

3A  
6-25-02

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

**Regular Meeting  
Tuesday, June 11, 2002 - - 7:30 p.m.**

\*\*\*\*\*

Present: Mayor Kerry J. Donley, Vice Mayor William C. Cleveland, Members of Council Claire M. Eberwein, William D. Euille, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Public Information Officer Gordon; Mr. Baier, Director of Transportation and Environmental Services; Ms. Baker, City Engineer; Ms. Fogarty, Director of Planning and Zoning; Ms. Ross, Deputy Director of Planning and Zoning; Ms. O'Regan, Director of Human Services; Dr. Konigsberg, Director of Health; Ms. Davis, Director of Housing; Mr. Howard, Director of Personnel Services; Ms. Schramm, Deputy Director of Personnel Services; Mr. Skrabak, Division Chief, Environmental Quality; Mr. Swearingen, Director of Management and Budget; Mr. McCobb, Deputy Director of Transportation and Environmental Services; Ms. Niebauer, Director of Human Rights; Mr. Ransom, Special Assistant to the City Manager; Ms. Boyd, Director of Citizen Assistance; Mr. Dahlberg, Director of Code Enforcement; Urban Planner Beeton, Planning and Zoning; Police Chief Samarra; Deputy Fire Chief Whitmore; Fire Captain North; and Police Lieutenant Uzzell.

Recorded by: Susan K. Seagroves, Deputy City Clerk and Clerk of Council.

\*\*\*\*\*

**OPENING**

The Meeting was called to Order by Mayor Donley, and the Deputy City Clerk called the Roll; all Members of City Council were present with Councilwoman Woodson arriving at 7:35 p.m.

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

3. **THERE BEING NO DISCUSSION**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried on a vote of 6-to-0, City Council approved the Minutes for (a) the Public Hearing Meeting of May 18, 2002; and (b) the Regular Meeting of May 28, 2002, as submitted. The voting was as follows:

|           |       |          |                 |
|-----------|-------|----------|-----------------|
| Cleveland | "aye" | Eberwein | "aye"           |
| Pepper    | "aye" | Euille   | "aye"           |
| Donley    | "aye" | Speck    | "aye"           |
|           |       | Woodson  | not yet arrived |

4. **THERE BEING NO DISCUSSION**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried on a vote of 6-to-0, City Council received the report of the City Clerk dated June 4, 2002, which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 6/11/02, and is incorporated herewith as part of this record by reference. The voting was as follows:

|           |       |          |                 |
|-----------|-------|----------|-----------------|
| Cleveland | "aye" | Eberwein | "aye"           |
| Pepper    | "aye" | Euille   | "aye"           |
| Donley    | "aye" | Speck    | "aye"           |
|           |       | Woodson  | not yet arrived |

**New Business Item No. 1:** Without objection, Councilman Speck acknowledged the presence of visitors to the Council Chambers of past scholarship recipients and people who are involved in the Robert S. Rixse Foundation. Mr. Speck explained that the Rixse Foundation has funded over twenty four-year scholarships as well as other endeavors in support of issues related to education and youth, and he thanked them for their efforts.

\* \* \* \* \*

Councilwoman Woodson arrived at this time.

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

5. Presentation of the Human Rights Commission Second Annual Human Rights Awards for High School Students.

Mayor Donley introduced Human Rights Commission Chair Jenkins who in turn recognized the recipients of the Second Annual Human Rights Awards for High School Students, Saadia Yasmin, Luisa Reyes and the LABYRINTH Magazine staff (all students from T.C. Williams). Councilman Euille presented each winner with a plaque and a check of \$500 from the William D. Euille Foundation.

#### **OPENING (continued)**

6. Recognition of the Senior Eight and the Lightweight Eight Girls Crew Teams at T.C. Williams High School for Winning at Stotesbury and Their Very Successful Season.

As part of the City Council's youth recognition program, Mayor Donley commended the members and coaches of the T.C. Williams crew teams which he described as an incredible group of athletes.

7. Presentation of Proclamation Proclaiming June 2002 as Safe Graduation Month in the City of Alexandria.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper presented the proclamation.

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

|           |         |          |       |
|-----------|---------|----------|-------|
| Pepper    | "aye"   | Eberwein | "aye" |
| Cleveland | "aye"   | Euille   | "aye" |
| Donley    | "aye"   | Speck    | "aye" |
|           | Woodson | "aye"    |       |

8. Presentation of Proclamation Recognizing Retiring Alexandria Harmonizer Scott Werner.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilman Speck presented the proclamation.

The audience joined Mr. Werner and other Harmonizer members in singing *God Bless America*.

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

|           |         |          |       |
|-----------|---------|----------|-------|
| Cleveland | "aye"   | Eberwein | "aye" |
| Pepper    | "aye"   | Euille   | "aye" |
| Donley    | "aye"   | Speck    | "aye" |
|           | Woodson | "aye"    |       |

9. Presentation of Proclamation in Recognition of the Twentieth Anniversary of the Endependence Center.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 6/11/02, and is incorporated herewith as part of this record by reference.)

A copy of a pamphlet entitled *Empowering People to Live Independently* is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 9; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Woodson presented the proclamation.

