

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting

Tuesday, September 8, 2009 - - 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; and Mr. Jinks, Deputy City Manager; Mr. Gates, Assistant City Manager; Mr. Caton, Legislative Director; Mr. Castrilli, Communications Director, City Manager's Office; Ms. Blackford, Communications Officer, City Manager's Office; Mr. Mason, Special Assistant to the City Manager; Ms. Davis, Director, Office of Housing; Ms. Niebauer, Director, Office of Human Rights; Ms. Collins, Assistant City Manager/Director, Human Services; Mr. Baier, Director, Transportation and Environmental Services; Fire Chief Thiel; Ms. Boyd, Director, Citizen Assistance; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Mr. Chesley, Recreation, Parks and Cultural Activities; Mr. Johnson, Chief Financial Officer; Ms. Baker, Director, Office on Women; Mr. Gordon, Director of Procurement, Office of Finance; Ms. Hamer, Director, Planning and Zoning; Ms. Beeton, Division Chief, Planning and Zoning; Ms. Wright, Division Chief, Planning and Zoning; Mr. Mortiz, Planning and Zoning; Dr. Kaplowitz, Director, Health Department; Ms. Lake, Health Department; Deputy Gleason, Sheriff's Department; Police Chief Cook; Police Captain Tierney; Police Lt. Uzzell; and Mr. Lloyd.

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

OPENING

1. Recognition of Town Crier William North-Rudin.

Town Crier William North-Rudin opened the meeting.

2. 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. (Councilman Krupicka arrived at 8:11

p.m.)

3. Moment of Silence and Pledge of Allegiance.

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

Mayor Euille recognized and welcomed Vice Mayor Donley and Councilwoman Hughes and Councilman Donley to the Council.

4. Reading and Acting Upon the Minutes of the Following Meetings of City Council:

- (a) The Special Meeting Minutes of June 22, 2009;
- (b) The Regular Meeting Minutes of June 23, 2009; and
- (c) The Special Meeting Minutes of July 1, 2009.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried 6-0, City Council approved the special meeting minutes of July 1, 2009. The voting was as follows:

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

The rest of this item was taken up later in the meeting and is noted as follows:

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the special meeting minutes of June 22, 2009 and the regular meeting minutes of June 23, 2009. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-25)

(Resignations and Uncontested Appointments)

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

- (a) USS Alexandria Liaison Committee
Thomas Kerr
- (b) Industrial Development Authority
Lois Walker
- (c) Park and Recreation Commission
Marshanika Rich
- (d) Emergency Medical Services Council
Robert Burke Wilson
- (e) Historic Alexandria Resources Commission
Patrick H. Butler III
- (f) Commission on HIV/AIDS
Funmi Adesanya
- (g) Affordable Housing Advisory Committee
Nancy Carson
- (h) Early Childhood Commission
Alicia Hughes
- (i) Social Services Advisory Board
Alicia Hughes
- (j) Archaeology Commission
Adron D. Krekeler
- (k) Community Services Board
Miles McGinnis
- (l) Northern Virginia Regional Park Authority
William Dickinson

(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. 5 (a-l); 9/8/09, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Sister City Committee
1 Citizen Member
- (b) Alexandria-Gyumri Sister City Committee
1 Citizen Member
- (c) Budget and Fiscal Affairs Advisory Committee
3 Members Designated by City Council
- (d) Commission on Employment
2 Business Representatives From Among Recognized Area
Businesses Including Minority-Owned and Small Businesses
- (e) Commission on Persons With Disabilities
2 Citizen Members (a Majority of the Citizen Members Shall Be
Persons With Physical, Visual or Hearing Disabilities)
- (f) Community Services Board
1 Sheriff or Sheriff's Designee
- (g) Early Childhood Commission
1 Member of the Social Services Advisory Board
- (h) Historic Alexandria Resources Commission
1 Public Records Advisory Committee Representative
- (i) Potomac Yard Design Advisory Committee
1 Qualified Professional Skilled in Architecture
- (j) Sister Cities Committee
1 Citizen Member
- (k) Waterfront Committee
1 Representative From the Pleasure Boat Lease Holders at
Alexandria Marina

(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. 6 (a-k); 9/8/09, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

7. Consideration of a Grant Application to the Office of the Attorney General for Virginia's TRIAD Crime Prevention for Seniors Grant Program

(A copy of the City Manager's memorandum dated August 26, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 9/8/09, and is incorporated as part of this record by reference.)

8. Consideration of a Grant Application to the U.S. Environmental Protection Agency, State and Tribal Assistance Grants Program For a Bioretention Area and Ultra Urban Best Management Practice (BMP) at Charles Barrett Elementary School, an Ultra-Urban BMP at Fire Station 206, a Bioretention Area at Nicholas Colasanto Center, and a Green Roof For the Ellen Coolidge Burke Library.

