

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

**Regular Meeting**  
**Tuesday, April 13, 2010 - - 7:00 p.m.**

\*\*\*\*\*

Present: Mayor William D. Euille, Vice Mayor Kerry J. Donley, Members of Council Frank H. Fannon, Alicia Hughes, K. Rob Krupicka, Redella S. Pepper and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Castrilli, Communications Director, City Manager's Office; Mr. Baier, Director, Transportation and Environmental Services; Mr. Lerner, Deputy Director, Transportation and Environmental Services; Mr. Skrabak, Director, Environmental Quality; Mr. Tran, Environment Quality; Ms. Maines, Environmental Quality; Ms. Pennell, Office of Code Administration; Ms. Niebauer, Director, Office of Human Rights; Mr. Johnson, Chief Financial Officer; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Ms. Lawrence, Recreation, Parks and Cultural Activities; Ms. Colton, Recreation, Parks and Cultural Activities; Ms. Carrel, Recreation, Parks and Cultural Activities; Ms. Collins, Assistant City Manager/Director, Human Services; Ms. Triggs, Director, Finance Office; Police Captain Ogden; Fire Chief Thiel; Dr. Gilmore, Director, Mental Health/Mental Retardation and Substance Abuse; Ms. Warren, Director, Child, Family & Prevention Services, Mental Health/Mental Retardation and Substance Abuse; Ms. Dunn, Office on Women; and Mr. Park, General Services.

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

\*\*\*\*\*

City Council held a work session from 5:30 to 7:00 on the Parking Study.

\*\*\*\*\*

**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 Meetings of City Council:

- (a) The Public Hearing Meeting Minutes of March 13, 2010; and
- (b) The Regular Meeting Minutes of March 23, 2010.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council approved the public hearing meeting minutes of March 13, 2010 and the regular meeting minutes of March 23, 2010. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

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

None.

**PROCLAMATIONS**

4. Presentation of a Proclamation Declaring April 24, 2010 as Alexandria Earth Day and Arbor Day.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 4/13/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Krupicka	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

5. Presentation of a Proclamation To Brooke Sydnor Curran For Her Work and Commitment Toward the City of Alexandria Women and Children's Charities.

(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; 4/13/10, and is incorporated as part of this record by reference.)

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

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

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

### **CONSENT CALENDAR (6-15)**

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

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

- (a) Affordable Housing Advisory Committee  
Herb Cooper-Levy

(A copy of the above resignation 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); 4/13/10, and is incorporated as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Affordable Housing Advisory Committee  
1 Financial Professional With Knowledge and Experience  
in the Field of Finance as it Relates to Residential Housing
- (b) Alexandria Redevelopment and Housing Authority  
1 Citizen Member
- (c) Commission on Aging  
1 Citizen Member (Who Shall Be 60 Years or Older)
- (d) Commission on Employment  
1 Business Representative From Among Recognized  
Area Businesses, Including Minority Owned and Small  
Businesses

- (e) Commission on Persons with Disabilities  
1 Citizen Member
- (f) Emergency Medical Services Council  
1 Citizen Member
- (g) Public Records Advisory Commission  
1 Citizen Member

(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-g); 4/13/10, and is incorporated as part of this record by reference.)

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

- 8. Consideration of a Grant Award from the Virginia Department of Criminal Justice Services for the Purchase of Equipment for the Police Department.

(A copy of the City Manager's memorandum dated March 30, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 4/13/10, and is incorporated as part of this record by reference.)

- 9. Consideration of Grant Application to the Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP) to Fund the Expansion of the Family Drug Treatment Court through the Alexandria Community Services Board (CSB).

(A copy of the City Manager's memorandum dated March 30, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 4/13/10, and is incorporated as part of this record by reference.)

- 10. Consideration of Application for Grant Funds from the Avon Foundation for Women for the Office on Women's Sexual and Domestic Violence Program.

(A copy of the City Manager's memorandum dated April 1, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 4/13/10, 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 Make Supplemental Appropriations For the Support of the City Government for Fiscal Year 2010.

(A copy of the City Manager's memorandum dated April 8, 2010, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 4/13/10, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 11; 4/13/10, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 11; 4/13/10 and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Zoning Ordinance to Clarify the Subdivision Variation Process.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 4/13/10, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 12; 4/13/10 and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Infill Regulations.

