

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, October 14, 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; Mr. Spera, Deputy City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Caton, Legislative Director; Mr. Castrilli, Communications Director, City Manager's Office; Ms. Blackford, Communications Officer, City Manager's Office; Mr. Mason, Special Assistant to the City Manager; Police Captain Ogden; Ms. Boyd, Director, Citizen Assistance; Mr. Johnson, Director, Office of Management and Budget; Fire Chief Thiel; Ms. Collins, Assistant City Manager/Director, Human Services; Ms. Lacomba, Deputy Director, Human Services; Ms. Ludington, Human Services; Ms. Hamer, Director, Planning and Zoning; Ms. Baker, Office on Women; Mr. Baier, Director, Transportation and Environmental Services; Mr. Mallamo, Director, Office of Historic Alexandria; and Mr. Lloyd.

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

City Council held a work session at 5:30 p.m. on the City's Strategic Plan.

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.

2. Moment of Silence and Pledge of Allegiance.

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

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

(a) The Regular Meeting Minutes of September 23, 2008.

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the regular meeting minutes of September 23, 2008. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Declaring October as Breast Cancer Awareness 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. 4; 10/14/08, 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"	

5. Presentation of a Proclamation Recognizing as the Winners of the 2008 Ben Brenman Awards: Friends of Freedmen's Cemetery, T. Michael Miller, Chan Mohny, and Historic Alexandria Foundation.

(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; 10/14/08, and is incorporated as part of this record by reference.)

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

voting was as follows:

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

6. Presentation of a Proclamation Recognizing Commonwealth's Attorney Office Employee Donald Harrison-Wright as City Employee of the Month for October.

(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; 10/14/08, 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"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (7-17)

(Resignations and Uncontested Appointments)

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

- (a) Alexandria Commission on Persons With Disabilities
Amanda Babcock Sweda
- (b) Alexandria Waterfront Committee
Charles Hamel
- (c) Alexandria Youth Policy Commission
Catherine A. Lada

(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. 7 (a-c); 10/14/08, 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 Building Code Board of Appeals
1 Citizen Member
 - (d) Alexandria Citizen Corps Council
1 Representative of the Business Community
 - (e) Alexandria Commission on Aging
1 Representative of Older Persons
 - (f) Alexandria Commission on Employment
2 Business Representatives From Among the Recognized Area
Businesses, Including Minority-Owned and Small Businesses
 - (g) Alexandria Consumer Affairs Commission
1 Citizen-at-Large
1 Representative From the Business Community
 - (h) Alexandria Early Childhood Commission
1 Member-at-Large
 - (i) Alexandria Economic Opportunities Commission
1 Representative of Virginia Senator Patricia S. Ticer
 - (j) Alexandria George Washington Birthday Celebration Committee
2 Citizen Members
 - (k) Alexandria Park and Recreation Commission
1 Member From Among the High School Youth in the City
 - (l) Alexandria Public Health Advisory Commission
1 Citizen Member Who Is A Health Professional Who At the Time
of Appointment Derives, or Within the Previous Five Years Derived,
Principal Income From Providing Health Care, Health Services or
Health Related Activities
1 Representative From the City's Office of Emergency
Preparedness Nominated By the City Manager
 - (m) Alexandria Sister Cities Committee
1 Citizen Member

- (n) Alexandria Urban Design Advisory Committee
1 Resident Representing the Old Town North Residential
Community
- (o) 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. 8 (a-o); 10/14/08, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 9. Receipt of the Alexandria Industrial Development Authority Annual Report for July 1, 2007 Through June 30, 2008.

(A copy of the City Manager's memorandum dated October 6, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 9; 10/14/08, and is incorporated as part of this record by reference.)

- 10. Consideration of a Grant Application to the Institute of Museum and Library Services, Museums For America Grant, to Fund the Processing of the Historic Collections of the Stabler-Leadbeater Apothecary Museum.

(A copy of the City Manager's memorandum dated September 22, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 10; 10/14/08, and is incorporated as part of this record by reference.)

- 11. Receipt of the Commission on Aging 2007-2008 Annual Report.