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

|         |       |           |       |
|---------|-------|-----------|-------|
| Woodson | "aye" | Cleveland | "aye" |
| Pepper  | "aye" | Eberwein  | "aye" |
| Donley  | "aye" | Euille    | "aye" |
|         | Speck | "aye"     |       |

10. Showing of the Valor Awards Video.

City Council viewed the Valor Awards video in order to provide an opportunity for the general public who did not attend the Valor Awards ceremony to view the video. Council congratulated the Chamber of Commerce and Video Solutions for putting together the video as part of the 2002 Valor Awards Program and extended its sincere appreciation to the men and women of the Alexandria Police, Fire and Sheriff Departments.

**New Business Item No. 2:** Rabbi Jack Moline, 1109 Crestwood Drive, president, Alexandria Interfaith Association, addressed the Interfaith Association's statement of moral principles for affordable housing presented to City Council by consensus of the Interfaith Association. He spoke to the need for Council to be responsible for meeting the need for affordable housing in Alexandria, to hold developers responsible for building those units as a condition of development or by making meaningful payments to a superfund for housing, and a redefinition of the function of the Alexandria Redevelopment and Housing Authority.

(A copy of Rabbi Moline's statement is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of New Business Item No. 2; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilman Euille thanked Rabbi Moline and the members of the Association for the timely presentation and recommendations, and he enumerated the recent actions taken by City Council to address affordable housing.

Mayor Donley also expressed his appreciation to Rabbi Moline and members of the interfaith community for giving Council some tangible goals that it can work toward. He expanded on recent steps taken by Council in this effort so far. The Mayor stated that this is not just an Alexandria problem -- it is a region-wide problem which needs to be looked into regionally. He reported on work he is involved in now to create a regional housing trust fund that will go to support regional affordable housing projects, explaining that this fund would be capitalized by the private sector, and localities would pay for the operation and maintenance of the fund.

\* \* \* \* \*

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

### **CONSENT CALENDAR (11-18) (28-34)**

**Without objection**, City Council removed docket item nos. 13, 29 and 30 which were considered under separate motions.

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

- (a) Alexandria Commission for the Arts  
Leslie White

(A copy of the above resignation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11(a); 6/11/02, and is incorporated herewith as part of this record by reference.)

12. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Exchange Committee  
1 Representative of the Business Community
- (b) Alexandria-Gyumri Sister City Committee  
1 Citizen Member
- (c) Alexandria Commission on HIV/AIDS  
1 Representative From the Alexandria Redevelopment and  
Housing Authority
- (d) Alexandria Commission on Persons With Disabilities  
2 Citizen Members
- (e) Alexandria Community Policy and Management Team  
1 Parent Representative
- (f) Alexandria Economic Opportunities Commission  
1 Representative of the Business Industry, Labor, Religious,  
Welfare or Other Private Groups and Interests Certified by  
the Commission
- (g) Alexandria George Washington Birthday Celebration Committee  
1 Citizen Member
- (h) Historic Alexandria Resources Commission  
1 Representative from the Alexandria Public Records Advisory  
Commission
- (i) Local Emergency Planning Committee  
1 Representative From Law Enforcement
- (j) Alexandria Redevelopment and Housing Authority Board of  
Commissioners  
1 Representative From the Alexandria Landlord-Tenant Relations  
Board
- (k) USS Alexandria Liaison Committee  
1 Representative of the U.S. Navy League

(Material pertaining to 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 Nos. 12(a-k); 6/11/02, and is incorporated herewith as part of this record by reference.)

14. Consideration of a Grant Award from the Virginia Employment Commission for Services to Workers Impacted by the Pentagon Attack of September 11, 2001.

(A copy of the City Manager's memorandum dated May 30, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 6/11/02, and is incorporated herewith as part of this record by reference.)

15. Consideration of a Grant Award From the Department of Criminal Justice Services to Fund a Toy Boat Entrepreneur Project for Court-Involved Youth.

(A copy of the City Manager's memorandum dated May 31, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 6/11/02, and is incorporated herewith as part of this record by reference.)

16. Consideration of Submission of a Grant Application Totaling \$114,373 to the Virginia Department of Social Services for the Office on Women's Domestic Violence Program.

(A copy of the City Manager's memorandum dated May 30, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 6/11/02, and is incorporated herewith as part of this record by reference.)

17. Consideration of Submission of a Grant Application Totaling \$52,913 to the Virginia Department of Social Services for the Office on Women's Domestic Violence Program.

(A copy of the City Manager's memorandum dated May 30, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 6/11/02, and is incorporated herewith as part of this record by reference.)

18. Consideration of Submission of a Renewal Grant Application to the Virginia Department of Environmental Quality for FY 2003 Pass-Through Funding from the U.S. Environmental Protection Agency for the City of Alexandria Air Pollution Control Program.

(A copy of the City Manager's memorandum dated May 30, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 6/11/02, and is incorporated herewith as part of this record by reference.)

28. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Section 3-2-8 of the City Code to increase the fee for processing encroachments to \$150.

(A copy of the City Manager's memorandum dated May 30, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 6/11/02, and is incorporated herewith as part of this record by reference.)

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 28; 6/11/02, and is incorporated herewith 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. 28; 6/11/02, and is incorporated herewith as part of this record by reference.)

31. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend the taxicab regulations in Title 9 of the City Code to repeal the requirement that the name of the owner/driver of a taxicab be displayed on the exterior of the vehicle, and to provide that children under 5 years of age ride without charge.

(A copy of the City Manager's memorandum dated June 6, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 6/11/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 31; 6/11/02, and is incorporated herewith 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. 31; 6/11/02, and is incorporated herewith as part of this record by reference.)

32. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Section 12-1-4 of the City Code to revise the boundaries of the school board election districts to reflect the 2000 Census.

(A copy of the City Attorney's memorandum dated June 6, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 6/11/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 32; 6/11/02, and is incorporated herewith 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. 32; 6/11/02, and is incorporated herewith as part of this record by reference.)

33. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to make supplemental appropriations for the support of the government of the City of Alexandria for FY 2002.

(A copy of the City Manager's memorandum dated June 3, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 33; 6/11/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 33; 6/11/02, and is incorporated herewith 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. 33; 6/11/02, and is incorporated herewith as part of this record by reference.)

34. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to make appropriations for the support of the government of the City of Alexandria for FY 2003.

(A copy of the City Manager's memorandum dated June 3, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 34; 6/11/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 34; 6/11/02, and is incorporated herewith 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. 34; 6/11/02, and is incorporated herewith as part of this record by reference.)

#### **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Speck, seconded by Councilman Euille and carried unanimously, City Council approved the Consent Calendar as presented except for docket item nos. 13, 29 and 30 which were considered under separate motions. The City Manager's recommendations are as follows:

11. City Council received the following resignation with regret: (a) Leslie White from the Alexandria Commission for the Arts; requested the Executive Secretary for Boards and Commissions to send the appropriate letter of appreciation and to advertise the vacancy in the usual manner.

12. City Council: (a) reappointed Mary Ehlers as a Representative of the Business Community to the Alexandria-Caen Exchange Committee; (b) appointed Zachariah Brevis as a Citizen Member to the Alexandria-Gyumri Sister City Committee; (c) waived the residency requirement and appointed Marcus Smith as a Representative from the Alexandria Redevelopment and Housing Authority to the Alexandria Commission on HIV/AIDS; (d) appointed Sharon Christopher and David Kaszowicz as Citizen Members to the Alexandria Commission on Persons with Disabilities; (e) appointed Sheila Anderson as a Parent Representative Who is Not an Employee of Any Public or Private Program which Receives Funds from the Comprehensive Services Act to the Alexandria Community Policy and Management Team; (f) appointed James Ablard as a Representative of the Business Industry, Labor, Religious, Welfare or Other Private Groups and Interests Certified by the Commission to the Alexandria Economic Opportunities Commission; (g) reappointed Kathleen Kelly as a Citizen Member to the Alexandria George Washington Birthday Celebration Committee; (h) reappointed Clarence Henley as a Representative from the Public Records Advisory Commission to the Historic Alexandria Resources Commission; (i) waived the residency requirement and appointed Peter Crawford as a Representative from Law Enforcement to the Local Emergency Planning Committee; (j) reappointed Fletcher Johnston as a Representative from the Alexandria Landlord-Tenant Relations Board to the Alexandria Redevelopment and Housing Authority Board of Commissioners; and (k) appointed Duane Tollaksen as a Representative of the U.S. Navy League to the USS Alexandria Liaison Committee.



14. City Council: (1) approved the grant award in the amount of \$1,974,774 for services for workers impacted by the September 11, 2001, attack on the Pentagon; (2) approved the establishment of eight full-time, grant-funded positions (one Employment Training Supervisor, five Employment Training Specialists, one Management Analyst I and one Account Clerk III) and the conversion of one currently authorized 0.75 FTE Employment Training Specialist position to full-time to operate the program. The positions will terminate upon expiration of the grant, and the individuals who fill the positions will be notified of this condition of employment and will sign an agreement of understanding with regard to this condition; and (3) authorized the City Manager to execute all documents as may be required.

15. City Council: (1) accepted a grant award for \$22,200 from the Department of Criminal Justice Services to fund a summer boat project operated by the Court Service Unit; and (2) authorized the City Manager to execute all documents that may be required.

16. City Council authorized the City Manager to: (1) submit the contract renewal to the Virginia Department of Social Services for funding in the amount of \$114,373; (2) approve the continued funding for the existing grant-funded, full-time Social Worker I position (1.00 FTE) and approve the continued funding for the existing grant-funded full-time Outreach/Prevention Specialist position (1.00 FTE). It should be noted that there are no monies available in the City budget to continue these activities once the grant funds are expended. These grant-funded positions would terminate upon the expiration of the grant and the individuals who fill these positions would be notified of this condition of employment; and (3) execute all documents that may be required.

17. City Council authorized the City Manager to: (1) submit the contract renewal to the Virginia Department of Social Services for funding, in the amount of \$52,913; (2) approve the continued funding for the existing grant-funded, full-time (1.00 FTE) Volunteer Coordinator and for the existing part-time Social Worker I position (.75 FTE City/.25 grant) which was increased to full-time with grant funds. It should be noted that there are no monies available in the City budget to continue these activities once the grant funds are expended. This Volunteer Coordinator grant-funded position would terminate upon the expiration of the grant and the individual who fills this position would be notified of this condition of employment. The Social Worker I position will revert to part-time and the individual who fills this position would be notified of this condition of employment; and (3) execute all documents that may be required.

18. City Council authorized the City Manager to: (1) submit a renewal grant application to the Virginia Department of Environmental Quality for FY 2003 pass-through funding from EPA, in the amount of \$43,730, for the City of Alexandria Air Pollution Control Program; and (2) execute all necessary documents that may be required.

28. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, June 15, 2002.

31. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, June 15, 2002.

32. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing on Saturday, June 15, 2002, and Second Reading and Final Passage on Tuesday, June 25, 2002.

33. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, June 15, 2002.

34. City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, June 15, 2002.

### END OF CONSENT CALENDAR

The voting was as follows:

|        |       |           |       |
|--------|-------|-----------|-------|
| Speck  | "aye" | Cleveland | "aye" |
| Euille | "aye" | Eberwein  | "aye" |
| Donley | "aye" | Pepper    | "aye" |
|        |       | Woodson   | "aye" |

13. Consideration of the Washington Metropolitan Area Transit Authority Coordinated Rail Car Procurement Funding Agreement.

(A copy of the City Manager's memorandum dated June 3, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper spoke to the need for the region to expand mass transit. She expressed her opinion that Councilman Euille, who represents the City as the alternate to Arlington County on the Metro Board but does not have a vote, should have a proper voting seat on the Board.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council approved the Rail Car Procurement Funding Agreement ("Agreement") in principal, authorized staff to negotiate any needed changes to the Agreement, and authorized the Mayor to execute the Agreement on behalf of the City when the Agreement is finalized. The voting was as follows:

|           |       |          |       |
|-----------|-------|----------|-------|
| Pepper    | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille   | "aye" |
| Donley    | "aye" | Speck    | "aye" |
|           |       | Woodson  | "aye" |

29. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend the water and sewer regulations in Title 5 of the City Code to increase the sanitary sewer connection fees charged for new construction.

(A copy of the City Manager's memorandum dated June 6, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 6/11/02, and is incorporated herewith as part of this record by reference.)

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 29; 6/11/02, and is incorporated herewith 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. 29; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein complimented City Manager Sunderland and Assistant City Manager Jinks for reaching out to the business community in this matter. Mr. Jinks responded to questions relating to the site plan process posed by Councilwoman Eberwein, and Mayor Donley participated in the discussion.

**WHEREUPON**, upon motion by Councilwoman Eberwein, seconded by Councilman Euille and carried unanimously, City Council introduced and passed the ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, June 15, 2002. The voting was as follows:

|          |       |           |       |
|----------|-------|-----------|-------|
| Eberwein | "aye" | Cleveland | "aye" |
| Euille   | "aye" | Pepper    | "aye" |
| Donley   | "aye" | Speck     | "aye" |
|          |       | Woodson   | "aye" |

30. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend the animal control regulations in Title 5 and Title 6 of the City Code to clarify that, except in a dog exercise area, or on private property with the consent of the owner, a dog must be kept on an actual, physical leash.

(A copy of the City Attorney's memorandum dated June 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 6/11/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 30; 6/11/02, and is incorporated herewith 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. 30; 6/11/02, and is incorporated herewith as part of this record by reference.

Correspondence received on this item is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 4 of Item No. 30; 6/11/02, and is incorporated herewith as part of this record by reference)

Councilwoman Woodson raised her concern about the lack of information on this item. City Attorney Pessoa provided a short explanation of the background on this issue and responded to her concern.

Councilwoman Pepper requested that information be provided on unforeseen circumstances that might arise from the enforcement of this ordinance to businesses providing dog training and to people with disabilities who need to have their dogs on an electronic leash.

Mayor Donley suggested that staff receive some comments from some of the organizations such as the Old Town School for Dogs and the Animal Welfare League.

Councilman Speck brought up the issue of enforcement and that there may be some unanticipated consequences of Council's action. He stated that Council needs to hear from staff. Mr. Speck explained that one of the reasons for the leash is that it lets other people know the dog is under control. People around a dog with an electronic collar do not know the dog is under control.

Councilwoman Eberwein related two issues which staff needs to directly address: (1) the enforcement issue and how difficult it is to enforce the leash laws when a leash is not visible, address whether an electronic leash is effective, and if it is effective, could this be cruel and painful to dogs, and (2) look at a clause that would allow legitimate, professional dog training schools to continue their current business practices of training dogs both on- and off-leash on the City streets.

**WHEREUPON**, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, City Council deferred this item and staff will bring it back to Council in September. The voting was as follows:

|           |         |          |       |
|-----------|---------|----------|-------|
| Euille    | "aye"   | Eberwein | "aye" |
| Cleveland | "aye"   | Pepper   | "aye" |
| Donley    | "aye"   | Speck    | "aye" |
|           | Woodson | "aye"    |       |

#### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)**

19. Verbal Report on the Status of Proposed Improvements to the CSX Overpass at the King Street Metro Station.

Mayor Donley reported that he was contacted by the Virginia Railway Express which has apparently had some discussions with CSX about CSX's inability to procure a contract in a timely manner. CSX has asked VRE to undertake the procurement faster, and the Mayor stated that he indicated he has no objections, provided that VRE is not undertaking a financial obligation or financial exposure. If CSX will agree to pay the costs and VRE can contract and get it done quickly, they should do so.

City Manager Sunderland and T&ES Director Baier responded to inquiries from Councilman Speck, and it was determined that if the contracting work is completed in the next couple of weeks, then work can commence following the July 4 holiday weekend. The City Manager stated that if the contract work is not done, staff will know by the next Council meeting, and he will docket an update for the June 25, 2002, meeting.