(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. 13; 4/13/10, 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. 13; 4/13/10 and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend City Code 9-12-164 to Require Parking Permits For Sight-seeing Buses To Use Certain Designated Parking Spaces Within the Right-of-way.

(A copy of the City Manager's memorandum dated April 7, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 4/13/10, 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. 14; 4/13/10, 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. 14; 4/13/10 and is incorporated as part of this record by reference.)

15. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend City Code 2-4-116 to Amend the Membership of the Commission on HIV/AIDS.

(A copy of the City Manager's memorandum dated June 20, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 4/13/10, 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. 15; 4/13/10, 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. 15; 4/13/10 and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the consent calendar, with the removal of items #7b, 9 and 10, and considered them under separate motion. The City Manager's recommendations were as follows:

6. City Council accepted the following resignation with regret: (a) Herb Cooper-Levy, Affordable Housing Advisory Committee.

7. City Council made the following appointments to boards and commissions: (a) appointed Ana Sota as the one financial professional with knowledge and experience in the field of finance as it relates to residential housing to the Affordable Housing Advisory Committee; (c) appointed Patricia A. McBride as the one citizen member to the Commission on Aging; (d) appointed Michael R. Crawford as the one business representative from among recognized area businesses, including minority owned and small businesses, to the Commission on Employment; (e) appointed James J. Lewis as the one citizen member to the Commission on Persons with Disabilities; (f) reappointed W. Scooter Slade as the one citizen member to the Emergency Medical Services Council; and (g) reappointed Jeanine Jeffrey as the one

citizen member to the Public Records Advisory Commission.

8. City Council: 1. approved the grant award from the Virginia DCJS in the amount of \$40,000, which will provide funds to the Police Department for the purchase of Chemical, Biological, Radiological, Nuclear and Explosive related equipment; and 2. authorized the City Manager to execute all necessary documents that may be required.

11. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 17, 2010.

12. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 17, 2010.

13. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 17, 2010.

14. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 17, 2010.

15. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, April 17, 2010.

The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

7. Uncontested Appointments to Boards, Commissions and Committees:

(b) Alexandria Redevelopment and Housing Authority  
1 Citizen Member

Councilman Smedberg said there were several inquiries into the Authority and he wanted to be sure they were not missing anything.

City Clerk Henderson said she had received only one application for the Authority.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council appointed Merrick T. Malone as the one citizen member to the Alexandria Redevelopment and Housing Authority. The voting was as follows:

Smedberg	"aye"	Donley	"aye"
----------	-------	--------	-------

Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Krupicka	"aye"	

9. Consideration of Grant Application to the Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP) to Fund the Expansion of the Family Drug Treatment Court through the Alexandria Community Services Board (CSB).

(A copy of the City Manager's memorandum dated March 30, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 4/13/10, and is incorporated as part of this record by reference.)

Questions were asked by City Council on what the \$350,000 will be used for.

Ms. Warren, Director of Child, Family & Prevention Services, Mental Health/Mental Retardation and Substance Abuse, stated that the Department would not be asking for further money for the positions if the grant is not renewed.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, City Council authorized the City Manager to: 1. submit the grant application (due April 27, 2010) and if awarded, accept up to \$350,000 over a three-year period from the United States Department of Justice for an expansion to the City's Drug Court. The Department of Mental Health, Mental Retardation and Substance Abuse will serve as the fiscal agent for administering the grant; 2. affirm that there are no funds available in the City budget to continue these activities once the grant funds are expended; and 3. execute all necessary documents that may be required. The voting was as follows:

Hughes	"aye"	Fannon	"aye"
Donley	"aye"	Krupicka	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	"aye"	

10. Consideration of Application for Grant Funds from the Avon Foundation for Women for the Office on Women's Sexual and Domestic Violence Program.

(A copy of the City Manager's memorandum dated April 1, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 4/13/10, and is incorporated as part of this record by reference.)

Questions were asked if the Office on Women would be returning to Council to ask to fund this in the budget.

Ms. Dunn, Office on Women, said they would look for funding elsewhere.



