

3A
10-23-02

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, October 8, 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. Ross, Deputy Director of Planning and Zoning; Ms. Steele, Acting Director of Human Services; Ms. Davis, Director of Housing; Mr. Culpepper and Mr. McCobb, Deputy Directors of Transportation and Environmental Services; Ms. Boyd, Director of Citizen Assistance; Alexandria Economic Development Partnership Executive Director Riley; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; School Board Chair Eaton; Superintendent of Schools Perry; Deputy Police Chiefs Baker and Hilleary; Police Captain Crawford; Police Lieutenant Crawford; Police Sergeant Story; and Police Lieutenant Uzzell.

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

At 6:00 p.m., in the Council Workroom, City Council held a work session on Upper Potomac West - Arlandria. The agenda was followed.

Planning and Zoning Director Fogarty and Planning and Zoning Division Chief Fogle provided Council with a PowerPoint presentation and overview of the long-term vision and the immediate actions recommended for the Upper Potomac West/Arlandria area.

Members of Council participated in the discussion and directed questions to staff. City Manager Sunderland participated in the discussion. Staff was requested to continue to work on improving the area near the Waffle Shop, and determine what staff, City Council, and possibly in conjunction with the business community, can be doing to upgrade that particular block quickly rather than during the two-to-five-year time frame. It was suggested that staff explore the creation of a business investment district. There is a desire to encourage homeownership and business ownership in this area to maintain its diversity. A good marketing plan should be developed to promote the area and to encourage tourism.

The work session was concluded at 7:35 p.m.

(Material pertaining to this work session is on file in the office of the City Clerk and Clerk of Council and is incorporated herewith as part of the record.)

OPENING

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

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

3. **THERE BEING NO DISCUSSION**, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Minutes for (a) the Public Hearing Meeting of September 14, 2002; and (b) the Regular Meeting of September 24, 2002. 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 Councilwoman Pepper and carried unanimously, City Council received the Report of the City Clerk dated September 30, 2002, which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 10/8/02, 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	"aye"

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None

New Business Item No. 1: Deputy Police Chief Baker briefed Council on the recent spree of random shootings and reported on what the City is doing to protect its citizens and children. School Superintendent Perry reported on the precautions being taken in all of the schools in the City.

OPENING (continued)

5. Presentation of Proclamation Proclaiming the Month of October as Breast Cancer Awareness Month in the City of Alexandria, and Designating Tuesday, October 15, 2002, as Mammography Day.

(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. 5; 10/8/02, and is incorporated herewith as part of this record by reference.)

Mayor Donley presented the proclamation.

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

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

6. Presentation of Proclamation Declaring the Month of October as Disability Employment Awareness 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. 6; 10/8/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein presented the proclamation.

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

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

7. Presentation of Proclamation Designating October as Arts and Humanities Month in the City.

(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; 10/8/02, and is incorporated herewith as part of this record by reference.)

Councilman Speck presented the proclamation.

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

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

8. Presentation of Proclamation Recognizing Latino/Hispanic Heritage Month.

(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; 10/8/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper presented the proclamation.

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

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

9. Presentation of Proclamation Recognizing the Alexandria Participants in the National Junior Tennis League and Its Boosters.

(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; 10/8/02, and is incorporated herewith as part of this record by reference.)

Councilman Euille presented the proclamation.

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

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

10. Recognition of Artwork Presented to the City by the Art League, Inc. and Artist Michael McGurk.

Mayor Donley thanked Artist Michael McGurk for this donation and presented the artwork to Fire Chief Hawkins.

11. Presentation of Portraits of George Washington by the George Washington Chapter of the Sons of the American Revolution to the Alexandria City Public Schools and the City Council.

The Sons of the American Revolution presented sixteen portraits of George Washington to the Alexandria City Public Schools. The portraits will be placed in the schools throughout the City.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (12-17) (20-25)

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

- (a) Alexandria Recreation Needs Assessment Steering Committee
Ludwig Gaines
- (b) Alexandria Beautification Commission
Philip McCombie

- (c) Alexandria Commission on HIV/AIDS
Lesley Buchan
Jordan White
- (d) Alexandria Economic Opportunities Commission
James Lay

(A copy of the above resignations is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item Nos. 12(a-d); 10/8/02, and is incorporated herewith as part of this record by reference.)

