

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA****Regular Meeting****Monday, November 19, 2007 - - 5:00 p.m.**

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

Absent: Member of Council Ludwig P. Gaines

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Caton, Legislative Director; Police Captain Ogden; Deputy Police Chief Corle; Ms. Boyd, Director, Citizen Assistance; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Mr. Blakeley, Deputy Director, Recreation, Parks and Cultural Activities; Ms. Vosper, Division Chief, Recreation, Parks and Cultural Activities; Mr. Baier, Director, Transportation and Environmental Services; Dr. Gilmore, Director, Mental Health/Mental Retardation and Substance Abuse; Ms. Niebauer, Director, Office of Human Rights; Ms. Hamer, Director, Planning and Zoning; Mr. Josephson, Deputy Director, Planning and Zoning; Ms. Beeton, Planning and Zoning; Ms. Triggs, Director, Finance Department; Mr. Johnson, Director, Office of Management and Budget; Ms. Taylor, Budget Analyst, Office of Management and Budget; Fire Chief Thiel; Mr. Penn, Emergency Management Coordinator; Ms. Smith-Page, Director, Real Estate Assessments; Mr. Mallamo, Director, Office of Historic Alexandria; and Mr. Lloyd.

Recorded by: Jacqueline 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 the members of Council were present, with the exception of Councilman Gaines.

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 Special Meeting Minutes of October 10, 2007;
- (b) The Regular Meeting Minutes of October 23, 2007; and
- (c) The Special Meeting Minutes of October 27, 2007.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the special meeting minutes of October 10, 2007; the regular meeting minutes of October 23, 2007; and the special meeting minutes of October 27, 2007. The voting was as follows:

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

## **RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL**

None.

## **PROCLAMATIONS**

- 4. Presentation by Senior Services of Alexandria of its Calendar for 2008.

Senior Services presented its 2008 Calendar to City Council.

- 5. Presentation of a Proclamation Declaring November as Family Involvement 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. 5; 11/19/07, 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 endorsed the proclamation. The voting was as follows:

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

- 6. Presentation of a Proclamation Declaring November 22, 2007, 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; 11/19/07, 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 endorsed the proclamation. The voting was as follows:

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

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

### **CONSENT CALENDAR (7-13)**

#### **(Resignations and Uncontested Appointments)**

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

- (a) Alexandria Citizen Corps Council  
Michael Wenk
- (b) Alexandria Commission on HIV/AIDS  
Susan Butler
- (c) Alexandria Industrial Development Authority  
Clinton Robinson
- (d) Alexandria Social Services Advisory Board  
Kimberly Neill

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked collectively Exhibit No. 1 of Item No. 7(a-d); 11/19/07, and is incorporated as part of this record by reference.)

8. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Sister City Committee  
1 Citizen Member
- (b) Alexandria-Gyumri Sister City Committee  
1 Citizen Member

- (c) Alexandria Commission on HIV/AIDS  
1 Member From and Representing the Alexandria Youth Policy Commission
- (d) Alexandria Commission on Persons With Disabilities  
1 Representative of the Alexandria Commission on Aging
- (e) Alexandria Community Criminal Justice Board  
2 Citizen Members
- (f) Alexandria Consumer Affairs Commission  
2 Citizen Members
- (g) Alexandria Convention and Visitors Association Board of Governors  
1 Attraction Representative  
1 Retail Business Owner/Manager
- (h) Alexandria Early Childhood Commission  
1 Member-at-Large
- (i) Alexandria Human Rights Commission  
1 Representative From the Alexandria Commission for Women
- (j) Alexandria Marketing Committee  
3 Members Who Have Experience or Expertise In Marketing/Communications, Advertising Agency/Public Relations, Media Buyer, Graphic Design/Production or Media Relations/Media Outlets
- (k) Alexandria Sister Cities Committee  
1 Citizen Member
- (l) Alexandria Social Services Advisory Board  
1 Citizen Member
- (m) Alexandria Waterfront Committee  
1 Representative From the Alexandria Chamber of Commerce  
1 At-Large Citizen Residing West of Washington Street

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked collectively Exhibit No. 1 of Item No. 8(a-m);11/19/07, and is incorporated as part of this record by reference.)

