

CITY COUNCIL OF ALEXANDRIA, VIRGINIA**Regular Meeting****Tuesday, June 12, 2007 -- 7:00 p.m.**

Present: Mayor William D. Eulle, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Timothy B. Lovain, and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Ms. Boyd, Director, Citizen Assistance; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Mr. Culpepper, Deputy Director, T&ES; Mr. Mason, Special Assistant to the City Manager/Acting Public Information Officer, City Manager's Office; Ms. Davis, Director, Office of Housing; Mr. Caton, Legislative Director, City Manager's Office; Ms. Hamer, Director, Planning and Zoning; Mr. Josephson, Deputy Director, Planning and Zoning; Ms. Barnett, Deputy Director, Recreation, Parks and Cultural Activities; Mr. Blakeley, Deputy Director, Recreation, Parks and Cultural Activities; Ms. Vosper, Landscape Architect, Recreation, Parks and Cultural Activities; Ms. Lo, Assistant Landscape Architect, Recreation, Parks and Cultural Activities; Ms. Durham, Open Space Architect, Recreation, Parks and Cultural Activities; Ms. Triggs, Acting Director, Finance; Ms. McIlvaine, Deputy Director, Office of Housing; Ms. Barron, Division Chief, Office of Housing; Ms. Niebauer, Director, Office of Human Rights; Mr. Farnier, Division Chief, Planning and Zoning; Dr. Konigsberg, Health Director, Health Department; Mr. Custard, Director of Environmental Health, Health Department; Ms. Hamblin-Katnik, Watershed Program Administrator, T&ES; Mr. Perl, Civil Engineer, T&ES; Ms. Baker, City Engineer, T&ES; Police Captain Aden; Mr. Sood, ITS; and Mr. Lloyd.

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

City Council held a work session at 5:30 p.m. in the City Council work room to discuss the findings of the Economic Sustainability Work Group and its recommendations for creating new economic opportunities in the City of Alexandria.

City Council held a DASH Stockholders Meeting at 6:50 p.m. in the City Council work room.

OPENING

- 1. Calling the Roll.

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

- 2. Moment of Silence and Pledge of Allegiance.

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

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

(a) The Regular Meeting Minutes of May 22, 2007.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council approved the regular meeting minutes of May 22, 2007. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

- 4. Recognition of Youth Human Rights Awards Recipients.

City Council recognized the recipients of the Youth Human Rights Award.

Mayor Euille presented the recipients with a monetary award from the William D. Euille Foundation.

PROCLAMATIONS

- 5. Presentation of a Proclamation Recognizing Wesley McCune, Music Teacher at John Adams Elementary School.

(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; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Gaines and carried unanimously, City Council endorsed the proclamation.

The voting was as follows:

Smedberg	"aye"	Pepper	"aye"
Gaines	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

The students of John Adams Elementary School gave a musical presentation before Council.

OTHER

6. Oral Report by the Northern Virginia Transportation Authority in Regard to Implementation of HB3202 (Northern Virginia Transportation Funding Initiatives).

City Council received a report from Tom Culpepper, Deputy Director of Transportation and Environmental Services and Tom Biesiandy, Chairman of the Northern Virginia Transportation Authority Technical Committee on the Northern Virginia Transportation Authority establishment process and status for the implementation of HB3202.

7. Presentation of an Update on the City of Alexandria National Harbor Related Initiatives.

City Council received the update on the City of Alexandria National Harbor Related Initiatives from the National Harbor Collaborative Initiatives representatives.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (8-20)

(Resignations and Uncontested Appointments)

8. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
 - (a) Alexandria-Caen Exchange Committee
Craig Romm
 - (b) Alexandria Commission on HIV/AIDS
Elaine Lehr
 - (c) Alexandria Convention and Visitors Association Board of Governors
Gayle T. Reuter
 - (d) Alexandria Early Childhood Commission

Cecil G. Powell

- (e) Alexandria Woodrow Wilson Bridge Neighborhood Task Force
Patricia Mellen
- (f) Alexandria Youth Policy Commission
John Artemel

(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. 8 (a-f); 06/12/07, and is incorporated as part of this record by reference.)

9. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Affordable Housing Advisory Committee
1 Representative Who Is Employed By or Affiliated With An
Organization That Promotes and Maintains Affordable Housing
- (b) Alexandria-Caen Sister City Committee
2 Citizen Members
- (c) Alexandria Commission for the Arts
1 Student Member Who Resides in the City and Attends A
High School Located in the City of Alexandria
- (d) Alexandria Commission on Employment
2 Business Representatives From Among Recognized Area
Businesses Including Minority-Owned and Small Businesses
- (e) Alexandria Emergency Medical Services Council
1 Citizen Member
- (f) Historic Alexandria Resources Commission
1 Representative From the Torpedo Factory Artists Association
1 Representative From Planning District I
- (g) Alexandria Local Emergency Planning Committee
1 Owner or Operator of A Facility Subject to the Federal
Emergency Planning Requirements of the Super Fund
Amendments and Reauthorization Act of 1986 (SARA)
- (h) Alexandria Public Records Advisory Committee
1 Citizen Member
- (i) Alexandria Sister Cities Committee
1 Citizen Member

(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. 9 (a-i); 06/12/07, and is incorporated as part of this record by reference.)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR

(Reports and Recommendations of the City Manager)

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

(A copy of the City Manager's memorandum dated May 31, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/12/07, and is incorporated as part of this record by reference.)

11. Consideration of the FY 2006 Annual Report from the Alexandria Environmental Policy Commission.

(A copy of the City Manager's memorandum dated June 1, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/12/07, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

12. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Making Supplemental Appropriations For FY 2007.

(A copy of the City Manager's memorandum dated June 1, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/12/07, 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; 06/12/07, 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; 06/12/07, and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Making Appropriations For FY 2008.

(A copy of the City Manager's memorandum dated May 29, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 06/12/07, 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. 13; 06/12/07, 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. 13; 06/12/07, and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Repeal the Hotel Room Tax Exemption For Charges Paid By Government Employees and Reimbursed By Their Government Agency.

(A copy of the City Manager's memorandum dated May 29, 2007, is on file in the Office of the City Clerk and Clerk of Council marked Exhibit No. 1 of Item No. 14; 06/12/07, 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. 14; 06/12/07, 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. 14; 06/12/07, and is incorporated as part of this record by reference.)

15. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Increase Certain Motor Vehicle License Fees, in Accord With the 2007 Transportation Funding Act.

(A copy of the City Manager's memorandum dated May 29, 2007, is on file in the Office of the City Clerk and Clerk of Council marked Exhibit No. 1 of Item No. 15; 06/12/07, 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. 15; 06/12/07, 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. 15;

06/12/07, and is incorporated as part of this record by reference.)

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Revise the City's Erosion and Sediment Control Regulations.

(A copy of the City Manager's memorandum dated June 1, 2007, is on file in the Office of the City Clerk and Clerk of Council marked Exhibit No. 1 of Item No. 16; 06/12/07, 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. 16; 06/12/07, 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. 16; 06/12/07, and is incorporated as part of this record by reference.)

17. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Provide For Appeals From Supplemental Real Estate Tax Assessments For Newly Completed Buildings.

(A copy of the City Attorney's memorandum dated June 5, 2007, is on file in the Office of the City Clerk and Clerk of Council marked Exhibit No. 1 of Item No. 17; 06/12/07, 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. 17; 06/12/07, 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. 17; 06/12/07, and is incorporated as part of this record by reference.)

18. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Increase the Courthouse Security Fee Charged to Convicted Criminal and Traffic Case Defendants.

(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. 18; 06/12/07, 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. 18;

06/12/07, and is incorporated as part of this record by reference.)

19. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Re-authorize Red Light Cameras.

(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. 19; 06/12/07, 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. 19; 06/12/07, and is incorporated as part of this record by reference.)

20. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Codify the 2006 Change in Funding Level of the Open Space Trust Fund Account at One Percent of the Total Real Estate Tax Assessment in the City.

(A copy of the City Manager's memorandum dated June 5, 2007 is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 06/12/07, 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; 06/12/07, 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; 06/12/07, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the Consent Calendar, with the exception of docket items #10 and #16, which were considered under separate motions. The City Manager's recommendations were as follows:

8. City Council accepted the following resignations with regret: (a) Craig Romm, Alexandria-Caen Exchange Committee; (b) Elaine Lehr, Alexandria Commission on HIV/AIDS; (c) Gayle T. Reuter, Alexandria Convention and Visitors Association Board of Governors; (d) Cecil G. Powell, Alexandria Early Childhood Commission; (e) Patricia Mellen, Alexandria Woodrow Wilson Bridge Neighborhood Task Force; and (f) John Artemel, Alexandria Youth Policy Commission.

9. City Council made the following appointments; (a) reappointed Nancy Carson as the representative who is employed by or affiliated with an organization that promotes and maintains affordable housing to the Alexandria Affordable Housing Advisory Committee; (b) reappointed Barbara Clancy and Steven Rich as the citizen members to the Alexandria-Caen Sister City Committee; (c) appointed Abigail Dillingham as the student member who resides in the City and attends a high school located in the City of Alexandria to the Alexandria Commission for the Arts; (d) reappointed Iris Henley and appointed Dorothy Ramsey as the two business representatives from among recognized area businesses including minority owned and small businesses to the Alexandria Commission on Employment; (e) reappointed Paul Prevost as the citizen member to the Alexandria Emergency Medical Services Council; (f) reappointed Murney Keleher as the representative from the Torpedo Factory Artist's Association and reappointed Susan Horne-Quatannens as the representative from Planning District I to the Historic Alexandria Resources Commission; (g) waived the residency requirement and reappointed Bryan Donnelly as the owner or operator of a facility subject to the Federal Emergency Planning Requirements of the Super Fund Amendments and Reauthorization Act of 1986 (SARA) to the Alexandria Local Emergency Planning Committee; (h) reappointed Charles Ziegler as the citizen member to the Alexandria Public Records Advisory Commission; and (i) appointed Burkhard Hahn as the citizen member to the Alexandria Sister Cities Committee.

11. City Council received the FY 2006 Annual Report from the Environmental Policy Commission.

12. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 16, 2007.

13. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 16, 2007.

14. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 16, 2007.

15. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 16, 2007.

17. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 16, 2007.

18. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 16, 2007.

19. City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on June 16, 2007.

20. City Council passed the proposed ordinance on first reading and

scheduled it for public hearing, second reading and final passage on June 16, 2007.

The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"

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

(A copy of the City Manager's memorandum dated May 31, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/12/07, and is incorporated as part of this record by reference.)

Councilman Smedberg inquired about the methods of outreach for the litter control program.

In response to Councilman Smedberg, Ms. Vosper, Landscape Architect, stated that typically the civic associations approached the City for assistance and participation in the program.

Mr. Kincannon, Director, Recreation, Parks and Cultural Activities, also stated that if the amount of requests increased, more outreach would be done, however the program does have a limited amount of funding.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council authorized the City Manager to: (1) submit a non-competitive grant application to the Virginia Department of Environmental Quality, Litter Prevention and Recycling Program, for funding in the approximate amount of \$13,176 for the Adopt-a-Park Litter Control Program (the exact amount to be determined by the Virginia Department of Environmental Quality by July 15, 2007); and (2) execute all necessary documents that may be required. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

16. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Revise the City's Erosion and Sediment Control Regulations.

(A copy of the City Manager's memorandum dated June 1, 2007, is on file in the Office of the City Clerk and Clerk of Council marked Exhibit No. 1 of Item No. 16; 06/12/07, 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. 16; 06/12/07, 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. 16; 06/12/07, and is incorporated as part of this record by reference.)

Councilman Smedberg inquired about the size of the lots and whether City staff could logistically to handle the amount of plans from citizens.

In response to Councilman Smedberg, Mr. Baier, Director, Transportation and Environmental Services stated that the lot size in the agreement was standard for urban areas. Mr. Baier also stated that the number of submittals for erosion and sediment control are reviewed by the Watershed Program Administrator and average about five or six submissions per plan before approval. Mr. Baier also noted that the one-time submittal fee is placed in the general fund account for the City.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the ordinance amendment on first reading and scheduled it for public hearing, second reading and final passage on Saturday, June 16, 2007. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

CONTESTED APPOINTMENTS

21. Alexandria Commission on Persons with Disabilities
2 Citizen Members Who Have Disabilities

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

NAME:	ENDORSED BY:
Charles Benagh	
Adam Osterman	
Nancy Saunders	
Ruth Soto	

(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. 21; 06/12/07, 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 Charles Benagh and Ruth Soto as the two citizen members who have disabilities to the Alexandria Commission on Persons with Disabilities. The voting was as follows:

Euille	-	Benagh, Soto
Pepper	-	Benagh, Soto
Gaines	-	Benagh, Soto
Krupicka	-	Benagh, Soto
Lovain	-	Benagh, Soto
Smedberg	-	Benagh, Soto

22. Historic Alexandria Resources Commission
1 Representative From Planning District II

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

NAME: ENDORSED BY:

Todd Goff
Elizabeth Whitaker

(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. 22; 06/12/07, 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 Todd Goff as the representative from Planning District II to the Historic Alexandria Resources Commission. The voting was as follows:

Euille	-	Goff
Pepper	-	Goff
Gaines	-	Goff
Krupicka	-	Goff
Lovain	-	Goff
Smedberg	-	Goff

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

23. Oral Presentation of the Army Corps of Engineers' Report on the June/July 2006 Cameron Run Flooding.

City Council received the presentation by Director of Transportation and Environmental Services Richard Baier of the Army Corps of Engineers' Report on the June/July 2006 Cameron Run Flooding and participated in a discussion about the next steps the City of Alexandria will be taking to prevent future flooding of Cameron Run.

24. Presentation of the Environmental Health Assessment Plan Prepared by the Alexandria Health Department.

(A copy of the City Manager's memorandum dated June 7, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 06/12/07, and is incorporated as part of this record by reference.)

Dr. Konigsberg, Health Director, Health Department and Mr. Custard, Environmental Health Director, Health Department made a presentation of the Environmental Health Assessment Plan prepared by the Alexandria Health Department.

City Council received the report and requested staff to schedule a work session in the fall when City boards and commissions comments can be presented as part of the discussion.

25. Oral Update on Carlyle Retail Initiatives.

Stephanie Landrum, Alexandria Economic Development Partnership and Rich Josephson, Deputy Director, Planning and Zoning gave an update on the initiatives and plans to increase the retail presence the Carlyle development.

City Council received the update on the Carlyle Retail Initiatives.

26. Consideration of the Design Process for Freedmen's Cemetery Memorial Park.

(A copy of the City Manager's memorandum dated June 7, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 06/12/07, 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: (1) approved a design competition process for the design of the Freedmen's Cemetery Memorial Park, and (2) authorized the City Manager to appoint a steering committee with a membership as outlined on page three of the report to oversee the design selection process. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"

27. Consideration of Report on Evaluation of the Second Trial Program for the Weekend Pedestrian Plaza in the 100 Block of King Street.

(A copy of the City Manager's memorandum dated June 4, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27;

06/12/07, 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 approved the recommendation to keep the 100 block of King Street open on weekends on a regular basis. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"

- 28. Authorization to Donate For Recycling and Reuse Purposes Building Materials From 48 S. Early Street.