20. Verbal Report on the Status of the Datatel Building on Mount Vernon Avenue.

Assistant City Manager Jinks stated that staff met with the contract purchaser of the building and suggested to them improvements on the streetscape or to provide retail frontage on the building as staff thought these changes were necessary and important so that the building better meets the Upper Potomac West Task Force goals. The City's proposals were completely rejected, and they have no interest in them. Mr. Jinks reported that the City has begun negotiations to purchase the building with the intent to demolish it.

City Attorney Pessoa related that he will have a contract for Council consideration by the last meeting in June or will come forward with the resolution to continue negotiations, and if those fail, to acquire by condemnation during the summer.

21. Verbal Report on the Status of the Commercial Properties at the Corner of Union and King Streets.

Planning and Zoning Deputy Director Ross reported on the three vacant spaces at the foot of King Street, the Fish Market, Seaport Inn and Alamo (Corn Exchange) building, and described the efforts that staff has undertaken to deal with the prospective tenants and purchasers of those buildings.

22. Receipt of Community Partnership Fund for Human Services FY 2003 Grant Awards.

(A copy of the City Manager's memorandum dated May 31, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 6/11/02, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Euille, seconded by Councilwoman Woodson and carried unanimously, City Council received the report and thanked the members of the citizen review panel for their assistance in the FY 2003 grant award process. The voting was as follows:

|         |       |           |       |
|---------|-------|-----------|-------|
| Euille  | "aye" | Cleveland | "aye" |
| Woodson | "aye" | Eberwein  | "aye" |
| Donley  | "aye" | Pepper    | "aye" |
|         | Speck | "aye"     |       |

23. Consideration of Proposed Planning & Zoning Fee Increases.

(A copy of the City Manager's memorandum dated June 3, 2002, together with the Proposed Planning and Zoning Development Fees, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 23; 6/11/02, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Eberwein, seconded by Councilman Speck and carried unanimously, City Council approved the proposed fee structure (Attachment I to the City Manager's memorandum). The voting was as follows:

|          |         |           |       |
|----------|---------|-----------|-------|
| Eberwein | "aye"   | Cleveland | "aye" |
| Speck    | "aye"   | Euille    | "aye" |
| Donley   | "aye"   | Pepper    | "aye" |
|          | Woodson | "aye"     |       |

24. Consideration of Proposed Parking Rate Changes for City-Owned Parking Garages and Lots.

(A copy of the City Manager's memorandum dated May 31, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 6/11/02, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Eberwein, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the recommended fee structure for all City-owned parking structures and the proposed free holiday parking program. The voting was as follows:

|          |       |           |       |
|----------|-------|-----------|-------|
| Eberwein | "aye" | Cleveland | "aye" |
| Pepper   | "aye" | Euille    | "aye" |
| Donley   | "aye" | Speck     | "aye" |
|          |       | Woodson   | "aye" |

25. Consideration of Proposal to Remove Certain Restrictions on Council Administrative Aide Salaries.

(A copy of the City Manager's memorandum dated June 3, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 6/11/02, and is incorporated herewith as part of this record by reference.)

City Manager Sunderland responded to Councilwoman Eberwein that staff will be coming back to Council on June 25, 2002, with the process for looking at the compensation of City Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council amended the Special Regulation on City Council Administrative Aides to permit the six Council Aides to receive the cost-of-living increase approved by Council in the Approved FY 2003 budget. The voting was as follows:

|           |       |          |       |
|-----------|-------|----------|-------|
| Pepper    | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille   | "aye" |
| Donley    | "aye" | Speck    | "aye" |
|           |       | Woodson  | "aye" |

26. Receipt of FY 2001 Workforce Utilization Analysis and FY 2001 Applicant Tracking Report.

(A copy of the City Manager's memorandum dated June 6, 2002, together with the FY 2001 Workforce Utilization Analysis and the FY 2001 Applicant Tracking Report, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 26; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Woodson commented that there are references to strategic plans to increase applications and to increase identification of prospects and in hiring, and she requested a report on what is actually being done in this effort. How do our existing employees break down into these targets that we're looking to address?

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously, City Council received the reports and thanked the members of the Commission on Persons with Disabilities, the Commission for Women, the Human Rights Commission, and the Commission on Aging for the assistance they have provided in the preparation of the reports. The voting was as follows:

|        |         |           |       |
|--------|---------|-----------|-------|
| Pepper | "aye"   | Cleveland | "aye" |
| Euille | "aye"   | Eberwein  | "aye" |
| Donley | "aye"   | Speck     | "aye" |
|        | Woodson | "aye"     |       |

