

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, February 8, 2005 - - 7:00 p.m.

Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Andrew H. Macdonald, Paul C. Smedberg and Joyce Woodson.

Absent: None.

Also Present: Mr. Hartmann, City Manager; Ms. Evans, Assistant City Manager; Mr. Pessoa, City Attorney; Mr. Jinks, Assistant City Manager; Ms. Boyd, Director, Citizen Assistance; Mr. Neckel, Director, Finance; Mr. Baier, Director, Transportation and Environmental Services; Ms. Baker, Director, Office on Women; Ms. Davis, Director of Housing; Ms. Gordon, Public Information Officer; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Mr. Caton, Legislative Director; Mr. Skrabak, Division Chief, Transportation and Environmental Services; Dr. Gilmore, Executive Director, Mental Health, Mental Retardation and Substance Abuse; Mr. Penn, Emergency Management Coordinator; Ms. Smith-Page, Director, Real Estate Assessments; Fire Chief Mesaris; Mr. Dahlberg, Director, Code Enforcement; Mr. McCobb, Deputy Director of Operations, Transportation and Environmental Services; Battalion Chief North; Mr. Francis, Deputy Director, Real Estate Assessments; Mr. Davies, Real Estate Staff Appraiser; Police Lt. Uzzell; and Mr. Lloyd, General Services.

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

City Council held work sessions beginning at 5:15 p.m. The first was with the Woodrow Wilson Bridge Neighborhood Task Force Subcommittee, held in the Council Chambers. The second was with the Alexandria Convention and Visitors Association, held in the Council Work Room.

OPENING

1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

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

- (a) The Minutes of the Consolidation of the Public Hearing Meeting of January 22, 2005 and the Regular Meeting of January 25, 2005.

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the minutes of the consolidation of the public hearing meeting of January 22, 2005 and the regular meeting of January 25, 2005. The voting was as follows:

Pepper	"aye"	Krupicka	absent
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Recognizing the Thirtieth Anniversary of the Alexandria Archeological Commission.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4, 2/8/05, and is incorporated as part of this record by reference.)

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

Macdonald	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

5. Presentation of a Proclamation Recognizing Shannon Steffee as the City Employee of the Month for December.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5, 2/8/05, and is incorporated as part of this record by reference.)

Mayor Euille presented the proclamation to Ms. Steffee.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (6-10)

(Resignations and Uncontested Appointments)

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

- (a) Alexandria Commission on Women
Leslie Herzog

(A copy of the above resignations is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 6(a), 2/8/05, and is incorporated as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Gyumri Sister City Committee
1 Citizen Member
- (b) Alexandria Beautification Commission
2 Citizen Members
- (c) Alexandria Commission on Aging
2 Citizen Members Who Are 60 Years of Age or Older
- (d) Alexandria Commission on Employment
1 Citizen-at-Large
- (e) Alexandria Commission on HIV/AIDS
1 Member From and Representing the Northern Virginia
AIDS Ministry
- (f) Alexandria Commission on Persons With Disabilities
1 Citizen Member Who Has A Disability
- (g) Alexandria Community Services Board
1 Citizen Member

- (h) Alexandria Consumer Affairs Commission
1 Business Member
- (i) Alexandria Emergency Medical Services Council
2 Citizen Members
- (j) Alexandria Environmental Policy Commission
1 Member From the Field of Environmental Sciences
(e.g. Environmental/Sanitary Engineering, Ecology,
Geology, Botany, Hydrology, Chemistry)
or Who Has Alexandria Waterfront Expertise)
1 Member From the Field of Urban Planning
- (k) Alexandria Landlord-Tenant Relations Board
1 Tenant Member
- (l) Alexandria Park and Recreation Commission
1 Member From Among the High School Youth of the City
- (m) Alexandria Sister Cities Committee
2 Citizen Members

(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. 7 (a-m), 2/8/05, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 8. Consideration of a Request to Modify the Membership of the Alexandria-Caen Exchange Committee.

(A copy of the City Manager's memorandum dated February 2, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8, 2/8/05, and is incorporated as part of this record by reference.)

