

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, April 22, 2008 - - 7:00 p.m.

* * * * *

Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Timothy B. Lovain, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney, Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Ms. Boyd, Director, Citizen Assistance; Ms. Harris, Communications Officer, City Manager's Office; Mr. Johnson, Director, Office of Management and Budget (OMB); Ms. Wheel, Budget Analyst, OMB; Fire Chief Thiel; Ms. Davis, Director, Office of Housing; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Mr. Mason, Special Assistant to the City Manager, City Manager's Office; Ms. Baron, Division Chief, Office of Housing; Mr. Slover, Recreation Supervisor, Recreation, Parks and Cultural Activities; Ms. Redfearn, Recreation Supervisor, Recreation, Parks and Cultural Activities; Ms. Niebauer, Director, Human Rights; Mr. Blakely, Deputy Director, Recreation, Parks and Cultural Activities; Mr. McPike, Division Chief, General Services; Mr. Caton, Legislative Director, City Manager's Office; Mr. Sharma, Program Supervision, T&ES; Mr. Coleman, Division Chief, General Services; Ms. Collins, Assistant City Manager/Director, Department of Human Services; Mr. Mandley, Director, General Services; Mr. Farner, Division Chief, Planning and Zoning; Ms. Smith-Page, Director, Real Estate Assessments; Dr. Woodward, Medical Director, Health Department; Ms. Triggs, Director, Finance; Mr. Colevas, ITS; Police Lt. Ogden; and Mr. Lloyd.

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

OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the Deputy City Clerk called the roll; all the 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 Meetings of City Council:

- (a) The Regular Meeting Minutes of April 8, 2008; and
- (b) The Public Hearing Meeting Minutes of April 12, 2008.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the regular meeting minutes of April 8, 2008 and the public hearing meeting minutes of April 12, 2008 (Councilman Smedberg abstained from voting on public hearing meeting minutes of April 12, 2008). The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

4. Recognition of Art Students from William Ramsay Elementary School.

City Council recognized the art students from William Ramsay Elementary School.

OTHER

4.A Presentation of City of Alexandria Budget and Fiscal Affairs Advisory Committee Report on the City Manager's Proposed Budget for FY 2009.

City Council received the Alexandria Budget and Fiscal Affairs Advisory Committee Report on the City Manager's Proposed Budget for FY 2009 and thanked the Committee for all their work.

PROCLAMATIONS

5. Presentation of a Proclamation for the Flora Krause Casey Public Health Award to Dr. Robert K. Wineland.

(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; 04/22/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Lovain, seconded by Vice Mayor Pepper and carried unanimously, City Council endorsed the proclamation. The

voting was as follows:

Lovain	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

6. Presentation of a Proclamation Recognizing April 27-May 4, 2008 as Days of Remembrance.

(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; 04/22/08, 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 endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

7. Presentation of a Proclamation in Recognition of the 30th Anniversary of the Cheerleader Competition at T.C. Williams High School on April 19, 2008.

(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; 04/22/08, 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 endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

8. Presentation of a Proclamation Declaring April as Fair Housing 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; 04/22/08, and is incorporated as part of this record by reference.)

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"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

OTHER

9. Verbal Report of the Presentation of the Annual Report by First Night Alexandria's President Mike Geissinger.

(A copy of the City Manager's report dated April 9, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 9; 04/22/08, 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 received the Annual Report from First Night Alexandria and thanked the Board of Directors for its efforts on behalf of the City. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (10-14)

(Resignations and Uncontested Appointments)

10. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
 - (a) Alexandria-Caen Sister City Committee
Kevin Holmes
 - (b) Alexandria George Washington Birthday Celebration Committee
Cheryl Zadlo
 - (c) Alexandria Social Services Advisory Board
Anthony Dale

(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. 10 (a-c); 04/22/08,

and is incorporated as part of this record by reference.)

11. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Affordable Housing Advisory Committee
1 Representative of An Employer in the City Who Employs at Least
100 Employees
- (b) Alexandria Board of Zoning Appeals
2 Citizen Members
- (c) Alexandria Commission on Employment
1 Citizen-at-Large
- (d) Historic Alexandria Resources Commission
1 Representative From the Alexandria Archaeological Commission
- (e) Alexandria Human Rights Commission
2 Citizen Members
- (f) Alexandria Park and Recreation Commission
2 Members From Planning District I

(A copy of 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-f); 04/22/08, 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 March 31, 2008.

