

City of Alexandria

*301 King St., Room 2300
Alexandria, VA 22314*



Docket - Final

Tuesday, January 14, 2014

7:00 PM

Council Chambers

City Council Legislative Meeting

[14-2244](#) 5:30 P.M. - Work Session on the Planning and Zoning Interdepartmental Work Program.

Attachments: [14-2244_powerpoint.pptx](#)

1 Calling the Roll.

2 Moment of Silence and Pledge of Allegiance.

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

[14-2288](#) The Regular Meeting Minutes of December 10, 2013; and
The Public Hearing Meeting Minutes of December 14, 2013.

Attachments: [14-2288_Dec 10 minutes.rtf](#)

[14-2288_Dec 14 minutes.rtf](#)

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

PROCLAMATIONS

4 [14-2234](#) Presentation by CVS in the Amount of \$25,000 For Funding of the Therapeutic Equipment and Playground Equipment at the Lee Center.

5 [14-2107](#) Presentation of a Plaque and Recognition of the City's Positive Class Change for the City's Flood Management Program.

6 [14-2271](#) Presentation of a Proclamation Recognizing the Chinquapin Wahoos Championship Season.

Attachments: [14-2271_Proclamation](#)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (five min.)

CONSENT CALENDAR (7-18)

(Resignations and Uncontested Appointments)

7 [14-2301](#) Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Alexandria Transportation Commission
Josh Sawislak

(b) Building Code Board of Appeals
Daniel Wiechert

(c) Commission on Aging
Niall O'Connor

(d) Commission on Employment
Amy Bell

(e) Commission on HIV/AIDS
Thomas Suydam

(f) Environmental Policy Commission
Chris Gamache
Josh Sawislak

Attachments: [14-2301 resignations](#)

8 [14-2303](#) Uncontested Appointments to Boards, Commissions and Committees:

(a) Alexandria Marketing Committee
1 Member with Experience or Expertise in the Following Areas:
Marketing/Communications, Advertising Agency/Public Relations, Media Buyer, Graphic Design/Production, and or Media Relations/Media Outlet

(b) Alexandria Transportation Commission
1 Environmental Policy Commission Member

(c) Beautification Commission
2 Citizen Members

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

(e) Commission on HIV/AIDS
1 Citizen Member

(f) Commission on Persons with Disabilities
2 Citizen Members

(g) Historic Alexandria Resources Commission
1 Alexandria Society for the Preservation of Black Heritage Representative
1 Alexandria Historic Landmark Society Representative

(h) Landlord-Tenant Relations Board

1 Tenant Member

1 Low-Income Tenant Member

(i) Potomac Yard Design Advisory Committee

1 Member Representing the Potomac Yard Area

(j) Public Health Advisory Committee

1 Citizen Member Who Shall Not be a Health Professional

(k) Public Records Advisory Committee

2 Citizen Members

(l) Torpedo Factory Art Center Board

1 Commission for the Arts Representative

Attachments: [14-2303 uncontested appointments](#)

(Reports and Recommendations of the City Manager)

- 9 [14-2235](#) Consideration of the Monthly Financial Report for the Period Ending November 30, 2013.

Attachments: [14-2235 Attachment 1 revenues](#)

[14-2235 Attachment 2 Expenditures November 2013](#)

[14-2235 Attachment 3 Economic charts November 2013](#)

[14-2235 Attachment 4 Contingent Reserves Nov 2013](#)

- 10 [14-2261](#) Consideration of Appointment of a Medic/Fire Marshal Alternate to the City of Alexandria Supplemental Retirement Board.

(Ordinances for Introduction)

- 11 [14-2124](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to the Northeast Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2013-0003 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (Implementing Ordinance for the Master Plan Amendment for the Slaters Lane Project Approved By the City Council on December 14, 2013)

Attachments: [14-2124 Information Sheet](#)

[14-2124 Ordinance](#)

[14-2124 Attachment](#)

- 12 [14-2126](#) Introduction and First Reading. Consideration. Passage on First Reading

of an Ordinance to Amend and Reordain Sheet No. 044.02 of the "Official Zoning Map, Alexandria, Virginia," Adopted By Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, By Rezoning the Property at 800 and 820 Slaters Lane to Amend the Proffer in Accordance With the Said Zoning Map Amendment Heretofore Approved By City Council as Rezoning No. 2013-0004. (Implementing Ordinance for the Rezoning to Amend the Proffer for the Slaters Lane Project Approved By the City Council on December 14, 2013)

