

3(a)
1-27-09

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, January 13, 2009 - - 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. Spera, Acting 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; Mr. Johnson, Director, Office of Management and Budget (OMB); Ms. Hamer; Director, Planning and Zoning (P&Z); Police Chief Baker; Mr. Mason, Special Assistant to the City Manager, City Manager's Office; Mr. Castrilli, Communications Director, City Manager's Office; Ms. Collins, Assistant City Manager for Community and Human Services; Ms. Barlow, Principal Planner, P&Z; Mr. Culpepper, Deputy Director, T&ES; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Dr. Gilmore, Executive Director, Mental Health, Mental Retardation and Substance Abuse (MHMRSA); Ms. Cannaday, Therapist, MHMRSA; Mr. Penn, Emergency Management Coordinator, Fire; Mr. Spruill, Deputy Chief, Fire; Mr. Skrabak, Director, Office on Environmental Quality; Mr. Sharma, Division Chief, Office on Environmental Quality; Ms. Davis, Director, Office on Housing; Ms. McIlvaine, Deputy Director, Office on Housing; Mr. Keeler, Division Chief, Office on Housing; Mr. Saenz, ITS; Police Captain Ogden; and Mr. Lloyd.

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

PLEASE NOTE: City Council held a closed Executive Session at 6:30 p.m., to interview a candidate for appointment to Boards and Commissions.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg, at 6:41 p.m., City Council convened in Executive Session, closed pursuant to Section 2.2-3711(A)(1) of the *Code of Virginia*, for the purpose of conducting interviews with and discussing and considering prospective candidates for appointment to the board of the Alexandria Redevelopment and Housing Authority. The voting was

as follows:

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

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, at 7:16 p.m., City Council reconvened the meeting. The voting was as follows:

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

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2313

WHEREAS, the Alexandria City Council has this 13th day of January 2009, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

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 December 9, 2008; and

(b) The Public Hearing Meeting Minutes of December 13, 2008.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Wilson and carried unanimously, City Council approved the regular meeting minutes of December 9, 2008 and the public hearing meeting minutes of December 13, 2008. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Recognizing Department of Mental Health, Mental Retardation, and Substance Abuse Employee Darlene Cannaday as City Employee of the Month for January.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 01/13/09, and is incorporated as part of this record by reference.)

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

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

Wilson "aye"

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-11)

(Resignations and Uncontested Appointments)

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

- (a) Alexandria Affordable Housing Advisory Committee
Desiree Maxwell
- (b) Alexandria Building Code Board of Appeals
Russell Kopp
Carol Kelly Skrabak
- (c) Alexandria Community Services Board
Joseph Dunn
- (d) Alexandria Environmental Policy Commission
David A. Evans
- (e) Alexandria Park and Recreation Commission
Lindsey Swanson
- (f) Alexandria Traffic and Parking Board
Randy Cole

(A copy of the above resignations are on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 5 (a-f); 01/13/09, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Beautification Commission
1 Citizen Member
- (b) Alexandria Commission for the Arts
1 Student Member Who Resides in the City and Attends A High School Located in the City of Alexandria
- (c) Alexandria Commission on HIV/AIDS
1 Member From the Alexandria Inova Hospital Department of Pastoral Services

- (d) Alexandria Emergency Medical Services Council
1 Representative of the Hospital Administration of Inova Alexandria Hospital
- (e) Historic Alexandria Resources Commission
1 Representative From The Alexandria Association
- (f) Alexandria Human Rights Commission
1 Representative From the Alexandria Commission on Persons With Disabilities
- (g) Alexandria Law Library Board
1 Citizen Member
- (h) Alexandria Public Health Advisory Commission
1 Citizen Member Who Is A Health Professional At the Time of Appointment and Derives, or Within the Previous Five Years Derived Principal Income From Providing Health Care, Health Services or Health Related Activities
- (i) Alexandria Sanitation Authority
2 Citizen Members
- (j) Alexandria Sister Cities Committee
2 Citizen Members
- (k) Alexandria Social Services Advisory Board
1 Parent Member
3 Citizen Members
- (l) Alexandria Youth Policy Commission
1 Citizen 18 Years of Age or Younger

(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. 6 (a-l); 01/13/09, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 7. Consideration of the FY 2008 Annual Report from the Alexandria Environmental Policy Commission.

