

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, May 11, 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. O'Donnell, Assistant City Attorney; Ms. Evans, Deputy City Manager; Mr. Castrilli, Communications Director, City Manager's Office; Mr. Gates, Assistant City Manager, City Manager's Office; Mr. Johnson, Chief Financial Officer; Mr. Stewart, Office of Management and Budget; Ms. Triggs, Director, Finance Office; Ms. Colton, Recreation, Parks and Cultural Activities; Ms. Carrel, Recreation, Parks and Cultural Activities; Mr. Brown, Recreation, Parks and Cultural Activities; Ms. Baker, Director, Office on Women; Ms. Gresse, Office on Women; Police Captain Ogden; Mr. Catlett, Director, Office of Code Administration; Fire Chief Thiel; Ms. Davis, Director, Office of Housing; Mr. Keeler, Office of Housing; Ms. Seau, Office of Housing; Ms. Hamer, Director, Planning and Zoning; and Mr. Lloyd.

City Council held a work session on Information Technology and on the Torpedo Factory Arts Center at 5:30 p.m.

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 April 17, 2010; and
 - (b) The Regular Meeting Minutes of April 27, 2010.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried 6-0, City Council approved the public hearing meeting minutes of April 17, 2010 and the regular meeting minutes of April 27, 2010. The voting was as follows:

| | | | |
|--------|----------|----------|-------|
| Donley | "aye" | Fannon | "aye" |
| Pepper | "aye" | Hughes | "aye" |
| Euille | "aye" | Krupicka | "aye" |
| | Smedberg | absent | |

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

4. Presentation by Our Garden Sunflowers Dance Group and Partnership for Healthier Alexandria.

City Council watched the dance by Our Garden Sunflowers Dance Group and heard a presentation on the Partnership for Healthier Alexandria Achieve project.

PROCLAMATIONS

5. Presentation of a Proclamation Declaring May as Teen Pregnancy Prevention 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; 5/11/09, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried 6-0, City Council endorsed the proclamation. The voting was as follows:

| | | | |
|--------|----------|----------|-------|
| Donley | "aye" | Fannon | "aye" |
| Hughes | "aye" | Krupicka | "aye" |
| Euille | "aye" | Pepper | "aye" |
| | Smedberg | absent | |

6. Presentation of a Proclamation Recognizing Former Poet Laureate Mary McElveen.

(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; 5/11/09, 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 (7-13)

(Resignations and Uncontested Appointments)

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

- (a) Alexandria-Caen Sister City Committee
Mary Ehlers
- (b) Commission for Women
Tina Games-Evans

(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-b); 5/11/10, and is incorporated as part of this record by reference.)

8. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Citizen Corps Council
2 Citizen Members
- (b) Commission on HIV/AIDS
1 Citizen Member
1 Member Representing the Northern Virginia AIDS Ministry
- (c) USS Alexandria Liaison Committee
1 Representative From the Alexandria Federation of Civic Associations
- (d) Waterfront Committee
1 Representative of the Alexandria Park and Recreation

Commission

(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-d); 5/11/10, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

9. Consideration of a Grant Application to the U.S. Department of Justice for a Digital Image Management System for the Police Department.

(A copy of the City Manager's memorandum dated April 27, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 5/11/10, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Building Code to Reflect Current State Law and Regulations.

(A copy of the City Manager's memorandum dated May 5, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 5/11/10, 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. 10; 5/11/10, 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. 10; 5/11/10 and is incorporated as part of this record by reference.)

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Vacate a Portion of the Public Right-of-Way at the Terminus of Uhler Terrace, Adjacent to the Property at 100 Uhler Terrace, in the City of Alexandria, Virginia (VAC No. 2006-0001.)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 5/11/10, 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. 11;

5/11/10 and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize the Issuance of General Obligation Bonds to Finance Various City and School Capital Improvement Projects in the Estimated Maximum Amount of \$72,300,000 and to Provide for Reimbursement to the City From Bond Proceeds.

(A copy of the City Manager's memorandum dated April 27, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 5/11/10, 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. 12; 5/11/10, 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. 12; 5/11/10 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 Chapter 7 (Animals and Fowl), Article C (Dogs and Other Animals) of the City Code to Reflect Current State Law on Providing Dogs With Adequate Space and Adequate Shelter and to Prohibit the Tethering of Dogs for More Than One Hour Per Day, Subject to Certain Conditions.

