

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, November 23, 2004 - - 7:00 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. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Ms. Fogarty, Director of Planning and Zoning; Ms. Gordon, Public Information Officer; Ms. Boyd, Director of Citizen Assistance; Mr. Johnson, Director of the Office of Management and Budget; Mr. Neckel, Director of Finance; Police Lt. Uzzell; Mr. Caton, Legislative Director; Mr. Baier, Director of Transportation and Environmental Services; Mr. Maslanka, Transit Division Chief, Transportation and Environmental Services; Mr. Culpepper, Deputy Director, Transportation and Environmental Services; Mr. Geiling, Deputy Director, General Services; Deputy Police Chief Corle; and Ms. Modell, General Manager of DASH.

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

OPENING

1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

3. Reading and Acting Upon the Minutes of the Following Meeting of City Council:

(a) The Regular Meeting Minutes of November 9, 2004.

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the minutes of the regular meeting of November 9, 2004. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

New Business Item No. 1: Mayor Euille reported that Council has concluded its process for the recruitment, hiring and selection of the new City Manager, and he announced that Council has selected Mr. James Hartmann, the current County Administrator for Spartanburg County, South Carolina, for the position of City Manager. Council is concluding negotiations with him and are hoping that will be successfully completed in the next couple of days. He noted that there will be a special meeting next Tuesday, November 30, 2004, at 6:30 p.m. to hold an executive session to ratify the contract and will come out in public session to take a formal vote and to welcome and present Mr. Hartmann and his wife to the City. There will be a press release issued this evening. He thanked the Council members who travelled to several locations to do background checks on the three finalist and congratulated Council for their hard work, dedication and commitment to the process.

PROCLAMATIONS

- 4. Presentation of a Proclamation Recognizing the 20th Anniversary of DOT Paratransit Service.

(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. 4, 11/23/04, and is incorporated as part of this record by reference.)

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

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

- 5. Presentation of a Proclamation Declaring December 1, 2004, as World AIDS 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, 11/23/04, 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 endorsed the proclamation. The voting was as follows:

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

6. Presentation of a Proclamation Declaring November 25, 2004, as Potomac West Turkey Trot 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, 11/23/04, and is incorporated as part of this record by reference.)

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"	

7. Presentation of a Proclamation Proclaiming the Opening of the 2004 City-wide Holiday Program.

(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, 11/23/04, and is incorporated as part of this record by reference.)

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

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

8. Presentation of the Video Recognizing the Tenth Anniversary of the Eisenhower Partnership.

The Board members from the Eisenhower Partnership were present for the viewing of the video.

City Council viewed the video, *Ten Years of Change in the Eisenhower Valley*.

New Business Item No. 2: Mayor Euille noted that there was to be a proclamation presented to the Campagna Center for the Scottish Walk on Saturday, December 4, but no one was available to accept the proclamation.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (9-15)

(Resignations and Uncontested Appointments)

9. Receipt of the Following Resignations from Members of Boards, Commissions and Committees.
 - (a) Alexandria Emergency Medical Services Council
Stacey N. Street
 - (b) Northern Virginia Regional Commission
Natalie Mosher

(A copy of the above resignations is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 9 (a-b), 11/23/04, and is incorporated as part of this record by reference.)

10. Uncontested Appointments to Boards, Commissions and Committees:
 - (a) Alexandria Commission for the Arts
1 Member Who Has Expertise In the Arts, Either As A Practitioner Of Various Art Disciplines or As A Professional Administrator
 - (b) Alexandria Commission on Aging
1 Citizen Member Who Is 60 Years Of Age or Older
 - (c) Alexandria Commission on HIV/AIDS
1 Member From and Representing the Alexandria Chapter of the American Red Cross
 - (d) Alexandria Commission on Information Technology
1 Member Representing the Alexandria City Library
 - (e) Alexandria Commission on Persons With Disabilities

1 Citizen Member Who Has A Disability

- (f) Alexandria George Washington Birthday Celebration Committee
1 Member Nominated By the First Virginia Regiment of the Continental Line
- (g) Historic Alexandria Resources Commission
1 Representative From the Alexandria Association
1 Representative From the Old Presbyterian Meeting House
- (h) Alexandria Sister Cities Committee
5 Citizen Members
- (i) Alexandria Woodrow Wilson Bridge Neighborhood Task Force
1 Representative From A Civic Association Impacted by the Woodrow Wilson Bridge Construction

(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. 10 (a-i), 11/23/04, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

11. Receipt of the Annual Report From the Public Records Advisory Commission.

(A copy of the City Manager's memorandum dated November 17, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11, 11/23/04, and is incorporated as part of this record by reference.)