**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council authorized the City Manager to: 1. authorized the submission of the grant application to the Avon Foundation for Women in a request for the funding of one staff position (.75 FTE) to coordinate the Empowerment Self-Sufficiency Program and deliver services; and 2. execute all documents that may be required. The voting was as follows:

Hughes	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

### **CONTESTED APPOINTMENTS**

16. Affordable Housing Advisory Committee  
1 Residential Tenant in the City

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

NAME:

ENDORSED BY:

Jennifer Cooper  
Patrick McCreesh

(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; 4/13/10, 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 Patrick McCreesh as the one residential tenant in the City to the Affordable Housing Advisory Committee. The voting was as follows:

Euille	-	McCreesh
Donley	-	Cooper
Fannon	-	McCreesh
Hughes	-	McCreesh
Krupicka	-	McCreesh
Pepper	-	McCreesh
Smedberg	-	McCreesh

17. Commission on Employment  
1 Representative From Such Organizations as Educational Agencies, Organized Labor, Rehabilitation Agencies, Community-based Organizations, Economic Development Agencies and the Public Employment Service

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

NAME:

ENDORSED BY:

Christopher Applegate

(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; 4/13/10, 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 Christopher Applegate as the one representative from such organizations as educational agencies, organized labor, rehabilitation agencies, community-based organizations, economic development agencies and the public employment service to the Commission on Employment. The voting was as follows:

Euille	-	Applegate
Donley	-	Applegate
Fannon	-	Applegate
Hughes	-	Applegate
Krupicka	-	Applegate
Pepper	-	Applegate
Smedberg	-	Applegate

- 18. Emergency Medical Services Council
  - 1 Representative of Nursing Homes Located in the City

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

NAME:

ENDORSED BY:

Holly Heislup

(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; 4/13/10, 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 Holly Heislup as the one representative of nursing homes located in the City to the Emergency Medical Services Council. The voting was as follows:

Euille	-	Heislup
Donley	-	Heislup

Fannon	-	Heislup
Hughes	-	Heislup
Krupicka	-	Heislup
Pepper	-	Heislup
Smedberg	-	Heislup

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

19. Consideration of Appointment of the Alexandria Poet Laureate.

(A copy of the City Manager's memorandum dated March 31, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 4/13/10, and is incorporated as part of this record by reference.)

Ms. Colton, Parks, Recreation and Cultural Activities, made a presentation of the report and responded to questions of City Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried unanimously, City Council: 1. appointed Amy Young as the new Poet Laureate for the City of Alexandria, based on the recommendation of the select committee; and 2. authorized the City Manager to execute a letter of agreement with Amy Young to serve as Alexandria Poet Laureate from April 14, 2010 through April 14, 2013. The voting was as follows:

Pepper	"aye"	Donley	"aye"
Hughes	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council: 3. expressed appreciation to the current Poet Laureate, Mary McElveen, for her three years of service to the City and her contributions in developing a poetry program for the City; and 4. thanked the members of the Alexandria Poet Laureate selection committee and requested that they remain in place as an advisory body for the Alexandria Poet Laureate. The voting was as follows:

Krupicka	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

20. Receipt of the Monthly Financial Report for the Period Ending February 28, 2010.

(A copy of the City Manager's memorandum dated March 30, 2010, is on file in

the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 4/13/10, and is incorporated as part of this record by reference.)

Chief Financial Officer Johnson made a presentation of the report and he, along with Ms. Triggs, Finance Director, responded to questions of City Council.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council received the monthly financial report for the period ending February 28, 2010. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Smedberg	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

21. Receipt of a Progress Report on the City's Environmental Action Plan 2030.

(A copy of the City Manager's memorandum dated March 31, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 4/13/10, and is incorporated as part of this record by reference.)

Mr. Skrabak, Director of Environmental Quality, along with Danielle Fidler, chair, Environmental Quality Commission, and Mr. Tran, Office of Environmental Quality, gave the report and responded to questions of City Council on the Action Plan.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council received the progress report and recognized the Environmental Policy Commission, Virginia Tech, concerned Alexandria residents and City staff for their participation in the development and implementation of this comprehensive environmental action plan. The voting was as follows:

Krupicka	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

22. Consideration of Proposal to Hold the Woodrow Wilson Bridge Half Marathon in Old Town on September 19, 2010 (#19 3/9/10).

This item was deferred to April 27, 2010.