(A copy of the City Manager's memorandum dated June 1, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council: (1) authorized the Department of General Services to grant ownership and transfer the use of building materials from 48 South Early Street to a non-City entity, such as Habitat for Humanity ReStore, or to other non-profit or for-profit organization, for resale or recycling of reusable building components, and (2) authorized the City Manager to execute any necessary documents related to the donation of these building materials. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"

- 29. Consideration of a Proposal to Incorporate Public Outdoor Art Honoring Charles Houston at the Renovated Charles Houston Recreation Center.

(A copy of the City Manager's memorandum dated May 31, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council: (1) endorsed the concept of incorporating public art honoring Charles Houston into the renovated Charles Houston Recreation Center; (2) requested the Commission for the Arts to work with the Department of Recreation, Parks and Cultural Activities to coordinate discussions with the Charles Houston Parent Advisory Board and staff at the Alexandria Black History Museum, as well as schedule public meetings to garner insights, input and community support on the type of public art that should be located at the Charles Houston Recreation Center plaza honoring Charles Houston, and; (3) requested the Commission

for the Arts to work with the Department of Recreation, Parks and Cultural Activities to prepare a report for the City in early 2008, on its findings from the public meetings and to provide Council with a scope of work for the art project anticipated costs and fundraising plans for the public art project. The voting was as follows:

Gaines	"aye"	Krupicka	"aye"
Pepper	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

Please Note: The following two items were heard together.

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille noted that the issue of parking for child care providers has been brought to the attention of Council by citizens and if the Council would like to consider this issue on an upcoming docket, please notify the City Manager's Office as soon as possible.

(b) Mayor Euille reported that the City received two awards for its housing efforts and requested that Mildrilyn Davis, Director of the Office of Housing, present Council with the awards.

Ms. Davis reported that the City of Alexandria received an award from the Housing Association of Nonprofit Developers recognizing the City's support of affordable housing through the dedicated real estate tax and the general obligation bond. Ms. Davis also noted that the Association gifted the City a cash award of \$500, which was placed in the Housing Opportunities Fund. Ms. Davis reported that the City received an award from RPJ Housing for its support of affordable housing.

(c) Vice Mayor Pepper reported that Catherine Winkler Herman, philanthropist and environmentalist, passed away this past week. Vice Mayor Pepper noted her many contributions to Alexandria charities, particularly the Winkler Botanical Preserve.

Mayor Euille noted that there would be a memorial service for Ms. Herman at the Winkler Botanical Preserve on June 13 at 3:00 p.m.

(d) Vice Mayor Pepper reported that she and Mayor Euille attended the dedication of the Washington Street Deck for the Woodrow Wilson Bridge this

afternoon, noting that the deck is a beautiful landscaped area for citizens to use.

(e) Councilman Gaines noted that the City of Alexandria was highlighted in the Philadelphia Inquirer Travel section and congratulated the Alexandria Convention and Visitors Association for seeking this type of publicity for the City.

Mayor Euille pointed out that the City of Alexandria will also be featured in Hemisphere Magazine on United Airlines flights in August.

(f) Councilman Krupicka reported that he visited the INOVA Alexandria Hospital Emergency Preparedness facility and he noted that the facility was exceptional, state-of-the-art and one of the best in the region.

(g) Councilman Krupicka stated that as the Chair of the Aviation Policy Committee for the Council of Governments (COG), he would be addressing the Board about a proposal on Capitol Hill to increase the number of flights at Reagan National Airport. Councilman Krupicka stated the he will speak against the efforts and will bring whatever resolution the COG Board approves back to City Council for endorsement.

(h) Councilman Krupicka stated that there has been some issues with families in the City finding adequate child care and requested that the City Manager investigate making child care facilities one of the businesses that receive regulatory reform for the Special Use Permit (SUP) process.

City Manager Hartmann noted that Council would receive a report on that issue at their next legislative meeting.

(i) Councilman Krupicka noted that parking in the City should be studied in a comprehensive manner, focusing in particular on the permitting process for parking.

(j) Councilman Krupicka reported that he, along with Mayor Euille and Vice Mayor Pepper, attended the kickoff event last week for making Alexandria a bicycle friendly community. Councilman Krupicka stated that there were some bicycle rental opportunities discussed at the meeting that might be part of the National Harbor Initiative.

(k) Councilman Krupicka reported that the Department of Transportation awarded Alexandria a \$500,000+ grant to create Safe Routes to Schools and he congratulated staff, particularly Yon Lambert, Bicycle Coordinator, on obtaining the award.

(l) Vice Mayor Pepper suggested that as part of the National Harbor preparations, a bicycle rental facility should be located along the waterfront for tourists.

In response to Vice Mayor Pepper, City Manager Hartmann pointed out that there are currently two bicycle rental businesses in the area.

(m) Councilman Smedberg stated that the Northern Virginia Transportation Commission recently discussed the HOT Lanes in Northern Virginia and there would be some key decisions made during the summer months.

(n) Councilman Smedberg reported that the working group reviewing the Alexandria Marketing Fund was looking at the mission of the committee, membership of the committee, the application process and guidelines. Councilman Smedberg noted that the group was making progress with the help of Deputy City Manager Jinks and should have a report by the summer.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

30. Consideration of a Resolution to Amend the City of Alexandria Firefighters and Police Officers Pension Plan to Require a Mandatory Lump Sum Payment to a Terminating Participant With a Vested Benefit Present Value of \$1,000 or Less ("Old Plan") **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 25, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted the resolution amending the City of Alexandria Pension Plan for Firefighters and Police Officers to comply with federal law. The threshold allowing a plan to provide a lump sum payment to a terminated participant with a vested accrued benefit valued at \$3500 or less is changed to \$1000 or less. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

The resolution reads as follows:

RESOLUTION NO. 2231

FOURTH AMENDMENT TO THE CITY OF ALEXANDRIA PENSION PLAN FOR FIREFIGHTERS AND POLICE OFFICERS

Pursuant to the powers of amendment reserved under Article XII, Section A, the City of Alexandria Pension Plan for Firefighters and Police Officers (the "Plan"), said

Plan shall be and the same is hereby amended by the City of Alexandria, Virginia (the "City"), effective as of January 1, 2006, as follows:

FIRST AND ONLY CHANGE

The "\$3,500" reference in Article X, Section B is hereby changed to "\$1,000" effective as of January 1, 2006.

The City of Alexandria Pension Plan for Firefighters and Police Officers, as in effect on December 31, 2001, and as previously amended by a First, Second and Third Amendments, and as amended by the foregoing changes, is hereby ratified and confirmed in all other respects.

- 31. Consideration of a Resolution to Amend the City of Alexandria Supplemental Retirement Plan to Require a Mandatory Lump Sum Payment to a Terminating Participant With a Vested Benefit Present Value of \$1,000 or Less. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 25, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted the resolution amending the City of Alexandria Supplemental Retirement Plan to comply with federal law. The threshold allowing a plan to provide a lump sum payment to a terminated participant with a vested accrued benefit valued at \$5000 or less is changed to \$1000 or less. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

The resolution reads as follows:

RESOLUTION NO. 2232

FOURTH AMENDMENT TO THE CITY OF ALEXANDRIA SUPPLEMENTAL RETIREMENT PLAN

Pursuant to the powers of amendment reserved under Section 14.1 of The City of Alexandria Supplemental Retirement Plan, as amended and restated effective January 1, 1999 (the "Plan"), said Plan shall be and the same is hereby amended by the City of Alexandria, Virginia (the "City"), effective as of March 28, 2005, as follows:

FIRST AND ONLY CHANGE

The "\$5,000" reference in Sections 10.4 is hereby changed to "\$1,000" effective as of January 1, 2006.