- 13. Uncontested Appointments to Boards, Commissions and Committees:
 - (a) Ad Hoc City of Alexandria Woodrow Wilson Bridge Neighborhood Task Force
1 Representative From A Civic Association Impacted by the Woodrow Wilson Bridge Construction
 - (b) Alexandria-Caen Exchange Committee
1 Representative From the Business Community Who Has Expertise In Economic Development Programs
 - (c) Alexandria Commission for Women
1 Citizen Member
 - (d) Alexandria Commission on Employment
1 Citizen Member

1 Business Representative From Among Recognized Area Businesses, Including Minority-Owned and Small Businesses
 - (e) Alexandria Commission on HIV/AIDS
1 Member From and Representing the Alexandria Community Services Board
 - (f) Alexandria Commission on Information Technology
2 Citizens-at-Large
 - (g) Alexandria Community Criminal Justice Board
1 Representative of Local Education Nominated by the Alexandria Superintendent of Schools

The Director of Adult Probation and Parole
 - (h) Alexandria Convention and Visitors Association Board of Governors
1 Retail Business Owner/Manager Representative

2 Restaurant Owners/Managers

1 Representative of An Historic Preservation Organization

- (i) Alexandria George Washington Birthday Celebration Committee
1 Citizen Member

1 Representative of the Gadsby's Tavern Museum Society

1 Member Nominated by the American Legion
- (j) Historic Alexandria Resources Commission
1 Representative From the Alexandria Historical Restoration and Preservation Commission
- (k) Alexandria Public Health Advisory Commission
1 Health Profession Member
- (l) Alexandria Urban Design Advisory Committee
1 Resident Representing the Old Town North Residential Community

(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. 13(a-l); 10/8/02, and is incorporated herewith as part of this record by reference.)

14. Consideration of Intergovernmental Cooperative Agreement Between the City of Alexandria and the United States Marshals Service for Housing and Transporting Federal Inmates Held at the Alexandria Detention Center.

(A copy of the City Manager's memorandum dated October 2, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 10/8/02, and is incorporated herewith as part of this record by reference.)

15. Receipt of the FY 2001 Annual Report from the Alexandria Waterfront Committee.

(A copy of the City Manager's memorandum dated September 27, 2002, together with the report, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 15; 10/8/02, and is incorporated herewith as part of this record by reference.)

16. VACATION #2002-0002 -- 1202 S WASHINGTON ST & SOUTH ST -- Receipt of Viewers' Report for a request for vacation of the City's public right-of-way easement for South Street to accommodate the proposed widening of Interstate 95; zoned RC/Residential. Applicant: Virginia Department of Transportation, by Ronaldo T. Nicholson, (#9 9/14/02)

(A copy of the Viewers' Report dated September 25, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 10/8/02, and is incorporated herewith as part of this record by reference.)

17. VACATION #2002-0001 -- 1700 DUKE ST -- Receipt of Viewers' Report for a request for vacation of a portion of the public right-of-way located at the southwest corner of Duke Street and Holland Lane; zoned CDD-1/Coordinated Development District, Duke Street. Applicant: JBG Rosenfeld Duke Street, LLC, by Harry P. Hart, attorney, (#19 9/14/02)

(A copy of the Viewers' Report dated September 22, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 10/8/02, and is incorporated herewith as part of this record by reference.)

20. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to approve an encroachment into the public sidewalk right-of-way at 815 King Street for two store fronts.

(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. 1 of Item No. 20; 10/8/02, 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. 2 of Item No. 20; 10/8/02, and is incorporated herewith as part of this record by reference.)

21. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to approve an encroachment into the public sidewalk right-of-way at 220 - 228 North Payne Street for an iron fence.

(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. 1 of Item No. 21; 10/8/02, 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. 2 of Item No. 21; 10/8/02, and is incorporated herewith as part of this record by reference.)

22. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to approve an encroachment into the public sidewalk right-of-way at 300 South Lee Street for two window wells and a front stoop.

(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. 1 of Item No. 22; 10/8/02, 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. 2 of Item No. 22; 10/8/02, and is incorporated herewith as part of this record by reference.)

23. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Section 11-300 of the Zoning Ordinance to provide for additional notice of appeals to City Council in land use cases.

(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. 1 of Item No. 23; 10/8/02, 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. 2 of Item No. 23; 10/8/02, and is incorporated herewith as part of this record by reference.)

24. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Section 6-105 of the Zoning ordinance to allow recycling centers, as restrictively defined, in the POS Zone, with special use permit approval.