(A copy of the City Manager's memorandum dated January 6, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 01/13/09, and is incorporated as part of this record by reference.)

8. Consideration of a Grant Application to the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) For One-time Set-aside Funds For Prevention-specific Purchase.

(A copy of the City Manager's memorandum dated January 8, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 01/13/09, and is incorporated as part of this record by reference.)

9. Consideration of a Funding Application from Community Lodgings, Inc (CLI) for a Loan From the Housing Opportunities Fund.

(A copy of the City Manager's memorandum dated January 6, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 01/13/09, and is incorporated as part of this record by reference.)

10. Consideration of Appointment of Two City Representatives to the Police/Fire Pension Board.

(A copy of the City Manager's memorandum dated January 7, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 01/13/09, 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 Amend the Zoning Ordinance to Allow Public Recycling Centers in the Industrial Zone as a Permitted Use.

(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. 11; 01/13/09, 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. 11; 01/13/09, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council approved the Consent Calendar, with the removal of docket item number 9, which was considered under separate motion. The City Manager's recommendations were as follows:

5. City Council accepted the following resignations with regret: (a) Desiree

Maxwell, Alexandria Affordable Housing Advisory Committee; (b) Russell Kopp and Carol Kelly Skrabak, Alexandria Building Code Board of Appeals; (c) Joseph Dunn, Alexandria Community Services Board; (d) David A. Evans, Alexandria Environmental Policy Commission; (e) Lindsey Swanson, Alexandria Park and Recreation Commission; and (f) Randy Cole, Alexandria Traffic and Parking Board.

6. City Council made the following appointments: (a) appointed Kirsten Kulis as the citizen member to the Alexandria Beautification Commission; (b) appointed Ian Zuidema as the student member who resides in the City and attends a high school located in the City of Alexandria to the Alexandria Commission for the Arts; (c) appointed Patricia Dickson as the member from the Alexandria INOVA Hospital Department of Pastoral Services to the Alexandria Commission on HIV/AIDS; (d) appointed John Robert Audett, M.D. as the representative of the hospital administration of INOVA Alexandria Hospital to the Alexandria Emergency Medical Services Council; (e) reappointed Christopher Jones as the representative from the Alexandria Association to the Historic Alexandria Resources Commission; (f) reappointed Chester Avery as the representative from the Alexandria Commission on Persons with Disabilities to the Alexandria Human Rights Commission; (g) appointed Andrew Dubinsky as the citizen member to the Alexandria Law Library Board; (h) appointed Lacy Fehrenbach-Marosfalvy as the citizen member who is a health professional at the time of appointment and derives, or within the previous five years derived principal income from providing health care, health services or health related activities to the Alexandria Public Health Advisory Commission; (i) reappointed James Larrison and Thomas Van Wagner as the two citizen members to the Alexandria Sanitation Authority; (j) reappointed Robert Lalka and appointed Mary O'Brien as two citizen members to the Alexandria Sister City Committee; (k) reappointed Jason Dechant as the parent member and appointed Marcus Banks, Kendra Gillespie, and Patrick Mallory as the three citizen members to the Alexandria Social Services Advisory Board; and (l) appointed Andrew Wyse as the citizen 18 years of age or younger to the Alexandria Youth Policy Commission.

7. City Council received the FY 2008 Annual Report from the Alexandria Environmental Policy Commission and thanked the Commission and its members for their efforts on behalf of the City.

8. City Council: (a) authorized the Alexandria Department of Mental Health, Mental Retardation and Substance Abuse to submit a noncompetitive grant application for \$3,500 to the State Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) for prevention-related purchases; and (2) authorized the City Manager to execute all of the necessary documents that may be required.

10. City Council ratified the appointment of Cheryl Orr as a City Representative and Bruce Johnson as the Alternate City Representative member to the City of Alexandria Firefighters and Police Officers Pension Plan Board.

11. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, January 24, 2009.

The voting was as follows:

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

9. Consideration of a Funding Application from Community Lodgings, Inc (CLI) for a Loan From the Housing Opportunities Fund.

(A copy of the City Manager's memorandum dated January 6, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 01/13/09, and is incorporated as part of this record by reference.)

Mayor Euille requested that the item be withdrawn so City Council may vote formally on this specific item as it has voted on sizeable grants in the past. Mayor Euille also disclosed that he had recently been appointed as an honorary member of the advisory board for Community Lodgings, Inc., and there was no conflict of interest with him voting on this item.

City Council asked questions about regular replacement items included in the grant, the need for an assessment of use of funds and management to be given to Council as a requirement for funding and the sources and use of the funds.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council: (a) approved a loan of \$46,512 from the HOME Fund portion of the Housing Opportunities Fund to complete replacement of the main sewer line, repair/install new ceramic tile flooring, and replace 36 water efficient commodes and showerheads at Community Lodgings, Inc. (CLI) multi-family complexes at 3908, 3912 and 3916 Elbert Avenue; and (b) authorized the City Manager to execute all necessary documents and agreements. The voting was as follows:

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

CONTESTED APPOINTMENTS

12. Alexandria-Caen Sister City Committee
1 Citizen Member

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

NAME:

Ruth Brannigan
Charles Gautier

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 01/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council appointed Ruth Brannigan as the citizen member to the Alexandria-Caen Sister City Committee. The voting was as follows:

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

13. Alexandria Citizen Corps Council
1 Citizen Member

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

NAME:

Christopher Cushing
Roy Shannon

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 01/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council appointed Christopher Cushing as the citizen member to the Alexandria Citizen Corps Council. The voting was as follows:

Euille	-	Shannon
Pepper	-	Cushing
Gaines	-	Cushing
Krupicka	-	Cushing
Lovain	-	Cushing

Smedberg - Cushing
Wilson - Shannon

14. Alexandria Commission on Aging
4 Citizen Members (Two of Whom Must be 60 Years of Age or Older)

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

NAME:

Janet Barnett
Cedar Dvorin
Bernard Kellom
Joann Miller
Nicole Liffrig Molife
Barbara Treese

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 01/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Cedar Dvorin, Bernard Kellom, Joann Miller and appointed Janet Barnett as the four citizen members, two of whom must be 60 years of age or older to the Alexandria Commission on Aging. The voting was as follows:

Euille	-	Barnett, Dvorin, Kellom, Miller
Pepper	-	Barnett, Dvorin, Kellom, Miller
Gaines	-	Barnett, Dvorin, Kellom, Miller
Krupicka	-	Dvorin, Kellom, Miller, Treese
Lovain	-	Barnett, Dvorin, Kellom, Miller
Smedberg	-	Barnett, Dvorin, Kellom, Miller
Wilson	-	Barnett, Dvorin, Kellom, Miller

15. Alexandria Commission on HIV/AIDS
1 Representative From An HIV/AIDS Service Organization Which
Provides Services in the City to the Minority Community

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

NAME:

ENDORSED BY:

Funmi Adesanya

K I Services, Inc.

(Material pertaining to the above appointment is on file in the Office of the City

Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 01/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council waived the residency requirement and appointed Funmi Adesanya as the representative from an HIV/AIDS service organization which provides services in the City to the minority community to the Alexandria Commission on HIV/AIDS. The voting was as follows:

Euille	-	Adesanya
Pepper	-	Adesanya
Gaines	-	Adesanya
Krupicka	-	Adesanya
Lovain	-	Adesanya
Smedberg	-	Adesanya

- 16. Alexandria Environmental Policy Commission
 - 1 Member With Experience in Federal or State Environmental Statutes, Regulations and Procedures

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

Courtney Enlow
Danielle Fidler

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 01/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Danielle Fidler as the member with experience in federal and state environmental statutes, regulations and procedures to the Alexandria Environmental Policy Commission. The voting was as follows:

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

- 17. Alexandria Public Health Advisory Commission
 - 1 Dentist Practicing in the City, Nominated by the Northern Virginia Dental Society