(A copy of the City Manager's memorandum dated August 31, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/8/09, and is incorporated as part of this record by reference.)

9. Ratification of Submission of an Application to the Virginia Housing Development Authority (VHDA), for the Round Eight (FY 2010) Sponsoring Partnerships and Revitalizing Communities (SPARC) Program.

(A copy of the City Manager's memorandum dated August 24, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 9/8/09, and is incorporated as part of this record by reference.)

10. Allocation of Funds for the City's Complete Count Committee for 2010 U.S. Census Activities.

(A copy of the City Manager's memorandum dated August 26, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 9/8/09, and is incorporated as part of this record by reference.)

11. Consideration of Grant Funding for Personal Protective Equipment (PPE) to Purchase Surgical Masks for Alexandria's Emergency Medical Services Providers.

(A copy of the City Manager's memorandum dated August 31, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 9/8/09, and is incorporated as part of this record by reference.)

12. Consideration of Grant Application Renewal to the USDA Child and Adult Care Food Program for At-Risk After School Snack Program.

(A copy of the City Manager's memorandum dated August 27, 2009, is on file in

the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 9/8/09, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Prohibit the Shooting of an Arrow Upon the Property of Another Without Permission From the Owner or Tenant of the Property.

(A copy of the City Attorney's memorandum dated July 2, 2009 is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 9/8/09, 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. 13; 9/8/09, 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. 13; 9/8/09 and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Change the Membership of the Alexandria Commission on Aging.

(A copy of the City Attorney's memorandum dated September 8, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 14; 9/8/09, 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; 9/8/09, 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; 9/8/09 and is incorporated as part of this record by reference.)

15. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 6-1-1.1 (Hunting Prohibited in an Area Adjacent to Public Parks and Playgrounds.) of the Alexandria City Code.

(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. 12 of Item No. 15; 9/8/09, 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. 15; 9/8/09 and is incorporated as part of this record by reference.)

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Repeal Section 13-2-4 (Carrying Loaded Firearms) of the Alexandria City Code.

(A copy of the City Attorney's memorandum dated September 8, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 16; 9/8/09, 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. 16; 9/8/09, 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. 16; 9/8/09 and is incorporated as part of this record by reference.)

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Adopt Master Plan Amendment No. 2008-0006 to Amend the Master Plan of the Eisenhower Small Area Plan to Allow For Increased Height Limits on Block 20.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 9/8/09, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 17; 9/8/09 and is incorporated as part of this record by reference.)

18. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Adopt Master Plan Amendment No. 2009-0001 of the Urban Forestry Master Plan as a Chapter of the Master Plan.

(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. 18; 9/8/09, 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. 18; 9/8/09 and is incorporated as part of this record by reference.)

19. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish and Maintain an Encroachment For Outdoor Restaurant Seating at 315 Madison Street.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 12 of Item No. 19; 9/8/09, 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. 19; 9/8/09 and is incorporated as part of this record by reference.)

20. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish and Maintain an Encroachment For a Stairway and Landscape Planter at 532 N. Washington Street.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 9/8/09, 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. 20; 9/8/09 and is incorporated as part of this record by reference.)

21. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish and Maintain a Portion of a Retaining Wall at 3500 Goddard Way, Along Duke Street.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 9/8/09, 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; 9/8/09 and is incorporated as part of this record by reference.)

22. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Adopt Section 2-5-39 (Administration of Employee Homeownership Loan Programs For Other Entities) of the Alexandria City Code.

(A copy of the City Manager's memorandum dated August 24, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 22; 9/8/09, 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. 22; 9/8/09, 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. 22; 9/8/09 and is incorporated as part of this record by reference.)

23. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sections 3-3-36 (Notice of Invitation To Bid) and 3-3-64 (Public Notice) of the Alexandria City Code.

(A copy of the City Manager's memorandum dated August 26, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 23; 9/8/09, 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. 23; 9/8/09, 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. 23; 9/8/09 and is incorporated as part of this record by reference.)

24. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sections 3-2-61 (Definitions), 3-2-62 (Tax Rate and Levy), 3-2-69 (Duties of Director) and 9-1-84 (Public Utilities) and Repeal Sections 3-2-63 (Application For Classification as Commercial or Industrial User), 3-2-67 (Applicability to Telephone Service) and 3-2-71 (Cellular Telephone Tax) of the Alexandria City Code.

(A copy of the City Manager's memorandum dated August 24, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 24 9/8/09, 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. 24; 9/8/09, 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. 24; 9/8/09 and is incorporated as part of this record by reference.)

25. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Roll Back the Annual Adjustment of the Hourly Wage Rate Provided Under Section 3-3-31.1 of the Alexandria City Code.