**(Reports and Recommendations of the City Manager)**

9. Consideration of Acceptance of a Funding Allocation from the National Capital

Region (NCR) Urban Area Security Initiative.

(A copy of the City Manager's memorandum dated November 9, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/19/07, and is incorporated as part of this record by reference.)

10. Consideration of Application for the Commonwealth of Virginia, Wireless E-911 Services Board's Public Safety Answering Point (PSAP) Grant Program.

(A copy of the City Manager's memorandum dated November 15, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 11/19/07, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Permit an Alternate, Appointed By a City Council Member, To Represent That Council Member on City Boards and Commissions.

(A copy of the City Manager's memorandum dated November 15, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 11/19/07, 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. 11; 11/19/07, 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. 11; 11/19/07, and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize an Encroachment For Gas Meters on the Front Facades of 713-717 Gibbon Street.

(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. 12; 11/19/07, 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. 12; 11/19/07, and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an

## Ordinance Making Supplemental Appropriations for FY 2008.

(A copy of the City Manager's memorandum dated November 15, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 11/19/07, 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. 13; 11/19/07, 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. 13; 11/19/07, and is incorporated as part of this record by reference.)

## END OF CONSENT CALENDAR

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the consent calendar, with the exception of docket items #9 and 10, which were considered under separate motions. The City Manager's recommendations were as follows:

7. City Council accepted the following resignations with regret: (a) Michael Wenk, Alexandria Citizen Corps Council; (b) Susan Butler, Alexandria Commission on HIV/AIDS; (c) Clinton Robinson, Alexandria Industrial Development Authority; and (d) Kimberly Neill, Alexandria Social Services Advisory Board.

8. City Council made the following appointments: (a) reappointed Nick Kuhn as the one citizen member to the Alexandria-Caen Sister City Committee; (b) appointed Jennifer Zakriski as the one citizen member to the Alexandria-Gyumri Sister City Committee; (c) waived the residency requirement and reappointed Kimberly Moore as the one member from and representing the Alexandria Youth Policy Commission to the Alexandria Commission on HIV/AIDS; (d) reappointed Mary Parker as the one representative of the Alexandria Commission on Aging to the Alexandria Commission on Persons with Disabilities; (e) reappointed Raighne Delaney and appointed Melanie DeMayo as the two citizen members to the Alexandria Community Criminal Justice Board; (f) appointed Kimberley Herter and reappointed Elias Voces as the two citizen members to the Alexandria Consumer Affairs Commission; (g) appointed Tara Zimmnick-Calico as the one attractions representative and appointed Cindy McCartney as the one retail business owner/manager representative to the Alexandria Convention and Visitors Association Board of Governors; (h) appointed Ginny Johnstone as the one member at large to the Alexandria Early Childhood Commission; (i) reappointed Jenny Wade as the one representative from the Alexandria Commission for Women to the Alexandria Human Rights Commission; (j) appointed Beth Brummel, Laura Machanic and Carol Godwin as the three members who have experience or expertise in marketing/communications, advertising agency/public relations, media buyer, graphic

design/production or media relations/media outlets to the Alexandria Marketing Committee; (k) appointed Dianne Markowitz as the one citizen member to the Alexandria Sister Cities Committee; (l) appointed DeShuna Spencer as the one citizen member to the Alexandria Social Services Advisory Board; and (m) appointed Michael Geissinger as the one representative from the Alexandria Chamber of Commerce and appointed Nathan Macek as the one at-large citizen residing west of Washington Street to the Alexandria Waterfront Committee.

11. City Council approved the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 27, 2007, for legislative to allow alternate representatives for Council Members who serve on City Boards and Commissions.

12. City Council approved the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 27, 2007, authorizing the owners of 711-717 Gibbon Street to establish and maintain an encroachment for four gas meters at the subject properties.

13. City Council approved the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 27, 2007, for a reappropriation ordinance to amend the fiscal year 2008 appropriations.

The voting was as follows:

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

9. Consideration of Acceptance of a Funding Allocation from the National Capital Region (NCR) Urban Area Security Initiative.

(A copy of the City Manager's memorandum dated November 9, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/19/07, and is incorporated as part of this record by reference.)

