

EXHIBIT NO. 1

3(a)  
9-28-10

## **CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

### **Regular Meeting**

**Tuesday, September 14, 2010 - - 7:00 p.m.**

\*\*\*\*\*

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

**Absent:** Vice Mayor Kerry J. Donley.

**Also Present:** Mr. Hartmann, City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Castrilli, Communications Director, City Manager's Office; Mr. Gates, Assistant City Manager, City Manager's Office; Mr. Trobridge, Director, Information Technology; Mr. Johnson, Chief Financial Officer; Mr. Routt, Office of Management and Budget; Ms. Triggs, Director, Finance Office; Fire Chief Thiel; Ms. Niebauer, Director, Human Rights; Mr. Mallamo, Director, Office of Historic Alexandria; Mr. Penn, Emergency Management Coordinator; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Police Captain Ogden; Ms. Davis, Director, Office of Housing; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Keeler, Office of Housing; Ms. Hamer, Director, Planning and Zoning; Ms. Ross, Planning and Zoning; Mr. Baier, Director, Transportation and Environmental Services; Mr. Lerner, Deputy Director, Transportation and Environmental Services; Mr. Maslanka, Transportation and Environmental Services; Ms. Wilkinson, Transportation and Environmental Services; Ms. Boyd, City Manager's Office; Mr. Fifer, Communications Office; and Mr. Lloyd.

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

\*\*\*\*\*

**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, with the exception of Vice Mayor Donley, who was absent.

**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 June 12, 2010;
- (b) The Regular Meeting Minutes of June 22, 2010; and
- (c) The Special Meeting Minutes of August 19, 2010.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council approved the public hearing meeting minutes of June 12, 2010. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Krupicka and carried 5-0, City Council approved the regular meeting minutes of June 22, 2010. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Krupicka and carried 4-0, City Council approved the special meeting minutes of August 19, 2010. The voting was as follows:

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

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

None.

**PROCLAMATIONS**

**New Business Item No. 1:** Presentation of a Proclamation Recognizing National Childhood Obesity Awareness Month.

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

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

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

### **CONSENT CALENDAR (4-9)**

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

4. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
  - (a) Alexandria-Caen Sister City Committee  
Jayne Clancy  
Joseph Slye
  - (b) Alexandria Transportation Commission  
Jayme Blakesley
  - (c) Citizen Corps Council  
Marian Pegram, Alexandria School Board designee
  - (d) Commission on HIV/AIDS  
Patricia Dickson  
Chris Jones
  - (e) Commission on Information Technology  
Bob Soltys
  - (f) Commission on Persons with Disabilities  
Chet Avery
  - (g) Convention and Visitors Association Board of Governors  
Nick Gregory
  - (h) Emergency Medical Services Council  
James Vafier
  - (i) Human Rights Commission  
Nancy Turner

- (j) Waterfront Committee  
Mike Geissinger

(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-j); 9/14/10, and is incorporated as part of this record by reference.)

5. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Transportation Commission
  - 1 Member From the Alexandria Transit Company Board of Directors, Nominated by the Board
  - 1 Citizen Member, Who Shall Be a Resident of the City Possessing Qualifications in Land-Use, Transportation and/or Municipal Finance, Who Shall Reside West of Quaker Lane
- (b) Commission on Persons with Disabilities
  - 3 Citizen Members
- (c) Economic Opportunities Commission
  - 1 Alternate Representative For Councilwoman Hughes

(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-c); 9/14/10, and is incorporated as part of this record by reference.)

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

6. Consideration of Grant Renewal Application to the United States Department of Agriculture Child and Adult Care Food Program for the At-risk After School Snack Program.

(A copy of the City Manager's memorandum dated September 1, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 9/14/10, and is incorporated as part of this record by reference.)

7. Acceptance of United States Department of Homeland Security National Capital Region (NCR) Grant Funds for Hazardous Material Equipment for the Fire Department.

(A copy of the City Manager's memorandum dated September 7, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 9/14/10, and is incorporated as part of this record by reference.)