(A copy of the City Manager's memorandum dated August 24, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 25; 9/8/09, 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. 25; 9/8/09, 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. 25; 9/8/09 and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried 6-0, City Council adopted the consent calendar, with the removal of items 7, 8, 10, 13, 15, 16, 19, 23 and 25 and considered them under separate motions. The City Manager's recommendations were as follows:

5. City Council accepted the following resignations with regret: (a) Thomas Kerr, USS Alexandria Liaison Committee; (b) Lois Walker, Industrial Development Authority; (c) Marshanika Rich, Park and Recreation Commission; (d) Robert Burke Wilson, Emergency Medical Services Council; (e) Patrick H. Butler, III, Historic Alexandria Resources Commission; (f) Funmi Adesanya, Commission on HIV/AIDS; (g) Nancy Carson, Affordable Housing Advisory Committee; (h) Alicia Hughes, Early Childhood Commission; (i) Alicia Hughes, Social Services Advisory Board; (j) Adron D. Krekeler, Archaeology Commission; (k) Miles McGinnis, Community Services Board; and (l) William Dickinson, Northern Virginia Regional Park Authority.

6. City Council made the following appointments: (a) appointed Allison Taylor as the citizen member to the Alexandria-Caen Sister City Committee; (b) reappointed Judith Markarian as the citizen member to the Alexandria-Gyumri Sister City Committee; (c) appointed David Paik as Councilman Fannon's representative, Matthew Tallmer as Councilwoman Hughes' representative, and Derek (Dak) Hardwick as Vice Mayor Donley's representative to the Budget and Fiscal Affairs Advisory Committee; (d) reappointed Dorothy (Dori) Ramsey and Iris Henley as the two business representatives from among recognized area businesses including minority-owned and

small businesses to the Commission on Employment; (e) reappointed Adam Osterman (identified a disability) and Charles Benagh (identified a disability) as the two citizen members (a majority of the citizen members shall be persons with physical, visual or hearing disabilities) to the Commission on Persons with Disabilities; (f) appointed Captain Lucinda Buker as the Sheriff's designee to the Community Services Board; (g) appointed Cassandra Ford as the one member of the Social Services Advisory Board to the Early Childhood Commission; (h) reappointed Charles Ziegler as the one Public Records Advisory Committee representative to the Historic Alexandria Resources Commission; (i) reappointed Stephen Koenig as the one qualified professional skilled in architecture to the Potomac Yard Design Advisory Committee; (j) appointed Mada McGill as the one citizen member to the Sister Cities Committee; and (k) reappointed Douglas Gosnell as the one representative from the pleasure boat lease holders at Alexandria Marina to the Waterfront Committee.

9. City Council ratified the submission of an application to VHDA for \$7,700,000 for the SPARC Round Eight program funding to provide first-trust, low-interest, mortgage financing for participants in the City's Homeownership Assistance Program (HAP) and Moderate Income Homeownership Program (MIHP.) Because of a one-time change in the funding cycle for Round Eight, applications were due to VHDA by August 14, 2009. The Office of Housing prepared, the City Manager authorized, and the City submitted the application by VHDA's due date and is now requesting that City Council ratify this application. The City has applied for and been awarded SPARC funds each year of the program's seven year history. A copy of this application is on file in the Office of Housing.

11. City Council authorized the City Manager to: 1. submit the grant application to procure surgical masks that would be worn by the Fire Department's EMS providers if a State-declared pandemic were to occur in Northern Virginia; and 2. execute all grant-related documents that may be required.

12. City Council authorized the City Manager to: 1. submit and accept, if awarded, the at-risk after school grant renewal application for \$142,447 to the United States Department of Agriculture (USDA) for Fiscal Year 2010; and 2. execute all documents that may be required.

14. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009.

17. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009.

18. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009.

20. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009.

21. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009.

22. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009.

24. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009.

The voting was as follows:

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

7. Consideration of a Grant Application to the Office of the Attorney General for Virginia's TRIAD Crime Prevention for Seniors Grant Program.

(A copy of the City Manager's memorandum dated August 26, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 9/8/09, and is incorporated as part of this record by reference.)

In response to a question from Councilman Smedberg, Deputy Sheriff Gleason explained who the outreach includes.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried 6-0, City Council: 1. authorized the Alexandria Sheriff's Office to submit a grant application for \$2,000 to the Office of the Attorney General of Virginia. Funds will support Alexandria TRIAD efforts and support Alexandria's Senior Citizens. (It should be noted that notification of this grant opportunity was received after the last City Council meeting held on June 22, 2009. As such, the grant application was tentatively filed in order to meet the July 29, 2009 submission deadline; and 2. execute all necessary documents that may be required under this program. The voting was as follows:

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

8. Consideration of a Grant Application to the U.S. Environmental Protection Agency, State and Tribal Assistance Grants Program For a Bioretention Area and Ultra Urban Best Management Practice (BMP) at Charles Barrett

Elementary School, an Ultra-Urban BMP at Fire Station 206, a Bioretention Area at Nicholas Colasanto Center, and a Green Roof For the Ellen Coolidge Burke Library.

