

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA****Regular Meeting****Tuesday, October 27, 2009 - - 7:00 p.m.**

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

Absent: Member of Council Paul C. Smedberg.

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; Mr. Caton, Legislative Director; Mr. Castrilli, Communications Director, City Manager's Office; Ms. Niebauer, Director, Office of Human Rights; Mr. Baier, Director, Transportation and Environmental Services; Fire Chief Thiel; Ms. Boyd, Director, Citizen Assistance; Mr. Johnson, Chief Financial Officer; Ms. Hamer, Director, Planning and Zoning; Ms. Beeton, Division Chief, Planning and Zoning; Ms. Ross, Deputy Director, Planning and Zoning; Mr. Moritz, Planning and Zoning; Dr. Kaplowitz, Director, Health Department; Mr. Mallamo, Director, Office of Historic Alexandria; Police Lt. Uzzell; and Mr. Lloyd.

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

**OPENING**

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll; all the members of Council were present, with the exception of Councilman Smedberg, who was absent.

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 Meeting of City Council:

(a) The Regular Meeting Minutes of October 13, 2009.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried unanimously, City Council approved the regular meeting minutes of

October 13, 2009. The voting was as follows:

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

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

Mayor Euille recognized Webelos Troop 135 from Maury Elementary School who were in the audience this evening.

## **PROCLAMATIONS**

4. Presentation of a Proclamation Recognizing as the Winners of the 2009 Ben Brenman Awards: Vivienne Mitchell, Joe Reeder, Elizabeth Henry Douglas, Louis Berger Group, Inc., and Sarah Borgatti.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 10/27/09, and is incorporated as part of this record by reference.)

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

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

## **NEW BUSINESS ITEM #1.**

Health Department Director Kaplowitz gave an update on the H1N1 vaccines and clinics and responded to questions of City Council.

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

### **CONSENT CALENDAR (5-8)**

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

5. Uncontested Appointments to Boards, Commissions and Committees:
  - (a) Affordable Housing Advisory Committee  
1 Homeowner Representative

- (b) Commission on Persons with Disabilities  
1 Citizen Member (a Majority of the Citizen Members Shall Be  
Persons With Physical, Visual or Hearing Disabilities)
- (c) Historic Alexandria Resources Commission  
1 Northern Virginia Fine Arts Association Representative
- (d) Real Estate Assessments Review Board  
1 Citizen Member
- (e) Social Services Advisory Board  
2 Citizen Members

(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-e); 10/27/09, and is incorporated as part of this record by reference.)

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

- 6. Consideration of Acceptance of a Funding Allocation from the National Capital Region (NCR), Urban Area Security Initiative (UASI) to Support Regional Emergency Planning, Regional Exercises and National Incident Management Compliance.

(A copy of the City Manager's memorandum dated October 19, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 10/27/09, and is incorporated as part of this record by reference.)

- 7. Consideration of Acceptance of a Funding Allocation from the National Capital Region (NCR), Urban Area Security Initiative (UASI) to Reimburse the City for the Cost of a September 2009 Regional Emergency Exercise.

(A copy of the City Manager's memorandum dated October 19, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/27/09, and is incorporated as part of this record by reference.)

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

(A copy of the City Manager's memorandum dated October 19, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 10/27/09, and is incorporated as part of this record by reference.)

**END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the consent calendar, as follows:

5. City Council made the following appointments: (a) appointed Rick Liu as the one homeowner representative to the Affordable Housing Advisory Committee; (b) appointed Alex Aliferis as the one citizen member to the Commission on Persons With Disabilities; (c) reappointed Harry Mahon as the one Northern Virginia Fine Arts Association representative to the Historic Alexandria Resources Commission; (d) appointed Robert Calhoun as the one citizen member to the Real Estate Assessments Review Board; and (e) appointed Susan Newell and Jessica Osborne as the two citizen members to the Social Services Advisory Board.

6. City Council: 1. authorized the City Manager to accept the funding through the Urban Area Security Initiative in the amount of \$500,000; and 2. authorized the City Manager to execute all the necessary documents that may be required.

7. City Council: 1. authorized the City Manager to accept the funding through the Urban Area Security Initiative in the amount of \$38,285; and 2. authorized the City Manager to execute all the necessary documents that may be required.