27. Consideration of an Increase in the Voluntary Contribution to the City's Housing Trust Fund.

(A copy of the City Manager's memorandum dated June 3, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilman Speck indicated that he would abstain from this vote. He stated that he would never want to vote against something that had as important an objective as the Housing Trust Fund does, but as long as he has been on Council, when this subject has come up he has expressed some discomfort with the characterization of this as being a voluntary fee. Therefore, he will not vote against this, but simply abstain.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Woodson and carried on a vote of 6-to-0-to-1, City Council: (1) Increased the voluntary contribution to the Housing Trust Fund from \$0.50 to \$1.00 per gross square foot by amending the language in the *"Summary of the Affordable Housing Policy with Regard to the Housing Trust Fund"* addressing the Housing Trust Fund contribution as follows: "It shall be the City's policy that a standard charge of ~~\$0.50~~ \$1.00 per square foot on all new housing and/or commercial development should be paid at certificate of occupancy in the case of office, retail, hotel or rental apartments, and paid at sale to the end user in the case of condominium or single-family houses *in developments of five units or more*. If the general assembly so authorizes, this charge shall become mandatory; however, regardless of general assembly action, this remains the City's standard to be negotiated by staff. Staff will prepare administrative procedures for implementing this policy for review by the Affordable Housing Advisory Committee and review and approval by City Council. In lieu of this charge, a developer may submit an Affordable Housing Plan proposing another means of meeting the affordable housing requirement, e.g., provision of on-site or off-site housing units, or a lesser fee in combination with affordable units, with or without receiving some form of incentive from the City. While selection of the method of compliance with the Affordable Housing Policy lies with the developer, the City encourages developers to provide affordable home ownership *or rental* units, in lieu of a monetary contribution, whenever feasible."; (2) Applied the increased contribution amount to all development applications receiving final special use permit or site plan approval by City Council and/or the Planning Commission after July 15, 2002; and (3) Scheduled this item for Public Hearing on June 15, 2002. Although a hearing on this recommended Affordable Housing Contribution increase is not required, staff recommends that one be held. The voting was as follows:

|         |       |           |         |
|---------|-------|-----------|---------|
| Pepper  | "aye" | Cleveland | "aye"   |
| Woodson | "aye" | Eberwein  | "aye"   |
| Donley  | "aye" | Euille    | "aye"   |
|         | Speck |           | abstain |

## REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None

## ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Vice Mayor Cleveland discussed a draft letter sent to Council from the Consumer Affairs Commission in reference to the Washington Gas Light Company petition to remedy billing errors before the State Corporation Commission. He requested the consent of Council for the Mayor to write a letter of support. The City Manager expressed his feeling that it would be appropriate that we do a letter, work with Fairfax County, see what position the other local government jurisdictions are taking and then express that in the form of a letter from the Mayor to be reflected in the record of the Commission proceeding.

**Without objection**, Scott McGeary of Washington Gas, provided some clarification of this matter, and he will provide Council with information on the outcome as soon as possible.



(b) Councilman Eulle stated that in response to a newspaper article about the state's probation office being relocated to smaller quarters, he made an inquiry to the Governor and has been advised that the matter will be resolved very shortly. The predicament evolved as a result of trying to negotiate a lease with the property owner. The new lease is in the process of being awarded within the next 30 days, and the probation office will be relocated to another facility here in Old Town within 60 days with new offices and a full complement of staff and equipment readily accessible to them.

(c) Councilwoman Woodson advised Council of a letter from the National Football League which she received from Ricky Ellison with the T.C. Williams football team announcing that the National Football League has just awarded them a \$200,000 grant to cover equipment, staff, uniforms, training, web network and anything else they need.

(d) Councilwoman Woodson announced a Juneteenth celebration scheduled on Saturday, June 15, 2002, at Charles Houston Center in the parking lot from 1 to 5 p.m.

(e) Councilwoman Woodson suggested to people who have expressed their fears to Council about the T.C. Williams renovation, that they relax until they see the renovation plans. She advised that some people are very nervous and upset, and they don't have any reason to be.

Councilwoman Pepper announced that the School Board on Thursday is going to have a work session to present the concept plans for the T.C. Williams renovation.

(f) Councilwoman Woodson reported that she serves on the Virginia Municipal League Transportation Committee, and the president of VML has also appointed her to be vice-chair of the steering committee.

(g) Councilwoman Pepper reminded everybody that this was a Red Code air quality day, and as a result of that our DASH bus system was free. She stated that if you go to the City's web site, to the Department of Transportation and Environmental Services, you can actually click on Real-Time Ozone Level and print out a chart reporting an hour-by-hour update on the City's ozone level. She explained that she sits on the air pollution committee for COG, and they are quite mindful that a lot of the problem we have is from dirty air blown into this region, and that is one of the things on which they are working.

(h) Councilwoman Pepper noted it was very distressing to see *The Journal* headline, "Gang Suspected in Shooting of Four Teens." The students who were interviewed in the article indicated that they felt very safe and secure. Ms. Pepper shared an e-mail from the City Manager regarding this incident in which he noted that we have not seen an increase in gang-related criminal activity over the past six months. In fact, gang-related criminal incidents against persons are down by more than a third over last year. The Police have not recently seen an increase in gang recruitment activities or gang membership in the city.

(i) Councilwoman Pepper raised her concerns about how the City is prepared to respond to a dirty bomb or a similar emergency. Fire Captain North and Deputy Fire Chief Whitmore addressed her inquiry. Chief Samarra and Health Director Konigsberg participated in the discussion. Mrs. Pepper would like to see some educational brochures made available for citizens. Police Chief Samarra assured Council that if there should be an unfortunate incident, that the Fire and Police Departments would be there for the citizens to provide on-the-spot information on what they need to do. He stated that every situation may be different, but Mrs. Pepper stressed that we need to be ready with a message to Alexandrians if there is anything that should arise. The City Manager participated in the discussion.