(A copy of the City Manager's memorandum dated August 31, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/8/09, and is incorporated as part of this record by reference.)

In response to a question from Councilman Smedberg, Director of Transportation and Environmental Services Baier and Deputy City Manager Evans noted that the Burke Library is not scheduled to be closed.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried 6-0, City Council authorized the City Manager to: 1. submit a grant application to the U.S. Environmental Protection Agency for State and Tribal Assistance Grant (STAG) funding in the amount of \$481,100, to be matched by City funding in the amount of \$393,627 for implementation of these best management practice retrofits as described in this docket item; and 2. execute all necessary documents and agreements that may be required to receive this funding under this grant program. The voting was as follows:

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

10. Allocation of Funds for the City's Complete Count Committee for 2010 U.S. Census Activities.

(A copy of the City Manager's memorandum dated August 26, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 9/8/09, and is incorporated as part of this record by reference.)

In response to a question from Councilwoman Hughes, Mr. Mortiz, deputy director, Planning and Zoning, explained what the expenditure of funds for children is for.

Councilman Smedberg asked for a list of the Committee at some point.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried 5-1, City Council allocated \$30,000 from the FY 2010 General Fund Contingent Reserve to fund the Complete Count Committee's requested budget for the 2010 U.S. Census. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Pepper	"aye"	Hughes	"no"

Euille	"aye"	Krupicka	absent
	Smedberg	"aye"	

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Prohibit the Shooting of an Arrow Upon the Property of Another Without Permission From the Owner or Tenant of the Property.

(A copy of the City Attorney's memorandum dated July 2, 2009 is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 9/8/09, 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. 13; 9/8/09, 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. 13; 9/8/09 and is incorporated as part of this record by reference.)

In response to a comment from Mayor Euille, City Attorney Banks explained the gap without the proposed ordinance and there was no way for Police to enforce this, as there was no ordinance in place.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried 6-0, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009. The voting was as follows:

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

15. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 6-1-1.1 (Hunting Prohibited in an Area Adjacent to Public Parks and Playgrounds) of the Alexandria City Code.

(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. 12 of Item No. 15; 9/8/09, 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. 15; 9/8/09 and is incorporated as part of this record by reference.)

In response to a question from Councilwoman Hughes, City Attorney Banks explained the reasoning for the ordinance.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried 6-0, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009. The voting was as follows:

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

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Repeal Section 13-2-4 (Carrying Loaded Firearms) of the Alexandria City Code.

(A copy of the City Attorney's memorandum dated September 8, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 16; 9/8/09, 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. 16; 9/8/09, 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. 16; 9/8/09 and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried 6-0, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009. The voting was as follows:

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

19. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish and Maintain an Encroachment For Outdoor Restaurant Seating at 315 Madison Street.

(A copy of the informal memorandum explaining the ordinance is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 12 of Item No. 19; 9/8/09, 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. 19; 9/8/09 and is incorporated as part of this record by reference.)

In response to a question from Councilman Smedberg, Planning and Zoning Division Chief Wright explained that the seating on Madison would have the same aesthetic guidelines as on King Street.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried 6-0, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009. The voting was as follows:

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

23. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sections 3-3-36 (Notice of Invitation To Bid) and 3-3-64 (Public Notice) of the Alexandria City Code.

(A copy of the City Manager's memorandum dated August 26, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 23; 9/8/09, 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. 23; 9/8/09, 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. 23; 9/8/09 and is incorporated as part of this record by reference.)

In response to questions from Council, City Attorney Banks explained the intent of the ordinance, and he noted that in addition to publishing in a newspaper, it is also published on-line.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried 6-0, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on

Saturday, September 12, 2009. The voting was as follows:

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

25. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Roll Back the Annual Adjustment of the Hourly Wage Rate Provided Under Section 3-3-31.1 of the Alexandria City Code.

(A copy of the City Manager's memorandum dated August 24, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 25; 9/8/09, 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. 25; 9/8/09, 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. 25; 9/8/09 and is incorporated as part of this record by reference.)

