

EXHIBIT NO. \_\_\_\_\_

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3(a)

1-26-10

# CITY COUNCIL OF ALEXANDRIA, VIRGINIA

## Regular Meeting

Tuesday, January 12, 2010 - - 7:00 p.m.

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

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Ms. Boyd, Director, Citizen Assistance; Mr. Johnson, Chief Financial Officer/Director of Office of Management and Budget (OMB); Sheriff Lawhorne; Mr. Castrilli, Communications Director, City Manager's Office; Mr. Gates, Assistant City Manager, City Manager's Office; Ms. Collins, Assistant City Manager for Community and Human Services, Human Services; Ms. Davis, Director, Office of Housing; Fire Chief Thiel; Mr. McPike, Deputy Director, General Services; Mr. Mackey, Gang Coordinator, Court Services Unit; Deputy Chief Aden, Police; Mr. Trobridge, Director, Information Technology Services (ITS); Mr. Cochran, Division Chief, Office of Housing; Ms. Baker, Director, Office on Women; Ms. McIlvaine, Deputy Director, Office of Housing; Ms. Niebauer, Director, Human Rights Office; Ms. Triggs, Director, Finance; Mr. Mason, Special Assistant to the City Manager, City Manager's Office/Acting Division Chief, Human Resources; Mr. Penn, Emergency Management Coordinator, Fire; Dr. Gilmore, Executive Director, Mental Health/ Mental Retardation/Substance Abuse; Ms. Dawson, Director, Library; Dr. Kaplowitz, Director, Health Department; Mr. Levine, Deputy Director, Health Department; Mr. North, Battalion Chief, Fire; Mr. Lerner, Deputy Director, T&ES; Mr. Tate, Field Project Manager, General Services; Ms. Marks, Principal Transportation Planner, T&ES; Police Captain Uzzell; Mr. Saenz, ITS; and Mr. Lloyd.

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

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

discuss the urban forestry implementation plan and athletic fields.

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**OPENING**

1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

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

- (a) The Regular Meeting Minutes of December 8, 2009;
- (b) The Public Hearing Meeting Minutes of December 12, 2009; and
- (c) The Special Meeting Minutes of December 29, 2009.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the regular meeting minutes of December 8, 2009, the public hearing meeting minutes of December 12, 2009 and the special meeting minutes of December 29, 2009. The voting was as follows:

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

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

4. Recognition of Jacob Landa For His Academic and Athletic Achievement.

City Council recognized Jacob Landa for his academic and athletic achievement.

**PROCLAMATIONS**

5. Presentation of an Award From *Fire Chief Magazine* For Its Bronze Award For Fire Station 9 (Potomac Yard) Architecture, and From FIERO (Fire Industry Equipment Research Organization) For Fire Station 9 Superior Design.

City Council was presented an award from *Fire Chief Magazine* for its bronze award for Fire Station 9 (Potomac Yard) Architecture and from FIERO for Fire Station 9

Superior Design.

**OTHER**

- 6. Presentation of the Northern Virginia Comprehensive Gang Assessment 2003 - 2008.

Mr. Billingsley, Director of Information and Demographic Services Divisions, Northern Virginia Regional Commission, gave an oral report and responded to questions and comments from Council about the Gang Assessment report, including questions about age of gang members, activity of gang members and the citizenship status of members.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

**CONSENT CALENDAR (7-15)**

**(Resignations and Uncontested Appointments)**

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

- (a) Alexandria-Caen Sister City Committee  
Khalil Gueye
- (b) Commission for Women  
Patty Donmoyer
- (c) Commission on Employment  
Michael Lyons

(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. 7 (a-c); 01/12/10, and is incorporated as part of this record by reference.)

- 8. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Sister City Committee  
3 Citizen Members
- (b) Archaeological Commission  
1 Member-at-large
- (c) Beautification Commission  
2 Citizen Members

- (d) Commission on Employment  
1 Business Representative From Among Recognized Area  
Businesses Including Minority-owned and Small Businesses
- (e) Commission on Information Technology  
1 Member Representing the Alexandria City Library Board  
1 Member From and Representing the Alexandria Chamber of  
Commerce
- (f) Landlord-Tenant Relations Board  
1 Low-income Tenant
- (g) Sister City Committee  
1 Citizen Member

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 8 (a-g); 01/12/10, and is incorporated as part of this record by reference.)

