

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA****Regular Meeting****Tuesday, February 14, 2012 - - 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, Redella S. Pepper and Paul C. Smedberg

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney, Mr. Johnson, Chief of Staff, City Manager's Office (CMO); Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Ms. Collins, Assistant City Manager; Mr. Gates, Assistant City Manager; Ms. Boyd, Special Assistant to the City Manager, CMO; Ms. Triggs, Acting Chief Financial Officer; Ms. Kidd, Acting Director, Finance; Mr. Routt, Assistant Director, Office of Management and Budget (OMB); Ms. Taylor, Assistant Director, OMB; Mr. Behrens, Budget Analyst, OMB; Mr. Touhill, Budget Analyst, OMB; Mr. Doku, Budget Analyst, OMB; Mr. Bever, Budget Analyst, OMB; Mr. Braeden, Budget Analyst, OMB; Mr. McClanahan, Budget Analyst, OMB; Ms. Arbour, Management Analyst, OMB; Fire Chief Thiel; Police Chief Cook; Police Captain Dickinson; Ms. Wheel, Division Chief, Police; Ms. Davis, Director, Office of Housing; Ms. Neibauer, Director, Office of Human Rights; Ms. Hamer, Director, Planning and Zoning (P&Z); Mr. Trobridge, Director, Information and Technology Services (ITS); Mr. Castrilli, Director, Office of Communications and Public Information; Mr. Coleman, Acting Deputy Director, General Services; Mr. McPike, Director, General Services; Mr. Mallamo, Director, Office of Historic Alexandria; Mr. Catlett, Director, Code Administration; Mr. Caton, Legislative Director, CMO; Ms. Orr, Director, Human Resources; Ms. Blackford, Communications Officer, Office of Communications and Public Information; Ms. Mellott, Fiscal Officer, Transportation and Environmental Services; Ms. Nettles, Portfolio Manager, General Services; Mr. Moritz, Deputy Director, P&Z; Ms. Williams, Principal Planner, P&Z; Ms. Anderson, Assistant City Attorney; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Mr. Martinez, ITS; Police Captain Ogden; and Mr. Lloyd.

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

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1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the Deputy City Clerk called the roll. All the members of Council were present, with Councilwoman Pepper arriving at 7:05 p.m.

2. Moment of Silence and Pledge of Allegiance.

Mayor Euille offered condolences for members of the Alexandria community who have recently passed including community activist Lenny Harris, longtime resident Doris Mela, Earl Johnson, and City Paramedic Joshua Weismann. Mayor Euille asked that during the moment of silence to remember these and other City residents who have passed away.

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

**New Business Item #1:** Mayor Euille extended sympathies and condolences on behalf of the City of Alexandria to the family of Alexandria paramedic, Joshua Weismann, who died recently in the line of duty.

City Manager Young reported that the City's public safety departments have been working diligently with regional departments to coordinate funeral arrangements and ceremonies for fallen Alexandria paramedic Joshua Weismann. Mr. Young noted that there will be significant traffic disruptions and delays because thousands are expected to attend the wake and the funeral on Wednesday and Thursday.

Police Chief Cook, Fire Chief Thiel, Police Captain Dickinson and regional representatives gave Council an overview of the funeral arrangements and street closures for the wake and funeral on February 15 and February 16 and responded to questions from Council about the arrangements and closures.

Deputy City Manager Evans reported that the schools mostly impacted by the closures, MacArthur Elementary, T.C. Williams High School, Hammond Middle School and G.W. Middle School and Minnie Howard, will close around 12:30 p.m. Ms. Evans noted that all other schools will close shortly after 1:00 p.m. Ms. Evans also noted that after school programs are being coordinated for those students whose parents cannot come get their children early.

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

- (a) The Regular Meeting Minutes of January 10, 2012;
- (b) The Public Hearing Meeting Minutes of January 21, 2012; and

- (c) The Regular Meeting Minutes of January 24, 2012.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council approved the minutes of the following meetings of City Council: the regular meeting minutes of January 10, 2012; the public hearing meeting minutes of January 21, 2012; and the regular meeting minutes of January 24, 2012. The voting was as follows:

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

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

None.

## **PROCLAMATIONS**

4. Presentation of a Check From the United Way of the National Capital Area for the Alexandria Community Impact Fund.

City Council received a check in the amount of \$115,467 from the United Way of the National Capital Area for the Alexandria Community Impact Fund.

