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9-15-01

# CITY COUNCIL OF ALEXANDRIA, VIRGINIA

## Regular Meeting

Tuesday, June 26, 2001 - - 7:30 p.m.

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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; Mrs. Godwin, Assistant City Manager; Mr. Sanderson, Director of Real Estate Assessments; Legislative Director Caton; Mr. Neckel, Director of Finance; Ms. Boyd, Director of Citizen Assistance; Ms. Davis, Director of Housing; Mr. Baier, Director of Transportation and Environmental Services; Fire Chief Hawkins; Mr. McCobb, Deputy Director of Transportation and Environmental Services; Ms. Steele, Special Projects Coordinator; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; Dr. Claiborn, Director of Mental Health, Mental Retardation and Substance Abuse; Ms. Fogarty, Director of Planning and Zoning; Ms. Ross, Deputy Director of Planning and Zoning; City Architect Cox; City Engineer Baker; Assistant City Attorney Rosenberg; Ms. O'Regan, Director of Human Services; Ms. Barnett and Mr. Kincannon, Deputy Directors of Recreation, Parks and Cultural Activities; Ms. Federico, Director of Historic Alexandria; Mr. Deputy Police Chiefs Baker and Hilliary; and Lieutenants Corle and Dickinson, Police Department.

Recorded by: Mrs. Beverly I. Jett, CMC, City Clerk and Clerk of Council.

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City Council held a work session on the "Plan for Planning" and on the Work of the Upper Potomac West Task Force at 6:00 p.m. in the City Council Workroom. The agenda was followed.

Mayor Donley and City Manager Sunderland made brief opening remarks.

Planning and Zoning Director Fogarty provided an overview of the "Plan for Planning," and responded to questions from Council.

Planning and Zoning Deputy Director Ross gave an overview of the Upper Potomac West Task Force Report. Task Force Members Taylor-Camp and Byrd commented on the tasks of the subcommittees.

Director Fogarty, Deputy Director Ross and City Manager Sunderland participated in discussion with and responded to questions from City Council.

City Council Members provided compliments and thanks to the Planning staff involved with developing the report of the Task Force for an excellent report, as well as the Members of the Task Force for their commitment and hard work.

City Council will have a joint work session with the Planning Commission on the Upper Potomac West Task Force Report in the fall.

The work session concluded at approximately 7:30 p.m.

(A copy of the agenda and materials pertaining to this work session are on file in the office of the City Clerk and Clerk of Council and are incorporated herewith as part of the record.)

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### OPENING

The Meeting was called to Order by Mayor Donley, and the City Clerk called the Roll; all Members of City Council were present.

The Invocation was pronounced by Vice Mayor Cleveland.

3. **THERE BEING NO DISCUSSION**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Minutes for the Regular Meeting of June 12, 2001, as submitted. The voting was as follows:

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

4. **THERE BEING NO DISCUSSION**, upon motion by Vice Mayor Cleveland, seconded by Councilman Euille and carried unanimously, City Council received the Report of the City Clerk dated June 18, 2001, which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 6/26/01, and is incorporated herewith as part of this record by reference. The voting was as follows:

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

**New Business Item No. 1:** Rabbi Jack Moline, president, Alexandria Interfaith Association, reported the Association has identified its issue for the coming year which is the issue of affordable housing. More specifically, the issue of the best use of the funds and resources of the Alexandria Redevelopment and Housing Authority, and most particularly, how they have related to the residents of the Samuel Madden Neighborhood, and what might be done to the benefit of the folks who live there, as well as other ARHA housing. He indicated that they will be looking to Councilwoman Woodson for her advice and counsel on these matters since she served on the ARHA Board. The Association will be reporting regularly to the Council, and will bring to it the concerns of the Association.

Mayor Donley indicated that he was delighted that the Alexandria Interfaith Association has taken on the issue of affordable housing and other issues relating to ARHA. The Mayor noted that the Vice Mayor and he serve on a newly formed task force with the leadership of the ARHA Board, and they have been discussing a lot of the same issues and hope to get results.

Councilman Speck commented in noting Rabbi Moline's presentation. Under other circumstances, Council might be seeing him at Council's regular public hearing when there is a chance for making remarks, but for him and for others who observe the Sabbath on Friday night and Saturday, it's not possible. Councilman Speck stated that he hopes, in conjunction with the Rabbi's work, that he will make it clear that those who are not able to be here on Saturdays can always ask to be able to speak to the Council during one of its Tuesday legislative sessions as Council is always happy to make that accommodation.

Councilwoman Woodson reported that she would like very much to sit down with the Alexandria Interfaith Association and requested that Rabbi Moline contact her office in order to do it immediately.

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

### **CONSENT CALENDAR (5-21)**

5. Uncontested Appointments to Boards, Commissions and Committees:
  - (a) Alexandria Board of Architectural Review - Old and Historic District  
2 Architects
  - (b) Alexandria Carr-Norfolk Southern Design Review Board  
1 Citizen Member
  - (c) Alexandria Community Services Board  
1 Consumer Member
  - (d) Alexandria Convention and Visitors Association Board of  
Governors  
1 National/International Association Executive
  - (e) Alexandria Environmental Policy Commission  
1 Member From the Field of Environmental Sciences
  - (f) Alexandria Waterfront Committee  
1 Representative From the Pleasure Boat Lease Holders  
  
1 Citizen Residing East of Washington Street and South of King  
Street  
  
1 Founders Park Community Association Representative

(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. 5(a-f); 6/26/01, and is incorporated herewith as part of this record by reference.)

6. Consideration of the Alexandria Community Services Board's: (1) Amended FY 2002 Plan of Services which Includes the FY 2002 Performance Contract with the State; (2) Status of the FY 1999-2003 Proposed Housing Plan; and (3) the FY 2002 Performance Improvement Plan.

(A copy of the City Manager's memorandum dated June 16, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 6/26/01, and is incorporated herewith as part of this record by reference.)

7. Consideration of the Request by the Alexandria Community Services Board to Transfer a Grant-Funded Alexandria High Intensity Drug Trafficking Area Project Full-time Lab Aide Position from the State to the City.

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 6/26/01, and is incorporated herewith as part of this record by reference.)

8. Consideration of Submission of a Grant Application to the Department of Health and Human Services Administration for Children and Families for FY 2002.

(A copy of the City Manager's memorandum dated June 16, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 6/26/01, and is incorporated herewith as part of this record by reference.)

9. Consideration of Proposed Plan for Expenditure of a Portion of the Set Aside in Contingent Reserves in the Approved FY 2002 Budget for Park Maintenance Operations.

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 6/26/01, and is incorporated herewith as part of this record by reference.)

10. Consideration of a Noncompetitive Grant Application to the Virginia Department of Environmental Quality, Litter Prevention and Recycling Program for Funding for the Adopt-A-Park Litter Control Program.

(A copy of the City Manager's memorandum dated June 15, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 6/26/01, and is incorporated herewith as part of this record by reference.)

11. Consideration of a One-Year License Agreement with the Children's International Center, Inc. for Use of the Open Space behind the James T. Lockett, Jr. Stadium located at the Corner of Duke Street and Wheeler Avenue for Play Space.

(A copy of the City Manager's memorandum dated June 15, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 6/26/01, and is incorporated herewith as part of this record by reference.)

12. Receipt of the Monthly Financial Report for the Period Ending May 31, 2001.

(A copy of the City Manager's memorandum dated June 18, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 6/26/01, and is incorporated herewith as part of this record by reference.)

13. Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 6/26/01, and is incorporated herewith as part of this record by reference.)

14. Consideration of Grant Application for Equipment from Dialogic Communications Corporation (DCC) for a "Communicator" Citizen Notification System.

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 6/26/01, and is incorporated herewith as part of this record by reference.)

15. Consideration of Renaming The Ellen Coolidge Burke Library and Community Learning Center as The Ellen Coolidge Burke Branch Library.

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 6/26/01, and is incorporated herewith as part of this record by reference.)

16. City Council Consideration of a Request to **Postpone** Receipt of the Staff Follow-up Report and Final Action on the Capital Development Foundation to **September**.

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 6/26/01, and is incorporated herewith as part of this record by reference.)

17. Consideration of Early Childhood Commission Proposal Review Committee Recommendations for the Use of the FY 2002 Children's Fund Monies.

(A copy of the City Manager's memorandum dated June 20, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 6/26/01, and is incorporated herewith as part of this record by reference.)

18. Consideration of U.S. Department of Housing and Urban Development Housing Opportunities for Persons with AIDS Grant Funding Allocated to the City of Alexandria and Approval of the HOPWA Certification.

(A copy of the City Manager's memorandum dated June 20, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 6/26/01, and is incorporated herewith as part of this record by reference.)

19. Submission of a Renewal Grant Application to the Virginia Department of Environmental Quality for FY 2002 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 June 11, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 6/26/01, and is incorporated herewith as part of this record by reference.)

20. Consideration of Proposed Lease for Space for the Department of General Services.

(A copy of the City Manager's memorandum dated June 22, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 6/26/01, and is incorporated herewith as part of this record by reference.)

21. Receipt of the 2001 Alexandria/Arlington Waste-to-Energy Facility Report

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 6/26/01, and is incorporated herewith as part of this record by reference.)