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

- 9. Consideration of Authorizing the City Manager to Execute a Consortium Funding Agreement with the Metropolitan Washington Council of Governments for the Department of Housing and Urban Development's (HUD) Neighborhood Stabilization Program (NSP2).

(A copy of the City Manager's memorandum dated January 4, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 01/12/10, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

- 10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 3-2-321 (License Required; License Tax Levied and Billed) and Section 3-2-222 (Exempt Vehicles to Obtain License) of Article R (License Taxes on Motor Vehicle, Trailers and Semitrailers) of Chapter 2 (Taxation) of Title 3 (Finance, Taxation and Procurement) of the Alexandria City Code.

(A copy of the City Manager's memorandum dated January 6, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 01/12/10, 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; 01/12/10, 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; 01/12/10 and is incorporated as part of this record by reference.)

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Implement the Zoning Master Plan Amendment For Carlyle That Was Approved by the Planning Commission and Council in December 2009.

(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. 11; 01/12/10, 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. 11; 01/12/10 and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Eliminate the Woodrow Wilson Bridge Task Force.

(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. 12; 01/12/10, 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 before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 12; 01/12/10 and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Formally Codify the Alexandria Gang Prevention Community Task Force.

(A copy of the City Manager's memorandum dated June 19, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13 - 15; 01/12/10, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council marked Exhibit No. 1 of Item No. 13; 01/12/10, 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. 13;

01/12/10, and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Formally Codify the Alexandria Beautification Commission.

(A copy of the City Manager's memorandum dated June 19, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13 -15; 01/12/10, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 01/12/10, 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. 14; 01/12/10, and is incorporated as part of this record by reference.)

15. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Formally Codify the Parks and Recreation Commission.

(A copy of the City Manager's memorandum dated June 19, 2008, is on file in the Office of the City Clerk and Clerk of Council, Exhibit No. 1 of Item No. 13 -15; 01/12/10, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 01/12/10, 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. 15; 01/12/10, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Vice Mayor Donley and carried unanimously, City Council approved the consent calendar. The City Manager's recommendations were as follows:

7. City Council accepted the following resignations with regret: (a) Khalil Gueye, Alexandria-Caen Sister City Committee; (b) Patty Donmoyer, Commission for Women; and (c) Michael Lyons, Commission on Employment.

8. City Council made the following appointments: (a) reappointed Sean Kennedy and Nicholas Kuhn and appointed Constance Troutman as the three citizen

members to the Alexandria-Caen Sister City Committee; (b) appointed James McCall as the member-at-large to the Archaeological Commission; (c) reappointed Ruth McKenty and Oscar Martin as the two citizen members to the Beautification Commission; (d) appointed Florence King as the business representative from among recognized area businesses including minority-owned and small businesses to the Commission on Employment; (e) reappointed Lynda Rudd as the member representing the Alexandria City Library Board and appointed Page Moon as the member from and representing the Alexandria Chamber of Commerce to the Commission on Information Technology; (f) reappointed Geraldine Baldwin as the low income tenant to Landlord-Tenant Relations Board; and (g) appointed Steronica Dunston as the citizen member to the Sister City Committee.

9. City Council authorized the City Manager to execute the requested Neighborhood Stabilization Program (NSP2) Consortium Funding Agreement with the Metropolitan Washington Council of Governments (COG) in order to meet the Department of Housing and Urban Development's (HUD) requirement that such agreements be ratified by January 29, 2010.

10. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 2010.

11. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 2010.

12. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 2010.

13. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 2010.

14. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 2010.

15. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 23, 2010.

The voting was as follows:

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

## **CONTESTED APPOINTMENTS**

16. Commission for Women

1 Citizen Member

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

NAME: ENDORSED BY:

Shauna Lange  
Holly Mackey  
William (Bill) Smith

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 01/12/10, 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 William (Bill) Smith as the citizen member to the Commission on Women. The voting was as follows:

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

17. Commission on Persons with Disabilities  
2 Citizen Members

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

NAME: ENDORSED BY:

Mary (Mollie) Danforth  
Kent Fee  
James Lewis

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 01/12/10, 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 Mary (Mollie) Danforth and Kent Fee as the two citizen members to the Commission on Persons with Disabilities. The voting was as follows:



Katya Wanzer

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 01/12/10, 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 Arlene Hewitt as the citizen member who shall not be a health professional to the Public Health Advisory Commission. The voting was as follows:

Euille	-	Hewitt
Donley	-	Hewitt
Fannon	-	Hewitt
Hughes	-	Crawford
Krupicka	-	Hewitt
Pepper	-	Hewitt
Smedberg	-	Hewitt

20. Sanitation Authority  
1 Citizen Member

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

NAME: ENDORSED BY:

Joshua Dickinson  
Edward Semonian

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 01/12/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Edward Semonian as the citizen member to the Sanitation Authority. The voting was as follows:

Euille	-	Semonian
Donley	-	Semonian
Fannon	-	Dickinson
Hughes	-	Dickinson
Krupicka	-	Semonian
Pepper	-	Semonian
Smedberg	-	Semonian

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

21. Presentation by Staff on the City's Response to the December Snow Storm. (verbal report)

City Manager Hartmann, Mr. Penn, Emergency Management Coordinator and Fire Chief Thiel gave a verbal report on the City's response to the December Snow Storm and responded to questions and concerns from City Council about the response to the storm. Council requested that the City Manager focus further follow-up on the following areas: age of the snow equipment, city/school system coordination during snow emergencies, dispatch of communications during emergencies, flexibility of City snow policies and changes to those policies to meet demands and prioritization of streets for cleaning including the placement of Cameron Station, the Patent and Trade Office complex and Lincolnia on the prioritization list.

22. Consideration of a Grant Application to the Emergency Operations Center (EOC) Grant Program, the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA.)

(A copy of the City Manager's memorandum dated January 8, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 22; 01/12/10, and is incorporated as part of this record by reference.)

This item has been withdrawn from the docket.

City Manager Hartmann noted that the item was withdrawn after some new information was received about the grant requirements.

23. Request from ACT for Alexandria for the City to Partner in Establishing the ACTion Alexandria Network to Better Engage Residents in Civic Problem Solving and Increase Philanthropy.

(A copy of the City Manager's memorandum dated January 6, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 23; 01/12/10, and is incorporated as part of this record by reference.)

Assistant City Manager Collins answered questions and responded to comments about the partnership with ACT for Alexandria and how the funds would be utilized to develop a system to connect human services issues through technology.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried 6-1, City Council: (1) appropriated funds from unspent Comprehensive Services Act general fund support to the Department of Human Services budget in the amount of \$50,000, which will then be encumbered specific to this project; and (2) authorized the City Manager to execute all necessary documents. The voting was as follows:

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

24. Receipt of the Monthly Financial Report for the Period Ending November 30, 2009.

(A copy of the City Manager's memorandum dated January 6, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 24; 01/12/10, and is incorporated as part of this record by reference.)

Chief Financial Officer Johnson gave an brief overview of the intergovernmental revenues and responded to questions from Council about the monthly financial report.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Vice Mayor Donley and carried unanimously, City Council received the Monthly Financial Report for the period ending November 30, 2009. The voting was as follows:

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

25. Consideration of Proposed Restructured Pharmacy Program at the Alexandria Health Department.

(A copy of the City Manager's memorandum dated January 6, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 25; 01/12/10, and is incorporated as part of this record by reference.)

Dr. Kaplowitz, Director, Health Department, responded to questions from Council about how the Health Department would structure the program and she noted that some of the effects the cuts in the program would have on clients and pointed out some of the partnerships and other assistance that would be available to those who are served.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council approved the Alexandria Health Department restructured pharmacy program to take effect on March 31, 2010 (FY 2010), which includes maintaining one full-time pharmacist position funded by budgeted City monies which are part of the Health Department cooperative budget. The voting was as follows:

Krupicka	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"

Euille	"aye"	Hughes	"aye"
	Pepper	"aye"	

26. Consideration of Release of Funds from the FY 2010 Contingent Reserve Account to the Alexandria Transit Company for DASH Bus Operations.

(A copy of the City Manager's memorandum dated January 6, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 26; 01/12/10, and is incorporated as part of this record by reference.)

Sandy Modell, General Manager, DASH, responded to questions from Council about the current allocated budget for DASH services and how the funds from the contingent reserve account would be used.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Krupicka and carried 5-2, City Council approved the release of \$200,000 from the FY2010 City Council Contingent Reserves account to Alexandria Transit Company for DASH Bus operations. The voting was as follows:

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

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

None

**ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

and

**ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Mayor Euille reported that Washington Metropolitan Area Transit Authority (WMATA) held two meetings to address the \$40 million budget shortfall that they are facing and the WMATA staff offered two recommendations to the Board to solve the shortfall, neither considering a fare increase. Mayor Euille stated that the Board will hold a public hearing and add a recommendation for fare increases up to 10 cents. Mayor Euille noted that the public hearing will be held Wednesday, January 27, 2010, at 5:30 p.m., at the WMATA headquarters at 600 5th Street and the public will have a chance to express their opinion on the recommendations and offer suggestions for handling the shortfall. Mayor Euille also stated that the Board will hold a special meeting on January 28 to vote on the recommendations.