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

(A copy of the City Manager's memorandum dated November 12, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12, 11/23/04, and is incorporated as part of this record by reference.)

13. Request to Vacate a City Position on the Waterfront Committee and Readvertise the Position.

(A copy of the City Manager's memorandum dated November 17, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13, 11/23/04, and is incorporated as part of this record by reference.)

14. Consideration of Funding for a Weekday Lunch Time Shuttle Between the East Eisenhower Area and Old Town.

(A copy of the City Manager's memorandum dated November 16, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14, 11/23/04, and is incorporated as part of this record by reference.)

15. Consideration of the Monthly Financial Report for the Period Ending October 31, 2004.

(A copy of the City Manager's memorandum dated November 15, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15, 11/23/04, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilman Smedberg and carried unanimously, City Council approved the Consent Calendar, with the removal of item #14 and considered it under separate motion. The City Manager's recommendations were as follows:

9. City Council accepted the following resignations with regret: (a) Stacey N. Street, Alexandria Emergency Medical Services Council; and (b) Natalie Mosher, Northern Virginia Regional Commission.

10. City Council made the following appointments: (a) waived the residency requirement and reappointed Betsy Anderson as the member who has expertise in the arts, either as a practitioner of various art disciplines or as a professional administrator to the Alexandria Commission for the Arts; (b) reappointed Donald Fowler as the citizen member who is 60 years of age or older to the Alexandria Commission on Aging; (c) appointed Christine Hutchinson as the member from and representing the Alexandria Chapter of the American Red Cross to the Alexandria Commission on HIV/AIDS; (d) reappointed Patrick O'Brien as the member representing the Alexandria City Library to the Alexandria Commission on Information Technology; (e) appointed Tamara Hughes as the citizen member who has a disability to the Alexandria Commission on Persons with Disabilities; (f) waived the residency requirement and appointed Carl Gnaw as the member nominated by the First Virginia Regiment of the Continental Line to the Alexandria George Washington Birthday Celebration Committee; (g) appointed Susan Cluff as the representative from the Alexandria Association and reappointed Althea Burns as the representative from the Old Presbyterian Meeting House to the Historic Alexandria Resources Commission; (h) reappointed Susan Brooks, Peggie Dill, Frederica Dunn, David Levite and appointed Carlos Probus as the citizen members to the Alexandria Sister Cities Committee; and (i) appointed Shane Downey as the representative from a civic association impacted by the Woodrow Wilson Bridge Construction to the Alexandria Woodrow Wilson Bridge Neighborhood Task Force.

11. City Council received the report of the Public Records Advisory Commission and thanked the Commission for their efforts on behalf of the City.

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

13. City Council vacated the position on the Waterfront Committee for an at-large citizen representative and requested the Executive Secretary for Boards and Commissions to re-advertise the vacancy.

15. City Council received the Monthly Financial Report for the period ending October 31, 2004.

The voting was as follows:

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

14. Consideration of Funding for a Weekday Lunch Time Shuttle Between the East Eisenhower Area and Old Town.

(A copy of the City Manager's memorandum dated November 16, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14, 11/23/04, and is incorporated as part of this record by reference.)

