

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Wednesday, November 19, 2008 - - 7:00 p.m.

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

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Ms. Boyd, Citizen Assistance; Mr. Johnson, Director, Office of Management and Budget (OMB); Ms. Triggs, Director, Finance; Ms. Hamer; Director, Planning and Zoning (P&Z); Ms. Baker, Director, Office on Women; Mr. Mason, Special Assistant to the City Manager, City Manager's Office; Mr. Castrilli, Communications Director, City Manager's Office; Police Chief Baker; Fire Chief Thiel; Mr. Trobridge, Deputy Director, Information Technology Services (ITS); Mr. Sengel, Commonwealth Attorney; Ms. Collins, Assistant City Manager for Community and Human Services; Mr. Caton, Legislative Director, City Manager's Office; Mr. Culpepper, Deputy Director, T&ES; Mr. Chesley, Deputy Director, Recreation, Parks and Cultural Activities; Mr. Blakely, Deputy Director, Recreation, Parks and Cultural Activities; Ms. Leonard, Public Information Specialist, T&ES; Ms. Niebauer, Director, Office of Human Rights; Mr. Coleman, Division Chief, General Services; Mr. Bedwell, Fiscal Officer, General Services; Dr. Gilmore, Executive Director, Mental Health, Mental Retardation and Substance Abuse; Ms. Snow, Assistant City Attorney, City Attorney's Office; Ms. McLean, ITS; Police Captain Ogden; and Mr. Lloyd.

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

City Council held a work session at 5:30 p.m. in the Work Room to discuss the DASH Long - Range Plan.

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 Public Hearing Meeting Minutes of October 18, 2008;
- (b) The Regular Meeting Minutes of October 28, 2008; and
- (c) The Special Public Hearing Meeting Minutes of October 30, 2008.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the public hearing meeting minutes of October 18, 2008, the regular meeting minutes of October 28, 2008 and the special public hearing meeting minutes of October 30, 2008. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

4. Installation of Officers and Committee Chairs of the Alexandria Youth Council.

Mayor Euille installed the officers and committee chairs of the Alexandria Youth Council.

PROCLAMATIONS

5. Presentation of a Proclamation Declaring November as America Recycles 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; 11/19/08, and is incorporated as part of this record of 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"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (6-11)

(Resignations and Uncontested Appointments)

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

- (a) Alexandria Commission for the Arts
Morgan Hilton
- (b) Alexandria Commission on HIV/AIDS
Tomas Cabrera
- (c) Alexandria Early Childhood Commission
Carol Freeman
- (d) Woodrow Wilson Bridge Neighborhood Task Force
Ardith Dentzer
- (e) Alexandria Youth Policy Commission
Michele Brandon

(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. 6 (a-e); 11/19/08, and is incorporated as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Budget and Fiscal Affairs Advisory Committee
1 Member Designated by the Alexandria Chamber of Commerce
- (b) Alexandria Commission on Employment
1 Business Representative From Among the Recognized Area Businesses, Including Minority-Owned and Small Businesses
- (c) Historic Alexandria Resources Commission
1 Member Who Serves As A Volunteer at An Historic Property or Attraction Which Is Open to the Public on A Regular Basis

1 Representative From the Alexandria Historical Restoration and Preservation Commission

- (d) Alexandria Waterfront Committee
1 Representative From Founders Park Community Association

(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. 7 (a-d); 11/19/08, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 8. Consideration of Acceptance of a Funding Allocation From the National Capital Area Region (NCR) Urban Area Security Initiative.

(A copy of the City Manager's memorandum dated November 12, 2008, is on file in the Office of City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 11/19/08, and is incorporated as part of this record by reference.)

- 9. Consideration of a Grant Application to the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services to Enhance Existing Mental Health Jail Diversion Efforts Within the City of Alexandria.

(A copy of the City Manager's memorandum dated November 12, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/19/08, and is incorporated as part of this record by reference.)