Attachments: [14-2126 Information Sheet](#)
[14-2126 Ordinance](#)
[14-2126 Attachment](#)

- 13** [14-2252](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 11-808 (Protest of Zoning Map Amendment By Landowners) of Section 11-800 (Zoning Amendment) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved by City Council as Text Amendment No. 2013-0003. (Implementing Ordinance for Text Amendment to Update Section 11-808 Approved by City Council on December 14, 2013)

Attachments: [14-2252 Information Sheet](#)
[14-2252 Ordinance](#)

- 14** [14-2254](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Subsection F (Prior Existing Buildings and Structures) of Section 8-200 (General Parking Regulations) of Article VIII (Off-Street Parking Regulations) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2013-0013. (Implementing Ordinance for the Parking Related Text Amendment Approved By City Council With the Housing Master Plan on December 14, 2013)

Attachments: [14-2254 Information Sheet](#)
[14-2254 Ordinance](#)

- 15** [14-2256](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to the Eisenhower East Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2013-0007 and No Other Amendments, and To Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such

Amendment. (Implementing Ordinance for the Eisenhower East Small Area Plan Amendment to Incorporate the Change to the Sidewalk Material Approved by City Council on December 14, 2013)

Attachments: [14-2256 Information Sheet](#)
[14-2256 Ordinance](#)
[14-2256 Attachment](#)

- 16 [14-2258](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to Such Master Plan as Master Plan Amendment No. 2013-0005 to Incorporate the Housing Master Plan Chapter into the Master Plan and No Other Amendments, and To Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (Implementing Ordinance for the Housing Master Plan Chapter of the Master Plan Approved by the City Council on December 14, 2013)

Attachments: [14-2258 Information Sheet](#)
[14-2258 Ordinance](#)

- 17 [14-2277](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance, to Amend and Reordain Section 5-2-64 of Article C (Street Names) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) and Repeal Section 13-1-23 of Chapter 1 (General Offenses) of Title 13 (Miscellaneous Offenses) and repeal Section 5-2-25 of Article A (General Provisions) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) and Repeal Article B (Alexandria Transportation Safety Commission) of Chapter 8 (Parking and Traffic Regulations) of Title 5 (Transportation and Environmental Services) and repeal Chapter 9 (Rebound Tumbling Centers) of Title 9 (Licensing and Regulation) of the Code of the City of Alexandria.

Attachments: [14-2277 cover sheet](#)
[14-2277 Draft ordinance December 27 2013](#)

- 18 [14-2285](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize Participation in the Virginia Investment Pool.

Attachments: [14-2285 Virginia Investment Pool Trust Fund Ordinance Cover Sheet](#)
[14-2285 Virginia Investment Pool Trust Fund Ordinance](#)
[14-2285 1-VIP Trust Agreement 9.13.13](#)
[14-2285 2-VIP Joinder Agreement Alexandria 12062013](#)
[14-2285 3-AG Opinion - Official 2.8.13](#)

END OF CONSENT CALENDAR

OTHER

19 [14-1956](#) Update on the 2014 General Assembly Session.

CONTESTED APPOINTMENTS

- 20 [14-2314](#) Commission on Information Technology
1 Citizen Member
Attachments: [14-2314 Comm on IT.docx](#)
- 21 [14-2312](#) Environmental Policy Commission
1 Citizen-at-Large Member
Attachments: [14-2312 Environmental Policy Comm.docx](#)
- 22 [14-2308](#) Sanitation Authority/Alexandria Renew Enterprises
1 Citizen Member
Attachments: [14-2308 Sanitation Authority](#)
- 23 [14-2310](#) Sister Cities Committee
1 Citizen Member
Attachments: [14-2310 Sister Cities Comm.docx](#)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION (60 min.)

- 24 [14-1730](#) Consideration of Civic Engagement Handbook and Implementation Plan and Setting The Plan for Public Hearing and Adoption on Saturday, January 25, 2014.
Attachments: [14-1730 Attachment 1 CE Revised WNA Handbook 12.20.13 resize](#)
[14-1730 Attachment 2 CE Handbook Comments Responses 122013](#)
[14-1730 Attachment 3 CE Implementation Plan](#)
[14-1730 Attachment 4 CE Policy Resolution attachment 121813](#)
- 25 [14-2128](#) Receipt of the 2013 Status Report Related to Implementation of the 2003 Arlandria Action Plan.

