

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, May 25, 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. Gates, Assistant City Manager, City Manager's Office; Mr. Castrilli, Director of Communication, City Manager's Office; Ms. Boyd, Director, Citizen Assistance; Ms. Blackford, Communications Officer, City Manager's Office; Mr. Johnson, Chief Financial Officer/Director, Office of Management and Budget; Ms. Triggs, Director, Finance; Ms. Baker, Director, Office on Women; Ms. Collins, Assistant City Manager for Community and Human Services; Mr. Caton, Legislative Director, City Manager's Office; Mr. McPike, Deputy Director, General Services; Ms. Hamer, Director, Planning and Zoning; Mr. Baier, Director, Transportation and Environmental Services; Ms. Griffin, Director, Office on Aging/Department of Human Services; Ms. Luddington, Long Term Care Coordinator, Office on Aging/Department of Human Services; Mr. Frazier, Director, Department of Human Services/Youth Services; Ms. Griesse, Community Education Specialist/ACAP, Office on Women; Fire Chief Thiel; Mr. Weaver, Division Chief, Transportation and Environmental Services; Mr. Spengler, Director, Recreation, Parks and Cultural Services; Police Captain Odgen; Mr. Saenz, ITS; and Mr. Lloyd.

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

City Council held a work session on the Alexandria Waterfront Plan at 5:30 p.m. in the City Council workroom .

OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the Deputy City Clerk called the roll; all 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 Special Meeting Minutes of May 3, 2010; and
- (b) The Regular Meeting Minutes of May 11, 2010.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried unanimously, City Council approved the special meeting minutes of May 3, 2010 and the regular meeting minutes of May 11, 2010. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (4-9)

(Resignations and Uncontested Appointments)

- 4. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
 - (a) Alexandria Transportation Commission
Sean Kumar
 - (b) Board of Zoning Appeals
Harold "Michael" Curry
 - (c) Budget and Fiscal Affairs Advisory Committee
David Paik

- (d) Commission on HIV/AIDS
Tara Villano
- (e) Environmental Policy Commission
Patricia Hilgard

(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. 4 (a-e); 05/25/10, and is incorporated as part of this record by reference.)

5. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Marketing Fund Committee
1 Member With Experience or Expertise in Marketing/Communications, Advertising Agency/Public Relations, Media Buyer, Graphic Design/Production, and/or Media Relations/Media Outlet
- (b) Citizen Corps Council
1 Citizen Member
- (c) Commission for the Arts
1 Student Member Who Resides in the City and Attends a High School Located in the City of Alexandria
- (d) Commission for Women
1 Citizen Member
- (e) Historic Alexandria Resources Commission
1 Member-at-large, From Planning District III
- (f) Human Rights Commission
1 Commission for Women Member
- (g) Park and Recreation Commission
1 Member From Among the High School Youth of the City

(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. 5 (a-g); 05/25/10, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 6. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated May 14, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 05/25/10, and is incorporated as part of this record by reference.)

7. Authorization to Apply for a Reimbursement Grant through the United States Department of Justice, Bureau of Justice Assistance, Bulletproof Vest Partnership Program for the Alexandria Sheriff's Office.

(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. 7; 05/25/10, and is incorporated as part of this record by reference.)

8. Receipt of Report on Alexandria Fund for Human Services FY 2011 Grant Awards.

(A copy of the City Manager's memorandum dated May 18, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 05/25/10, and is incorporated as part of this record by reference.)

9. Consideration of Application for Grant Funds from the Department of Homeland Security, Federal Emergency Management Agency's National Assistance to Firefighter Grant Program, for the Purchase of a Fire Apparatus Simulator.

(A copy of the City Manager's memorandum dated May 18, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 05/25/10, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council approved the consent calendar, with the exception of docket item #8, which was considered under separate motion. The City Manager's recommendations were as follows:

4. City Council accepted the following resignations with regret: (a) Sean Kumar, Alexandria Transportation Commission; (b) Harold "Michael" Curry, Board of Zoning Appeals; (c) David Paik, Budget and Fiscal Affairs Advisory Committee; (d) Tara Villano, Commission on HIV/AIDS; and (e) Patricia Hilgard, Environmental Policy Commission.

