CITY COUNCIL OF ALEXANDRIA, VIRGINIA

REGULAR MEETING
Tuesday, February 22, 2011 – 7:00 p.m.

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

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Caton, Legislative Director; Mr. Johnson, Chief Financial Officer; Mr. Stewart, Office of Management and Budget; Ms. Boyd, City Manager's Office; Police Captain Ogden; Mr. Baier, Director, Transportation and Environmental Services; Mr. Lerner, Deputy Director, Transportation and Environmental Services; Mr. Grover, Transportation and Environmental Services; Ms. Marks, Transportation and Environmental Services; Mr. Ortiz, Transportation and Environmental Services; Mr. Maslanka, Division Chief, Transportation and Environmental Services; Fire Chief Thiel; Ms. Colton, Recreation, Parks and Cultural Activities; Ms. Carrell, Recreation, Parks and Cultural Activities; Ms. Niebauer, Director, Office of Human Rights; Ms. Davis, Director, Office of Housing; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Mann, Planning and Zoning; Mr. Mortiz, Deputy Director, Planning and Zoning; Ms. Orr, Director, Office of Human Resources; and Mr. Lloyd.

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

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City Council held a work session at 5:30 p.m. with the Alexandria Transit Company Stockholders and a work session on DASH issues.

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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.

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 February 8, 2011.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council approved the regular meeting minutes of February 8, 2011. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Declaring Saturday, March 5, 2011 as St. Patrick's Day Parade Day and the Month of March as Irish-American Heritage Month.

(A copy of the above proclamation is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 4; 2/22/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Fannon, seconded by Vice Mayor Donley and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-13)

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

(a) Emergency Medical Services Board Holly Heislup

(A copy of the above resignation 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); 2/22/11, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

   (a) Alexandria Gang Prevention Community Task Force 1 Latino Community Representative

   (b) Archaeological Commission 1 Member-at-Large

   (c) Commission on Employment 1 Business Representative from Among Recognized Area Businesses, Including Minority-Owned and Small Businesses

   (d) Community Criminal Justice Board 1 Representative of Non-Profit Organizations Recommended By the Alexandria United Way

   (e) Community Services Board 1 Consumer (Current or Former Direct Recipient of Public or Private Mental Health, Mental Retardation or Substance Abuse Treatment Rehabilitation Services) or Family Member (Immediate Family Member or the Principal Caregiver Who Is Not Paid) of Consumer

   (f) Landlord-Tenant Relations Board 1 Homeowner Representative (Reports and Recommendations of the City Manager)

(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-f); 2/22/11, and is incorporated as part of this record by reference.)

7. Consideration of Authorization of Recommended Capital Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated February 14, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 2/22/11, and is incorporated as part of this record by reference.)

8. Receipt of Annual Reports from Council-Appointed Boards and Commissions.

(A copy of the City Manager's memorandum dated February 16, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 2/22/11, and is incorporated as part of this record by reference.)

9. Consideration of a Grant Application to the Virginia Commission for the

Arts for Funds for the Community Building at Four Mile Run.

(A copy of the City Manager's memorandum dated February 14, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 2/22/11, and is incorporated as part of this record by reference.)

10. Consideration of a Grant Application to the Virginia Commission for the Arts for a Local Government Challenge Grant for the Department of Recreation, Parks and Cultural Activities.

(A copy of the City Manager's memorandum dated February 9, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 2/22/11, and is incorporated as part of this record by reference.)

11. Consideration of Allocation of Funds for Rebuilding Together Alexandria.

(A copy of the City Manager's memorandum dated February 14, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 2/22/11, and is incorporated as part of this record by reference.)

12. Consideration of an Application to the Firehouse Subs Public Safety Foundation Grant Program for the Alexandria Fire Department Medic Bike Program.

(A copy of the City Manager's memorandum dated February 10, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 2/22/11, and is incorporated as part of this record by reference.)

13. Consideration of Application to the Department of Justice, Office of Justice Programs Grant Program for Funds to Evaluate the Effectiveness of Best Practice Strategies of Alexandria Youth Mentor Programs.

