

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting

Tuesday, May 25, 2004 - - 5:00 p.m.

Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Andrew H. Macdonald, Paul C. Smedberg and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Ms. Evans, Assistant City Manager; Mr. Pessoa, City Attorney; Mr. Jinks, Assistant City Manager, Mr. Baier, Director of Transportation and Environmental Services; Mr. Culpepper, Deputy Director of Transportation and Environmental Services; Ms. Baker, City Engineer; Ms. Gordon, Public Information Officer; Ms. Boyd, Director of Citizen Assistance; Mr. Johnson, Director of Office of Management and Budget; Ms. Collins, Director of Human Services (DHS); Mr. Caton, Legislative Director; Chief Mesaris, Fire Department; Mr. Dahlberg, Director of Code Enforcement; Ms. Niebauer, Director of Human Rights Office; Chief Hall, Chief Hack Inspector; Deputy Chief Cook, Police/Investigations; Lt. Hoover, Police/Investigations; Mr. Kincannon, Director of Recreation, Parks and Cultural Activities; Mr. Elliot, Center Director, Recreation, Parks and Cultural Activities; Ms. Moore, Community Services Project Coordinator, DHS; Ms. Hyres, Community Services, DHS; Ms. Kratok, Volunteer Coordinator, DHS; Ms. Roosa, Multicultural Services Coordinator, DHS; Mr. Dwyer, Recreation; Mr. Mason, Recreation; Mr. Chesley, Recreation; Ms. Redfearn, Recreation; Mr. Grey, Recreation; Mr. Elliot, Recreation; Ms. Florez, Recreation; Ms. Whiting, Recreation; Ms. Williams, Recreation; Mr. Short, Recreation; Mr. Gordon, Recreation; Mr. Moten, Recreation; Mr. Simmons, Recreation; Ms. Lawrence, Recreation; Ms. Putnam, Recreation; Ms. Orlando, Recreation; Ms. King-Balboa, Recreation; Emergency Management Coordinator Penn, Fire Department; Mr. Lloyd, General Services; and Police Lieutenant Uzzell

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

Please take notice that the City Council held a Special Meeting from 5:00 p.m. to 6:20 p.m., on Tuesday, May 25, 2004, in the Council Chambers of City Hall, 301 King Street, Alexandria, Virginia, for the purpose of considering the following item.

5:00 p.m. - 6:00 p.m.

1. Public Hearing on Draft Proposals to Change How the Taxicab Industry is Regulated by the City of Alexandria.

(Material pertaining to the public hearing item is on file in the Office of the City Clerk and Clerk of Council and is incorporated herewith as part of this record by reference.)

City Council heard testimony on the draft proposals to change how the taxicab industry is regulated by the City of Alexandria. The following people spoke during the public hearing:

(a) Converse West, 200 North Pickett Street, #704, Chairman of the Traffic and Parking Board, requested that no change be made in the existing practice of issuing tickets to taxicabs business groups.

(b) Kathy Cunningham, 2918 Nob Hill Court, spoke in support of the DOT program and requested that no changes be made.

(c) William Harris, 1106 Tuckahoe Lane, President of Senior Services of Alexandria, requested that Senior Taxi Reservation Program and the DOT Program be maintained in its current state in order to provide the assurance that the elderly and disabled population would be transported in a timely, safe, and courteous manner. Mr. Harris also requested any decision preserve a governance system to ensure good customer service, a large enough pool of drivers to ensure timely pickup, and an effective discipline system to ensure drivers respond to all calls.

(d) Chet Avery, 16 East Linden Street, Chairman of the Alexandria Commission on Persons with Disabilities, spoke in support of the DOT Program and for the Senior Taxi Program. Mr. Avery stated that the programs could be affected adversely by some of the proposals before Council.