- 9. Consideration of a Grant Application to the Virginia Genealogical Society for Funding to Scan, Index and Create a Website for a Manuscript in the Alexandria Library, Local History/Special Collections Archive.

(A copy of the City Manager's memorandum dated February 2, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9, 2/8/05, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

10. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Extend the King Street Outdoor Dining Pilot Program until December 31, 2005.

(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. 10, 2/8/05, 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. 10, 2/9/05, and is incorporated as part of this record by reference.

A copy of the City Manager's memorandum dated February 4, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 10, 2/8/05, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the Consent Calendar. The City Manager's recommendations were as follows:

6. City Council accepted the following resignation with regret: (a) Leslie Herzog, Alexandria Commission on Women.

7. City Council made the following appointments: (a) waived the residency requirement and appointed Diana Papazian as the citizen member to the Alexandria-Gyumri Sister City Committee; (b) reappointed Jennifer Pugh and Chris Von Schoening as the two citizen members to the Alexandria Beautification Commission; (c) reappointed Justine Rowe and Stefanie Reponen as the two citizen members who are 60 years of age or older to the Alexandria Commission on Aging; (d) appointed James O'Sullivan as the citizen-at-large to the Alexandria Commission on Employment; (e) waived the residency requirement and appointed Todd Brown as the member from and representing the Northern Virginia AIDS Ministry (NOVAM); (f) reappointed Sherman Anderson as the citizen member who has a disability to the Alexandria Commission on Persons with Disabilities; (g) appointed John Seed as the citizen member to the Alexandria Community Services Board; (h) reappointed Todd Ruopp as the business member to the Alexandria Consumer Affairs Commission; (i) reappointed Pamela Copley and Robert Rapanut as the two citizen members to the Alexandria Emergency Medical Services Council; (j) reappointed Lisa Edouard as the member from the field of environmental sciences (e.g. environmental/sanitary engineering, ecology, geology, botany, hydrology, chemistry) or who has Alexandria waterfront expertise and appointed Oliver Boehm as the member from the field of urban planning to the Alexandria Environmental Policy Commission; (k) appointed Adam Goldstein as the tenant member to the Alexandria Landlord-Tenant Relations Board; (l) reappointed Owen

Jones as the member from among the high school youth in the City to the Alexandria Park and Recreation Commission; and (m) reappointed Matthew Mueda and William Philipp as the two citizen members to the Alexandra Sister Cities Committee.

8. City Council: (a) approved the request from the Alexandria-Caen Exchange Committee to convert eleven of the designated positions to citizen-at-large positions, thus reconstituting the Committee's membership to 16 citizen-at-large positions and one representative from the Sister Cities Committee; and (b) requested the City Attorney to draft an ordinance which makes this change for introduction at the first legislative meeting in March.

9. City Council authorized the submission after the fact of a grant application to the VGS. (It should be noted that the grant application was submitted on February 1, 2005. Due to the constrained time line for the grant submission, staff submitted the grant application, contingent upon City Council approval at its February 8 legislative meeting.)

10. City Council introduced the ordinance and set it for public hearing, second reading and final passage on Saturday, February 12, 2005.

The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

CONTESTED APPOINTMENTS

11. Alexandria Library Board
2 Citizen Members

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

NAME: ENDORSED BY:

Louise Forstall
Elbert Ransom, Jr.
Stefan Shrier
Brooke Stoddard
Justin Wilson

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No.1 of Item No. 11; 2/8/05, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Louise Forstall and appointed Brooke Stoddard as the two citizen members to the Alexandria Library Board. The voting was as follows:

Euille	-	Forstall, Wilson
Pepper	-	Forstall, Wilson
Gaines	-	Forstall, Stoddard
Krupicka	-	Forstall, Stoddard
Macdonald	-	Forstall, Stoddard
Smedberg	-	Forstall, Stoddard
Woodson	-	Forstall, Stoddard

12. Alexandria Social Services Advisory Board
3 Citizen Members

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

NAME: ENDORSED BY:

Orisade Awodola
Patti Barnett-Jones
Amy Donahue
Johnnie Saunders

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No.1 of Item No. 12; 2/8/05, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Orisade Awodola and Patti Barnett-Jones and reappointed Johnnie Saunders as the three citizen members to the Alexandria Social Services Advisory Board. The voting was as follows:

Euille	-	Awodola, Barnett-Jones, Saunders
Pepper	-	Awodola, Barnett-Jones, Saunders
Gaines	-	Awodola, Barnett-Jones, Saunders
Krupicka	-	Awodola, Barnett-Jones, Saunders
Macdonald	-	Awodola, Barnett-Jones, Saunders
Smedberg	-	Awodola, Barnett-Jones, Saunders
Woodson	-	Awodola, Barnett-Jones, Saunders

13. Alexandria Youth Policy Commission
1 Parent Member From School Board District A

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

NAME:

ENDORSED BY:

Darryl Francois
Joan Holtz

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No.1 of Item No. 13; 2/8/05, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Darryl Francois as the parent member from School Board District A to the Alexandria Youth Policy Commission. The voting was as follows:

Euille	-	Francois
Pepper	-	Francois
Gaines	-	Francois
Krupicka	-	Francois
Macdonald	-	Francois
Smedberg	-	Francois
Woodson	-	Francois

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

14. Consideration of Recommendations and Status Report on Legislation Introduced at the 2005 General Assembly Session.

(A copy of the City Manager's memorandum dated February 7, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14, 2/8/05, and is incorporated as part of this record by reference.)

Mr. Caton made a presentation of the bills that have gone through the General Assembly and answered questions of Council.

Councilman Smedberg said several other communities in Virginia have put forth proclamations or letters reaffirming their human rights initiatives and statements in their jurisdictions, given what some of the bills in the General Assembly are trying to do and could be potentially harmful and hurtful to the communities.

Councilwoman Woodson said one way to get the message across to businesses who fail to live up to certain standards the City would like for them to embrace is to let the businesses know that the City will support businesses through the City contracts that support and embrace basic, fair standards. Perhaps in the drafting of the resolution, they might also consider adding language to that affect.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council approved the legislative positions included in attachment 1 as recommended by City Council's Legislative Subcommittee (Mayor Euille and Councilwoman Woodson.) The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

15. Staff Presentation on Calendar 2005 Real Estate Assessments.

Ms. Smith-Page and Mr. Jinks City staff made a presentation on the 2005 Real Estate Assessments and answered questions of Council.

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NEW BUSINESS ITEM NO. 1: Burt Brown-Glazner, a scout working on his Eagle Scout badge, was brought to the dais to sit at the Mayor's place during the next docket item.

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16. Consideration of the Citizen Corps Council 2005 Annual Report and Recommendations on the Permanent Structure for the Council.

(A copy of the City Manager's memorandum dated February 2, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16, 2/8/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilman Krupicka and carried unanimously, City Council: (a) received the annual report which covers the activities of the Citizen Corps Council for Calendar Year 2004; (b) approved the Citizen Corps Council recommendations for a permanent CCC; and (c) requested the City Attorney to draft an ordinance creating the CCC as a standing committee. The voting was as follows:

Gaines	"aye"	Pepper	"aye"
Krupicka	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Councilman Krupicka said his first meeting as chair of CONAANDA, the Council of Governments Committee on Noise, Aviation and Air for the Metropolitan area, is tomorrow.

(b) Councilman Krupicka said that at the Youth Policy Commission meeting last week, they were presented with information that the Youth Council is starting a teens and driving preventing accidents poster contest, and the deadline is February 25.

(c) Councilman Smedberg said he is on COG's Public Safety Committee, and there is an on-going effort and a whole campaign about the safety of teenage driving.

(d) Councilman Smedberg said the Northern Virginia Regional Commission talked about the plans the Department of Defense and the government might have for closing down some military facilities in this region due to security concerns.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilwoman Woodson asked staff what was going on with the Tsunami relief and what the City is doing, if anything.

(b) Councilwoman Woodson said when she first came on Council five years ago, she came with two ideas - one was a citizens academy and another was a teen center, and she has seen lots of things happen in that five years time on the Citizen Corps Council and seen zero happen on the citizens academy and the teen center. She asked to have both of them docketed for discussion as soon as possible so she can see what they are going to do.

