

CITY COUNCIL OF ALEXANDRIA, VIRGINIA**Regular Meeting****Tuesday, March 10, 2009 - - 7:00 p.m.**

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

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Spera, Acting City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Caton, Legislative Director; Mr. Castrilli, Communications Director, City Manager's Office; Mr. Gates, Assistant City Manager; Police Captain Ogden; Police Chief Baker; Deputy Police Chief Corle; Mr. Johnson, Police Department; Ms. Boyd, Director, Citizen Assistance; Ms. Hamer, Director, Planning and Zoning; Mr. Josephson, Deputy Director, Planning and Zoning; Mr. Johnson, Chief Financial Officer; Mr. Touhill, Office of Management and Budget; Ms. Collins, Assistant City Manager/Director, Human Services; Ms. Baker, Director, Office on Women; Ms. Triggs, Director, Finance Office; Mr. Bland, Director of Procurement; Ms. Baker, City Engineer, Transportation and Environmental Services; Dr. Kaplowitz, Health Department Director; Fire Chief Thiel; Mr. Mandley, Director, General Services; Mr. Coleman, General Services; Mr. Bedwell, General Services; and Mr. Lloyd.

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

OPENING**1. Calling the Roll.**

The meeting was called to order by Mayor Euille, and the City Clerk called the roll; all the members of Council were present. (Councilman Gaines arrived at 7:41 p.m.)

2. Moment of Silence and Pledge of Allegiance.

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

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

- (a) The Public Hearing Meeting Minutes of February 21, 2009; and
- (b) The Regular Meeting Minutes of February 24, 2009; and
- (c) The Special Meeting Minutes of February 28, 2009.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried 5-0, City Council approved the public hearing meeting minutes of February 21, 2009, the regular meeting minutes of February 24, 2009, and the special meeting minutes of February 28, 2009. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (4-10)

(Resignations and Uncontested Appointments)

4. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
 - (a) Alexandria-Caen Sister City Committee
 - Mark Delligatti
 - Jacqueline Schenkel
 - (b) Alexandria Commission on HIV/AIDS
 - Kimberly Y. Moore
 - (c) Alexandria Youth Policy Commission
 - Kimberly Y. Moore

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 4(a-c); 3/10/09, and is

incorporated as part of this record by reference.)

5. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Gyumri Sister City Committee
1 Citizen Member
- (b) Alexandria Beautification Commission
1 Citizen Member
- (c) Alexandria Building Code Board of Appeals
1 Citizen Member
- (d) Alexandria Commission for Women
1 Citizen Member
- (e) Alexandria Commission on HIV/AIDS
1 Citizen-at-Large
- (f) Alexandria Community Services Board
1 Consumer (Current or Former Direct Recipient of Public or Private Mental Health, Mental Retardation, or Substance Abuse Treatment Rehabilitation Services) or Family Member (Immediate Family Member or the Principal Caregiver Who Is Not Paid) of A Consumer
- (g) Alexandria Emergency Medical Services Council
1 Citizen Member
- (h) Historic Alexandria Resources Commission
1 Representative From Planning District II
1 Representative From the Lee-Fendall House
1 Representative From the Alexandria Historical Society
- (i) Alexandria Landlord-Tenant Relations Board
1 Tenant Member
- (j) Alexandria Sister Cities Committee
1 Citizen Member
- (k) Alexandria Traffic and Parking Board
3 Citizen Members

(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. 5(a-k); 3/10/09, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

6. Receipt of the 2008 Annual Report for the Board of Zoning Appeals.

(A copy of the City Manager's memorandum dated March 4, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 6; 3/10/09, and is incorporated as part of this record by reference.)

7. Consideration of a Funding Allocation From the National Capital Region (NCR) Urban Area Security Initiative.

(A copy of the City Manager's memorandum dated March 3, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 7; 3/10/09, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

8. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Adopt Permit Surface Vehicle Parking as an Ancillary Use for an Existing Car Dealership Within CDD No. 7.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 3/10/09, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 8; 3/10/09, and is incorporated as part of this record by reference.)

9. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Regulate Delivery of Unsolicited Publications. (#11, 2/21/09, #10, 1/24/09, #23, 1/13/09, #25, 6/17/06 and #21, 6/13/06)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 3/10/09, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 9; 3/10/09, and is incorporated as part of this record by reference.)

10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Regarding the Extension of the Pilot Program for Temporary Portable

Signs for Retail Businesses in the Central Business District.

(A copy of the City Manager's memorandum dated March 4, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 10; 3/10/09, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 10; 3/10/09, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 10; 3/10/09, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Wilson and carried 6-0, City Council approved the consent calendar, with the removal of item #6, which was considered under separate motion. The City Manager's recommendations were as follows:

4. City Council accepted the following resignations with regret: (a) Mark Delligatti and Jacqueline Schenkel, Alexandria-Caen Sister City Committee; (b) Kimberly Y. Moore, Alexandria Commission on HIV/AIDS; and (c) Kimberly Y. Moore, Alexandria Youth Policy Commission.