The City of Alexandria Supplemental Retirement Plan, as amended and restated effective January 1, 1999, and as previously amended, and further amended by the foregoing changes, is hereby ratified and confirmed in all other respects.

32. Consideration of a Resolution to Amend the City of Alexandria Firefighters and Police Officers Pension Plan to Require a Mandatory Lump Sum Payment to a Terminating Participant With a Vested Benefit Present Value of \$1,000 or Less ("Plan")
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 21, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted the resolution amending the City of Alexandria Firefighters and Police Officers Pension Plan to comply with federal law. The threshold allowing a plan to provide a lump sum payment to a terminated participant with a vested accrued benefit valued at \$5000 or less is changed to \$1000 or less. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

The resolution reads as follows:

RESOLUTION NO. 2233

SIXTH AMENDMENT TO THE CITY OF ALEXANDRIA FIREFIGHTERS AND POLICE OFFICERS PENSION PLAN

Pursuant to the powers of amendment reserved under Section 12.1 of The City of Alexandria Firefighters and Police Officers Pension Plan (the "Plan"), said Plan shall be and the same is hereby amended by the City of Alexandria, Virginia (the "City"), effective as of January 1, 2006, as follows:

FIRST AND ONLY CHANGE

The "\$5,000" reference in Sections 6.5(d)(3) is hereby changed to "\$1,000" effective as of January 1, 2006.

The City of Alexandria Firefighters and Police Officers Pension Plan, as in effect on January 1, 2004, and as previously amended by a First, Second, Third, Fourth and

Fifth Amendment, and as amended by the foregoing changes, is hereby ratified and confirmed in all other respects.

- 33. Consideration of a Resolution to Amend the City of Alexandria Firefighters and Police Officers Pension Plan to Include a Service Buy Back Provision on a Cost Sharing Basis for Police Officers and Firefighters With a Break in City Service. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 7, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 33; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted the resolution to amend the City of Alexandria Firefighters and Police Officers Pension Plan to include a service buy back provision on a cost sharing basis for Police Officers and Firefighters with a break in City Service. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

The resolution reads as follows:

RESOLUTION NO. 2234

FOURTH AMENDMENT TO THE CITY OF ALEXANDRIA FIREFIGHTERS AND POLICE OFFICERS PENSION PLAN

Pursuant to the powers of amendment reserved under Section 12.1 of The City of Alexandria Firefighters and Police Officers Pension Plan (the "Plan"), said Plan shall be and the same is hereby amended by the City of Alexandria, Virginia (the "City"), effective as of January 1, 2007, as follows:

FIRST CHANGE

The following definitions shall be added to Section 1.6:

Pre-2004 Break-In-Service means a termination of an Employee's status as a Covered Employee that occurred prior to January 1, 2004.

Purchased Period of Credited Service means the period of Purchasable Service that was purchased by a Covered Employee in accordance with the provisions of Section 3.5.

Purchasable Service means a period of employment as a Covered Employee that did not constitute Pre-2004 Credited Service, but which would have constituted Pre-2004 Credited Service, except that contributions made by the City to the Retirement Income Plan with respect to such prior service were distributed to the Participant. Purchasable Service shall not include any period that does not constitute "permissive service credit" under Section 415(n) of the Internal Revenue Code.

SECOND CHANGE

The definition of Year of Credited Service in Section 1.6 shall be revised to read as follows:

Year of Credited Service

A Participant shall be credited with 1/12th of a Year of Credited Service for each full calendar month of service as a Covered Employee commencing on or after the Effective Date and ending with the Participant's Termination Date. A Covered Employee shall not be credited with Years of Credited Service (or 1/12th increments thereof) for any calendar month during which he or she is not a Covered Employee for the entire month or for any calendar month commencing after the Covered Employee's Termination Date. In addition, except as otherwise provided in Section 3.4 or 3.5, a Participant shall not be credited with Years of Credited Service (or 1/12th increments thereof) for any calendar month prior to the Effective Date.

THIRD CHANGE

The following new section 3.5 shall be added following Section 3.4:

3.5 Pre-2004 Credited Service Buy-Back

- (a) Each Covered Employee who:
 - (1) is a Participant in the Plan on July 1, 2007;
 - (2) was a Participant in the Retirement Income Plan prior to January 1, 2004;
 - (3) experienced a Pre-2004 Break in Service; and
 - (4) was partially or fully vested in his or her Retirement Income Account at the time of the Pre-2004 Break in Service and received a distribution of his or her vested Retirement Income Account following such Pre-2004 Date Break-In-Service, may elect to purchase credit for up to four (4) years of Purchasable Service in accordance with, and subject to, the provisions of this Section 3.5. A Participant may elect to either purchase the total amount of his or her Purchasable Service (up to a maximum of four (4) years), or if the Participant does not want to purchase credit for all of his or her Purchasable Service, a Participant may purchase credit for part of his or her period of Purchasable Service (in increments of whole months). The Purchased Period of Credited Service shall be taken into account in determining the Participant's Years of Service and Years of Credited Service in accordance with the provisions of Section

3.5(f).

(b) In order to be effective, an election to purchase credit for Purchasable Service under this Section 3.5 must:

(1) be made on a form supplied by the City for this purpose;

(2) returned to (and the receipt acknowledged by) the Department of Finance on or before 5:00 P.M. (Eastern Time) on October 10, 2007; and

(3) include full amount due for the Purchased Period of Credited Service (as determined under Section 3.5(c)) and/or be accompanied by an irrevocable payroll deduction authorization (on a form supplied by the City for this purpose).

(c) Participants who desire to purchase credit for Purchasable Service must pay:

(1) 50% of the actuarial cost of the additional benefit provided under the Plan with respect to the Purchased Period of Credited Service (up to a maximum of three (3) years).

(2) 100% of the actuarial cost of the additional benefit provided under the Plan with respect to the remaining Purchased Period of Credited Service (i.e., the fourth year). The cost of Purchased Period of Credited Service shall be determined by the Actuary.

(d) Payment for all or any portion of the Purchased Period of Credited Service may be made in a single lump sum by (i) a transfer from a Participant's Retirement Income Account (if any); (ii) a transfer from a Participant's account under any eligible deferred compensation plan (within the meaning of Section 457(b) of the Internal Revenue Code) maintained by the City; (iii) a direct lump sum payment to the Plan; (iv) a direct transfer or rollover from an individual retirement account to the extent permitted by Sections 401 and 408 of the Internal Revenue Code.

(e) In lieu of (or in addition to) a lump sum payment under Section 3.5(d), payment for the Purchased Period of Credited Service may be made through additional Employee Retirement Contributions over a period of up to thirty-six (36) months. To the extent that a Participant elects to pay for the Purchased Period of Credited Service by making additional Employee Retirement Contributions, then the cost of the Purchased Period of Credited Service (as determined under Section 3.5(c)) shall reflect the deferred payment period (computed based on the interest rate used for determining Actuarial Equivalence under Appendix A). In order for this payment option to be effective, the Participant must execute and deliver to the Administrator any required payroll deduction authorizations. In the case of a Participant who has elected to pay for a portion of the Purchased Period of Credited Service in a lump sum under Section 3.5(d) and to pay for the remaining portion through additional Employee Retirement Contributions under this Section 3.5(e), such payroll deduction authorization must be effective as of the payroll period containing the date the partial payment is made under Section 3.5(d).