5. City Council made the following appointments: (a) appointed Patricia Gastron as the member with experience or expertise in marketing/communications, advertising/agency/public relations, media buyer, graphic design/production, and/or media relations/media outlet to the Alexandria Marketing Fund Committee; (b) appointed Michael Lyons as the citizen member to the Citizen Corps Council; (c)

appointed Kasey Kraft as the student member who resides in the City and attends a high school located in the City of Alexandria to the Commission for the Arts; (d) reappointed Jenny Wade as the citizen member to the Commission for Women; (e) appointed Malia DuMont as the member-at-large from Planning District III to the Historic Alexandria Resources Commission; (f) reappointed Jenny Wade as the Commission for Women member to the Human Rights Commission; and (g) appointed Anthony Zamora as the member from among the high school youth of the City to the Park and Recreation Commission.

6. City Council authorized \$11,780,000 for capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary.

7. City Council: (1) authorized the City Manager to continue the City's participation as an applicant jurisdiction for the Bulletproof Vest Partnership Program to permit law enforcement agencies in the City to apply for reimbursement for bulletproof vests purchased from April 1, 2010 through September 30, 2012; (2) authorized all City law enforcement agencies eligible under the requirement of the Bulletproof Vest Partnership Program to participate and apply for reimbursement under the City's comprehensive application in each year that federal funding is available for this program; and (3) authorized the City Manager to execute any necessary documents.

9. City Council: (1) approved the submission of the grant application (due May 28, 2010) for up to \$275,000; and (2) authorized the City Manager to execute the necessary documents that may be required.

The voting was as follows:

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

8. Receipt of Report on Alexandria Fund for Human Services FY 2011 Grant Awards.

(A copy of the City Manager's memorandum dated May 18, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 05/25/10, and is incorporated as part of this record by reference.)

Councilman Smedberg inquired about the awards the programs received and the process that was used for determining who received funds and why some programs were not funded.

Assistant City Manager Collins responded by explaining the award determination process to Council.

Councilman Krupicka requested that in the future each program present the metrics that measure the service to help explain how awards were granted.

Councilman Fannon requested that the programs be carefully reviewed to be sure there is no duplication of services among the organizations.

Councilwoman Hughes requested a list of the services that are provided by the organizations to understand why the amounts were funded.

Mayor Euille requested that the policy guidelines be reviewed for Youth Council and Developmental Assets programs to update Council on process.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried unanimously, City Council: (1) received the report of the Alexandria Fund for Human Services FY 2011 grant awards, which includes the Children's Fund, Youth Fund and Community Partnership Fund grant awards; and (2) thanked the members of the citizen review panels of the Early Childhood Commission, Youth Policy Commission, and Community Partnership Fund for their leadership in the allocation process. The voting was as follows:

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

CONTESTED APPOINTMENTS

10. Commission on Persons with Disabilities
1 Representative of the Business Community

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

NAME:

ENDORSED BY:

Robert Purkey

Chuck Benagh, Chair, Commission on Person with Disabilities

(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. 10; 05/25/10, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Robert Purkey as the representative of the business community to the Commission on Persons with Disabilities. The voting was as follows:

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

11. Human Rights Commission
1 Citizen Member

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

NAME:	ENDORSED BY:
Nicole Davies Kristy Herrick John Lee Amy Millican Sean Rough	Karen Gautney, Chair, Human Rights Commission

(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. 11; 05/25/10, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Kristy Herrick as the citizen member to the Human Rights Commission. The voting was as follows

Euille	-	Herrick
Donley	-	Herrick
Fannon	-	Millican
Hughes	-	Millican
Krupicka	-	Herrick
Pepper	-	Herrick
Smedberg	-	Herrick

12. Social Services Advisory Board
1 Citizen Member

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

NAME:	ENDORSED BY:
Diann Baker	

Barbara O'Neil

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 05/25/10, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Barbara O'Neil as the citizen member to the Social Services Advisory Board. The voting was as follows:

Euille	-	O'Neil
Donley	-	O'Neil
Fannon	-	abstain
Hughes	-	O'Neil
Krupicka	-	O'Neil
Pepper	-	O'Neil
Smedberg	-	O'Neil

13. Ratification of Appointments to Two Members of the Board of Directors of the Alexandria Economic Development Partnership.