## **ORDINANCES AND RESOLUTIONS**

35. Consideration of a Resolution to the Virginia Department of Transportation for Regional Surface Transportation Program Funds for Renovation of Union Station (Phase II). **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 3, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 35; 6/11/02, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Speck, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council: (1) adopted the resolution; (2) requested staff to forward it to the Virginia Department of Transportation; and (3) authorized staff to proceed with the planned capital improvement expenditure of these State grant monies. The voting was as follows:

|           |       |          |       |
|-----------|-------|----------|-------|
| Speck     | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille   | "aye" |
| Donley    | "aye" | Pepper   | "aye" |
|           |       | Woodson  | "aye" |

The resolution reads as follows:

### **RESOLUTION NO. 2030**

#### **PEDESTRIAN IMPROVEMENTS AT ALEXANDRIA'S UNION STATION PROJECT PROGRAMMING RESOLUTION**

**WHEREAS**, in accordance with Virginia Department of Transportation construction allocation procedures, it is necessary that a request by council resolution be made in order that the Department program a Regional Surface Transportation Program project in the City of Alexandria; now

**THEREFORE BE IT RESOLVED**, that the City Council of Alexandria, Virginia, requests the Virginia Department of Transportation to establish a Regional Surface Transportation Program project for Pedestrian Improvements at Alexandria's Union Station;

**BE IT FURTHER RESOLVED**, that the City Council of Alexandria hereby agrees to pay its share of the total cost for preliminary engineering, right of way and construction of the project described in the foregoing paragraph in accordance with Section 33.1-44 of the Code of Virginia, and that, if the City of Alexandria subsequently elects to cancel this project, the City of Alexandria hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

\* \* \* \* \*

36. Consideration of a Resolution to Revise the Fee Schedule for Permits Issued, and Inspections Performed, by the Code Enforcement Bureau, and Establishment of a New Fire Protection Inspection and Testing Unit in Code Enforcement. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 36; 6/11/02, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Speck, seconded by Councilman Euille and carried on a unanimous ROLL-CALL vote, City Council: (1) approved the addition of three full-time employees, two overhire positions and the upgrade of one position to staff a new Fire Protection Systems Inspection and Testing Unit within Code Enforcement; and (2) adopted the resolution authorizing the increase of Fire Protection System permit fees from 1.2 percent of total construction costs to 3.5 percent of total construction costs, and for fire alarm devices from \$75 minimum, plus \$2 per device, to \$75 minimum, plus \$9 per device. The voting was as follows:

|        |       |           |       |
|--------|-------|-----------|-------|
| Speck  | "aye" | Cleveland | "aye" |
| Euille | "aye" | Eberwein  | "aye" |
| Donley | "aye" | Pepper    | "aye" |
|        |       | Woodson   | "aye" |

The resolution reads as follows:

#### **RESOLUTION NO. 2031**

**WHEREAS**, section 8-1-29(a) of The Code of the City of Alexandria, Virginia, 1981, as amended, provides that all fees for permits, inspections and certificates required by the Virginia Uniform Statewide Building Code shall be as established by resolution of the city council; and

**WHEREAS**, Resolution No. 1935, adopted by city council on September 28, 1999, which incorporated an attached fee schedule, is the most recent establishment of such fees by the council; and

**WHEREAS**, city council has determined that the fee schedule set forth in Resolution No. 1935 is in need of amendment and adjustment to change the fees charged for permits that authorize the installation or alteration of fire protection systems, and to implement charges for the annual reinspection and retesting of existing fire protection systems;

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

1. That the fee schedule attached hereto, entitled "City of Alexandria, Virginia, Code Enforcement Bureau, Fee Schedule," dated June 11, 2002, is deemed to contain fair and appropriate fees to be paid by persons seeking various permits, inspections and certificates, and other services, from the city's Code Enforcement Bureau;

2. That said fee schedule shall be, and hereby is, approved and incorporated by reference in this resolution, and shall, until amended or rescinded, set forth the fees to be charged for various permits, inspections and certificates that are required by the Virginia Uniform Statewide Building Code and are issued by the city's Code Enforcement Bureau, as well as for other services that are performed by the bureau;

3. That Resolution No. 1935, adopted on September 28, 1999, shall be, and hereby is, rescinded; and

4. That this resolution shall be effective July 1, 2002, and the attached fee schedule shall, from that date on, be in full force and effect.

\*\*\*\*\*

(A copy of **Resolution No. 2031**, together with the Code Enforcement Bureau Fee Schedule, dated June 11, 2002, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 2 of Item No. 36; 6/11/02, and is incorporated herewith as part of this record by reference.)

\*\*\*\*\*

**OTHER**

37. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 6, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 37; 6/11/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Woodson requested that an item be docketed for a public hearing date in the fall for citizens to come and talk about items that they would like to see Council consider in the budget, before the budget is done. Mrs. Woodson also advised that she may be out of town on the July 6, 2002, dedication ceremony for Captain Versace and the City's birthday celebration.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Woodson and carried unanimously, City Council adopted the Council Schedule as amended by deleting the June 21, 2002, ACVA annual meeting which has been canceled, and with the change in location of the Joint Public Hearing Meeting with ARHA on June 24, 2002, to the Charles Houston Center. The City Manager will see if the Catherine Lodge at the Winkler Botanical Preserve is available for Council's fall Retreat on October 26, 2002, and report back to Council. Staff will look at another location if there is a scheduling conflict there. The voting was as follows:

|         |       |           |       |
|---------|-------|-----------|-------|
| Pepper  | "aye" | Cleveland | "aye" |
| Woodson | "aye" | Eberwein  | "aye" |
| Donley  | "aye" | Euille    | "aye" |
|         |       | Speck     | "aye" |