(e) Jim Yates, 3025 Mount Vernon Avenue, owner of Alexandria Yellow Cab, spoke in favor of dispatch competition in the taxicab industry. Mr. Yates noted that there were two different types of systems in the City: dispatch service and airport taxi service. Mr. Yates requested that airport service be discontinued in order to reward those drivers who service the City.

(f) Lonnie C. Rich, 101 West Uhler Terrace, attorney for Alexandria Yellow Cab, stated that his clients would be amenable to the proposals, in varying degrees

and that he would be willing to work with all groups to make the details work. Mr. Rich pointed out that the final proposal would need to include a definition of the word "dispatch" and enforcement of the dispatch system. Mr. Rich noted support for the Yellow Two-Tier Proposal for the taxicab industry.

(g) Ahmad Latif, 3706 Mount Vernon Avenue, part owner of White Top Cab Company, spoke on behalf of the small cab businesses and requested that Council protect those businesses.

(h) Ved Gupta, 3803 Bellamy Ave, Springfield, Virginia, stated that allowance of 15% driver certificates ownership would harm the small cab businesses.

(i) Barbara Beach, 416 Prince Street, attorney, spoke in support of a 24/7 dispatch system; enforcement of City Code, rules and regulations; the City should be the nexus for all certificates; no company should exceed a certain percentage of cabs to preserve competition; 100 cabs ensures viability; and the existing companies should be grandfathered into any new proposal accepted by Council.

(j) Susan Dawson, 1214 Key Drive, Vice Chair of the Alexandria Commission on Aging, spoke on behalf of maintaining the Senior Taxi Service and the importance of accountability for the drivers.

(k) Mary Ann Ormes, 2810 Central Avenue, spoke in support of the maintaining the DOT service and the importance of certificates going to the cable companies to maintain accountability.

(l) Timothy M. Whitehead, P.O. Box 494, Alexandria, spoke on behalf City drivers in support of the work group proposal.

(m) Linda A. Whitehead, P.O. Box 494, Alexandria, spoke on in favor of dispatch system for the taxicab industry.

(n) Kathleen Henry, 3805 Mount Vernon Avenue, spoke on behalf of AUTO (Alexandria United Taxi-drivers Organization) in support of the AUTO/Alexandria Yellow Cab Proposal.

(o) Charles Shin, 2954 Hibbard Street, Oakton, Virginia, spoke in opposition of the two-tier system and noted that the Korean community in Alexandria would have their service limited with a change in regulations. Mr. Shin noted that if the 15% certificate ownership was allowed he would be forced to go out of business.

(p) Abdul Karim, 6121 Lincolnia Road, owner of King Cab, spoke in opposition of the two-tier system and the AUTO proposal. Mr. Karim spoke in support of the work group proposal.

(q) Tesfay Berhane, 244 Stevenson Street, spoke in support of the AUJO

proposal. Mr. Berhane staged a one-minute silent protest in front of Council.

(r) Syed T. Hussain, 5705 Overly Drive, spoke in opposition to the work group proposal and he addressed the backfill issue.

(s) Abbassali Abousaidi, 3709 South George Mason Drive, spoke in opposition of the work group proposal because the allowance of movement between taxicab companies would create chaos and the 24/7 dispatch system would hurt the competition in the industry in Alexandria.

(t) Josh Henson, attorney, P.O. Box 2196, Falls Church, Virginia, spoke on behalf of the small cab companies and stated that the current system works with some minor modifications. Mr. Henson also spoke in opposition to the two-tier company.

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(City Council adjourned the public hearing meeting at 6:20 p.m. and reconvened the regular legislative meeting at 7:00 p.m.)

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OPENING

2. Calling the Roll.

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

3. Moment of Silence and Pledge of Allegiance.

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

4. **WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the minutes of the Regular Meeting of May 12, 2004 and the minutes of the Public Hearing of May 15, 2004. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

5. Recognition of Music Students from City Elementary Schools.

City Council recognized the Music Students from City Elementary Schools and listened to musical selections from the chorus.