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

NAME:

ENDORSED BY:

Daniel Cassidy

Northern Virginia Dental Society

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 01/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council waived the residency requirement and appointed Daniel Cassidy as a dentist practicing in the City, nominated by the Northern Virginia Dental Society to the Alexandria Public Health Advisory Commission. The voting was as follows:

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

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

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

NAME:

ENDORSED BY:

Matthew Carmody
Mark Elder
Deborah Harris
Derek Hyra
Merrick Malone
Albert Melvin Miller
Johnnie Saunders

Andy Duncan

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 01/13/09, and is incorporated as part of this record by reference.)

Acting City Attorney Spera explained that the ballots for the two vacant positions were separated in order to demonstrate to Council which vacancy they were voting on.

Mr. Spera noted that the two vacancies open for appointment were as follows: one citizen member for the vacancy created by the expiration of Ruby Tucker's term and one citizen member for the vacancy created by the expiration of Albert Melvin Miller's term.

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council appointed Derek Hyra as the one citizen member for vacancy created by the expiration of Ruby Tucker's term to the Alexandria Redevelopment and Housing Authority Board of Commissioners. The voting was as follows:

Euille	-	Hyra
Pepper	-	Hyra
Gaines	-	Harris
Krupicka	-	Hyra
Lovain	-	Hyra
Smedberg	-	Hyra
Wilson	-	Hyra

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

NAME:	ENDORSED BY:
Matthew Carmody	
Mark Elder	Andy Duncan
Deborah Harris	
Derek Hyra	
Merrick Malone	
Albert Melvin Miller	
Johnnie Saunders	

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilmember Lovain and carried unanimously, City Council: (1) deferred filling the current vacancy on the ARHA Board created by the expiration of Mr. Melvin Miller's term; (2) directed staff within a reasonable period of term to readvertise that vacancy and bring such additional candidates before Council for consideration (no earlier than two months and no longer than 5 months, to have the vacancy filled by the end of this legislative session); and (3) requested that Mr. Miller agree to remain as a member of the ARHA Board until such time as a successful candidate can be approved by Council. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

19. Receipt of Draft Waterfront Planning Process Structure for Council Discussion.

(A copy of the City Manager's memorandum dated January 9, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 01/13/09, and is incorporated as part of this record by reference.)

Planning and Zoning Director Hamer gave Council an overview of the draft Waterfront Planning Process structure and responded to questions from Council about funding issues, planning project priorities, timeline for completion, role of the Waterfront Committee in the process, evaluation of flooding along the Waterfront and selection of a consultant for the process.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council received the report concerning the draft Waterfront Plan planning process, scheduled the report for discussion at Council's January 27 work session, and scheduled the attached Waterfront Plan Process Resolution for adoption at Council February 10 legislative meeting. The voting was as follows:

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

20. Receipt of the Phase I Environmental Action Plan for the Eco-City Alexandria Project.

(A copy of the City Manager's memorandum dated January 8, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 01/13/09, and is incorporated as part of this record by reference.)

Director of Environmental Quality Skrabak gave a brief presentation of the Phase I Environmental Action Plan for the Eco-City Alexandria Project and responded to questions from City Council about the proposed plan.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council: (1) thanked the Environmental Policy Commission (EPC) for its efforts and dedication in producing the Phase I Environmental Action Plan. Also City Council thanked Virginia Tech and City staff that assisted the EPC and the members of the community who provided comments and participated in the Eco-City process; and (2) received and docketed the Phase I Environmental Action Plan for public hearing on Saturday, January 24. The voting was as follows:

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

21. Update on City Preparations for the Presidential Inaugural (Verbal report).

Emergency Management Coordinator Penn gave a presentation on the City and Regional preparations for the upcoming Presidential Inauguration and responded to questions from Council about traffic and road closures, first response preparations, and event planning.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council received a report on City preparations for the Presidential Inaugural. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Councilman Wilson reported that the Human Services Policy Committee with the Council of Governments (COG) received the 2008 Childhood Obesity Survey and he noted that Alexandria was rated favorably. Councilman Wilson pointed out that Alexandria does not require health impact assessments in the planning process which other jurisdictions do require. Councilman Wilson noted that the City might consider including this in the future process to meet the best practices standards. Councilman Wilson also reported that the Human Services Policy Committee will be combining with the Public Safety Committee to form one committee.