(A copy of the City Clerk's memorandum dated May 17, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 05/25/10, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried unanimously, City Council: (1) approved a residency waiver and ratified the appointment of William Hard for a one year term on the Board of Directors of the Alexandria Economic Development Partnership (AEDP) and (2) ratified the appointment of David Millard for a one year term on the Board of Directors of the AEDP. The voting was as follows:

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

PUBLIC HEARING:

14. Public Hearing, Second Reading and Final Passage 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 revised May 12, 2010, is on file in

the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 05/25/10, 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; 05/25/10, 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; 05/25/10, 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 closed the public hearing and approved 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. 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. 4661

AN ORDINANCE authorizing the issuance of general obligation capital improvement bonds in the estimated maximum amount of \$72,300,000; and providing for reimbursement to the City of Alexandria from Bond proceeds.

WHEREAS, the City Council of the City of Alexandria, Virginia ("City") has determined that it is advisable to issue up to \$72,300,000 general obligation bonds of the City to finance the cost, in whole or in part, of various capital improvements as described below (the "Projects").

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

1. Authorization of Bonds and Use of Proceeds. The City Council hereby determines that it is advisable to contract a debt and to issue and sell general obligation bonds in the aggregate maximum principal amount of \$72,300,000 (the "Bonds"). The issuance and sale of the Bonds are hereby authorized. The proceeds from the issuance and sale of the Bonds shall be used to pay all or a portion of the costs of the Projects as described below and the Director of Finance is authorized and directed to determine the portion of the cost of each Project to be financed with Bond proceeds

and to reallocate Bond proceeds among the Projects if necessary or desirable.

<u>General Project Description</u>	<u>Estimated Maximum Cost</u>
<p><u>Schools</u> Construction, remodeling and repairing of school buildings and acquisition of necessary equipment (includes projects contained in the capital improvement program under "Schools").</p>	\$12,000,000
<p><u>City Parks and Buildings</u> Construction, renovation and improvement of existing and new City buildings and park facilities and acquisition of necessary land and equipment (includes projects contained in the capital improvement program under "Recreation and Parks" and "Public Buildings").</p>	\$45,300,000
<p><u>Traffic Improvements</u> Maintenance and upgrade of the City's traffic control (includes projects contained in the capital improvement program under "Public Transportation and Traffic Control").</p>	\$5,000,000
<p><u>Information Technology</u> Maintenance and upgrade of the City's information technology infrastructure and hardware, networks, and software (includes projects contained in the capital improvement program under "Information Technology Plan").</p>	\$5,000,000
<p><u>Infrastructure</u> Construction, renovation and improvement of City streets, and bridges and acquisition of necessary equipment (includes projects contained in the capital improvement program under "Community Development," and "Streets, Bridges and Pedestrian Improvements").</p>	\$5,000,000
<p><u>Affordable Housing</u> Acquisition, construction, remodeling and repairing of affordable housing and acquisition of necessary land and equipment.</p>	\$0
<p><u>Sanitary Sewer</u> Construction, renovation and improvement of City sanitary sewers and acquisition of necessary</p>	\$0

equipment (includes projects contained in the capital improvement program under "Sanitary Sewer").

Total: \$72,300,000

2. Pledge of Full Faith and Credit. The full faith and credit of the City are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Bonds as the same become due and payable. The City Council shall levy an annual ad valorem tax upon all property in the City, subject to local taxation, sufficient to pay the principal of, premium, if any, and interest on the Bonds as the same shall become due for payment unless other funds are lawfully available and appropriated for the timely payment thereof.

