



# City of Alexandria

301 King St., Room 2300  
Alexandria, VA 22314

## Meeting Minutes City Council Legislative Meeting

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Tuesday, September 11, 2012

7:00 PM

Council Chambers

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**Present:** Mayor William D. Euille, Vice Mayor Kerry Donley, Members of Council Frank H. Fannon, Alicia Hughes, Redella S. Pepper and Paul C. Smedberg.

**Absent:** None.

**Also Present:** Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Ms. Collins, Deputy City Manager; Mr. Gates, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services; Mr. Lerner, Deputy Director, Transportation and Environmental Services; Ms. Dastgheib, Transportation and Environmental Services; Ms. Harris, Office of Communications and Public Information; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Mr. Browand, Parks, Recreation and Cultural Activities; Ms. Durham, Parks, Recreation and Cultural Activities; Deputy Chief of Police Corle; Captain Ogden, Police Department; Captain Wemple, Police Department; Fire Chief Thiel; Ms. Hamer, Director, Planning and Zoning; Ms. Ross, Deputy Director, Planning and Zoning; Ms. Collins, Planning and Zoning; Mr. Kaii-Ziegler, Planning and Zoning; Ms. Blanko, Alexandria Economic Development Partnership; Mr. Martinez, Information Technology; and Mr. Lloyd.

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

Roll-Call Card

### Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll; all the members of Council were present.

### 2 Moment of Silence and Pledge of Allegiance

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

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

The Public Hearing Meeting Minutes of June 16, 2012.

The Public Hearing Meeting Minutes of June 16, 2012.

The Special Meeting Minutes of July 12, 2012.

**WHEREUPON, a motion was made by Councilwoman Hughes, seconded by Vice Mayor Donley, to approve the public hearing meeting minutes of June 16, 2012, the regular meeting minutes of June 26, 2012, and the special meeting minutes of July 12, 2012. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilwoman Hughes, Councilman Fannon, Councilwoman Pepper and Councilman Smedberg; opposed, none.**

#### **NEW BUSINESS ITEM NO. 1:**

**WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council moved to approve receipt of the acceptance of a letter from Councilman Rob Krupicka, who announced that he is resigning from City Council effective today at 7:00 p.m., as a result of his election to the House of Delegates. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; opposed, none.**

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

#### **PROCLAMATIONS**

#### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (five min.)**

#### **CONSENT CALENDAR**

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

- 4** Receipt of the Following Resignations from Members of Boards, Commissions and Committees:
- (a) Alexandria Archaeological Commission  
Peter Petersen
  - (b) Alexandria Transportation Commission  
Philip Voorhees
  - (c) Commission for the Arts  
Olivia Bambara
  - (d) Environmental Policy Commission  
Philip Voorhees  
Heather Shaefer
  - (e) Park and Recreation Commission  
John J. Sullivan  
Caleb Vogt

- Mollie Timmons
- (f) Real Estate Assessments Review Board
- James Brennan
- (g) Sister Cities Committee
- Travis Brown
- Dylan Colligan
- (h) Towing Services Advisory Board
- Michael Reynolds

**Uncontested Appointments to Boards, Commissions and Committees:**

**5** Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Transportation Commission
  - 1 Environmental Policy Commission Representative
  - 1 Planning Commission Representative
- (b) Commission on Aging
  - 1 Citizen Member
- (c) Commission on Persons with Disabilities
  - 1 Citizen Member
- (d) Community Services Board
  - 3 Citizen Members
  - 1 Sheriff Representative
- (e) Historic Alexandria Resources Commission
  - 1 Planning District I Representative
- (f) Local Emergency Planning Committee
  - 1 Representative of Broadcast and Print Media
- (g) Park and Recreation Commission
  - 1 Member from Planning District III
- (h) Waterfront Commission
  - 1 Alexandria Convention and Visitors Association Representative

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

**6** Consideration of An Appointment of Management Representative and Alternate and Participant Representatives to the City of Alexandria Firefighters and Police Officers Pension Plan Retirement Board

(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 9/11/12, and is incorporated as part of this record by reference.)