Questions were asked by Council on why the additional position was needed and what happened to the funds, which were answered by Emergency Management Coordinator Penn and City Manager Hartmann.

Mayor Euille said he was not pleased with the process of how this was received and asked that next time something like this comes up, Council get more detail to document it.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice

Mayor Pepper and carried unanimously, City Council: 1. authorized the City Manager to accept the funding through the Urban Area Security Initiative in the amount of \$250,000; and 2. authorized the City Manager to execute all the necessary documents that may be required. The voting was as follows:

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

10. Consideration of Application for the Commonwealth of Virginia, Wireless E-911 Services Board's Public Safety Answering Point (PSAP) Grant Program.

(A copy of the City Manager's memorandum dated November 15, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 11/19/07, and is incorporated as part of this record by reference.)

Questions were asked by Council regarding personnel to fill the call center, the space concerns, staffing issues and what they expect the study to do, which were answered by Deputy Police Chief Corle.

Mayor Euille said the Council raised the E-911 tax to the max a few years ago, solely to generate revenues to fix the system and get things going, but he said Council needs more detail, as it is a budgetary matter and he suggested it be deferred so they can get more information.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council deferred action on this item in order to get more information from staff. The voting was as follows:

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

## **CONTESTED APPOINTMENTS**

14. Alexandria Environmental Policy Commission  
1 Citizen-at-Large

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

NAME:

ENDORSED BY:

William Clark  
Linda Greene



Jennifer Hovis

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 14; 11/19/07, 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 Jennifer Hovis as the one citizen-at-large to the Alexandria Environmental Policy Commission. The voting was as follows:

Euille	-	Hovis
Pepper	-	Hovis
Gaines	-	absent
Krupicka	-	Hovis
Lovain	-	Greene
Smedberg	-	Hovis
Wilson	-	Hovis

15. Alexandria Potomac Yard Design Advisory Committee  
2 Representatives From the Potomac Yard Area

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

NAME:	ENDORSED BY:
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Ellen Hamilton  
Susanne Carnell  
Paul Richman  
Maria Wasowski

(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; 11/19/07, 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 Suzanne Carnell and Maria Wasowski as the two representatives from the Potomac Yard area to the Alexandria Potomac Yard Design Advisory Committee. The voting was as follows:

Euille	-	Carnell, Wasowski
Pepper	-	Carnell, Wasowski
Gaines	-	absent
Krupicka	-	Carnell, Wasowski
Lovain	-	Carnell, Wasowski
Smedberg	-	Carnell, Wasowski

Wilson - Carnell, Wasowski

16. Alexandria Youth Policy Commission  
1 Member of A Profession Which Requires Special Training or  
Knowledge In Issues Affecting Youth

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

NAME: ENDORSED BY:

Heather Martin  
Nancy Pasfield  
Deborah Sikes

(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; 11/19/07, 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 Heather Martin as the one member of a profession which requires special training or knowledge in issues affecting youth to the Alexandria Youth Policy Commission. The voting was as follows:

Euille	-	Martin
Pepper	-	Martin
Gaines	-	absent
Krupicka	-	Martin
Lovain	-	Martin
Smedberg	-	Pasfield
Wilson	-	Martin

17. Alexandria Commission on Aging  
1 Citizen Members

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

NAME: ENDORSED BY:

Patricia Sullivan-Perry  
Ronald Sturman

(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; 11/19/07, 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 Patricia Sullivan-Perry as the one citizen member to the Alexandria Commission on Aging. The voting was as follows:

Euille	-	Sullivan-Perry
Pepper	-	Sturman
Gaines	-	absent
Krupicka	-	Sullivan-Perry
Lovain	-	Sturman
Smedberg	-	Sullivan-Perry
Wilson	-	Sullivann-Perry

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

18. Consideration of the Report from the Alexandria National Harbor Collaborative.

(A copy of the City Manager's memorandum dated November 15, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 11/19/07, and is incorporated as part of this record by reference.)