3. Details and Sale of Bonds. The Bonds shall be issued upon the terms established pursuant to this Ordinance and upon such other terms as may be determined in the manner set forth in this Ordinance. The Bonds shall be issued in one or more taxable or tax-exempt series, in fully registered form, shall be dated such date or dates as the City Manager and the Director of Finance, or either of them, may approve, shall be in the denominations of \$5,000 each or whole multiples thereof and shall be numbered from R-1 upwards consecutively. The Bonds shall mature on such dates and in such amounts and shall be issued in such principal amount as the City Manager and the Director of Finance, or either of them, may approve, provided that the final maturity of any Bond is not more than approximately 25 years from its date and the aggregate principal amount of the Bonds is not more than \$72,300,000. The City Manager and the Director of Finance, or either of them, is authorized and directed, at his or her option, to accept a bid or bids for the purchase of the Bonds which results in the lowest true interest cost to the City and the Bonds shall bear interest, payable semi-annually, at such rate or rates and shall be sold to the successful bidder or bidders at such price as may be set forth in the bid or bids so accepted, or, if he or she deems it to be in the City's financial interest, to forego such competitive bidding and negotiate the sale of the Bonds to one or more initial purchasers; provided that the true interest cost of the Bonds shall not exceed 6.5% per annum. The City Manager and the Director of Finance, or either of them, is authorized and directed to approve such optional redemption provisions for the Bonds as such officer or officers determine to be in the best interest of the City. The City Council may provide for additional or other terms of the Bonds by subsequent resolution.

4. "Build America Bonds" Authorized. The City Council hereby determines that it is advisable for the City to accept a bid for the purchase of all or a portion of the Bonds as Build America Bonds (Direct Payment) under Section 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Tax Code"), which was added by the provisions of the American Recovery and Reinvestment Act of 2009, if such bid results in the lowest true interest cost to the City, and to irrevocably elect to apply Section 54AA(g) of the Tax Code to such Bonds.

5. Authority of City Manager and Director of Finance to Elect. The City

Manager and the Director of Finance, or either of them, are hereby authorized to accept a bid for the purchase of all or a portion of the Bonds as Build America Bonds under the provisions of Section 54AA(g) of the Tax Code if such bid results in the lowest true interest cost to the City, as determined by the City Manager and the Director of Finance, or either of them, and to evidence the City's irrevocable election to apply Section 54AA(g) of the Tax Code to such Bonds, including by preparing, signing and filing with the Internal Revenue Service the required forms.

6. Form of Bonds. The Bonds shall be in substantially the form attached to this Ordinance as Exhibit A, with such appropriate variations, omissions and insertions as are permitted or required by this Ordinance. There may be endorsed on the Bonds such legend or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

7. Book-Entry-Only-Form. The Bonds may be issued in book-entry-only form. The Bonds shall be issued in fully-registered form and may be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC") as registered owner of the Bonds, and immobilized in the custody of DTC. One fully-registered Bond in typewritten or printed form for the principal amount of each maturity of the Bonds may be registered to Cede & Co. In such event, beneficial owners of the Bonds shall not receive physical delivery of the Bonds and principal, premium, if any, and interest payments on the Bonds shall be made to DTC or its nominee as registered owner of the Bonds on the applicable payment date.

Transfer of ownership interest in the Bonds may be made by DTC and its participants (the "Participants"), acting as nominees of the beneficial owners of the Bonds in accordance with rules specified by DTC and its Participants. In such event, the City shall notify DTC of any notice required to be given pursuant to this Ordinance or the Bonds not less than fifteen (15) calendar days prior to the date upon which such notice is required to be given and the City shall also comply with the agreements set forth in the City's Letter of Representations to DTC.

In the event the Bonds are issued in book-entry-only form and registered in the name of DTC's nominee as permitted above, replacement Bonds (the "Replacement Bonds") may be issued directly to beneficial owners of the Bonds rather than to DTC or its nominee but only in the event that:

- (i) DTC determines not to continue to act as securities depository for the Bonds; or
- (ii) The City has advised DTC of its determination not to use DTC as a securities depository; or
- (iii) The City has determined that it is in the best interest of the beneficial owners of the Bonds or the City not to continue the book-entry system of transfer.

Upon occurrence of the event described in (i) or (ii) above, the City shall attempt to locate another qualified securities depository. If the City fails to locate another qualified securities depository to replace DTC, the City Council shall execute and deliver Replacement Bonds substantially in the form set forth in Exhibit A to the Ordinance to the Participants. In the event the City Council, in its discretion, makes the determination noted in (iii) above and has made provisions to notify the beneficial owners of the Bonds by mailing an appropriate notice to DTC, the appropriate officers and agents of the City shall execute and deliver Replacement Bonds substantially in the form set forth in Exhibit A to this Ordinance to any Participants requesting such Replacement Bonds. Principal of and interest on the Replacement Bonds shall be payable as provided in this Ordinance and in the Bonds and Replacement Bonds will be transferable in accordance with the provisions of paragraphs 11 and 12 of this Ordinance and the Bonds.