8. Receipt of U.S. Department of Homeland Security, Urban Area Initiative Grants

Funds for Public Safety Equipment.

(A copy of the City Manager's memorandum dated September 8, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/14/10, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

9. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the City Code to Authorize Meters on the 100 Block of King Street in the Context of Installing Such Meters on the 100 and 200 Blocks of King Street.

(A copy of the City Manager's memorandum dated September 7, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 9/14/10, 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. 9; 9/14/10, 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. 9; 9/14/10, and is incorporated as part of this record by reference.)

**END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried unanimously, City Council approved the consent calendar, with the exception of docket item #8, which was considered under separate motion. The City Manager's recommendations were as follows:

4. City Council accepted the following resignations with regret: (a) Jayne Clancy and Joseph Slye, Alexandria-Caen Sister City Committee; (b) Jayme Blakesley, Alexandria Transportation Commission; (c) Marian Pegram, Alexandria School Board designee, Citizen Corps Council; (d) Patricia Dickson and Chris Jones, Commission on HIV/AIDS; (e) Bob Soltys, Commission on Information Technology; (f) Chet Avery, Commission on Persons with Disabilities; (g) Nick Gregory, Convention and Visitors Association Board of Governors; (h) James Vafier, Emergency Medical Services Council; (i) Nancy Turner, Human Rights Commission; and (j) Mike Geissinger, Waterfront Committee.

5. City Council made the following appointments: (a) appointed Justin Wilson as the 1 member from the Alexandria Transit Company Board of Directors, nominated by the Board, and Louise Ward as the 1 citizen member who shall be a

resident of the City possessing qualifications in land-use, transportation and/or municipal finance, who shall reside west of Quaker Lane, to the Alexandria Transportation Commission; (b) appointed Joseph Delfico, Douglas Goist and Beverly Hoffman as the three citizen members to the Commission on Persons with Disabilities; and (c) appointed Sean Rough as the 1 alternate representative for Councilwoman Hughes to the Economic Opportunities Commission.

6. City Council authorized the City Manager to: 1. submit the at-risk after school grant renewal application to the United States Department of Agriculture for Fiscal Year 2011 (due date September 1, 2010); and 2. execute all documents that may be required.

7. City Council accepted the grant funds for the Fire Department's Haz Mat Team and authorized the City Manager to execute the necessary documents that may be required: 1. grant-funded hazardous materials equipment totaling \$120,297.01, which will enhance incident management capabilities in the National Capital Region (NCR); and 2. a grant-funded decontamination trailer and ancillary equipment totaling \$58,730.45, which will improve the NCR's mass decontamination capabilities.

9. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 25, 2010.

The voting was as follows:

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

8. Receipt of U.S. Department of Homeland Security, Urban Area Initiative Grants Funds for Public Safety Equipment.

(A copy of the City Manager's memorandum dated September 8, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/14/10, and is incorporated as part of this record by reference.)

City Manager Hartmann responded to questions of City Council regarding use of the funds for other uses.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council accepted the grant funds. The funds will reimburse the City for expenses incurred previously to purchase 120 portable radios and 89 radio chargers for the Police and Fire Departments and for replacement computers and equipment for the City's Emergency Operations Center. The voting was as follows:

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

**CONTESTED APPOINTMENTS**

10. Commission for the Arts  
 1 Member Who Represents Art Education or Business Expertise Relative to Arts and Cultural Development, Including Such Perspectives as Marketing, Finance/Funding, Tourism Promotion and Organizational Development

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

NAME:

ENDORSED BY:

Susan Corrigan  
 Jeannie Hodges

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Jeannie Hodges as the one member who represents arts education or business expertise relative to arts and cultural development, including such perspectives as marketing, finance/funding, tourism promotion and organizational development to the Commission for the Arts. The voting was as follows:

Euille	-	Hodges
Donley	-	absent
Fannon	-	Corrigan
Hughes	-	Hodges
Krupicka	-	Hodges
Pepper	-	Hodges
Smedberg	-	Hodges

11. Commission for Women  
 1 Citizen Member

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

NAME:

ENDORSED BY:

Shari Bolouri  
Newsha Dau  
Nicole Davies  
Carrie (P.J.) Palmer Johnson  
Reina Malakoff  
Fresia Rodriquez

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: There was no successful appointee. The voting was as follows:

Euille	-	Palmer Johnson
Donley	-	absent
Fannon	-	Bolouri
Hughes	-	Bolouri
Krupicka	-	Palmer Johnson
Pepper	-	Palmer Johnson
Smedberg	-	Bolouri

Because there was a tie vote, this was deferred to September 28, 2010.