(b) Mayor Euille reported that H1N1 flu vaccinations are available to everyone. Mayor Euille stated that the vaccines are available at the Casey Health Center at 1200 North Howard Street by appointment and walk-ins are accepted.

(c) Mayor Euille reported that City staff has drafted a letter that included recommendations from the December public hearing meeting the Base Realignment and Closure Commission (BRAC) project to Virginia Department of Transportation (VDOT) representative Nick Nicholson. Mayor Euille noted that all comments from Council members are needed to send the letter to him as soon as possible. Mayor Euille also reported that a productive meeting was held last week with VDOT, BRAC, Duke Realty and City staff and BRAC and Army officials have committed to continue to work with the City to address all the issues relative to the traffic impacts in the area surrounding the project. Mayor Euille noted that he testified at the National Capital Planning Commission public hearing regarding the architectural aspects of the project and he reported that the commissioners decided to include the Remote Inspection Facility (RIF) with the proposed project.

(d) Mayor Euille reported that the Annual Martin Luther King, Jr. Memorial Celebration Service will be held on Friday, January 15 at the Alfred Street Baptist Church at 7:00 p.m. and the Annual Poster Contest in Honor of Martin Luther King, Jr., will be held here at City Hall in the Vola Lawson Lobby on Monday, January 18 at 1:00 p.m.

(e) Vice Mayor Donley reported that Governor-Elect McDonnell will be at the Carpenter's Shelter on Thursday at 10:30 a.m., and he hoped all members of Council would be present to greet the new governor.

(f) Vice Mayor Donley reported that a member of the Sheriff's Department was involved in an off-duty incident over the holidays and the officer was able to stop a break-in that was in progress at his neighbor's house. Vice Mayor Donley congratulated the officer for his quick action and for responding so valiantly in the situation.

(g) Councilman Fannon reported that there will be a forum on January 26 at T.C. Williams High School, Minnie Howard Campus, explaining all the mentoring opportunities available in the City and he encouraged citizens to come out and become a mentor to a child.

(h) Councilman Krupicka reported that there will be a community meeting on traffic planning in the West End on January 20 at William Ramsey Elementary School and he encouraged citizens to come out and participate in the meeting.

(i) Councilman Krupicka requested an update on Verizon FIOS negotiations from Citizen Assistance Director Boyd. Councilman Krupicka requested that City staff draft a letter to Verizon expressing the City's continued interests to resume negotiations to have FIOS in the Alexandria once they are ready to seek expansion in new markets.

In response to the request, Ms. Boyd stated that the negotiations between the City and Verizon has ceased because Verizon has ceased negotiations nationwide concerning expansion into new markets. Ms. Boyd and City Attorney Banks responded to questions from Council about the cessation of negotiations and possible next steps for the City to take to encourage Verizon to consider Alexandria as a new market opportunity.

**ORAL REPORT FROM THE CITY MANAGER**

None.

**ORDINANCES AND RESOLUTIONS**

- 27. Consideration of a Resolution Authorizing the Issuance of Bonds by the Industrial Development Authority of the City of Alexandria for Protestant Episcopal High School.

(A copy of the City Manager's memorandum dated January 4, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 27; 01/12/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council approved the resolution authorizing the issuance of bonds by the Industrial Development Authority of the City of Alexandria for Protestant Episcopal High School. The voting was as follows:

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

The resolution reads as follows:

**RESOLUTION NO. 2378**

**WHEREAS**, the Industrial Development Authority of the City of Alexandria (the "Authority"), has considered the application and plan of financing of Protestant Episcopal High School in Virginia (the "Borrower"), a 501(c)(3) organization not organized exclusively for religious purposes requesting that the Authority issue up to \$12,500,000 of its revenue bonds (the "Bonds"), in one or more series at one time or from time to time, to assist the Borrower in financing or refinancing (the "Plan of Financing") (a) the acquisition, construction, equipping, expansion, renovation and enlargement of the educational facilities of the Borrower, all located or to be located at the campus of the Borrower consisting of approximately 135 acres at 1200 North Quaker Lane in the City of Alexandria, Virginia (the "Facility"), including: (1) the renovation, construction and equipping of approximately 22,000 square feet of the