The presentation of the report was given by Deputy City Manager Jinks, Mr. Rick Dorman, chair of the Collaborative, Planner Kathleen Beeton, ACVA Marketing Coordinator Stephanie Brown, Director of Transportation and Environmental Services Baier, and Director of Historic Alexandria Mallamo, and they responded to questions of City Council.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council: 1. approved \$794,000 for the priority (Tier I) National Harbor related activities as identified in this report and as displayed on attachment; 2. allocated \$700,000 from the General Fund balance designation set-aside as part of the FY 2008 budget adoption for National Harbor readiness purposes; 3. reallocated \$54,000 from the City's Marketing Fund for ACVA marketing activities identified in Tier I; 4. utilize \$40,000 of Alexandria Economic Development Partnership IDA funds for facade and exterior improvements identified in Tier I; and 5. funding for the items listed in Tier II (\$305,766) and Tier III (\$203,950) from the FY 2008 General Fund Contingent Reserve, and consider funding the net new trolley costs for FY 2008 (\$141,000) from the new transportation revenues to be received from the Northern Virginia Transportation Authority and some of that money can be used to fill in for other things, such as the ACVA.

Councilman Smedberg asked that if the third recommendation moves forward, that there be coordination or communication with the new marketing committee or at least the coordinating council.

The voting was as follows:

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

None.

## ORAL REPORT FROM THE CITY MANAGER

None.

## ORDINANCES AND RESOLUTIONS

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City Attorney Pessoa said he has just been informed that no members of the Virginia Air Pollution Control Board will be present at the hearing at the Lee Center this evening and there will just be staff there as opposed to members of the Air Board.

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19. Consideration of a Resolution Establishing the Fiscal Year 2009 Budget Targets for the Alexandria City Government and the Alexandria Public Schools.  
**[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 16, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 11/19/07, and is incorporated as part of this record by reference.)

Director of Management and Budget Johnson made a presentation of the staff report and responded to questions of City Council.

Councilman Krupicka said he would like to put out for discussion an approach where it sets an expenditure target for Schools around five percent growth and an expenditure target for the City around five percent growth, but specify that the City

Manager may only use new revenue sources and not include transportation taxes or property tax increases as part of that budget, and in essence, saying they would like a budget proposal that looks at every possible revenue source other than the property tax rate, and the City Manager can present to Council his case for raising the property tax rate so that Council has the ability to evaluate that with the community. He said he would be happy to work with staff to put something in writing for next Tuesday's meeting.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council deferred action on this item to the November 27, 2007 City Council meeting. The voting was as follows:

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

20. Consideration of a Resolution Establishing a Committee to Study the Commercial Real Estate Transportation Tax Option. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 14, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 11/19/07, and is incorporated as part of this record by reference.)

Councilman Wilson said he had a concern, in that at the last legislative meeting, they discussed the concerns about how to prioritize and organize transportation expenditures and a desire to move forward with the transportation policy task force with something that is more permanent and giving them the authority to look at all the funding streams, and now they are off-loading the responsibility with the largest portion of the dollars they would be entrusted to make recommendations on to another group.

Mayor Euille said the resolution has been written incorrectly, as that is not the intent. He said his discussion with staff did not involve the committee taking on those responsibilities and it should be deferred for correction to the next legislative meeting.

**WHEREUPON**, upon motion by Councilman Krupicka and seconded by Vice Mayor Pepper, City Council moved to defer action on this item to the November 27, 2007 City Council meeting, with a request to strike out the language related to the group actually creating priorities relating to transportation.

Vice Mayor Pepper said she noticed that in describing the five members, there were two members from BFAAC, two members from the ad-hoc transportation task force and the Chamber, and if a member from the BFAAC that is the representative from the Chamber, then that person would not be selected, as the Chamber would then have two representatives.

The voting on the motion was as follows:

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

21. Consideration of a Resolution Establishing a Landmark/ Van Dorn Community Advisory Group. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 8, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 11/19/07, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper and seconded by Councilman Krupicka, City Council moved to adopt a resolution establishing a Landmark/Van Dorn Plan Advisory Group as discussed, and authorized the Mayor to appoint the members of the Advisory Group.

Councilman Smedberg said there are a lot of seniors that live in the West End, and there are several issues related to seniors and children, and he wondered if there was a place for a representative from that community.

Mayor Euille said one of the categories is one to three at large members representing city wide issue and youth or senior could fall into that category.