12. Commission on Information Technology  
1 Citizen-at-Large Member  
1 Member Representing an Institution of Higher Education Located in Northern Virginia

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

NAME:

ENDORSED BY:

Margorie Conner  
Jack Cutts  
Matthew Hussey  
Angela Van Veckhoven  
Paul Wilmot

Margaret Leary

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 9/14/10, and is incorporated as part of this record by reference.)



**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council waived the residency requirement and appointed Margaret Leary as the one member representing an institution of higher education located in Northern Virginia, and no one candidate received a majority vote for the citizen position on the Commission on Information Technology, so a revote was taken for the citizen position:

Euille	-	Leary, Conner
Donley	-	absent
Fannon	-	Leary, Hussey
Hughes	-	Leary, Wilmot
Krupicka	-	Leary, Conner
Pepper	-	Leary, Hussey
Smedberg	-	Leary, Conner

**WHEREUPON**, ballots were again distributed, tellers were appointed and the ballots were again tallied with the following results: City Council appointed Margorie Conner as the one citizen-at-large member to the Commission on Information Technology. The voting was as follows:

Euille	-	Conner
Donley	-	absent
Fannon	-	Hussey
Hughes	-	Conner
Krupicka	-	Conner
Pepper	-	Hussey
Smedberg	-	Conner

13. Economic Opportunities Commission  
1 Representative of a Public Official Currently Holding Office, or Their Representatives Appointed by City Council (Commonwealth's Attorney Representative)

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

NAME:

ENDORSED BY:

Seena Foster  
Karin Riley

(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. 13; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots

were tallied with the following results: City Council appointed Karin Riley as the one representative of a public official currently holding office, or their representatives appointed by City Council (Commonwealth's Attorney representative) to the Economic Opportunities Commission. The voting was as follows:

Euille	-	Riley
Donley	-	absent
Fannon	-	Riley
Hughes	-	Riley
Krupicka	-	Riley
Pepper	-	Riley
Smedberg	-	Riley

14. Historical Restoration and Preservation Commission  
1 Citizen Member

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

NAME:

ENDORSED BY:

Carl Glad  
Derek Manning  
Richard Meyer

(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. 14; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Derek Manning as the one citizen member to the Historical Restoration and Preservation Commission. The voting was as follows:

Euille	-	Manning
Donley	-	absent
Fannon	-	Manning
Hughes	-	Manning
Krupicka	-	Manning
Pepper	-	Manning
Smedberg	-	Manning

15. Public Records Advisory Commission  
1 Citizen Member

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

NAME:

ENDORSED BY:

Virginia Arnold  
Wade Eyerly

(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. 15; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Virginia Arnold as the one citizen member to the Public Records Advisory Commission. The voting was as follows:

Euille	-	Arnold
Donley	-	absent
Fannon	-	Arnold
Hughes	-	Arnold
Krupicka	-	Arnold
Pepper	-	Arnold
Smedberg	-	Arnold

- 16. Urban Design Advisory Committee
  - 1 Qualified Professional Skilled in Urban Design, Architecture or Landscape Architecture

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

NAME:

ENDORSED BY:

Joseph Berchenko  
Daniel Straub

(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; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Daniel Straub as the one qualified professional skilled in urban design, architecture or landscape architecture to the Urban Design Advisory Committee. The voting was as follows:

Euille	-	Straub
Donley	-	absent
Fannon	-	Straub

Hughes	-	Straub
Krupicka	-	Straub
Pepper	-	Straub
Smedberg	-	Straub

- 17. Waterfront Committee
  - 1 Representative of the Alexandria Convention and Visitors Association
  - 1 Representative of the Alexandria Chamber of Commerce