Mayor Euille suggested that staff meet with Councilwoman Woodson on these two items, and that it be docketed for Council.

(c) Vice Mayor Pepper noted the death of James Gunther, Jr., a physics teacher at T.C. Williams High School.

(d) Vice Mayor Pepper noted that yesterday was National Black HIV/AIDS Awareness Day, celebrated at Cora Kelly School. She noted that since June of last year, there were 1,015 reported cases of AIDS and 925 reported cases of HIV. In Virginia, African Americans constitute 19 percent of the population, but they account for 62 percent of HIV cases.

(e) Councilman Smedberg said Bill Dickinson has been appointed chair of the Northern Virginia Regional Park Authority.

(f) Councilman Smedberg said that last night, Inova Hospital had a ribbon

cutting for a new unit to be used as a transition area for people coming out of the emergency room. TWIG, a fund-raising arm of the hospital, raised \$750,000 for the first segment of it, and there is still additional fundraising going on.

(g) Councilman Gaines also congratulated Bill Dickinson as the new chair of the NVRPA.

(h) Councilman Gaines commended Coach Mark Vincent of the T.C. Williams varsity basketball team, who has his team with a strong winning record and looks to be headed toward the playoffs.

(i) Councilman Gaines requested staff look into pedestrian traffic crossing Duke Street and Diagonal, as on two occasions, he observed no less than 15 people crossing the street, and not at the tunnel, into on-coming traffic.

Mr. Baier gave a verbal report on the pedestrian traffic in that area.

(j) Councilman Gaines spoke on the regulation of hazardous materials locally on the CSX rails, and the City Attorney has provided his legal opinion. He said the issue came up again during a Carlyle Design Review Board meeting, when it was voting on the design of one of the first buildings, and he was very concerned about the proximity of the tracks to the actual building footprint. He asked staff to let him know if there is anything they can do locally to regulate the materials transporting through the community, and in the planning process for Eisenhower Valley and Carlyle, he would like to have staff respond to incorporating a level or element of security planning into the planning process.

City Manager Hartmann said he would come back to Council after they have framed the issue better and do an assessment of the vulnerabilities that are out there.

Councilman Macdonald asked that in the discussion, they find out what they know about the cargo that passes through Alexandria and what other safety measures might be brought to up in terms of rail traffic.

(k) Councilman Macdonald said he attended the kick-off of the Four-Mile Run Restoration project to make Four-Mile Run more attractive environmentally, ecologically, from a Parks and Recreation point of view and an urban design point of view.

(l) Councilman Macdonald said the City is a safe City by and large, and that is owed to the competent Police and Fire Departments, but he has been concerned by what seems to be a rise in a number of different crimes in the City, and he would like the City Manager to work with the Police Department to see if there are other things it needs to do with the budget--does it need more street patrols or get more people out and doing different things.

(m) Councilman Macdonald said the Commonwealth of Virginia has a website describing some of the conditions that go on in Assisted Living Facilities, trying to give more information to the communities about practices, good and bad, that occur. He said he would like to know more about that and if there is anything the City can do to assist in that kind of work.

(n) Councilman Krupicka said the USS Alexandria Committee, a group of Alexandria residents who coordinate their relationship with the USS Alexandria have been working hard, using the small amount of money the City gave them, along with matching funds, to enable them to take a number of the members of the crew of the USS Alexandria for a tour of the City in a week and a half and they will participate in the George Washington Birthday parade.

(o) Councilman Krupicka said the Natural Explorium, a group of scientists, teachers, parents and residents, had their first ever community reception and fundraiser, as they are committed to building a children's museum somewhere in Northern Virginia.

(p) Councilman Krupicka said a number of Council participated in the region's Reality Check exercise, which brought together 300 citizen activists, elected officials and business people to talk about the challenges it faces as a region over the next 25 years.

(q) Mayor Eulle said kudos go to the T&ES Department for their excellent snow removal over the past two or three storms. He said Council has gotten several complaints from citizens relative to other private residents not clearing the sidewalks of snow in a timely manner, and it begs the question of enforcement.