## **REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES**

**None**

**ORAL REPORTS BY MEMBERS OF CITY COUNCIL**  
**and**  
**ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Councilman Krupicka said he and Mayor Euille sit on the Youth Policy Commission and he said he acts as an informal liaison to the Early Childhood Commission, and he and the Mayor are both on the Campaign Against Adolescent Pregnancy as well. He said the Early Childhood Commission, the Campaign Against Adolescent Pregnancy and the Youth Policy Commission have all in the last month had discussions about what they can do as boards to help begin the process of implementing their draft strategic plan for children, youth and families. As part of that conversation, the Early Childhood Commission and the Youth Policy Commission both have voted to have City Council disband them and start a process to reincorporate them as one commission. He said his expectation is that after they speak to the other youth related commissions that sometime in June they will bring something forward to Council to formally start the process of creating a new framework for a commission related to these issues, as well as the process to disband the other organizations.

(b) Councilman Krupicka said the triangle property on Mt. Vernon Avenue, the new apartment building, is coming in faster than expected and the work with staff has been great and positive in addressing the issues, and he complimented staff and the property owner for bringing that project in as quickly as it has and as well as they have. It really is transforming that corner. The Planning effort that went into changing the zoning to enable that to happen deserves credit, but the developer working closely with staff deserve a lot of credit for the project coming in as quickly as it has.

(c) Councilman Krupicka said compliments to Governor McDonnell as he announced that he line itemed out a proposal in the General Assembly which would have essentially put them on a path to government employees having to pay into their pensions, and Governor McDonnell eliminated that item. He applauded the Governor's willingness to be bold, as the employees deserve to know that they are not going to start digging them when it comes to their compensation.

(d) Councilman Krupicka said today they had the Remembrance Ceremony for the Holocaust and he complimented the organizers who put it on, as it was a beautiful event. He said if it goes back a few weeks, a revision to a proclamation was issued by the Governor about the Civil War, as a certain aspect of the Civil War was not remembered in the first draft. It is important as a community that they always be striving for remembrance of the things in their past that they don't appreciate but that help define who they are and where they will go as a community. Alexandria does not have a perfect history when it comes to remembering their past, and they are now discovering that they built a Civil War fort in Alexandria and they did it by hiding the graves of African-American citizens of the community. They are uncovering and rebuilding a Freedman's Cemetery that had been turned into a gas station for years and years, forgetting and trying to hide a history that they didn't want to be honest about or

to face. Councilman Krupicka said even Market Square does not have an acknowledgement in any way to the fact that there used to be a site where it auctioned off slaves. He said Alexandria is trying to get smarter about how it remembers its past and it can be proud of the steps it has taken to be better at remembering. Councilman Krupicka said he applauded the Mayor for his comments in reaction to the Governor's misstep in remembering the past and he asked that Councilmembers who are interested to join the Mayor in writing a letter to the Governor applauding the fact that he made the correction he did, but also acknowledging the fact that they can't move forward as a society if they keep trying to forget the past. He said he would hope that when it got to the Civil War ceremonies over the next year or so to remember the anniversary of the Civil War, that they make sure those ceremonies include remembrance of both the things they can proud of as well as the things they need to learn from. Councilman Krupicka said he knew the Governor talked about tourism as part of his statement as relates to Civil War history, and he would be happy to entertain a visit of the Governor to Alexandria, walking the Governor around to the sites around the City that remind them of the homes they can be proud of in the past as well as things they need to learn from.

(e) Councilman Smedberg said the new Marketing Committee has been in existence for about a year and a half, and it held a meeting this morning. The group is coming together well and some minor recommendations for changes to the committee will be coming forward. He said the City Clerk gave an update and briefing on the rules that apply to the committee. He said they really appreciate Communication Officer Andrea Blackford's contribution to the Committee.

(f) Councilman Smedberg said there was an article today in the Metro section about VRE and the transition to the new operator of the VRE system, Keolis North America. It is going well and there is a board meeting on Friday. He said things are on track and the teams are working well together to make a smooth transition.

(g) Councilwoman Pepper said she was also going to point out the Holocaust Remembrance event at noon today was excellent and very well done. She said one of the most inspirational speakers that appears each time is Charleen Schiff, who tells stories of her experiences as a Holocaust survivor. Councilwoman Pepper said Ms. Schiff is writing a book and all of the various times she's spoken will be put in the book.

(h) Councilwoman Pepper said this week was Virginia Architecture Week and last Sunday there was a two hour walking tour that Al Cox from Planning and Zoning led, and there were 60 participants. She said the annual tour was very interesting. She said Al was asked many questions and he knew his stuff.