Questions were asked by Council concerning the shuttle funding, lunch hour times, the DASH service in Old Town, and ridership statistics, which were answered by Mr. Baier, Mr. Jinks and Ms. Modell.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried 4-2, City Council: (a) authorized a limited term lunch time shuttle between the U.S. Patent and Trademark Office area and Upper King Street; and (b) approved funding from the General Fund Contingent Reserves in the amount of \$46,000 to operate a weekday lunch time shuttle from January 3, 2005 to June 30, 2005. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"no"
	Woodson	"no"	

CONTESTED APPOINTMENTS

16. Alexandria Carr/Norfolk Southern (Carlyle) Design Review Board
1 Citizen Member

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

NAME: ENDORSED BY:

William Harvey
Edward McKinney

(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. 16; 11/23/04, 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 Edward McKinney as the citizen member to the Alexandria Carr/Norfolk Southern (Carlyle) Design Review Board. The voting was as follows:

Euille	-	Harvey
Pepper	-	McKinney
Gaines	-	McKinney
Krupicka	-	McKinney
Macdonald	-	McKinney
Smedberg	-	Harvey
Woodson	-	Harvey

- 17. Alexandria Commission for the Arts
 - 1 Member Who Represents the Public-at-Large As An Arts Consumer and Participant

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

NAME: ENDORSED BY:

Randall Hopkins
Lien Tran

(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. 17; 11/23/04, 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 reappointed Lien Tran as the member who represents the public-at-large as an arts consumer and participant on the Alexandria Commission for the Arts. The voting was as follows:

Euille	-	Tran
Pepper	-	Tran

Gaines - Tran
Krupicka - Tran
Macdonald - Tran
Smedberg - Tran
Woodson - Tran

18. Alexandria Commission on Information Technology
2 Citizens-at-Large

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

NAME: ENDORSED BY:

Paul Brockway
Fredrik Carnemark
Daniel Gomez
Louise Griffin
Brian Hunt
Nils Kandelin
Mark Kolas
Micah MacDonald
R. Heather Planey

(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. 18; 11/23/04, 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 reappointed Brian Hunt and R. Heather Planey as the two citizens-at-large to the Alexandria Commission on Information Technology. The voting was as follows:

Euille - Hunt, Planey
Pepper - Hunt, Planey
Gaines - Hunt, Planey
Krupicka - Hunt, Planey
Macdonald - Hunt, Planey
Smedberg - Hunt, Planey
Woodson - Hunt, Planey

19. Alexandria Consumer Affairs Commission
1 Citizen Member

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

NAME: ENDORSED BY:

Michael Carrasco
Matthew Mishkin

(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. 19; 11/23/04, 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 Michael Carrasco as the citizen member to the Alexandria Consumer Affairs Commission. The voting was as follows:

Euille	-	Carrasco
Pepper	-	Carrasco
Gaines	-	Carrasco
Krupicka	-	Mishkin
Macdonald	-	Mishkin
Smedberg	-	Carrasco
Woodson	-	Mishkin

20. Alexandria Environmental Policy Commission
1 Member With Expertise In Federal/State Environmental
Statutes, Regulations and Procedures

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council deferred this appointment in order to re-advertise the position. The voting was as follows:

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

21. Alexandria Redevelopment and Housing Authority Board of Commissioners
2 Citizen Members

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

NAME:

ENDORSED BY:

Edward Fader
James Hoben
Laura Lantzy
A. Melvin Miller
Molly Nichelson
Kerry-Ann Powell

Ruby Tucker

(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. 21; 11/23/04, 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 reappointed A. Melvin Miller and Ruby Tucker as the two citizen members to the Alexandria Redevelopment and Housing Authority Board of Commissioners. The voting was as follows:

Euille	-	Miller, Tucker
Pepper	-	Miller, Tucker
Gaines	-	Miller, Tucker
Krupicka	-	Miller, Tucker
Macdonald	-	Miller, Tucker
Smedberg	-	Miller, Tucker
Woodson	-	Miller, Tucker

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

22. Consideration of Adoption of the City's 2005 Legislative Package. (#12, 11/13/04 and #15, 10/26/04.)

(A copy of the City Manager's memorandum dated October 20, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22, 11/23/04, along with a copy of the City Manager's memorandum dated November 18, 2004, marked Exhibit No. 2 of Item No. 22, 11/23/04, 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 adopted items 1.A through 1.I, 2.A through 2.M, 2.O, and 3.A through 3.D as positions in the City's Legislative Package for the 2005 General Assembly Session, and City staff will monitor item 2.N. The voting was as follows:

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

23. Consideration of Regulatory Framework For the Taxicab Industry.

(A copy of the City Manager's memorandum dated November 15, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23, 11/23/04, and is incorporated as part of this record by reference.)