(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. 1 of Item No. 24; 10/8/02, 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. 2 of Item No. 24; 10/8/02, and is incorporated herewith as part of this record by reference.)

25. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Section 12-102 of the Zoning Ordinance to allow noncomplying structures, on King Street in Old Town, to convert from commercial to residential use, with special use permit approval.

(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. 1 of Item No. 25; 10/8/02, 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. 2 of Item No. 25; 10/8/02, and is incorporated herewith as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Eberwein, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Consent Calendar as presented. The City Manager's recommendations are as follows:

12. City Council received the following resignations with regret: (a) Ludwig Gaines from the Alexandria Recreation Needs Assessment Steering Committee; (b) Philip McCombie from the Alexandria Beautification Commission; (c) Lesley Buchan and Jordan White from the Alexandria Commission on HIV/AIDS; and (d) James Lay from the Alexandria Economic Opportunities Commission; requested the Executive Secretary for Boards and Commissions to send the appropriate letters of appreciation and to advertise the vacancies in the usual manner.

13. City Council: (a) appointed Ardith Dentzer as a Representative from a Civic Association impacted by the Woodrow Wilson Bridge Construction to the Ad Hoc City of Alexandria Woodrow Wilson Bridge Neighborhood Task Force; (b) appointed Aman Sulaimani as a Representative from the Business Community who has expertise in Economic Development Programs to the Alexandria-Caen Exchange Committee; (c) appointed Sara Donahue as a Citizen Member to the Alexandria Commission for Women; (d) appointed Marian Pegram as a Citizen Member and reappointed Beverly Winterscheid as a Business Representative from among Recognized Area Businesses, including Minority-Owned and Small Businesses to the Alexandria Commission on Employment; (e) appointed Ryan Allain as a Member from and Representing the Alexandria Community Services Board to the Alexandria Commission on HIV/AIDS; (f) appointed Ajay Jain and Sigal Nissan as Citizens-at-Large to the Alexandria Commission on Information Technology; (g) waived the residency requirement and reappointed Gregory Baldwin as a Representative of Local Education Nominated by the Alexandria Superintendent of Schools and waived the residency requirement and appointed Jane Reedy as the Director of Adult Probation and Parole to the Alexandria Community Criminal Justice Board; (h) appointed Jeffrey Albert as a Retail Business Owner/Manager Representative, waived the residency requirements and appointed Bruce Earle and Susan Grandgeorge as Restaurant Owners/Managers and waived the residency requirement and appointed Mary Coleman as a Representative of an Historic Preservation Organization to the Alexandria Convention and Visitors Association Board of Governors; (i) reappointed Michael Oliver as a Citizen Member, Hugh Barton as a Representative of the Gadsby's Tavern Museum Society, and waived the residency requirement of William Snyder and reappointed him as a Member Nominated by the American Legion to the Alexandria George Washington Birthday Celebration Committee; (j) appointed Emily Springer as a Representative from the Alexandria Historical Restoration and Preservation Commission to the Historic Alexandria Resources Commission; (k) appointed Rika Maeshiro as a Health Professional Member to the Alexandria Public Health Advisory Commission; and (l) reappointed Sally Ann Greer as a Resident Representing the Old Town North Residential Community to the Alexandria Urban Design Advisory Committee.

14. City Council affirmed the agreement which has been negotiated and signed by the City Manager and the Sheriff on behalf of the City and the USMS Director and Grant Specialist.

15. City Council received the FY 2002 Annual Report from the Alexandria Waterfront Committee and thanked the Committee for its efforts on behalf of the City.

16. City Council received the Viewers' Report.

17. City Council received the Viewers' Report.

20. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, October 19, 2002.

21. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, October 19, 2002.

22. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, October 19, 2002.

23. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, October 19, 2002.

24. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, October 19, 2002.

25. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, October 19, 2002.

END OF CONSENT CALENDAR

The voting was as follows:

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

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

(A copy of a drawing of the new facade for the old Seaport Inn building is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 10/8/02, and is incorporated herewith as part of this record by reference.)

Planning and Zoning Deputy Director Ross provided a status report on the three vacant commercial properties at Union and King Streets. Ms. Ross provided Council with a drawing of the new facade for the old Seaport Inn building and noted that it has been approved by the Board of Architectural Review. Ms. Ross conveyed that there is a contract pending for the purchase of the Corn Exchange building. She also spoke to the Fish Market building.