- 10. Consideration of an Application to Renew a Grant to Fund a Mentoring Program Administered by the Alexandria Court Service Unit.

(A copy of the City Manager's memorandum dated November 13, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 11/19/08, and is incorporated as part of this record by reference.)

- 11. Authorization for City Participation in a Grant-Funded Project to Update the Northern Virginia Hazard Mitigation Plan.

(A copy of the City Manager's memorandum dated November 13, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 11/19/08, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Krupicka and carried unanimously, City Council approved the Consent Calendar. The City Manager's recommendations were as follows:

6. City Council accepted the following resignations with regret: (a) Morgan Hilton, Alexandria Commission for the Arts; (b) Tomas Cabrera, Alexandria Commission on HIV/AIDS; (c) Carol Freeman, Alexandria Early Childhood Commission; (d) Ardith Dentzer, Woodrow Wilson Bridge Neighborhood Task Force; and (e) Michele Brandon, Alexandria Youth Policy Commission.

7. City Council made the following appointments: (a) reappointed Margaret Gullen as the member designated by the Alexandria Chamber of Commerce to the Alexandria Budget and Fiscal Affairs Advisory Committee; (b) reappointed Paul Wilmot as the business representative from among the recognized area businesses, including minority-owned and small businesses to the Alexandria Commission on Employment; (c) reappointed Ellen Stanton as the member who serves as a volunteer at an historic property or attraction which is open to the public on a regular basis and reappointed John Sprinkle as the representative from the Alexandria Historical Restoration and Preservation Commission to the Historic Alexandria Resources Commission; and (d) appointed Christine Bernstein as the representative from Founders Park Community Association to the Alexandria Waterfront Committee.

8. City Council authorized the City Manager to: (1) accept the funding through the Urban Area Security Initiative in the amount of \$250,000; and (2) to execute all the necessary documents that may be required.

9. City Council: (1) authorized the Alexandria Department of Mental Health, Mental Retardation and Substance Abuse (DMHMRSAS) for expansion of the City's jail diversion initiatives (the grant application has actually been submitted contingent on Council approval, since notification of the opportunity came too late for prior Council approval); and (2) authorized the City Manager to execute all the necessary documents that may be required.

10. City Council: (1) authorized the submission of a grant application in the amount of \$18,000 (the grant application is actually being submitted on November 17, the grant deadline, contingent on Council approval, since notification of the grant opportunity came too late for prior approval); and (2) authorized the City Manager to execute the necessary document for the grant.

11. City Council authorized: (1) the City's participation in the grant-funded regional hazard mitigation planning project to be managed by Arlington County on behalf of the Northern Virginia region; and (2) City staff to participate in the regional hazard mitigation planning process over the next three years to the \$13,750 in-kind grant match assigned to Alexandria for this plan; and (3) the City Manager to execute the necessary documents that may be required.

The voting was as follows:

Wilson "aye" Pepper "aye"

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

CONTESTED APPOINTMENTS

12. Alexandria Law Library Board
1 Citizen Member

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

NAME:

Marilyn Bromley
James Lewis

(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; 11/19/08, 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 Marilyn Bromley as the citizen member to the Alexandria Law Library Board. The voting was as follows:

Euille	-	Lewis
Pepper	-	Bromley
Gaines	-	Bromley
Krupicka	-	Bromley
Lovain	-	Bromley
Smedberg	-	Bromley
Wilson	-	Bromley

13. Alexandria-Caen Sister City Committee
1 Citizen Member

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

NAME:

Kathleen Barnett
Melissa Schleuger

(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; 11/19/08, 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 Kathleen Barnett as the citizen member to the Alexandria-Caen Sister City Committee. The voting was as follows:

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

- 14. Alexandria Commission for the Arts
1 Member Who Has Expertise in the Arts, Either as A Practitioner of Various Art Disciplines or As A Professional Administrator Working in the Field

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

NAME:

Sydney-Chanele Dawkins
Ross Simons

(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; 11/19/08, 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 Sydney-Chanele Dawkins as the member who has expertise in the arts, either as a practitioner of various art disciplines or as a professional administrator working in the field to the Alexandria Commission for the Arts. The voting was as follows:

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

- 15. Alexandria Commission on Aging
1 Citizen Member Who Is 60 Years of Age or Older

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

NAME:

Eileen Longstreet

(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; 11/19/08, 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 Eileen Longstreet as the citizen member who is 60 years of age or older to the Alexandria Commission on Aging. The voting was as follows:

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

- 16. Alexandria Community Criminal Justice Board
 - 1 Representative of Local Education Nominated by the Superintendent of Schools

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

NAME:

Lawrence Jointer

(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; 11/19/08, 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 reappointed Lawrence Jointer as the representative of local education nominated by the Superintendent of Schools to the Alexandria Community Criminal Justice Board. The voting was as follows:

Euille	-	Jointer
Pepper	-	Jointer
Gaines	-	Jointer

Krupicka - Jointer
Lovain - Jointer
Smedberg - Jointer
Wilson - Jointer

17. Historic Alexandria Resources Commission
1 Representative From Christ Church

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

NAME:

Eleanor Wilson

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council waived the residency requirement and reappointed Eleanor Wilson as the representative from Christ Church to the Historic Alexandria Resources Commission. The voting was as follows:

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

18. Alexandria Human Rights Commission
1 Citizen Member

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

NAME:

John Ates
Hector Huezo

(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; 11/19/08, 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 John Ates as the citizen member to the Alexandria Human Rights Commission. The voting was as follows:

Euille - Huezo

Pepper	-	Ates
Gaines	-	Ates
Krupicka	-	Huezo
Lovain	-	Ates
Smedberg	-	Huezo
Wilson	-	Huezo

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

Please note: The following item was heard after docket item #21.

19. Consideration of City Manager's Recisions to the City's FY 2009 Budget and Resolution Establishing FY 2010 Budget Guidance for the Alexandria City Government and the Alexandria City Public Schools.

(A copy of the City Manager's memorandum dated November 15, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 11/19/08, and is incorporated as part of this record by reference.)

Deputy City Manager Jinks and Office of Management and Budget Director Johnson gave an overview of recisions that were being made to the FY 2009 Budget and responded to questions from Council about the recisions and the proposed guidance from Council for the FY 2010 Budget Guidance. City Council asked questions about funding for capital improvements, economic development and sustainability, and transportation. City Council also asked questions about the proposed set aside funding for capital improvement projects.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Krupicka and carried unanimously, City Council: (1) reviewed the six scenarios provided for FY 2010 budget guidance and discussed the attached resolutions regarding the FY 2010 budget guidance; and (2) set the adoption of those resolutions which will establish FY 2010 budget guidance for the Alexandria City Government and the Alexandria City Public Schools at Council's November 25 legislative meeting. City Council requested the preparation of a Guidance Resolution containing the following characteristics: (1) the City Manager shall evaluate which of the FY 2010 cuts could be implemented prior to the end of FY 2009 and shall be prepared, with the release of the City Manager's proposed budget, to implement an additional \$2 million of sustainable (able to be carried forward in FY 2010) cuts to the approved FY 2009 Operating Budget. These cuts shall be identified as part of the budget presentation in February; and (2) the City Manager shall present the FY 2010 Operating Budget and FY 2010 - FY 2015 Capital Improvement Program that includes the following characteristics:

- a. A proposed real estate tax rate that will provide for the average homeowner to pay the same amount of real estate tax paid in 2008. Based on current staff projections, this will reflect approximately a 5 cent increase in the Real Estate Tax rate.
- b. A decrease in the City transfer to the Alexandria City Public Schools

(ACPS) Operating Budget of 2% from the Current FY 2009 Approved Budget.

c. The budgeting of no new CIP (City & ACPS) spending aside from those expenditures meeting the following exceptions:

- i. Expenditures relating to the new Public Safety Center.
- ii. Expenditures subject to contractual obligations or other situations where cancellation or deferral would cause significant financial loss for the City.
- iii. Expenditures to maintain existing infrastructure and those that are deemed emergency in nature.
- iv. Expenditures that may be funded using prior-year unallocated balances already within the CIP.

d. An alternative CIP budget option for the Council and community to consider that allows for an additional one cent in the Real Estate Tax fully allocated to capital improvement projects.

e. Aside from the use of prior-year surpluses, we request that the City Manager's proposed budget not include the use of unreserved, undesignated fund balance.

We fully expect that there will be substantial service reductions in the proposed budget. We furthermore recognize that this proposed budget will likely contain significant reductions in the City workforce. We must all approach this effort with full clarity, aggressive communication and above-all, compassion.

In addition to the guidance we have offered, we offer the following principles to help shape this unprecedented undertaking:

Public Safety: The City Manager should propose a budget that provides for the public safety of our residents.

Safety Net: The City Manager's proposed budget shall strive to maintain critical health and safety net services for the most vulnerable in the community.

Education: The City Manager should work closely with the Superintendent to minimize any program cuts that would harm classroom education and the progress we have made in recent years. The Manager is also asked to identify and execute on opportunities to combine additional programs or services with ACPS.

Property Values: The City Manager should work to avoid reductions in areas where cuts would directly harm property values or would diminish Alexandria's ability to recover from this economic downturn.

Economic Sustainability: The City Manager should work to avoid reductions to spending that generate additional commercial tax revenues to the City—including economic development and business retention efforts.

Credit Rating: The City Manager's proposed budget shall not make any material changes that may threaten the City's AAA/aaa bond rating.

City Workforce: City employees should be competitively compensated. The City Manager should closely monitor regional employee trends to ensure Alexandria is not at a competitive disadvantage in our efforts to attract and retain our workforce. In addition, the Council encourages the City Manager to identify creative forms of compensation to reward employees, including additional vacation accrual, reduced evening meetings, and opportunities to work from home.

During FY 2010, using the input from the completed Watson Wyatt study, the City Council shall adopt revisions to its Compensation Philosophy as well as a multi-year plan for implementation.

Transportation: Transportation provided during peak-travel times should not be diminished.

Regional Cooperation: The City Manager is encouraged to work with his counterparts in the region to determine if there are inter-jurisdictional initiatives that could yield savings for Alexandria taxpayers—including the creation of regional authorities to provide critical services.

Fees and New Revenues: The Council encourages the City Manager and Staff to identify new and creative revenue sources and to make any such proposals to the Council that he deems appropriate.

Civic Partnerships: We encourage the City Manager to look for new ways for civic associations, service clubs and residents take over some municipal responsibilities—for example, expansion of the Adopt-A-Park program, utilization of CERT volunteers for Special Events, the expansion of neighborhood public safety programs, etc.

The voting was as follows:

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

20. Consideration of the City's Legislative Package For the 2009 General Assembly Session. (#7, 10/28/08, #5, 11/15/08) ***This item is being deferred to November 25, 2008.***

This item is deferred to the November 25, 2008 Legislative Meeting.

21. Consideration of Proposed Amendments to the Residential Permit Parking Program.

(A copy of the City Manager's memorandum dated November 10, 2008, is on file

in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 11/19/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried 6-1, City Council: (1) received the recommendations of the Traffic and Parking Board for changes in the City's permit parking program; and (2) requested the City Attorney to docket an ordinance implementing the recommended changes. Council issued a directive to staff to review the plan for the inclusion of some creative alternatives for allowing parking for daycare workers during the day. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Vice Mayor Pepper reported that the City held an open house for Eco-City Alexandria to get input and prioritized the actions of the plan. Vice Mayor Pepper also noted that there is a survey on-line about the action plan that will be available to citizens until December 1. Vice Mayor thanked all the participants for their hard work on the action plan.

