

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting

Wednesday, June 13, 2012 - - 7:00 p.m.

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

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Johnson, Chief of Staff, City Manager's Office (CMO); Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Mr. Lerner, Deputy Director, T&ES; Mr. Castrilli, Director, Office of Communications and Public Information; Mr. Gates, Acting Director, Human Resources; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Spengler, Director, Recreation, Parks and Cultural Activities (RPCA); Mr. Mason, Assistant Director, Human Resources; Ms. Collins, Assistant City Manager; Mr. Routt, Acting Director, Office of Management and Budget (OMB); Mr. Braeden, Budget Analyst, OMB; Ms. Taylor, Assistant Director, OMB; Fire Chief Thiel; Police Chief Cook; Ms. Boyd, Special Assistant to the City Manager, CMO; Mr. Chesley, Deputy Director, RPCA; Mr. Sindiong, Principal Transportation Planner, T&ES; Ms. Reinfeld, T&ES; Mr. Holloman, Urban Planner, T&ES; Ms. Ross, Deputy Director, Planning and Zoning (P&Z); Mr. Gertz, Principal Planner, P&Z; Mr. Farner, Deputy Director, P&Z; Mr. Moritz, Deputy Director, P&Z; Mr. Mitchell, Assistant Director, Human Resources; Ms. Chis, Executive Deputy Director, Department of Community and Human Services (DCHS); Mr. Coleman, Deputy Director, General Services; Ms. Bryan, ITS; Police Captain Ogden; and Mr. Lloyd.

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

City Council held a work session with the Alexandria Economic Development Partnership on strategic planning in the Council work room at 5:30 p.m.

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 Councilwoman Hughes arriving to the meeting at 7:27 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 Public Hearing Meeting Minutes of May 12, 2012; and

(b) The Regular Meeting Minutes of May 22, 2012.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried 6-0, City Council approved the minutes of the following meetings of City Council: the public hearing meeting minutes of May 12, 2012 and the regular meeting minutes of May 22, 2012. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Recognizing the Miracle Field Donors.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried 6-0, City Council endorsed the proclamation. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-12)

(Resignations and Uncontested Appointments)

5. Receipt of the Following Resignations from Members of Boards, Commissions and Committees:
- (a) Affordable Housing Advisory Committee
Patrick McCreesh
 - (b) Alexandria Marketing Fund Committee
Beth Brummel
 - (c) Board of Architectural Review – Parker-Gray District
Douglas Meick
 - (d) Building Code Board of Appeals
Andrew Campanella
 - (e) Commission for the Arts
Jeannie Hodges
 - (f) Environmental Policy Commission
Heather Schaefer
 - (g) Historic Alexandria Resources Commission
Nicole McGrew
 - (h) Local Emergency Planning Committee
John North
 - (i) Public Health Advisory Commission
Travis Parker Lee
 - (j) Social Services Advisory Board
Stefanie Cruz

(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-i); 06/13/12, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:
- (a) Affordable Housing Advisory Committee
1 Builder or Developer of Residential Property
 - (b) Commission on Aging
1 Citizen Member

- (c) Commission on HIV/AIDS
 - 1 Member Who is a Practicing Physician
 - 1 Student Who Currently Attends Any High School in the City of Alexandria
- (d) George Washington Birthday Celebration Committee
 - 1 Citizen Member
- (e) Human Rights Commission
 - 1 Citizen Member
- (f) Public Records Advisory 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-f); 06/13/12, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 7. Consideration of a Non-Competitive Grant Application to the Virginia Department of Environmental Quality, Litter Prevention and Recycling Program, for Funding to Support the Adopt-A-Park Litter Control Program.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/13/12, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

- 8. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Add and Amend the City Code in Regard to the Use of Parking Pay Stations and Increase the Penalties for Uncontested Parking Meter and Pay Stations Violations.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/13/12, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 8; 06/13/12, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 8; 06/14/12, and is incorporated as part of this record by reference.)

9. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Master Plan to Incorporate the Beauregard Small Area Plan.

(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. 9; 06/13/12, 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. 9; 06/14/12, and is incorporated as part of this record by reference.)

10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make Appropriations for Support of the City Government for Fiscal Year 2013.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/13/12, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 10; 06/13/12, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 10; 06/14/12, and is incorporated as part of this record by reference.)

11. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make Supplemental Appropriations for Support of the City Government for Fiscal Year 2012.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/13/12, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 11; 06/13/12, and is incorporated as part of this record by reference.

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

Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 11; 06/14/12, and is incorporated as part of this record by reference.)

12. Introduction and First Reading. Consideration. Passage on First of an Ordinance to Add a New Section 2-5-6 (Criminal History Records Check of Applicants for City Employment) to Article A (General Provisions) of Chapter 5 (Officers and Employees) of Title 2 (General Government) of the Code of the City of Alexandria, Virginia, 1981, as Amended.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/13/12, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 12; 06/13/12, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 12; 06/14/12, 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 6-0, City Council approved the consent calendar. The City Manager's recommendations were as follows:

5. City Council received the following resignations with regret: (a) Patrick McCreesh, Affordable Housing Advisory Committee; (b) Beth Brummel, Alexandria Marketing Fund Committee; (c) Douglas Meick, Board of Architectural Review - Parker-Gray District; (d) Andrew Campanella, Building Code Board of Appeals; (e) Jeannie Hodges, Commission for the Arts; (f) Heather Schaefer, Environmental Policy Commission; (g) Nicole McGrew, Historic Alexandria Resources Commission; (h) John North, Local Emergency Planning Committee; (i) Travis Parker Lee, Public Health Advisory Commission; and (j) Stefanie Cruz, Social Services Advisory Board.

6. City Council made the following appointments to boards and commissions: (a) appointed Deena deMontigny as the builder or developer of residential property to the Affordable Housing Advisory Committee; (b) appointed Lynn Thibeaux as the citizen member to the Commission on Aging; (c) appointed Amy Treacle as the member is a practicing physician and Ki'nesha Beafore as the student who currently attends any high school in the City of Alexandria to the Commission on HIV/AIDS; (d) reappointed Kathy Kelly as the citizen member to the George Washington Birthday Celebration Committee; (e) appointed Claire Gregory as the

citizen member to the Human Rights Commission; and (f) reappointed Ellen Briscoe as the citizen member to the Public Records Advisory Commission.

7. City Council: (1) approved a non-competitive grant application to the Virginia Department of Environmental Quality, Litter Prevention and Recycling Program, for funding in the approximate amount of \$16,871 for the Adopt-a-Park Litter Control Program (the exact amount to be determined by the Virginia Department of Environmental Quality by September 30, 2012); and (2) authorized the City Manager to execute all necessary documents that may be required.

8. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, June 16, 2012.

9. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, June 16, 2012.

10. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, June 16, 2012.

11. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, June 16, 2012.

12. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, June 16, 2012.

The voting was as follows:

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

CONTESTED APPOINTMENTS

13. Budget and Fiscal Affairs Advisory Committee
1 Citizen Member

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

NAME: ENDORSED BY:

Leonard Rubenstein
Jarryd Smith

(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; 06/13/12, 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 Leonard Rubenstein as the citizen member to the Budget and Fiscal Affairs Advisory Committee. The voting was as follows:

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

Please note: Councilwoman Hughes arrived to the meeting at 7:27 p.m.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

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

Director of Transportation and Environmental Services Baier and Deputy Director Lerner gave Council an update on the BRAC-133 project, including the short and mid-term roadway improvement around the interchange of Seminary Road and I-395. Mr. Lerner noted that some of the construction will begin next month, being built in two phases. Mr. Lerner also gave an update on the HOV lane project and the environmental assessment of the project.

Mr. Baier and Mr. Lerner responded to questions from Council about the upcoming decision on the right turn lane on the Seminary Road ramp, construction of the HOV lane and the provision of sound walls along the lane.

Mr. Lerner also reported that T&ES is recommending that the GRIP officer program be discontinued starting June 2012.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council received the report on the BRAC-133 Project at Mark Center and requested that staff send a letter to the Virginia Department of Transportation with the Mayor's signature reaffirming the City's previous views on the ramp, including no right turn on Seminary Road ramp. The voting was as follows:

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

15. Consideration of New Trolley Service to Old Town West, Del Ray and Arlandria.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 06/13/12, and is incorporated as part of this record by reference.)