- 7 Consideration of a Grant Renewal to the United States Department of Agriculture Child and Adult Care Food Program for the At-Risk After School Snack Program

(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 9/11/12, and is incorporated as part of this record by reference.)

- 8 Consideration of a Grant Application for Teen Pregnancy and Sexually Transmitted Infection Prevention Funding to the Administration for Children, Youth and Families for the Alexandria Campaign on Adolescent Pregnancy

(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/11/12, 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 approved the consent calendar. The City Manager's recommendations were as follows:

4. City Council accepted the following resignations with regret: (a) Peter Petersen, Alexandria Archaeological Commission; (b) Philip Voorhees, Alexandria Transportation Commission; (c) Olivia Bambara, Commission for the Arts; (d) Philip Voorhees and Heather Shaefer, Environmental Policy Commission; (e) John J. Sullivan, Caleb Vogt, and Mollie Timmons, Park and Recreation Commission; (f) James Brennan, Real Estate Assessments Review Board; (g) Travis Brown and Dylan Colligan, Sister Cities Committee; and (h) Michael Reynolds, Towing Services Advisory Board.

5. City Council made the following appointments to boards and commissions: (a) appointed John Sawislak as the Environmental Policy Commission representative and appointed John Komoroske as the Planning Commission representative to the Alexandria Transportation Commission; (b) appointed Meridith Eisenhart as the citizen member to the Commission on Aging; (c) appointed Nyrisha Farrow as the citizen member to the Commission on Persons with Disabilities; (d) reappointed Christine Comer, Masharia Holman and Patrice Tighe as the three citizen members and reappointed Doug Schuler as the Sheriff's representative to the Community Services Board; (e) appointed Dawn Rogala as the Planning District 1 representative to the Historic Alexandria Resources Commission; (f) appointed Sharon Cohen as the representative of broadcast and print media to the Local Emergency Planning Committee; (g) appointed Judith Coleman as the member from Planning District III to the Park and Recreation Commission; (h) reappointed Jody Manor as the Alexandria and Convention and Visitors Association representative to the Waterfront Commission.

6. City Council appointed the following individuals to the City of Alexandria Firefighters and Police Officers Pension Board: Tom Gates, Deputy City

Manager, as Management Representative; Jean Niebauer, Director of Human Rights, as the Management Alternate; Michael Cross, as Firefighter Participant Representative; and Albert Tierney, as Police Participant Representative.

7. City Council authorized the City Manager to: (1) accept renewal funding for the At Risk After School grant renewal application submitted to the United States Department of Agricultural for Fiscal Year 2013 (the due date was September 10, 2012 when City Council was still in recess); and (2) execute all documents that may be required.

8. City Council: (1) authorized the submission of the three year grant application to Administration for Children and Families (ACF) for funding in the amount of \$290,494 per year; and (2) approved a 1.0 FTE increase for a Health and Community Education Specialist to coordinate the project within the Department of Community and Human Services; (DCHS) Center for Children and Families to be fully supported by grant revenues. This grant funded position would terminate upon the expiration of the grant. The individual who fills this position will be notified of this condition of employment at the time they are hired and will be required to sign an agreement of understanding with regard to this condition. There are no funds available in the City budget to continue these activities once the grant funds expire.

The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

**OTHER**

8.1 Consideration of a Report on Council of Governments' (COG) Region Forward Plan

(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8.1; 9/11/12, and is incorporated as part of this record by reference.)

Mr. David Robinson, along with Mr. Paul DesJardin, of the Metropolitan Washington Council of Governments, made a presentation of the COG Region Forward Plan and responded to questions of City Council.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council received the report updating the Council of Governments (COG) "Region Forward" plan. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

**CONTESTED APPOINTMENTS**

9 Affordable Housing Advisory Committee  
1 Licensed and Practicing Attorney

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

NAME: ENDORSED BY:

Jonathan Ammons  
Robyn Konkel

(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; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: No one person received a majority vote, therefore a second voting was needed.