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

NAME:

ENDORSED BY:

Jody Manor  
Charlotte Hall

(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; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council waived the residency requirement and appointed Jody Manor as the one representative of the Alexandria Convention and Visitors Association and waived the residency requirement and appointed Charlotte Hall as the one representative of the Alexandria Chamber of Commerce to the Waterfront Committee. The voting was as follows:

Euille	-	Manor, Hall
Donley	-	absent
Fannon	-	Manor, Hall
Hughes	-	Manor, Hall
Krupicka	-	Manor, Hall
Pepper	-	Manor, Hall
Smedberg	-	Manor, Hall

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

- 18. Oral Report by the Office of Historic Alexandria on City Planning for the Civil War Sesquicentennial.

Director of the Office of Historic Alexandria Mallamo made a presentation on the Civil War Sesquicentennial and responded to questions of City Council.

- 19. Consideration of Allocation of Funds from Contingent Reserve for the Installation of New Multi-Space Parking Meters in the Old Town Area.

(A copy of the City Manager's memorandums dated September 7, 2010 and

September 10, 2010, are on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 9/14/10, and is incorporated as part of this record by reference.)

Chief Financial Officer Johnson made a presentation of the preliminary financial results for FY2010, and he, along with Finance Director Triggs, responded to questions of City Council.

Director of Transportation and Environmental Services Baier, along with Ms. Wilkinson, made a presentation of the report and they, along with Planning and Zoning Deputy Director Ross and Deputy Director of Transportation and Environmental Services Lerner, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council allocated \$1,250,000 from the contingent reserve account, previously designated for the Washington Metropolitan Area Transit Authority operating subsidy increase, to the City's Capital Improvement Fund for the acquisition and installation of multi-space parking meters in Old Town.

Councilwoman Hughes asked for an amendment to add that whatever monies are gained as a result of surplusing the single space meters be placed in fund balance.

The amendment was acceptable to the maker and seconder of the motion.

The voting on the motion was as follows:

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

- 20. Consideration of an Application to the U.S. Department of Homeland Security, Federal Emergency Management Agency for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the Fire Department.

(A copy of the City Manager's memorandum dated September 6, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 9/14/10, and is incorporated as part of this record by reference.)

Fire Chief Thiel responded to questions of City Council regarding the grant.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council: 1. approved the submission of the grant application (due September 17, 2010); and 2. authorized the City Manager to execute the necessary documents that may be required. The voting was as follows:

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

21. Consideration of Application for Virginia Department of Health, Rescue Squad Assistance Grant Funds for the Fire Department.

(A copy of the City Manager's memorandum dated September 7, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 9/14/10, and is incorporated as part of this record by reference.)

Fire Chief Thiel responded to questions of City Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Krupicka and carried unanimously, City Council: 1. approved the submission of the grant application (due September 15, 2010); and 2. authorized the City Manager to execute any necessary documents that may be required. The voting was as follows:

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

22. Consideration of Modification to the Terms of City Loans to Home for America, Inc. for Brent Place Elevator Modification.

(A copy of the City Manager's memorandum dated September 3, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 9/14/10, and is incorporated as part of this record by reference.)

Housing Director Davis responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council approved a modification to the terms of the City loan to Homes for America for elevator modification at Brent Place to: 1. include language required by HUD-FHA (the proposed new senior lender) to allow City funds to be repaid only out of a portion of residual receipts; and 2. extend the loan period to 40 years, rather than the previously approved 20 years, to be consistent with HUD-FHA requirements. The voting was as follows:

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

Smedberg "aye"

23. Consideration of Ratification of a Certificate of Consistency with the Consolidated Plan for Housing and Community Development for the Alexandria Redevelopment and Housing Authority's (ARHA's) Application for Rental Assistance for Non-elderly Persons with Disabilities.