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

### **CONSENT CALENDAR (5-15)**

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

5. Receipt of the Following Resignations from Members of Boards, Commissions and Committees:
- (a) Alexandria Convention and Visitors Association Board of Governors  
Troy Clayton
  - (b) Commission on Aging  
Lewis Simon
  - (c) Commission on Persons with Disabilities  
Patrick Gaffney
  - (d) Economic Opportunities Commission  
Julie Jakopic

- (e) Social Services Advisory Board  
Yen Chau

(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-e); 02/14/12, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Archaeological Commission  
1 Citizen Member
- (b) Commission on HIV/AIDS  
1 Citizen Member  
1 Representative From the Human Rights Commission
- (c) Commission on Information Technology  
1 Citizen Member
- (d) Convention and Visitors Association Board of Governors  
1 Hotel Owner/Manager Representative
- (e) George Washington Birthday Celebration Committee  
1 Citizen Member
- (f) Historic Alexandria Resources Commission  
1 Alexandria Convention and Visitors Association Board of  
Governors Representative
- (g) Human Rights Commission  
1 Citizen Member
- (h) Industrial Development Authority  
1 Citizen Member
- (i) Law Library Board  
1 Citizen Member
- (j) Northern Virginia Juvenile Detention Commission  
1 Citizen Member
- (k) Public Health Advisory Commission  
1 Citizen Member Who Is Not a Health Professional
- (l) Public Records Advisory Commission  
2 Citizen Members

(m) Waterfront Committee

1 Citizen Representative Who Resides East of Washington Street  
and North of Pendleton Street.

(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-m); 02/14/12, and is incorporated as part of this record by reference.)

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

7. Consideration of a Request to Vacate a Position on the Commission on Persons with Disabilities.

(A copy of the City Manager's memorandum dated January 27, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 02/14/12, and is incorporated as part of this record by reference.)

8. Consideration of a Request to Vacate Two Positions on the Commission on HIV/AIDS.

(A copy of the City Manager's memorandum dated January 27, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 02/14/12, and is incorporated as part of this record by reference.)

9. Consideration of a Authorization for the City Manager to Execute a Conservation Easement Agreement With the Alexandria Historical Restoration and Preservation Commission For the Contrabands and Freedmen Cemetery Memorial.

(A copy of the City Manager's memorandum dated February 8, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 02/14/12, and is incorporated as part of this record by reference.)

10. Consideration of a Grant Application by the Police Department to the Virginia Department of Criminal Justice Services For a Grant to Enhance Investigation and Prosecution of Internet Crimes Against Children.

(A copy of the City Manager's memorandum dated February 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 02/14/12, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sections 3-3-35, 3-3-39, 3-3-43, 3-3-52,

3-3-54, 3-3-62, 3-3-69, 3-3-70, 3-3-81, 3-3-121, 3-3-122, 3-3-127, 3-3-128 and to Amend and Ordain Section 3-3-63.2, of the Code of the City of Alexandria, Virginia, 1981, as Amended, in Order to Make the Procurement Provisions Comply With the Code of Virginia and Make Clerical Changes.

(A copy of the City Manager's memorandum dated January 30, 2012, is on file in the Office of City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 02/14/12, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 11; 02/14/12, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 11; 02/14/12, and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing the Owner of the Property Located at 923 King Street to Construct and Maintain an Encroachment For Two (2) Bay Windows and a Front Door Entry Way on the King Street Right-of-way and Two (2) Bay Windows and a Portion of a Building Wall on the Patrick Street Right-of-way at That Location.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 02/14/12, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 12; 02/14/12, and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to Braddock Metro Station Small Area Plan and the Northeast Small Area Plan Chapters as Master Plan Amendment No. 2011-0008 and No Other Amendments, and Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 02/14/12, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of

Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 02/14/12, and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to the Fairlington/Bradlee Small Area Plan Chapter as Master Plan Amendment No. 2011-0007 and No Other Amendments, and To Repeal All Provisions of the Said Master Plan As May Be Inconsistent With Such Amendment.

(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. 14; 02/14/12, 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. 14; 02/14/12, 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 Sheet No. 032.01 of the "Official Zoning Map , Alexandria, Virginia," Adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, By Rezoning the Property at 3526 King Street From, CG/Commercial General to OC/Office Commercial With Proffer in Accordance With the Said Zoning Map Amendment Heretofore Approved By City Council as Rezoning No. 2011-0002.

(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. 15; 02/14/12, 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; 02/14/12, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

Mayor Euille noted that the Industrial Development Authority has requested that docket item 6(h) be deferred and readvertised.