### **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, City Council approved the Consent Calendar as presented. The City Manager's recommendations are as follows:

5. City Council (a) reappointed Lori Quill and Michael Wheeler as Architects to the Alexandria Board of Architectural Review, Old and Historic District; (b) reappointed Kerry St. Clair as a Citizen Member to the Alexandria Carr-Norfolk Southern Design Review Board; (c) reappointed Walter Hill as a Consumer Member to the Alexandria Community Services Board; (d) appointed Kathleen Callender as a National/International Association Executive to the Alexandria Convention and Visitors Association Board of Governors (ACVA); (e) reappointed Cynthia DeGrood as a Member from the Field of Environmental Sciences to the Alexandria Environmental Policy Commission; and (f) reappointed Stafford Farmer-Lee as a Representative from the Pleasure Boat Lease Holders, Miriam MacDonald as a Citizen Residing East of Washington Street and South of King Street, and Charles Hamel as the Founders Park Community Association Representative to the Alexandria Waterfront Committee.

6. City Council: (1) approved the Board's amended FY 2002 Plan of Services which includes approval of the Performance Contract with the State; and (2) approved the Board's FY 2002 Performance Improvement Plan.

7. City Council approved the transfer of a lab aide position from the State to the City using existing federal funds from the Office of National Drug Control Policy which currently support the Alexandria HIDTA program, as well as charge back funds from the City and State agencies who use the urinalysis testing laboratory.

The person in the lab aide position would be employed by the Department of Mental Health, Mental Retardation and Substance Abuse. This grant-funded position would terminate upon the expiration of the HIDTA grant funds, and the individual who fills the position would be notified of this condition of employment.

8. City Council authorized the City Manager to: (1) submit a letter of support from the City of Alexandria for this grant application; (2) execute all the necessary documents, including a letter designating the Department of Human Services as fiscal agent for the grant in the event of an award; and (3) contingent upon a grant award, establish two grant-funded positions within the Department of Human Services to implement the plan of services called for in the grant. These grant-funded positions will terminate upon the expiration of the grant funding and the individuals who fill these positions will be notified of this condition of employment and will sign an agreement of understanding with regard to this condition.

The deadline for this grant application was June 14, 2001, and the grant application was submitted pending City Council's approval at its June 26 legislative session.

9. City Council: (1) approved the proposed spending plan, including the authorization of four additional full-time positions in the Department of Recreation, Parks and Cultural Activities, and the purchase of a pick-up truck as follows: (a) Laborer Supervisor (\$43,779), (b) Laborer III (\$37,272), (c) Tree Trimmer (\$40,124), (d) Horticultural Specialist (\$38,636), and (e) pick-up truck (\$22,000); and (b) approved the transfer of \$181,811 of the \$250,000 set aside in the approved FY 2002 contingent reserves account for park maintenance to the Department of Recreation, Parks and Cultural Activities.

10. City Council authorized the City Manager to: (1) submit a noncompetitive grant application to the Virginia Department of Environmental Quality, Litter Prevention and Recycling Program, for funding in the approximate amount of \$16,000 for the Adopt-a-Park Litter Control Program (the exact amount is to be determined by the Department of Environmental Quality by August 1, 2001); and (2) execute all necessary documents that may be required.

11. City Council authorized the City Manager to enter into a one-year license agreement (July 1, 2001-June 30, 2002) with the Children's International Center, Inc., 25 South Quaker Lane, to use the open space, as shown in attachment 2 of the docket memorandum, for play space.

12. City Council received the Monthly Financial Report for the period ending May 31, 2001.

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

14. City Council approved submission of the application for an equipment grant from Dialogic Communications Corporation for a citizen notification system for the Police Department.

15. City Council approved renaming the Ellen Coolidge Burke Library and Community Learning Center as the Ellen Coolidge Burke Branch Library.

16. City Council deferred consideration of the Revised Recommendations on the Report of the Capital Development Office Task Force to the Tuesday, September 11, legislative meeting.

17. City Council approved the following use of the \$1,003,632: (1) A \$35,000 set-aside for continuation funding for the Mount Vernon Head Start site; (2) A \$50,000 set-aside for the Virginia Preschool Initiative; (3) The remaining \$918,632 be designated to fund seven projects that provide quality child care and comprehensive services to at-risk children; and (4) any unexpended funds from the FY 2002 Children's Fund programs be reallocated to the Crisis Aid Child Care Fund or the Child Day Care Fee System.

18. City Council: (1) approved Alexandria's participation in the metropolitan-wide application for HOPWA FFY 2001 funding, estimated in the amount of \$19,480, that will be used when previous grant funds are exhausted (estimated to be FY 2002); and (2) approved the use of this allocation for the maximum number of vouchers that can be supported with the funding received, with the understanding that the estimated number of vouchers for this allocation is 18, an increase from the previous estimate of 16.

There are no monies available in the City budget to continue these activities once the grant funds are expended.

19. City Council authorized the City Manager to: (1) submit a renewal grant application to the Virginia Department of Environmental Quality for FY 2002 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.

20. City Council authorized the City Manager to execute, on behalf of the City, the amendment to the current lease between the City and Tavern Square, LLC, for property at 421 King Street, in substantially the form presented to Council, and to acknowledge that the execution of the lease amendment by the City Manager shall constitute conclusive evidence of City Council approval of the amendment.

21. City Council received this report.

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

The voting was as follows:

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

#### **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

22. Receipt of the Upper Potomac West Task Force Report and Setting a Date for a Workshop in the Fall.

(A copy of the City Manager's memorandum dated June 21, 2001, together with a copy of the report, are on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 22; 6/26/01, and is incorporated herewith as part of this record by reference.)

**Without Objection**, Alethea Taylor Camp and Rosa Byrd made comments relative to the process and the report.

Members of Council complimented Barbara Ross, Al Cox and Brian Franklin for their hard work and commitment to a job well done. City Manager Sunderland added his kudos to staff as well.



**WHEREUPON**, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, City Council received the final report of the Upper Potomac West Task Force, thanked the members of the Task Force for their work over the last year, and requested staff to schedule a joint work session with the Planning Commission in the fall to discuss the concept plans described in the report.

It is anticipated that, based on discussions at the work session, staff will propose a formal amendment to the Potomac West Small Area Plan that will reflect the concept plans set out in the Task Force report. The voting was as follows:

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

23. Consideration of Process for the Planning for Windmill Hill Park and a Resolution to Establish the Ad Hoc Steering Committee for Windmill Hill Park. **[ROLL-CALL VOTE]**

(A copy of the City Manager's corrected memorandum dated June 20, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 6/26/01, and is incorporated herewith as part of this record by reference.

A copy of the City Manager's memorandum dated June 20, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 23; 6/26/01, and is incorporated herewith as part of this record by reference.

Communications received on this item are on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 3 of Item No. 23; 6/26/01, and is incorporated herewith as part of this record by reference.)

Members of City Council, City Manager Sunderland and Recreation, Parks and Cultural Activities Director Whitmore participated in a dialogue on this item.

Staff was requested to research the question of whether or not Lee Street Park was given to the City with any stipulations relating to its use.

**WHEREUPON**, upon motion by Councilman Speck, seconded by Councilwoman Woodson and carried on a ROLL-CALL vote of 6-to-1, City Council adopted the resolution, **as amended** (recommendation #3), and, **in consultation with the Mayor**, authorized the City Manager to appoint a nine-member ad hoc steering committee on Windmill Hill Park that will work with staff and the design consultant during the summer in preparing a design plan for the park and will review the design plan recommended by staff to City Council prior to its presentation to Council in the fall. The ad hoc steering committee members shall include:

- One representative from the Waterfront Committee;
- One representative from the Park and Recreation Commission;
- One representative from the Environmental Policy Commission; and
- ~~One representative from the Waterfront Alliance; (deleted)~~
- ~~One representative from the Seaport Foundation; (deleted)~~
- Six citizens at-large, two each from the geographic areas of the City delineated by the three Park and Recreation Planning Districts.

The City Manager shall request that each of the designated groups select their own representative no later than July 13, and, **in consultation with the Mayor**, the City Manager shall appoint the six citizen at-large members by July 13. The City Manager shall also appoint one of the steering committee members to serve as convener of the group.

The voting was as follows:

Speck	"aye"	Cleveland	"aye"
Woodson	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"no"
	Pepper	"aye"	

The resolution, as amended, reads as follows:

### **RESOLUTION NO. 2003**

**WHEREAS**, on June 6, 2001, City Council held a work session on new ideas for the park design for improvements at Windmill Hill Park; and

**WHEREAS**, Council provided staff with guidance regarding design components to be considered for the park; and

**WHEREAS**, continued citizen participation with staff will help guide the development of a final design for Windmill Hill Park for presentation to City Council in the fall that will balance the goal of an attractive public park for the enjoyment of all Alexandrians with sensitivity to the adjacent residential areas;

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

- (1) The City Manager is hereby authorized to establish an *ad hoc* committee known as the Ad Hoc Steering Committee on Windmill Hill Park.
- (2) The Steering Committee shall consist of 9 members to be appointed as described below:
  - a. One representative from the Waterfront Committee;
  - b. One representative from the Park and Recreation Commission;
  - c. One representative from the Environmental Policy Commission; and
  - d. Six citizens at-large, two each from the geographic areas of the City delineated by the three Park and Recreation Planning Districts.
- (3) The named groups shall designate their own representatives, and make these designations known to the City Manager no later than July 13, 2001.
- (4) In consultation with the Mayor, the City Manager shall appoint the six citizen-at-large representatives no later than July 13.
- (5) The City Manager shall designate one member of the Steering Committee to serve as convener, with lead staff support to be provided by the Department of Recreation, Parks and Cultural Activities.