(A copy of the City Manager's memorandum dated September 3, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Krupicka and carried unanimously, City Council ratified the administratively-issued certificate of consistency for the Alexandria Redevelopment and Housing Authority's application to the U.S. Department of Housing and Urban Development (HUD) for rental assistance for non-elderly persons with disabilities. The voting was as follows:

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

24. Consideration of FY 2012 Congestion Mitigation and Air Quality Improvement Program(CMAQ ) and Regional Surface Transportation Program Project Funded Requests.

(A copy of the City Manager's memorandum dated September 7, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 9/14/10, and is incorporated as part of this record by reference.)

Acting Chair of the Alexandria Transportation Commission Jennifer Mitchell made a presentation of the report and she, along with Mr. Maslanka, Transportation and Environmental Services, and Mr. Baier, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried 5-0, City Council: 1. approved transportation projects discussed as those projects for which the City of Alexandria will request CMAQ and RSTP grant funding totaling \$4.19 million for FY 2012, as recommended by the City's Transportation Commission; and 2. authorized the City Manager to apply for these grants and gave him permission to enter into necessary agreements with the State to accept any of these grants that are provided by the Commonwealth. The voting was as follows:

Hughes	"aye"	Donley	absent
Pepper	"aye"	Fannon	"aye"

Euille "aye" Krupicka absent  
Smedberg "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) Councilwoman Pepper noted an article in the *Washington Post* indicating that Alexandria had a huge number of library cards compared to its population, and that made Alexandria number one in the region. There were 172,504 Alexandria library cards issued in 2009.

(b) Councilwoman Pepper said she was afraid the City would lose out on the Scottish Christmas Walk, and she understands that the Campagna Center has been able to secure two major sponsors for this year. There was also concern about the St. Patrick's Day parade, and one of the things that's been worked out has been that they will shorten the walk so the cost will not be as considerable.

(c) Councilwoman Pepper said that on June 22, City Council endorsed the new technology that the monitoring group for Mirant and staff had endorsed, which is to have a bag house for Mirant. She spoke of the City staff going to Richmond on September 10, and she noted the agreement from the Board, so progress is being made. She said with the blessing of the Board, they will be adding the bag houses as soon as it can make the engineering plans and get the construction going.

(d) Councilman Smedberg said there was an Alexandria Convention and Visitors Association Board meeting last night, and one item in particular was the success it had with Restaurant Week this year. He noted that 60 restaurants participated in the August restaurant week, up from 50 in the winter and 29 went with the option of open table reservation system. There were 85,330 visits to the website and 24,584 specifically to the restaurant week page. There were 875 open table reservations, with 2,410 covers, for an estimated revenue intake of \$84,747.

(e) Councilwoman Hughes updated Council on the Governor's Commission on Government Reform and Restructuring in Richmond on September 13. She noted the four subcommittees on customer service transparency performance and accountability, a consolidation of shared services committee, an inter-governmental relations committee, and a simplifications and operations committee. There will be another committee meeting on October 4. She noted guiding principles that were passed in the consolidation of shared services committee, and it was concerned at looking at the consolidation of administration of certain taxes, shared services agency



agreements and doing more work in terms of fleet management. She said one of the nine recommendations of the customer service transparency performance and accountability subcommittee was to make sure it had a one-stop shop and also making sure there are incentives for people to use e-commerce for taking care of as many things as possible on-line. She said there was a budget transparency initiative, recommendation #6, which was to reform the budget rules, regulations and laws to change the budget cycle, developing an inventory of all real property owned by the Commonwealth and publishing the information on-line, and a value for money criteria, where it recommended that value for money information be applied as a pre-cursor to spending decisions. Councilwoman Hughes said she is on the inter-governmental relations subcommittee, and there are over 1,100 recommendations that have come over the website, and they looked at two issues. One was the concept of regionalism and it talked about mandates. She noted an article in the *Washington Post* today on the recommendation of the simplifications and operations committee to move to a four-day, ten hour work week.

(f) Councilman Fannon commented on the success of the annual Arts Festival in Alexandria this past weekend.

(g) Councilman Fannon encouraged people to work with Meals on Wheels to deliver meals to homebound seniors.