(A copy of the City Manager's memorandum dated April 14, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 12; 04/22/08, and is incorporated as part of this record by reference.)

13. Consideration of the FY 2007 Annual Report from the Park and Recreation Commission.

(A copy of the City Manager's memorandum dated April 9, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 04/22/08, and is incorporated as part of this record by reference.)

14. Consideration of Appropriation From Fiscal Year 2008 General Fund Contingent Reserve for King Street Gardens Lighting Enhancements.

(A copy of the City Manager's memorandum dated April 15, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 14; 04/22/08, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the consent calendar, with the exception of docket item number 14, which was considered under separate motion. The City Manager's recommendations were as follows:

10. City Council accepted the following resignations with regret: (a) Kevin Holmes, Alexandria-Caen Sister City Committee; (b) Cheryl Zadlo, Alexandria George Washington Birthday Celebration Committee; and (c) Anthony Dale, Alexandria Social Services Advisory Board.

11. City Council made the following appointments: (a) appointed Amy Susskind as the representative of an employer in the City who employs at least 100 employees to the Alexandria Affordable Housing Advisory Committee; (b) reappointed Mark Allen and Jennifer Lewis as the two citizen members to the Alexandria Board of Zoning Appeals; (c) appointed Cynthia Perry as the citizen-at-large to the Alexandria Commission on Employment; (d) appointed S. Kathleen Pepper as the representative from the Alexandria Archaeological Commission to the Historic Alexandria Resources Commission; (e) reappointed Linda Gautney and Matt Harris as the two citizen members to the Alexandria Human Rights Commission; and (f) reappointed Henry Brooks and Judy Guse-Noritake as the two members from Planning District I to the Alexandria Park and Recreation Commission.

12. City Council received the Monthly Financial Report for the period ending March 31, 2008.

13. City Council received the Annual Report from the Alexandria Park and Recreation Commission and thanked the Commission for its efforts on behalf of the City.

The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

14. Consideration of Appropriation From Fiscal Year 2008 General Fund Contingent Reserve for King Street Gardens Lighting Enhancements.

(A copy of the City Manager's memorandum dated April 15, 2008, is on file in the

Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 14; 04/22/08, and is incorporated as part of this record by reference.)

Councilman Smedberg expressed concern about the condition of the park and noted that with the budget challenges, it might be wise to reconsider spending the money on other Recreation needs in the City. Councilman Smedberg also stated that the use of the space should be revisited.

Mayor Euille expressed concern about the park and noted that the park seemed to be neglected. Mayor Euille pointed out that the City had a responsibility to take care of the park and the item being considered tonight was actually a deferral from May 2007. Mayor Euille inquired about how much of the funding would be used for irrigation and landscaping.

In response to Mayor Euille, Director of Parks, Recreation and Cultural Activities Kincannon stated that the \$25,000 would be used for lighting enhancements and upgrades to the electrical system. Mr. Kincannon noted that currently \$25,000 a year is used to maintain that park.

Councilman Gaines pointed out that during budget deliberations last year, this item was specifically designated for funding. Councilman Gaines stated that the City needs to present its best image all along King Street.

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilman Krupicka and carried 6-1, City Council: (1) accepted the recommendation from the King Street Gardens Park Foundation for lighting enhancements at the King Street Gardens Park; (2) approved the appropriation of \$25,000 from the City's Fiscal Year 2008 General Fund Contingent Reserve to support these lighting enhancements; and (3) authorized staff to proceed with lighting design and implementation. The voting was as follows:

Gaines	"aye"	Pepper	"aye"
Krupicka	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"no"
	Wilson	"aye"	

CONTESTED APPOINTMENTS

15. Alexandria Commission on HIV/AIDS
1 Member From and Representing the Northern Virginia AIDS Ministry
(NOVAM)

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

NAME:

ENDORSED BY:

Elizabeth Clarey

NOVAM

(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; 04/22/08, 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 waived the residency requirement and appointed Elizabeth Clarey as the member from and representing the Northern Virginia AIDS Ministry (NOVAM) to the Alexandria Commission on HIV/AIDS. The voting was as follows:

Euille	-	Clarey
Pepper	-	Clarey
Gaines	-	Clarey
Krupicka	-	Clarey
Lovain	-	Clarey
Smedberg	-	Clarey
Wilson	-	Clarey

16. Alexandria Traffic and Parking Board
3 Citizen Members

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

NAME:

ENDORSED BY:

Gregory Cota
Kevin Posey
Amy Slack

Eric Zander
Andrew B. Hall

Patrick Warren, Sr.

