup	None	\$5
Overnight Docking Off Season	\$1 per ft, per day	No Change
Overnight Docking In Season	\$1 per ft, per day	\$1.50 per ft, per day
Visiting Commercial, Cruise, Charter Vessels		
Daily Docking Fee	\$2 per ft, per day	\$3 per ft, per day
Electrical & Water Connection Fees		
One 30amp & Water	\$2 per day	\$3 per day
One 50amp & Water	\$2 per day	\$6 per day

2. That, beginning on January 1, 2007, the annual fee for leasing a pleasure boat slip on an annual basis at the City Marina shall be as follows:

Type of Fee	Current Rate	Proposed FY07
Annual Resident Lease	\$6.25 per ft, per mnth	\$7.25 per ft, per mnth
Non-Resident Annual Lease	\$6.25 per ft, per mnth	\$8.25 per ft, per mnth

3. That this resolution shall be effective on June 27, 2006.

38.1 Consideration of Transfer Resolution for FY 2006 General Fund Operating Budget. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 21, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 38.1; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted a transfer resolution for FY 2006 General Fund Operating Budget, with a change to the resolution to fix the typographical error under Human Services to read \$616,100. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2198

WHEREAS, certain appropriation accounts of the City of Alexandria, Virginia will be overexpended due to budgeting practices and unanticipated expenditures; and

WHEREAS, it is the desire of the City Council to take the action necessary to transfer budget authority among City departments to adjust these accounts;

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

That the Director of Finance be and hereby is authorized to make the following appropriations transfers between the General Fund accounts designated:

TRANSFER APPROPRIATIONS FROM:

103606	Non-Departmental - General Debt Service (Interest Earnings)	
\$708,510		
125203	Non-Departmental - Workers Compensation	360,196
125864	Non-Departmental - Energy Contingency	<u>562,134</u>
		<u>\$1,630,840</u>

TRANSFER APPROPRIATIONS TO:

102097	Human Services	\$616,100
108100	General Services	408,877
106104	City Attorney	100,000
111708	Fire	232,036
121657	Recreation	254,827
107102	Registrar of Voters	16,000
102921	Law Library	<u>3,000</u>
		<u>\$1,630,840</u>

38.2 Consideration of Resolution Declaring a Local Emergency in Alexandria Due to June 2006 Storm Damage. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 22, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 38.2; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously by roll-call vote, City Council adopted the resolution declaring a local emergency in Alexandria due to June 2006 storm damage. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2199

WHEREAS, on June 26, 2006, the City Manager, as the Director of Emergency Management of the City of Alexandria, found that the City of Alexandria faced emergency conditions of peril to life and property which threatened and constituted a disaster, and made a Declaration of Local Emergency; and

WHEREAS, state law and the city code require that such Declaration of Local Emergency be approved and confirmed by City Council, as the governing body of the City of Alexandria, Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alexandria, Virginia, that the Declaration of Local Emergency, dated June 26, 2006, attached hereto and incorporated herein fully by reference, be, and the same hereby is, approved and confirmed; provided, however, that such Declaration shall expire at 12:01 a.m., Wednesday, July 5, 2006, unless extended or sooner terminated by the Director of Emergency Management in writing.

OTHER

39. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 22, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 39; 6/27/06, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council received the draft Council Calendar for 2006-2007. The voting was as follows:

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

Woodson "aye"

EXECUTIVE SESSION

40. Consideration of Convening An Executive Session Closed to the Public For Discussion of Threatened and Pending Litigation, pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia*, and the Performance Reviews of the City Manager, City Clerk and City Attorney, pursuant to Section 2.2-3711(A)(1) of the *Code of Virginia*.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, at 11:13 p.m., City Council convened in executive session, pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia*, for discussion of pending litigation involving the City of Alexandria and the pension claim of Joseph Morash, and pursuant to Section 2.2-3711(A)(1) for the performance during the past fiscal year of the City Manager, City Clerk and City Attorney and setting the compensation for the Commonwealth's Attorney and Clerk of the Circuit Court. 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 12:13 a.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, City Council approved receipt of the performance reviews, authorized the Mayor to meet with the City Manager, City Attorney and City Clerk for the purpose of reviewing performance and authorized the Mayor to make salary adjustments for the City Manager, City Attorney, City Clerk, Commonwealth Attorney and Clerk of the Circuit Court, according to the decisions Council made in closed executive session. 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 Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2200

WHEREAS, the Alexandria City Council has this 27th day of June 2006, 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.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Woodson, seconded by Councilman Gaines and carried unanimously, City Council adjourned the Regular Meeting of June 27, 2006, at 12:15 a.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, CMC, City Clerk