5. City Council made the following appointments to boards and commissions: (a) reappointed Kenneth Hill as the one citizen member to the Alexandria-Gyumri Sister City Committee; (b) reappointed Jennifer Pugh as the one citizen member to the Alexandria Beautification Commission; (c) appointed Magnus Monson as the one citizen member to the Alexandria Building Code Board of Appeals; (d) appointed Laverne Thomas as the one citizen member to the Alexandria Commission for Women; (e) reappointed Tara Villano as the one citizen-at-large to the Alexandria Commission on HIV/AIDS; (f) appointed Doris Stanley as the one consumer (current or former direct recipient of public or private mental health, mental retardation, or substance abuse treatment rehabilitation services) or family member (immediate family member or the principal caregiver who is not paid) of a consumer to the Alexandria Community Services Board; (g) reappointed Pamela Copley as the one citizen member to the Alexandria Emergency Medical Services Council; (h) appointed David Thompson as the one representative from planning district II, appointed Terri Hauser as the one representative from the Lee-Fendall House and appointed Laura Mae Sudder as the one representative from the Alexandria Historical Society to the Historic Alexandria Resources Commission; (i) reappointed Annabelle Fisher as the one tenant member to the Alexandria Landlord-Tenant Relations Board; (j) appointed Richard Stubblefield as the one citizen member to the Alexandria Sister Cities

Committee; and (k) reappointed Thomas "Jay" Johnson, Lawrence Ruggiero and E. Jon Sargeant as the three citizen members to the Alexandria Traffic and Parking Board.

7. City Council: 1. authorized the City Manager to accept the funding through the Urban Area Security Initiative in the amount of \$106,000; and 2. authorized the City Manager to execute all the necessary documents that may be required.

8. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, March 14, 2009.

9. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, March 14, 2009.

10. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, March 14, 2009.

The voting was as follows:

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

6. Receipt of the 2008 Annual Report for the Board of Zoning Appeals.

(A copy of the City Manager's memorandum dated March 4, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 6; 3/10/09, and is incorporated as part of this record by reference.)

Planning Director Hamer responded to questions of City Council regarding the BZA's decision-making and overturning of staff's recommendations on cases. Staff was asked to bring back the larger issues that go to the BZA, and a summary of the cases.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried 6-0, City Council received the report and thanked the Board of Zoning Appeals for their efforts on behalf of the City. The voting was as follows:

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

CONTESTED APPOINTMENTS

11. Alexandria Emergency Medical Services Council
1 Emergency Room Physician From Inova Alexandria Hospital

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

NAME: ENDORSED BY:

Martin Brown

(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. 11; 3/10/09, 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 waived the residency requirement and reappointed Martin Brown as the one emergency room physician from Inova Alexandria Hospital to the Alexandria Emergency Medical Services Council. The voting was as follows:

Euille	-	Brown
Pepper	-	Brown
Gaines	-	absent
Krupicka	-	Brown
Lovain	-	Brown
Smedberg	-	Brown
Wilson	-	Brown

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

- 12. Recommendations and Status Report on Legislation Introduced at the 2009 General Assembly Session.

(A copy of the City Manager's memorandum dated March 4, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 12; 3/10/09, and is incorporated as part of this record by reference.)

Legislative Director Caton, along with Delegate David Englin, went over the legislation of the 2009 General Assembly session and responded to questions of City Council.

Councilman Wilson asked the City Attorney to prepare the ordinances in adherence with the charter amendments so Council can adopt them to be effective before the summer break.

Councilman Gaines arrived at this time - 7:41 p.m.

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

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

13. Consideration of Oral Report on the Economic Stimulus Package.

Legislative Director Caton made a presentation on the City's Economic Stimulus Package and responded to questions of City Council.

14. Presentation by David J. Robertson, Executive Director, Metropolitan Washington Council of Governments.

Mr. David J. Robertson, executive director of the Metropolitan Washington Council of Governments, made a presentation on the work and activities of the Metropolitan Washington Council of Governments and he responded to questions of City Council.

15. Consideration of the Guaranteed Maximum Price Construction Contract for the New Police Department Headquarters Facility.

(A copy of the City Manager's memorandum dated March 6, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 15; 3/10/09, and is incorporated as part of this record by reference.)

Director of General Services Mandley and Police Chief Baker made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Wilson and carried unanimously, City Council authorized the City Manager to proceed with the contract for construction of the new Alexandria Police headquarters facility as discussed. The voting was as follows:

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

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize the Issuance and Sale of General Obligation Bonds to Finance the Construction of Various Public Improvements.