PROCLAMATIONS

- 6. Presentation of a Proclamation Declaring May 29, 2004, as World War II Veteran's Recognition 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. 6, 5/25/04, and is incorporated as part of this record by reference.)

Councilman Macdonald presented the proclamation.

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

Macdonald	"aye"	Pepper	"aye"
Gaines	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

- 7. Presentation of a Proclamation Recognizing the City's Faith-Based Community.

(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, 5/25/04, and is incorporated as part of this record by reference.)

Councilwoman Woodson presented the proclamation.

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

Woodson	"aye"	Pepper	"aye"
Gaines	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

- 8. Presentation of a Proclamation Declaring the Month of May 2004, as Asian Pacific American 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. 8,5/25/04, and is incorporated as part of this record by reference.)

Vice Mayor Pepper presented the proclamation.

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

Pepper	"aye"	Gaines	"aye"
Woodson	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

9. Presentation of a Proclamation Commending Lawrence "Lucky" Elliott For His Efforts to Improve the Quality of Life for Alexandria Youth.

(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, 5/25/04, and is incorporated as part of this record by reference.)

Councilman Krupicka presented the proclamation.

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

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (10-13)

(Resignations and Uncontested Appointments)

10. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
- (a) Alexandria Environmental Policy Commission
Patrick G. Eddington
 - (b) Alexandria George Washington Birthday Celebration Committee
Marvin H. Heinze
 - (c) Alexandria Redevelopment and Housing Authority Board of Commissioners
Shirley M. Marshall

(A copy of the above resignations is on file in the Office the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 10(a-c), 5/25/04, and is incorporated as part of this record by reference.)

11. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Gyumri Sister City Committee
1 Citizen Member
- (b) Alexandria Commission on HIV/AIDS
1 Member From and Representing the Alexandria
Community Services Board
- (c) Historic Alexandria Resources Commission
1 Representative From the Historic Alexandria Foundation
- (d) Alexandria Local Emergency Planning Committee
1 Representative From the Alexandria Firefighting Personnel

(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. 11(a-d), 5/25/04, and is incorporated as part of this record by reference.)

- (e) Alexandria Redevelopment and Housing Authority Board of Commis-
sioners
1 Representative of the Alexandria Resident Council
- (f) Alexandria Social Services Advisory Board
1 Citizen Member

(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. 11(e-f), 5/25/04, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

12. Consideration of Monthly Financial Report For the Period Ending April 30, 2004.

(A copy of the City Manager's memorandum dated May 14, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12, 5/25/04, and is incorporated as part of this record by reference.)

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

(A copy of the City Manager's memorandum dated May 14, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13, 5/25/04, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

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

10. City Council received the following resignations with regret: (a) Patrick G. Eddington, Alexandria Environmental Policy Commission; (b) Marvin H. Heinze, Alexandria George Washington Birthday Celebration Committee; and (c) Shirley M. Marshall, Alexandria Redevelopment and Housing Authority Board of Commissioners.

11. City Council made the following appointments: (a) reappointed Helen Bertot as the citizen member to the Alexandria-Gyumri Sister City Committee; (b) appointed Tiffeny Sanchez-Brown as the member from and representing the Alexandria Community Services Board to Alexandria Commission on HIV/AIDS; (c) reappointed Joseph Johnston as the representative from the Historic Alexandria Foundation to the Historic Alexandria Resources Commission; (d) waived the residency requirement and appointed John North as the representative from the Alexandria Firefighting Personnel to the Alexandria Local Emergency Planning Committee; (e) appointed Richard Blake as the representative of the Alexandria Resident Council; and (f) appointed Barbara O'Neil as the citizen member to the Alexandria Social Services Advisory Board.