(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; 04/22/08, 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 Kevin Posey and Amy Slack, and appointed Gregory Cota as the three citizen members to the Alexandria Traffic and Parking Board. The voting was as follows:

Euille	-	Cota, Posey, Slack
Pepper	-	Posey, Slack, Warren
Gaines	-	Cota, Posey, Slack
Krupicka	-	Cota, Posey, Slack

Lovain	-	Cota, Posey, Slack
Smedberg	-	Cota, Posey, Slack
Wilson	-	Cota, Posey, Slack

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

17. Consideration of a Report on Changing the Election of the Mayor, Members of the City Council and Members of the School Board From the May General Election Cycle to the November General Election Cycle, and of a Resolution Proposing an Advisory Referendum On This Issue During the November 4, 2008, General Election. (#31, 3/11/08, #12, 4/12/08)

(A copy of the City Manager's memorandum dated February 12, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 04/22/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council deferred consideration of the report until the May 13, 2008 Legislative meeting. The voting was as follows:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

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

(A copy of the City Manager's memorandum dated April 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 04/22/08, and is incorporated as part of this record by reference.)

Mayor Euille requested that staff respond to the memorandum that he submitted to the City Manager earlier about Project No. 004-012, relating to the synthetic turf field at Fort Ward Park and the rationale for giving this park priority for synthetic turf. Mayor Euille also inquired about use of the field and any Park and Recreation Commission recommendations for the field, as well as what other sites were in need of synthetic turf fields.

In response to Mayor Euille, Mr. Kincannon stated that the field was selected through a process using a number of criteria including high use and the ability to light the facility. Mr. Kincannon also noted that this field was one of the larger fields that will be utilized by adults, youth and St. Agnes and St. Stephens School during the day. Mr. Kincannon reported that the Parks and Recreation Commission wholeheartedly supported the project. Mr. Kincannon noted that Fort Ward was part of the FY08-09 expenditures.

Mayor Euille inquired about Project No. 010-701, DASH Bus Facility and whether this facility would eliminate the need to park City fleet vehicles at Union Station and when would the City be in a position to terminate parking at the station. Mayor Euille stated that there is not enough parking for people using the station and expressed concern about the safety of City vehicles.

In response to Mayor Euille, Mr. McPike, Division Chief, General Services, stated that it would not eliminate the need because it is not a related use. Director of General Services Mandley noted that there has been no theft or vandalism and he pointed out that Union Station provides an alternative parking site for City employees.

Councilman Wilson inquired about the Police Facility, Project No. 005-357 and requested information about the possibility of consolidating communications for Fire and Police. Councilman Wilson also requested information on the feasibility of consolidating communications operations at Mill Road and information on the rationale for the amount of space allotted for the public safety emergency center versus the allotted space for the communications center.

In response to Councilman Wilson, Deputy City Manager Evans stated that there is no place to consolidate the communications center at this time, however the consultant is looking for ways the two centers can operate together.

Councilman Krupicka requested a report from staff explaining why there is a need for 15,000 square feet for an emergency response center and the consolidation of the communications center.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council authorized the capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditures Summary, with the expectation that staff will provide more specific information on items that were discussed. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
Wilson	"aye"		

19. Consideration of a Contract Between the City of Alexandria and Sprint\Nextel to Reconfigure the City's Radio Frequencies.

(A copy of the City Manager's memorandum dated April 16, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 04/22/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council authorized the City Manager to execute

the 800 MHz Radio Frequency Reconfiguration Agreement between the City of Alexandria and Sprint/Nextel. The voting was as follows:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

20. Consideration of Referral to the Planning Commission For Processing of a Text Amendment to Potomac Yard Coordinated Development District (CDD).

(A copy of the City Manager's memorandum dated April 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 04/22/08, and is incorporated as part of this record by reference.)