The roll-call voting on the motion was as follows:

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

The resolution reads as follows:

**RESOLUTION NO. 2252**

WHEREAS, the revitalization of Landmark Mall and its surrounding areas is important to the economic and social health of Alexandria as a whole and to the West End of Alexandria in particular, and

WHEREAS, the City Council wishes to gain the advice of community members representing a variety of interests in the development of a plan for the Landmark/Van Dorn Area that takes advantage of opportunities presented by redevelopment of Landmark Mall and nearby commercial areas in a way that provides long-term benefits to residents and businesses in the West End and to Alexandria as a whole,

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

1. There is hereby established a Landmark/Van Dorn Advisory Group.
  2. The Advisory Group shall consist of 14 to 18 members as follows:  
Two to four residents and residential property owners in and near the planning area.  
Representatives of the following West End community associations:  
Cameron Station Civic Association  
Cameron Station Community Association  
Brookville-Seminary Valley Civic Association  
Seminary Hill Association.  
Three to four commercial property owners and developers within the Landmark/Van Dorn Planning Area.  
One to two business owners in or near the planning area.  
A member representing the Eisenhower Partnership.  
A member representing the West End Business Association.  
One to three at-large members representing citywide interests.
  3. The Mayor shall appoint the members of the advisory group.
  4. The functions of the advisory group shall be to:  
Identify and study the issues, challenges and opportunities presented by the redevelopment of Landmark Mall and other major sites in the Landmark/Van Dorn area.  
Based on the members' local knowledge, values and ideas, advise the staff and consultant team on options for the future of the planning area, and assist the staff and consultants in developing policy recommendations in the variety of subject areas required for a complete Landmark/Van Dorn plan.  
Keep the public informed about the plan, advising groups they represent of the progress of the plan and issues raised that are of interest to the group, and advising the Planning Commission and City Council on their analysis and recommendations.
  5. Administrative and technical staff support to the Advisory Group will be provided by the Department of Planning and Zoning supplemented by staff from other City departments and agencies.
  6. The Advisory Group shall endeavor to present its findings and recommendations to the Planning Commission and the City Council in the Spring of 2008.
22. Consideration of a Resolution Seeking Limitations on Payday Loans.

**[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 14, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 11/19/07, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution seeking limitations on payday loans. The voting was as follows:

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

The resolution reads as follows:

**RESOLUTION NO. 2253**

WHEREAS, the 2002 General Assembly enacted the Payday Loan Act, thus allowing certain lenders to make loans at an effective annual interest rate as high as 391 percent annually; and

WHEREAS, a study by the Center for Responsible Lending concluded that the average borrower pays back \$793 for a \$325 loan, because the borrower is often forced due to his financial circumstances to extend the loan and pay additional fees when the loan is due; and

WHEREAS, the interest rate charged for payday loans is considered exploitative by many Alexandria residents, leading the City to oppose payday loans in recent years; and

WHEREAS, the United States Congress was so concerned about the detrimental effects of payday lending that it included a provision in the 2006 Defense Authorization Act, which was approved by the President, that caps the annual percentage rate at 36 percent on loans made to military borrowers and their families, including fees and other charges; and

WHEREAS, the City of Alexandria is concerned that its residents suffer from these same detrimental effects when they procure loans at the exorbitant interest rates charged by payday lenders; and

WHEREAS, the City of Alexandria asked its legislative delegation to oppose payday loans in its 2007 Legislative Package; and

WHEREAS, in its proposed 2008 Legislative Package, the City of Alexandria



again asks its legislative delegation to oppose payday loans, or to limit the interest rate on them to 36 percent; and

WHEREAS, our neighboring jurisdictions of Maryland and the District of Columbia have already outlawed usurious interest rates for payday loans; and

WHEREAS, it is vital that the General Assembly and the Governor of Virginia give their earnest attention to these matters at the next regular session of the General Assembly and enact laws that will prevent further exploitative payday lending practices; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Alexandria that the Virginia General Assembly and the Governor are requested to take action in the 2008 General Assembly Session to enact laws that will prevent further exploitative payday lending practices, including but not limited to: (1) an annual interest rate cap of 36 percent for any consumer loans; or (2) a prohibition on payday lending; and

BE IT FURTHER RESOLVED that the City Clerk provide copies of this resolution to the Governor and the members of the City's delegation to the General Assembly.