Director of Transportation and Environmental Services noted the requirements for clearing snow from sidewalks and the enforcement by City personnel.

ORAL REPORT FROM THE CITY MANAGER

City Manager Hartmann reported on the following: (a) the Health Department has some flu shots available; (b) the Central Library celebrated five years of service on January 30, and in the past five years the library has had over 2 million visitors; (c) tax preparation assistance is available for low-income residents now through mid-April on Saturdays and every other Wednesday at the Department of Human Services on Mt. Vernon Avenue; and (d) he finished his first month with the City and he acknowledged the great staff it has in the organization, along with the residents, who have all been very accommodating.

ORDINANCES AND RESOLUTIONS

17. Consideration of a Resolution to Amend the City of Alexandria Supplemental Retirement Plan for City Employees to do the Following: 1) Define the Normal

Retirement for Deputy Sheriffs, ERTs and Fire Marshals at Age 50 With 25 Years of Service; 2) Define Normal Retirement of Other General City Employees at Age 50 and 30 Years of Service; 3) Change the Benefit Multiplier for Deputy Sheriffs, ERTs and Fire Marshals; 4) Change the Method For Calculating Final Average Earnings to Highest Consecutive 36 Month Salary Average; and 5) Other Administrative Changes. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated February 2, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17, 2/8/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution that details the following amendments to the Supplemental Retirement Plan: (a) Because their supplemental retirement system benefits will be different than other supplemental retirement system participants, separately list the Deputy Sheriffs, Emergency Rescue Technicians (ERTs), Fire Marshals and Fire Chief as employees who participate in the plan; (b) define the normal retirement for the Deputy Sheriff's, ERTs, Fire Marshals and Fire Chief at age 50 with 25 years of service instead of the current age 55 with 30 years of service, and define the normal retirement age for all other full-time employees in the supplemental retirement plan to be age 50 with 30 years of service, which is consistent with the Virginia Retirement System (VRS), instead of the current age 55 with 30 years of service; (c) change the benefit accrual multiplier for the Deputy Sheriffs, ERTs, Fire Marshals and Fire Chief to the following: (i) 0.6 percent of the average final compensation for each of the first 5 years of service; (ii) 0.9 percent of the average final compensation for each of the next 10 years of service; and (iii) 1.0 percent of the average final compensation thereafter; (d) calculate the final average earnings for all employees in the supplemental retirement plan using the highest, consecutive 36-month salary average instead of the current average of the salary on December 1 for the last three years; and (e) make the following other plan changes: (i) change the definitions of "earnings" to include contributions by the City on behalf of an employee to the Section 457(b) deferred compensation plan; (ii) apply interest on a participant's mandatory employee contributions and pick up contributions at five percent per annum instead of using the current fluctuating "120 percent of the federal mid-term rate;" (iii) change the definition of "administrator" from the Director of Personnel to the City Manager or persons designated by the City Manager; and (iv) add a section to the plan to establish a formal claims procedure. The voting was as follows:

Gaines	"aye"	Pepper	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2136

WHEREAS, the City of Alexandria maintains the City of Alexandria Supplemental Retirement Plan (the "Plan"); and

WHEREAS, the City of Alexandria desires to adopt and incorporate certain amendments to the Plan as set forth in the "Third Amendment to the City of Alexandria Supplemental Retirement Plan" (the "Plan Amendment") attached hereto; and

NOW, THEREFORE, BE IT RESOLVED THAT the Alexandria City Council does hereby recognize, adopt, approve and restate the Plan to incorporate the Plan Amendment attached hereto and incorporated fully herein by reference; and

BE IT FURTHER RESOLVED THAT this Resolution shall be effective immediately; provided, however, that the amendments hereby approved shall be effective as stated in the Plan Amendment.