(h) Councilman Krupicka congratulated staff on two big public art installations that were unveiled over the summer. One was in Del Ray and another was on King Street.

(i) Councilman Krupicka said Inova Alexandria Hospital is holding free prostate screening on September 23.

(j) Councilman Krupicka thanked staff and the Partnership for a Healthy Alexandria for the help with the Charles Houston healthy food event over the summer.

(k) Councilman Krupicka said September 19 is Talk Like a Pirate Day in Old Town, and Historic Alexandria will have a lot of different talk like a pirate events in Old Town.

(l) Councilman Krupicka said this week is bicycle and pedestrian awareness week, and he encouraged everyone to ride their bike and walk this week.

(m) Councilman Krupicka thanked the Chiefs and representatives from the Sheriff, Police and Fire Departments for the great 9-11 ceremonies on Saturday. He said he hoped that Alexandria would play an active role in planning for the ten year anniversary commemoration in 2011.

(n) Councilman Krupicka said if citizens are interested in managing their energy use in their home and want to get a sense of how many kilowatts they are using,

they can go to library branches and check out a kilowatt meter, which can be plugged into the home to gauge their energy use.

(o) Mayor Euille said the U.S. Conference of Mayors has awarded the City of Alexandria honorable mention for being one of the most livable cities in America under their 2010 City livability awards competition.

(p) Mayor Euille gave kudos to the City School Superintendent, School Board and Administration for an outstanding opening day last week. Schools opened without any major glitches on the first day.

**ORAL REPORT FROM THE CITY MANAGER**

None.

**ORDINANCES AND RESOLUTIONS**

25. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 94 of the Code of the City of Alexandria, Virginia. **[ROLL-CALL VOTE]**

(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. 25; 9/14/10, 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. 25; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried 6-0 by roll-call vote, City Council passed the ordinance to adopt supplement number 94 of the Code of the City of Alexandria, Virginia on first and second reading. The voting was as follows:

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

The ordinance reads as follows:

**ORDINANCE NO. 4679**

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances

not included therein, except those saved from repeal by this ordinance, and for other purposes.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 94," are hereby adopted as and shall constitute "The Ninety-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Ninety-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between March 13, 2010, through June 22, 2010, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after March 13, 2010, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between March 13, 2010 through June 22, 2010, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Ninety-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The Ninety-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. This ordinance shall become effective upon the date and at the

time of its final passage.

26. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 53 of the Zoning Ordinance. **[ROLL-CALL VOTE]**

(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. 26; 9/14/10, 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. 26; 9/14/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried 6-0 by roll-call vote, City Council passed the ordinance to adopt supplement number 53 of the Zoning Ordinance on first and second reading. The voting was as follows:

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

The ordinance reads as follows:

#### ORDINANCE NO. 4680

AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 53," are hereby adopted as and shall constitute "The Fifty-Third Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Fifty-Third Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of

this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between December 12, 2009 and June 22, 2010, inclusive, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between December 12, 2009 and June 22, 2010, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Fifty-Third Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after June 22, 2010.

Section 4. That one complete set of pages comprising "The Fifty-Third Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. That this ordinance shall become effective upon the date and at the time of its final passage.

27. Consideration of Resolution Reaffirming the City of Alexandria's Support for the Virginia Cooperative Extension Service. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated September 3, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 9/14/10, and is incorporated as part of this record by reference.)

Director of Parks, Recreation and Cultural Activities Spengler responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried 6-0 by roll-call vote, City Council adopted the resolution reaffirming the City of Alexandria's support for the Virginia Cooperative Extension Service. The voting was as follows:

Krupicka	"aye"	Donley	absent
Pepper	"aye"	Fannon	"aye"

Euille "aye" Hughes "aye"  
Smedberg "aye"

The resolution reads as follows:

RESOLUTION NO. 2415

REAFFIRMING THE CITY OF ALEXANDRIA'S SUPPORT OF  
THE VIRGINIA COOPERATIVE EXTENSION SERVICE

WHEREAS, the Virginia Cooperative Extension Service ("VCE"), a Federal, State and local partnership, with strong volunteer support, makes research-based knowledge from Virginia's land grant universities available to all Virginia residents; and