Euille Ammons  
Donley Konkel  
Fannon Ammons  
Hughes Ammons  
Pepper Konkel  
Smedberg Konkel

WHEREUPON, ballots were again distributed, tellers were again appointed and ballots were again tallied with following results: City Council appointed Robyn Konkel as the licensed and practicing attorney to the Affordable Housing Advisory Committee. The voting was as follows:

Euille Ammons  
Donley Konkel  
Fannon Ammons  
Hughes Konkel  
Pepper Konkel  
Smedberg Konkel

10

Archaeological Commission  
1 Citizen Member

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

NAME:                      ENDORSED BY:

Megan Corso  
Jacob Hoogland  
Bonnie Lilienfeld  
Stephanie Morgan

(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; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Jacob Hoogland as the citizen member to the Archaeological Commission. The voting was as follows:

Euille Hoogland  
Donley Lilienfeld  
Fannon Hoogland  
Hughes Hoogland

Pepper Hoogland  
Smedberg Lilienfeld

11

Board of Architectural Review - Parker-Gray Board  
1 Citizen Member

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

**NAME: ENDORSED BY:**

David Arnaudo  
Charles Carruthers  
Robert Duffy  
Slade Elkins

(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; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Robert Duffy as the citizen member to the Board of Architectural Review Parker Gray Board. The voting was as follows:

Euille Duffy  
Donley Duffy  
Fannon Duffy  
Hughes Duffy  
Pepper Duffy  
Smedberg Duffy

12

Commission for the Arts  
1 Student Member Who Resides in the City and Attends a High School Located in the City of Alexandria

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

**NAME: ENDORSED BY:**

Kelly Dervarics  
Courtney Satterfield

(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; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Kelly Devarics as the student member who resides in the City and attends a high school located in the City of Alexandria to the Commission for the Arts. The voting was as follows:

Euille Dervarics  
Donley Satterfield  
Fannon Dervarics

Hughes Satterfield  
Pepper Dervarics  
Smedberg Dervarics

13

Commission on HIV/AIDS  
1 Citizen Member

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

NAME: ENDORSED BY:

Meredith Banas  
Bernard Jackson  
Tameka Macon  
Kathryn McCarthy

(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. 13; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Tameka Macon as the citizen member to the Commission on HIV/AIDS. The voting was as follows:

Euille Macon  
Donley Macon  
Fannon Macon  
Hughes Macon  
Pepper Macon  
Smedberg Macon

14

Environmental Policy Commission  
1 Citizen-at-Large Member

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

NAME: ENDORSED BY:

Ryan Sloan  
Peter Stubbs

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Ryan Sloan as the citizen at large to the Environmental Policy Commission. The voting was as follows:

Euille Stubbs  
Donley Sloan  
Fannon Sloan  
Hughes Sloan  
Pepper Sloan  
Smedberg Sloan

15

Historic Alexandria Resources Commission  
1 Torpedo Factory Artists Association Representative

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

**NAME:                    ENDORSED BY:**

**Jolande Goldberg**

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 9/11/12, and is incorporated as part of this record by reference.)

**WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council waived the residency requirement and appointed Jolande Goldberg as the Torpedo Factory Artists Association representative to the Historic Alexandria Resources Commission. The voting was as follows:**

- Euille    Goldberg**
- Donley    Goldberg**
- Fannon    Goldberg**
- Hughes    Goldberg**
- Pepper    Goldberg**
- Smedberg    Goldberg**

16

Historical Restoration and Preservation Commission  
1 Citizen Member

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

**NAME:                    ENDORSED BY:**

**Herbert Warner**

(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; 9/11/12, and is incorporated as part of this record by reference.)

**WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council waived the residency requirement and appointed Herbert Warner as the citizen member to the Historical Restoration and Preservation Commission. The voting was as follows:**

- Euille    Warner**
- Donley    Warner**
- Fannon    Warner**
- Hughes    Warner**
- Pepper    Warner**
- Smedberg    abstain**

17

Industrial Development Authority  
2 Citizen Members



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

**NAME:                    ENDORSED BY:**

Virginia Arnold  
Ericka Delaine Warner  
William Toye

(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. 19; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Virginia Arnold and appointed William Toye as the two citizen members to the Public Records Advisory Commission. The voting was as follows:

Euille    Arnold, Toye  
Donley    Arnold, Toye  
Fannon    Arnold, Toye  
Hughes    Arnold, Delaine Warner  
Pepper    Arnold, Toye  
Smedberg    Arnold, Toye

20

Urban Design Advisory Committee

1 Qualified Professional Skilled in Urban Design, Architecture or Landscape Architecture

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

**NAME:                    ENDORSED BY:**

Charles Carruthers  
Daniel Straub

(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. 20; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Daniel Straub as the qualified professional skilled in urban design, architecture or landscape architecture to the Urban Design Advisory Committee. The voting was as follows:

Euille    Straub  
Donley    Straub  
Fannon    Straub  
Hughes    Straub  
Pepper    Straub  
Smedberg    Straub

21

Sister Cities Committee

2 Citizen Members

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

**NAME:**                      **ENDORSED BY:**

Paul Anderson  
Eve Copeland Bentovim  
Allison Cash Spiro  
Patricia Sanders

(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. 21; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Paul Anderson and Eve Copeland Bentovim as the two citizen members to the Sister Cities Committee. The voting was as follows:

Euille    Anderson, Copeland Bentovim  
Donley    Anderson, Copeland Bentovim  
Fannon    Anderson, Sanders  
Hughes    Copeland Bentovim, Sanders  
Pepper    Anderson, Sanders  
Smedberg    Anderson, Copeland Bentovim

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION (60 min.)**

- 22**                      2012 Status of Implementation Report Related To Implementation of the 2003 Arlandria Action Plan.

(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 9/11/12, and is incorporated as part of this record by reference.)

Ms. Hamer, Director, Planning and Zoning, along with Mr. Kaii-Ziegler, Planning and Zoning, Ms. Collins, Planning and Zoning, Ms. Dastgheib, Transportation and Environmental Services, Ms. Durham, Parks and Recreation, and Ms. Blanka, Alexandria Economic Development Partnership, made a presentation of the plan and responded to questions of City Council. Mr. Beekman, member of the Executive Committee, also spoke to Council about the report.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried unanimously, City Council received the "2012 Status of Implementation" Report and directed staff to continue collaborative and community-based implementation of the 2003 Arlandria Action Plan. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

- 23**                      Proposal to Name the Ballfield at the Lee Center The Kelley Cares Miracle Field

(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item

No. 23; 9/11/12, and is incorporated as part of this record by reference.)

Mr. Browand, Park and Recreation, made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried unanimously, City Council: (1) received the recommendation of the City Council Naming Committee to name the ballfield located at the Lee Center, 1108 Jefferson Street, the Kelley Cares Miracle Field; and (2) set the proposal for public hearing and consideration on Saturday, September 15, 2012. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

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

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

- (a) Mayor Euille welcomed everyone back from the summer break.
- (b) Mayor Euille applauded the ACPS for the successful opening of the schools after Labor Day.
- (c) Mayor Euille noted the successful Arts Festival on Saturday and Sunday. He said everyone did what needed to be done for the storm that came through at the end of the event on Saturday and he thanked staff for its hard work.
- (d) Councilwoman Pepper said she enjoyed the Arts Festival and got caught in the storm as well.
- (e) Councilwoman Pepper said she looked forward to the trolley coming to Del Ray and Arlandria.
- (f) Councilwoman Pepper said she had previously discussed the fashion show.
- (g) Vice Mayor Donley offered congratulations to Bill Butcher of Port City Brewing who gave a speech at the Democratic National Convention about the successful starting of a new business in a recession.
- (h) Vice Mayor Donley spoke about the Old Town Grocery Store and the problems associated with the store. He said he's asked Planning and Zoning to develop a text amendment to come forward along the lines of defining a grocery store or a convenience store and would require a special use permit for the operation of those types of businesses.  
  
City Council discussed the item with Ms. Ross, Planning and Zoning, Mr. Young, City Manager, and Mr. Banks, City Attorney, who indicated they are working on the issue and will act accordingly.
- (i) Councilman Fannon spoke of the growth of the City and the residences and the challenges they have in the school system. He said he had a concern that there are a good number of students that don't live in Alexandria that go to

Alexandria schools. He asked the School Board to have a public telephone number for citizens to call if they feel there is a violation.