12. City Council received and approved the Monthly Financial Report for the period ending April 30, 2004.

13. City Council approved the authorization of recommended Capital Project Allocations and Planned Expenditures.

The voting was as follows:

Woodson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg		"aye"

CONTESTED APPOINTMENTS

14. Alexandria Commission for Women
1 Citizen Member

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

NAME:
Micki Aronson
Jenny Wade

ENDORSED BY:

(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. 14, 5/25/04, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Jenny Wade as the citizen member to the Alexandria Commission for Women. The voting was as follows:

Euille	-	Wade
Pepper	-	Wade
Gaines	-	Wade
Krupicka	-	Wade
Macdonald	-	Wade
Smedberg	-	Wade
Woodson	-	Wade

15. Alexandria Human Rights Commission
2 Citizen Members

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

NAME: ENDORSED BY:

George Faustino
Ritija Gupta
Andrew Hyman
Matthew McKinnis
JoAnn Roosa

(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. 15, 5/25/04, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed JoAnn Roosa and Andrew Hyman as the two citizen members to the Alexandria Human Rights Commission. The voting was as follows:

Euille	-	Gupta, Roosa
Pepper	-	Hyman, Roosa
Gaines	-	Hyman, Roosa
Krupicka	-	Faustino, Gupta

Macdonald	-	Hyman, Roosa
Smedberg	-	Faustino, Hyman
Woodson	-	Gupta, Roosa

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

16. Update on the Duke Street Concourse. (Staff presentation)

(A copy of the City Manager's memorandum dated May 20, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16, 5/25/04, and is incorporated as part of this record by reference.)

Vice Mayor Pepper requested that staff suggest to the contractors considering working on Sunday as well in order to complete the project on time.

City Engineer Baker gave an update on construction at the Duke Street Concourse.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council received the report on the Duke Street Concourse. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

Mayor Euille suggested that staff provide Council with a memorandum at the June 9 Legislative Meeting addressing hours of operation for the tunnel, security and other issues that pertain to the Duke Street Concourse.

17. Receipt of Report and Consideration of Proposals to Change How the Taxicab Industry is Regulated by the City of Alexandria.

(A copy of the City Manager's memorandum dated May 21, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17, 5/25/04, and is incorporated as part of this record by reference.)

Bruce Schaller, consultant, gave a Powerpoint presentation and an in-depth description of the different regulatory frameworks and market analysis for the taxicab industry. Mr. Schaller and members of staff participated in a discussion with Council about the different proposals presented.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Macdonald and carried unanimously, City Council received the report and proposed that two members of Council review the taxicab matrix from Transportation

and Environmental Services, review comments from the Public Hearing, along with input from all Council members, to compose a plan of action to present at the first legislative meeting in June. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Macdonald	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

18. Consideration of After Action Report on the Impact of Hurricane Isabel.

(A copy of the City Manager's memorandum date May 17, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18, 5/25/04, and is incorporated as part of this record by reference.)

Councilman Macdonald requested that the existing system of hydrographs be utilized for predicting weather events and a very specific risk map for the waterfront be developed.

Emergency Management Coordinator Penn pointed out that his office was working on the two issues Councilman Macdonald requested.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council received the After Action Report on the Impact of Hurricane Isabel. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

19. Designation of the City Manager as the City's Agent and Authorizing Him to Submit the Hurricane Isabel Pre-approved Application For Federal Assistance.

(A copy of the City Manager's memorandum dated May 17, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19, 5/25/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council (a) designated the City Manager as the City's Agent; (b) authorized him to submit the Hurricane Isabel Pre-approved Application for Federal Assistance; and (c) to execute all necessary documents that may be required. The voting was as follows:

Gaines	"aye"	Krupicka	"aye"
Pepper	"aye"	Macdonald	"aye"

Euille	"aye"	Smedberg	"aye"
	Woodson	absent	

20. Consideration of Board and Commission Survey Report.

(A copy of the City Manager's memorandum dated May 18, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20, 5/25/04, and is incorporated as part of this record by reference.)

Councilman Krupicka requested that staff get feedback from the different boards and commissions on the issue of term limits.