(A copy of the City Manager's memorandum dated February 11, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 2/22/11, 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:

5. City Council accepted the following resignation with regret: (a) Holly Heislup, Emergency Medical Services Council.

6. City Council made the following appointments: (a) reappointed Bonnie Baxley as the one Latino community representative to the Alexandria Gang Prevention Community Task Force; (b) reappointed Edward Pulliam as the one member-at-large to the Archaeological Commission; (c) appointed David Svec as the one business representative from among recognized area businesses including minority-owned and small businesses, to the Commission on Employment; (d) appointed Alexis Stackhouse as the one representative of non-profit organizations recommended by the Alexandria United Way to the Community Criminal Justice Board; (e) appointed Kimberly Lewis as the one consumer (current or direct recipient of public or private mental health, mental retardation or substance abuse treatment rehabilitation services) or family members (immediate family member or the principal caregiver who is not paid) of consumer to the Community Services Board; and (f) appointed Mario Avalos as the one tenant representative to the Landlord-Tenant Relations Board.

7. City Council authorized $10,814,184 for capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary.

8. City Council received the reports and thanked the boards and commissions for their hard work over the past year.

9. City Council authorized the City Manager to: 1. submit a grant application, in the amount of $20,000, to the Virginia Commission for the Arts Services to the Field Grand Program; and 2. execute all necessary documents that may be required.

10. City Council authorized the City Manager to: 1. submit a grant application, in the amount of $5,000, to the Virginia Commission for the Arts' Local Government Challenge Grant Program; and 2. execute all necessary documents that may be required.

11. City Council: 1. approved a grant of $35,000 in Housing Trust monies to Rebuilding Together Alexandria to fund its activities in FY 2011; and 2. authorized the City Manager to execute all necessary documents and agreements.

12. City Council: 1. approved the application to the Firehouse Subs Public Safety Foundation grant program (due March 5, 2011); and 2. authorized the City Manager to execute the necessary documents that may be required.

13. City Council authorized the submission of a grant application to the Office of Juvenile Justice and Delinquency Prevention by the Alexandria Court Services Unit.

The voting was as follows:

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

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

Councilman Smedberg noted on item #10, some interviews were scheduled for Saturday evening, and it was probably inappropriate to conduct City business on a Saturday evening, unless it was an emergency.

CONTESTED APPOINTMENTS

14. Alexandria Gang Prevention Community Task Force 1 Citizen-at-Large Member

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

NAME: ENDORSED BY:

Steven Jansen

(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; 2/22/11, 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 Steven Jansen as the one citizen-at-large member to the Alexandria Gang Prevention Community Task Force. The voting was as follows:

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

15. Alexandria Marketing Committee 2 Members With Experience or Expertise in the Following Areas: Marketing/Communications; Advertising Agency/Public Relations; Media Buyer; Graphic Design/Production; Media Relations/Media Outlet

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

NAME: ENDORSED BY:

Eddie Garrett
Joanna Pineda

Scott Shaw

(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; 2/22/11, 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 Joanna Pineda and Scott Shaw as the two members with experience or expertise in the following areas: marketing/communications; advertising agency/public relations; media buyer; graphic design/production/ and media relations/media outlet, to the Alexandria Marketing Committee. The voting was as follows:

Euille	-	Pineda, Shaw
Donley	-	Pineda, Shaw
Fannon	-	Garrett, Shaw
Hughes	-	Garrett, Shaw
Krupicka	-	Pineda, Shaw
Pepper	-	Pineda, Shaw
Smedberg	-	Pineda, Shaw

16. Environmental Policy Commission 1 Member From the Field of Urban Planning

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

NAME: ENDORSED BY:

Jessica Bayliss Brown
Josh Sawislak

(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; 2/22/11, 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 Jessica Bayliss Brown as the one member from the field of urban planning to the Environmental Policy Commission. The voting was as follows:

Euille	-	Bayliss Brown
Donley	-	Bayliss Brown
Fannon	-	Bayliss Brown
Hughes	-	Bayliss Brown
Krupicka	-	Bayliss Brown
Pepper	-	Bayliss Brown

Smedberg - Bayliss Brown

17. Landlord-Tenant Relations Board 1 Homeowner Representative

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

NAME: ENDORSED BY:

Lynn Pendlebury Colby
Jon Liss

(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; 2/22/11, 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 Lynn Pendlebury Colby as the one homeowner representative to the Landlord-Tenant Relations Board. The voting was as follows:

Euille - Colby
Donley - Colby
Fannon - Liss
Hughes - Liss
Krupicka - Colby
Pepper - Colby
Smedberg - Colby

18. Northern Virginia Juvenile Detention Commission 1 Citizen Member

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

NAME: ENDORSED BY:

Lillian Brooks

(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; 2/22/11, 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 Lillian Brooks as the one citizen member to the Northern Virginia Juvenile Detention Commission. The voting was as follows:

Euille - Brooks

Donley	-	Brooks
Fannon	-	Brooks
Hughes	-	Brooks
Krupicka	-	Brooks
Pepper	-	Brooks
Smedberg	-	Brooks

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

19. Consideration of Recommendations and Status Report on Legislation Introduced at the 2011 General Assembly Session.

(A copy of the City Manager's memorandum dated February 21, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 2/22/11, and is incorporated as part of this record by reference.)