(j) Councilwoman Hughes said they have had two big losses in Alexandria, and one is Reverend Dr. Earl, pastor of Shiloh Baptist Church, who has retired for health reasons. She wished him the best in his future endeavors.

(k) Councilwoman Hughes said the Diverse City Multicultural Festival will be taking place on Saturday from 11:00 to 5:00 at Four Mile Run.

(l) Councilwoman Hughes said the Taney Avenue mile long yard sale will be on Saturday from 8:30 to 2:30.

(m) Councilwoman Hughes said she is the vice chair of the Metropolitan Washington Council of Governments Committee on Human Services and Public Safety, and it had a meeting in Alexandria on August 17 along with Tucker Elementary School and it had an environmental organization called Project Learning Tree to talk to students about grant opportunities and how it could make the City more ecologically friendly.

(n) Councilman Smedberg said that after a lengthy search the VRE has appointed a new CEO, Doug Allen, who was with the Capital Metropolitan Transportation Authority in Austin, Texas.

(o) Councilman Smedberg spoke about the placement of the Bike Share on the 900 and 1000 block of King Street. He asked if they had to have the white lines around the bikes, which made it very visible, and he asked if there was consideration to putting it up against the parking lot by Misha's, which would have disturbed fewer parking spaces.

Mr. Baier, Director, Transportation and Environmental Services, said they would look at each of the locations for ridership and will take a look at them in six months.

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

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

(a) Mr. Young, City Manager, introduced the new Special Assistant to the City Manager Jerome Fletcher, who will be focused on the preparation of the docket with the City Clerk's Office, making sure they are prepared for work sessions and also working with Communications on items that come to Contact Us, along with a host of other things.

(b) Mr. Young said former Chief of Staff Bruce Johnson came back in to help the transition to the automated docket system, which Council had requested that the City modernize its docket system. It started with this Council meeting with iLegislate, which has the items accessible on Council's iPads.

(c) Mr. Young spoke of the incident that happened at the Ethanol Transloading Facility, where there was a spill of approximately 150 gallons of ethanol from Norfolk Southern on September 4. He said once the City became aware of the spill, the City's fire response was swift, thorough and complete. He said they have follow-ups with Norfolk Southern on their notification to the City. He

noted that the City's first notification came from the Virginia Department of Emergency Management via email, and they want to follow up on those notifications. He said they will also look at the City's internal notification, so they can notify City Council more timely. He said they are pursuing a meeting with Norfolk Southern.

24 Update on the BRACC-133 Transportation Issues.

**Mr. Baier, Director, Transportation and Environmental Services, and Mr. Lerner, Deputy Director, Transportation and Environmental Services, give an update on the BRAC-133 project and responded to questions of City Council.**

25 Update on Major Transportation Construction Projects.

**Mr. Baier and Mr. Lerner gave an update on the major transportation construction projects and they responded to questions of City Council.**

## ORDINANCES AND RESOLUTIONS

26 Request for Council to Support a Resolution Supporting the Design and Construction of the Northbound I-395 Auxiliary Lane Between Duke Street and Seminary Road [ROLL-CALL VOTE]

**(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 9/11/12, 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 scheduled a public hearing and consideration for the resolution on Saturday, September 15, 2012. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.**

27 Consideration of a Request for Council to Approve a Resolution Denoting the City of Alexandria Position on the Operation of the Seminary Road HOV/Transit Ramp [ROLL-CALL VOTE]

**(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 9/11/12, 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 scheduled a public hearing and consideration of the resolution for Saturday, September 15, 2012. In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.**

28 Consideration of a Resolution Endorsing the TransAction 2040 Regional Transportation Plan. [ROLL-CALL VOTE]

**(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 9/11/12, and is incorporated as part of this record by reference.)**

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution endorsing the draft TransAction 2040 Long Range Regional Transportation Plan, with an amendment to add #4 to read: Expressly reserves its decision on a streetcar conversion for Corridor A to a time in the future. The voting was as follows: In favor, Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