(b) Councilman Wilson reported that Charnele Herring won the special election in the 46th District for the seat vacated by Representative Brian Moran. Councilman Wilson congratulated Ms. Herring on the victory.

(c) Vice Mayor Pepper stated that the members of the Mirant Community Monitoring Group recognized former City Attorney Ignacio Pessoa by requesting that Council be made aware of their appreciation of all his hard work on the Mirant issue. Vice Mayor Pepper read the motion presented by members of the committee for the record.

(d) Councilman Smedberg reported that the first Marketing In Alexandria 101 session was held today and another session was being held this evening, and he noted that there were over 90 participants in the sessions with great idea exchanges. Councilman Smedberg offered special thanks to Roger Parks and Stephanie Landrum for the initial work restructuring the Marketing Committee and Stephanie Brown for all her hard work with the Alexandria Convention and Visitors Bureau. Councilman Smedberg noted the great work that Andrea Blackford has done in managing the Alexandria Marketing Committee over the past year and he pointed out that she has offered great suggestions and ideas. Councilman Smedberg noted that the Old Town Boutique District was used as an example of successful use of marketing in the City.

(e) Councilmember Lovain reported that the Human Services Transportation Coordination Task for the Regional Transportation Planning Board had chosen the priorities for the next round for the distribution of federal grants. Councilmember Lovain stated that the New Freedom Program will focus on travel training and focus on helping people with disabilities using Metro and the Job Access and Reverse Commute Program will focus on transit vouchers, transportation to underserved areas and shuttles to employment centers. Councilmember Lovain encouraged organizations to apply for the grants.

(f) Mayor Euille reported that at the Washington Metropolitan Area Transportation Authority Board of Directors last Budget and Finance Committee meeting, the General Manager released his proposed draft budget for FY 2010, indicating that the agency is facing a \$176 million gap in the \$1.7 billion budget. Mayor Euille noted that the general manager is proposing to cut 891 positions and cutting back service in order to shore up the shortfall. Mayor Euille noted that he expressed the desire for local subsidy contributions not be increased and the possibility of a decrease in their contributions due to their own budget constraints. Mayor Euille stated that there would be meetings to work on the budget and Metro has submitted a stimulus request from the federal stimulus program to meet some of the needs.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille reported that there would be an employee program honoring Martin Luther King, Jr., Thursday, January 15, 2009, at the Lee Center, located at 1108 Jefferson Street at 12 Noon and an evening program at 7:30 p.m., the Annual Citywide Martin Luther King, Jr. Program will be held at the Westminster Presbyterian Church at 2701 Cameron Mills Road. Mayor Euille noted that the federal Martin Luther King, Jr Holiday will be observed and he encouraged everyone to go out and perform an act of service for the community.

(b) Councilman Gaines reported that he recently had a chance to share a video on Charles Houston with the community and toured the new facility. Councilman Gaines noted that the facility was remarkable and offered numerous amenities to the community, including public art.

ORAL REPORT FROM THE CITY MANAGER

(A copy of the City Manager's memorandum dated January 9, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1; 01/13/09, and is incorporated as part of this record by reference.)

Transportation and Environmental Services Director Baier and Deputy Director Culpepper gave a presentation on the funding changes in the Commonwealth Transportation Board Draft revision to six-year improvement program for FY 2009-2014 and responded to questions from Council about the funding and how the proposed projects will be affected.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Krupicka and carried unanimously, City Council authorized the Mayor to sign the proposed letter to the Commonwealth Transportation Board. The voting was as follows:

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

ORDINANCES AND RESOLUTIONS

- 22. Consideration of a Resolution Asking the Virginia Department of Transportation to Abandon a Piece of Unused Right-of-way in Connection With the New Alignment of Monroe Avenue and the Location of a Dominion Virginia Power Switching Station.