23. Consideration of a Resolution Supporting Continued Federal Funding for Amtrak.  
**[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 14, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 11/19/07, and is incorporated as part of this record by reference.)

Councilman Wilson said that due to his employment, he would recuse himself from the discussion of this item.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried 5-0 by roll-call vote, City Council adopted a resolution to support continued federal funding for AMTRAK to the degree that services will continue and improve for the benefit of the citizens of the City of Alexandria and the Commonwealth of Virginia. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2254

SUPPORTING CONTINUED FEDERAL FUNDING FOR AMTRAK

WHEREAS, congested metropolitan highways, continued financial deterioration of the airlines, and rising fuel prices are urgent reminders of the transportation infrastructure crisis that is jeopardizing America's prosperity; and

WHEREAS, intercity passenger rail infrastructure has been underfunded for far too long by the federal government; and

WHEREAS, in the context of increasingly complex, costly and limited alternatives to an impending transportation system crisis, intercity passenger rail provides the opportunity to add capacity to the nation's congested aviation and highway transportation modes; and

WHEREAS, intercity passenger rail provides a more fuel-efficient transportation option thereby providing cleaner transportation alternatives and helping reduce America's dependence on foreign oil; and

WHEREAS, America needs a balanced, energy efficient, integrated transportation system, and the American people deserve multiple transportation choices; and

WHEREAS, the residents, business persons, and visitors of the City of Alexandria need a vastly improved and guaranteed passenger rail system to link the City of Alexandria to the hundreds of other cities served by rail in the United States and Canada; and

WHEREAS, Amtrak provides alternatives to the congested I-95, I-395, and I-66 interstate corridors; and

WHEREAS, Amtrak served a record-setting 25 million passengers last year;

THEREFORE, BE IT RESOLVED that the Alexandria City Council supports continued federal funding for AMTRAK for the benefit of the citizens of the City of Alexandria and the Commonwealth of Virginia; and

BE IT FURTHER RESOLVED, that the City Clerk shall forward copies of this resolution to Senators John Warner and James Webb and Congressman James P. Moran.

24. Consideration of a Resolution Establishing an Economic Sustainability Implementation Monitoring Committee. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 14, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 11/19/07, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution creating an Economic Sustainability Implementation Monitoring Committee. The voting was as follows:

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

Mayor Euille said he will be one of the two Council representatives on the committee and will appoint the second member to the committee in the next few days.

The resolution reads as follows:

#### RESOLUTION NO. 2255

WHEREAS, City Council established the Mayor's Economic Sustainability Work Group on June 27, 2006; and

WHEREAS, over the course of the last year, the Mayor's Economic Sustainability Work Group reviewed the City's economic condition, issues and opportunities; and

WHEREAS, the Mayor's Economic Sustainability Work Group presented a draft recommendations report which was discussed by the Alexandria community at the September 29, 2007, Town Meeting; and

WHEREAS, the final recommendations of the Mayor's Economic Sustainability Work Group were presented to City Council and discussed by Council at its October 27, 2007, Retreat; and

WHEREAS, the final recommendations of the Small Business Task Force were presented to City Council and discussed by Council at its June 26, 2007, meeting; and

WHEREAS, in order to strengthen for the long-term the City economy, and to make the City a place for businesses to be attracted to and thrive; and

WHEREAS, an economically and fiscally strong City helps keep tax rates and burdens low and services high; and

WHEREAS, there are over 100 recommendations in this Economic Sustainability report, and many recommendations in the Small Business Task Force Report, which cover a wide range of topics and whose implementation is complex and would be the responsibility of many City departments, as well as the various economic development agencies that the City funds; and

WHEREAS, some recommendations are in the process of being implemented, and others will need to be prioritized, budgeted and resourced; and

WHEREAS, how implementation of those recommendations is executed will determine if the City is able to build on its success and become economically sustainable into the future; and

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

There is hereby established a group known as the Economic Sustainability Implementation Monitoring Committee (the "Committee"):