Councilman Krupicka requested that the subsequent report from the Planning Commission clearly address the five following issues: (1) the issue of transportation; (2) how these changes will effect the City's economic sustainability; (3) the impact of the changes on future metro facilities in Potomac Yard; (4) the impact of the changes on the future zoning in Potomac Yard; and (5) consideration of fields (Simpson) and artificial turfs.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, pursuant to Section 9.07.1 and 9.12.1 of the City Charter, Council initiated and referred to the Planning Commission a Master Plan Amendment, and Zoning Ordinance text and map amendment to CDD No. 10, Potomac Yard/Greens, as described in the City Manager's Memorandum. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

- 20.A Consideration of Referral to the Planning Commission for Processing of a Comprehensive Plan and Zoning Text Amendment to Coordinated Development District (CDD) #7 to Amend the Development Special Use Permit Application for Alexandria Toyota.

(A copy of the City Manager's memorandum dated April 18, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20A; 04/22/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, pursuant to Section 9.12.1 of the City Charter, Council initiated and referred to the Planning Commission a Zoning Ordinance text and

map amendment to CDD No. 7, Route 1 Properties, as described in the City Manager's memorandum:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

*****Please note: Oral Reports and Oral Presentations by Members of City Council were heard together.*****

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Vice Mayor Pepper stated that Council received a request from the Commission on Women to pass a resolution requesting that the United States Senate delegation support the Lily Ledbetter Fair Pay Act now pending before the Senate. Vice Mayor Pepper stated that this legislation would reinstate the rule that provides that the 180-day time limit for filing a charge of discrimination with the Equal Employment Opportunities Commission (EEOC) begins to run anew after each discriminatory paycheck is received.

Councilman Krupicka noted that even though he will be supporting the resolution, he was frustrated with the process in which the resolution was received by Council. Councilman Krupicka stated that Council has complained numerous times about receiving items at the last minute, leaving little time to review and for consideration of the material.

Mayor Euille noted, for the record, that the issue came to Vice Mayor Pepper on behalf of the Commission of Women and needed action because it was scheduled for Senate action tomorrow. Mayor Euille expressed concern with the lateness of receiving the item and noted that Council customarily would not consider an item received in such a manner.

Councilman Smedberg also expressed concern with how the resolution was received by Council. Councilman Smedberg noted that there was information missing including an adequate description of why this was an urgent issue and what was being recommended to Council. Councilman Smedberg pointed out that City staff has spent time on this issue, reviewing the item, taking time away from other important issues, like budgeting priorities.

Councilmember Lovain stated that he would be supporting the item but he also expressed concern about the process for receiving the resolution.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilmember Lovain and carried 6-1 by roll-call vote, City Council passed the resolution requesting that the United States Senate delegation support the Lily Ledbetter Fair Pay Act (H.R. 2831) now pending before the Senate. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Lovain	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"no"
	Wilson		"aye"

The resolution reads as follows:

RESOLUTION NO. 2273

WHEREAS, The Civil Rights Act of 1964 included among its protections the protection against pay discrimination on the job because of race, national origin, gender, and religion;

WHEREAS, More than four decades after Congress outlawed wage discrimination based on sex, women continue to be paid, on average, only 77 cents for every dollar paid to men;

WHEREAS, African American men make, on average, 21% less than white men, and Latino workers make, on average, 28% less than white workers;

WHEREAS, These persistent wage gaps can be addressed only if employees are armed with the tools necessary to challenge past workplace pay discrimination;

WHEREAS, The recent decision of the United States Supreme Court in Ledbetter v. Goodyear Tire & Rubber Co. reversed decades of precedent that had been established by the EEOC and nine of the twelve federal courts of appeal and severely limited workers' ability to redress long-established patterns of wage discrimination;

WHEREAS, The Lily Ledbetter Fair Pay Act has already been passed by the U.S. House of Representatives and is being considered for passage by the U.S. Senate;

WHEREAS, The Act restores the ability of workers to seek redress for acts of wage discrimination which, though the acts may have occurred more than 180 days prior to filing a charge of discrimination, continue to have a discriminatory impact on current wages;

WHEREAS, The Act leaves unaltered Title VII's two-year limitation on the recovery of back pay, thereby reducing concerns that this will place an undue burden on employers;

WHEREAS, the City of Alexandria is committed to upholding the principles of civil rights under law in all areas, including pay equity, and

WHEREAS, The City of Alexandria desires to ensure that all workers within our city limits are treated and compensated fairly;

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

1. The City urges the Congress of the United States to enact, and the President to sign into law, the Lily Ledbetter Fair Pay Act.
2. A copy of this Resolution shall be transmitted forthwith to the City's Congressional delegation.
3. That this resolution shall become effective upon its adoption by the City Council.