WHEREAS, VCE aims to address high-priority community issues and improve quality of life and environmental well-being; and

WHEREAS, Code of Virginia §23-132.3(A) states that, "The Virginia Cooperative Extension Service shall provide the people of the Commonwealth with information and knowledge on subjects related to agriculture, horticulture, community resource development, 4-H clubs, and subjects relating thereto, through instruction and the dissemination of useful and practical information through demonstrations, conferences, courses, workshops, publications, meetings, and mass media"; and

WHEREAS, VCE is essential to fulfilling goals in the Alexandria City Council's Strategic Plan and its Urban Forestry Plan. VCE also contributes to meeting Alexandria City Public Schools' strategic goals.

- VCE trains volunteers who can provide outreach education and thousands of volunteer hours in Alexandria's parks, farmers markets, and community events.
- VCE 4-H Youth Development enables Alexandria youth to learn leadership, good citizenship and life skills through hands-on experiences in science, engineering and technology, healthy living, and community projects, joining generations of City leaders who have "learned by doing".
- VCE Family and Consumer Sciences helps individuals and families develop competencies to become healthy, productive, financially secure, and environmentally responsible.
- VCE Family Nutrition Program helps low-income individuals and families maintain healthy diets, thereby preventing diet-related chronic diseases and reducing obesity.

WHEREAS, the City of Alexandria contributes local match funding annually to VCE for salaries, benefits, office space, phone service, clerical support, and other

operating funds,

NOW, THEREFORE, BE IT RESOLVED, as VCE's local partner in the Cooperative Extension program, the Alexandria City Council reaffirms its commitment to VCE, and

BE IT RESOLVED, despite the State's need to temporarily reduce services, we strongly desire that the VCE office in the City of Alexandria remain open and that it continue to receive services from Extension Agents in all program areas specified in the Code of Virginia.

**OTHER**

28. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated September 9, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 9/14/10, and is incorporated as part of this record by reference.)

Deputy City Manager Evans asked Council to let her know budget work session dates in October 18, 19 or 21 and November 8 and 16.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council: approved the calendar which includes the schedule of Council legislative and public hearing meetings for September 2010 - June 2011; scheduled the following fall work sessions at 5:30 p.m. before Council's legislative meetings: Tuesday, September 28, work session on Potomac Yard Transit; Tuesday, October 12, work session on parking issues; Tuesday, October 26, work session on the Beauregard Plan; Tuesday, November 23, work session on land use and Planning work plans for Planning and Zoning, the Department of Transportation and Environmental Services, and other related departments; and Tuesday, December 14, work session on the Carlyle Retail Study; scheduled a joint meeting with the Arlington County Board to discuss transportation planning and other issues on Thursday, October 14, and for Council to get back with the Deputy City Manager on dates for special work sessions on budget issues in October and November.

Councilman Smedberg noted that he will not be in town on October 14, and his annual meeting is November 14-20 so he will be out of town.

Councilwoman Hughes noted she would be out of town October 29-31.

The voting was as follows:

Hughes	"aye"	Donley	absent
Pepper	"aye"	Fannon	"aye"

Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

**EXECUTIVE SESSION**

29. Consideration of a Closed Meeting to Discuss Legal Matters.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 10:12 p.m., City Council convened in executive session, pursuant to Section 2.2-3711(a)(7) of the Code of Virginia for the purpose of consulting with counsel and briefing by staff regarding litigation, potential litigation and/or specific legal matters requiring the provision of legal advice. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 11:30 p.m., City Council reconvened the meeting. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried 6-0 by roll call vote, City Council adopted a resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

**RESOLUTION NO. 2416**

WHEREAS, the Alexandria City Council has this 14th day of September 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.

\*\*\*\*\*

**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 September 14, 2010 at 11:31 p.m. The voting was as follows:

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

APPROVED BY:

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

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Jacqueline M. Henderson  
City Clerk and Clerk of Council