(A copy of the City Manager's memorandum dated October 6, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 11; 10/14/08, and is incorporated as part of this record by reference.)

- 12. Consideration of Proposed Funding for the Eco-City Action Plan. (Deferred from 9/23/08 meeting, item #10.)

(A copy of the City Manager's memorandum dated October 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 12; 10/14/08, and is incorporated as part of this record by reference.)

- 13. Receipt of the 2007 Annual Report From the Alexandria Archaeological Commission.

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

the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 10/14/08, and is incorporated as part of this record by reference.)

14. Consideration of a Grant Application to the Coca-Cola National Recycling Coalition, Recycling Bin Grant Program.

(A copy of the City Manager's memorandum dated October 2, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 14; 10/14/08, and is incorporated as part of this record by reference.)

15. Consideration of the Annual Committee Attendance Report For Fiscal Year 2008.

(A copy of the City Manager's memorandum dated October 6, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 15; 10/14/08, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish and Maintain an Encroachment For Three Entrance Canopies For the Building Into the Public Sidewalk Right-of-way at Carlyle Center, 310 Hoofs Run Drive.

(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. 16; 10/14/08, 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. 16; 10/14/08, and is incorporated as part of this record by reference.)

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish and Maintain an Encroachment For a Bay Window at 1309 King 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. 17; 10/14/08, 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. 17; 10/14/08, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Gaines and carried unanimously, City Council approved the consent calendar, with the exception of docket item #15, which was considered under separate motion. The City Manager's recommendations were as follows:

7. City Council accepted the following resignations with regret: (a) Amanda Babcock Sweda, Alexandria Commission on Persons With Disabilities; (b) Charles Hamel, Alexandria Waterfront Committee; and (c) Catherine A. Lada, Alexandria Youth Policy Commission.

8. City Council made the following appointments: (a) reappointed Mary Ehlers as the one citizen member to the Alexandria-Caen Sister City Committee; (b) reappointed Sueko Kumagai as the one citizen member to the Alexandria-Gyumri Sister City Committee; (c) reappointed Richard Clausen as the one citizen member to the Alexandria Building Code Board of Appeals; (d) reappointed Kurt Klingenger as the representative of the business community on the Alexandria Citizen Corps Council; (e) reappointed Carol Downs as the one representative of older persons to the Alexandria Commission on Aging; (f) appointed Greg Hudgins and Michael Lyons as the two business representatives from among the recognized area businesses, including minority-owned and small businesses to the Alexandria Commission on Employment; (g) appointed Stephen Tornone as the one citizen-at-large and Debra Monahan as the one representative from the business community to the Alexandria Consumer Affairs Commission; (h) appointed Ariel Gonzalez as the one member at large to the Alexandria Early Childhood Commission; (i) appointed Allison Silberberg as the one representative of Virginia Senator Patricia S. Ticer to the Alexandria Economic Opportunities Commission; (j) appointed Garland Frost and reappointed Katharine Vaughan as the two citizen members to the Alexandria George Washington Birthday Celebration Committee; (k) appointed Matthew Coda as the one member from among the high school youth in the City to the Alexandria Park and Recreation Commission; (l) appointed Michael Wiener as the one citizen member who is a health professional who at the time of appointment derives, or within the previous five years derived principal income from providing health care, health services or health related activities and appointed Mark Penn as the one representative from the City's Office of Emergency Preparedness Nominated by the City Manager to the Alexandria Public Health Advisory Commission; (m) appointed Robert Lalka as the one citizen member to the Alexandria Sister Cities Committee; (n) reappointed Sally Ann Greer as the one resident representing the Old Town North Residential Community to the Alexandria Urban Design Advisory Committee; and (o) appointed Khadeja Taha as the one citizen 18 years or age or younger to the Alexandria Youth Policy Commission.

9. City Council received the Alexandria Industrial Development Authority Annual Report for the period July 1, 2007 through June 30, 2008.

10. City Council authorized the City Manager to (1) submit the grant

application (due November 1) requesting \$45,000 in Museums for America grant funding; and (2) authorized the City Manager to execute all necessary documents that may be required.