(f) The Purchased Period of Credited Service shall be taken into account in determining the Participant's Years of Service and Years of Credited Service in accordance with the following provisions:

(1) One month shall be taken into account for each two completed months of Credited Service following the date payment is made under Section 3.5 (d) or commences under Section 3.5(e). However, the number of months credited under this Section 3.5(f)(1) shall be limited to one-half of the Purchased Period of Credited

Service under Section 3.5(c)(1). This provision is designed to provide that a Participant earns the portion of Credited Service that is subsidized under Section 3.5(c)(1) based on the performance of future service, with the result that a Participant who purchases the full three years permitted under Section 3.5(c)(1) will fully earn the subsidized portion of such Purchased Period of Credited Service upon the completion of thirty-six (36) months of Credited Service following the date payment is made or commences.

(2) In addition, upon payment under Section 3.5(d), or as payment is made under Section 3.5(e), the Participant shall be credited with the number of months of the Purchased Period of Credited Service for which the Participant has paid the appropriate portion of the actuarial cost (i.e., one-half of the Purchased Period of Credited Service under Section 3.5(c)(1), and the entire Purchased Period of Credited Service under Section 3.5(c)(2)). For this purpose,

(i) In the case of a Participant that pays for the Purchased Period of Credited Service under Section 3.5(d), the Purchased Period of Credited Service for which the Participant has paid all of the actuarial cost shall be credited upon payment under Section 3.5(d).

(ii) In the case of a Participant that is paying for part of the Purchased Period of Credited Service under Section 3.5(d) and part under Section 3.5(e), the amount credited upon payment under Section 3.5(d) shall be determined by multiplying the total number of months in the Purchased Period of Credited Service for which the Participant is required to pay the actuarial cost by a fraction, the numerator of which is the amount of the payment actually made under Section 3.5(d), and the denominator of which is the total amount due from the Participant under Section 3.5(d) and (e) with respect to the entire Purchased Period of Credited Service. The remaining portion of the Purchased Period of Credited Service for which the Participant is required to pay the actuarial cost shall be credited in accordance with Section 3.5(f)(2)(iii).

(iii) To the extent that full or partial payment is being made under Section 3.5(e), the determination of the extent to which payment has been made shall be made by multiplying the total number of months in the Purchased Period of Credited Service that the Participant is purchasing through additional Employee Retirement Contributions by a fraction, the numerator of which is the total number of payments that have been made by the Participant as of the date the determination is being made, and the denominator of which is the total number of payments that are (or were) to be made by the Participant under Section 3.5(e).

(3) Only full months shall be credited to a Participant. No credit shall be given for partial months.

(4) In the event a Participant ceases to be a Covered Employee for any reason (including Disability or death), or otherwise reaches his or her Termination Date or DROP Effective Date before earning any portion of the Purchased Period of Credited Service in accordance with the provisions of this Section 3.5(f), the portion of the Purchased Period of Credited Service which has not been earned by the Participant shall be forfeited.

FOURTH CHANGE

Section 4.2(b)(1) of the Plan is hereby deleted, and the following is substituted in

lieu thereof:

(1) On and after the Date of Adoption, each Participant who is classified as a Covered Employee shall make Employee Retirement Contributions to the Plan in an amount equal to (i) 7.5% of the Participant's Compensation, as reflected in the paycheck the Participant receives from the City, and (ii) the amount of any additional Employee Retirement Contributions that the Participant is obligated to make under Section 3.5(e) with respect to the Purchased Period of Credited Service. Such Employee Retirement Contributions shall continue until the earlier of the Participant's (1) Termination Date, or (2) DROP Effective Date, and shall be made in accordance with rules established by the Administrator.

The City of Alexandria Firefighters and Police Officers Pension Plan, as in effect on January 1, 2004, and as previously amended by a First, Second and Third Amendment, and as amended by the foregoing changes, is hereby ratified and confirmed in all other respects.

34. Consideration of a Resolution to Make Amendments to the City of Alexandria Firefighters and Police Officers Pension Plan in Order to Allow Annuitization For Disabled Participants and to Make Other Changes. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated June 7, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 34; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council adopted the resolution to make amendment to the City of Alexandria Firefighters and Police Officers Pension Plan in order to allow annuitization for disabled participants and to make other changes. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

The resolution reads as follows:

RESOLUTION NO. 2235

FIFTH AMENDMENT TO THE CITY OF ALEXANDRIA FIREFIGHTERS AND POLICE OFFICERS PENSION PLAN

Pursuant to the powers of amendment reserved under Section 12.1 of The City of Alexandria Firefighters and Police Officers Pension Plan (the "Plan"), said Plan shall be and the same is hereby amended by the City of Alexandria, Virginia (the "City"), effective as of June 12, 2007, as follows:

FIRST CHANGE

Section 5.13 is deleted in its entirety and the following new Section 5.13 inserted in lieu thereof:

5.13 Disability Benefits After Normal Retirement Date

(a) A Participant who reaches his or her Normal Retirement Date shall begin receiving his or her Accrued Pension Benefit in accordance with the provisions of Article 6 and may elect to have his or her Accrued Pension Benefit paid in any of the optional annuity forms permitted under Section 7.2(a) or (b) (but not under Section 7.2(c)). The Actuarial Equivalence of the optional annuity forms shall be determined using the Actuarial Equivalence for Disabled Participants (for determining Actuarial Equivalence under Section 5.13) set forth in Appendix A.

(b) When the Participant reaches his or her Normal Retirement Date, Disability benefits under this Plan shall be recomputed so that the Participant's Disability benefits under Article 5 and the sum of the Participant's Accrued Pension Benefit under Article 6 and, if applicable, the amount of his or her City Funded Retirement Income Account (all expressed in the form in which Disability Benefits were payable prior to the Participant's Normal Retirement Date) is actuarially equal in value to the amount of payments that the Participant would have received under Article 5 if the Participant (i) had not been Disabled, (ii) had continued to be employed by the City at the same rank and grade he or she had attained immediately prior to his or her Disability, (iii) for the prior forty-eight (48) months, had received the amount of pay applicable to such rank and grade (including any cost of living wage adjustment granted by the City but ignoring any step increases for such rank and grade), and (iv) had become Disabled and begun receiving Disability Benefits under this Article 5 immediately prior to his or her Normal Retirement Date. If the amount of pay applicable to the Participant's rank and grade is modified by a change in the City's compensation or classification system, then the Participant shall be assigned to an equivalent rank and grade within such revised compensation or classification system for purposes of applying the provisions of this Section.

(c) Following such recalculation, the Disability Benefits under Article 5 shall continue to be paid to the Participant following his or her Normal Retirement Date in the same form as such Benefits were being paid prior to the Participant's Normal Retirement Date (i.e., either in the normal form or under the contingent annuitant option), but only to the extent necessary to provide that the Disability Benefits under Article 5 and the retirement benefits under Article 6 (including for this purpose any retirement benefits payable with respect to the Participant's City Funded Retirement Income Account) are Actuarially Equivalent to the recalculated Disability Benefits the Participant would have received under Article 5, as computed in accordance with the preceding paragraph. In the event that the Participant's retirement benefits under Article 6 (including for this purpose any retirement benefits payable with respect to the Participant's City Funded Retirement Income Account) are equal to or greater than such recalculated Disability Benefit, then all Disability Benefits payable under this Article 5 shall cease on the Participant's Normal Retirement Date.

(d) For purposes of the determinations required under this Section 5.13:

(1) The amount of retirement income that is payable with respect to a Participant's

City Funded Retirement Income Account (based on the value as of the Date of Adoption and any subsequent Investment Adjustments) shall be determined by the Actuary using the Actuarial Equivalence for Disabled Participants (for determining Actuarial Equivalence under Section 5.13) set forth in Appendix A, as in effect at such Normal Retirement Date.