(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; 5/11/10, 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; 5/11/10 and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Krupicka and carried unanimously, City Council adopted the consent calendar, with the removal of items #10, 12 and 13 and considered them under separate motions. The City Manager's recommendations were as follows:

7. City Council accepted the following resignations with regret: (a) Mary Ehlers, Alexandria-Caen Sister City Committee; and (b) Tina Games-Evans, Commission for Women.

8. City Council made the following appointments to boards and commissions: (a) appointed Michelle M. McQueeney and reappointed Diane Worrell as the two citizen members to the Citizen Corps Council; (b) appointed Ebony M. Stoutmiles as the one citizen member and appointed Kim L. Sheridan as the one member representing the Northern Virginia AIDS Ministry to the Commission on HIV/AIDS; (c) appointed R. Alan McCurry as the one representative from the Alexandria Federation of Civic Associations to the USS Alexandria Liaison Committee; and (d) appointed William Cromley as the one representative of the Alexandria Park and Recreation Commission to the Waterfront Committee.

9. City Council: 1. approved the grant application (due May 17, 2010) to the U.S. Department of Justice in the amount of \$175,000, which will provide funds to the Police Department to purchase a Digital Image Management System; 2. authorized the City Manager to execute all necessary documents that may be required; and 3. affirmed that no City funds would be available to fund this program in FY 2011 or future years.

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

The voting was as follows:

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

10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Building Code to Reflect Current State Law and Regulations.

(A copy of the City Manager's memorandum dated May 5, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 5/11/10, 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. 10; 5/11/10, 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. 10; 5/11/10 and is incorporated as part of this record by reference.)

In response to questions from City Council regarding changes to the spotlight

provisions and the shorter process on the property nuisance, Director of Code Administration Catlett and Ms. O'Donnell, Assistant City Attorney, responded to the questions.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Krupicka and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, May 15, 2010. The effective date of the ordinance would be June 1, 2010. The voting was as follows:

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

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize the Issuance of General Obligation Bonds to Finance Various City and School Capital Improvement Projects in the Estimated Maximum Amount of \$72,300,000 and to Provide for Reimbursement to the City From Bond Proceeds.

(A copy of the City Manager's memorandum dated April 27, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 5/11/10, 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. 12; 5/11/10, 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. 12; 5/11/10 and is incorporated as part of this record by reference.)

Mr. Johnson, Chief Financial Officer, and Ms. Triggs, Director, Office of Finance, noted the stormwater projects on the list covered by the stormwater fee and on what the spending will be on bond sale proceeds and pace of spending.

Councilman Smedberg asked that the second sentence on page three, paragraph two, be clarified before it comes back to Council for public hearing.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Tuesday, May 25, 2010. The voting was as follows:

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

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend Chapter 7 (Animals and Fowl), Article C (Dogs and Other Animals) of the City Code to Reflect Current State Law on Providing Dogs With Adequate Space and Adequate Shelter and to Prohibit the Tethering of Dogs for More Than One Hour Per Day, Subject to Certain Conditions.

(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; 5/11/10, 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; 5/11/10 and is incorporated as part of this record by reference.)

Vice Mayor Donley asked that it defer action and passage on second reading until the public hearing in June so that the Animal Welfare League Board has adequate time to view the proposed changes to the ordinance.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Krupicka and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 15, 2010. The voting was as follows:

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

CONTESTED APPOINTMENTS

14. Affordable Housing Advisory Committee
 1 Landlord of Residential Property in the City

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

NAME:

ENDORSED BY:

Eric J. Bonetti

(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; 5/15/10, 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 appointed Eric J. Bonetti as the one landlord of residential property in the City to the Affordable Housing Advisory Committee. The voting was as follows:

| | | |
|----------|---|---------|
| Euille | - | Bonetti |
| Donley | - | Bonetti |
| Fannon | - | Bonetti |
| Hughes | - | Bonetti |
| Krupicka | - | Bonetti |
| Pepper | - | Bonetti |
| Smedberg | - | Bonetti |

15. Commission for Women
6 Citizen Members

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

NAME:

ENDORSED BY:

Diane Crawford-Batt
Norma Gattsek
Christine Jordan
Susan Kellom
Karla Mautz
Susan Ross-O'Brien
Laura M. Zabriskie