(A copy of the City Manager's memorandum dated March 5, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 16; 3/10/09, 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 passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Tuesday, March 24, 2009. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille noted that the Washington Metropolitan Area Transit Authority (WMATA) will have a public hearing on its proposed FY2010 operating and capital budget on Monday, April 6 at 7 p.m. in Council Chambers at City Hall. He noted that WMATA's budget gap stands at a \$29 million shortfall and they are looking at ways to shore up the shortfall. What is not on the table are any fare increases, but they are looking at service cuts and reductions. Thursday, March 12 is when the Board will finalize a framework for the budget with enough information that will allow WMATA's staff to parade the budget with the impacts throughout the region for the public hearings.

(b) Councilman Krupicka said he and Councilman Smedberg met last Friday with the Inova Hospital as part of the Inova Hospital Alexandria Task Force. He said they discussed the Community Services Board's relationship with them and which continues to go very well. One of the big metrics of that is whether they are accepting CSB referred patients, they are doing that at high levels right now. There was a lot of concern that they would not accept Alexandria patients at Mt. Vernon Hospital. He said the good news is they are accepting patients at a high rate. He said they also discussed the City budget in the context of the fees they pay them, as every health service provider in Alexandria is facing cuts from the City or some other source and the result is that as care opportunities decline in every other aspect of their care services spectrum, everyone goes to the emergency room, and the emergency room visits over the last few months had a real spike and the number of patients coming into Inova Alexandria Hospital who don't have any other ways to pay has also had an enormous spike. One of the results of that conversation was Councilman Smedberg and he

asked Inova Hospital, City staff, ANHSI and other health providers to convene a work group or task force to specifically look at the continuum of care issue, as it has a ripple effect on the other service providers. He said they want to be thoughtful as it deals with difficult budget times to maximize the monies they have available for health spending in a way so it creates the fewest problems. He said he and Councilman Smedberg will join that group in late May or early June to have a follow-up conversation.

Councilman Smedberg said it was a good discussion, and the new administrator at Inova did a good job in summarizing and leading the committee. It will have members of staff, ANHSI and Inova sit down and talk about the issues, as it is important to have the discussion now.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

None.

ORAL REPORT FROM THE CITY MANAGER

Health Department Director Kaplowitz said the Health Department was awarded a grant for approximately \$40,000 over two years. The first year was focused on travel, and the grant funding will be focused on obesity prevention for pre-school aged children aged 2-5.

ORDINANCES AND RESOLUTIONS

17. Consideration of a Resolution Requesting That City Council Establish a Policy That Would Limit City Contracts to Food Service Establishments That Are Smoke-Free. **[ROLL-CALL VOTE]**

This item was deferred to March 24, 2009.

OTHER

18. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated March 6, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 18; 3/10/09, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council: 1. rescheduled the joint budget work session with the School Board on Monday, March 23 at 7:30 p.m. at Samuel Tucker Elementary School, 435 Ferdinand Day Drive; 2. scheduled a work session on Potomac Yard and Metro Feasibility at 5:30 p.m. before Council's Tuesday, June 9 meeting in the City Council Work Room; 3. scheduled a work session on storm water utilities at 6:15 p.m. before Council's June 23 legislative meeting after the Commission

on Persons with Disabilities reception; and 4. received the revised calendar which includes: the Public Safety and Administration of Justice and other economic sustainability programs and activities combined with the BFAAC budget work session at 6:30 p.m. on Monday, April 6 in the Sister Cities Conference Room; the Department of Defense Washington Headquarters Service ground breaking at 1:00 p.m. on Tuesday, March 31 adjacent to 4900 Seminary Road; Take Your Daughters and Sons to Work Day on April 23, at 8:00 a.m. in the Vola Lawson Lobby; the Alexandria Police Week wreath laying ceremony at 11:00 a.m. on Tuesday, May 12 at Waterfront Park (corner of Prince Street and Strand Street); and the Alexandria Police Week Memorial Service at 11:00 a.m. on Thursday, May 14 at Baptist Temple Church, 700 Commonwealth Avenue; and City Council moved to table the ordinance on the Alexandria Redevelopment and Housing Authority docketed for public hearing on Saturday, March 14 and directed staff to work with the ARHA to organize a community meeting this spring at a time that makes sense for both bodies. The voting was as follows:

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

Mayor Euille noted the public hearing on the FY 2010 budget tomorrow evening, March 11, at 6:30 p.m.

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THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, the City Council meeting of March 10, 2009, was adjourned at 9:19 p.m. The voting was as follows:

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

APPROVED BY:

 WILLIAM D. EUILLE MAYOR

ATTEST:

 Jacqueline M. Henderson, CMC, City Clerk