The resolution reads as follows:

**RESOLUTION NO. 2521**

**Resolution endorsing the Northern Virginia Transportation Authority's TransAction 2040 Long Range Transportation Plan**

**WHEREAS**, the 2002 Virginia General Assembly passed the Northern Virginia Transportation Authority (NVTA) Act and created the NVTA; and

**WHEREAS**, the Virginia General Assembly granted the NVTA the power and function of preparing a long-range transportation plan for regional transportation projects in Northern Virginia; and

**WHEREAS**, in carrying out this responsibility, the Authority shall, on the basis of a regional consensus, whenever possible, set regional transportation policies and priorities for regional transportation projects; and

**WHEREAS**, the City of Alexandria shares the NVTA's goal that regional transportation policies and priorities be guided by performance-based criteria such as the ability to improve travel times, reduce delays, connect regional activity centers, improve safety, improve air quality, and move the most people in the most cost-effective manner; and

**WHEREAS**, the TransAction 2040 Plan is an update of the Northern Virginia 2030 Transportation Plan, endorsed by the City of Alexandria on May 19, 2006; and

**WHEREAS**, the TransAction 2040 Plan is a comprehensive study that analyzes multimodal transportation solutions that provide safe, efficient, and economical choices for travel and transport of goods, and which also support expansion of the local economy; and

**WHEREAS**, the TransAction 2040 Plan found that the investments identified in the region's Financially Constrained Long-range Plan (CLRP), which was the base network for the Plan, were insufficient to counter the deterioration of the regional transportation network; and

**WHEREAS**, the additional investment in multimodal improvements called for in the TransAction 2040 Plan is necessary to improve travel and quality of life in Northern Virginia; and

**WHEREAS**, the development of the TransAction 2040 Plan included public outreach through a citizen advisory committee, a public open house and

hearing, and information dissemination through newsletters and the NVTA website; and

WHEREAS, additional projects will need to be identified in the next regional transportation plan update to alleviate continual pressures on the transportation system.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA

That the City Council of Alexandria, Virginia:

1. Endorses the Northern Virginia Transportation Authority's TransAction 2040 Long Range Regional Transportation Plan and forwards this resolution to NVTA to be appended to the TransAction 2040 Plan;
2. Requests that the TransAction 2040 Plan be updated and presented to member jurisdictions at least every five years;
3. Requests that NVTA facilitate open and timely collaboration among jurisdictions where there are differences between jurisdictional Comprehensive Plans and the TransAction 2040 Plan;
4. Expressly reserves its decision on a streetcar conversion for Corridor A to a time in the future.

29

Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Number 102 of the City Code. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 9/11/12, 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. 29; 9/11/12, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously by roll-call vote, City Council approved an ordinance to adopt Supplement Number 102 of the City Code. The voting was as follows: In favor, Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

The ordinance reads as follows:

**ORDINANCE NO. 4773**

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. 102," are hereby adopted as and shall constitute "The One Hundred and Second Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundred and Second 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 February 14, 2012 through June 26, 2012, 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 June 26, 2012, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between February 14, 2012 through June 26, 2012, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and Second 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 Hundred and Second 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

30

Consideration of City Council Schedule

(A copy of the City Manager's memorandum dated September 5, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 9/11/12, and is incorporated as part of this record by reference.)

Mayor Euille noted that most likely, he would be out of the country on a business trip from October 6-11.