**WHEREUPON, a motion** was made by Councilman Krupicka, seconded by Vice Mayor Donley, to approve the consent calendar with the exception of 6(h), in order to defer the appointment and readvertise.

**WHEREUPON**, upon substitute motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council approved the consent calendar as published. The City Manager's recommendations were as follows:

5. City Council accepted the following resignations with regret: (a) Troy Clayton, Alexandria Convention and Visitors Association Board of Governors; (b) Lewis Simon, Commission on Aging; (c) Patrick Gaffney, Commission on Persons with Disabilities; (d) Julie Jakopic, Economic Opportunities Commission; and (e) Yen Chau, Social Services Advisory Board.

6. City Council made the following appointments to boards and commissions: (a) reappointed James McCall as the citizen member to the Archaeological Commission; (b) appointed Carolyn Perry as the citizen member and appointed Monika Jones as the representative from the Human Rights Commission to the Commission on HIV/AIDS; (c) appointed Rachid Chaker as the citizen member to the Commission on Information Technology; (d) appointed Tobias Arff as the hotel owner/manager representative to Convention and Visitors Association Board of Governors; (e) appointed Ellen Tabb as the citizen member to the George Washington Birthday Celebration Committee; (f) reappointed Stephanie Brown as the Alexandria Convention and Visitors Association Board of Governors representative to the Historic Alexandria Resources Commission; (g) appointed John Baker as the citizen member to the Human Rights Commission; (h) appointed Joshua Krantz as the one citizen member to the Industrial Development Authority; (i) appointed Patricia Evans as the citizen member to the Law Library Board; (j) reappointed Dorathea Peters as the citizen member to the Northern Virginia Juvenile Detention Commission; (k) reappointed Travis Lee as the citizen member who is not a health professional to the Public Health Advisory Commission; (l) reappointed Anthony Jones and Laura Vetter as the two citizen members to the Public Records Advisory Commission; and (m) appointed Christa Watters as the citizen representative who resides east of Washington Street and north of Pendleton Street to the Waterfront Committee.

7. City Council declared as vacant one of the citizen positions on the Alexandria Commission on Persons with Disabilities and authorized the City Clerk to advertise the vacancy.

8. City Council declared as vacant one of the citizen positions and the position for a representative of the Alexandria Chapter of the American Red Cross and authorized the City Clerk to advertise the vacancy.

9. City Council authorized the City Manager to: (1) sign the Conservation Easement Agreement with the Alexandria Historical Restoration and Preservation Commission in substantially the form attached and subject to approval by the City Attorney; and (2) execute all documents that may be required.

10. City Council: (1) authorized the submission of grant application, not to



exceed \$25,000; and (2) authorized the City Manager to execute all necessary documents that may be required.

11. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, February 25, 2012.

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13. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, February 25, 2012.

14. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, February 25, 2012.

15. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, February 25, 2012.

The voting was as follows:

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

## **CONTESTED APPOINTMENTS**

16. Commission for the Arts  
1 Member Who Has Expertise in the Arts, Either as Practitioners of  
Various Art Disciplines or as Professional Administrators Working  
in the Field

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

NAME: ENDORSED BY:

Sarah Pearson  
Mary Tuttle

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 02/14/12, 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 Sarah Pearson as the member who has expertise in the arts, either as practitioners of various art disciplines

or as professional administrators working in the field to the Commission for the Arts.  
The voting was as follows:

Euille	-	Pearson
Donley	-	Tuttle
Fannon	-	Pearson
Hughes	-	Pearson
Krupicka	-	Pearson
Pepper	-	Pearson
Smedberg	-	Tuttle

17. Commission on Persons with Disabilities  
1 Representative of the Business Community, Nominated by the  
Alexandria Chamber of Commerce

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

NAME: ENDORSED BY:

Kevin Lynch Jodi Pisula, Alexandria Chamber of Commerce

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 02/14/12, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council waived the residency requirement and appointed Kevin Lynch as the representative of the business community, nominated by the Chamber of Commerce to the Commission on Persons with Disabilities. The voting was as follows:

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

18. Environmental Policy Commission  
1 Citizen Member

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

NAME: ENDORSED BY:

Geoffrey Goode  
Ryan Jones  
Thomas Sheffer

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 02/14/12, 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 Geoffrey Goode as the citizen member to the Environmental Policy Commission. The voting was as follows:

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

19. Sanitation Authority  
1 Citizen Member

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

NAME: ENDORSED BY:

William Dickinson  
David Nichols

(Material pertaining to the above appointment is on file in the Office of City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 02/14/12, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots were tallied with the following results: City Council appointed William Dickinson as the citizen member to the Sanitation Authority. The voting was as follows:

Euille	-	Dickinson
Donley	-	Dickinson
Fannon	-	Nichols
Hughes	-	Dickinson
Krupicka	-	Dickinson
Pepper	-	Dickinson

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

20. Receipt of Report on Items Before the 2012 Virginia General Assembly.

(A copy of the City Manager's memorandum dated February 12, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 02/14/12, and is incorporated as part of this record by reference.)