(2) In the case of a Participant whose Accrued Pension Benefit is subject to a qualified domestic relations order (within the meaning of Section 13.3(c)(5)), such qualified domestic relations order shall be ignored in determining the amount of the Participant's Accrued Pension Benefit under Article 6 (so that the Participant's entire Accrued Pension Benefit is taken in account in determining the extent to which the Participant's retirement benefits are equal to or greater than the Participant's recalculated Disability Benefit and the amount of any Disability Benefit payable to the Participant following his or her Normal Retirement Date).

(3) In the case of a Participant whose Retirement Income Account is subject to a qualified domestic relations order (within the meaning of Section 13.3(c)(5)), such qualified domestic relations order shall be ignored in determining the amount of retirement income that is payable with respect to a Participant's City Funded Retirement Income Account. To the extent that the Participant's Retirement Income Account has been divided into separate accounts pursuant to a qualified domestic relations order, the amount of retirement income that is payable with respect to a Participant's City Funded Retirement Income Account shall be determined by including in the value of the Participant's City Funded Retirement Income Account an amount equal to (i) the portion of the Participant's City Funded Retirement Income Account assigned to the alternate payee, and (ii) imputed earnings on such amount, computed based on the interest rate used for determining Actuarial Equivalence under Appendix A (as in effect on the date such determination is being made), from the date of assignment to the Participant's Normal Retirement Date.

SECOND CHANGE

The second paragraph of Section 5.15 is hereby deleted, and the following is substituted in lieu thereof:

If a Participant elects the contingent annuitant option, the amount of the Disability Benefit to which the Participant is entitled will be adjusted, so that it is the Actuarial Equivalent of the Disability Benefit that the Participant would have received had the election not been made. Actuarial Equivalence shall be determined using the Actuarial Equivalence for Disabled Participants (for determining Actuarial Equivalence under Section 5.15) set forth in Appendix A.

THIRD CHANGE

The following new section 5.18 shall be added after Section 5.17:

5.18 Special Election To Use City Funded Retirement Income Account To Purchase Retirement Income at Normal Retirement Date

(a) Disabled Participants Who Have Not Reached Normal Retirement Date

- (1) Each Participant:
 - (i) who reached their Disability Retirement Date before June 12, 2007
 - (ii) who still has a City Funded Retirement Income Account;
 - (iii) who is currently receiving Disability Benefits under the Plan; and
 - (iv) who had not reached their Normal Retirement Date as of September 1, 2006,may elect to transfer his or her City Funded Retirement Income Account to the Pension Plan in exchange for retirement income commencing on the Participant's Normal Retirement Date (or in the case of a Participant that has already reached his or her Normal Retirement Date, on the first day of the month following the date of election. The amount of such retirement income shall be determined in accordance with the provisions of Section 5.18(a)(3) and shall be used to determine the extent to which the Participant's Disability Benefits continue following the Participant's Normal Retirement Date in accordance with Section 5.13. In the case of a Participant who reached his or her Disability Retirement Date before the Date of Adoption, the Participant's Normal Retirement Date shall be determined under the provisions of the Disability Income Plan.
- (2) In order to be effective, an election to transfer the Participant's City Funded Retirement Income Account to the Pension Plan in exchange for retirement income commencing on the Participant's Normal Retirement Date under this Section 5.18(a) must be:
 - (i) made on a form supplied by the City for this purpose;
 - (ii) irrevocable; and
 - (iii) returned to (and the receipt acknowledged by) the Department of Finance on or before 5:00 P.M. (Eastern Time) on October 10, 2007.
- (3) Upon a Participant's election pursuant to Section 5.18(a)(2) above, the Participant's City Funded Retirement Income Account shall be transferred to and become a part of the Fund and shall be available to provide benefits to all Participants under the defined benefit portion of the Plan. Upon such transfer, the Participant shall be entitled to receive deferred monthly retirement income from the defined benefit portion of the Plan, with such retirement benefit commencing on the Participant's Normal Retirement Date (or in the case of a Participant that has already reached his or her Normal Retirement Date, on the first day of the month following the date of election) and continuing for the remainder of the Participant's life (with no survivor benefits). The amount of such retirement income shall not exceed the amount of the Participant's Disability Benefits as of the Participant's Normal Retirement Date (as recalculated pursuant to Section 5.13 of the Plan or 4.07 of the Disability Income Plan, as the case may be). For this purpose:
 - (i) The amount of retirement income shall not exceed the Actuarial Equivalent of the Participant's City Funded Retirement Income Account.
 - (ii) Actuarial Equivalence shall be determined on the Actuarial Equivalence for Disabled Participants (for conversion of City Funded Retirement Income Account under Section 5.18), as set forth in Appendix A.
 - (iii) In no event may the amount of retirement income purchased with the Participant's City Funded Retirement Income Account exceed the amount of the Participant's Disability Benefits as of the Participant's Normal Retirement Date (as recalculated pursuant to Section 5.13 of the Plan or 4.07 of the Disability Income Plan, as the case may be). If the Participant had previously elected the contingent annuitant option under Section 5.15 of the Plan or Section 5.02 of the Disability Income Plan, as

the case may be, then the amount of retirement income purchased with the Participant's City Funded Retirement Income Account shall not exceed the Actuarial Equivalent of the Participant's Disability Benefits as of the Participant's Normal Retirement Date. In the event that the amount of retirement income purchased with a Participant's City Funded Retirement Income Account is limited by the application of this subsection, the excess of the value of the City Funded Retirement Income Account over the amount actually used to purchase retirement income (determined as of the Participant's Normal Retirement Date) shall be re-credited to the Participant's Retirement Income Account. Such amount shall be credited on the Participant's Normal Retirement Date and shall include earnings on such excess based on the interest rate used for determining Actuarial Equivalence under Appendix A (as in effect on the Participant's date of election under Section 5.18(a)(2)) from the date the Retirement Income Account was transferred to the Pension Plan to the Participant's Normal Retirement Date.

(iv) In the case of a Participant who reached his or her Normal Retirement Date after September 1, 2006, the amount of retirement income purchased with the Participant's City Funded Retirement Income Account (and the determination of whether the value of the Participant's City Funded Retirement Income Account exceeds the amount of the Participant's Disability Benefits) shall be made as if the purchase and transfer occurred on the Participant's Normal Retirement Date.

(3) In lieu of the straight life retirement annuity described in Section 5.18(a)(3), a Participant who has not reached his or her Normal Retirement Date may elect, at the time the Participant reaches his or her Normal Retirement Date, to receive monthly retirement income in the form of a joint and survivor option or guaranteed period option, subject to the following restrictions:

(i) Such election shall be made in accordance with the provisions of Section 7.2.

(ii) The joint and survivor option shall be limited to the option that provides a monthly income during the Participant's lifetime and continuing after his or her death at a 50% rate (i.e., the 66 2/3% and 100% survivor options are not available).

(iii) The designated contingent annuitant under the joint and 50% survivor option must be the Participant's Spouse.

(iv) The guaranteed period option shall be limited to the 5 or 10 year guaranteed period option (i.e., the 15 or 20 year guaranteed period options are not available). Any optional form of retirement income elected by a Participant pursuant to this Section 5.18(a)(4) shall be the Actuarial Equivalent of the life annuity described in Section 5.18(a)(3), as determined based on the Actuarial Equivalence for Disabled Participants (for determining Actuarial Equivalence under Section 5.18(a)(4)) set forth in Appendix A.

(b) Participants Who Become Disabled After June 12, 2007

(1) Each Participant:

(i) who reaches their Disability Retirement Date after June 12, 2007;

(ii) has not reached Normal Retirement Date; and

(iii) who still has a City Funded Retirement Income Account;

may elect to use his or her City Funded Retirement Income Account to purchase retirement income commencing on the

Participant's Normal Retirement Date. The amount of such retirement income shall be determined in accordance with the provisions of Section 5.18(b)(3) and shall be used to determine the extent to which the Participant's Disability Benefits continue following the Participant's Normal Retirement Date in accordance with Section 5.13.

