

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

REGULAR MEETING Tuesday, May 22, 2012

7:00 p.m.

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

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Mr. Johnson, Chief of Staff, City Manager's Office; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Mr. Lerner, Deputy Director, T&ES; Mr. McPike, Director, General Services; Ms. Triggs, Acting Chief Financial Officer; Ms. Niebauer, Director, Human Rights; Ms. Davis, Director, Office of Housing; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Spengler, Director, Recreation, Parks and Cultural Activities (RPCA); Ms. Colton, Program Manager, RPCA; Ms. Seau, Division Chief, Office of Housing; Mr. Skrabak, Deputy Director, T&ES; Mr. Lambert, Deputy Director, T&ES; Mr. Routt, Acting Director, Office of Management and Budget; Mr. Penn, Emergency Manager, Fire Department; Mr. Eger, Energy Manager, General Services; Ms. Marks, Division Chief, T&ES; Ms. Dastgheib, Principal Parking Planner, T&ES; Ms. Sanders, Principal Parking Planner, T&ES; Ms. Hamer, Director, Planning and Zoning (P&Z); Ms. Ross, Deputy Director, P&Z; Mr. Gates, Acting Director, Human Resources (HR); Ms. Ognibene, Deputy Director, HR; Mr. Mason, Assistant Director, HR; Ms. Welch, Internal Audit; Ms. Anderson, Assistant City Attorney; Mr. Castrilli, Director, Office of Communications and Public Information; Fire Chief Thiel; Police Captain Ogden; Mr. Martinez, ITS; and Mr. Lloyd.

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

1. Calling the Roll.

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

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:

- (a) The Special Meeting Minutes of May 7, 2012; and
- (b) The Regular Meeting Minutes of May 8, 2012.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council approved the minutes of the following meetings of City Council: the special meeting minutes of May 7, 2012 and the regular meeting minutes of May 8, 2012. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a [Proclamation](#) Recognizing the Friends of Rocky Versace.

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

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-10)

(Resignations and Uncontested Appointments)

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

- (a) Affordable Housing Advisory Committee
Sonya Sacks

- (b) Torpedo Factory Art Center Board
Stephanie Pace Brown

(A copy of the above resignations are on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 5 (a-b); 5/22/2012, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Ad Hoc Towing Services Advisory Board
1 Citizen Member
- (b) Affordable Housing Advisory Committee
1 Representative of a Civic Association in the City
- (c) Commission on Aging
1 Representative of a Health Care Provider Organization
- (d) Commission on Persons with Disabilities
1 Disabled Citizen Member
- (e) Environmental Policy Commission
1 Citizen Member
- (f) Historic Alexandria Resources Commission
1 Planning District III Representative
- (g) Human Rights Commission
1 Citizen Member

(A copy of the above appointments are on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 6 (a-g); 5/22/2012, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

7. Consideration of Receipt of Results of the [FY 2012 Fair Housing Testing](#).

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 5/22/2012, and is incorporated as part of this record by reference.)

8. Consideration of a Federal Emergency Management Agency Hazard Mitigation [Grant Application](#) for a Flash Flood Warning System.

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 5/22/2012, and is incorporated as part of this record by reference.)

9. Consideration of the Federal Emergency Management Agency Hazard Mitigation [Grant Application](#) for the Installation of Emergency Power Connections in Critical City Facilities.

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 5/22/2012, and is incorporated as part of this record by reference.)

10. Consideration of Authorization of Recommended [Capital Project Allocations and Planned Expenditures](#).

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 5/22/2012, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council approved the consent calendar, with the exception of docket item #9, which was considered under separate motion. The City Manager's recommendations were as follows:

5. City Council received the following resignations with regret: (a) Sonya Sacks, Affordable Housing Advisory Committee and (b) Stephanie Pace Brown, Torpedo Factory Art Center Board.

6. City Council made the following appointments to boards and commissions: (a) appointed Amy Slack as the citizen member to the Ad Hoc Towing Services Advisory Board; (b) reappointed Laura Lantzy as the representative of a civic association in the City to the Affordable Housing Advisory Committee; (c) appointed Daniel Kulund as the representative of a health care provider organization to the Commission on Aging; (d) appointed Matthew Snell as the disabled citizen member (identified a disability) to the Commission on Persons with Disabilities; (e) appointed Chinling Chin as the citizen member to the Environmental Policy Commission; (f) reappointed Dominick Muracco as the Planning District III representative to the Historic Alexandria Resources Commission; and (g) reappointed Catherine Fulton as the citizen member to the Human Rights Commission.