(b) Councilmember Lovain reported that the Gang Prevention Task Force has formed a Drop-Out Prevention Committee chaired by Jim Koppel. Councilmember Lovain noted that the committee will help address the dropout rate, as well as help with truancy and underachievement in the schools.

(c) Councilmember Lovain reported that the Northern Virginia Transportation Authority issue has caused numerous issues with reprogramming the TIP and the Constrained Long Range Plan.

(d) Councilmember Lovain stated that the Human Services Transportation Planning Board of the Council of Governments (COG) would soon be soliciting applications for grants for transportation for the elderly and disabled in the region, as well as the board was getting close to completing a regional clearinghouse for human service transportation.

(e) Councilmember Lovain reported that last Thursday was Walk to School Day and he noted that George Mason Elementary School combined it with the National Environmental Education Week, encouraging students to bring plastic bags to exchange for reusable bags. Councilmember Lovain noted that he would like to explore the possibility of restricting the use of plastic bags in the City on a limited basis.

(f) Councilman Gaines reported that the Alexandria Convention and Visitors Association (ACVA) met last night and he recognized Stephanie Brown, President and CEO of the ACVA. Councilman Gaines reported that the website is now linked to Travelocity.com, sharing in the commission for reservations. Councilman Gaines noted

that the Visitors Center is now open until 8 p.m., and there has been an increase in the number of people stopping in the center since the hours have been extended. Councilman Gaines reported that the earlier indicators show that despite the economy, people seem to be visiting the City of Alexandria. Councilman Gaines noted that the March hotel statistics will be available shortly and appeared to be good.

(g) Mayor Euille noted that the trolley service appears to be receiving a positive response from the citizens and the visitors. Mayor Euille reported that there would be a meeting tomorrow night to discuss the pros and cons of the trolley service thus far, as well as to discuss tour buses in the area. Mayor Euille also noted that there would be a meeting of the Tour Bus Task Force, which will come up with some workable solutions.

(h) Mayor Euille reported that American Style Magazine has ranked Alexandria number 12 as an Arts Destination.

(i) Mayor Euille thanked Alexandria Little League, as well as Harris Teeter, for collecting food at the Simpson Stadium that was donated to ALIVE! food bank.

(j) Councilman Wilson reported that the COG Human Policy Committee had an interesting discussion about the homelessness in the region and how to address the issue. Councilman Wilson noted that D.C. Mayor Fenty has proposed to commit \$19 million to a Housing First model in order to address homelessness in the District. Councilman Wilson reported that COG Annual Survey of Homelessness in the region showed Alexandria as the only jurisdiction with a significant decrease of homeless persons.

(k) Councilman Wilson congratulated Rabbi Jack Moline from Agudas Achim on being named by Newsweek Magazine as the third best pulpit Rabbi in America.

(l) Councilman Wilson requested some insight from City Attorney Pessoa or Citizen Assistance Director Boyd about the issue of unwanted newspaper delivery in the neighborhoods.

In response to Councilman Wilson, Citizen Assistance Director Boyd reported that since the beginning of the year, there have been twelve formal complaints and noted that she has been working with the Rosemont Civic Association blog to offer some solutions to the problem. Ms. Boyd pointed out that the Examiner has new ownership since the last time this issue was before Council and noted that she would meet with the new owners to explain the procedure for avoiding the problem. Ms. Boyd noted that the newspapers were willing to go collect newspapers on an ad hoc basis if areas with a problem are identified.

Councilman Krupicka suggested that a Frequently Asked Questions response be added to the website in order to address the issue.

(m) Councilman Krupicka congratulated Mimi Carter, president of the Mount Vernon Parent Teachers Association (PTA), on being recognized as the PTA Leader of the Year and Brooksie Coopman for the Secretary Volunteer of the Year Award for her work with the T.C. Williams High School Parent Teacher Student Association (PTSA).