(2) In order to be effective, an election to use the City Funded Retirement Income Account to purchase retirement income commencing on the Participant's Normal Retirement Date under this Section 5.18(b) must be:

- (i) made on a form supplied by the City for this purpose;
- (ii) irrevocable; and
- (iii) returned to (and the receipt acknowledged by) the Department of Finance on or before the first business day that occurs 120 days after the Participant's Disability Retirement Date.

(3) Upon a Participant's election pursuant to Section 5.18(b)(2) above, the Participant's City Funded Retirement Income Account shall be transferred to and become a part of the Fund and shall be available to provide benefits to all Participants under the defined benefit portion of the Plan. Upon such transfer, the Participant shall be entitled to receive deferred monthly retirement income from the defined benefit portion of the Plan, with such retirement benefit commencing on the Participant's Normal Retirement Date and continuing for the remainder of the Participant's life (with no survivor benefits). The amount of such retirement income shall be the Actuarial Equivalent of the Participant's City Funded Retirement Income Account, provided, however, that:

(i) Actuarial Equivalence shall be determined on the Actuarial Equivalence for Disabled Participants (for conversion of the City Funded Retirement Income Account under Section 5.18), as set forth in Appendix A.

(ii) In no event may the amount of retirement income purchased with the Participant's City Funded Retirement Income Account exceed the amount of the Participant's Disability Benefits as of the Participant's Normal Retirement Date (as recalculated pursuant to Section 5.13). If the Participant had previously elected the contingent annuitant option under Section 5.15, then the amount of retirement income purchased with the Participant's City Funded Retirement Income Account shall not exceed the Actuarial Equivalent of the Participant's Disability Benefits as of the Participant's Normal Retirement Date. In the event that the amount of retirement income purchased with a Participant's City Funded Retirement Income Account is limited by the application of this subsection, the excess of the value of the City Funded Retirement Income Account over the amount actually used to purchase retirement income (determined as of the Participant's Normal Retirement Date) shall be re-credited to the Participant's Retirement Income Account. Such amount shall be credited on the Participant's Normal Retirement Date and shall include earnings on such excess based on the interest rate used for determining Actuarial Equivalence under Appendix A (as in effect on the Participant's date of election under Section 5.18(b)(2)) from the date the Retirement Income Account was transferred to the Pension Plan to the Participant's Normal Retirement Date.

(4) In lieu of the straight life retirement annuity described in Section 5.18(b)(3), a

Participant may elect, at the time the Participant reaches his or her Normal Retirement Date, to receive monthly retirement income in the form of a joint and survivor option or guaranteed period option, subject to the following restrictions:

- (i) Such election shall be made in accordance with the provisions of Section 7.2.
- (ii) The joint and survivor option shall be limited to the option that provides a monthly income during the Participant's lifetime and continuing after his or her death at a 50% rate (i.e., the 66 2/3% and 100% survivor options are not available).
- (iii) The designated contingent annuitant under the joint and 50% survivor option must be the Participant's Spouse.
- (iv) The guaranteed period option shall be limited to the 5 or 10 year guaranteed period option (i.e., the 15 or 20 year guaranteed period options are not available).

Any optional form of retirement income elected by a Participant pursuant to this Section 5.18(b)(4) shall be the Actuarial Equivalent of the life annuity described in Section 5.18(b)(3), as determined based on the Actuarial Equivalence for Disabled Participants (for determining Actuarial Equivalence under Section 5.18(b)(4)) set forth in Appendix A.

FOURTH CHANGE

The following new Section 5.19 shall be added after new Section 5.18:

5.19 Amendments to Disability Income Plan

In the case of a Participant whose rights to a Disability Benefit, and the amount and conditions of such Disability Benefit, are determined under the provisions of the Disability Income Plan, as in effect prior to the Date of Adoption, the provisions of the Disability Income Plan applicable to such Participant are hereby amended as follows:

(a) Section 4.07

Section 4.07 of the Disability Income Plan is hereby deleted in its entirety and the following new Section 4.07 inserted in lieu thereof:

Section 4.07 - Disability Benefits After Normal Retirement Date

When the Participant reaches his Normal Retirement Date (i.e., age sixty (60)), the Participant's benefits from the Disability Income Plan shall be recomputed so that benefits from the Disability Income Plan and benefits from the Participant's City Funded Retirement Income Account (as defined in Section 1.6 of the Pension Plan) shall be actuarially equal in value to the amount of payments that the Participant would have received under Section 4.01, 4.02, 4.03 or 4.04 of the Disability Income Plan if the Participant (i) had not been disabled, (ii) had continued to be employed by the City at the same rank and grade he had attained immediately prior to his disability, (iii) for the prior thirty-six (36) months, had received the amount of pay applicable to such rank and grade (including any cost of living wage adjustment granted by the City but ignoring any step increases for such rank and grade), and (iv) had become disabled and begun receiving Disability Benefits immediately prior to his Normal Retirement Date. If the amount of pay applicable to the Participant's rank and grade is modified by a change in the City's compensation or classification system, then the Participant shall be assigned to an equivalent rank and grade within such revised compensation or classification system for purposes of applying the provisions of this Section.

Following such recalculation, the Disability Benefits pursuant to Section 4.01, 4.02, 4.03 or 4.04 of the Disability Income Plan shall continue to be paid to the Participant under the Disability Income Plan following his Normal Retirement Date, but only to the extent necessary to provide that benefits from the Disability Income Plan and benefits from the Participant's City Funded Retirement Income Account are equal to the recalculated Disability Benefits the Participant would have received under Section 4.01, 4.02, 4.03 or 4.04 of the Disability Income Plan, as computed in accordance with the preceding paragraph. In the event that the actuarially determined benefits from the Participant's City Funded Retirement Income Account are equal to or greater than such recalculated Disability Benefit, then all Disability Benefits payable under the Disability Income Plan shall cease on the Participant's Normal Retirement Date.

For purposes of the determinations required under this Section 4.07:

- (1) The amount of benefits payable with respect to a Participant's City Funded Retirement Income Account shall be determined by the Actuary using the Actuarial Equivalence for Disabled Participants (for determining Actuarial Equivalence under Section 5.19) set forth in Appendix A to the Pension Plan, as in effect at such Normal Retirement Date.
- (2) In the case of a Participant whose Retirement Income Account is subject to a qualified domestic relations order (within the meaning of Section 13.3(c)(5) of the

Pension Plan) on or after June 12, 2007, such qualified domestic relations order shall be ignored in determining the amount of the benefit that is payable with respect to a Participant's City Funded Retirement Income Account. To the extent that the Participant's Retirement Income Account has been divided into separate accounts pursuant to a qualified domestic relations order the amount of benefit that is payable with respect to a Participant's City Funded Retirement Income Account shall be determined by including the sum of (i) the portion of the Participant's City Funded Retirement Income Account assigned to the alternate payee, and (ii) imputed earnings on such amount computed based on the interest rate used for determining Actuarial Equivalence under Appendix A of the Pension Plan (as in effect on the date such determination is being made) from the date of assignment to the Participant's Normal Retirement Date.