Legislative Director Caton made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Donley and carried 6-0, City Council opposed the following proposals included in the budget amendments adopted by the House of Delegates (but not the Senate) as recommended by City Council's Legislative Subcommittee (these are in addition to those approved at Council's February 8 meeting): 1. The house has proposed moving a number of children who are receiving mental health services from Medicaid to the Comprehensive Services Act system, at an estimated cost to Virginia localities of $21 million (staff estimates that the fiscal impact on the City budget will be in excess of $577,000 annually); and 2. the House has also proposed reduced funding for the pre-K Virginia Preschool Initiative Program, lowering the state allocation for this program from $6,000 to $5,000; this will have a negative impact of at least $120,000 on City programs funded by VPI. The voting was as follows:

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

20. Oral Report on Base Realignment and Closure (BRAC-133) Project at Mark Center.

Mr. Grover, Transportation and Environmental Services, made a presentation of the report and he, along with Mr. Baier, Director, Transportation and Environmental Services, and Mr. Lerner, Deputy Director, T&ES, responded to questions of City Council.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council endorsed the categorical exclusion but stated its opposition to VDOT regarding the eastbound Seminary Road movement off the HOV ramp and asked that it be eliminated from the project. The voting was as follows:

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

21. Consideration of Staff Report on Alexandria's Local Motion/Transportation Demand Management (TDM) Program.

(A copy of the City Manager's memorandum dated February 16, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 2/22/11, and is incorporated as part of this record by reference.)

Mr. Baier, along with Mr. Ortiz, Transportation and Environmental Services, and Ms. Marks T&ES, made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council received the Local Motion Report. The voting was as follows:

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

22. Consideration of the Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) Project Funding Requests for FY 2013-2017.

(A copy of the City Manager's memorandum dated February 16, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 2/22/11, and is incorporated as part of this record by reference.)

Mr. Maslanka, Transportation and Environmental Services, made a presentation of the report and he, along with Mr. Baier, responded to questions of City Council.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried 5-2, City Council: 1. approved the transportation projects proposed as those projects for which the City of Alexandria would be requesting CMAQ and RSTP grant funding totaling $19.7 million for FY 2013 to FY 2017; and 2.

transmitted the plan to the Northern Virginia Transportation Authority for their consideration for eventual submission to the Virginia Department of Transportation. The voting was as follows:

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

23. Consideration of Advance Authorization for Purchases, With Budgeted City Monies, of Condominiums and/or Other Housing Units by the Alexandria Redevelopment and Housing Authority.

(A copy of the City Manager's memorandum dated February 17, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 2/22/11, and is incorporated as part of this record by reference.)

Ms. Davis, Director, Office of Housing, made a presentation of the report, and she, along with Mr. Priest, Executive Director, ARHA, Mr. Miller, Chair, ARHA, and Mr. Jinks, Deputy City Manager, responded to questions of Council.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, City Council: 1. authorized the allocation of up to $3 million of the planned $6.4 million amount previously identified for the purchase by ARHA of individual housing units to satisfy the outstanding agreement to provide 16 replacement housing units for the James Bland redevelopment, with the understanding that: 1. the acquisition of each of the condominium units by ARHA would require the concurrence of the Director of the Office of Housing that the stated criteria set forth in this memorandum have been met; b. there will not need to be any further Council authorized required with regard to these purchases, provided the 16 units meet the criteria set forth in this memorandum; and c. a second allocation of funding, if needed, would be brought forward for Council authorization for the acquisition of additional purchases, if and when the initial $4 million allocation becomes fully committed; and 2. authorized the City Manager to execute a Memorandum of Understanding with ARHA in regard to condominium fees for the 16 units consistent with the proposed concepts outlined in the docket item. The voting was as follows:

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

24. Consideration of Report By Staff on Results of the 2010 U.S. Census.

(A copy of the City Manager's memorandum dated February 16, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 2/22/11, and is incorporated as part of this record by reference.)