18. Consideration of a Resolution to Amend the City of Alexandria Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated February 2, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18, 2/8/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Macdonald, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution which appends the following amendments to the City of Alexandria Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians: (a) specifically lists the Fire Chief and Fire Marshals as employees who participate in the Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians; (b) provides that a non-vested participant who terminates service and is rehired within one year will not forfeit his/her account but will have it restored and will continue to vest; and (c) incorporates formal claims procedures that are based upon the procedures included in the Firefighters and Police Officers Pension Plan. The voting was as follows:

Macdonald	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Woodson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2137

WHEREAS, the City of Alexandria maintains the City of Alexandria Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians (the "Plan"); and

WHEREAS, the City of Alexandria desires to adopt and incorporate certain amendments to the Plan as set forth in the "Third Amendment to the City of Alexandria Retirement Income Plan for Deputy Sheriffs and Emergency Rescue Technicians" (the "Plan Amendment") attached hereto; and

NOW, THEREFORE, BE IT RESOLVED THAT the Alexandria City Council does hereby recognize, adopt, approve and restate the Plan to incorporate the Plan Amendment attached hereto and incorporated fully herein by reference; and

BE IT FURTHER RESOLVED THAT this Resolution shall be effective immediately; provided, however, that the amendments hereby approved shall be effective as stated in the Plan Amendment.

19. Consideration of a Resolution to Make a Minor Amendment to the City of Alexandria Firefighters and Police Officers Pension Plan. **[ROLL-CALL VOTE]**

This item was deferred.

20. Consideration of a Resolution Designating the Acting City Manager When the City Manager is Out of Town. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated February 2, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20, 2/8/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted the resolution designating the acting city manager when the city manager is out of town. The voting was as follows:

Gaines	"aye"	Krupicka	"aye"
Pepper	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2138

WHEREAS, Section 4.05 of the City Charter provides that, in the event of the temporary absence, disability or resignation of the City Manager, the City Council may by resolution appoint a person to perform the duties of City Manager until the Manager returns to duty, or a successor to the City Manager is duly appointed.

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

ALEXANDRIA, VIRGINIA:

1. That, in the absence of City Manager James K. Hartmann, the following individuals shall be, and hereby are, appointed and authorized to perform the duties of the City Manager:

(a) Assistant City Manager Michele Evans, until Mr. Hartmann returns to duty; and

(b) In the absence of Assistant City Manager Michele Evans, Assistant City Manager Mark Jinks, until either Mr. Hartmann or Ms. Evans returns to duty; and

2. That this resolution shall take effect upon its adoption, and shall replace Resolution No. 1974, which shall be, and hereby is rescinded.

OTHER

21. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 2, 2005, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21, 2/8/05, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council adopted the City Council Schedule for the months of February through June, 2005, with the following additions and changes: (a) reschedule the Tuesday, February 22 work session with the Ad Hoc Transportation Policy and Program Task Force to 6:00 p.m. before the Council's legislative meeting on Tuesday, April 12; (b) receive the revised calendar which includes: the annual meeting of the Alexandria Transit Company Stockholders on Tuesday, February 22, at 6:45 p.m. in the Council work room, and the City's Days of Remembrance ceremony at noon on Tuesday, May 3 at Market Square; and (c) schedule a work session at 5:30 p.m., with the Woodrow Wilson Bridge Task Force on February 22.

Councilwoman Woodson asked that there be time for more than a presentation in the work sessions, and that they have work sessions that are work sessions and not simply presentations, which might be better placed on the Council docket.

Councilman Smedberg agreed and stated that they and the board or commission would be better served if they have a different kind of format instead of just a presentation, that Council could read on their own, and then have an issue or two they want to discuss.

The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"

Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

22. Consideration of Convening An Executive Session Closed to the Public To Discuss Potential Litigation, pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia*.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, at 9:37 p.m., City Council convened in executive session, pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia* for the purpose of consulting with legal counsel and briefing by staff with respect to the property damage claim at 1772 Dogwood Drive. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, at 9:46 p.m., City Council reconvened the meeting. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, City Council authorized the City Attorney to resolve the property damage claim at 1772 Dogwood Drive along the lines discussed with City Council. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

WHEREUPON, upon motion by Councilwoman Woodson, 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:

Woodson	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2139

WHEREAS, the Alexandria City Council has this 8th day of February 2005, 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 Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council adjourned the regular meeting of February 8, 2005, at 9:49 p.m. The voting was as follows:

Woodson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jackie M. Henderson, CMC, City Clerk