11. City Council accepted the 2007 to 2008 Annual Report from the Commission on Aging.

12. City Council approved the allocation of \$71,000 from environmental settlement funds to the Office of Environmental Quality to fund the Eco-City Action Plan.

13. City Council received the report for the Alexandria Archaeological Commission and thanked the Commission members for their efforts on behalf of the City.

14. City Council authorized the City Manager to: (1) submit the grant application (due October 17) requesting 60 recycling containers; and (2) execute all documents that may be required.

16. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, October 18, 2008.

17. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, October 18, 2008.

The voting was as follows:

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

15. Consideration of the Annual Committee Attendance Report For Fiscal Year 2008.

(A copy of the City Manager's memorandum dated October 6, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 15; 10/14/08, and is incorporated as part of this record by reference.)

Ms. Boyd, Director, Office of Citizen Assistance, noted that she received a revised attendance report from the gang prevention task force and one of the persons on that body did meet the attendance requirements. She asked that the report be amended to delete Mr. Williams name.

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council: (1) received the report; (2) vacated the

12 positions listed on pages one and two of the report; (3) authorized the Executive Secretary for Boards and Commissions to advertise the vacancies; and (4) noted the deletion of Mr. James Williams name from the ones to be removed, since Mr. Williams did meet the requirements. The voting was as follows:

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

* * * * *

Councilman Smedberg asked about item #12, the proposed funding for the Eco-City Action Plan, what the Jiffy Lube settlement fund is and how much money is in it and what kind of restrictions and guidelines came with that money. He asked why after all this time, given the environmental issues they have had to deal with, there is money left in the fund.

City Manager Hartmann said he would send out a report on that.

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CONTESTED APPOINTMENTS

18. Northern Virginia Community College Board
1 Citizen Member

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

NAME:	ENDORSED BY:
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Hector Huevo
James Lewis
Jason Middough

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 18; 10/14/08, 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 appointed Jason Middough as the one citizen member to the Northern Virginia Community College Board. The voting was as follows:

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

19. Ratification Appointments for the Alexandria Economic Development Partnership Board of Directors.

- a. Ratification of New Members of the Alexandria Economic Development Partnership Board of Directors
- b. Appointment of the City Manager or His Designee to the Board of Directors

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

NAME:	ENDORSED BY:
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Charles K. Collins	
James P. Devlin	
Allison C. DiNardo	
Jeffrey A. Finkle	
Lauren S. Garcia	
Charles D. Gautier	
Nick L. Gregory (residency waiver required)	
Jonathan Guevarra (residency waiver required)	
Horace F. Jones	
Gregory H. Leisch	
Scott A. Price	
David G. Speck	

Re-ratification of the appointment of Agnes Artemel

Mark Jinks, Deputy City Manager (representative of City Manager)

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 19; 10/14/08, 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 ratified the appointments of the Alexandria Economic Development Partnership Board of Directors: Charles K. Collins, James P. Devlin, Allison C. DiNardo, Jeffrey A. Finkle, Lauren S. Garcia, Charles D.

Gautier, Nick L. Gregory (residency waiver required), Jonathan Guevarra (residency waiver required), Horace F. Jones, Gregory H. Leisch, Scott A. Price and David G. Speck, and the re-ratification of the appointment of Agnes Artemel. City Council appointed Mark Jinks, Deputy City Manager, as the City Manager representative to the Board of Directors. The voting was as follows:

Euille - Collins, Devlin, DeNardo, Finkle,
Garcia, Gautier, Gregory, Guevarra, Jones, Leisch,
Price, Speck, Artemel, Jinks
Pepper - Collins, Devlin, DeNardo, Finkle,
Garcia, Gautier, Gregory, Guevarra, Jones, Leisch,
Price, Speck, Artemel, Jinks
Gaines - Collins, Devlin, DeNardo, Finkle,
Garcia, Gautier, Gregory, Guevarra, Jones, Leisch,
Price, Speck, Artemel, Jinks
Krupicka - Collins, Devlin, DeNardo, Finkle,
Garcia, Gautier, Gregory, Guevarra, Jones, Leisch,
Price, Speck, Artemel, Jinks
Lovain - Collins, Devlin, DeNardo, Finkle,
Garcia, Gautier, Gregory, Guevarra, Jones, Leisch,
Price, Speck, Artemel, Jinks
Smedberg - Collins, Devlin, DeNardo, Finkle,
Garcia, Gautier, Gregory, Guevarra, Jones, Leisch,
Price, Speck, Artemel, Jinks
Wilson - Collins, Devlin, DeNardo, Finkle,
Garcia, Gautier, Gregory, Guevarra, Jones, Leisch,
Price, Speck, Artemel, Jinks

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

20. Consideration of Recommendations for the Use of Contingent Reserve Funds for a Senior Needs Assessment Study.

(A copy of the City Manager's memorandum dated October 3, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 20; 10/14/08, and is incorporated as part of this record by reference.)

Director of Human Services/Assistant City Manager Collins made a presentation of the staff report and she, along with Ms. Ludington, responded to questions of City Council.

WHEREUPON, a motion was made by Vice Mayor Pepper and seconded by Councilman Gaines, to approve the transfer to DHS of \$90,000 in funds designated in contingent reserves as part of the FY 2009 budget process to be expended as follows: \$80,000 to retain the services of a consulting firm to create a comprehensive community-wide plan that addresses the needs of the aging population in the City of

Alexandria and assist City staff in the development of a strategic plan for implementation. A request for proposal to be issued upon approval; and \$10,000 to contract with a consulting firm to assist the City of Alexandria to undertake, analyze and prepare a report recommending models of affordable assisted living, home and community based services to best meet local demand.

Councilman Krupicka said the concept he wanted for discussion was for staff to go back and more clearly define the action plan development, what it means and what it would entail and how it would be phased in over a period of time, and then have it re-docketed after they know what the \$8 million in cuts will be.

WHEREUPON, a substitute motion was made by Councilman Krupicka, seconded by Councilman Smedberg and carried 6-1, to approve the use of \$10,000 for the completion of the housing work item, and deferred the \$80,000 for a senior study and requested staff to come back with a new docket item that more specifically lays out an action plan (redefine the scope of work) and what that action plan will accomplish, how non-profits would be included in that plan, as well as what learnings they can gain from work already done in Arlington and other places and apply to that planning process, and that it come back to Council as soon as possible. The voting was as follows:

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

The voting on the main motion was as follows:

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

21. Allocation of Funds From the Fiscal Year 2009 General Fund Contingent Reserve to the AEDP For Economic Development Initiatives.

(A copy of the City Manager's memorandum dated October 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 21; 10/14/08, and is incorporated as part of this record by reference.)

In response to a question from City Council, Ms. Landrum, with the AEDP, explained the reason for the study and the prioritization of the needs.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council authorized the allocation of \$63,000 from the 2009 Contingent Reserve Funds to the AEDP to continue their work on number

one, the target industry marketing implementation, and deferred \$62,000 for number two, comprehensive retail utilization and attraction analysis and number three, competitive cities research, until after the City Council Retreat. The voting was as follows:

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

22. Presentation of the Alexandria Convention and Visitors Association Advertising Plans for Fiscal Year 2009. (Verbal Report)

Stephanie Brown, executive director of the Alexandria Convention and Visitors Association, made a presentation on the advertising plans for FY 2009 and responded to questions of City Council.

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

24. City Council Consideration of Proposed Qualifications and Scope of Review For Independent Reviewer of City Staff Actions Related to the Opening of the Norfolk Southern Railway Company Van Dorn Yard Ethanol Transloading Facility.

(A copy of the memorandum dated October 9, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 24; 10/14/08, 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 Committee of Inquiry's recommendation regarding qualifications and scope of review for the inclusion in the solicitation of bids for the independent reviewer of City staff actions related to the opening of the Norfolk Southern Railway Company Van Dorn Yard Ethanol Transloading Facility. The voting was as follows:

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

Vice Mayor Pepper noted that the official record of the September 23 meeting has a motion with the memo that she and Councilman Gaines put forward and there is another memo from Councilman Smedberg. She said she asked the City Clerk to combine the two memos, given the discussion at the meeting, for Council's use. She submitted the combined memo for the record.