In response to a question from Mayor Euille, Chief Financial Officer Johnson explained the proposed changes to the ordinance.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, September 12, 2009. The voting was as follows:

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

CONTESTED APPOINTMENTS

26. Board of Architectural Review – Parker Gray District
1 Citizen Member

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

NAME:

ENDORSED BY:

Thomas Marlow
Purvi Irwin
Quynn Nguyen

(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. 26; 9/8/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Thomas Marlow to the Board of Architectural Review - Parker Gray District. The voting was as follows:

Euille	-	Marlow
Donley	-	Marlow
Fannon	-	Marlow
Hughes	-	Irwin
Krupicka	-	absent
Pepper	-	Marlow
Smedberg	-	Marlow

27. Waterfront Committee
1 Member Who Resides East of Washington Street and South of King Street
1 Alexandria Seaport Foundation Representative

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

NAME:

ENDORSED BY:

1 member who resides east of Washington Street and south of King Street:
Melvin Fortney
Arthur Fox
Marsha Mercer

1 Alexandria Seaport Foundation representative:
Robert Taylor

(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. 26; 9/8/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Melvin Fortney as the one member who resides East of Washington Street and South of King Street and waived the residency requirement and reappointed Robert Taylor as the Alexandria

Seaport Foundation representative to the Waterfront Committee. The voting was as follows:

Euille	-	Fortney, Taylor
Donley	-	Fortney, Taylor
Fannon	-	Fox, Taylor
Hughes	-	Fortney, Taylor
Krupicka	-	absent
Pepper	-	Fortney, Taylor
Smedberg	-	Fortney, Taylor

- 28. Northern Virginia Regional Park Authority
1 Citizen Member

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

NAME:	ENDORSED BY:
-------	--------------

Justin Wilson
Jamison Gosselin

(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. 26; 9/8/09, 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 Justin Wilson as the one citizen member to the Northern Virginia Regional Park Authority. The voting was as follows:

Euille	-	Wilson
Donley	-	Wilson
Fannon	-	Wilson
Hughes	-	Wilson
Krupicka	-	absent
Pepper	-	Wilson
Smedberg	-	Wilson

- 29. Convention and Visitors Association Board of Governors
1 National or International Trade or Professional Association Executive
1 Alexandria Hotel Association President

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

NAME:	ENDORSED BY:
-------	--------------

1 national or international trade or professional association executive:
Hank Roeder

1 Alexandria Hotel Association president:
Hubert Herre

(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. 26; 9/8/09, 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 Hank Roeder as the one national or international trade or professional association executive and waived the residency requirement and appointed Hubert Herre as the one Alexandria Hotel Association President to the Convention and Visitors Association Board of Governors. The voting was as follows:

Euille	-	Roeder, Herre
Donley	-	Roeder, Herre
Fannon	-	Roeder, Herre
Hughes	-	Roeder, Herre
Krupicka	-	absent
Pepper	-	Roeder, Herre
Smedberg	-	Roeder, Herre

- 30. Historic Alexandria Resources Commission
 - 1 Torpedo Factory Artists Association Member
 - 1 Planning District I Representative

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

NAME:

ENDORSED BY:

1 Torpedo Factory Artiss Association member:
Murney Keleher

1 Planning District I representative:
Susan Horne-Quatannens

(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. 26; 9/8/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Murney Keleher as the

one Torpedo Factory Artists Association member and reappointed Susan Horne-Quatannens as the one Planning District I representative to the Historic Alexandria Resources Commission. The voting was as follows:

Euille	-	Keleher, Horne-Quatannens
Donley	-	Keleher, Horne-Quatannens
Fannon	-	Keleher, Horne-Quatannens
Hughes	-	Keleher, Horne-Quatannens
Krupicka	-	absent
Pepper	-	Keleher, Horne-Quatannens
Smedberg	-	Keleher, Horne-Quatannens

31. Industrial Development Authority
2 Citizen Members

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

NAME:

ENDORSED BY:

Donald Simpson, Sr.
Agnes Artemel
Paul Barry

(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. 26; 9/8/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Donald Simpson, Sr. and Agnes Artemel as the two citizen members to the Industrial Development Authority. The voting was as follows:

Euille	-	Simpson, Artemel
Donley	-	Simpson, Artemel
Fannon	-	Simpson, Artemel
Hughes	-	Simpson, Artemel
Krupicka	-	absent
Pepper	-	Simpson, Artemel
Smedberg	-	Simpson, Artemel

32. Environmental Policy Commission
1 Member From the Field of Environmental Science (e.g., Environmental/Sanitary Engineering, ecology, geology, botany, hydrology, chemistry) or who have Alexandria Waterfront Expertise

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

NAME:

ENDORSED BY:

Laura Medhurst
Patricia Hilgard

(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. 26; 9/8/09, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council reappointed Laura Medhurst as the one member from the field of Environmental Science (e.g., environmental/sanitary engineering, ecology, geology, botany, hydrology, chemistry) or who have Alexandria waterfront expertise to the Environmental Policy Commission. The voting was as follows:

Euille	-	Medhurst
Donley	-	Medhurst
Fannon	-	Medhurst
Hughes	-	Hilgard
Krupicka	-	absent
Pepper	-	Medhurst
Smedberg	-	Medhurst

33. Community Services Board
2 Citizen Members

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

NAME:

ENDORSED BY:

Cathy Healy
Christine Comer

(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. 26; 9/8/09, and is incorporated as part of this record by reference.)