8. City Council authorized \$1,809,194 in capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary.

The voting was as follows:

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

## **CONTESTED APPOINTMENTS**

9. Board of Zoning Appeals  
1 Citizen Member

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

NAME:

ENDORSED BY:

Siddharth Gejji  
John Keegan  
Bradley Rawls

(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. 9; 10/27/09, 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 John Keegan as the one citizen member to the Board of Zoning Appeals. The voting was as follows:

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

10. Commission for Women  
1 Citizen Member

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

NAME:

ENDORSED BY:

Kristy Herrick  
Tarina Keene

(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; 10/27/09, 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 Tarina Keene as the one citizen member to the Commission for Women. The voting was as follows:

Euille	-	Herrick
Donley	-	Keene
Fannon	-	Herrick
Hughes	-	Keene
Krupicka	-	Keene
Pepper	-	Keene
Smedberg	-	absent

11. Community Criminal Justice Board  
1 Citizen Member

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

NAME:

ENDORSED BY:

Jason Abend  
Deborah Knott  
Adam Pearlman

(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; 10/27/09, 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 Adam Pearlman as the one citizen member to the Community Criminal Justice Board. The voting was as follows:

Euille	-	Pearlman
Donley	-	Abend
Fannon	-	Pearlman
Hughes	-	Pearlman
Krupicka	-	Pearlman
Pepper	-	Pearlman
Smedberg	-	absent

- 12. Historic Alexandria Resources Commission
  - 1 Representative of the George Washington Masonic Memorial

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

NAME:

ENDORSED BY:

Mark Tabbert

(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; 10/27/09, 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 reappointed Mark Tabbert as the one representative of the George Washington Masonic Memorial to the Historic Alexandria Resources Commission. The voting was as follows:

Euille	-	Tabbert
Donley	-	Tabbert
Fannon	-	Tabbert

Hughes	-	Tabbert
Krupicka	-	Tabbert
Pepper	-	Tabbert
Smedberg	-	absent

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION  
(30 min.)**

13. Receipt of Report on Eisenhower West Alexandria Industrial Use Study.

(A copy of the City Manager's memorandum dated October 14, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 10/27/09, and is incorporated as part of this record by reference.)

Mr. Moritz, Planning and Zoning, made a presentation of the report and he, along with Planning Director Hamer, responded to questions of City Council.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council received the Eisenhower West Alexandria Industrial Use Study. The voting was as follows:

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

14. Consideration of Proposed City Legislative Package for the 2010 General Assembly Session.

(A copy of the City Manager's memorandum dated October 19, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 10/27/09, and is incorporated as part of this record by reference.)

Legislative Director Caton made a presentation of the City's legislative package and responded to questions of City Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried unanimously, City Council: received the proposals for the City's 2010 Legislative Package, as recommended by Council's Legislative Subcommittee as included in attachment 1; scheduled the Legislative Package proposals, including proposed Charter amendments, except for the Council election issue, for public hearing on Saturday, November 21; and schedule adoption of the Legislative Package for Tuesday, November 24, 2009. The voting was as follows:

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

Euille	"aye"	Krupicka	"aye"
	Smedberg	absent	

After discussion, City Council asked that the Council election issue to come back to City Council on November 10, directed the Legislative Director to prepare a docket memo to incorporate the four proposals and a request for a public referendum, and to find a way to incorporate some representative of the School Board as part of the process as this moves forward.

15. Consideration of Request from Arlandria Neighborhood Health Services (ANHSI) for City Guarantee of the ANHSI Loan for Acquisition of Properties on Clifford Avenue.

(A copy of the City Manager's memorandum dated October 21, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 10/27/09, 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 authorized the City Manager, subject to the approval of the City Attorney's Office, and contingent upon the receipt of a \$2.9 million federal capital grant, to execute a City loan guarantee in the amount not to exceed \$2.5 million for the Alexandria Neighborhood Health Services Inc. The voting was as follows:

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

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

None

**ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

and

**ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Mayor Euille recognized the City's Virginia Municipal League award given to the City for the City's success in being an Eco-City and going green, and the other award was given to the City for its communications outreach dealing with the Norfolk-Southern Ethanol Transloading situation.

Communications Director Castrilli explained the award achievement for the



communications outreach for Norfolk-Southern.

(b) Mayor Euille said the City was recognized as one of the top cities in America with populations of 100,000 in terms of per-capita on-line giving.

(c) Councilwoman Pepper said she is part of the Northern Virginia Regional Commission and it had a presentation on the Northern Virginia comprehensive gang assessment.

(d) Councilwoman Pepper said Mel Hewitt died on October 24 and he is the husband of Arlene Hewitt, who is one of the City's living legends.