(A copy of the resolution from the City Attorney dated January 13, 2009 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 01/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Wilson and carried 6-0 by roll-call vote, City Council adopted a resolution, by roll-call vote, asking the Virginia Department of Transportation to abandon a piece of unused right-of-way in connection with the new alignment of Monroe Avenue and the location of a Dominion Virginia Power Switching Station. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2314

WHEREAS, Section 33.1-89 of the Code of Virginia, as amended by the 1970 Session of the General Assembly, authorizes the Commonwealth Transportation Commissioner to acquire rights of way for the construction, reconstruction, alteration, maintenance and repair of public highways within municipalities on projects which are constructed with State or Federal participation and subsequently convey such rights of way to the requesting municipality; and

WHEREAS, Section 33.1-89, as amended, further provides that the Commonwealth Transportation Commissioner may exercise such authority only upon receipt of official request from the City involved; and

WHEREAS, the Commonwealth Transportation Commissioner has previously exercised such power to acquire the necessary rights of way for Project 0001-100-105, RW202 within the Corporate Limits of the City of Alexandria, and the City of Alexandria now requests that the Commonwealth Transportation Commissioner convey that right of way to the City of Alexandria;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Alexandria hereby requests the Commonwealth Transportation Commissioner convey the title to the rights of way for Project 0001-100-105, RW202 within the Corporate Limits of said City to the City Council of Alexandria and agrees to reimburse the Virginia Department of Highways and Transportation for five percent (5%) of all costs incurred in the acquisition and conveyance of such rights of way; and it is understood that such conveyance will be handled by the Commissioner under established policies and procedures and his decision in all instances will be final.

23. Final Passage of an Ordinance to Establish a “do-not-deliver” List of Addresses at Which the Owner or Resident Has Elected Not to Receive Unsolicited Newspaper Deliveries; To Regulate the Delivery of Such Newspapers to Addresses on the List, and To Prohibit Delivery Contrary to the Regulations. (#25, 6/17/06 and #21, 6/13/06)

(A copy of the City Manager’s memorandum dated June 7, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 23; 01/13/09, 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. 23; 01/13/09, 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. 23; 01/13/09, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Gaines and carried unanimously, City Council: (1) reopened the public hearing and scheduled it for January 24, 2009 and (2) deferred final passage of the ordinance until January 24. The voting was as follows:

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

OTHER

24. Consideration of City Council Schedule.

(A copy of the City Manager's memos dated January 8, 2009 and January 9, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No.1 of Item No. 24; 01/13/09, 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 the grand opening of the Charles Houston Recreation Center at 8:15 a.m. on Saturday, February 21; (2) scheduled a work session on green buildings at 5:30 p.m. before Council's Tuesday, February 24 legislative meeting in the Council work room; (3) schedule a reception in honor of DASH's 25th Anniversary at 5:30 p.m. before Council's Tuesday, March 10 legislative meeting in Room 2000; and (4) received the revised calendar which includes the annual Commission on Persons with Disabilities awards reception at 5:30 p.m. before Council's Tuesday, June 23 legislative meeting in the Vola Lawson Lobby; and the budget meetings that were approved at Council's Saturday, December 13 public hearing meeting. City Council also noted that there was a correction on the calendar reflecting the date for the Personnel Compensation Budget Work Session on Wednesday, February 18 instead of Tuesday, February 17. The voting was as follows:

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

EXECUTIVE SESSION

25. Consideration of Convening An Executive Session Closed to the Public To Discuss Personnel Matters.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, at 10:21 p.m., City Council convened in Executive Session, closed to Pursuant to Section 2.2-3711(A)(1) of the *Code of*

Virginia , for the purpose of consulting with retained consultants with respect to specific personnel matters and to discuss personnel matters related to the vacant City Attorney position. The voting was as follows:

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

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, at 11:09 p.m., City Council reconvened in open session. The voting was as follows:

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

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2315

WHEREAS, the Alexandria City Council has this 13th day of January 2009, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, the City Council regular meeting of January 13, 2009, was adjourned at 11:12 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria A. Sitton, CMC Deputy City Clerk