This item was removed from the contested appointments and was noted as uncontested. The results are as follows:

City Council appointed Cathy Healy and Christine Comer as the two citizen members to the Community Services Board.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

34. Staff Presentation on City Planning and Coordination Efforts to Address Potential Impact of H1N1 Flu in Alexandria.

City Council heard a presentation on H1N1 Flu efforts by Health Department Director Kaplowitz, and she, along with Fire Chief Thiel and Police Captain Tierney, responded to questions of City Council.

35. Staff Presentation on City Council's Strategic Planning Process.

City Council heard a presentation on the Council's Strategic Planning Process by Assistant City Manager Gates and he responded to questions of City Council.

* * * * *

(Councilman Krupicka arrived at this time - 8:11 p.m.)

* * * * *

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille said the Council Stimulus Subcommittee for the American Recovery and Reinvestment Act had a meeting last Friday, and staff will provide Council with a presentation on September 22 on where it is with the grants that have been funded and that are pending.

(b) Mayor Euille said he serves as the City's representative to the WMATA Board of Directors, and WMATA has had many challenges over the last month and a half, and they will be commencing with the budget process on Thursday. They are looking at a \$100 million shortfall, a lot driven by a reduction in revenues. He said they are looking to balance the budget without asking for or seeking increases in subsidies from localities, but what will be in the cards for consideration will be a rate increase.

(c) Councilman Smedberg said that at the August 21 VRE Operations Board meeting, they had a presentation by Barbara Reese, the Deputy Director of Policy for Governor Kaine, and her presentation focused on high speed rail in Virginia. The segment it talked about is the Richmond south corridor to D.C. He said several federal dollars are on the table for the project, and given the location and how it is key to connecting a couple of major rail lines, it is expected that they will receive favorable review by the federal agency. He said they are seeking support from other jurisdictions, particularly Northern Virginia, and there is a sample resolution expressing support for

the initiative and moving Virginia toward a high speed connection in that corridor. Councilman Smedberg said he would like to have a resolution on the table for consideration at the next legislative meeting.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilwoman Pepper presented a goatskin scroll thank you letter to Mayor Euille from a travelling dance group who performed in Alexandria on August 3 and at the Kennedy Center for the Moroccan national celebration of the 10th anniversary of the Accession of His Majesty, King Mohammad VI.

(b) Councilman Fannon said he attended the event tonight at 6 p.m. where 29 new U.S. citizens were sworn in, and he said it was interesting to see the joy and look on their faces when they became U.S. citizens.

(c) Vice Mayor Donley said he met with Katherine Medina, executive director of Rebuilding Together Alexandria, and he indicated that he thought it might be time to re-live the tradition of Council sponsoring a house and asked that Council consider sponsoring a house this April. Rebuilding Together is April 24, and it was previously done with the City Manager's office and small skilled labor from the Fire Department and Police Department. Council put up cash to sponsor the house and spent 3-4 hours sprucing it up. He asked if there was interest on Council to consider coming together as a group and asked Council to get back to him in the next week or so.

(d) Vice Mayor Donley said the Beauregard Small Area Plan planning process is about to begin, and this is somewhat associated with the relocation of the Washington Headquarters Service, the Department of Defense to the Mark Center, and they are about to embark on a process. He said the process is envisioned to be 18 months, which is entirely too long. There are a number of things happening, and JPG Properties has hired a consultant team to start going through the process of replanning and reviewing the Small Area Plan. He said his concern is that the 18 months will stretch into two years and then before any meaningful redevelopment will happen, it will be another two years and it will be four years down the road before it gets any meaningful redevelopment in the area, which is sorely needed. He proposed that Council instruct staff to initiate the process but get it done by June 2010, so it is getting ahead of the curve and can get the planning process done.

After discussion from City Council, Vice Mayor Donley requested that it be docketed for the next legislative meeting.

(e) Councilman Krupicka said he presented a proclamation to Crisis Link in August, noting that September 6-12 is Suicide Prevention Week, and he noted that their call volume has increased dramatically to where thousands are calling. He urged anyone in the community, if they see signs of depression in their loved ones and friends, to take advantage of the service. They are very good at helping people get a connection and take steps necessary to get and regain control of their lives.