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council : (1) approved the calendar which includes the schedule of the City Council legislative meetings and public hearing for September 2012 through June 2012; (2) approved moving the Tuesday, September 25 Legislative meeting to Thursday, September 27 due to the VML Conference and Yom Kippur, which ends on September 26; (3) scheduled the following work sessions at 5:30 p.m. before Council's legislative meetings: Tuesday, September 27 work session with Alexandria Redevelopment Housing Authority and the Office of Housing; Tuesday, October 23 work session on the Proposed Rezoning within the Beauregard Small Area Plan; Tuesday, November 13 work session to discuss DASH Efficiency Study; Tuesday, November 27 work session on the City's 2013 Legislative Package; and Tuesday, December 11 work session on the FY 2014 Budget Outlook; and (4) note that there are several events that have been added to the Council Calendar: KaBOOM!, in conjunction with the Washington Capitals, DC101, and So Kids Can will be holding a Playground Installation Kick-Off on Thursday, September 13 at 9 a.m., at S.T. A. R. S. Playground (500 Block of North Royal Street). The Ribbon Cutting Ceremony will be held that afternoon at 3 p.m., at the same location; the National Park Service has scheduled the Jones Point Park Dedication for 10 a.m. on Saturday, September 22; there will be a GenOn Closure Press Conference on Monday, October 1 at 9:30 a.m., at the entrance to the GenOn Plant; there will be a reception to recognize members of the Mirant Monitoring Group and to celebrate closing of the GenOn Plant on Tuesday, October 9 at 6:30 p.m., in the Vola Lawson Lobby; the Annual Firefighter Wreath Laying Ceremony will be held on Friday, October 12 at 11 a.m. at the Ivy Hill Cemetery, 2823 King Street. A reception will immediately follow at the First Baptist Church of Alexandria, 2932 King Street; and there will be a groundbreaking ceremony for Fire Station 210 and Impound Lot (5249-5261 Eisenhower Avenue) for Saturday, October 13 from 8:00 - 8:15 a.m., before the Saturday, October 13 public hearing meeting.

The voting was as follows: In favor, Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

**31**

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

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 10:38 p.m., City Council convened in executive session, pursuant to Section 2.2-3711(a)(7) of the Code of Virginia for the purpose of consulting with legal counsel regarding pending litigation requiring the provision of legal advice. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, at 11:04 p.m, City Council reconvened the meeting. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

**WHEREUPON**, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution pertaining to the Executive Session. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

The resolution reads as follows:

**RESOLUTION NO. 2522**

**WHEREAS**, the Alexandria City Council has this 11th day of September 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.

32

Consideration of a Resolution Certifying the Existence of a Vacancy on City Council. [ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution certifying the existence of a vacancy on City Council. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.

Vice Mayor Donley asked that the resolution be hand-carried by the City Attorney to the court with communication that their desire is to have the vacancy filled as soon as possible and to also indicate that the City Council does have a public hearing on Saturday.

The resolution reads as follows:

**RESOLUTION NO. 2523**

**WHEREAS**, on Tuesday, September 4, 2012, the Honorable K. Rob Krupicka, Councilman was elected to represent the 45th District in the Virginia House of Delegates; and

**WHEREAS**, Councilman Krupicka submitted his resignation on September 11, 2012, as a member of the City Council of the City of Alexandria, Virginia and will be subsequently sworn in and qualified for the office of Delegate of the Virginia House of Delegates, thereby creating a vacancy on the said Council; and

**WHEREAS, Section 10.02 of the Alexandria City Charter provides that any such vacancy which occurs within 180 days prior to the next ensuing regular Council election shall be filled for the unexpired term by appointment by the Chief Judge of the Alexandria Circuit Court; and**

**WHEREAS, it being appropriate under Section 10.02 of the Alexandria City Charter to certify said vacancy and request further action by the Chief Judge of the Alexandria Circuit by resolution.**

**NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby certify to the Circuit Court of the City of Alexandria, Virginia, that a vacancy exists on the said City Council, which is required by law to be filled by appointment by the Chief Judge for the unexpired portion of the term; and**

**BE IT FURTHER RESOLVED, that the City Council does hereby request that the Chief Judge make such appointment as required by law; and**

**BE IT FURTHER RESOLVED, that the City Council does hereby direct the City Clerk to attest, and the City Attorney to file this resolution with the Circuit Court, in the manner provided by law.**

**\* \* \* \* \***

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, City Council adjourned the regular meeting of September 11, 2012, at 11:05 p.m. The voting was as follows: In favor: Mayor Euille, Vice Mayor Donley, Councilman Fannon, Councilwoman Hughes, Councilwoman Pepper and Councilman Smedberg; Opposed: none.**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**  
  
\_\_\_\_\_  
**Jacqueline M. Henderson, MMC**

City Clerk and Clerk of Council