### CONTESTED APPOINTMENTS

38. Alexandria Commission for Women  
2 Citizen Members

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

| NAME            | ENDORSED BY:                                 |
|-----------------|--|
| Diane Cherry*   | Laura Mandala, Chair<br>Commission for Women |
| Martha Espinosa |  |
| Leslie Herzog   |  |
| Elizabeth Mahan |  |
| Patricia McCabe |  |
| Olga Trujillo   | Laura Mandala, Chair<br>Commission for Women |

\*Incumbent

\*\*\*\*\*

(Material pertaining to 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. 38; 6/11/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council reappointed Diane Cherry as a Citizen Member to the Alexandria Human Rights Commission. No other applicant received a majority vote for the remaining position; therefore, there had to be a second ballot between Herzog and Trujillo. The voting was as follows:

|           |   |                  |
|-----------|---|------------------|
| Donley    | - | Cherry, Herzog   |
| Cleveland | - | Cherry, Espinosa |
| Eberwein  | - | Cherry, McCabe   |
| Euille    | - | Cherry, Trujillo |
| Pepper    | - | Cherry, Herzog   |
| Speck     | - | Cherry, Herzog   |
| Woodson   | - | Cherry, Trujillo |

\* \* \* \* \*

Thereupon, ballots were again distributed, tellers were again appointed and the ballots again tallied with the following result: City Council appointed Leslie Herzog as a Citizen Member to the Alexandria Commission for Women. The voting was as follows:

|           |   |          |
|-----------|---|----------|
| Donley    | - | Herzog   |
| Cleveland | - | Herzog   |
| Eberwein  | - | Trujillo |
| Euille    | - | Trujillo |
| Pepper    | - | Herzog   |
| Speck     | - | Herzog   |
| Woodson   | - | Trujillo |

\* \* \* \* \*

39. Alexandria Human Rights Commission  
1 Citizen Member

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

| NAME         | ENDORSED BY: |
|--------------|--------------|
| Malik Cutlar |              |
| Nancy Turner |              |

\* \* \* \* \*

(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. 39; 6/11/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council appointed Nancy Turner as a Citizen Member to the Alexandria Human Rights Commission. The voting was as follows:

|           |   |        |
|-----------|---|--------|
| Donley    | - | Turner |
| Cleveland | - | Turner |
| Eberwein  | - | Turner |
| Euille    | - | Cutlar |
| Pepper    | - | Cutlar |
| Speck     | - | Turner |
| Woodson   | - | Cutlar |

\* \* \* \* \*

40. Alexandria Social Services Advisory Board  
1 Citizen Member

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

NAME

ENDORSED BY:

Edward Carson

Masharia Holman

Jeffrey Sutton

Richard Williamson

\* \* \* \* \*

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 40; 6/11/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council appointed Masharia Holman as a Citizen Member to the Alexandria Social Services Advisory Board. The voting was as follows:

|           |   |            |
|-----------|---|------------|
| Donley    | - | Holman     |
| Cleveland | - | Williamson |
| Eberwein  | - | Holman     |
| Euille    | - | Holman     |
| Pepper    | - | Holman     |
| Speck     | - | Holman     |
| Woodson   | - | Holman     |

\* \* \* \* \*

**EXECUTIVE SESSION**

41. Consideration of the Convening of an Executive Session, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for consultation with counsel and staff regarding specific legal matters requiring the advice of counsel.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 10:30 p.m., City Council convened in executive session at this time, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for the purpose of consulting with legal counsel and staff concerning the amendment of the Woodrow Wilson Bridge Settlement Agreement to implement a reduced urban deck and alternative mitigation. The voting was as follows:

|           |       |          |       |
|-----------|-------|----------|-------|
| Woodson   | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille   | "aye" |
| Donley    | "aye" | Pepper   | "aye" |
|           |       | Speck    | "aye" |

**THEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously, at 11:13 p.m., City Council reconvened the meeting of this date which was recessed for the purpose of conducting an Executive Session. The voting was as follows:

|         |       |           |       |
|---------|-------|-----------|-------|
| Woodson | "aye" | Cleveland | "aye" |
| Pepper  | "aye" | Eberwein  | "aye" |
| Donley  | "aye" | Euille    | "aye" |
|         |       | Speck     | "aye" |

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

|         |       |           |       |
|---------|-------|-----------|-------|
| Woodson | "aye" | Cleveland | "aye" |
| Pepper  | "aye" | Eberwein  | "aye" |
| Donley  | "aye" | Euille    | "aye" |
|         |       | Speck     | "aye" |

The resolution reads as follows:

**RESOLUTION NO. 2032**

**WHEREAS**, the Alexandria City Council has this 11th day of June 2002, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

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

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

\*\*\*\*\*



**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Woodson, seconded by Councilman Speck and carried unanimously, at 11:15 p.m., the Regular Meeting of Tuesday, June 11, 2002, was adjourned. The voting was as follows:

|         |       |           |       |
|---------|-------|-----------|-------|
| Woodson | "aye" | Cleveland | "aye" |
| Speck   | "aye" | Eberwein  | "aye" |
| Donley  | "aye" | Euille    | "aye" |
|         |       | Pepper    | "aye" |

\* \* \* \* \*

**APPROVED BY:**

\_\_\_\_\_  
**KERRY J. DONLEY**

**MAYOR**

ATTEST:

\_\_\_\_\_  
Susan K. Seagroves, Deputy City Clerk