(f) Councilman Krupicka said September 13-20 is Virginia Cyclists and Pedestrian Awareness Week, and they get complaints from cyclists and motorists alike. He said Virginia is putting together an awareness program, and the purpose is to get both of those groups together and work with them at the same time.

(g) Councilman Krupicka said September 22 is car free day in D.C., and hopefully people will take advantage of that day and not drive their vehicles.

(h) Councilman Krupicka said September 19 is International Talk Like a Pirate Day and he noted that Horry for Books will be doing pirate book readings and the Potomac Riverboat Company will be doing pirate cruises.

(i) Councilman Krupicka apologized for his lateness to the meeting, as he had orientation for his new job and the orientation was in Philadelphia.

(j) Councilman Krupicka said the Transportation Commission had its first meeting and the Commission is working hard to put together thoughtful guidelines for how to allocate incredibly scarce resources. He said it is a challenging exercise, because the funding is so diminished right now, and they are at an extra disadvantage regionally because Arlington and Fairfax County both have additional revenue sources for transportation funding, which they are making great use of. One of the challenges for Alexandria is that Arlington is moving full steam ahead on a number of their dedicated transit ways and other mass transit improvements and infrastructure enhancements, so they are building their commercial base. Because Alexandria does not have the same transportation funding mechanisms that Arlington has, Arlington's biggest concern with working with Alexandria on a regional project is how to keep Alexandria from getting in Arlington's way. He said that at the next Council meeting, Council will get the first product of the work of the Transportation Commission when it comes to making recommendations on how to prioritize spending. Councilman Krupicka said there is an enormous amount of care and thought being put in to how it prioritizes transportation funding because of the work of the Transportation Commission.

(k) Councilman Krupicka said it had its first Youth Policy Commission meeting last week, and they have a pretty vigorous group excited about moving forward. At that meeting, he and Mayor Euille both let it be known to the Commission that they have put both of themselves on every City body that relates to youth and youth policy and have done it in order to get their hands on how it implements youth policy in Alexandria, with the goal of improving efficiency, focus and making sure Alexandria is doing something about its less than adequate graduation rates, truancy and teen pregnancy.

(l) Councilwoman Hughes said she is planning an initiative for an Alexandria Young Adult Summit. She said she would like to convene it every Fall over a weekend, and she was looking at October 30-31, with the objective of aggressively and

collectively working together with people in the age group of 21-45 through volunteerism and on-going information exchange to figure out what it can do to make Alexandria a better place to live. She asked Council how it felt about a project such as this, to have a group of people not associated with City Hall, working on something independently. She said it does not require a line item out of the budget and she didn't want any money, but she asked if Council wanted to work with her by providing survey questions.

(m) Mayor Euille said that a couple of weeks ago, he led a Sister City delegation to Dundee, Scotland, and six students accompanied them as part of the youth festival, and those students will be recognized at the September 22 Council meeting. He said another delegation will be going to Caen, France September 16-21, of which he will be a part. He noted that no City funds are expended for the trips.

(n) Mayor Euille said public schools reopened today in Alexandria and he visited schools at Jefferson Houston with the School Superintendent and several members of the School Board. He credited the School Superintendent and the School Board for their dedication and commitment, working with the City government and Council to improve the quality of education system-wide. He noted that there are three sixth grade classes at Jefferson Houston, which is the only elementary school to have sixth grade classes, and their kindergarten enrollment has increased dramatically. He said they also visited George Washington Middle School, which is now two schools in one, and Francis C. Hammond Middle School, which is three schools in one.

(o) Mayor Euille noted that City Manager Hartmann was recognized by the class of 2008-2009 of the Washington Metropolitan Council of Governments for its 2009 visionary leadership award.

ORAL REPORT FROM THE CITY MANAGER

City Manager Hartmann reported on the following: (a) he thanked Director of Transportation and Environmental Services Baier for taking over the Parks and Recreation Department for a few months to lead the department after the departure of Director Kincannon, noting that Mr. Baier did an outstanding job, and backfilling for Mr. Baier in T&ES was City Engineer Baker, who became the Acting Director of T&ES, who also did an outstanding job in leading the department in that period of time; (b) he recognized new Police Chief Earl Cook; and (c) he introduced the Director of Parks, Recreation and Cultural Activities James Spengler.

Legislative Director Caton and Chief Financial Officer Johnson went over the Governors proposed changes to the State budget and they responded to questions of City Council.

ORDINANCES AND RESOLUTIONS

36. Consideration of a Resolution to Apply for Revenue Sharing Program Funding

From the Virginia Department of Transportation for the Reconstruction of Edsall Road. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated August 25, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 36; 9/8/09, 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 adopted a resolution to apply for revenue sharing program funding from the Virginia Department of Transportation for the reconstruction of Edsall Road. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2356

At a regularly scheduled meeting of the City Council of the City of Alexandria, Virginia held on September 8, 2009, on a motion by Councilman Krupicka, seconded by Councilman Smedberg, the following resolution was adopted by a vote of 7 to 0.