Borrower's existing gymnasium, consisting of renovations to the trainer rooms, locker rooms, offices, and laundry facilities, (2) the expansion, construction and equipping of an approximately 60,000 square foot addition to the Borrower's gymnasium, to include two full length basketball courts, a hall of fame room, athletic department offices, a fitness center, boys and girls locker rooms and additional storage and (3) other capital improvements at the Facility, (b) the refunding of all or a portion of the outstanding amount of the Authority's Educational Facilities Revenue Bonds (Episcopal High School), Series 1996 (the "Series 1996 Bonds"), issued to refund a portion of the Authority's Educational Facilities Revenue bonds (Episcopal High School), Series 1991, issued on January 9, 1991 to finance the acquisition, construction, equipping and renovation of various improvements at the Facility and (c) costs of issuing the Bonds, including the costs of refunding the Series 1996 Bonds and a debt service reserve fund.

**WHEREAS**, the Authority has held a public hearing on the Borrower's application and Plan of Financing on December 15, 2009;

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds;

**WHEREAS**, the Authority issues its bonds on behalf of the City of Alexandria, Virginia (the "City"), the Facility is located in the City and the City Council of the City of Alexandria, Virginia (the "Council") constitutes the highest elected governmental unit of the City;

**WHEREAS**, the Authority has recommended that the Council approve the Plan of Financing and the issuance of the Bonds; and

**WHEREAS**, a copy of the Authority's resolution approving the issuance of the Bonds pursuant to the Borrower's Plan of Financing, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Council.

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

1. The Council approves the Plan of Financing and the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code") to permit the Authority to assist in its Plan of Financing.
2. The approvals of the Plan of Financing and the issuance of the Bonds do not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Plan of Financing or the Borrower.

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

**OTHER**

28. Consideration of City Council Schedule.

(Copies of the City Manager's memoranda dated January 6, 2010 and January 8, 2010, are on file in the Office of the City Clerk and Clerk of Council, both marked Exhibit No. 1 of Item No. 28; 01/12/10, and is incorporated as part of this record by reference.)

Mayor Euille noted that he would not be present at the January 26 Legislative Meeting because he will be out of town.

Councilman Smedberg noted that he would not be present at the January 23 Public Hearing meeting due to a professional obligation.

Councilman Krupicka noted that the would not be present at the February 23 Legislative meeting due to a professional obligation.

Mayor Euille noted that the State of the City annual address is tentatively scheduled for March 20.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Hughes and carried unanimously, City Council: (1) changed the date of the joint work session with the Planning Commission on Potomac Yard from Tuesday, January 26 to Tuesday, February 9; (2) changed the date of the Parking Study and Traffic Management Plan (TMP) work session from Tuesday, February 9 to Tuesday, February 23; (3) changed the date of the Small Business City Process Improvements work session from Tuesday, February 23 to Tuesday, January 26; and (4) received the revised calendar which included a faith-based forum hosted by the City's Complete Count Committee to promote the upcoming Census in April on Tuesday, February 2 at 7:00 p.m. in the George Washington National Masonic Memorial auditorium, 101 Callahan Drive. The voting was as follows:

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

**EXECUTIVE SESSION**

29. Consideration of Convening An Executive Session Closed to the Public For the Purpose of Consultation with Legal Counsel Regarding Pending Litigation and Legal Matters and to Discuss Plans to Protect Public Safety.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 10:36 p.m., City Council convened in executive session, pursuant to Virginia Code Section 2.2-3711(a)(7) and (20) to consult with legal counsel regarding pending litigation and legal matters and to discuss plans to protect public safety. The voting was as follows:

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

**WHEREUPON**, upon motion at Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 11:39 p.m., City Council reconvened the meeting. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

**RESOLUTION NO. 2379**

**WHEREAS**, the Alexandria City Council has this 12th day of January 2010, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED**, that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting

requirements, were heard, discussed or considered by council during the executive session.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the regular meeting of January 12, 2010 at 11:40 p.m. The voting was as follows:

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

APPROVED BY:

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WILLIAM D. EUILLE                      MAYOR

ATTEST:

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Gloria A. Sitton, CMC    Deputy City Clerk