(6) The function of the Steering Committee on Windmill Hill Park shall be to work with staff and the design consultant throughout the design process; to participate in a design charrette or workshop in July; to review the consultant's preliminary design(s) in September; and to review the final design prior to its presentation by staff to City Council in the fall of 2001.

\* \* \* \* \*

**THEREUPON**, upon motion by Councilman Speck, seconded by Councilwoman Eberwein and carried unanimously, City Council approved the balance of the City Manager's recommendation as follows:

City Council: 1. Approved the following principles and factors, as discussed at the June 6 City Council work session, for use as guidance in the Windmill Hill Park design process referenced in paragraph 3 and discussed in the memorandum:

- (a) Windmill Hill Park is to be a public park, designed to be broadly accessible to all Alexandrians to enjoy.
- (b) The design for Windmill Hill Park in the area east of Union Street should prominently feature the river, should enable the public to experience and enjoy the river, and should retain a reasonable view of the river, including:
  - Natural resource enhancements, which should include (i) native plantings, (ii) one or more walkways along, across or into the area containing the native plantings, or other features that will enable the public to experience this area, (iii) means to control silting and erosion (using natural methods to the degree feasible), and (iv) retention of bird habitat. The program components for the river area should dictate whether or not the pilings need to be removed;
  - A limited number of docks and boat slips, which would be limited to small sail boats that would be available to the public to use, if consistent with the remainder of the design;
  - A limited boat launch/retrieval area, with boats limited to kayaks, small sail boats, row boats, canoes, sculls and similar boats (and excluding power and similar gasoline-fueled boats), if consistent with the remainder of the design;
  - A small fishing area, if consistent with the remainder of the design;
  - Improvements to the outfall that lies to the east of Union Street to make these features more attractive and possibly to better integrate the parts of this portion of the Park;
- (c) The design for Windmill Hill Park should include educational components that are intended and designed to advance the public's knowledge and understanding of the river, of the natural resource enhancements in the Park, and of similar matters. In this regard, consideration should be given to (i) an interpretive trail from Jones Point Park to Windmill Hill Park, and (ii) a building in the Park on either side of Union Street which would be used to advance the public's knowledge and understanding of the river. The building would be as small (in terms of footprint, bulk and height) as possible, and which could include restrooms available to the public;

- (d) Consolidating (but not expanding) the active recreation uses in the portion of Windmill Hill Park to the west of Union Street, placing the passive uses together as a buffer to adjacent residential properties, and adding more picnic tables and similar features should be considered in the design process.
- (e) A dog exercise area should be retained in Windmill Hill Park, and relocation of the current exercise area should be considered in the design process.
- (f) The design of Windmill Hill Park should include enhancements to the part of Union Street that lies within the Park, including traffic calming measures and features that would serve to better integrate the west-of-Union and east-of-Union portions of the Park.
- (g) The provision of parking in Windmill Hill Park, either off-street or on-street, should be considered in the design process; provided, that any such parking must not be a dominant feature of the Park. Off-street parking should, if feasible and consistent with the overall Park design, be located away from the river.

2. Ensure that when the City negotiates the settlement of the title dispute for the property to the east of Union Street with the Federal government, the deed for the property contain appropriate language to restrict the use of the property to public park purposes.

4. Requested that staff docket the design plan for Windmill Hill Park for public hearing and action in the fall of 2001. The staff report accompanying the plan shall include the estimated cost for implementing the recommended plan and its on-going operation and maintenance costs; and

5. Authorized the City Manager to submit a grant application for the City Parks Forum Catalyst Grant through the American Planning Association for up to a maximum of \$35,000 to assist with the costs for the park design.

The voting was as follows:

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

24. Consideration of Report on Establishment of Issues Regarding Taxicab Regulations in the City.

(A copy of the City Manager's memorandum dated June 22, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 6/26/01, and is incorporated herewith as part of this record by reference.

A copy of Mr. Hoar's letter dated June 26, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 24; 6/26/01, and is incorporated herewith as part of this record by reference.)

City Manager Sunderland suggested that there be two representatives from the taxi companies and two representatives from the taxicab drivers' organizations.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, City Council established a Task Force, **as amended**, to review taxicab issues as outlined in the City Manager's memorandum dated June 22, 2001. The City Manager recommended that the Task Force be composed of the two Council Members previously designated by Council (Vice Mayor Cleveland and Councilwoman Woodson), a representative of the Alexandria Traffic and Parking Board, **two** representatives designated by the taxicab drivers' organizations, **two** taxicab company owners/representatives and City staff. The Task Force would report back to Council with its findings in the fall. The voting was as follows:

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

25. Consideration of Report on Employer-Assisted Housing Efforts.

(A copy of the City Manager's memorandum dated June 16, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 6/26/01, and is incorporated herewith as part of this record by reference.)

Mayor Donley stated, for the record, that he thinks that this is a real solid report and recommendation. He applauded staff for bringing forward this recommendation.

Councilman Euille suggested to Housing Director Davis that she highlight the City's efforts and what the City has done for its employees with respect to programs in which they can participate.

Councilwoman Woodson queried Housing Director Davis if this program can also be used for rental housing. Director Davis reported that it is something that has not been discussed but could be considered.

Councilwoman Woodson would like to see the matching fund maximum of \$1500 in City monies per purchaser grow to be a larger amount, if possible. Director Davis indicated that she would take a look at that.

Councilwoman Woodson directed questions to David Jeffers, director, Fannie Mae's Northern Virginia Partnership office.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Euille and carried unanimously, City Council authorized staff to work with the Alexandria Chamber of Commerce, the Alexandria Economic Development Partnership, and the Fannie Mae Northern Virginia Partnership Office to develop and implement a program of employer-assisted housing efforts as described in Attachment I to the City Manager's memorandum dated June 16, 2001, including the establishment of an Employer-Assisted Housing Loan Program. This recommendation has been endorsed by the Affordable Housing Advisory Committee. The voting was as follows:

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

## **REPORTS BY MEMBERS OF CITY COUNCIL**

(a) Councilwoman Pepper reported that there has been a new committee formed by the Council of Governments which is called Part One Fifty Study Advisory Committee which will address future noise impacts at Ronald Reagan Washington National Airport. She is Alexandria's representative to this committee.

(b) Councilwoman Pepper, in her capacity of serving on the Council of Governments' Metropolitan Washington Air Quality Committee, provided an overview of what this committee does. She noted that tomorrow will be a Code Red ozone action day. A flag will be flying at City Hall indicating that it is a Code Red day and persons are encouraged to take another means of transportation to work other than driving their car.

(c) Mayor Donley reported on the activities of the Samuel Madden Working Group which is trying to get the issue of the Berg back on track and to reach some resolutions.

Councilman Speck and Councilman Euille, members of the Working Group, participated in the discussion as did Councilwoman Woodson.

## **ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Councilman Speck indicated that the Mayor and he took an additional field trip regarding the disrepair of the CSX overpass. He requested staff to place signs near the east and west sides of the overpass indicating that it is owned by CSX and not by the City of Alexandria. He suggested that it may contain the telephone number so that persons can communicate their feelings to CSX.

City Attorney Pessoa stated that he will look into the legal aspects of this.

(b) Councilwoman Eberwein posed questions to staff with respect to the City Manager's report in response to the Child Welfare League of America's report regarding the death of Katelyn Frazier. Staff was requested to report back to Council.

(A copy of a verbatim transcript of Ms. Eberwein's requests is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. oral (b); 6/26/01, and is incorporated herewith as part of this record by reference.)

(c) Councilman Euille spoke to the recently released United Way subcommittee report, "Living From Paycheck to Paycheck." This is a report on Alexandria's Working Poor, and is an excellent report. He would like to set for an agenda item either at a work session in the fall when Council reconvenes and/or prior to the Council's Annual Retreat, a discussion on the 2000 Census, because he suspects there are significant changes that will enlighten Council in terms of the makeup of the City, economics, social, and racial position. Councilman Euille would like to consider the affects of the census results and this report during the FY 2003 budget process to attempt to address the needs of our citizens.

(d) Councilwoman Woodson thanked the Members of Council and staff for their efforts in making this a successful Council session.

(e) Vice Mayor Cleveland spoke to unsavory activities that are taking place on the fringes of the Beverley Hills neighborhood, and requested extra police patrols in this area. He encouraged the North Ridge Citizens Association to renew its efforts for "Neighborhood Watch" and encouraged persons to attend the Citizens' Police Academy.

Deputy Police Chief Hilleary responded to some of the concerns raised by Vice Mayor Cleveland.

(f) Mayor Donley reported on the successful Homeownership Fair which took place this past weekend. He thanked staff for all of its efforts to make it such a success.