8. Appointment of Bond Registrar and Paying Agent. The City Manager and the Director of Finance, or either of them, are authorized and directed to appoint a Bond Registrar and Paying Agent for the Bonds and as long as the Bonds are in book-entry form, either of such officers may serve as Paying Agent.

The City Manager and the Director of Finance, or either of them, may appoint a subsequent registrar and/or one or more paying agents for the Bonds upon giving written notice to the owners of the Bonds specifying the name and location of the principal office of any such registrar or paying agent.

9. Execution of Bonds. The Mayor and the Clerk of the City are authorized and directed to execute appropriate negotiable Bonds and to affix the seal of the City thereto and to deliver the Bonds to the purchaser thereof upon payment of the purchase price. The manner of execution and affixation of the seal may be by facsimile, provided, however, that if the signatures of the Mayor and the Clerk are both by facsimile, the Bonds shall not be valid until signed at the foot thereof by the manual signature of the Bond Registrar.

10. CUSIP Numbers. The Bonds may have CUSIP identification numbers printed thereon. No such number shall constitute a part of the contract evidenced by the Bond on which it is imprinted and no liability shall attach to the City, or any of its officers or agents by reason of such numbers or any use made of such numbers, including any use by the City and any officer or agent of the City, by reason of any inaccuracy, error or omission with respect to such numbers.

11. Registration, Transfer and Exchange. Upon surrender for transfer or exchange of any Bond at the principal office of the Bond Registrar, the City shall execute and deliver and the Bond Registrar shall authenticate in the name of the transferee or transferees a new Bond or Bonds of any authorized denomination in an aggregate principal amount equal to the Bond surrendered and of the same form and maturity and bearing interest at the same rate as the Bond surrendered, subject in each case to such reasonable regulations as the City and the Bond Registrar may prescribe.

All Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and substance reasonably satisfactory to the City and the Bond Registrar, duly executed by the registered owner or by his or her duly authorized attorney-in-fact or legal representative. No Bond may be registered to bearer.

New Bonds delivered upon any transfer or exchange shall be valid obligations of the City, evidencing the same debt as the Bonds surrendered, shall be secured by this Ordinance and entitled to all of the security and benefits hereof to the same extent as the Bonds surrendered.

12. Charges for Exchange or Transfer. No charge shall be made for any exchange or transfer of Bonds, but the City may require payment by the registered owner of any Bond of a sum sufficient to cover any tax or other governmental charge which may be imposed with respect to the transfer or exchange of such Bond.

13. Non-Arbitrage Certificate and Tax Covenants. The City Manager and the Director of Finance, or either of them, and such officers and agents of the City as either of them may designate are authorized and directed to execute with respect to each series of the Bonds a Non-Arbitrage Certificate and Tax Covenants setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to comply with the provisions of the Tax Code, including the provisions of Section 148 of the Tax Code and applicable regulations relating to "arbitrage bonds." The City Council covenants on behalf of the City that the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in the City's Non-Arbitrage Certificate and Tax Covenants relating to such Bonds, to be delivered simultaneously with the issuance and delivery of the Bonds and that the City shall comply with the other covenants and representations contained therein.

14. RESERVED.

15. Disclosure Documents. The City Manager and the Director of Finance, or either of them, and such officers and agents of the City as either of them may designate are hereby authorized and directed to prepare, execute, if required, and deliver an appropriate notice of sale, preliminary official statement, official statement, continuing disclosure agreement or such other offering or disclosure documents as may be necessary to expedite the sale of the Bonds. The notice of sale, preliminary official statement, official statement, continuing disclosure agreement or other documents shall be published in such publications and distributed in such manner, including electronically, and at such times as the Director of Finance shall determine. The Director of Finance is authorized and directed to deem the preliminary official statement "final" for purposes of Securities and Exchange Commission Rule 15c2-12.

16. Affordable Housing and Sanitary Sewer Projects. The City Council hereby authorizes the City Manager and the Director of Finance, or either of them, to

reallocate a portion of the proceeds of the Bonds for affordable housing projects or sanitary sewer projects, or both, if deemed desirable by the City Manager and the Director of Finance, or either of them.