7. City Council received the results of the fair housing tests conducted in Fiscal Year 2012 for discrimination in rental housing on the basis of familial status.

8. City Council: (1) approved an application to Virginia Department of Emergency Management (VDEM) for a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant in the amount of \$25,000 for additional rain gauges and flood warning devices; and (2) authorized the City Manager to execute all the necessary documents that may be required.

10. City Council authorized \$1,750,000 for capital projects allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Program (CIP) Expenditure Summary.

The voting was as follows:

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

9. Consideration of the Federal Emergency Management Agency Hazard Mitigation [Grant Application](#) for the Installation of Emergency Power Connections in Critical City Facilities.

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 5/22/2012, and is incorporated as part of this record by reference.)

Mayor Euille inquired how the chances look for the City to receive the funding from this grant.

In response to Mayor Euille, Mr. Penn, Emergency Manager stated that at least part of the grant application will probably be received.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried unanimously, City Council: (1) approved an application to VDEM for a FEMA Hazard Mitigation Grant in the amount of \$1,110,000 to install emergency power connections at critical City facilities, and (2) authorized the City Manager to execute all the necessary documents that may be required. The voting was as follows:

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

CONTESTED APPOINTMENTS

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

11. Consideration of Energy Management Program and [FY 2011 Annual Energy Review](#).

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 5/22/2012, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council received an update on the City's Energy Management Program and received the FY 2011 Annual Energy Review. The voting was as follows:

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

12. Consideration of Request by ARHA to Change the [Subsidy Source of Park Place and Saxony Square Condominium Units](#).

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 5/22/2012, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council: (1) approved Alexandria Redevelopment Housing Authority's (ARHA) proposal to change the subsidy source for 38 units at Park Place and 5 units at Saxony Square and (2) authorized the City Manager to execute a letter of support for ARHA's application to Housing and Urban Development (HUD). The voting was as follows:

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

13. Consideration of a Request to Reallocate Unspent FY 2012 Transportation Improvement Program Funds to Cover First Year [Bike Share Operating Costs](#).

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 5/22/2012, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion Vice Mayor Donley, seconded by Councilman Krupicka and carried unanimously, City Council authorized the one-time allocation of \$186,000 of unspent FY 2012 Transportation Improvement Program (TIP) funds to cover first year bike share operations expenses for FY 2013, with the RSTP/CMAQ funds that were earmarked for use with the Bike Share program being directed toward multimodal projects that were originally designated to use City funds. The voting was as follows:

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

14. Consideration of a Report on the [Del Ray Parking Study](#).

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 5/22/2012, 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 received the Del Ray Parking Study and directed staff to develop an implementation plan that will involve some of the civic and business groups in the area. The voting was as follows:

| | | | |
|----------|--------|----------|-------|
| Donley | "aye" | Fannon | "aye" |
| Smedberg | "aye" | Hughes | "aye" |
| Euille | "aye" | Krupicka | "aye" |
| | Pepper | "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) Councilman Smedberg reported that the Virginia Railway Express (VRE) is actively recruiting a new Chief Executive Officer to replace the retiring CEO.

(b) Councilman Smedberg reported that Council has received numerous emails about the City filing an appeal of the Board of Zoning Appeals decision and he

wanted to address the nature and tone of the emails and clarify the City's position on the appeal.

Councilman Smedberg made a motion for the purpose of discussion, to allow authorization for the Board of Zoning Appeals (BZA) to seek outside counsel, capping the fee at \$5000. The motion was seconded by Councilwoman Hughes.

Council engaged in a discussion with City Attorney Banks and City Manager Young reviewing the procedures of filing an appeal against a City board or commission and responding to questions about the scope and level of involvement any potential representation for the BZA would have in the proceedings.

Mayor Euille noted that the City Manager and the City Attorney issued a memorandum stating the following, "However, if the BZA or any of its individual members were required to provide additional information in the case, additional evidence, or to testify in the Circuit Court appeal, the BZA and/or its individual members would need further advice about how to respond. At that time, the City Attorney would retain and the City Manager would authorize the necessary funds for separate outside counsel for the BZA and/or its individual members."

After the discussion and answering of questions from Council, Councilman Smedberg formally withdrew his original motion.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council reaffirmed the City's policy, as outlined in the City Manager/City Attorney memorandum to Council dated May 22, 2012, and if necessary will provide outside counsel if the BZA is brought into the proceeding. The voting was as follows:

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

(c) Councilman Krupicka stated in reference to the BZA appeal, changing the City's zoning code would be subject to a super majority vote and leaves Council in a "Catch 22."