(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; 5/15/10, 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 Norma Gattsek, Christine Jordan, and Laura M. Zabriskie and reappointed Diane Crawford-Batt, Susan Kellom and Susan Ross-O'Brien as the six citizen members to the Commission for Women. The voting was as follows:

| | | |
|--------|---|--|
| Euille | - | Crawford-Batt, Gattsek, Jordan, Kellom, Ross-O'Brien, Zabriskie |
| Donley | - | Crawford-Batt, Gattsek, Jordan, Kellom, Ross-O'Brien, Zabriskie |
| Fannon | - | Crawford-Batt, Gattsek, Jordan, Kellom, |

| | | |
|----------|---|--|
| | | Mautz, O'Brien |
| Hughes | - | Gattsek, Kellom, Ross-O'Brien, Zabriskie |
| Krupicka | - | Crawford-Batt, Gattsek, Jordan, Kellom, Ross-O'Brien, Zabriskie |
| Pepper | - | Crawford-Batt, Gattsek, Kellom, Mautz, Ross-O'Brien, Zabriskie |
| Smedberg | - | Crawford-Batt, Gattsek, Kellom, Mautz, Ross-O'Brien, Zabriskie |

16. Convention and Visitors Association Board of Governors
 1 Hotel Owner/Manager Representative
 1 National or International Trade or Professional Association
 Executive

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

NAME:

ENDORSED BY:

1 hotel owner/manager representative:
 Nick Gregory

1 national or international trade or professional association executive:
 Henry A. Hart

(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; 5/15/10, 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 requirements and appointed Nick Gregory as the one hotel owner/manager representative and Henry A. Hart as the one national or international trade or professional association executive to the Convention and Visitors Association Board of Governors. The voting was as follows:

| | | |
|----------|---|---------------|
| Euille | - | Gregory, Hart |
| Donley | - | Gregory, Hart |
| Fannon | - | Gregory, Hart |
| Hughes | - | Gregory, Hart |
| Krupicka | - | Gregory, Hart |
| Pepper | - | Gregory, Hart |
| Smedberg | - | Gregory, Hart |

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

17. Receipt of Monthly Financial Report for the Period Ending March 31, 2010.

(A copy of the City Manager's memorandum dated April 27, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 5/11/10, and is incorporated as part of this record by reference.)

Mr. Johnson made a presentation of the staff report and 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 March 31, 2010. The voting was as follows:

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

18. Consideration of Adoption of the Department of Planning and Zoning's Work Program for FY 2011 and Beyond.

(A copy of the City Manager's memorandum dated April 27, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 5/11/10, and is incorporated as part of this record by reference.)

Ms. Hamer, Director, Planning and Zoning, made a presentation of the report, noted a new attachment 2 for the report and she responded to questions of City Council.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the proposed FY 2011 work program for the Department of Planning and Zoning, commensurate with staffing levels and funding in the adopted FY 2011 operating budget, as follows: complete small area plans for the Waterfront and the Beauregard Corridor; begin a small area plan for Eisenhower West; Continue implementation of the Arlandria Action Plan, potentially expanding into a small area plan; continue implementation of the Braddock Metro Neighborhood Plan and the King Street Retail Studies. Begin implementation of waterfront plan; continue to work on small business and green building initiatives; continue to work with the Office of Housing on the Housing Master Plan, now planned to begin this Spring with adoption targeted for June 2011, as well as several other initiatives led by other departments, such as the sewer master plan, school facilities planning, the BRAC IJR, parking, the environmental studies for the Potomac Yard Metro Station and the Crystal City-Potomac Yard transitway, and the feasibility studies for the three dedicated transit corridors designated in the Transportation Master Plan. The voting was as follows:

| | | | |
|--------|-------|--------|-------|
| Donley | "aye" | Fannon | "aye" |
|--------|-------|--------|-------|

| | | | |
|--------|----------|----------|-------|
| Pepper | "aye" | Hughes | "aye" |
| Euille | "aye" | Krupicka | "aye" |
| | Smedberg | "aye" | |

19. Consideration of Entering into the Forbearance Agreement and Other Agreements With the Arlandria Chirilagua Housing Corporation (AHCD) Leading to Partial Housing Loan Forgiveness by the City.

(A copy of the City Manager's memorandum dated April 28, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 5/11/10, and is incorporated as part of this record by reference.)

Ms. Davis, Director, Office of Housing, made a presentation of the staff report and she, along with Mr. Catlett, Director, Office of Code Administration, responded to questions of City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried unanimously, City Council deferred action on this item until the second legislative meeting in September, 2010, until it hears back from the Housing Director and appropriate parties. The voting was as follows:

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

20. Consideration of the Draft FY 2011-2015 Consolidated Plan for Housing and Community Development, Draft FY 2011 One-Year Action Plan, and Draft Analysis of Impediments to Fair Housing Choice. (#5, 4/17/10)

(A copy of the City Manager's memorandum dated April 26, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 5/11/10, and is incorporated as part of this record by reference.)