Councilman Krupicka passed out a document that provides a high level summary of comments received over the last week on the current proposal, along with a powerpoint presentation that provides a high-level overview of the concepts and the proposal before Council.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council received the report and asked staff to begin work on Code modifications related to service enhancement features of current proposal as follows: (a) consumer enhancements as described in the docket materials; (b) provisions related to new companies entering the market; (c) other requirements; (d) bi-annual reviews of fares and fees; (e) service and performance information requirements; and (f) City administration enhancements; and for Councilman Gaines and Krupicka to work with interested interest groups to provide a final proposal to Council related to the issues of certificates and mobility. Such work shall be completed by the January 24, 2005, City Council meeting or shall be postponed indefinitely until four members of Council propose an alternative.

Councilman Macdonald said he is interested in the issue of having the certificates held by the drivers, and he would like a memo from the City on where it has failed, why it has failed or why it hasn't.

The voting was as follows:

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

24. Consideration of Allocating Funds for the Alexandria Commission for Women's Needs Assessment of the Economic Status of Women in Alexandria.

(A copy of the City Manager's memorandum dated November 19, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24, 11/23/04, and is incorporated as part of this record by reference.)

This was removed from the docket.

25. Allocation of Funds for Consultant Services For the City Effort to Address Air Quality Concerns Related to the Mirant Potomac River Plant.

(A copy of the City Manager's memorandum dated November 17, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25, 11/23/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Macdonald, seconded by Vice Mayor Pepper and carried unanimously, City Council approved an allocation of \$95,000

from FY 2005 Contingent Reserves to provide funding for consultant services to assist staff with technical and project management issues related to Mirant Potomac River Generating Plant. The voting was as follows:

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

26. Consideration of a Proposed Policy Requiring That Development and Applicants Provide Funding For Independent Reviews of Traffic Studies for Proposed Developments With Significant Transportation Impacts.

(A copy of the City Manager's memorandum dated November 18, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26, 11/23/04, and is incorporated as part of this record by reference.)

Mr. Baier and Mr. Culpepper made a presentation of the staff report and Ms. Fogarty participated in the discussion.

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council: (a) approved in concept a policy that requires an independent review of Traffic Impact Studies submitted for development projects having significant traffic impacts and that require the cost of such reviews to be paid by the project applicant according to a fee schedule described below; and (b) requested the City Attorney to prepare an ordinance that formally adopts the policy, and docket it for Council consideration after staff have shared the policy with the development community. The voting was as follows:

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

27. Consideration of a Policy Requiring Fiscal Impact Analyses for Proposed Developments With Significant Fiscal Impacts.

(A copy of the City Manager's memorandum dated November 19, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27, 11/23/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council deferred this item until such time as staff is ready to bring it back. The voting was as follows:

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

28. Submission of Application For Funding to the Virginia Housing Development Authority for the Round 4 Sponsoring Partnerships and Revitalizing Communities Program and Round 2 of the Home Stride Program.

(A copy of the City Manager's memorandum dated November 10, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28, 11/23/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, City Council approved the submission of an application to VHDA for the following: (a) \$7,800,000 in SPARC Round 4 program funding to provide first-trust, low-interest, mortgage financing for participants in the City's Homeownership Assistance Program (HAP) and Moderate Income Homeownership Program (MIHP); and (b) \$1,000,000 in Home Stride program funding for second-trust, deferred interest, deferred payment financing for HAP and MIHP loan recipients, as well as City and Alexandria City Public School employees who meet Home Stride requirements but do not necessarily use or qualify for HAP and MIHP. The voting was as follows:

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

29. Consideration of Establishment of an Alexandria Gang Prevention Community Task Force.

(A copy of the City Manager's memorandum dated November 19, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29, 11/23/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilman Krupicka and carried unanimously, City Council received the report, provided its input on the composition of a six to ten member Alexandria Community Task Force on Gangs and requested staff to docket a resolution establishing the task force at its Tuesday, December 14 legislative meeting. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

None.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Krupicka said Council received a CD-Rom with the full docket and items on it, and it will be provided by the Clerk for the next few months prior to the Council meeting. He said he and Mayor Eulle had a meeting with the Clerk last week to talk about enhancements and how it could make it convenient and an asset to Council and they will ask for Council's advice and suggestions as it moves through this over the next few months. It is moving Council toward being more electronic, and each Councilmember can decide what works for them. It can be positive for efficiency and effectiveness and give them access to even more information and tools.

(b) Councilman Krupicka commended Mayor Eulle for the way he handled and managed the City Manager recruitment process. The fact that they have a strong, unanimous sense from Council and the process has gone as well as it has with no leaks and has been a very positive process. He said Mayor Eulle deserves their recognition and thanks for pulling it together as efficiently and effectively as he has.

(c) Vice Mayor Pepper said the City is sponsoring a food and toy drive at the Alexandria Adult Day Services Center, 1108 Jefferson Street, which begins December 13 and runs through December 17, from 7:30 a.m. to 5:30 p.m. The food goes to ALIVE and the toys go to the Office for Women's Domestic Violence Program.

(d) Vice Mayor Pepper said that earlier, there was an appropriations bill that has passed the House and she mentioned a few things Congressman Moran was able to get for the City: The Agape Ministry received \$75,000 for their HIV/AIDS Ministry, the Barbara Masons Child and Family Center will receive \$250,000, the George Washington Parkway will receive \$300,000 for maintenance and other items, Lee Fendall House will receive \$75,000, The Apothecary Shop will receive \$50,000, the Urban League Headquarters will receive \$75,000, the Police Department will receive \$400,000 for homeland security, and WMATA will receive \$7 million to buy clean running buses.

(e) Councilwoman Woodson said she would represent the City at the National League of Cities Conference next week, and there will be a youth delegation. Karen Parker Thompson from the Schools will be their chaperone, and thanks go to Mayor Eulle for supporting the youth.

(f) Councilwoman Woodson sent kudos to the new Alexandria Community Trust, as they had their grand kick-off last week. She thanked the Steuerle family for their contribution in memory of their wife/mother who was killed in the 9/11 crash. The fund is starting off at over \$3 million and they will use that money to help local charities.

(g) Councilman Smedberg said the Service Clubs luncheon was held last week, which was a gathering of several community service groups, and Delegate Brian Moran was the keynote speaker.

(h) Councilman Smedberg said the Animal Welfare League had a successful dinner a little over a week ago to help support their events and activities throughout the year.

(i) Councilman Smedberg said congratulations to the Mt. Vernon PTA for their successful fundraiser. Over \$20,000 was raised for the Mt. Vernon PTA, which was hosted by Lonnie Rich and his wife Marcia.

(j) Councilman Macdonald said he received an award on behalf of the City in Charlottesville from the Federal Advisory Council on Historic Preservation, Preserve America Award, and he hoped that it could be presented to the historic groups and Office of Historic Alexandria at the next meeting.

(k) Councilman Macdonald said it had a real tough review process of prospective candidates to be the next City Manager, they did a good job, worked very hard, had a lot of very good candidates and in the end were all unanimous. Council should be proud of its effort, and he thanked Mayor Euille for his leadership.

(l) Councilman Macdonald said they received a memo recently regarding the Gunston Hall Apartments, asking if they could apply for National Historic Register Status, and to get full listing, it has to have the approval of the landowner, but to apply they do not. He suggests that they apply, as down the road, if there is an opportunity to save this property in a way that is different than had been conceived initially, this listing will provide some significant tax breaks to another developer. He asked that it be docketed for the next legislative meeting.

(m) Councilman Gaines said the Citizen Survey did not get the recognition it deserved, it says an awful lot in that 97 percent of residents who were surveyed said their quality of life was very good or good, and it is a real testament to the City Manager and a real testament to the City staff. He said he was proud of the City employees.