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Councilmember Lovain said he is chair of the Human Services Transportation Task Force and he noted that Metro Access went through very tough times with a contractor who wasn't performing services very well, and the Committee has been doing an independent review of Metro Access, both an assessment of the improvements that have been made since those troubles and analysis of further efforts that need to be made. He said they also funded wheelchair accessible taxicabs for D.C. for the first time and are having implementation meetings on that.

(b) Councilman Wilson said he serves as Council's representative to the Human Services Policy Committee of the Council of Governments, and the Human Services Policy Committee passed a resolution in late September expressing concern over the pending restructuring of Freddie Mac and Fannie Mae and how it might affect the considerable philanthropy that they provide in the region. In 2007, they provided \$47 million of charitable giving in the region. To the extent restructuring might occur as part of the new vision for Freddie Mac and Fannie Mae, there is concern on the part of the non-profit community as to how it might play out. The resolution that the Human Services Policy Committee passed urges the regulator to continue to allow Freddie Mac/Fannie Mae to continue to give to and be involved in the community. The Policy Committee brought that resolution to the COG Board and the COG Board passed it and is now encouraging member jurisdictions to pass corresponding resolutions and he said there will be a version on the City's docket for the second legislative meeting in October.

(c) Councilman Wilson said he serves as an appointee of Governor Kaine on the Board of Juvenile Justice, and Governor Kaine is proposing considerable cuts in the state government and local aide. He said the Department of Juvenile Justice will be closing four units statewide and that means that the kids will be in smaller spaces with less supervision. At the same time, they are cutting funding to local court service units which provide local probation to try to prevent kids from reoffending as well as cutting funding to the Community Services Boards, which also has a considerable role in serving youth. This is at the same time that Judges are sending them more kids and local resources to try to keep kids out of secure detention will be scaled back at the same time. Councilman Wilson said it is setting up a perfect storm, and it is one policy area where it is seeing it and it will be something they are seeing through many different policy areas of state government, which will cascade to the local government.

(d) Vice Mayor Pepper said she and Councilman Krupicka sit on the steering committee on the Eco-City and the City will be receiving an award next week at the Virginia Municipal League in Norfolk and will receive the award for some of the wonderful things they have been doing this year, including the passing of a charter.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Wilson stated that DASH was recognized by *Metro Magazine*

as one of the top 10 great transit systems to work for, and it is a wonderful honor for DASH. He said they constantly hear from riders that the employees are friendly and courteous, and that is a consequence of the fact that they enjoy their jobs. He said it is a testament to the management and leadership of DASH.

(b) Councilman Gaines said that Bill Reagan of the small business development entity circulated on October 10 a very good document on strategies for surviving the economic downturn, and Mr. Reagan expressed a desire to turn those strategies into a public forum for small businesses and he mentioned that Mayor Euille had a very successful endeavor after September 11 where it brought together the AEDP, ACVA, the Chamber and other groups to information share and create strategies. Councilman Gaines said he thought it would be a good service for the City to get behind and offer it to the small businesses and entrepreneurs and is something that Mr. Reagan said he would be willing to do and go forward with.

(c) Councilman Gaines said the Office of Voter Registration is continuing to seek volunteers to assist in the polls and people can contact the office of Voter Registration to volunteer.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

25. Consideration of Grant Application and Resolution to the Virginia Department of Transportation, For the Transportation Enhancement Program, to Partially Fund the Restoration of the Gadsby's Tavern Museum Ice Well. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated October 8, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 25; 10/14/08, and is incorporated as part of this record by reference.)