Legislative Director Caton reviewed the legislation that is being considered before the 2012 Virginia General Assembly and responded to questions from Council about the legislation.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council approved the legislative positions included in the Recommended Positions on Bills of Importance to the City, as recommended by City Council's Legislative Subcommittee (Vice Mayor Donley and Councilman Smedberg). The voting was as follows:

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

21. Presentation of the Proposed Annual Operating Budget for FY 2013 (Including Schools) Calendar Year 2012 Real Property Assessments, and the Proposed Capital Improvement Program (CIP) for FY 2013-2022 (including the Schools CIP).

City Manager Young presented the Proposed Annual Operating Budget for FY 2013 (Including Schools), calendar year 2012 Real Property Assessments, and the proposed Capital Improvement Program (CIP) for FY 2013-2022 (including the Schools CIP). Mr. Young responded to questions from Council about different aspects of the proposed budget and reviewed the upcoming budget discussion schedule.

Council members discussed ideas that they would like to discuss during budget deliberations including open space/purchasing open space, Council and aide compensation and office space, employee compensation, future budget guidance and plan implementation for development in the City.

22. Consideration of a Grant Application to the SAFER (Staffing For Adequate Fire and Emergency Response) Grant Program, the U.S. Department of Homeland Security, Federal Emergency Management Agency.

(A copy of the City Manager's memorandum dated February 8, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 02/14/12, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) approved the submission of the grant application (due February 24, 2012); and (2) authorized the City Manager to execute the necessary documents that may be required. The voting was as follows:

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

23. Consideration of the Monthly Financial Report For The Period Ending December 31, 2011.

(A copy of the City Manager's memorandum dated January 27, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 02/14/12, and is incorporated as part of this record by reference.)

Acting Chief Financial Officer Triggs presented the monthly financial report and responded to questions about the City's current economic situation.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council received the Monthly Financial Report for the period ending December 31, 2011. The voting was as follows:

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

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

None

## **ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

and

## **ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

- (a) Mayor Euille reported that Washington Metropolitan Area Transit Authority

(WMATA) operating and capital improvement budget for \$1.6 billion for FY 2013 is available for public comment and there will be a couple of public hearings scheduled for Northern Virginia: February 29 at the Mary Ellen Henderson Middle School Cafeteria in Falls Church and March 5 at Washington-Lee High School in Arlington, with four more scheduled throughout the Metropolitan area. Mayor Euille noted that additional information is available on the City's website.

(b) Mayor Euille recognized February as National African American History Month and noted there were many activities commemorating the month throughout the City of Alexandria.

(c) Mayor Euille reminded everyone of the upcoming George Washington Birthday Celebration events, culminating with the Birthday Parade on Monday, February 20 at 1 p.m. in Old Town.

(d) Councilwoman Hughes reported that she has been appointed Vice Chair of the Council of Governments (COG) Human Services and Public Safety Policy Committee.

(e) Mayor Euille congratulated Councilman Smedberg on being elected as the Treasurer/Secretary of the Northern Virginia Transportation Authority.

(f) Councilwoman Pepper reported that there was a tent community meeting sponsored by various developers involved with the Beauregard Small Area Plan this past Saturday and noted that the event was well attended and the presentation was well done.

(g) Councilwoman Pepper reported that the GenOn facility has experienced six violations resulting in more than \$280,000 in fines for emissions violations and she noted that the facility has been operating only on a limited basis since August.

(h) Councilwoman Hughes thanked the NAACP for hosting the repast following the memorial services for Lenny Harris.

(i) Councilwoman Hughes recognized the Society for the Preservation of Black Heritage and the Alexandria Black History Museum for the showcase of Paul Robeson's life.

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

Deputy City Manager Jinks gave Council an update on the status and possibilities of another Base Realignment and Closure (BRAC) process and how that might affect office space in the City.

## **ORDINANCES AND RESOLUTIONS**

24. **Waterfront Ordinance:** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council as Master Plan Amendment No. 2011-0001 to incorporate the Waterfront Small Area Plan Chapter into the Master Plan and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment.