(n) Councilman Gaines said he drafted a memo on enhancing regulation of assisted care facilities, to see how the City might be able to enhance regulation in the City, in response to the Sunrise Assisted Care neglect case in the City. He commended the Commonwealth's Attorney Office for prosecuting that case.

(o) Councilman Gaines spoke about community voice mail, requesting in

September that staff look into creating community voice mail for people in transition, who are between jobs and cannot afford phone service, and the staff found a way to do the program in-house by linking with JobLink and the Department of Human Services. It will have the capacity for up to 400 voice mail boxes and is pleased that it will go forward. He requested that at some point it be docketed for presentation to Council so Council can get a full sense of what is involved.

(p) Councilman Gaines thanked John Noelle, the City Arborist, for the beautiful Christmas Tree. He said John travelled all over Northern Virginia and helped them find a beautiful tree.

(q) Councilman Gaines thanked everyone who sent well wishes on the birth of his child.

(r) Mayor Euille reminded everyone of the official Christmas Tree Lighting ceremony to kick-off the holiday season on Friday, November 26 at 7:00 p.m., in Market Square.

(s) Mayor Euille said City Manager Sunderland is on leave for the Thanksgiving holiday. He said Mr. Sunderland would serve as City Manager until the new manager takes over in January.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

None.

OTHER

30. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated November 19, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30, 11/23/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council adopted the schedule of Council's regular City Council meetings for November 2004 through June 2005, with the following additions and changes: a ceremony honoring the City's Department of Transportation and Environmental Services Paratransit Program on Tuesday, November 23, at 5:00 p.m., in the Vola Lawson Lobby; the groundbreaking for the T.C. Williams High School Project on Saturday, December 4 at 3:30 p.m.; the Alexandria Student Connection (Forum) on Thursday, December 9 from 10:00 a.m. to 1:00 p.m. in the gymnasium at

Charles Houston Recreation Center, 905 Wythe Street; the Martin Luther King, Jr. Employee Program on Friday, January 14, at 12:00 noon at the Lee Center, 1108 Jefferson Street; the Martin Luther King, Jr., Community Program on Saturday, January 15 at 7:30 p.m. at Shiloh Baptist Church, 1401 Duke Street; the Salute to Women Awards Banquet on Monday, March 18 at 6:00 p.m. at the Holiday Inn Hotel and Suites, 625 First Street; the annual City Employee Service Awards on Monday, April 18 at 5:30 p.m. in the Lee Center Exhibit Hall; the special City Council meeting on Tuesday, November 30, 2004, at 6:30 p.m. along with a public reception to greet the new City Manager following the special meeting in the Vola Lawson Lobby. The voting was as follows:

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

- 31. Consideration of an Amendment to Council's Rules of Procedure to Permit the Mayor to Provide Additional Time For Public Hearing Speakers Representing a Bona Fide Civic Association or Organization.

(A copy of the City Attorney's memorandum dated November 18, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31, 11/23/04, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously by roll-call vote, City Council adopted the resolution to amend Resolution No. 2085, which establishes rules of procedure for Council meetings. The voting was as follows:

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

The resolution is as follows:

RESOLUTION NO. 2125

WHEREAS, Resolution No. 2085, adopted October 23, 2003, established rules of procedure, the order of business and a schedule for meetings of the City Council; and

WHEREAS, it is necessary and desirable to amend Resolution No. 2085 to provide a five minute time limit for public hearing speakers representing *bona fide* neighborhood civic and unit owners' associations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alexandria:

Section 1. Schedule for Meetings and Official Events. That the following schedule for City Council meetings and other official events be, and the same hereby is, adopted and shall be supplemental and in addition to the provisions contained in The Code of the City of Alexandria, Virginia, 1981, as amended:

1. The City Council shall, except during the months of July and August, hold regular legislative meetings on the second and fourth Tuesdays in each month at 7:00 p.m.; provided, however, that when any such day shall fall on a legal holiday, the meeting shall be held on the next succeeding day; and, provided further, that there shall be no regular legislative meeting on the fourth Tuesday in December.