(g) Councilman Speck commented on the Open Space Summit which was also held this past weekend. He acknowledged staff's hard work, and asked Director of Recreation, Parks and Cultural Activities Whitmore to convey Council's thanks and appreciation.

## **ORDINANCES AND RESOLUTIONS**

26. Public Hearing, Second Reading and Final Passage of an Ordinance to authorize an encroachment into the public sidewalk right-of-way for a brick wall at 601 Oronoco Street. (#13 6/12/01) **[ROLL-CALL VOTE]**

The City Clerk read the docket item.

It was noted that there were no speakers on this item; therefore, the public hearing was concluded.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council finally passed the Ordinance upon its Second Reading and Final Passage. The voting was as follows:

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

The ordinance finally passed reads as follows:

### **ORDINANCE NO. 4216**

**AN ORDINANCE** authorizing the owners of the property located at 601 Oronoco Street, and the owners' successors in title, to establish and maintain an encroachment into the public right-of-way of North Saint Asaph Street, adjacent to the owners' property, in the City of Alexandria, Virginia.

**WHEREAS**, Mark J. and/or Ann A. Kington are the owners of the property located at 601 Oronoco Street in the City of Alexandria, Virginia (the "Property"); and

WHEREAS, Mark J. and/or Ann A. Kington desire to establish and maintain, and have applied for, an encroachment into the right-of-way of North Saint Asaph Street adjacent to the owners' property, which encroachment shall consist of a brick retaining wall approximately 174 feet in length, and extending approximately 4 feet, 8 inches into the right-of-way outside of the existing public sidewalk; and

WHEREAS, the public right-of-way of North Saint Asaph Street at this location will not be significantly impaired by this encroachment; and

WHEREAS, this encroachment has been approved by the Planning Commission of the City of Alexandria at one of its regular meetings subject to certain conditions; and

WHEREAS, it has been determined by the City Council of the City of Alexandria that this encroachment is not detrimental to the public interest; therefore,

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

Section 1. That Mark J. and/or Ann A. Kington and their successors in title (hereafter collectively the "Owner") be, and the same hereby are, authorized to establish and maintain an encroachment into the right-of-way of North Saint Asaph Street adjacent to the Owner's property, which encroachment shall consist of a brick retaining wall approximately 174 feet in length, and extending approximately 4 feet, 8 inches into the right-of-way outside the existing public sidewalk, all as more particularly shown on the Plan attached hereto, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner of liability for any negligence on its part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain the encroachment described in Section 1 shall be subject to and conditioned upon Owner maintaining at all times and at its own expense liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

Bodily Injury:	\$1 million each occurrence \$1 million aggregate
Property Damage:	\$1 million each occurrence \$1 million aggregate

This liability insurance policy shall identify the City of Alexandria and Owner as named insurers and shall provide for the indemnification of the City of Alexandria and Owner against any and all loss, liability and costs related thereto, including attorneys' fees, occasioned by the establishment, construction, placement, existence, use or maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed annually with the city attorney's office. Any other provision herein to the contrary notwithstanding, in the event that this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in force and effect, the authorization herein granted to establish and maintain the encroachment shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In that event, Owner shall, upon notice from the city, remove the encroachment from the public right-of-way, or the city, at its option, may remove the encroachment at the expense and risk of Owner. Nothing in this section shall relieve Owner of her obligations and undertakings required under this ordinance.



Section 3. That by accepting the authorization hereby granted to establish and maintain the encroachment and by so establishing and maintaining the encroachment, Owner shall be deemed to have promised and agreed to indemnify and hold harmless the City of Alexandria from any and all loss and liability (including attorneys' fees and litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.

Section 4. That nothing in this ordinance is intended to constitute, or shall be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.

Section 5. That the neither the City nor any public utility company shall be responsible for any damage to the improvements in the public right-of-way authorized by this ordinance, during repair, maintenance or replacement of the street, sidewalk or utilities that may be located in or adjacent to the area of the encroachment.

Section 6. That all work by the applicants within the public right-of-way shall require a separate permit from the Director of transportation and Environmental Services.

Section 7. That the authorization herein granted to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right-of-way for any purpose whatsoever and, by written notification, demands that Owner remove the encroachment. Said removal shall be completed within 60 days of the date of the notification and shall be accomplished by Owner without cost to the city. If Owner cannot be found, or shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of Owner, and shall not be liable to Owner for any loss or damage to the structure of the encroachment caused by the removal.

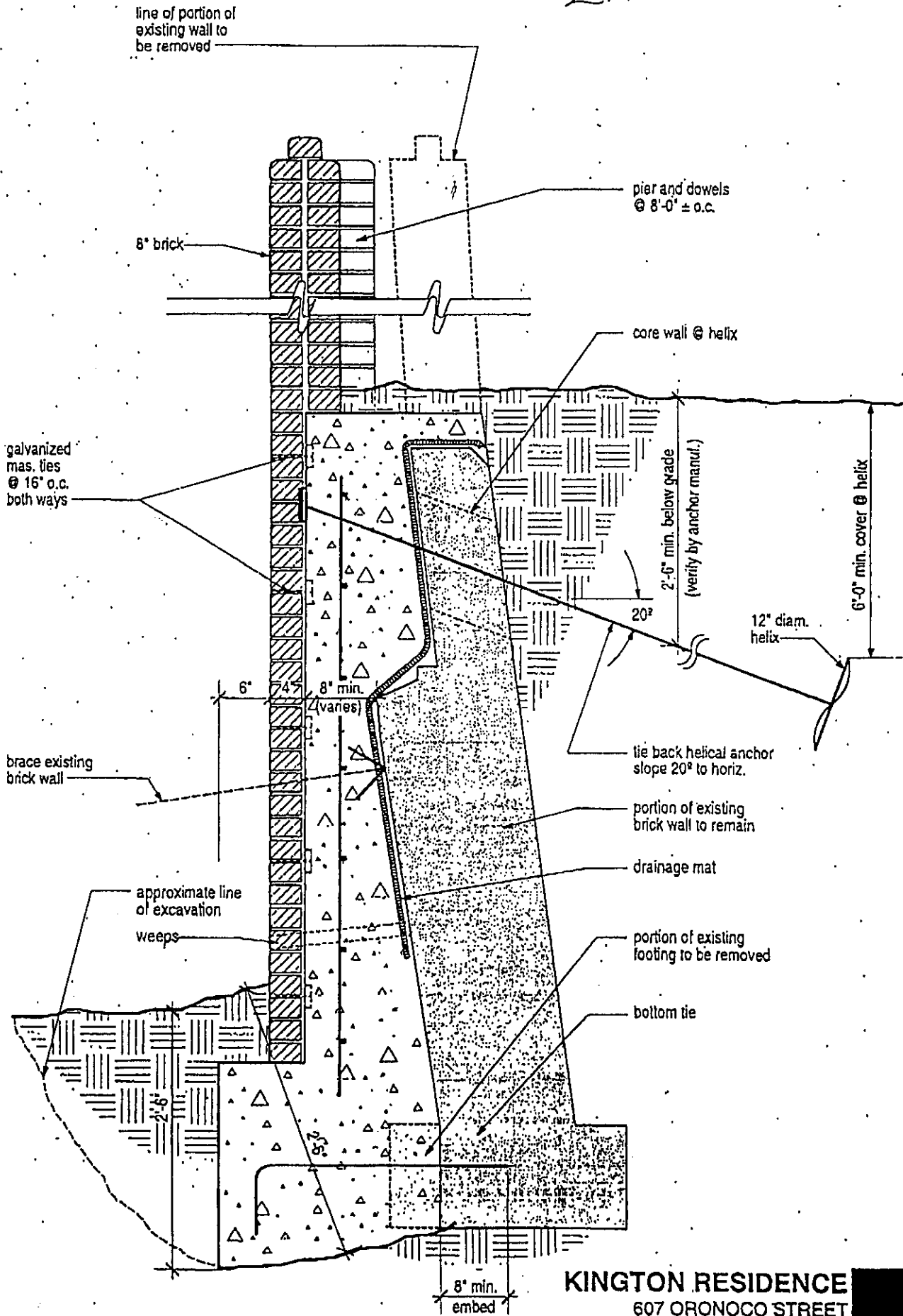
Section 8. That this ordinance shall be effective upon the date and at the time of its final passage.