Councilman Gaines requested that the Local Emergency Planning Commission (LEPC) consider merging with the Citizen Corps.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council received the Board and Commission Survey Report. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	absent	

21. Consideration of Implementing an Urban Forestry Program and Enhancing the City's Tree Protection Program.

(A copy of the City Manager's memorandum dated May 19, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21, 5/25/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Macdonald and carried unanimously, City Council approved implementing an Urban Forestry Program and enhancing the City's Tree Protection Program. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Macdonald	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	absent	

REPORTS AND RECOMMENDATIONS OF BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

None

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille stated that the matter dealing with the proposed gas line through the Parkfairfax neighborhood to connect to the Arlington bus barn is no longer an item for formal consideration by City Council. Mayor Euille noted that he took the initiative at the meeting to publicly state that the matter would be referred to WMATA (Washington Metropolitan Area Transit Authority) and Washington Gas for further review and consideration of other lines outside the city limits.

(b) Mayor Euille requested that the Police Department present Council with information on the Gang Task Force and report what actions the Police were taking to prevent gang violence from occurring in Alexandria. Mayor Euille then referred the discussion to Deputy Chief Cook.

Deputy Chief Cook and Lt. Hoover, Police/Investigations, gave a brief presentation on the steps that the Police Department, along with the Alexandria City Public Schools, were taking to combat gang violence among the youth in Alexandria.

(c) Vice Mayor Pepper announced that the City received an award from the Environmental Protection Agency for being One of the Best Workplaces for Commuters.

(d) Councilman Woodson announced that the Chamber of Commerce is accepting applications for Leadership Alexandria and that the deadline is June 11.

(e) Councilman Gaines announced that Emergency First Aid Training would be offered June 14, 2004 as part of the Flag Day celebration in the District of Columbia.

(f) Councilman Macdonald reported that the entire region was experiencing a shortage of green space and Alexandria's efforts to preserve green space is timely.

(g) Councilman Macdonald reported that he visited Gadsby's Tavern Museum and he stated that the historical preservation efforts in Alexandria were an important part of Alexandria's history.

(h) Councilman Macdonald stated that there was an increased number of people running red lights and talking on cell phones while driving, creating hazardous situations.

(i) Councilman Macdonald stated that the area around the King Street Metro Station, particularly the left turn toward Duke Street, was increasingly congested and requested that staff take a look at improving the traffic situation in that area.

(j) Councilman Krupicka reported that over 750 people attended the Del Ray Home and Garden Show this past weekend. Councilman Krupicka noted that all the money raised would help fund the beautification efforts in the Mount Vernon Avenue neighborhood.

(k) Councilman Krupicka commended the General Services staff on all the green initiatives taking place throughout the City.

(l) Councilman Krupicka mentioned that Alexandria is a very open and affirming place for people of all backgrounds and lifestyles. Councilman Krupicka stated that the citizens embrace and celebrate the diversity throughout Alexandria.

ORAL REPORT FROM THE CITY MANAGER

City Manager Sunderland reported that : (a) the City has produced a calendar of summer events for distribution to businesses and civic groups; (b) Francis Hammond Middle School won first place for Northern Virginia in the *Washington Post* Stock Market Game for middle schools; (c) Mayor Euille would be attending a press conference at Landmark Mall on Thursday about the redevelopment project at Landmark and in the adjacent area; and (d) Fort Ward Park has experienced numerous improvements including the buildings and the grounds.

ORDINANCES AND RESOLUTIONS

22. Consideration of a Resolution Enabling the Alexandria School Board to Enter Into a Comprehensive Agreement for the T.C. Williams High School Replacement Project. **(ROLL-CALL VOTE)**

(A copy of the City Manager's memorandum dated May 19, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22, 5/25/04, and is incorporated as part of this record by reference.)