Alexandria Economic Development Partnership Executive Director Riley recounted that there will be a marketing event on October 18, for the three corners of King Street, to which 900 to 1000 brokers have been invited to attend.

Assistant City Manager Jinks reported on the focus group concerns and suggestions.

Members of City Council and City Manager Sunderland participated in the discussion. Some of the items addressed to promote the area were a marketing brochure, signage, offering free parking as was done last year to begin October 31, and extend through January 5, 2003, leaving holiday lights on until March, sidewalk cleanliness, trees and tree wells, a "where to park" brochure, an information brochure of whom to call with concerns and questions, and the possible resurrection of the use of banners.

19. Receipt of the Recommendations on the Eisenhower Avenue-to-Duke Street Connector and Setting the Report for Public Hearing on Tuesday, October 29, 2002.

(A copy of the City Manager's memorandum dated October 7, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 10/8/02, 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. 2 of Item No. 19; 10/8/02, and is incorporated herewith as part of this record by reference.)

With respect to process, City Manager Sunderland's verbatim comments follow:

Sunderland: Ms. Pepper wanted me to address something. I want to make one comment on the recommendation that's come to you and just so that it's clear to everybody. As you know, it's kind of a double recommendation, B-1 and then in the alternative D, but remember it is to take us to the next stage of the process. And, in the next stage of the process, there would be a much more refined environmental review and a much more refined design review. So, it will be a combination of more discreet environmental affects and environmental impacts and what can be done to mitigate those. As we said in one of the memoranda, part of the mitigation will be looking at two lanes, three lanes, the effects they have on mitigation and the adverse impacts of the facility in a particular location. I guess the point that I'm trying to make is that the recommendation is to take us to a next stage of a process as opposed to the final. There's more work, unfortunately, in building a roadway like this. There's more work to be done.

The other thing I do want to say is that the Chamber put out a piece the other day that I think was mailed to a number of homes, and I must say that when I saw it, I was a little disappointed because it gave the impression that the publication came from the City or had been prepared by the City. We had just, as we would do for anyone who was putting out a fact piece on an issue of public importance, we would comment, and we would make sure that the piece went out in delivering the facts that were correct. I talked with Ken [Moore], and I just said that I thought it was a little unfortunate that one got the impression from the positioning of who did what that you got the idea that this came from the City of Alexandria, but it didn't. But, I don't want to be unclear either because we did participate in the sense of making sure that the information was accurate. And, that is just how it was, not our piece and not our job to do that.

* * * * *

Members of City Council and Transportation and Environmental Services Director Baier made comments pertaining to this item; a copy of a draft verbatim transcript of this item is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 19; 10/8/02, and is incorporated herewith as part of this record by reference.

Transportation and Environment Services Director Baier reported that staff will go over some options and traffic volumes for the two- to three-lane options and present information at the October 23 work session. In addition, Exhibit No. 3 of the material received by Council was inadvertently labeled Alternate B-3 and should be Alternate B-1.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Woodson and carried unanimously, City Council received the report and set it for public hearing on Tuesday, October 29, 2002, at 7:00 p.m. in the Council Chamber. The voting was as follows:

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

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Speck reported that the City now has audible pedestrian signals.

Transportation and Environmental Services Director Baier reported that there are three different types of audible signals placed in the City where the City has large populations of people who are impaired and need to have more of an audible assistance to cross the street.

(b) Councilman Speck requested the status of outstanding items of the recent CSX Bridge renovation project. Transportation and Environmental Services Director Baier indicated he has written to Mr. Shinn regarding the pedestrian canopy and the drainage problem, but he has not had a response. An update to Council is to be provided in November.

(c) Councilman Speck indicated that he has had a meeting with representatives of the Nonprofits regarding the proposed Capital Development Fund. He requested that the public hearing be changed to November 16. There was no objection by the Members of Council of changing the date for the public hearing from October to November.

(d) Councilwoman Eberwein spoke to the success of Del Ray's Art on the Avenue event which was held this past weekend.

(e) Councilwoman Eberwein addressed the T. C. Homecoming parade on Saturday. The floats were great, and the kids were wearing new uniforms.