(d) Councilman Krupicka reported that he and Mayor Euille attended the monthly City Schools meeting and he noted that the Alexandria City Public Schools were listed in the Washington Post Challenge Index as having a significant increase in the level of rigor and expectations for students. Councilman Krupicka also reported that the test scores at Cora Kelly have been excellent recently.

(e) Councilman Krupicka requested that the Chair and Vice Chair of the Alexandria City Public School Board review the annual audit of the Schools Capital Improvement Project (CIP) and the financial policy.

Chairwoman Gorsuch and Vice Chairwoman Morris made a brief presentation of the annual audit of the School CIP and budget committee's review of the financial policy and responded to questions from Council. They also reported that Lyles Crouch Traditional Academy received an award as a National School of Character and the School Board received a Magna Award from the National School Boards Association.

ORAL REPORT FROM THE CITY MANAGER

Acting Director of Human Resources Gates, Deputy Director of Human Resources Ognibene, Assistant Director of Human Resources Mason and Ms. Welch, Internal Audit, gave a presentation on City Manager's Ethics Initiative and responded to questions from Council about implementation, training and next steps for the initiative.

ORDINANCES AND RESOLUTIONS

15. Consideration of a [Resolution](#) Affirming the City's Current Zoning for Hunting Towers (1202 and 1204 South Washington Street) and Its Past, Present and Future Significance as a Market Affordable and Workplace Housing Asset. (#22, 5/8/2012)

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 5/22/2012, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried 6-0-1 by roll-call vote, City Council adopted a resolution affirming the City's current zoning for Hunting Towers (1202 and 1204 South Washington Street) and its past, present and future significance as a market affordable and workplace housing asset. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO . 2501

Whereas, Hunting Towers apartments (currently marketed as Hunting Point on the Potomac), which are located at 1202 and 1204 South Washington Street and which

were constructed in 1950, provide 530 units of needed market affordable and workforce rental housing in the City;

WHEREAS, the City values Hunting Towers' past, present and future role as a housing resource which immeasurably contributes to Alexandria's strategic goals and core values of affordable housing, diversity and economic sustainability;

WHEREAS, the City is committed to seeking to preserve, a continuum of affordable and workforce housing options for current and future residents of Hunting Towers, as well as for renters elsewhere, so that Alexandria may continue to be a first home, as well as a final home to those who wish to live here;

WHEREAS, the City has continually expressed to VDOT, as well as to public and elected leaders at the federal, state and local levels, including in its prior Resolution 2227 adopted in May 2007, as well as in subsequent communications with VDOT and other stakeholders and representatives, the importance of preserving Hunting Towers as an affordable and workforce housing resource, and the City's commitment to participate, collaborate and provide support, within its means, to achieve this outcome;

Whereas, the Virginia Department of Transportation (VDOT) purchased Hunting Towers in November 2001 as part of the Woodrow Wilson Bridge project;

Whereas, pending approval from the Federal Highway Administration (FHWA), VDOT now intends to sell Hunting Towers and has initiated a sale process which will include: (a) a request for non-binding expressions of interest from potential purchasers accompanied by a financing plan, (b) a subsequent offer by VDOT to the original owner to exercise its right-of-first refusal to re-acquire Hunting Towers at its current fair market value, (c) in the event the original owner does not or cannot exercise its first refusal right to re-acquire at fair market value, then the local government where the property is located (i.e., the City) may seek to acquire Hunting Towers from VDOT at a market price determined by VDOT, and finally (d) if these actions do not result in a sale, VDOT will undertake a sealed bid sale process open to all bidders;

Whereas, in these various sale process steps planned by VDOT, each potential buyer will likely undertake due diligence in preparation for a potential acquisition of Hunting Towers;

Whereas, potential buyers' bids will be influenced by what they understand the future development potential of the Hunting Towers property to be;

Whereas, potential buyers need to clearly understand the existing zoning on the property and how that influences what can or cannot be constructed on the Hunting Towers property;

Whereas, under the City's zoning, Hunting Towers is a noncomplying property in regard to its existing height, setback, parking, and other regulations;

WHEREAS, the Hunting Creek Area Plan, the Washington Street Standards and Guidelines, and other zoning requirements, as well as local and federal requirements to protect the unique natural land and water environment immediately surrounding the property, all significantly limit Hunting Towers' future redevelopment options; and

Whereas, it is required that any redevelopment of the Hunting Towers property conform to the City's zoning and all local as well as federal environmental requirements governing the property;

Now be it therefore resolved that the City Council of the City of Alexandria, Virginia, hereby states that it reaffirms the City's current zoning and environmental requirements with regard to the Hunting Towers property as appropriate for this site.