17. Further Actions. The City Manager and the Director of Finance and such officers and agents of the City as either of them may designate are authorized and directed to take such further action as they deem necessary regarding the issuance and sale of the Bonds including the execution and delivery of such bond purchase agreement as may be required in connection with any negotiated sale of the Bonds and the execution and delivery of any such other documents, agreements and certificates (including applications for tax credits) as they may deem necessary or desirable and all actions taken by such officers and agents in connection with the issuance and sale of the Bonds are ratified and confirmed.

18. Reimbursement. The City Council adopts this declaration of official intent under Treasury Regulations Section 1.150-2. The City Council reasonably expects to reimburse advances made or to be made by the City to pay the costs of the Projects from the proceeds of its debt. The maximum amount of debt expected to be issued for the Projects is set forth in paragraph 1 above. The City hereby authorizes the Director of Finance, on behalf of the City, to specifically declare the City's official intent to reimburse portions of the cost of the Projects with Bond proceeds.

19. Effective Date; Applicable Law. In accordance with Section 15.2-2601 of the Code of Virginia of 1950, as amended, the City Council elects to issue the Bonds pursuant to the provisions of the Public Finance Act of 1991. This Ordinance shall take effect at the time of its enactment.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

16. Receipt of the Draft City of Alexandria Strategic Plan and Setting it for Public Hearing on Saturday, June 12, 2010.

(A copy of the City Manager's memorandum dated May 19, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 05/25/10, and is incorporated as part of this record by reference.)

Assistant City Manager Gates gave a presentation on the draft City of Alexandria Strategic Plan and responded to questions and comments from Council about the Plan and the next steps in the process.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) received the draft City of Alexandria 2010 Strategic Plan; (2) scheduled it for public hearing on Saturday, June 12, 2010; and (3) docketed the Strategic Plan for Council adoption at Council's Tuesday, June 22, 2010 legislative meeting. The voting was as follows:

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

17. Consideration of City Comments on the Proposed Virginia American Water Company Rate Increase.

(A copy of the City Manager's memorandum dated May 18, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 05/25/10, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried unanimously, City Council authorized staff to provide formal comments and concerns as outlined in the report to the State Corporation Commission (SCC) in regard to the proposed 16.0 percent increase in the Virginia-American Water Company's Alexandria customer rates, as well as encourage City residents and businesses to provide comments and input to the SCC. The voting was as follows:

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

City Council considered docket items #18 and #19 together.

18. Consideration of Grant Application For Teen Pregnancy Prevention Funding Tier 1 to the U.S. Department of Health and Human Services' Office of Adolescent Health For the Alexandria Campaign on Adolescent Pregnancy.

(A copy of the City Manager's memorandum dated May 19, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 05/25/10, and is incorporated as part of this record by reference.)

Assistant City Manager Collins and Director of Office on Women Baker responded to questions from Council about the two grant applications for implementing new programs and explaining why the pregnancy rates remain high for the City of Alexandria.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Krupicka and carried unanimously, City Council: (1) approved the submission of a five year grant application to the Office of Adolescent Health (OAH) for funding in the amount of \$421,678.26 (annually) that would result in the funding of three positions to coordinate and execute the Teen Pregnancy Prevention: Replication of Evidence-based Programs grant; (2) approved the hiring of one Coordinator Community Services Program II and two Community Education Specialists for ACAP. These grant-funded

positions would terminate upon the expiration of the grant. The individuals who fill these positions will be notified of this condition of employment at the time they are hired. They will be required to sign an agreement of understanding with regard to this condition. It should be noted that there are no funds available in the City budget to continue these activities once the grant funds expire; and (3) authorized the City Manager to execute all documents that may be required prior to the grant application due date of June 1, 2010. The voting was as follows:

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

19. Consideration of Grant Application For Teen Pregnancy Prevention Funding Tier 2 to the U.S. Department of Health and Human Services' Office of Adolescent Health and the Administration on Children, Youth and Families for the Alexandria Campaign for Adolescent Pregnancy.