1. The Committee shall consist of six members, including two members of City Council, and two members from the Economic Sustainability Work Group, one member from the Alexandria Chamber of Commerce, and one citizen-at large.
2. The Committee shall be appointed by the Mayor and shall serve for a twelve-month period.
3. The Committee shall select a chair from among its members.
4. At the end of the twelve month period, the Committee will report to Council on whether or not to extend its term for another year, or whether the Committee should be made a permanent Committee.
5. The Committee's charge will be to:
  - a. Receive regular reports from City departments and economic development related agencies funded by the City, on the status of the implementation of the recommendations contained in the Recommendations Report of the Mayor's Economic Sustainability Work Group, as well as the Report of the Small Business Task Force.
  - b. Advise on implementation priorities
  - c. Assist in developing implementation strategies
  - d. Monitor implementation of the recommendations
  - e. Advise the City Manager, City departments and other economic development agencies which are funded by the City concerning implementation plans, timetables, strategies.

- f. Determine accountability, outcome and impact metrics of economic development activities
- g. Provide period reports to City Council on the status of the implementation of the recommendations contained in the report of the Mayor's Economic Sustainability Work Group and the Small Business Task Force.
- h. Make other recommendations to Council related to these issues as the Committee deems appropriate.

6. Staff support of the Committee shall be provided primarily by the City Manager's Office.

25. Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Number 84 of the City Code. **[ROLL-CALL VOTE]**

(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. 25; 11/19/07, 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. 25; 11/19/07, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council passed the ordinance to adopt supplement number 84 to the City Council. The voting was as follows:

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

The ordinance reads as follows:

#### ORDINANCE NO. 4504

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 84," are hereby adopted as and shall constitute "The Eighty-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Eighty-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between May 12, 2007 through July 26, 2007, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after May 12, 2007, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between May 12, 2007 through July 26, 2007, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Eighty-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The Eighty-Fourth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

26. Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Numbers 43 and 44 of

the Zoning Ordinance. **[ROLL-CALL VOTE]**

(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. 26; 11/19/07, 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. 26; 11/19/07, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council passed the ordinance to adopt supplement numbers 43 and 44 to the Zoning Ordinance. The voting was as follows:

The voting was as follows:

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

The ordinance reads as follows:

#### ORDINANCE NO. 4505

AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

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

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages are identified in the lower left-hand corner by the notation "Supp. No. 43," and "Supp. No. 44," are hereby adopted as and shall constitute "The Forty-Third and Forty-Fourth Supplements to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Forty-Third and Forty-Fourth Supplements to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the

Zoning Ordinance which were adopted between January 20, 2007, and June 26, 2007, inclusive, and which are not included in such supplements or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between January 20, 2007 and June 26, 2007, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Forty-Third and Forty-Fourth Supplements to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after June 26, 2007.

Section 4. That one complete set of pages comprising "The Forty-Third and Forty-Fourth Supplements to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplements shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

## **OTHER**

### **27. Consideration of City Council Schedule.**

(A copy of the City Manager's memorandum dated November 15, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 11/19/07, 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: 1. scheduled a work session with the Planning Commission at 5:30 p.m. before Council's Tuesday, January 22 legislative meeting in the Council workroom; 2. scheduled a work session with the Transportation Task Force to discuss their report at 5:30 p.m. before Council's Tuesday, February 12 legislative meeting in the Council workroom; and 3. received the revised calendar which includes: a. the ribbon cutting for the opening of the Duke Street Pedestrian Overpass at 8:30 a.m. on Friday, November 30; b. the INOVA Alexandria Hospital City/Hospital Task Force breakfast and tour of the hospital for Council at 8:00 a.m. on



Thursday, December 6 at INOVA Alexandria Hospital, 4320 Seminary Road; c. the Potomac Yard Fire Station/Affordable Housing Project groundbreaking ceremony at 8:30 a.m. on Saturday, December 15; d. the January public hearing meeting on Saturday, January 12 (revised and corrected date); and e. the Inner City Walk on Wednesday, March 12 at 6:00 p.m. (location TBD.) The voting was as follows:

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

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Vice Mayor Pepper, seconded by Councilman Wilson and carried unanimously, the regular City Council meeting of November 19, 2007, was adjourned at 7:20 p.m. The voting was as follows:

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

APPROVED BY:

\_\_\_\_\_  
WILLIAM D. EUILLE      MAYOR

ATTEST:

\_\_\_\_\_  
Jacqueline M. Henderson, CMC, City Clerk