(b) Vice Mayor Pepper reported that the Council of Governments (COG) passed its final draft of the Climate Change report for the region and she noted that the report is one of the first available for any region. Vice Mayor Pepper noted that this report will address the air quality for the region. Vice Mayor Pepper stated that the report proposed that governments, businesses and residents cut greenhouse gases by ten percent of the 2005 levels.

(c) Councilmember Lovain reported that the Trash Free Potomac Watershed Initiative Advisory Council discussed some initiatives happening in Maryland and the District of Columbia, including the recycling of rigid plastics in Prince Georges' County, Montgomery County includes the Potomac River Watershed Trash Treaty with their municipal stormwater permit, and the District having a Total Maximum Daily Load (TMDL) for the Anacostia River. Councilmember Lovain noted that the City should be cognizant of the environmental advances happening in the region that could be helpful to the City.

(d) Councilmember Lovain reported that the Transportation Planning Board

approved forwarding to the WMATA Board a report on the Metro Access Program. Councilmember Lovain pointed out that Human Services Transportation Task Force oversaw the report, noting the significant improvements along with problems that still need to be resolved. Councilmember Lovain noted that the report outlines improvements for the future of the Metro Access Program.

(e) Councilman Gaines reported that he represented the City at the National League of Cities (NLC) Annual Conference in Orlando, Florida and he noted that the City received two awards: the Digital Cities Award and Legacy Award for 50 Years of Service and Membership. Councilman Gaines congratulated the E-Government staff for the work on the website and he noted that Alexandria was one of five cities to receive the Legacy Award. Councilman Gaines stated that his aide is compiling all the information he gathered at the conference to share with other members of Council.

(f) Councilman Gaines reported that as a member of the NLC Public Safety and Crime Prevention Committee, there was a discussion with respect to lobbying for Federal legislation in regard to giving jurisdictions greater input with the siting of ethanol transloading facilities in communities. Councilman Gaines noted that the NLC Spring Meeting in the District of Columbia gives members a chance to lobby Federal representatives and this meeting helped lay the groundwork. Councilman Gaines also noted that the Youth delegation from the City would be reporting back to Council in the near future with some initiatives of their own garnered from their time at the NLC Annual Conference.

(g) Mayor Euille reported that the Alexandria Sanitation Authority received the National Biosolids Partnership Certification and became the first facility in the state of Virginia to receive certification.

(h) Mayor Euille congratulated President-Elect Barack Obama on winning the recent historical election and he noted the random act of kindness of an Alexandria citizen who gave sandwiches and sweets to the many people waiting outside of the Voter Registration office for early voting. Mayor Euille thanked the good samaritan for her kindness.

(i) Councilman Smedberg reported that he and Councilman Krupicka held a meeting with the Economic Sustainability Task Force yesterday and had a presentation from the Small Business Development Center focusing on retention of business and attraction of business to the City. Councilman Smedberg stated that the Task Force also discussed board structures, future initiatives, efficiencies and the economic development activity in the City. Councilman Smedberg noted that there was also an update of the Landmark Mall plan.

Councilman Krupicka stated that the Task Force spent a lot of time addressing the challenges that General Growth Properties is facing regarding the Landmark Mall plan.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Wilson requested that the "do not deliver" ordinance be re-docketed for the January 13th Legislative Meeting and for public hearing and second reading on January 24th Public Hearing Meeting. Councilman Wilson stated that he hoped a meeting can be scheduled with representatives of the industry to discuss the proposed ordinance and other options to obtain compliance.

Councilman Krupicka noted that Council continues to hear complaints from citizens about unwanted newspapers and any alternative to the previous ordinance would be helpful in resolving the situation.