ORAL REPORT FROM THE CITY MANAGER

City Manager Hartmann referred the discussion to Deputy Director of Transportation and Environmental Services Culpepper for an update on the funding for transportation projects.

******Please note: Docket items numbers 21 through 31 were heard together and before Oral Reports and Presentations by Members of City Council.******

ORDINANCES AND RESOLUTIONS

21. Public Hearing on the Increase in Real Estate Tax Revenue, at a Rate Not to Exceed \$0.86 per \$100 of Assessed Value, Attributable to the Increase in Value of Assessed Property as of January 1, 2008, and Known as the "Effective Rate Increase" Pursuant to Section 58.1-3321 of the Virginia Code. Adoption of the Tax Rate is Scheduled for May 5, 2008.

(A copy of the City Manager's memorandum dated April 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21, 22 and 23; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 04/22/08, and is incorporated 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; 04/22/08, and is incorporated as part of this record by reference.)

22. Public Hearing on an Ordinance to Establish the General Real Estate and Personal Property Tax Rates for Calendar Year 2008 and to Conform the City Code to the Amendments to the Personal Property Tax Relief Act of 1998 Which Were Made by the General Assembly in 2006. Adoption is Scheduled For May 5, 2008. (#28.1, 3/11/08, #5.1, 3/15/08)

(A copy of the City Manager's memorandum dated April 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21, 22 and 23; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 04/22/08, and is incorporated 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; 04/22/08, and is incorporated as part of this record by reference.)

23. Public Hearing on an Ordinance to Establish the Additional Real Estate Tax Rate for Commercial and Industrial Property for Calendar Year 2008. Adoption is Scheduled For May 5, 2008. (#28.2, 3/11/08, #5.2, 3/15/08)

(A copy of the City Manager's memorandum dated April 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21, 22, and 23; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 04/22/08, and is incorporated 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; 04/22/08, and is incorporated as part of this record by reference.)

24. Public Hearing on an Ordinance to Increase the City's Transient Lodging Tax from 5.5 to 7.5 Percent. Adoption is Scheduled For May 5, 2008. (#20, 4/8/08)

(A copy of the City Manager's memorandum dated April 3, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 24; 04/22/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 24; 04/22/08, and is incorporated as part of this record by reference.)

25. Public Hearing on an Ordinance to Increase the City's Meals Tax From 3 to 4 Percent. Adoption is Scheduled For May 5, 2008. (#21, 4/8/08)

(A copy of the City Manager's memorandum dated April 3, 2008, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 25; 04/22/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 25; 04/22/08, and is incorporated as part of this record by reference.)

26. Public Hearing on an Ordinance to Increase the Threshold For Paying the Revenue-based Retail Gross Receipts Tax From \$100,000 to \$1,000,000. Adoption is Scheduled For May 5, 2008. (#22, 4/8/08)

(A copy of the City Manager's memorandum dated April 3, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 26; 04/22/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 26; 04/22/08, and is incorporated as part of this record by reference.)

27. Public Hearing on an Ordinance to Restrict Eligibility For Affordable Homeownership Preservation Program Grants. Adoption is Scheduled For May 5, 2008. (#23, 4/8/08)

(A copy of the City Manager's memorandum dated April 4, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 27; 04/22/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 27; 04/22/08, and is incorporated as part of this record by reference.)

28. Public Hearing on an Ordinance to Increase Ambulance Service Fees. Adoption is Scheduled For May 5, 2008. (#24, 4/8/08)

(A copy of the City Manager's memorandum dated April 4, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 28; 04/22/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 28; 04/22/08, and is incorporated as part of this record by reference.)

29. Public Hearing on an Ordinance to Increase Parking Meter Fees. Adoption is Scheduled For May 5, 2008. (#25, 4/8/08)

(A copy of the City Manager's memorandum dated April 4, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 29; 04/22/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 29; 04/22/08, and is incorporated as part of this record by reference.)

30. Public Hearing and Second Reading of an Ordinance to Increase Sewer Connection Fees. Adoption is Scheduled For May 5, 2008. (#26, 4/8/08)

(A copy of the City Manager's memorandum dated April 4, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 30; 04/22/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 30;

04/22/08, and is incorporated as part of this record by reference.)