KERRY J. DONLEY  
Mayor

Attachment: Plan

Introduction:	06/16/01
First Reading:	06/16/01
Publication:	06/20/01; 06/21/01
Public Hearing:	06/26/01
Second Reading:	06/26/01
Final Passage:	06/26/01

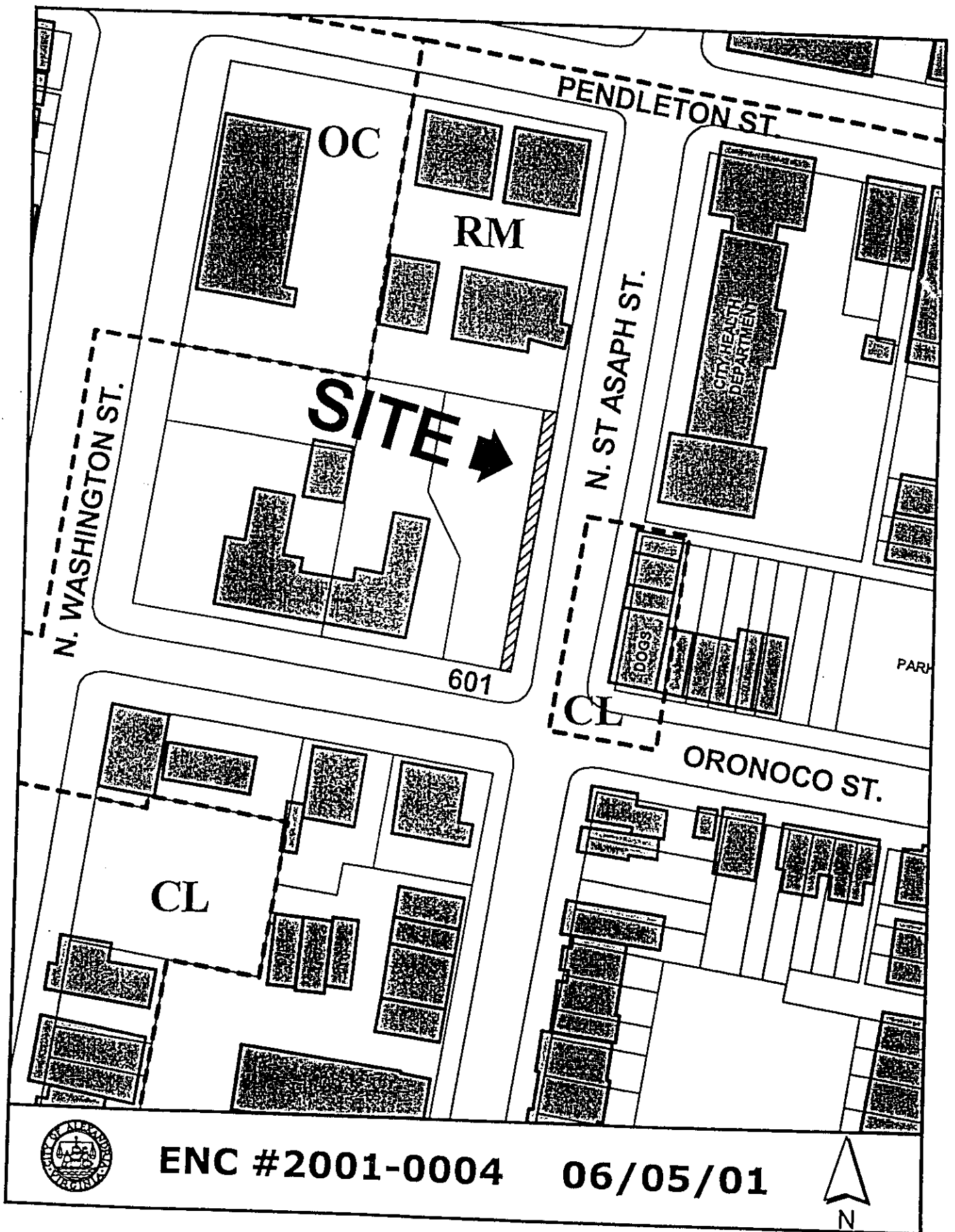
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**KINGTON RESIDENCE**  
 607 ORONOCO STREET  
 ALEXANDRIA, VA



12 MARCH 2001



27. Public Hearing, Second Reading and Final Passage of an Ordinance to authorize an encroachment into the public sidewalk right-of-way for a brick wall and parking spaces at 1611-1617 King Street. (#17 6/12/01) **[ROLL-CALL VOTE]**

The City Clerk read the docket item.

It was noted that there were no speakers on this item; therefore, the public hearing was concluded.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council finally passed the Ordinance upon its Second Reading and Final Passage. The voting was as follows:

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

The ordinance finally passed reads as follows:

#### ORDINANCE NO. 4217

AN ORDINANCE authorizing the owner of the property located at 1611 - 1617 King Street, and the owner's successors in title, to establish and maintain an encroachment into the public right-of-way of Harvard Street, adjacent to the owner's property, in the City of Alexandria, Virginia.

WHEREAS, The Naval Reserve Association is the owner of the property located at 1611 - 1617 King Street in the City of Alexandria, Virginia (the "Property"); and

WHEREAS, The Naval Reserve Association desires to establish and maintain, and has applied for, an encroachment into the right-of-way of Harvard Street adjacent to the owner's property, which encroachment shall consist of a brick retaining wall and parking spaces approximately 107 feet in length, and extending approximately 4 feet, 6 inches into the right-of-way outside of the existing public sidewalk; and

WHEREAS, the public right-of-way of Harvard Street at this location will not be significantly impaired by this encroachment; and

WHEREAS, this encroachment has been approved by the Planning Commission of the City of Alexandria at one of its regular meetings subject to certain conditions; and

WHEREAS, it has been determined by the City Council of the City of Alexandria that this encroachment is not detrimental to the public interest; therefore,

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

Section 1. That The Naval Reserve Association and its successors in title (hereafter collectively the "Owner") be, and the same hereby are, authorized to establish and maintain an encroachment into the right-of-way of Harvard Street adjacent to the Owner's property, which encroachment shall consist of a brick retaining wall and parking spaces approximately 107 feet in length, and extending approximately

4 feet, 6 inches into the right-of-way outside the existing public sidewalk, all as more particularly shown on the Plan attached hereto, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner of liability for any negligence on its part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain the encroachment described in Section 1 shall be subject to and conditioned upon Owner maintaining at all times and at its own expense liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

Bodily Injury:	\$1 million each occurrence \$1 million aggregate
Property Damage:	\$1 million each occurrence \$1 million aggregate

This liability insurance policy shall identify the City of Alexandria and Owner as named insurers and shall provide for the indemnification of the City of Alexandria and Owner against any and all loss, liability and costs related thereto, including attorneys' fees, occasioned by the establishment, construction, placement, existence, use or maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed annually with the city attorney's office. Any other provision herein to the contrary notwithstanding, in the event that this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in force and effect, the authorization herein granted to establish and maintain the encroachment shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In that event, Owner shall, upon notice from the city, remove the encroachment from the public right-of-way, or the city, at its option, may remove the encroachment at the expense and risk of Owner. Nothing in this section shall relieve Owner of her obligations and undertakings required under this ordinance.

Section 3. That by accepting the authorization hereby granted to establish and maintain the encroachment and by so establishing and maintaining the encroachment, Owner shall be deemed to have promised and agreed to indemnify and hold harmless the City of Alexandria from any and all loss and liability (including attorneys' fees and litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.

Section 4. That nothing in this ordinance is intended to constitute, or shall be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.

Section 5. That the neither the City nor any public utility company shall be responsible for any damage to the improvements in the public right-of-way, or to vehicles parked in the encroaching parking spaces, authorized by this ordinance, during repair, maintenance or replacement of the street, sidewalk or utilities that may be located in or adjacent to the area of the encroachment.

Section 6. That the applicant shall contribute \$675.00 to the City for the City's recent installation of three existing street trees on Harvard Street, and shall also contribute \$325.00 for the installation of one additional street tree and tree well on the adjacent right-of-way of King Street, to the satisfaction of the Director of Planning and Zoning and the City Arborist.

Section 7. That the applicant shall comply with its representation to The Director of Planning and Zoning that the applicant will not prevent the general public from parking on the applicant's parking lot on week nights and on weekends.

Section 8. That the authorization herein granted to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right-of-way for any purpose whatsoever and, by written notification, demands that Owner remove the encroachment. Said removal shall be completed within 60 days of the date of the notification and shall be accomplished by Owner without cost to the city. If Owner cannot be found, or shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of Owner, and shall not be liable to Owner for any loss or damage to the structure of the encroachment caused by the removal.

Section 9. That this ordinance shall be effective upon the date and at the time of its final passage.