Mr. Mann, Planning and Zoning, made a presentation of the report and responded to questions of City Council.

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille said the WMATA Governance process is underway and it had its first meeting last week and will have a follow-on meeting this coming Thursday. The matrix the City developed in terms of responding to the Council of Governments Board of Trade and the COG is being utilized. The City was complimented by the WMATA staff and board members on the matrix.

(b) Mayor Euille reminded that the budget public hearing is Monday, March 7 at 4 p.m. in the Council Chambers.

(c) Vice Mayor Donley said the Transportation Planning Board at COG took its first step toward adding the HOV ramp to the constrained long-range plan for next year. It should be added to the work program next month. The work on the air quality conformity analysis should occur over the summer and they anticipate it will be reported back to the TPB in November for action.

(d) Vice Mayor Donley congratulated the T.C. Williams Boys Basketball team for winning the Patriot District Championship. He noted that the T.C. Williams Girls Basketball team played in the championship game and were the runners up. Both teams played last evening in the Northern Region tournament and were successful. The boys defeated Oakton and the girls defeated Centreville, so will both move on to the second round.

(e) Councilwoman Hughes congratulated Joe Shumard and all the folks who worked so hard on the George Washington Birthday Celebration. She also thanked the Daughters of the American Revolution who organized the wreath laying ceremony at 11 a.m.

(f) Councilman Fannon said the Commander and five of the crew members of the USS Alexandria were in town and were hosted at events all weekend.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

25. Consideration of a Resolution in Support of Breast Feeding in the City of Alexandria. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 16, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 2/22/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council passed the resolution, which has been endorsed by the Partnership for a Healthier Alexandria's Steering Committee and Childhood Obesity Action Network, the Alexandria Early Childhood Commission and the Alexandria Commission for Women. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2437

WHEREAS, Inova Health System's 2007 survey found that over 40% of Alexandria children and teens are overweight or obese with 70% of children and teens not eating enough fruits and vegetables; and

WHEREAS, the *Partnership for a Healthier Alexandria*'s Childhood Obesity Action Network (COAN) received grants from the Centers for Disease Control and Prevention, the Virginia Department of Health, and Kaiser Permanente to work with policy and grass-roots leaders to implement policy, systems, and environmental changes to prevent obesity, including supporting and promoting breastfeeding; and

WHEREAS, in January 2011, only 5.2% of Alexandria WIC clients reported exclusively breastfeeding in comparison to the national average of 13.3% of mothers exclusively breastfeeding at six months; and

WHEREAS, preventing obesity begins at birth through breastfeeding. The Centers for Disease Control and Prevention recognizes that the initiation of breastfeeding is associated with a reduced risk of pediatric overweight; and

WHEREAS, the Alexandria City Council acknowledges the U.S. Surgeon General's report on the health and economic importance of breastfeeding which concludes that:

a) Breastfeeding is one of the most important contributors to infant health;

b) Breastfeeding provides a range of benefits for the infant's growth, immunity, and development;
c) Breastfeeding improves maternal health and contributes economic benefits to the family, health care system, and workplace; and

WHEREAS, City Council acknowledges that both Commonwealth of Virginia and the United States have passed laws to help redress the low breastfeeding rates and duration in the United States, including the social and workplace factors that can make it difficult for women to breastfeed:

a) Virginia Code § 2.2-1147.1 (2002) guarantees a woman the right to breastfeed her child on any property owned, leased or controlled by the state.
b) Virginia's House Joint Resolution 145 (2002) encourages employers to recognize the benefits of breastfeeding and to provide unpaid break time and appropriate space for employees to breastfeed or express milk; and

WHEREAS, Section 4207 of the Patient Protection and Affordable Health Care Act amended the Fair Labor Standards Act requiring employers to provide "a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, which may be used by an employee to express breast milk;" and

WHEREAS, the Alexandria City Council declares that the achievement of optimal infant and child health, growth, and development requires protection and support for the practice of breastfeeding. The City Council finds that:

a) The American Academy of Pediatrics recommends exclusive breastfeeding for the first six months of a child's life and breastfeeding with the addition of solid foods to continue for at least twelve months, and that arrangements be made to provide expressed breast milk if the mother and child must separate during the first year.
b) Breast milk contains all the nutrients a child needs for optimal health, growth, and development, many of which can only be found in breast milk;
c) Approximately two-thirds of women who are employed when they become pregnant return to the work force by the time their children are six months old;
d) Employers benefit when their employees breastfeed. Breastfed infants are sick less often; therefore, maternal absenteeism from work is lower in companies with established lactation programs. In addition, employee medical costs are lower and employee productivity is higher;
e) According to a survey of mothers, most want to breastfeed but discontinue sooner than they hope, citing lack of societal and workplace support as key factors limiting their ability to breastfeed; and