WHEREAS, the City Council of the City of Alexandria desires to submit an application for an allocation of funds of \$1,000,000 through the Virginia Department of Transportation Fiscal Year 2009-10 Revenue Sharing Program; and

WHEREAS, \$1,000,000 of these funds are requested to fund the reconstruction of Edsall Road from Whiting Street to the western City limits.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Alexandria, hereby supports this application for an allocation of \$1,000,000 through the Virginia Department of Transportation Revenue Sharing Program.

BE IT FURTHER RESOLVED THAT, the City Council of the City of Alexandria hereby grants authority for the City Manager to execute project administration agreements for any approved revenue sharing projects.

37. Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Number 48 of the Zoning Ordinance. **[ROLL-CALL VOTE]**

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 37;

9/8/09, 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. 37; 9/8/09 and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council passed the ordinance to adopt supplement number 48 of the Zoning Ordinance on first and second reading. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4612

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. 48," are hereby adopted as and shall constitute "The Forty-Eighth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Forty-Eighth 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 May 13, 2008, and November 19, 2008, inclusive, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor

shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between May 13, 2008, and November 18, 2008 inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Forty-Eighth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after November 18, 2008.

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

38. Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Number 50 of the Zoning Ordinance. **[ROLL-CALL VOTE]**

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 38; 9/8/09, 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. 38; 9/8/09 and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council passed the ordinance to adopt supplement number 50 of the Zoning Ordinance on first and second reading. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4611

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. 50," are hereby adopted as and shall constitute "The Fiftieth 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 Fiftieth 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 November 19, 2008 and June 23, 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 November 18, 2008 and June 23, 2009, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Fiftieth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after June 23, 2009.

Section 4. That one complete set of pages comprising "The Fiftieth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. That this ordinance shall become effective upon the date and at

the time of its final passage.

OTHER

39. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated September ?, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 39; 9/8/09, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council: 1. adopted the Council meeting schedule for September 2009 through June 2010, which includes Council's legislative and public hearing meetings with the change in public hearing meeting dates for November, January and February as noted in the calendar, which also includes: the City's 9-11 Remembrance Ceremony at noon on Friday, September 11 in Market Square; Family Health and Fitness Day on Saturday, September 12 from 8:00 a.m. to 3:00 p.m. at the Charles Houston Recreation Center, 901 Wythe Street; the grand opening event for Beverly Park apartments on Thursday, September 24, at 5:00 p.m., Notabene Drive; the Animal Welfare League of Alexandria's annual dinner and silent auction on Saturday, October 3; the DOT paratransit 25th anniversary celebration reception at 5:30 p.m. on Tuesday, October 6 in the Vola Lawson Lobby; and two Council retreats - one on Council's strategic plan on Saturday, September 26 and one on the budget on Saturday, November 7, both beginning at 8:30 a.m. Both retreats will be held at 2900 Business Center Drive, the offices of the Department of Transportation and Environmental Services and Recreation, Parks and Cultural Activities Maintenance Division; 2. scheduled the grant opening for the Station at Potomac Yard at 8:30 a.m. before Council's Saturday, October 17 public hearing meeting; 3. scheduled the ribbon cutting for the new DASH facility at 8:30 a.m. before Council's Saturday, November 21 public hearing meeting; 4. scheduled the following work sessions in the Council work room: Urban Forestry Plan implementation at 5:30 p.m. before Council's Tuesday, October 13 legislative session; Waterfront Plan Update at 5:30 p.m. before Council's Tuesday, October 27 legislative meeting; Potomac Yard at 5:30 p.m. before Council's Tuesday, November 24 legislative meeting; Small Business City Process Improvements and Public Art Policy at 5:30 p.m. before Council's Tuesday, December 8 legislative meeting; and King Street Retail at 5:30 p.m. before Council's Tuesday, January 12 legislative meeting.

Councilman Smedberg noted that he will miss the October 27 meeting because of his annual work meeting.

Councilwoman Hughes noted that she will miss this Saturday's September 12 meeting because of her monthly commitment to the Sorenson Institute.

The voting was as follows:

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

EXECUTIVE SESSION

40. Consideration of Convening An Executive Session Closed to the Public For the Purpose of Consultation with Legal Counsel Regarding Pending Litigation.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 9:25 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 consulting with legal counsel regarding pending and potential litigation. 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 9:59 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 Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2357

WHEREAS, the Alexandria City Council has this 8th day of September 2009, 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 Councilwoman Pepper and carried unanimously, City Council adjourned the regular meeting of September 8, 2009 at 10:00 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE

MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council