(b) Councilman Krupicka requested that the Alexandria Redevelopment and Housing Authority (ARHA) appointment be postponed until the first legislative meeting in January. Councilman Krupicka requested that the Executive Secretary for Boards and Commissions schedule interviews with the applicants during an Executive Session following the public hearing meeting in December.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council deferred the appointment of the members to the Alexandria Redevelopment and Housing Authority Board to the first legislative meeting in January 2009 and scheduled interviews for applicants for vacancies on the Alexandria Redevelopment and Housing Authority Board on Saturday, December 15, 2008 in an Executive Session. The voting was as follows:

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

(c) Councilman Krupicka stated that staff will introduce an emergency ordinance at the next legislative meeting to allow businesses to place one A-frame sign directing patrons during the holiday shopping season.

Councilman Gaines noted that he and Mayor Euille have met with business owners in the Old Town area facing similar problems and this would be a good short-term solution for the holiday season. Councilman Gaines stated that he hoped staff is working on a long-term solution to the wayfinding problem in the City.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

22. Introduction and First Reading. Consideration. Passage on First Reading and

Second Reading of an Ordinance to Adopt Supplement Number 87 of the City Code.

(A copy of the informal memorandum explaining ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 11/19/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 22; 11/19/08, 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 roll-call vote, City Council approved an ordinance to adopt Supplement Number 87 of the City Code. 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. 4564

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. 87," are hereby adopted as and shall constitute "The Eighty-Seventh Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Eighty-Seventh 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 April 12, 2008 through June 14, 2008, 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 April 12, 2008, 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 April 12, 2008 through April 12, 2008, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Eighty-Seventh 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-Seventh 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.

23. Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Number 47 of the Zoning Ordinance.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 11/19/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 23; 11/19/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Gaines and carried unanimously by roll-call vote, City Council approved an ordinance to adopt Supplement Number 47 of the Zoning Ordinance. The voting was as follows:

Wilson "aye" Pepper "aye"

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

The ordinance reads as follows:

ORDINANCE NO. 4565

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. 47," are hereby adopted as and shall constitute "The Forty-Seventh 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-Seventh 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 April 21, 2008, and May 13, 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 April 21, 2008, and May 13, 2008 inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Forty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after May 13, 2008.

Section 4. That one complete set of pages comprising "The Forty-Seventh 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

24. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated November 13, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 11/19/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council received the revised calendar which includes: the joint work session on the FY 2010 Operating Budget and Capital Improvement Budget (revised topic) with the School Board on Monday, November 24 at 7:00 p.m. in the Fire Training Room at Lee Center, 1108 Jefferson Street (revised location); the annual Martin Luther King, Jr. Employees Program on Thursday, January 15 at noon at the Lee Center, 1108 Jefferson Street; and the Living Legends of Alexandria "Meet the Legends" Reception on Sunday, February 9, 2009 from 3:00 to 5:30 p.m. at the Carlyle Club, 411 John Carlyle Street. The voting was as follows:

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

25. Consideration of a License Agreement To Permit FiberLight of Virginia, LLC., To Install Conduits and Fiber Optic Cable in the Public Right-of-way.

(A copy of the City Attorney's memorandum dated November 12, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 11/19/08, and is incorporated as part of this record by reference.)

City Council asked questions to Assistant City Attorney Snow and the attorney for FiberLight of Virginia, LLC about the proposed agreement and the benefits the City would be gaining by approving the licensing agreement.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Wilson and carried 5-2, City Council approved the five-year license agreement with FiberLight of Virginia, LLC., and authorized the City Manager to execute the license agreement and to take any actions that are necessary to implement the agreement.

The voting was as follows:

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

EXECUTIVE SESSION

26. Consideration of Convening An Executive Session Closed to the Public To Discuss Pending Litigation.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, at 10:20 p.m., City Council convened in Executive Session, pursuant to Virginia Code Section 2.2-3711(A)(7) for the purpose of discussing the status of pending litigation involving the City and potential litigation concerning 900 Prince Street. 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 10:40 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, 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. 2302

WHEREAS, the Alexandria City Council has this 19th day of November 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 regular meeting of November 19, 2008, was adjourned at 10:42 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