Director of the Office of Historic Alexandria Mallamo made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously by roll-call vote, City Council: (1) agreed to submit a grant application (due by November 1 to the Commonwealth Transportation Board,) requesting \$200,000 in federal Transportation Enhancement Program grant funding; (2) approved the resolution; and (3) authorized the City Manager to execute all necessary documents that may be required. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2296

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program an enhancement project in the City of Alexandria; and

WHEREAS, the restoration of the ice well at Gadsby's Tavern Museum, Alexandria's 5-star hotel of the 18th century, will enhance the hospitality story of this important landmark; and

WHEREAS, the ice well is both an important part of Alexandria's historic built environment and a rare survivor in an urban setting, providing an evocative glimpse into the City's commercial and social history; and

WHEREAS, the Gadsby's Tavern Museum ice well is located at an active intersection for foot traffic and is an important attraction for the on-road bikeway; and

WHEREAS, this project is compatible with the City of Alexandria's interests and goals related to historic preservation and supports the economic vitality of our community;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Alexandria, requests the Commonwealth Transportation Board to establish a project for the restoration of the Gadsby's Tavern Museum ice well; and

BE IT FURTHER RESOLVED that Gadsby's Tavern Museum and its friends group, the Gadsby's Tavern Museum Society, hereby agree to ensure a minimum 20 percent of the total cost for planning and design, right of way, and construction of this project, and that, if Gadsby's Tavern Museum subsequently elects to cancel this project, Gadsby's Tavern Museum hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation.

26. Consideration of Resolutions Establishing the Potomac Yard Planning Advisory Group and the Potomac Yard Metrorail Station Feasibility Work Group.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated October 9, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 26; 10/14/08, and is incorporated as part of this record by reference.)

Director of Planning and Zoning Hamer made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council approved the resolution establishing the Potomac Yard Planning Advisory Group* and the Potomac Yard Metrorail Station Feasibility Work Group. The voting was as follows:

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

The resolutions read as follows:

RESOLUTION NO. 2297

WHEREAS, the redevelopment of Potomac Yard area is important to the quality of life, as well as the economic and social health of Alexandria as a whole, and to the immediately surrounding areas in particular; and

WHEREAS, the City wishes to gain the advice of community members representing a variety of interests in the preparation of a proposed plan for redevelopment of the area, which takes advantage of opportunities presented by redevelopment, and which provides long-term benefits to residents and businesses in the Potomac Yard area, 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 Potomac Yard Planning Advisory Group.
2. The Planning Advisory Group will consist of 15 to 20 members. Members will be drawn from among the following groups: residents of surrounding neighborhoods; the property owners; members of the business community, including the Alexandria Economic Development Partnership (AEDP); the Alexandria City Public Schools; representatives of interest groups such as affordable housing, transportation, the environment, and others; and a member of the Planning Commission.
3. The functions of the Planning Advisory Group shall be to:
 - a. Identify and study the issues, challenges and opportunities presented

- by the redevelopment of Potomac Yard.
- b. Bring community values, knowledge and ideas into the process of creating a plan that takes advantage of opportunities to improve the area in ways that provide lasting benefit to the local community and the City as a whole.
 - c. Based on the members' interests, local knowledge, values and ideas, advise City staff on options for the future of the planning area, and assist staff in developing policy recommendations in the variety of subject areas required for a plan.
 - d. Weigh the desirability of a new Metrorail station in comparison to the impacts of the density needed to support it.
 - e. Keep the public informed about the Potomac Yard planning processes and issues, advising groups the members represent of the progress of the plan and issues raised that are of interest.
4. Planning and Zoning staff will provide support to the Planning Advisory Group, and be supplemented by a consultant team and staff from other departments.
 5. Staff shall endeavor to present the final draft of the Potomac Yard Plan, to include the findings of the Metrorail Station Work Group, to the Planning Commission and the City Council by December 2009.
 6. The City Manager shall appoint the members of this Planning Advisory Group.