2. The City Council shall, except during the months of July and August, hold regular public hearing meetings on the Saturday following the second Tuesday in each month at 9:30 a.m., provided, however, that when such day shall fall on or within three days of a legal holiday, the meeting may be held on the Saturday preceding the fourth Tuesday of the month.

3. Special meetings of the City Council, held in lieu of or in addition to regular meetings, may be held at any time as provided for in Sec. 2-1-43 of The Code of the City of Alexandria, Virginia, 1981, as amended.

4. At the first regular meeting in September of each year, City Council shall approve a calendar of City Council Meetings and other official events, including any neighborhood meetings that are planned, for the entire year from September through June, and may, from time to time, amend the calendar as deemed desirable.

Section 2. Order of Business for Regular, Public Hearing and Special Meetings. That the following Order of Business for City Council Meetings be, and the same hereby is, adopted pursuant to Section 2-1-47 of The Code of the City of Alexandria, Virginia 1981, as amended.

1. At regular legislative meetings the order of business shall be as follows:

- (a) Calling the roll.
- (b) Moment of silence.
- (c) Pledge of allegiance.
- (d) Reading and acting upon the minutes of the previous meeting.
- (e) Recognition of youth.
- (f) Proclamations.
- (g) Consent calendar:
 - 1. Resignations and uncontested appointments.
 - 2. Reports and recommendations of the City Manager.
 - 3. Ordinances for introduction and first reading.

- (h) Contested appointments.
- (i) Reports and recommendations of the City Manager for discussion.
- (j) Reports and Recommendations from boards, commissions and committees.
- (k) Oral reports by members of City Council.
- (l) Oral presentations by members of City Council.
- (m) Oral report by the City Manager.
- (n) Ordinances and resolutions for discussion or adoption without public hearing.
- (o) Other business.
- (p) Executive sessions.

2. At regular public hearing meetings, the order of business shall be as follows:

- (a) Calling the roll.
- (b) Public discussion period (30 minutes).
- (c) Action consent calendar:
 - 1. Reports of boards, commissions and committees.
 - 2. Reports and recommendations of the city manager.
- (d) Public hearing on reports and recommendations of the city manager.
- (e) Public hearing on reports of boards, commissions and committees.
- (f) Public hearing, second reading and final passage of ordinances, and public hearing and adoption of resolutions.
- (g) Deferral/withdrawal consent calendar.
- (h) Other business.
- (i) Executive sessions.

3. At special meetings, the order of business shall conform to the order established for regular legislative or public hearing meetings, as appropriate, or shall be established in the notice of the meeting as provided by Sec. 2-1-43 of the Code of the City of Alexandria, Virginia, 1981, as amended.

Section 3. Rules of Procedure for Regular, Public Hearing and Special Meetings. That the following rules of procedure for regular legislative and public hearing, and special, meetings of City Council be, and the same hereby are, adopted and shall be supplemental and in addition to the provisions contained in the Code of the City of Alexandria, Virginia, 1981, as amended:

1. All supporting reports, documents or material shall be delivered to each member of Council at least 48 hours in advance of the meeting. Supporting reports, documents or material may be delivered subsequently when exceptional circumstances so require.

2. All supporting reports, documents or material, other than material exempt from disclosure under the Freedom of Information Act, shall be made available to the

public at the time such material is delivered to the members of council.

3. The public will normally not be recognized to speak on docket items at regular legislative meetings. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. (See also paragraph 7, below.) If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

4. One or more consent calendars, comprised of docket items deemed to be routine and housekeeping in the discretion of the City Council or City Manager, shall be prepared for each meeting at the direction of the City Manager. Adoption or approval of all items on a consent calendar shall require but a single vote by City Council; except that upon the request of any member of the City Council any item on the consent calendar shall be voted upon separately; and, provided further, that upon the request of a member of the public, any item on a consent calendar for a public hearing meeting shall be heard and voted upon separately. A consent calendar shall not include ordinances docketed for public hearing, second reading and final passage, resolutions or other items requiring a roll-call vote by Council.