(e) Vice Mayor Donley said he would like staff response on a second incident where a child from the schools was not handled properly on a bus. He said he was contacted by a citizen and it was the first he heard about it, and he would like to get something quickly from the City on what the Alexandria City Public Schools are doing about it.

Councilman Krupicka said in addition to getting a response from the Schools, it would be helpful for them to create a process for public dialogue on it, as the parents have real concerns.

(f) Councilwoman Hughes said she attended the Virginia Municipal League conference and was proud to be there as a first-time elected official and was proud for the City to receive an award for such outstanding work in communications. She said one of the seminars she attended was the next frontier of retail, and she will be sharing it with Council, along with a seminar on town track ingredients of a successful community and others.

(g) Councilwoman Hughes said she is a member of the Metropolitan Washington Council of Governments Committee on Human Services and Public Safety, and they had a nice panel discussion on childhood obesity and there is a report that has come out that she will share with Council and with the School Board.

(h) Councilman Krupicka said he is chair of the State Safe Routes to School Network and Alexandria has a couple of schools that are real leaders in walking and biking to school, and he shared Councilwoman Hughes enthusiasm for encouraging more of it.

(i) Councilman Krupicka said that last Tuesday he, along with a number of area businesses and *Flavor Magazine* hosted 200 people for a showing of the movie *Fresh*, and he thanked the restaurants that contributed food for the event. He said that if anyone is interested in participating in that, they should speak with Carrie Fesperman, with the Partnership For a Healthier Alexandria.

(j) Councilman Krupicka said that on Sunday, November 1, they will have the

grand opening of the soft playroom at Chinquapin Rec Center.

(k) Councilman Fannon gave an update on the initiative he rolled out last month about the opportunity for the City to lease some of its unused properties. He said he has received good feedback from the real estate community and has the first proposal coming forward from a local architect on one of the ideas to consider doing with the City property, and he will bring that forward to the City Council and City Manager's office. He commended City Attorney Banks for creating a new position for a real estate attorney, as having someone in the City Attorney's Office who specializes in real estate will save the City a tremendous amount of money so it doesn't have to outsource attorneys.

### **ORAL REPORT FROM THE CITY MANAGER**

Martha Armstrong, Executive Director of the Animal Welfare League of Alexandria, made a report on the recent articles and news on the League and the Animal Shelter.

### **ORDINANCES AND RESOLUTIONS**

#### **PUBLIC HEARING:**

16. Public Hearing, Second Reading and Final Passage of an Ordinance to Further Extend the Pilot Program Established by City Council by Ordinance No. 4566 to Authorize Portable Signs in the Public Right-of-way For Businesses in the Central Business District, With Administrative Approval. (#18, 10/17/09)  
**[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated October 9, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 16; 10/27/09, 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; 10/27/09, 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; 10/27/09 and is incorporated as part of this record by reference.)

The following person participated in the public hearing on this item:

- (a) Pat Troy, 310 Wolfe Street, spoke in favor of the ordinance and urged its passage.

Planning Director Hamer responded to the suggestion of replacing some of the signs, now that this will be a permanent ordinance.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried 6-0 by roll-call vote, City Council closed the public hearing and adopted the ordinance to further extend the pilot program established by City Council by Ordinance No. 4566 to authorize portable signs in the public right-of-way for businesses in the Central Business District, with administrative approval. The voting was as follows:

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

The ordinance reads as follows:

#### ORDINANCE NO. 4630

AN ORDINANCE to further extend the pilot program established by City Council by Ordinance No. 4566 to authorize portable signs in the public right-of-way for businesses in the Central Business District, with administrative approval.

WHEREAS, the City Council finds and determines that:

1. There is an economic downturn that is affecting all businesses in the City of Alexandria and in the Central Business District, and there is a particular hardship being experienced by restaurants, retail merchants, and small businesses;
2. Many such businesses within the Central Business District, on blockfaces close to but not on King Street, are small businesses which contribute to the unique character of Old Town, and are particularly vulnerable to the current economic downturn, and the loss of such businesses would cause irreparable harm to the character and economic viability of Old Town and the City;
3. Adoption of Ordinance No. 4566 in November of 2008 was necessary and desirable to aid such businesses by increasing their visibility to visitors and customers during the 2008 holiday season, and extension of the program by adoption of Ordinance No. 4583 for the spring and summer of 2009 was also necessary to secure the appropriate balance between competing uses in and along the public right-of-way, and to preserve the health, safety and general welfare of the residents of the City, and
4. The economic conditions that existed at the time of the implementation and extension of this pilot program persist and justify extension of this program until June 30, 2011 or such earlier time as the City may adopt and implement a permanent way-finding guideline program; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That temporary portable signs shall be permitted to encroach into the public sidewalk right-of-way along King Street, within the Central Business District as defined in Section 8-300 of the Zoning Ordinance, until June 30, 2011, or earlier if superseded as part of an adopted and implemented way-finding guideline program; provided that such permission shall be subject to the provisions set forth below.