Mr. Lerner gave a presentation on the proposal for trolley service into Del Ray and Arlandria, reviewing the proposed route and times for service. Mr. Lerner and Mr. Baier responded to questions from Council concerning using Commonwealth Avenue instead of West Street for the route, length and cost of headways for the trolley service, names for the trolley line, how it would affect DASH ridership and targeting residents as opposed to visitors for use of the trolley service.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council authorized staff to proceed with a Request For Proposals for the selection of a contract provider for a rubber-tired trolley service from the King Street Metrorail Station to Del Ray and Arlandria by endorsing Option 4: King Street Metro Station to Russell Road to Mount Vernon Avenue via Commonwealth Avenue. The voting was as follows:

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

16. Consideration of Recommendations of the High Capacity Corridor Work Group for Transit Corridor A (Route 1/North-South) and Transit Corridor B (Duke Street).

(A copy of the City Manager's memorandum dated June 8, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 06/13/12, and is incorporated as part of this record by reference.)

Mr. Sindiong, Principal Planner, T&ES, gave a presentation on the recommendations of the High Capacity Corridor Work Group for Transit Corridor and Transit Corridor B, and he, along with Mr. Baier and Mr. Lerner, responded to questions from Council about the Route 1 and the City's connection to the southern part of Fairfax County, bike routes along Duke Street and east-west connection for the City of Alexandria.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council received the report of the High Capacity Corridor Work Group (CWG), thanked the CWG for their efforts, and scheduled a public hearing for Saturday, June 16, 2012. The voting was as follows:

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

17. Consideration of Reduced Fees for Certain Historic District Applications.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 06/13/12, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the amendments to the Planning and Zoning fee schedule for certain applications in the Historic District. The voting was as follows:

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

18. Consideration of the Monthly Financial Report for the Period Ending April 30, 2012.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 06/13/12, and is incorporated as part of this record by reference.)

Mr. Routt, Acting Director, Office of Management and Budget, gave a presentation on the real estate financial forecast for the period and responded to questions from Council.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council received the Monthly Financial Report for the period ending April 20, 2012. The voting was as follows:

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

19. Consideration of the Creation of a Medical Pay Scale and an Increase to the Total Compensation Package Paid to City Psychiatrists.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19;

06/13/12, and is incorporated as part of this record by reference.)

Mr. Gates, Acting Director, Human Resources and Ms. Chis, Executive Deputy Director, Department of Community and Human Services responded to questions from Council about current hiring practices and recruitment for City psychiatrists,

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Donley and carried unanimously, City Council: (1) approved a separate Medical Salary Scale; and (2) authorized the City Manager to increase the total compensation for Psychiatrists to align with the market as specified in proposed Medical Salary Scale. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None.

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

and

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Fannon reported that the summer season for the Alexandria Aces baseball team has began and he invited everyone to come out and enjoy the games to be played this weekend at Frank Mann Field at Cora Kelly.

(b) Mayor Euille recognized and thanked the Alexandria Redevelopment and Housing Authority, Recreation, Parks and Cultural Activities Department and the Alexandria City Public Schools for an outstanding Third Annual Youth Arts Festival held at Jefferson Houston Elementary School field.

(c) Mayor Euille requested that all Councilmembers submit two or three names for appointment to the citizen positions for the Beauregard Rezoning Advisory Group by the middle of next week.

(d) Vice Mayor Donley noted that he and Mayor Euille suggested using members from City Council appointed boards and commissions because there are individuals with areas of expertise that will be needed by the Advisory Group and offered further explanation of the draft memorandum distributed to Council.

(e) Mayor Euille congratulated Police Chief Earl Cook who recently graduated from the Federal Bureau of Investigations (FBI) Academy in Quantico.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

20. Introduction and First Reading. Consideration. Passage on First Reading of a Revised Ordinance to Amend the Definition of What Constitutes Keeping Dogs Running at Large Under Physical Restraint to Exclude the Use of Electronic Dog Collars as a Means of Physical Restraint.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 06/13/12, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 20; 06/13/12, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 20; 06/14/12, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Hughes and carried unanimously, City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on Saturday, June 16, 2012. The voting was as follows:

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

21. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 101 of the City Code.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 06/13/12, 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. 21; 06/14/12, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council passed an ordinance to adopt Supplement Number 101 of the City Code. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4763

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. 101," are hereby adopted as and shall constitute "The One Hundred and First 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 First Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between September 17, 2011 through February 14, 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 September 17, 2011, 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 September 17, 2011 through February 14, 2012, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and First 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 First 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.