WHEREAS, the Alexandria Health Department, recognizing the importance of breastfeeding and promoting optimal nutrition for pregnant women and young children, instituted a breastfeeding support policy in January 2011 as a model for the Alexandria community. The Health Department has designated rooms for clients and staff to breastfeed in its King Street and Casey Clinics; and

WHEREAS, the City Council supports the right of a mother to breastfeed in public and at work without harassment or inconvenience; and

WHEREAS, the City Council encourages local governmental agencies, and private and public sector businesses to provide convenient, sanitary, safe, and private rooms for mothers and unpaid break time to express breast milk; and

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

1. AFFIRMS its strong support of breastfeeding, be it in the home, public places, or the work place;

2. AFFIRMS its desire to encourage women to breastfeed;

3. DIRECTS the City Manager to develop a breastfeeding support policy for City employees, modeled after the Alexandria Health Department's policy;

4. PROVIDES every woman the right to breastfeed to her child on any property owned, leased or controlled by the City;

5. AMENDS the City's indecent exposure ordinance, Sec. 13-1-17, to explicitly exclude breastfeeding;

6. ENCOURAGES businesses and other community-based organizations to recognize the benefits of breastfeeding and provide break time and appropriate space for employees to breastfeed or express milk by developing their own breastfeeding policies consistent with Section 4207 of the Patient Protection and Affordable Health Care Act; and

7. SUPPORTS the *Partnership for a Healthier Alexandria*, a citizen-led health coalition, and its Childhood Obesity Action Network in their work to encourage breastfeeding by:

   a. Providing lactation counseling to key providers of perinatal care and support in the community, including the Alexandria Health Department, Alexandria Neighborhood Health Services Inc, Healthy Mothers Inc, Resource Mothers, Smart Beginnings Baby College, La Leche League, and others.

b. Launching a breastfeeding campaign within the community and among key providers of perinatal care and support.

c. Encouraging other workplaces to develop breastfeeding support policies by making the business case for breastfeeding.

OTHER

26. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 17, 2011, is on file in he Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 2/22/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council: 1. scheduled a work session with the Alexandria Redevelopment and Housing Authority at 5:30 p.m. before Council's March 8 legislative meeting; 2. scheduled a work session on the Fort Ward Park and the Stakeholders Advisory Group report, the Alexandria Archaeology Commission, and the Historic Alexandria Resources Commission issues at 5:30 p.m. before Council's March 22 legislative meeting; 3. scheduled a reception and a dedication of the Chet and Sabra Avery Conference Room (room 2000) for 6:00 p.m. before Council's Monday, April 11 budget work session; 4. determined it wished to tour the Alexandria Sanitation Authority facility on a date prior to Council's Tuesday, April 12 work session with ASA; 5. noted the following changes/additions to the Council calendar since the last legislative meeting: the February-May budget work session topics; the Witter Field groundbreaking at 8:30 a.m. before Council's public hearing meeting on Saturday, March 12; the Excellence in Aging awards and reception at 5:30 p.m. in the Vola Lawson Lobby before Council's Tuesday, May 24 legislative meeting; and the Alexandria Commission on Persons with Disabilities annual awards ceremony and reception in the Vola Lawson Lobby at 5:30 p.m. before Council's Tuesday, June 28 legislative meeting. The voting was as follows:

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

EXECUTIVE SESSION

27. Consideration of a Closed Meeting For the Purpose of Discussing a Personnel Matter.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council convened in closed executive session at 9:50 p.m., pursuant to Section 2.2-3711(A)(1) of the *Code of*

Virginia, for the purpose of discussion, consideration or interviews of perspective candidates for employment. 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 the meeting at 10:41 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. 2438

WHEREAS, the Alexandria City Council has this 22nd day of February 2011, 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 22, 2011 at 10:42 p.m. The voting was as follows:

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

APPROVED BY:

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WILLIAM D. EUILLE MAYOR

ATTEST:

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Jacqueline M. Henderson
City Clerk and Clerk of Council