BE IT FURTHER RESOLVED THAT the City Council of the City of Alexandria, Virginia hereby states that it will use tools and resources available to the City in order to work with the eventual acquirer of Hunting Towers to help maintain Hunting Towers as a market affordable and workforce housing asset.

Be it further resolved that the Mayor will communicate this reaffirmation of existing zoning to VDOT and request them to inform all prospective buyers of the Hunting Towers property of these existing zoning and environmental requirements.

16. Consideration of a [Resolution](#) Supporting the Family of Trayvon Martin, Denouncing Racial Profiling and Reaffirming Alexandria's Commitment to Ensuring and Protecting the Rights of All. (#23, 5/8/2012)

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 5/22/2012, 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 received the draft resolution and thanked the Human Rights Commission for bringing the resolution forward and to that extent Council members want to bring back a revised resolution for consideration at a later date. The voting was as follows:

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

17. Consideration of [Resolutions](#) Establishing the City's FY 2013 Virginia Retirement System Contribution Rates.

(A copy of the City Manager's memorandum dated May 16, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 5/22/2012, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Hughes and carried unanimously by roll-call vote, City Council adopted resolutions establishing the City's FY2013 Virginia Retirement System Contribution rates. The voting was as follows:

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

The resolutions read as follows:

RESOLUTION NO. 2502

BE IT RESOLVED, that the City of Alexandria 55200 does hereby acknowledge that its contribution rates effective July 1, 2012 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(l) resulting from the June 30, 2011 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the City of Alexandria 55200 does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2012:

(Check only one box)

X The Certified Rate of 10.30% The Alternate Rate of 7.78%;
and

BE IT ALSO RESOLVED, that the City of Alexandria 55200 does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of City of Alexandria 55200 are hereby authorized and directed in the name of the City of Alexandria to carry out the provisions of this resolution, and said officers of the City of Alexandria are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the City of Alexandria for this purpose.

The resolution reads as follows:

RESOLUTION NO. 2503

WHEREAS, the City of Alexandria 55200 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012 (“FY2013 Employees” for purposes of this resolution), shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, the City of Alexandria 55200 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees’ contributions equal five percent of creditable compensation; and

WHEREAS, the City of Alexandria 55200 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees’ contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2012, to each such employee in service on June 30, 2012, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the difference between five percent of the employee’s total creditable compensation and the percentage of the member contribution paid by such employee on January 1, 2012.

BE IT THEREFORE RESOLVED, that the City of Alexandria 55200 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2012 (i.e., FY2013):

| Type of Employee | Employer Paid Member Contribution | Employee Paid Member Contribution |
|------------------|-----------------------------------|-----------------------------------|
| Plan 1 | 4% | 1% |
| Plan 2 | 0% | 5% |
| FY2013 Employees | 0% | 5% |

(NOTE: Each row must add up to 5 percent.); and

BE IT FURTHER RESOLVED, that such contributions, although designated as member contributions, are to be made by the City of Alexandria in lieu of member contributions; and

BE IT FURTHER RESOLVED, that pick-up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED, that member contributions made by the City of Alexandria under the pick-up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick-up arrangement; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick-up contributions made by the City of Alexandria directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the City of Alexandria shall be reduced by the amount of member contributions picked up by the City of Alexandria on behalf of such employee pursuant to the foregoing resolutions.

NOW, THEREFORE, the officers of City of Alexandria 55200 are hereby authorized and directed in the name of the City of Alexandria to carry out the provisions of this resolution, and said officers of the City of Alexandria are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the City of Alexandria for this purpose.

OTHER

18. Consideration of City Council [Schedule](#).

(A copy of the City Manager's memorandum dated May 121, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 5/22/2012, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, City Council: (1) received the following additions to the City Council schedule: Miracle Field Groundbreaking (Lee Center Ballfield) on Saturday, June 16, 8:30 a.m.; Mt. Vernon Recreation Center Enhancement Unveiling (Mystics) on Saturday, June 30 at 3 p.m.; (2) the event related to Freedmen's Cemetery has been postponed from Saturday July 7, 2012. In the fall an appropriate event for the project will be schedule; and (3) approved the Council schedule. The voting was as follows:

| | | | |
|--------|-------|----------|-------|
| Hughes | "aye" | Fannon | "aye" |
| Donley | "aye" | Krupicka | "aye" |

| | | | |
|--------|----------|--------|-------|
| Euille | "aye" | Pepper | "aye" |
| | Smedberg | "aye" | |

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 May 22, 2012 at 10:10 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria A. Sitton CMC Deputy City Clerk