(f) Councilwoman Eberwein raised the concern for pedestrian safety of school children. Ms. Eberwein has discussed this with Mr. Rolando Gonzales, co-president of the Alexandria Federation of Civic Associations, and sent an e-mail both to Chief Samarra and to the City Manager asking that we draft up an article to talk about school safety. She indicated that Mr. Gonzales has agreed to get the article to his member organizations, and hopefully, they will put it in their newsletter. She suggested asking the newspapers, as a public service, to put it in their papers during August and September.

Deputy Police Chief Hilleary noted that there are a number of ongoing programs to address the safety issues.

Transportation and Environmental Services Director Baier addressed the steps that have been taken with respect to providing pedestrian safety. He noted that this is a public education issue as well. He spoke to new technology that is available and will explore "school in session" signs that light up. He will also discuss this with the school administration.

Mayor Donley reported on a new public relations campaign which COG has started called Smart Streets. The thrust of the campaign is to raise public awareness, primarily motorists, about pedestrian safety and "the rules of the road." He noted that the campaign primarily comes from Virginia, Maryland, Fairfax and Montgomery counties. Fairfax County has contributed \$50,000, and Virginia \$100,000. He requested Council to make a modest contribution of \$5,000 from contingent reserves.

WHEREUPON, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, City Council approved the allocation of \$5,000 from contingent reserves to help fund the Smart Streets public relations campaign at COG. The voting was as follows:

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

(g) Vice Mayor Cleveland asked the City Manager for a status report on Freedmen's Cemetery.

City Manager Sunderland will provide Council with a memorandum regarding the process and when the acquisition is to occur.

(h) Vice Mayor Cleveland provided Council with an update from the Taxicab Task Force.

Transportation and Environmental Services Director Baier noted that the issue will go to the Traffic and Parking Board in October with a report to Council in November.

ORDINANCES AND RESOLUTIONS (continued)

26. Introduction and First Reading. Consideration. Passage on First and Second Reading of AN ORDINANCE adopting the Sixty-Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes. **[ROLL-CALL VOTE]**

The City Clerk read the docket item.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Speck and carried on a unanimous ROLL-CALL vote, City Council introduced and passed the Ordinance on its First and Second Readings. The voting was as follows:

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

The ordinance finally passed reads as follows:

ORDINANCE NO. 4267

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 67," are hereby adopted as and shall constitute "The Sixty-Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Sixty-Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between May 29, 2002 through September 14, 2002, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after May 29, 2002, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between May 29, 2002 through September 14, 2002, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Sixty-Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The Sixty-Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete

set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

KERRY J. DONLEY
Mayor

Introduction: 10/08/02
First Reading: 10/08/02
Second Reading: 10/08/02
Final Passage: 10/08/02

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OTHER

27. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated October 2, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 10/8/02, and is incorporated herewith as part of this record by reference.)

Vice Mayor Cleveland noted that he may not be able to attend the Retreat due to circumstances beyond his control. There is a possibility that he will have to report to duty in his capacity as a Capitol Police Officer due to the staging of a war protest.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) scheduled its annual work session with the Alexandria Convention and Visitors Association at 6:45 p.m., before Council's Tuesday, November 12 legislative meeting; and (2) received the revised calendar which includes: (a) the Animal Welfare League of Alexandria's annual dinner on Saturday, November 2, with a reception and silent auction at 6:30 p.m., dinner at 8:00 p.m. at the Holiday Inn located at 625 First Street; (b) the George Washington Birthday Parade on Monday, February 17, at 1:00 p.m.; and (c) the St. Patrick's Day Parade on Saturday, March 1, at 12:30 p.m. The voting was as follows:

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

CONTESTED APPOINTMENTS

None

EXECUTIVE SESSION

28. Consideration of the Convening of an Executive Session to discuss with legal counsel and staff probable litigation, pursuant to Virginia Code Section 2.2-3711(A)(7).

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 10:03 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 briefing by staff with respect to probable litigation resulting from environmental contamination of land. The voting was as follows:

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

THEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, at 10:40 p.m., City Council reconvened the meeting. The voting was as follows:

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

WHEREUPON, upon motion by Councilman Euille, 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:

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

The resolution reads as follows:

RESOLUTION NO. 2045

WHEREAS, the Alexandria City Council has this 8th day of October 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 Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, at 10:43 p.m., the Regular Meeting of Tuesday, October 8, 2002, was adjourned. The voting was as follows:

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

* * * * *

APPROVED BY:

KERRY J. DONLEY **MAYOR**

ATTEST:

Beverly I. Jett, CMC

City Clerk