5. If the city clerk, at least two days before the meeting, shall transmit to each member of the City Council, at the member's business or residence address, a copy of the minutes of such previous meeting for inspection, reading thereof before the City Council assembled may, unless a member otherwise requests, be dispensed with and such minutes so inspected may be acted upon without being read.

6. At all meetings the city manager shall where reasonably possible arrange the docket so that items covering similar subject matter are grouped together.

7. The first 30 minutes of public hearing meetings will be open for public discussion on any subject not on the public hearing docket. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly significant reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply. Guidelines for the public discussion period shall be as follows:

(a) All speakers must complete a speaker request form and submit the completed form to the City Clerk by the time the item is called by the City Clerk.

(b) No speaker will be allowed more than three minutes, but that time may be extended by the mayor or presiding member; provided, however, that one officer or other designated member speaking on behalf of a *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the

public discussion period shall be allowed five minutes.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor may organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will be allowed to speak during the 30 minutes public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order in which their request forms were received.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

8. Any speaker wishing to address Council shall register his or her intent to do so on a speaker request form filed with the City Clerk in advance of the time that the item about which the speaker wishes to speak is called on the docket, or in advance of the public discussion period. The speaker request form shall be substantially in the form attached hereto.

9. The order of speakers shall be determined by the mayor or other presiding member of council.

10. A speaker shall limit his or her remarks to three minutes and shall speak only once on any docket item; provided, however, that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. The mayor or presiding member may allow rebuttal for a total of no more than three minutes, and a proponent may also speak during the time allowed for rebuttal. The mayor or presiding member may allow a speaker a brief extension of time to conclude the speaker's remarks. A speaker requiring more than three or five minutes, as the case may be, for his or her presentation shall notify the City Clerk in writing before 5:00 p.m. of the day preceding the date of the meeting of the additional time required, together with the reasons. Council may, by consent of a majority of those present, grant additional time not to exceed fifteen minutes. A speaker shall be stopped if his or her comments become irrelevant or unnecessarily repetitious.

11. Speakers are encouraged to prepare and deliver to the City Clerk for distribution to the Council written statements of their positions.

12. The City Clerk shall arrange for a timekeeper to assure that each speaker stays within the allotted speaking time.

13. When voting on final passage of any ordinance, or on any resolution, the

name of each member voting and how the member voted shall be recorded by the City Clerk.

Section 4. Miscellaneous provisions.

1. That the Schedule of Meetings, Order of Business and Rules of Procedures adopted by this resolution shall not be departed from, except upon the consent of the majority of the Council members present.

2. That the Schedule of Meetings, Order of Business and Rules of Procedure adopted by this resolution, unless otherwise required by law, shall be directory only, shall not have the force or effect of law, and a departure therefrom shall not be construed to invalidate any Council proceeding or decision.

3. That this resolution shall become effective on November 1, 2003.

Section 5. Repeal. That Resolution No. 2085, adopted October 23, 2003, relating to rules of procedure, orders of business and schedules for meetings of the City Council be, and the same hereby is, repealed effective November 30, 2004.

32. Consideration of Convening An Executive Session Closed to the Public To Discuss Acquisition of Property for Public Open Space Purposes, and other matters, pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia*.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution to come out of the executive session meeting held November 20, 2004 for the purpose of discussing the appointment of the new city manager. The voting was as follows:

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

The resolution is as follows:

RESOLUTION NO. 2126

WHEREAS, at its regular public hearing meeting held on the 13th day of November, 2004, City Council moved to convene in closed executive session at 8:00 a.m., on Saturday, November 20, 2004, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, for the purpose of discussing the appointment of the new city manager, pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by the council members that such closed 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 closed 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 the council during the closed executive session, and

BE IT FURTHER RESOLVED, that the City Clerk include this resolution in the record of the November 13, 2004 meeting.

* * * * *

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the meeting of November 23, 2004, at 10:06 p.m. The voting was as follows:

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

* * * * *

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jackie M. Henderson, CMC, City Clerk