Attachments: [14-2128 Attachment 1 Arlandria - 2013 Status of Implementation Report 2012](#)
[14-2128 Attachment 2 Arlandria - Correspondences](#)

- 26 [14-2290](#) Approval of the City's Proposed FY 2015 and FY 2016 Transportation Project List Request for Northern Virginia Transportation Authority (NVTA) 70 Percent Funds.

Attachments: [14-2290 Attachment 1 FY14-FY 2016 Proposed Program of Projects for NVTA](#)
[14-2290 powerpoint.pptx](#)

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

ORAL REPORT FROM THE CITY MANAGER

ORDINANCES AND RESOLUTIONS

- 27 [14-2264](#) Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 108 of the City Code. [ROLL-CALL VOTE]

Attachments: [14-2264 supp108.doc](#)
[14-2264 SUPP108C.doc](#)

- 28 [14-2183](#) Consideration of a Resolution to Establish a New Development Parking Standards Task Force. [ROLL-CALL VOTE]

Attachments: [14-2183 Parking Study Resolution.docx](#)

- 29 [14-2245](#) Consideration of a Resolution to Amend and Restate the Supplemental Retirement Plan. [ROLL-CALL VOTE]

Attachments: [14-2245 1 Resolution Supplemental](#)
[14-2245 2 List of Section Changes Supplemental](#)
[14-2245 3 Restatement Supplemental](#)

- 30 [14-2246](#) Consideration of a Resolution to Amend and Restate the City of Alexandria Pension Plan for Firefighters and Police Officers (Closed Plan). [ROLL-CALL VOTE]

Attachments: [14-2246 1 Resolution Old F&P Plan](#)
[14-2246 2 List of Section Changes Old Fire and Police](#)
[14-2246 3 Restatement Old Fire and Police](#)

- 31 [14-2275](#) Consideration of Grant Application and Adoption of a Resolution for FY

2015 Funding for the Continuation of the Alexandria Transportation Demand Management Program. [ROLL-CALL VOTE]

Attachments: [14-2275 Attachment 1 FY15 TDM Operations Grant](#)
[14-2275 Attachment 2 Resolution](#)

OTHER

32 [14-2289](#) Consideration of City Council Schedule.

Attachments: [14-2289 Council Calendar January 2014 to June2014.docx](#)
[14-2289 Fiscal2015BudgetCalendar CityCouncil.docx](#)

33 [14-2324](#) Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

Attachments: [14-2324 exec session motion.doc](#)

*The Cablecast schedule of Government meetings on Channel 70 can be found here:
<http://apps.alexandriava.gov/Calendar/AltDisplay/VideoList.aspx>*

This docket is subject to change.

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Full-text copies of ordinances, resolutions, and agenda items are available in the Office of the City Clerk and Clerk of the Council. Meeting materials are also available on-line at alexandriava.gov/council.

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Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 703-746-4550 (TTY/TDD 838-5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.

City Council meetings are closed-captioned for the hearing impaired.

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Legislation Details (With Text)

File #: 14-2244 **Name:** Worksession: Interdepartmental Work Program (Planning and Zoning)

Type: **Status:** Agenda Ready

File created: 12/16/2013 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: 5:30 P.M. - Work Session on the Planning and Zoning Interdepartmental Work Program.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2244 powerpoint.pdf](#)

Date	Ver.	Action By	Action	Result
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5:30 P.M. - Work Session on the Planning and Zoning Interdepartmental Work Program.

FY 2015 Interdepartmental Long Range Planning Work Program

City Council
January 14, 2014



The Challenge for FY 2015

- Alexandria highly sought-after development location
- Long list of proposed plans/projects in the queue
- More than can be managed by current staff/resources/processes
- Represent significant additions to the tax base



The Strategy for FY 2015

- Take advantage of opportunities but don't overwhelm system
- Prioritize and sequence projects
 - Market realities
 - Community interests
 - Citywide goals and objectives
- Developer/landowner help fund planning projects
- Minimize budget impact; staffing to be considered during budget process



Strategic Goals Supported by Long Range Planning Work Program

Primary Focus Area: **Livable Green and Prospering City**

- An attractive urban environment that reflects our history and provides well-functioning infrastructure.
- Neighborhoods that are inclusive and diverse
- Neighborhoods that are amenity-rich.
- High quality new construction to increase the value of the City's real estate tax base.
- Improve the City's air quality



Strategic Goals Supported by Long Range Planning Work Program

Primary Focus Area: **Livable, Green and Prospering City** (continued)