KERRY J. DONLEY  
Mayor

Attachment: Plan

Introduction:	06/16/01
First Reading:	06/16/01
Publication:	06/20/01; 06/21/01
Public Hearing:	06/26/01
Second Reading:	06/26/01
Final Passage:	06/26/01

\* \* \* \* \*



POTATO CHIP SNACK FOOD ASSOCIATION

10' ALLEY

N 07°50'00" E ~ 115.76'

SPRHR M. BRAGGETT SUBD.  
LOT 12-01 BLOCK 2 SECTION 1

S 75°37'00" E ~ 107.15'

4

3

2

1

1617 KING ST

1611 KING ST

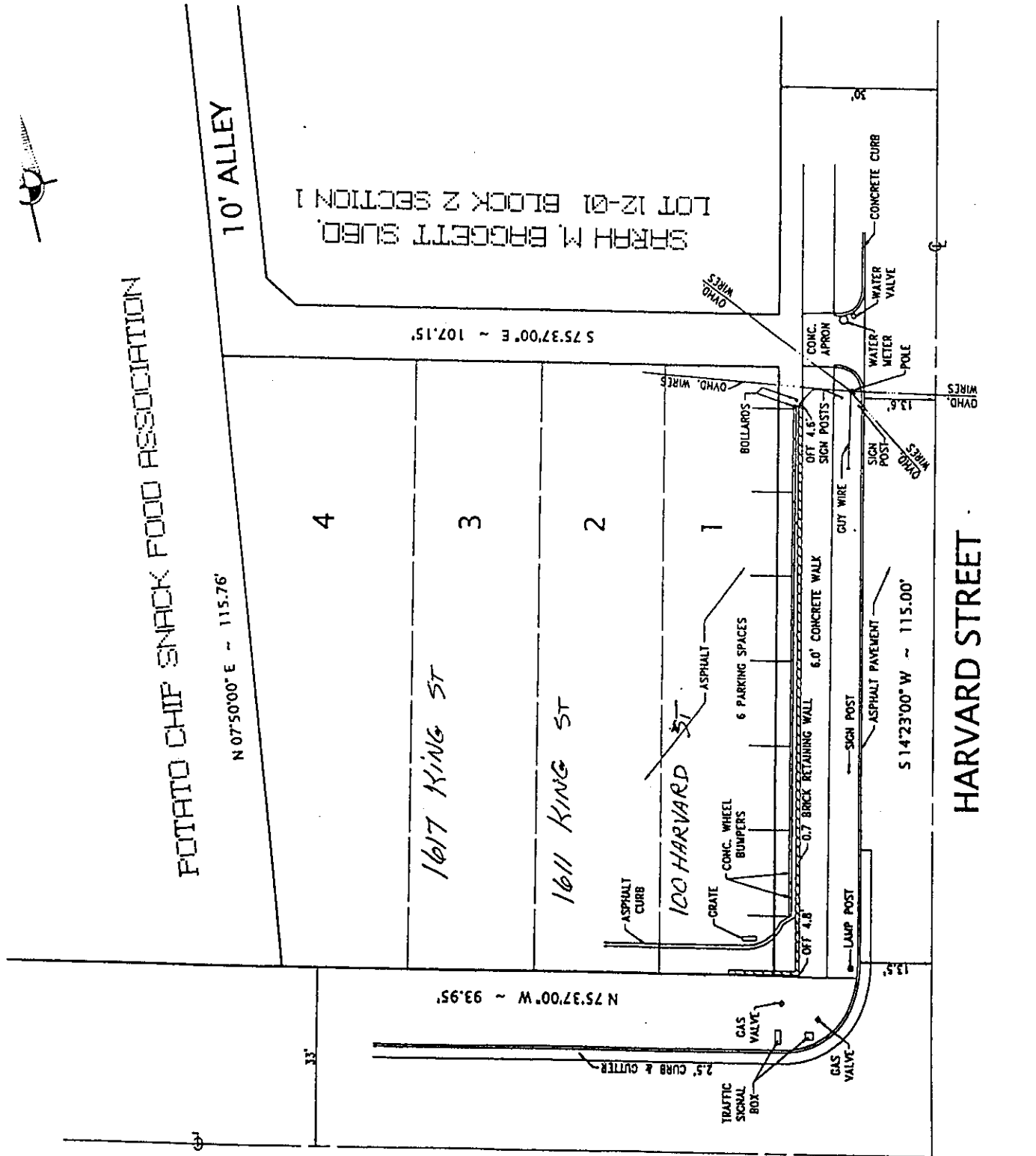
100 HARVARD ST

HARVARD STREET

KING STREET

N 75°37'00" W ~ 93.95'

S 14°23'00" W ~ 115.00'



28. (a) VACATION #2001-002 -- 1601 CHAPEL HILL DRIVE -- Receipt of Viewers' Report for a request for vacation of a public right-of-way, zoned R-20/Residential. (#21 6/16/01)

(A copy of the Viewers' report dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28(a); 6/26/01, and is incorporated herewith as part of this record by reference.

A copy of Mr. Digilio's letter dated June 22, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 28(a); 6/26/01, and is incorporated herewith as part of this record by reference.

A copy of the City Manager's memorandum dated June 22, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 28(a); 6/26/01, and is incorporated herewith as part of this record by reference.)

(b) Public Hearing, Second Reading and Final Passage of an Ordinance vacating a portion of the public right-of-way at 1601 Chapel Hill Drive. (#22 6/12/01)  
**[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 22, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28(b); 6/26/01, and is incorporated herewith as part of this record by reference.)

The following persons participated in the public hearing on this item:

Duncan W. Blair, 112 South Alfred Street, attorney representing the applicant, spoke in support of up to a 16-foot vacation;

Julie Crenshaw, 816 Queen Street, urged Council to consider the consequences of vacating land which can be considered as open space;

Richard R. G. Hobson, 99 North Quaker Lane, representing the Seminary Hill Association, encouraged Council to adhere to the 10-foot vacation; and

Tad Davis, 6703 Kings Court, applicant, spoke to the floor area ratio and in support of a 16-foot vacation.

Members of City Council posed questions to Planning and Zoning Deputy Director Ross, applicant Davis, City Engineer Baker, and Transportation and Environmental Services Director Baier.

Councilwoman Eberwein requested staff to report back to Council on the three issues raised in Mr. Digilio's letter dated June 22, 2001.

Transportation and Environmental Services Director Baier indicated that staff will come back with a report addressing the concerns.



**WHEREUPON**, upon motion by Councilman Speck, seconded by Councilwoman Eberwein and carried unanimously, City Council received the Viewers' Report. The voting was as follows:

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

**THEREUPON**, upon motion by Councilman Speck, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council finally passed the substitute Ordinance upon its Second Reading and Final Passage. The voting was as follows:

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

The substitute ordinance finally passed reads as follows:

#### ORDINANCE NO. 4218

AN ORDINANCE to vacate a part of the public street right-of-way in front of 1601 Chapel Hill Drive, in the City of Alexandria, Virginia.

WHEREAS, Thomas A. and/or Jerri Davis ("Applicants"), the owner of the property at 1601 Chapel Hill Road in the City of Alexandria, Virginia, have applied for the vacation of a portion of the public right-of-way adjacent to the Applicants' property, varying in width between approximately 30 feet and 22 feet; and

WHEREAS, the Planning Commission of the City of Alexandria at one of its regular meetings recommended denial of any vacation of the public right-of-way at this location; and

WHEREAS, the Council of the City of Alexandria has determined, pursuant to Section 9.06 of the City Charter, to overrule the recommendation of the Planning Commission by the affirmative vote of six members; and

WHEREAS, pursuant to § 15.2-2008 of the Code of Virginia (1950), as amended, the City of Alexandria has required that, as a condition of this vacation, the right-of-way to be vacated by this ordinance be purchased by the Applicant at its fair market value; and

WHEREAS, viewers, Roger Digilio, Chair; Ross Bell and Bill Brandon, have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, the procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, have been followed in conjunction with this vacation; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of the City of Alexandria, by the affirmative vote of six members, has concluded that a ten-foot strip of the public street right-of-way is no longer needed for public use and that it is in the public interest that it be vacated; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That a ten-foot-wide strip of the public right-of-way adjacent to 1601 Chapel Hill Drive be, and the same hereby is, vacated.

Section 2. That the vacation made and provided by the preceding section of this ordinance be, and the same hereby is, subject the conditions set forth below:

(1) The Applicants shall prepare a plat, showing the property vacated, and consolidating such property with the existing abutting lot, and the plat of vacation and consolidation shall be filed with the director of planning and zoning.

(2) Easements shall be retained for all public and private utilities located within the vacated right-of-way.

(3) The Applicants shall pay the City the sum of \$ 9,950.00 for the vacated property, within 12 months from the date of final passage of this ordinance.

Section 3. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this vacation, including the execution of documents.

Section 4. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 5. That this ordinance shall be effective upon the date and at the time of its final passage; provided, however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to the Applicants. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and the Applicants as grantees, and such recordation shall be done by the grantees at their own expense.

KERRY J. DONLEY  
Mayor

Introduction: 06/16/01  
First Reading: 06/16/01  
Publication: 06/20/01; 06/21/01  
Public Hearing: 06/26/01  
Second Reading: 06/26/01  
Final Passage: 06/26/01

\* \* \* \* \*

29. Consideration of a Report on Proposed Enhancements Relating to the King Street Gardens Park and a Resolution to Allow Temporary Vending Operations in the Park during Summer 2001. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 18, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 6/26/01, and is incorporated herewith as part of this record by reference.)

**Without Objection**, Marlin G. Lord, 2724 Hickory Street, spoke in support of this item.

Councilman Speck spoke to the staff report and suggested that the public art be set for public hearing in the fall.

**WHEREUPON**, a motion was made by Councilman Speck, seconded by Councilwoman Pepper to adopt the resolution to allow the vendor, selected and monitored by the Department of Recreation, Parks and Cultural Activities, temporary use of King Street Gardens Park for the sole purpose of providing prepackaged food and nonalcoholic beverage items, for sale, operating from a food cart on site, from July through October 2001, as authorized by Section 6-104 of the Zoning Ordinance.

Councilwoman Woodson stated for the record that she would support this award but she does not like the vendor because she thinks that there are enough food establishments in the area and does not want to start vendors on King Street.