Ms. Davis, Director, Office of Housing, responded to questions of Council.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried unanimously, City Council: 1. approved the draft FY 2011-2015 five-year consolidated plan for Housing and Community Development (citizen summary of this plan is attachment I), which includes the one-year action plan containing the City's application for City fiscal year 2011 funding for \$1,357,948 in Community Development Block Grant (CDBG) monies and \$923,041 in Home Investment Partnerships Program (HOME) monies (attachment II reflects planned CDBG and HOME expenditures) and the draft analysis of impediments to Fair Housing Choice (attachment III); and 2. authorized the City Manager to execute all necessary documents related to the consolidated plan, action plan, and the CDBG and HOME

grants. The voting was as follows:

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

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) Mayor Euille noted that this is National Police Week and yesterday it had a wreath laying ceremony at the Police Memorial at the waterfront and today it had the annual memorial church service at Commonwealth Baptist Church.

(b) Mayor Euille said May is National Aging month, was dedicated as National Public Safety month and also as National Public Service week.

(c) Councilman Smedberg said he represents the City on the Virginia Railway Express Board and at the most recent Northern Virginia Transportation Commission meeting, the transition that VRE is going through from Amtrak to Keolis, who was selected to operate VRE, and that transition is going well. He said they had nationwide searches for engineers and conductors and other personnel. While recently there have been some things placed in the paper and letters, things are on track and they fully anticipate that VRE will be running fully on June 1.

(d) Councilman Smedberg asked the City Manager over the summer to have a style guide so things have consistency, and one in particular is different letterheads with different fonts, and it would be great if it all looked the same and had the same font and size.

(e) Councilwoman Pepper said the developers of JBG Properties up and down Beauregard Corridor had a three day event that she attended this past weekend. She said one of the things she asked them to get for Council is their manual, the Smart Growth, and it contains a number of what the City is already doing for smart growth, but its significance is it tells their philosophy they will be using as they make their plans for how they want to develop the property they own.

(f) Councilwoman Pepper said a number of articles and television items have occurred in the last couple of days about the workers that will be transferred to either Mark Center or Ft. Belvoir and the problems that is creating. She said that today there

was an article in the *Washington Post* that says traffic fears may stall move from Pentagon, and it is indicating that Congressman Moran is going to be asking the House Armed Services Committee to limit the transfers at the Mark Center to 1,000 cars at least initially, and it will give everyone a chance to do a little bit of planning.

(g) Councilman Fannon said that on May 1, he and Councilwoman Pepper went on the affordable housing bus tour with Director of Housing Davis, and it was a three-hour tour around the City showing all the affordable housing properties in the City. He thanked Ms. Davis for putting it together and the members of ARHA that were out there, as it was very informational.

(h) Councilman Fannon said that next Tuesday night, the Alexandria Sportsmans Club will host its 60th annual awards banquet, and the organization gives awards to the top high school athletes of the four schools in the City - Episcopal, Bishop Ireton, St. Stephens and T.C. Williams. The event will be at the Westin Hotel.

(i) Councilman Fannon said they were at the fallen law enforcement ceremony at Commonwealth Baptist Church, and this is National Police Week, and Alexandria plays a big role in it, as nationally over the past year, 116 police officers lost their lives in the line of duty, and they come to Alexandria and the majority of the families stay at the Hilton at Mark Center. The City's Police force plays host to a lot of the families, and he commended the City's Police Department for its role they play in that.

(j) Councilman Krupicka said Council received a letter from the Seminary Hill Civic Association that was a resolution voted on by their board raising concerns about customer service issues with Comcast, and this is not the first time Council has heard comments from citizens about Comcast. He said the City needs to take a hard look at the level of complaints they are getting, the level of dissatisfaction in the community, and develop a strategy to address those customer service issues and to attract a competitor to the marketplace. Councilman Krupicka said he would like to get to a place where residents can have reasonable quality service without feeling like they have to pass resolutions to pass them on to the City.