31. Public Hearing and Second Reading of an Ordinance to Increase the Business Professional and Occupational License (BPOL) Tax Rate Applicable to Pay Day and Car Title Lenders. Adoption is Scheduled For May 5, 2008. (#3, 4/14/08)

(A copy of the City Manager's memorandum dated April 9, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 04/22/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 31; 04/22/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 31; 04/22/08, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing for the above items:

(a) Bud Miller, 115-D South Saint Asaph Street, representing Alexandria Taxpayers United, presented Council with a petition and spoke in opposition to any tax increase for both real estate and commercial properties. Mr. Miller offered some suggestions for budget cuts.

(b) Maria Wildes, 3452 Martha Custis Drive, spoke in opposition to any tax increase.

(c) John Varghese, 400 Courthouse Square, spoke in opposition to the increase in the transient lodging tax and noted that the increase would put the hotel industry in the City at a competitive disadvantage with the rest of the region.

(d) Nicole Bacon, representing Legal Services of Northern Virginia, spoke in support of the BPOL tax on Pay Day Lenders and Title loans. Ms. Bacon detailed an experience of a client who has had trouble paying the high interest loan to a title loan company.

(e) Brian Gordon, 1050 17th Street, NW, Suite 300, Washington, DC, speaking on behalf of the Association of Property Owners/Managers, spoke in support of the tax increase for commercial property owners.

(f) Jim McClellan, member of the Human Rights Commission, spoke in support of the BPOL tax on Pay Day Lenders and Title loans and stated that the funds generated from the tax would be an opportunity to educate the public about predatory lending practices.

(g) Kim Herter, 303 East Glendale Avenue, #3, representing the Consumer Affairs Commission and herself, spoke in support of the BPOL tax on Pay Day Lenders and Title loans. Ms. Herter noted that the Consumer Affairs Commission voted to make financial literacy and education the focus for their activities this year and the Commission is committed to working with the City and the business community to develop a consumer education program targeted at low to moderate income residences.

(h) Sam Choate, 777 Gloucester Street, Brunswick, Georgia, attorney representing the Community Financial Services Association of America (CFSA), Inc., spoke in opposition to the BPOL tax for Pay Day Lenders and Title loans. Mr. Choate noted that taxes levied should be uniformed for all persons engaged in the same business. Mr. Choate stated that if the tax is levied, CFSA will challenge the ordinance.

(i) Lewis Wiener, 1275 Pennsylvania Avenue, NW, Washington, DC, attorney representing Advance America, spoke in opposition to the BPOL tax for Pay Day Lenders and Title loans and noted that the cost to challenge the ordinance judicially would be considerably more than the amount of money raised from the tax.

(j) Lonnie C. Rich, 101 West Uhler Terrace, attorney representing LoanMax, spoke in opposition to the BPOL tax for Pay Day Lenders and Title loans and he noted that the City should not levy such tax because it appears to be punitive and beyond the scope of local government.

(k) Maria Wildes, 3452 Martha Custis Drive, spoke in opposition to the restrictions to the Affordable Homeownership Preservation Program grants.

WHEREUPON, motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearings and set the ordinances for second reading and final passage on Monday, May 5. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

OTHER

32. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated April 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 04/22/08, 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 City Council schedule for the months of April 2008 through September 2008 with the following additions and changes: (1) tentatively schedule the DASH facility ground breaking ceremony for either Wednesday, May 28 or Thursday, May 29 at 7:00 p.m.; and (2) received the revised calendar which includes: the 100th Anniversary Town of Potomac Parade on Saturday, May 3 at 10:00 a.m.; the change in the date for the May public hearing meeting from Saturday, May 17 to Tuesday, May 20 at 7:00 p.m.; no change in the date of the Saturday, June 14 public hearing, but reservation of the night of Tuesday, June 17 beginning at 7 p.m., in case the June public hearing meeting needs to be carried over to an additional night due to the expected length of the docket; and the USA/Alexandria Birthday Celebration on Saturday, July 12 from 6:00 p.m. to 10:00 p.m., at Oronoco Bay Park, 7 North Lee Street (raindate: July 13 fireworks only). The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, the regular City Council meeting of April 22, 2008, was adjourned at 10:30 p.m. The voting was follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria A. Sitton, CMC Deputy City Clerk