**WHEREUPON**, Council returned to the motion made by Councilman Speck, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council adopted the resolution to allow the vendor, selected and monitored by the Department of Recreation, Parks and Cultural Activities, temporary use of King Street Gardens Park for the sole purpose of providing prepackaged food and nonalcoholic beverage items, for sale, operating from a food cart on site, from July through October 2001, as authorized by Section 6-104 of the Zoning Ordinance. The voting was as follows:

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

The resolution reads as follows:

#### **RESOLUTION NO. 2004**

**WHEREAS**, a vending operation at King Street Gardens during the summer months would assist in the creation of a positive, community environment for local residents, tourists, and area workers; and

**WHEREAS**, the original King Street Gardens Committee envisioned a food and beverage cart and service on the King Street Gardens park property; and

**WHEREAS**, the West King Street Neighborhood Association, KISMET, and the King Street Metro Task Force support this concept; and

**WHEREAS**, the vendor selected from the recent solicitation process does not have sufficient time to obtain an approved SUP for the summer 2001 season; and

**WHEREAS**, the City of Alexandria's Zoning Ordinance, Article VI, Special and Overlay Zones, 6-104, Temporary Uses and Structures, allows City Council, by resolution, to authorize temporary uses and structures compatible with the purposes of the POS zone;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Alexandria, Virginia;

1. That temporary vending at King Street Gardens be authorized for the summer of 2001; and

2. That the City Manager, through the Department of Recreation, Parks and Cultural Activities, provide supervision of the vendor selected and the vending operation; and

3. That the vending operation can be terminated by the City Manager at any time for unsatisfactory performance; and

4. That the term of this temporary authorization will be from July 1, 2001, until October 31, 2001, unless extended by resolution of City Council adopted prior to October 31, 2001.

\* \* \* \* \*

**Without Objection**, City Council will hold a public hearing on the artwork in the fall.

Members of Council, Director of Recreation, Parks and Cultural Activities Whitmore and City Manager Sunderland participated in the discussion.

Councilwoman Eberwein stated that Council should adopt the entire City Manager's recommendation.

**THEREUPON**, upon motion by Councilwoman Eberwein, seconded by Councilwoman Pepper and carried unanimously, City Council (1) maintained the design of the King Street Gardens Park and approved implementation of staff recommendations relating to park enhancements that include new planting strategies, a vendor cart, concerts, and lighting. The voting was as follows:

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

30. Consideration of Transfer Resolution for the FY 2001 Operating Budget.  
**[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 6/26/01, and is incorporated herewith as part of this record by reference.)

Councilman Euille spoke to the significant overtime within the Fire Department's budget and to the increased costs for the Registrar's Office which related to both the special primary election this past June, in addition to the fact that there were cost overruns or overtime expenses associated with the Presidential election this past November.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council adopted this resolution which adjusts the various departmental accounts to projected final expenditure patterns in FY 2001. The voting was as follows:

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

The resolution reads as follows:

#### **RESOLUTION NO. 2005**

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

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

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

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

#### TRANSFER APPROPRIATIONS FROM:

125302 Non-Departmental – City Legal Expenses	\$ 95,000
125302 Non-Departmental – Primary Election/Miscellaneous	169,000
125302 Non-Departmental – Miscellaneous Expenditures	<u>717,500</u>
	<u>\$ 981,500</u>

#### TRANSFER APPROPRIATIONS TO:

106104 City Attorney	\$ 95,000
110056 Transportation & Environmental Services	122,500
111104 Fire	442,000
107201 Registrar of Voters	169,000
121020 Office of Historic Alexandria	28,000
101287 City Manager's Office	<u>125,000</u>
	<u>\$ 981,500</u>

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31. Consideration of Memorandum of Understanding between the City of Alexandria Police Department and the United States Park Police. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 22, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 6/26/01, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council approved the Memorandum of Understanding which formalizes the agreement between the City of Alexandria and the United States Department of Interior, National Park Service, United States Park Police, regarding the authority of both police departments to provide services on jointly patrolled land and roadways. The voting was as follows:

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

## OTHER

### 32. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 22, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 6/26/01, and is incorporated herewith as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously, City Council received the updated calendar, which includes the tentative schedule of Council meetings for September - December 2001. The voting was as follows:

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

## CONTESTED APPOINTMENTS

### 33. Alexandria Board of Architectural Review - Old and Historic District 1 Citizen Member

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

NAME	ENDORSED BY:
Vincent Carlin, III	
Marcia Fulham	
Arthur Keleher*	
James Lettenberger	
Ashley O'Connor	
Raphael Semmes	
Meryl Zimnick	

\*Incumbent

\*\*\*\*\*

(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. 33; 6/26/01, 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 Arthur Keleher as a Citizen Member to the Alexandria Board of Architectural Review - Old and Historic District. The voting was as follows:

Donley	-	Keleher
Cleveland	-	Keleher
Eberwein	-	Keleher
Euille	-	Lettenberger
Pepper	-	Keleher
Speck	-	Keleher
Woodson	-	Carlin

\* \* \* \* \*

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

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

NAME	ENDORSED BY:
Brenda Heffernan*	
James Hotop	
James Luby*	
Douglas Meick	

\*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. 34; 6/26/01, 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 results: City Council reappointed Brenda Heffernan and James Luby as Citizen Members to the Alexandria Board of Architectural Review - Parker-Gray District. The voting was as follows:

Donley	-	Heffernan, Luby
Cleveland	-	Luby, Meick
Eberwein	-	Heffernan, Meick
Euille	-	Heffernan, Luby
Pepper	-	Heffernan, Luby
Speck	-	Heffernan, Luby
Woodson	-	Heffernan, Luby

\* \* \* \* \*

35. Alexandria Budget and Fiscal Affairs Advisory Committee  
3 Citizen Members

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

NAME	ENDORSED BY:
Lisa Chimento*	
James McIntyre*	
Arthur Mosley	
Jeffrey Sutton	
Matthew Tallmer*	
Pamela Woolard	

\*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. 35; 6/26/01, 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 results: City Council reappointed Lisa Chimento, James McIntyre and Matthew Tallmer as Citizen Members to the Alexandria Budget and Fiscal Affairs Advisory Committee. The voting was as follows:

Donley	-	Chimento, McIntyre, Tallmer
Cleveland	-	Chimento, McIntyre, Tallmer
Eberwein	-	Chimento, McIntyre, Tallmer
Euille	-	Chimento, McIntyre, Tallmer
Pepper	-	Chimento, McIntyre, Tallmer
Speck	-	Chimento, McIntyre, Tallmer
Woodson	-	Chimento, McIntyre, Tallmer

\*\*\*\*\*



36. Alexandria Community Services Board  
2 Citizen Members

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

NAME	ENDORSED BY:
Mark Elder*	
Brian Holland	
Herbert Karp*	

\*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. 36; 6/26/01, 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 results: City Council reappointed Mark Elder and Herbert Karp as Citizen Members to the Alexandria Community Services Board. The voting was as follows:

Donley	-	Elder, Karp
Cleveland	-	Elder, Karp
Eberwein	-	Elder, Karp
Euille	-	Elder, Karp
Pepper	-	Elder, Karp
Speck	-	Elder, Karp
Woodson	-	Elder, Holland

\* \* \* \* \*

37. Alexandria Convention and Visitors Association Board of Governors  
Alexandria Hotel Association President

1 Hotel Owner/Manager Representative

1 Retail Business Owner/Manager Representative

(The following persons volunteered and were recommended for appointment to the above Board of Governors:)

NAME	ENDORSED BY:
Alexandria Hotel Association President	
Gregory Kavanagh*	ACVA Board
1 Hotel Owner/Manager Representative	
Wanda McKeon*	ACVA Board

1 Retail Business Owner/Manager Rep.

Adam Winer

ACVA Board

\*Residency Waiver Required

\* \* \* \* \*

(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. 37; 6/26/01, 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 results: City Council waived the residency requirements and appointed Gregory Kavanagh as the Alexandria Hotel Association President, Wanda McKeon as a Hotel Owner/Manager Representative, and Adam Winer as a Retail Business Owner/Manager Representative to the Alexandria Convention and Visitors Association Board of Governors. The voting was as follows:

Donley	-	Kavanagh, McKeon, Winer
Cleveland	-	Kavanagh, McKeon, Winer
Eberwein	-	Kavanagh, McKeon, Winer
Euille	-	Kavanagh, McKeon, Winer
Pepper	-	Kavanagh, McKeon, Winer
Speck	-	Kavanagh, McKeon, Winer
Woodson	-	Kavanagh, McKeon, Winer

\* \* \* \* \*

38. Alexandria Emergency Medical Services Council  
Alexandria's Operational Medical Director

(The following person volunteered for appointment to the above Council:)

NAME	ENDORSED BY:
------	--------------

James Vafier\*  
(Residency Waiver Required)

\*Incumbent

\* \* \* \* \*

(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. 38; 6/26/01, 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 waived the residency requirement and reappointed James Vafier as the Alexandria Operational Medical Director to the Alexandria Emergency Medical Services Council. The voting was as follows:

Donley	-	Vafier
Cleveland	-	Vafier
Eberwein	-	Vafier
Euille	-	Vafier
Pepper	-	Vafier
Speck	-	Vafier
Woodson	-	Vafier

\*\*\*\*\*

39. Alexandria Environmental Policy Commission  
2 Citizen Members

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

NAME	ENDORSED BY:
Susan Anderson*	
Kevin DeBell	
Thomas Fulham	
Jean Logan	
Adam Wilson	