***NOTE: Resolution 2297 was amended by City Council at the October 18, 2008 City Council Meeting.**

RESOLUTION NO. 2298

WHEREAS, the consideration of a potential new Metrorail station in Potomac Yard is important to the economic and social health of Alexandria as a whole and to the immediately surrounding area in particular; and

WHEREAS, City Council wishes to ensure a thorough technical analysis of the feasibility of a potential new Metrorail station, with full coordination with other City efforts;

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

1. There is hereby established a Potomac Yard Metrorail Station Feasibility Work Group.

2. The Metrorail Station Work Group will include the following representatives: two members of Council, one representative from the Planning Commission, one representative from the Transportation Commission, and one representative from the Potomac Yard Planning Advisory Group.
 3. The functions of the Metrorail Station Work Group shall be to:
 - a. Analyze the financial tools, fiscal impact and risks of funding the Metrorail Station.
 - b. Examine concept refinement, costs and constructability of a new Metrorail Station.
 - c. Evaluate ridership estimates.
 4. Staff technical support will be provided by the City Manager's Office and the Department of Transportation and Environmental Services, with coordination by the Department of Planning and Zoning.
 5. Staff shall endeavor to present the final draft of the Potomac Yard Plan, including the findings of the Metrorail Station Work Group, to the Planning Commission and the City Council by December 2009.
 6. The Council representatives of the Metrorail Station Work Group shall be appointed by the Mayor, and the other Work Group representatives shall be appointed by the chairs of those groups to be represented.
27. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 46 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. 27; 10/14/08, 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. 27; 10/14/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously by voice vote, City Council passed the ordinance on first and second reading to adopt supplement number 46 to the Zoning Ordinance. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4560

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 is identified in the lower left-hand corner by the notation "Supp. No. 46," are hereby adopted as and shall constitute "The Forty-Sixth Supplement 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-Sixth Supplement 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 12, 2008, and April 21, 2008, inclusive, and which are not included in such supplement 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 12, 2008, and April 21, 2008 inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Forty-Sixth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after April 21, 2008.

Section 4. That one complete set of pages comprising "The Forty-Sixth Supplement 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 supplement 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

28. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated October 10, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 28; 10/14/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council adopted the calendar with the following: (1) scheduled the joint Capital Improvement Project (CIP) work session with the School Board on Monday, November 24 at 7:00 p.m. at the Lee Center, 1108 Jefferson Street; and (2) received the revised calendar which includes: the delay of the Frank E. Mann Baseball Field Dedication previously set for Friday, October 24 at 6:30 p.m. at Four Mile Run Park (baseball field), 3700 Commonwealth Avenue (event will be rescheduled); the City Council Retreat on Saturday, October 25 at 9:45 a.m. at the Transportation and Environmental Services Department and Recreation, Parks and Cultural Activities Department Offices and Facilities Maintenance Building at 2900 Business Center Drive; a work session on DASH Long Range Planning at 5:30 p.m. before Council's Wednesday, November 19 legislative meeting in the Council work room; Virginia Municipal League (VML) Day and Joint Alexandria/Arlington dinner with the state legislative delegations on Thursday, February 5 in Richmond; the 15th annual homeownership fair on Saturday, April 4 from 9:30 a.m. to 1:00 p.m. (location to be determined); the annual Earth Day Celebration on Saturday, April 25 from 10:00 a.m. to 2:00 p.m. at Ben Brenman Park, 4800 Brenman Park Drive; and City Council Installation Meeting on Wednesday, July 1, 2009 at T.C. Williams High School.

Deputy City Manager Evans noted that the Planning Department is putting together a green building forum on Monday, December 1, and she would get Council a memo/email on the event.

Councilman Smedberg noted that he would not be at the November 6 open house.

Councilman Gaines noted that he would be at NLC and will return Saturday and can come straight to the public hearing, but there is a chance he would miss part, if not all, of the meeting. He noted that on the 19th he would be abroad for a wedding.

The voting was as follows:

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

EXECUTIVE SESSION

29. Consideration of Convening an Executive Session Closed to the Public to Discuss a Personnel Matter.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, At 9:13 p.m., City Council convened in Executive Session, pursuant to Section 2.2-3711(A)(1) of the *Code of Virginia*, for the purpose of discussing the appointment of a new City Attorney. 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 9:35 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. 2299

WHEREAS, the Alexandria City Council has this 14th day of October 2008, 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 meeting of October 14, 2008, was adjourned at 9:37 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:

Jacqueline M. Henderson, CMC, City Clerk