22. Consideration of Resolution Concurring with the Alexandria City Public Schools' FY 2013 Virginia Retirement System Contribution Rates.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 06/13/12, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted a resolution concurring with the Alexandria City Public Schools' FY 2013 Virginia Retirement System Contribution Rates. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2504

Resolution of the City of Alexandria's Concurrence with Alexandria Public Schools Electing to Pay the VRS Board-Certified Rate

BE IT RESOLVED that the City of Alexandria, 55200, does hereby acknowledge

that the Alexandria City Public Schools has made the election for its contribution rate to be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.-145(l) resulting from the June 30, 2011 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT RESOLVED, that the City of Alexandria, 55200, does hereby certify to the Virginia Retirement System Board of Trustees that it concurs with the election of the Alexandria City Public Schools to pay the Certified Rate, as required by Item 468(H) of the 2012 Appropriation act.

NOW, THEREFORE, the officers of the City of Alexandria, 55200, are hereby authorized and directed in the name of the City of Alexandria, 55200, to execute any required contract to carry out the provisions of this resolution. In execution of any such contract which may be required, the seal of the City of Alexandria, 55200, as appropriate, shall be affixed and attested by the Clerk.

23. Consideration of a Resolution to Adopt Fee Increases for the Department of Recreation, Parks and Cultural Activities for Fiscal Year 2013.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 06/13/12, and is incorporated as part of this record by reference.)

Councilwoman Hughes inquired whether scholarships would still be available to families that needed them. In response to question, Mr. Chesley, Deputy Director, Department of Recreation, Parks and Cultural Activities, stated that the scholarships were still available for those that needed them.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council passed a resolution to adopt fee increases in the Department of Recreation, Parks and Cultural Activities for Fiscal Year 2013. 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. 2505

Resolution to Adopt Fees Increases Administered by
the Department of Recreation, Parks and Cultural Activities for FY 2013

WHEREAS, the last increase to non-programmatic fees collected by the

Department of Recreation, Parks and Cultural Activities (RPCA) occurred in Fiscal Year 2011; and

WHEREAS, the majority of non-programmatic fees charged by RPCA fell within the Baltimore Washington CPI-U fee adjustment guidelines set forth by City Council in Fiscal Year 2008; and

WHEREAS, the costs of providing Leisure Services to the general taxpayer continue to increase and the fees do not cover the entire costs of these programs; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alexandria, Virginia, that the Out of School Time Fee, Cost Recovery for Sports Field and Program Monitor, and Cost Recovery for Foundation Center Online Grants Subscription administered by the Department of Recreation, Parks and Cultural Activities shall be as updated beginning July 1, 2012, as follows:

Section (a) Out of School Time fees are hereby established as contained in Attachment 2.

Section (b) Cost Recovery for Sports Field and Program Monitor is hereby established as contained in Attachment 2.

Section (c) Cost Recovery for Foundation Center Online Grants Subscription is hereby established as contained in Attachment 2.

OTHER

24. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 6, 2012, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 06/13/12, 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: (1) received the following additions to the City Council calendar: 29th Annual National Night Out on Tuesday, August 7 from 5 p.m. to 10 p.m.; (2) noted the following changes to the tentative City Council calendar for September 2012 - June 2013: addition of the Sunday, September 23 to Tuesday, September 25 Virginia Municipal League (VML) Conference at the Williamsburg Lodge in Williamsburg, Virginia; staff recommends moving the Tuesday, September 25 Legislative Meeting to Wednesday, September 26; tentative date of Tuesday, January 1, 2013 installation program and ceremony scheduled at 7:00 p.m. The voting was as follows:

Donley	"aye"	Fannon	"aye"
Smedberg	"aye"	Hughes	"aye"

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

EXECUTIVE SESSION

25. Consideration of an Executive Session For the Purpose of Consulting With Legal Counsel Regarding Potential and Pending Litigation.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council convened in closed executive session at 9:48 p.m., pursuant to the *Code of Virginia*, for the purpose of consultation with counsel and briefing by staff pertaining to actual or probable litigation that would require consultation where such consultation in open meeting would adversely affect their posture, and for consultation regarding specific legal matters requiring the provision of advice. The voting was as follows:

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

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council reconvened in open session at 10:13 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. 2506

WHEREAS, the Alexandria City Council has this 13th day of June 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.

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 June 13, 2012 at 10:14 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