(k) Councilman Krupicka said he and Councilman Smedberg handed out two memos last week to Council, one related to coordinating their dedicated transit plans with Arlington, and the Mayor has met with the chair of the Arlington Board, and there are efforts underway to arrange a joint meeting with Alexandria and Arlington to talk about transportation and other shared issues. Councilman Krupicka said the other memo speaks to adding additional rigor to their boards and commissions and the way they relate to the Council and the strategic plan, so that there is clear alignment between the work of the boards and commissions and the work of the Council and the strategic plan, and also so that it gets its hands around the staff resources that are being employed to support the work of the various boards and commissions. The staff is at a 15 percent reduction from peak levels and that reduction is putting a noticeable strain on staff, as there are a number of night meetings, and the level of evening

meetings expected of staff is a substantial impediment to the quality of life of working for the City. He said the thrust of the suggestion is that it put in place a formal process to approve the work plan of the boards and commissions, much like the School Board does with its boards and commissions. He said he knows the City Manager has staff assigned to look at the idea and bring back recommendations, but he wanted to flag it.

Councilman Smedberg said it is not only staff involvement, but to what end, what is the end goal and how is it contributing to the City moving forward.

(l) Councilman Krupicka said the folks and volunteers at Gadsby's Tavern have gone through a process with the BAR which resulted in approval of the plans related to creating and renovating the ice well. He said they are now entering the process of raising funds for the project, and it is a City owned piece of property and City owned infrastructure, but because of their funding limitations due to the economy, they will have to go to the private marketplace to raise grants and funds to make the project happen. He said they have asked him to ask Council to sign a letter that says it is a good project, they like it and encourage people to raise funds for it. He handed out a draft of the letter to Council.

(m) Councilwoman Hughes said on Wednesday night, the Alexandria Neighborhood Health Services Board is having their annual Cinco de Mayo benefit at 6:00 p.m. at Alexandria Toyota.

(n) Councilwoman Hughes said she is a member of the Alexandria Jaycees, and this weekend it is having a charter night ball and celebrating the anniversary of the Jaycees and there is a kick-off event at Ramparts on Friday. The charter night ball is at 7:00 p.m. on Saturday at the Franconia Moose Lodge.

(o) Councilwoman Hughes said Governor McDonnell announced the membership of his Commission on Government Reform and Restructuring, and she, along with two other Alexandrians, were named to that Committee. She said she would look forward to getting as much input from the citizens of Alexandria and Council on ways they could go about streamlining government and making things more efficient. She said she was working hard to persuade them to have at least one of the meetings in Alexandria.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

21. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 52 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. 21; 5/11/10, 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. 21; 5/11/10 and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council passed the ordinance on first and second reading to adopt supplement Number 52 to the Zoning Code. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4657

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. 52," are hereby adopted as and shall constitute "The Fifty-Second 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-Second 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-Second 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-Second 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.

22. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 93 of the City Code.
[ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 5/11/10, 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. 22; 5/11/10 and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried unanimously by roll-call vote, City Council passed the ordinance on first and second reading to adopt supplement number 93 of the City Code. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4658

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. 93," are hereby adopted as and shall constitute "The Ninety-Third Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Ninety-Third 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 December 12, 2009, through March 13, 2010, 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 December 12, 2009, 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 December 12, 2009 through March 13, 2010, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Ninety-Third 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 Ninety-Third 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.

OTHER

23. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May 7, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 5/11/10, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, City Council adopted the following schedule: 1. scheduled a joint work session with the Alexandria Redevelopment and Housing Authority (ARHA) immediately after Council's Saturday, June 12 public hearing meeting (at approximately 2 or 2:30 p.m.) to follow-up on issues of mutual concern; 2. schedule a joint community meeting with the ARHA Board at 7:00 p.m. on Monday, June 21 at the Charles Houston Recreation Center for a presentation on the ARHA Strategic Plan and the kick-off of the strategic planning effort; and 3. received the revised calendar, which includes: City Employee Years of Service Recognition Program on Thursday, June 24 from 2:30 to 5:00 p.m. at the George Washington Masonic Temple.

City Manager Hartmann noted the other two meetings - a joint work session with the School Board that would precede the Council meeting on June 22, the topic would be the Jefferson-Houston School site and adjacent properties, and they still have not locked down a date for the joint meeting with the Arlington County Board, which may have to go to September, but they are still having dialogue on that one.

The voting was as follows:

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

EXECUTIVE SESSION

24. Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by

Councilman Smedberg and carried unanimously, at 9:15 p.m., City Council convened in executive session, pursuant to Sections 2.2-3711(A)(7) of the *Code of Virginia*, 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 Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, at 9:37 p.m., City Council reconvened the meeting. The voting was as follows:

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

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

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

The resolution reads as follows:

RESOLUTION NO. 2397

WHEREAS, the Alexandria City Council has this 11th day of May 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 Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the regular meeting of May 11, 2010 at 9:38 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE

MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council