(A copy of the City Manager's memorandum dated May 19, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 05/25/10, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Krupicka and carried unanimously, City Council: (1) approved the submission of a five year grant application to the Office of Adolescent Health (OAH) and Administration of Children, Youth and Families (ACYF) for funding in the amount \$514,872.43 (annually) that would result in the funding of 3 positions to coordinate and execute the Teen Pregnancy Prevention: Research and Demonstration Programs and Personal Responsibility Education Program (Tier 2) grant; (2) approved the hiring of one Coordinator/Community Services Program II, one Health and Community Education Specialist and one bilingual Public Health Nurse. These grant-funded positions would terminate upon the expiration of the grant. The individuals who fill these positions will be notified of this condition of employment at the time they are hired. They will be required to sign an agreement of understanding with regard to this condition. It should be noted that there are no funds available in the City budget to continue these activities once the grant funds expire; and (3) authorize the City Manager to execute all documents that may be required prior to the grant application due date of June 8, 2010. The voting was as follows:

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

20. Consideration of Authorization to Transfer Contingent Reserve Funds to the Department of Human Services for the Development of a Five-Year Strategic

Plan to Meet the Needs of Alexandria Senior Population.

(A copy of the City Manager's memorandum dated May 12, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 05/25/10, and is incorporated as part of this record by reference.)

Assistant City Manager Collins explained the request for the transfer from Contingent Reserves in order to get a specialized vendor to tie together all the data on serving the senior population and developing a usable plan. Ms. Collins responded to questions from Council about the what the strategic plan will accomplish and the cost of the plan and the use of the funds from Contingent Reserves.

Council inquired about the scope of the RFP and the critical needs services for seniors that are unfunded. Council also inquired who would monitor the work of the selected vendor and the inclusion of all interested stakeholders.

Whereupon, motion was made by Councilwoman Pepper for City Council to authorize the transfer of \$74,000 designated in Contingent Reserves to DHS to procure the services of a qualified entity to develop a five-year strategic plan to accommodate the needs of Alexandria's growing senior population by creating a livable community.

WHEREUPON, a substitute motion was made by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, that City Council authorize the transfer of an amount not to exceed \$74,000 from Contingent Reserves to the Department of Human Services to procure the services of a qualified entity to develop a five-year strategic plan to accommodate the needs of Alexandria's growing senior population by creating a livable community. The motion became the main motion. The voting was as follows:

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

21. Consideration of City Real Estate Disposition Policy.

(A copy of the City Manager's memorandum dated May 19, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 05/25/10, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Fannon, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the Real Estate Disposition Policy. The voting was as follows:

Fannon	"aye"	Donley	"aye"
Pepper	"aye"	Hughes	"aye"

Euille "aye" Krupicka "aye"
Smedberg "aye"

****This item was heard after Docket Item No. 21.****

15. Oral Report on Base Realignment and Closure (BRAC-133) Project at Mark Center and the Beauregard Corridor Small Area Plan Process.

Planning and Zoning Director Hamer gave a presentation on the progress of the proposed Beauregard Corridor Small Area Plan Process, highlighting the main components of the framework plan, the transportation network and the land use/density component.

Director of Transportation Baier gave a presentation on the progress of the BRAC-133 Project at Mark Center, noting that staff had a progress review meeting last week and work is moving forward on scope of review for the interchange modification report, analyzing the two alternatives. Mr. Baier gave an overview of the areas of the interchange modification report, including scope, schedule and budget, the interim improvements being implemented and the traffic management plan. Mr. Baier responded to questions and comments from Council about interim improvements, proposed creation of a parking district for the West End and next steps for the City to take.

Council requested that the City Manager develop a position for spearheading efforts, communications and projects concerning the BRAC-133 project and authorized the City Manager to prepare a job description, with a potential salary range, for Council consideration in June.

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Vice Mayor Donley thanked Yon Lambert, Pedestrian Coordinator, and the Transportation and Environmental Services Department for organizing a very successful Bike to Work Day and he recognized all the City Council members and City staff who participated and rode their bikes to work.

(b) Councilman Krupicka reported that the City schools committee met last night and he noted that the writing test scores for the schools are showing signs of improvement. Councilman Krupicka also reported that the Superintendent shared his early draft of the T.C. Williams Transformation model and distributed copies to

members of Council. Councilman Krupicka also stated that the acute space issues facing the schools and the potential joint project at Jefferson-Houston Elementary school was discussed at the meeting.