Section 2. That no such encroachment shall be permitted unless and until an application therefore, which shall include a plan reasonably depicting the location, size, text, appearance and method of installation of the proposed sign to be located on the public right-of-way, and such additional information as the Director of Planning and Zoning may reasonably require, has been approved by the Director of Planning and Zoning, after determining that the proposed encroachment will be reasonable, attractive and promote pedestrian and retail vitality in the Central Business District, and that there is adequate space remaining within the public right-of-way to facilitate safe circulation of pedestrian traffic. No material change to the approved plan shall be made without prior written approval by the Director.

Section 3. That any such encroachment shall be subject to the following terms and conditions:

- (A) A maximum of four signs may be located at the intersection of King Street and each intersecting street thereto, one on each corner.
- (B) For each sign, eligible businesses include restaurants, retail uses and retail oriented businesses, which include restaurants and retail and personal services uses, as those terms are defined by the zoning ordinance, located on an adjacent blockface on a street within the Central Business District, which street intersects with or is parallel to King Street. Eligible business shall not include banks, savings and loans, credit unions, and contractor or other offices.
- (C) A maximum of one coordinated temporary sign is permitted for all eligible businesses on any eligible blockface.
- (D) Signs may not exceed 42 inches in height and a width of 30 inches. Illuminated signs are prohibited.
- (E) Pedestrian safety shall be preserved through the placement and securing of signs so as to permit safe and adequate pedestrian thoroughway along the sidewalk, crossing of streets, entry and alighting from cars and buses, and access to curb ramps.
- (F) All signs, including installation materials, placed in the right-of-way shall

be temporary and shall be readily removable without any damage to the surface of the right-of-way.

- (G) Signs shall comply with all applicable city, state and federal laws and regulations.
- (H) Signs shall comply with such additional, reasonable terms and conditions as the Director of Planning and Zoning may include in the permit.

Section 4. That this ordinance shall preempt any contrary provision of law, general or special.

Section 5. That this ordinance shall become effective on the date and time of its final passage and shall apply to all such applications which may be filed after such date; provided, however, that this ordinance shall expire on June 30, 2011, or earlier if superseded as part of an adopted and implemented way-finding guideline program.

17. Consideration of a Resolution on the VDOT Hot Lanes Project. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated October 21, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 10/27/09, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried 6-0 by roll-call vote, City Council approved a resolution on the VDOT HOTLanes Project, with an amendment to add an 11th "whereas" received from Seminary Hills to read: "Whereas, Seminary Road is a residential street and any access from the proposed HOT/Bus/HOV Lanes onto Seminary Road or into the Seminary Road interchange would negatively impact Seminary Hill communities and adjacent neighborhoods by allowing and encouraging cut-through traffic through Seminary Hill and other residential neighborhoods." The voting was as follows:

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

City Council asked that this resolution should go with a cover letter from the Mayor to the Governor, the Secretary of Transportation and others.

The resolution reads as follows:

RESOLUTION NO. 2366

WHEREAS, the City of Alexandria has asked the Virginia Department of Transportation (VDOT) numerous questions regarding the implementation and impacts of the proposed HOT Lanes project; and

WHEREAS, the majority of those questions have gone unanswered by VDOT thus making it impossible for the City of Alexandria to adequately review this project; and

WHEREAS, the City of Alexandria is concerned that this project, as presently conceived, will have significant adverse impacts on mobility and quality of life along this corridor; and

WHEREAS, the Parkfairfax Historic District and part of the Fairlington Historic District will be severely impacted by the proposed HOT Lanes project; and

WHEREAS, the City of Alexandria has requested documentation from the HOT Lanes project team that indicates how the HOT lanes will benefit Alexandria as well as how possible adverse impacts of the HOT lanes to Alexandria are being addressed; and

WHEREAS, the HOT Lanes project team has not provided substantive documentation to indicate how the HOT lanes will benefit Alexandria, as well as how possible adverse impacts of the HOT lanes to Alexandria are being addressed; and

WHEREAS, Arlington County, along with others, have entered into or are contemplating legal proceedings that raise numerous questions and concerns about the HOT Lanes project; and