Assistant City Manager Jinks pointed out that the date on the original report was incorrect and that the words "or subsequent meeting" had been added to the resolution.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously by **roll-call vote**, City Council approved a revised resolution enabling the Alexandria School Board to enter into a comprehensive agreement for the T.C. Williams High School Replacement Project. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

RESOLUTION NO. 2107

RESOLUTION APPROVING ENTRY BY THE SCHOOL BOARD OF THE CITY OF ALEXANDRIA, VIRGINIA, INTO A COMPREHENSIVE AGREEMENT FOR THE T.C. WILLIAMS HIGH SCHOOL REPLACEMENT PROJECT PURSUANT TO SCHOOL BOARD SOLICITATION NO. 03-04-105 AND THE PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT OF 2002

WHEREAS, The City of Alexandria, Virginia, (the "City") has an urgent need to replace its existing T.C. Williams High School with a new high school due to the age of the existing facility and projected increases in numbers of students, and the School Board of The City of Alexandria, Virginia, (the "School Board") has planned for such a project in its Capital Improvement Program;

WHEREAS, the General Assembly enacted the Public-Private Education Facilities and Infrastructure Act of 2002 ("PPEA"), which provides an alternative to traditional methods for procurement of new schools;

WHEREAS, the School Board adopted its implementing procedures for the PPEA in January 2004;

WHEREAS, the School Board determined that it would be advantageous to the public to proceed with the project under the PPEA and the School Board's implementing procedures;

WHEREAS, the School Board first coordinated with the City staff regarding this project and regarding the conduct of this PPEA procurement, then determined that proceeding under "competitive negotiation" procedures under the PPEA for the project was likely to be more advantageous to the School Board and the public based upon (1) the probable scope, complexity, or urgency of the project, or (2) risk sharing, added value, economic benefit from the project that would not otherwise be available, and authorized issuance of a Request for Proposals for the procurement for the project;

WHEREAS, Solicitation No. 03-04-105, the Request for Proposals for the project, was issued on February 18, 2004;

WHEREAS, the School Board has received proposals from various offerors in response to Solicitation No. 03-04-105, with copies also being provided to the City;

WHEREAS, the School Board has, through its staff, developed a plan to conduct the procurement and negotiate a comprehensive agreement with the proposer whose proposal represents the best value to the School Board and the City under the circumstances;

WHEREAS, the PPEA and the School Board's PPEA implementing procedures

only allow the School Board to enter into a comprehensive agreement under the PPEA after obtaining the approval of the City Council;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

- (1) The City Council hereby approves entry by the School Board into a comprehensive agreement for the qualifying project that is the subject of the procurement done under School Board Solicitation No. 03-04-105 which is for the replacement of T.C. Williams High School;
- (2) The School Board and its staff shall determine the details of the comprehensive agreement into which the School Board chooses to enter;
- (3) The School Board is authorized to enter the comprehensive agreement subject to (a) such agreement being within the scope of the procurement initiated by School Board Solicitation No. 03-04-15 and its terms and conditions; (b) such agreement being, in their judgement, in the public interest; (c) compliance with Sec. 56-575.4.C. of the Code of Virginia; and (d) approval by City Council of a funding plan and a capital allocation for the T.C. Williams High School project at Council's June 22, 2004, or subsequent meeting.

OTHER

23. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May 21, 2004, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23, 5/25/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council adopted the schedule of Council's regular City Council meetings for May 2004 through June 2004 with the following additions and changes: a simulcast of the World War II Veterans' Memorial dedication event on Saturday, May 29, from 10:00 a.m. to 3:30 p.m., at the George Washington Masonic National Memorial and the public hearing on the Open Space Plan on Monday, June 21 at 7:00 p.m., in the Council Chambers. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson		"aye"

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper, and carried unanimously, at 11:05 p.m., the Regular Meeting of May 25, 2004, was adjourned. The voting was as

follows:

Gaines	"aye"	Krupicka	"aye"
Pepper	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria Sitton Deputy City Clerk