(c) Councilman Krupicka announced that Alexandria has been recognized as the third Best Arts Destination City in the nation by AmericanStyle Magazine.

(d) Councilman Krupicka announced that Arlandria is close to starting their Farmers' Market and will be holding a cleanup of Four Mile Run in preparation for the start of the farmers' market.

(e) Councilman Smedberg reported that the management transition for the Virginia Railway Express (VRE) has been successful thus far and he would keep Council informed on the progress.

(f) Councilwoman Pepper reported that she attended the Del Ray Civic Associations Home and Garden Tour and she noted that the homes were beautiful and the tour was successful.

(g) Councilman Fannon reported that he and Councilman Smedberg attended a community meeting with the Potomac Greens Homeowners Association to discuss the possible Special Tax Districts and hear the concerns of the residents about the proposal.

(h) Councilman Fannon inquired about the recycling bins with the microchips and asked if the bins could be ordered without the microchip.

In response to Councilman Fannon, Director of Transportation and Environmental Services Baier stated that the industry standard is to distribute bins with microchips, noting that the microchips are solely to identify where the bins belong, if the bins are ready for pickup, and help in measuring performance for the solid waste/recycling program. Mr. Baier noted that this was not a way to charge residents additional solid waste collection fees, as only Council could authorize a fee increase.

Councilman Fannon requested that the issue of ordering bins with or without chips be docketed for the next legislative meeting for consideration.

(i) Councilwoman Hughes reported that she presented awards to retired senior volunteers at a ceremony last week for Volunteer America.

(j) Councilwoman Hughes reported that she participated in a workshop held this evening at the Charles Houston Recreation Center sponsored by the Office on Women and Alpha Kappa Alpha Sorority, Inc., for young women highlighting inner beauty.

ORAL REPORT FROM THE CITY MANAGER

City Manager Hartmann requested the Director of Recreation, Parks and Cultural Activities Spengler give an update on the construction activities for Jones Point Park.

Director of Recreation, Parks and Cultural Activities Spengler gave an update on the upcoming redevelopment of Jones Point Park and explained the timeline for the construction of the park. Mr. Spengler responded to questions from Council about the use of the park during construction and meetings with the National Parks Service and Virginia Department of Transportation and noted that the staff and Park and Recreation Commission recommended that the park should be constructed as quickly as possible for opening in October of 2012. At the request of Council, Mr. Spengler would inquire about moving the construction fencing to allow parts of the park to be open for usage during the process.

ORDINANCES AND RESOLUTIONS

None.

OTHER

22. Consideration of Request to Amend the City Code to Change the Procedures for Processing Master Plan Amendments By City Council.

(A copy of the City Attorney'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. 22; 05/25/10, and is incorporated as part of this record by reference.

A copy of Councilwoman Hughes' memorandum dated May 19, 2010, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 05/25/10, and is incorporated as part of this record by reference.)

Councilwoman Hughes presented her concerns as highlighted in the memorandum dated May 19, 2010, for a request for an amendment to the City Charter/City Code to change procedures for processing Master Plan Amendments by City Council. Councilwoman Hughes stated that applicants should have the ability to appeal directly to Council if a Master Plan Amendment is denied by the Planning Commission and she noted that possibly there could be other Charter amendments that could be presented to the State legislature.

Council requested that staff and members of the Planning Commission review the proposal and offer input before formal Council consideration during the fall legislative session.

23. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May 21, 2010, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 05/25/10, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Hughes and carried unanimously, City Council: (1) rescheduled the Joint Work Session with ARHA from Saturday, June 12 to Tuesday, June 8 at 5:30 p.m., in the Council Workroom; and (2) scheduled a Joint Work session with the School Board on Tuesday, June 22 at 5:30 p.m., in the Council Workroom prior to the Legislative Meeting. The voting was as follows:

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

EXECUTIVE SESSION

24. Consideration of Convening a Closed Meeting for 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.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 10:42 p.m., City Council convened in executive session, pursuant to Section 2.2-3711(A)(3) of the *Code of Virginia*, for a public purpose, or for 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. 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 11:47 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. 2398

WHEREAS, the Alexandria City Council has this 26th 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 Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the regular meeting of May 25, 2010, at 11:48 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria A. Sitton, CMC Deputy City Clerk