WHEREAS, Alexandria agrees with Arlington that the environmental documentation for this proposed project was not properly prepared; and

WHEREAS, Alexandria believes the concepts for the Shirlington Circle and for the Seminary Road Interchange will have a negative impact on Alexandria neighborhoods; and

WHEREAS, Alexandria does agree that traffic congestion along I-95/395 creates substantial challenges for Alexandria, the region and the new BRAC project at the Mark Center in Alexandria; and

WHEREAS, Seminary Road is a residential street and any access from the proposed HOT/Bus/HOV Lanes onto Seminary Road or into the Seminary Road interchange would negatively impact Seminary Hill communities and adjacent neighborhoods by allowing and encouraging cut-through traffic through Seminary Hill and other residential neighborhoods; and

WHEREAS, according to the Northern Virginia Transportation Commission

(NVTC), during the morning peak period, the two existing HOV lanes on I-95/395 outside the Capital Beltway carry about 25 percent more people than the four conventional lanes, and inside the Beltway the existing HOV lanes carry 50 percent more people than the conventional lanes; and

WHEREAS, the VDOT proposed study to establish Bus Rapid Transit (BRT) Service in the I-95/I-395 corridor has not yet been completed, and results are unknown; and

WHEREAS, the City of Alexandria has a strong desire to preserve and improve the person throughput on this corridor; and

WHEREAS, the City of Alexandria is convinced that these traffic congestion problems cannot be solved by building more and more roads and that mass-transportation solutions are the only sustainable and long-term ways to effectively address I-95/395 traffic congestion; and

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Alexandria strongly opposes the I-95/395 HOT Lanes project as currently proposed and will undertake a legislative initiative to be considered at the 2010 General Assembly Session; and

BE IT FURTHER RESOLVED THAT, the City of Alexandria strongly supports the concept of direct access from I-95/395 to the BRAC 133 site at Mark Center, and looks forward to reviewing the alternatives to be analyzed in VDOT's forthcoming Intersection Justification Report.

## **OTHER**

### 18. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated October 21, 2009, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 10/27/09, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Krupicka and carried unanimously, City Council received the revised calendar, which includes: 1. reschedule the Small Business City Process Improvements work session and hold the work session at 5:30 p.m. before Council's Tuesday, February 23 legislative meeting. It was previously scheduled on Tuesday, December 8 with the work session on the Public Art Policy; 2. schedule a work session on special events with the work session scheduled for Public Art Policy at 5:30 p.m. before Council's Tuesday, December 8 legislative meeting; 3. schedule a work session on athletic fields at 5:30 p.m. before Council's Tuesday, January 26 legislative meeting with the Urban Forestry work session; 4. schedule a joint work session with the Alexandria Convention and Visitors Association, Alexandria Economic Development Partnership and Small Business Development Center at 5:30 p.m. before Council's

March 9 legislative meeting; 5. schedule a work session on the Planning and Zoning Work Program at 5:30 p.m. before Council's March 23 legislative meeting; 6. note that a ceremony is being planned to dedicate President Gerald R. Ford Park on the afternoon of Thursday, November 12, when the Ford family is expected to be available to attend the event; and 7. receive the revised calendar which includes the dedication of the City's Soft Playground at 2:00 p.m. on Sunday, November 1 at Chinquapin Park Recreation Center, 3210 King Street. The voting was as follows:

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

Mayor Euille noted that the City will hold its annual Retreat on budget and finance issues on Saturday, November 7 at 8:30 a.m. at 2900 Business Center Drive.

**EXECUTIVE SESSION**

- 19. Consideration of Convening an Executive Session Closed to the Public For Discussion or Consideration of the Acquisition of Real Property for a Public Purpose.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, at 9:27 p.m., City Council convened in executive session, pursuant to Section 2.2-3711(a)(3) of the *Code of Virginia* for the purpose of discussion and consideration of the acquisition of real property for a public purpose or of the disposition of publicly held real property. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried 5-0, at 10:02 p.m., City Council reconvened the meeting. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried 5-0 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	absent
	Smedberg	absent	

The resolution reads as follows:

RESOLUTION NO. 2367

WHEREAS, the Alexandria City Council has this 27th day of October 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.

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**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 October 27, 2009 at 10:03 p.m. The voting was as follows:

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

APPROVED BY:

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WILLIAM D. EUILLE                      MAYOR

ATTEST:

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Jacqueline M. Henderson  
City Clerk and Clerk of Council