(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. 24; 02/14/12, 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. 24; 02/14/12, and is incorporated as part of this record by reference.)

City Attorney Banks gave Council an explanation of the recommendation for deferral of the Text Amendment ordinance (Docket Item #25), citing Zoning Ordinance 11-1204, requiring that an appeal of the Zoning Administrator determination automatically stays further proceedings on the underlying substantive matter. Mr. Banks stated that docket item #24 strictly makes the Waterfront Small Area Plan a part of the City's Master Plan and there is not a similar provision for appealing such an ordinance, therefore Council is free to vote on the Small Area Plan ordinance.

**WHEREUPON, a motion** was made by Councilwoman Hughes, seconded by Councilman Fannon and failed 2-5, for City Council to defer this item. The voting was as follows:

Hughes	"aye"	Donley	"no"
Fannon	"aye"	Krupicka	"no"
Euille	"no"	Pepper	"no"
	Smedberg	"no"	

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried 5-2, City Council passed the ordinance on first reading and scheduled the public hearing, second reading and final passage on Saturday, February 25, 2012. Council requested that for second reading and final passage the ordinance be amended to clarify the following: Line 11, handwritten page 3, change the words "*plan area*" to "*W-1 zone*"; Line 18, handwritten page 3, change the word "*plan area*" to "*W-1 zone*"; and the language should consistently stated throughout the ordinance Waterfront Small Area Plan. The voting was as follows:

Smedberg	"aye"	Fannon	"no"
Donley	"aye"	Hughes	"no"

Euille	"aye"	Krupicka	"aye"
	Pepper	"aye"	

25. **Waterfront Ordinance:** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 5-500 (W-1/Waterfront Mixed Use Zone) of Article V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2011-0005.

(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. 25; 02/14/12, 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. 25; 02/14/12, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council deferred this item. The voting was as follows:

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

## **ORDINANCES AND RESOLUTIONS (continued)**

26. Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Number 100 of the 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. 1 of Item No. 26; 02/14/12, 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. 1 of Item No. 26; 02/14/12, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council passed on first and second reading an ordinance to adopt Supplement Number 100 of the City Code. 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. 4748**

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

#### **THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:**

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 100," are hereby adopted as and shall constitute "The One Hundredth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundredth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between September 17, 2011 through November 22, 2011, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after September 17, 2011, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 11002, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between September 17, 2011, through November 22, 2011, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundredth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundredth

Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. This ordinance shall become effective upon the date and at the time of its final passage.

## **OTHER**

### **27. Consideration of City Council Schedule.**

(A copy of the City Manager's memorandum dated February 2, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council: (1) scheduled a work session on the Alexandria Economic Development Partnership (AEDP) and Alexandria Convention and Visitors Association (ACVA) programs and budgets at 5:30 p.m. in the Council Workroom before Council's Tuesday, March 13 legislative meeting; (2) scheduled a work session on the Alexandria Sanitary Sewer Master Plan at 5:30 p.m. in the Council Workroom before Council's Tuesday, March 27 legislative meeting; and (3) noted the following additions to the Council calendar: Saturday, April 21 Earth Day 10 a.m. to 4 p.m., Ben Brenman Park; Tuesday, April 17 Days of Remembrance of Victims of the Holocaust Program, in Market Square at noon; and Saturday, April 28, National Rebuilding Day. The voting was as follows:

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

## **EXECUTIVE SESSION**

### **28. Consideration of Convening a Closed Meeting For the Purpose of Consulting With Legal Counsel Regarding Potential and Pending Litigation.**

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council convened in closed executive session at 10:38 p.m., pursuant to Section 2. 2-3711(A)(7) of the Code of

Virginia, for the purpose of consultation with counsel and briefing by staff pertaining to actual or probable litigation, where public consultation in open meeting would adversely affect the negotiation or litigation posture of the public body, and for consultation regarding specific legal matters that require the provision of legal advice. The voting was as follows:

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

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council reconvened in open session at 11:03 p.m. The voting was as follows:

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

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

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

The resolution reads as follows:

#### **RESOLUTION NO. 2489**

**WHEREAS**, the Alexandria City Council has this 14th day of February 2012, 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 Councilman Smedberg and carried unanimously, City Council adjourned the regular meeting of February 14, 2012, at 11:04 p.m. The voting was as follows:

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

APPROVED BY:

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

ATTEST:

\_\_\_\_\_  
Gloria Sitton, CMC    Deputy City Clerk