(i) Vice Mayor Donley reminded everyone that the Carpenter's Shelter cook-off is coming up on Sunday, April 25 from noon to 3:00 at the Birchmere. All the proceeds go toward supporting Carpenter's Shelter.

(j) Vice Mayor Donley said that on April 24, Rebuilding Alexandria Day, he

and his aide have secured a project and if anyone can come by for an hour or two to do painting or yard work it will help an Alexandria homeowner.

(k) Mayor Euille said he, the City Manager and Emergency Operations Manager Mark Penn attended COG's snow emergency forum last week and it was well attended from leaders throughout the Washington Metropolitan region. The take away from that forum was that they all acknowledge that it was the largest snow storm they have ever seen and there were a lot of best practices and things they shared amongst themselves and learned and there were slip-ups. Mayor Euille said the Director of the Office of Personnel Management set the tone in his opening comments on the Federal workforce and the challenges they met. He said they all concluded that they need to be leaning more on the Federal government for funding for a unified effort to have the heaviest duty snow equipment that man makes to have it available in the region. It needs equipment, supplies and personnel. He said there will be follow-up groups and task forces that will be reviewing many of the recommendations and will hopefully be able to get the Federal Government to be a strong financial partner in the future.

(l) Mayor Euille said that last night at the Charles Houston Rec Center, it had the 2010 Census Regional Tour, and Alexandria had the largest crowd they have had on the tour. He said the City of Alexandria's return response rate was 68 percent.

Transportation and Environmental Services Director Baier, along with Bicycle and Pedestrian Safety Manager Lambert, gave an update on the new motorcoach plan that is in effect.

(m) Councilwoman Hughes said she participated in the conference earlier for the National League of Cities as part of the Aviation Policy Summit that was held, and she spoke and shared great things about Alexandria.

(n) Councilwoman Hughes said the Metropolitan Washington Council of Governments, in association with an organization called NOISE, had a summit on noise abatement and information was shared from those representing different jurisdictions across the country. She said she was interested in the things going on in Georgia and she gave a brief presentation on some of the concerns the City has. They also had a conversation about the Apollo 13 type event that a Congressman is trying to advance while it is looking at green technologies, as it should be able to look at having green plains.

(o) Councilwoman Hughes said she missed two activities being out of town, and that was the Days of Remembrance and the Census event. She said she was grateful to live in a community that is so tolerant and people who are empathetic and sympathetic to the causes. She said they have gotten some things wrong over the course of time, but if it can't look forward and put forth the effort to make the corrections to things that have not gone as they would have them go, they wouldn't be as well off as they are.

(p) Councilwoman Hughes said the Northern Virginia Urban League Celebrates 20 years of existence and service April 30, and the Gala will be at the Hilton McLean in Tysons Corner.

**ORAL REPORT FROM THE CITY MANAGER**

None.

- 23. Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Number 51 of the Zoning Code. **[ROLL-CALL VOTE]**

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 4/13/10, 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; 4/13/10 and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council passed the ordinance on first and second reading to adopt supplement No. 51 to the Zoning Code. The voting was as follows:

Krupicka	"aye"	Donley	"aye"
Pepper	"aye"	Fannon	"aye"
Euille	"aye"	Hughes	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

**ORDINANCE NO. 4650**

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. 51,"



are hereby adopted as and shall constitute "The Fifty-First 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 Fifty-First 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 June 23, 2009 and December 12, 2009, 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 June 23, 2009 and December 12, 2009, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Fifty-First Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after December 12, 2009.

Section 4. That one complete set of pages comprising "The Fifty-First 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.

24. Consideration of a Resolution for Adoption of Plan Review Fees for Review of Plans for Aquatic Facilities, Reinspection Fees for Preoperational Inspections Beyond the First One, and Permit Fees for Pool Management Companies.  
**[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 8, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 4/13/10, and is incorporated as part of this record by reference.)