\*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. 39; 6/26/01, 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 results: City Council reappointed Susan Anderson and appointed Kevin DeBell as Citizen Members to the Alexandria Environmental Policy Commission. The voting was as follows:

Donley	-	Anderson, DeBell
Cleveland	-	Anderson, Fulham
Eberwein	-	Anderson, DeBell
Euille	-	Anderson, DeBell
Pepper	-	Anderson, DeBell
Speck	-	Anderson, DeBell
Woodson	-	Anderson, Logan

\*\*\*\*\*

40. Historic Alexandria Resources Commission  
1 Alexandria Association Representative

(The following person volunteered and was recommended for appointment to the above Commission:)

NAME	ENDORSED BY:
Catherine Hollan* (Residency Waiver Required)	Karen Paul, President, The Alexandria Association

\*Incumbent

\*\*\*\*\*

(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; 6/26/01, 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 waived the residency requirement and reappointed Catherine Hollan as the Alexandria Association Representative to the Historic Alexandria Resources Commission. The voting was as follows:

Donley	-	Hollan
Cleveland	-	Hollan
Eberwein	-	Hollan
Euille	-	Hollan
Pepper	-	Hollan
Speck	-	Hollan
Woodson	-	Hollan

\*\*\*\*\*

41. Alexandria Historical Restoration and Preservation Commission  
1 Citizen Member

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

NAME	ENDORSED BY:
Elaine Bachmann	
Philip Brooks	

\*\*\*\*\*

(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. 41; 6/26/01, 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 Philip Brooks as a Citizen Member to the Alexandria Historical Restoration and Preservation Commission. The voting was as follows:

Donley	-	Brooks
Cleveland	-	Brooks
Eberwein	-	Brooks
Euille	-	Brooks
Pepper	-	Brooks
Speck	-	Brooks
Woodson	-	Bachmann

\* \* \* \* \*

42. Alexandria Law Library Board  
1 Citizen Member

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

NAME	ENDORSED BY:
------	--------------

Geoff Foisie

Margaret O'Regan

\* \* \* \* \*

(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. 42; 6/26/01, 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 Geoff Foisie as a Citizen Member to the Alexandria Law Library Board. The voting was as follows:

Donley	-	Foisie
Cleveland	-	O'Regan
Eberwein	-	Foisie
Euille	-	Foisie
Pepper	-	Foisie
Speck	-	O'Regan
Woodson	-	O'Regan

\* \* \* \* \*

43. Alexandria Public Records Advisory Commission  
3 Citizen Members

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

NAME	ENDORSED BY:
Wayne Ebenfield	
Kyle Fugate	
Corinne Lovett	
Paul Pattak*	
Robert Smith*	
Michael Strutzel	

\*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. 43; 6/26/01, 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 results: City Council reappointed Paul Pattak and Robert Smith as Citizen Members to the Alexandria Public Records Advisory Commission. There had to be a second balloting for the third position as no one received a majority vote. The balloting would be between Corinne Lovett and Michael Strutzel as they each received three votes. The voting was as follows:

Donley	-	Pattak, Smith, Strutzel
Cleveland	-	Fugate, Pattak, Smith
Eberwein	-	Lovett, Pattak, Smith
Euille	-	Lovett, Pattak, Smith
Pepper	-	Pattak, Smith, Strutzel
Speck	-	Pattak, Smith, Strutzel
Woodson	-	Lovett, Pattak, Smith

\* \* \* \* \*

Thereupon, ballots were again distributed, tellers were again appointed and the ballots again tallied with the following result: City Council appointed Michael Strutzel as a Citizen Member to the Alexandria Public Records Advisory Commission. The voting was as follows:

Donley	-	Strutzel
Cleveland	-	Strutzel
Eberwein	-	Lovett
Euille	-	Lovett
Pepper	-	Strutzel
Speck	-	Strutzel
Woodson	-	Lovett

\*\*\*\*\*

44. Alexandria Waterfront Committee  
1 Alexandria Chamber of Commerce Representative  
  
1 Citizen Residing East of Washington Street and North of King Street

(The following persons volunteered or were recommended for appointment to the above Committee:)

NAME	ENDORSED BY:
1 Alexandria Chamber of Commerce Rep.	
Robert Taylor (Residency Waiver Required)	Alexandria Chamber of Commerce
1 Citizen Residing East of Washington Street and North of King Street	
Jonathan Aaronsohn	
Don Baum	
Andrew Palmieri*	

\*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. 44; 6/26/01, 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 results: City Council waived the residency requirement and appointed Robert Taylor as the Alexandria Chamber of Commerce Representative and reappointed Andrew Palmieri as a Citizen Residing East of Washington Street and North of King Street to the Alexandria Waterfront Committee. The voting was as follows:

Donley	-	Taylor, Baum
Cleveland	-	Taylor, Palmieri
Eberwein	-	Taylor, Palmieri
Euille	-	Taylor, Baum
Pepper	-	Taylor, Palmieri
Speck	-	Taylor, Palmieri
Woodson	-	Taylor, Aaronsohn

\* \* \* \* \*

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

**At this point, Council considered docket item no. 46.**

46. Consideration of Proposed City Testimony for the Commonwealth Transportation Board's July 9, 2001, Pre-allocation Hearing.

(A copy of the City Manager's memorandum dated June 22, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 46; 6/26/01, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper noted that one of the items in the memorandum is the Eisenhower Greenway project. She commented that Council received a memorandum from the City Manager recently indicating that the Department of Recreation, Parks and Cultural Activities was approved for \$372,000 in grant monies so that the City could work on the Eisenhower Greenway project which would include widening the current trail, and the underpass under Eisenhower Avenue.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried unanimously, City Council: (1) approved the list of transportation projects discussed in the City Manager's memorandum dated June 22, 2001, for presentation by the Mayor to the Commonwealth Transportation Board (CTB) for the Northern Virginia District at the July 9 pre-allocation hearing; and (2) requested that staff prepare letters for the mayor's signature listing the City's priorities to the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (VDRPT), as appropriate. The voting was as follows:

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



47. Allocation of Funds Set Aside in Contingent Reserves in the Approved FY 2002 Operating Budget for an Additional Urban Planner Position in the Department of Planning and Zoning.

(A copy of the City Manager's memorandum dated June 21, 2001, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 47; 6/26/01, 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 authorized the establishment of an additional urban planner III position in the Department of Planning and Zoning, and approved the transfer to that Department of \$71,000 set aside in the approved FY 2002 Budget's contingent reserves account. The voting was as follows:

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

#### **CONTESTED APPOINTMENTS (continued)**

48. Alexandria Youth Policy Commission  
1 Citizen Who Has An Interest In Issues Affecting Youth

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

NAME	ENDORSED BY:
------	--------------

Alexandra Crawford-Batt

Virginia Johnstone\*

\*Incumbent

\*\*\*\*\*

(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. 48; 6/26/01, 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 Virginia Johnstone as a Citizen Who has an Interest in Issues Affecting Youth to the Alexandria Youth Policy Commission. The voting was as follows:

Donley	-	Crawford-Batt
Cleveland	-	Johnstone
Eberwein	-	Johnstone
Euille	-	Crawford-Batt
Pepper	-	Crawford-Batt
Speck	-	Johnstone
Woodson	-	Johnstone

\*\*\*\*\*

**EXECUTIVE SESSION**

45. Consideration of Convening of an Executive Session pursuant to Section 2.1-344(A)(7) for the purpose of consulting with legal counsel concerning the settlement of a disputed claim for environmental remediation at Oronoco Bay Park, and pursuant to Section 2.1-344(A)(1) of the Code of Virginia to Discuss the Performance During the Past Fiscal Year of the City Manager, City Attorney and City Clerk.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously, at 10:45 p.m., City Council convened an executive session pursuant to Section 2.1-344(A)(7) of the Code of Virginia, for the purpose of consulting with legal counsel with respect to the settlement of a disputed claim for environmental remediation at Oronoco Bay Park, and pursuant to Section 2.1-344(A)(1) of the Code of Virginia for the purpose of discussing the performance during the past Fiscal Year of the City Manager, City Attorney and City Clerk. The voting was as follows:

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

**THEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Euille and carried unanimously, at 11:10 p.m., City Council reconvened the meeting. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Euille and carried unanimously, City Council (1) authorized the City Manager and City Attorney to settle the claim for environmental remediation at Oronoco Bay Park along the lines discussed in the executive session, and (2) approved the merit increases for the City Manager, City Attorney, and City Clerk as discussed in the executive session. The voting was as follows:

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

**THEREUPON**, 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. 2006**

**WHEREAS**, on this 26th day of June 2001, the Alexandria City Council did recess into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.1-344.1 of the Code of Virginia requires a certification by City Council that such executive session was conducted in accordance with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED** that 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 Euille and carried unanimously, at 11:15 p.m., the Regular Meeting of Tuesday, June 26, 2001, was adjourned. The voting was as follows:

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

\*\*\*\*\*

**APPROVED BY:**

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

**MAYOR**

**ATTEST:**

\_\_\_\_\_  
Beverly I. Jett, CMC

City Clerk