FIFTH CHANGE

The following new Section 6.9(f)(3) shall be added after Section 6.9(f)(2):

(3) If a Participant who elected to use his or her City Funded Retirement Income Account to purchase retirement income pursuant to Section 5.18 dies before his or her Normal Retirement Date, the following provisions shall apply:

(i) The amount of retirement income purchased with the Participant's City Funded Retirement Income Account shall not be considered part of the Participant's Accrued Pension Benefit for purposes of determining any benefit payable following the Participant's death; and

(ii) The Participant's Beneficiary shall be entitled to receive, as a single lump sum, an amount equal to the Participant's City Funded Retirement Income Account as of the date of the Participant's election under Section 5.18, together with earnings on such amount computed based on the interest rate used for determining Actuarial Equivalence under Appendix A (as in effect on the date of election under Section 5.18(a)(2) or (b)(2)) from the date of election to the date of the Participant's death.

SIXTH CHANGE

Appendix A of the Plan is hereby deleted, and the following is substituted in lieu thereof:

APPENDIX A

ACTUARIAL ASSUMPTIONS

This Appendix A lists all of the Actuarial Assumptions necessary to be included in a Plan document. This Appendix, which may be amended from time to time by the Board (without the necessity of formal amendment to the Plan) to make necessary adjustments in the Actuarial Assumptions, is intended to be incorporated by reference into and made a part of the Plan. Except as otherwise permitted by law, no amendment to this Appendix A shall reduce any Participant's Accrued Pension Benefit calculated as of the later of the effective date or the adoption of such an amendment.

Actuarial Equivalence

(Non-Disabled Participants):

1. Interest Rate: 7.5% (compounded annually)
2. Mortality: Participant – 1983 Group Annuity Table for males, with ages set back one year.
Contingent Annuitant – 1983 Group Annuity Table for females, with no set forward or set back.
3. Cost of Living: 3% (subject to overall Plan limits).

(Disabled Participants – For Determining Actuarial Equivalence under Section 5.13(a), Section 5.15, Section 5.18(a)(4), Section 5.18(b)(4) and Section 5.19):

1. Interest Rate: 7.5% (compounded annually)
2. Mortality: Participant – 1983 Group Annuity Mortality Table for males, with ages set forward nine years.
Contingent Annuitant – 1983 Group Annuity Table for females, with no set forward or set back.
3. Cost of Living: 3% (subject to overall Plan limits).

(For Conversion Of City Funded Retirement Income Account Under Section 5.18 and For Determining Actuarial Equivalence under Section 5.13 – Other Than Section 5.13(a), and Section 5.18 – Other Than Section 5.18(a)(4) and Section 5.18(b)(4)):

1. Interest Rate: 7.5% (compounded annually)
2. Mortality: Participant – 1983 Group Annuity Mortality Table for males, with ages set forward three years, assuming no pre-retirement mortality.
Contingent Annuitant – 1983 Group Annuity Table for females, with no set forward or set back.
3. Cost of Living: 3% (subject to overall Plan limits).

The City of Alexandria Firefighters and Police Officers Pension Plan, as in effect on January 1, 2004, and as previously amended by a First, Second, Third and Fourth Amendment, and as amended by the foregoing changes, is hereby ratified and confirmed in all other respects.

35. Consideration of Resolution From the Landlord-Tenant Relations Board Regarding the Voluntary Rent Guidelines. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 30, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 35; 06/12/07, 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 approved the resolution to decrease the City's Voluntary Rent Guidelines from 6% to 5.5% where the tenant pays utilities and from 9.5% to 7.5% where the owner pays utilities, as recommended by the Landlord-Tenant Relations Board. The voting was as follows:

Gaines	"aye"	Pepper	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

The resolution reads as follows:

RESOLUTION NO. 2236

2007 VOLUNTARY RENT GUIDELINES RESOLUTION
CITY OF ALEXANDRIA, VIRGINIA

WHEREAS, more than half of the dwelling units in the City of Alexandria are renter-occupied; and

WHEREAS, the Alexandria City Council has continually expressed its concern for the well-being of the City's tenants and landlords through proposed charter changes, legislation, and establishment of the Landlord-Tenant Relations Board; and

WHEREAS, the Alexandria Landlord-Tenant Relations Board has previously expressed its concern to the City Council regarding excessive rent increases;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Alexandria, Virginia calls upon the Alexandria Landlord-Tenant Relations Board to monitor and investigate complaints of rent increases in excess of the following guidelines and to conduct a review of the guidelines every six months and forward recommendations to Council at a minimum of every 12 months:

-- If the tenants pay all utilities, not more than five and one half percent cumulatively per year;

-- If all utilities are included in the rental amount, not more than seven and one half percent cumulatively per year;

PROVIDED, however, that Board investigators will recognize and take into account any unusual costs, capital improvements and major repairs to the property (which should be substantiated by the owner), and extraordinary increases (more than 50%) in assessments;

PROVIDED, further, that the landlord may apportion increased real estate taxes in an equitable manner;

PROVIDED, further, that when a landlord converts utilities to a sub-metered or individually metered system, the amounts of monthly rents, plus annualized utility costs, shall remain within these guidelines.

BE IT FURTHER RESOLVED that the Landlord-Tenant Relations Board will report to City Council on the adequacy of the above guidelines in 2008.

36. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 82 of the City Code. **[ROLL-CALL VOTE]**

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 36; 06/12/07, 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. 36; 06/12/07, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council approved an ordinance to adopt Supplement Number 82 of the City Code. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"

The ordinance reads as follows:

ORDINANCE NO. 4484

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. 82," are hereby adopted as and shall constitute "The Eighty-Second Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Eighty-Second Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between June 17, 2006 through February 24, 2007, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after June 17, 2006, 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 June 17, 2006 through February 24, 2007, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Eighty-Second Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The Eighty-Second Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. This ordinance shall become effective upon the date and at the time of its final passage.

OTHER

37. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 7, 2007, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 37; 06/12/07, 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 received the revised calendar which includes: (1) the Alexandria Commission on Persons with Disabilities Annual Awards Reception at 5:30 p.m (revised time) before Council's Tuesday, June 26 legislative meeting in the Vola Lawson Lobby; (2) the Festival of the Arts on Saturday, September 8 from 10:00 a.m. to 7:00 p.m., and Sunday, September 9 from 10:00 a.m. to 6:00 p.m. on King Street from Washington Street to Union Street; (3) the International Film Festival from Thursday, September 27 through Sunday, September 30 (exact venues and times to be determined); (4) the annual City Employee Picnic on Thursday, October 4 from 4:00 p.m. to 8:00 p.m. at Ft. Ward Park, 4301 West Braddock Road; (5) the Animal Welfare League of Alexandria Annual Dinner and Silent Auction on Saturday, October 20 at 6:30 p.m. at the Holiday Inn and Suites, 625 First Street; and (6) the 31st Annual Hanukkah Celebration on Monday, December 10 at 6:00 p.m. in the INOVA Alexandria Hospital Atrium, 4320 Seminary Road. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"

EXECUTIVE SESSION

38. Consideration of Convening An Executive Session Closed to the Public to Discuss Acquisition of Property for Public Purposes and Contracts For the Development Thereof.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, at 11:06 p.m., City Council convened in executive session, pursuant to Section 2.2.-3711(A)(7) for the purpose of discussing a claim against the City by the estate of Aaron Brown and potential litigation involving Mirant, and pursuant to Section 2.2-3711(A)(3) and (A)(30) for the purpose of discussing the acquisition and disposition of property for public housing, and the award of a public contract for the development thereof. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman

Smedberg and carried unanimously, at 12:11 a.m., City Council reconvened the meeting. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council authorized the City Attorney to settle the Aaron Brown case along the lines discussed with City Council in executive session. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"

The resolution reads as follows:

RESOLUTION NO. 2237

WHEREAS, the Alexandria City Council has this 12th day of June 2007, 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 Councilman Krupicka, seconded by Councilman Smedberg and carried

unanimously, the regular City Council meeting of June 12, 2007, was adjourned at 12:15 a.m. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria Sitton, CMC Deputy City Clerk