Mr. Custard, director, Environmental Health, Health department, responded to questions of Council regarding the fees.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the resolution which 1. imposes a \$750 plan review and construction inspection fee on swimming pool owners submitting plans for new swimming pools or swimming pools undergoing major remodeling; 2. imposes a \$375 plan review and construction inspection fee on spa pool owners submitting plans for new spa pools or spa pools undergoing major renovation; 3. imposes a \$150 plan review and construction inspection fee on the owners of swimming pools or spa pools undergoing minor renovations; 4. imposes a \$100 re-inspection fee for each preoperational inspection required beyond the first one; and 5. imposes a \$25 annual license fee for pool management companies. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

The resolution reads as follows:

#### RESOLUTION NO. 2393

WHEREAS, under § 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

WHEREAS, on March 13, 2010, city council enacted a new Aquatic Health Ordinance governing aquatic facilities including swimming pools, spa pools, waterparks, and interactive water features; and

WHEREAS, under Section 11-11-25 of the Aquatic Health Ordinance, City Council is required, from time to time, to set by resolution the fees for plan review and construction inspections, preoperational reinspections, and license fees for pool management companies ; and

WHEREAS, City Council has now determined that it is necessary and desirable to set these fees required by the Aquatic Health Ordinance;

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

1. That the plan review and construction inspection fee for new or extensively remodeled swimming pools, water parks and interactive water features required by Subsection 11-11-6(D) of the Aquatic Health Ordinance shall be \$750.
2. That the plan review and construction inspection fee for new or extensively remodeled spa pools required by Subsection 11-11-6(D) of the Aquatic Health

Ordinance shall be \$375.

3. That the plan review and construction inspection fee for minor modifications or renovations to aquatic facilities, including swimming pools, spa pools, water parks and interactive water features, required by Subsection 11-11-6(D) of the Aquatic Health Ordinance shall be \$150.
4. That the preoperational reinspection fee required by Subsection 11-11-6(G) of the Aquatic Health Ordinance shall be \$100 per reinspection.
5. That the annual license fee for pool management companies as required by Subsection 11-11-11(B) of the Aquatic Health Ordinance shall be \$25.
6. That the annual permit fee established in Section 5 above shall apply to annual pool management company licenses issued in 2010 and, unless and until revised by the City Council, to such annual licenses issued during subsequent years.
7. That this resolution shall be effective at the time of passage.

#### **OTHER**

25. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated April 8, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 4/13/10, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council received the revised calendar which includes: the ribbon cutting for Safe Haven on Wednesday, April 21 at 6:00 p.m; the 17th annual Take Our Daughters and Sons to Work Day on Thursday, April 22 (kickoff at 8:15 a.m. in the Vola Lawson Lobby); the 2010 Flora Krause Casey Public Health awards reception on Tuesday, April 27 at 6:00 p.m. in the Vola Lawson Lobby; the annual wreath laying ceremony at 1:30 p.m. on Monday, May 10 at the Police Memorial in Waterfront Park, east side of 100 Strand Street; and the annual Police and Sheriff memorial service on Tuesday, May 11 at noon at Commonwealth Baptist Church, 700 Commonwealth Avenue with a luncheon following at 1:00 p.m.

Deputy City Manager Evans noted that they will not be ready on May 11 for the Sanitation Sewer work session, and it will be deferred to the Fall.

Councilwoman Hughes said she is scheduled to take a trip to Australia in June, so she would be out June 15-28.

Councilman Krupicka said he would not be able to attend the Safe Haven grand

opening, as he will be in Richmond at the Board of Education meeting.

Mayor Euille said he has an invite to participate in a wedding on Saturday, May 15 in Connecticut, and he will keep Council apprised on whether he will accept that invite.

The voting on the motion was as follows:

Donley	"aye"	Fannon	"aye"
Smedberg	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

## EXECUTIVE SESSION

26. Consideration of Convening a Closed Meeting To Discuss Pending Litigation Matters.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 9:13 p.m., City Council convened in executive session, pursuant to Sections 2.2-3711(A)(3) and (A)(7) of the *Code of Virginia*, for the purpose of discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body and for the purpose of consultation with legal counsel pertaining to actual or probable litigation where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body and for consultation regarding specific legal matters requiring the provision of legal advice. The voting was as follows:

Hughes	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 10:00 p.m., City Council reconvened the meeting. The voting was as follows:

Hughes	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted

a resolution pertaining to Executive Session. The voting was as follows:

Hughes	"aye"	Donley	"aye"
Smedberg	"aye"	Fannon	"aye"
Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2394

WHEREAS, the Alexandria City Council has this 13th day of April 2010, 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 Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the regular meeting of April 13, 2010, was adjourned at 10:02 p.m. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"aye"
Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

APPROVED BY:

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

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Jacqueline M. Henderson  
City Clerk and Clerk of Council