- Improve the health of City waterways
- Sustain the natural quality of land within the City
- Increase the economic benefits of tourism to the City
- Ensure Alexandria supports, retains, and attracts businesses
- Increase transportation system mobility, connectivity, and accessibility that supports the City's economy



Strategic Goals Supported by Long Range Planning Work Program

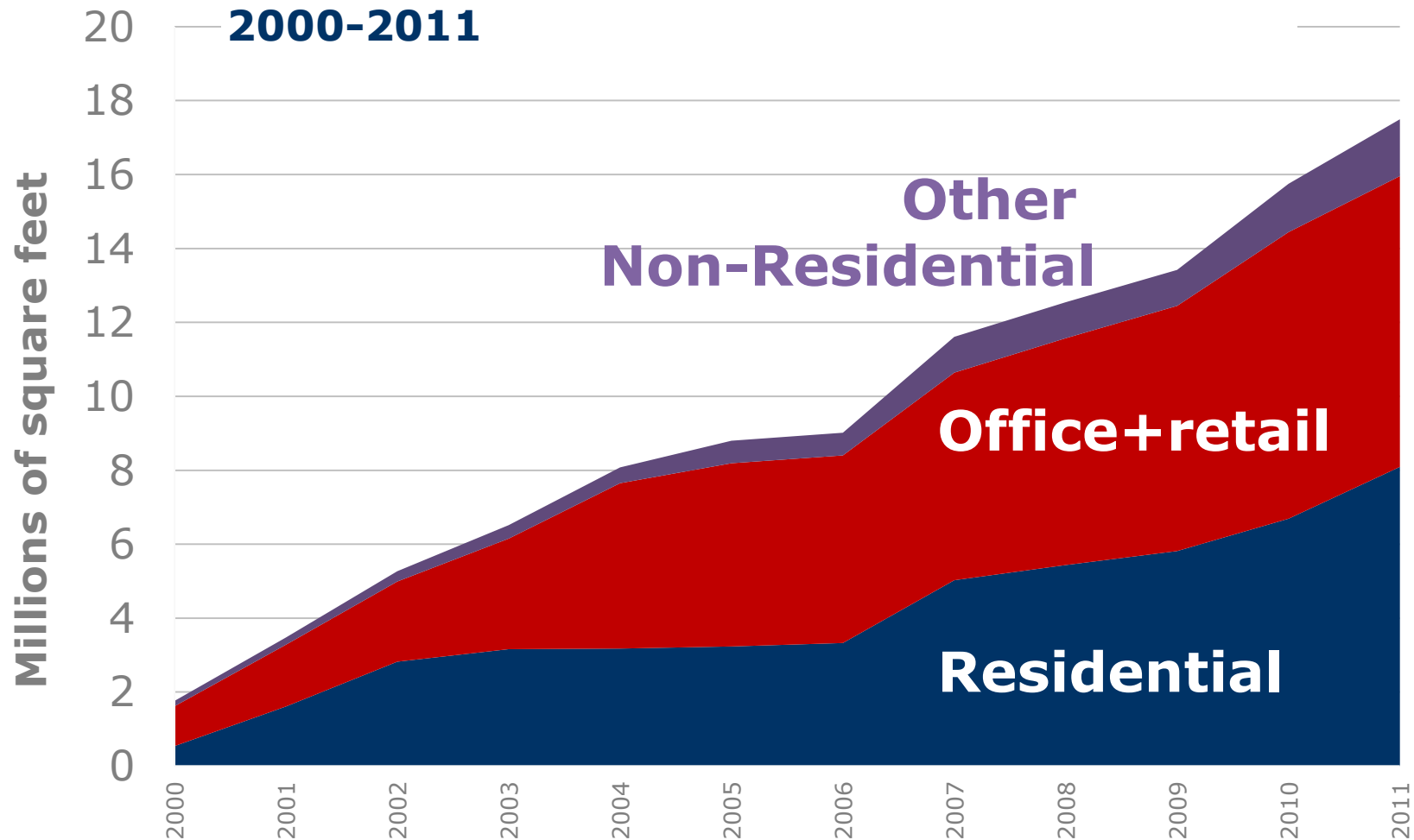
Other Focus Areas

- Improve the quality of residents' leisure time
- Ensure the educational and developmental attainment of all residents
- Ensure the City Government is accountable to the community
- Achieve results that the community values
- Ensure the fiscal strength of the city government

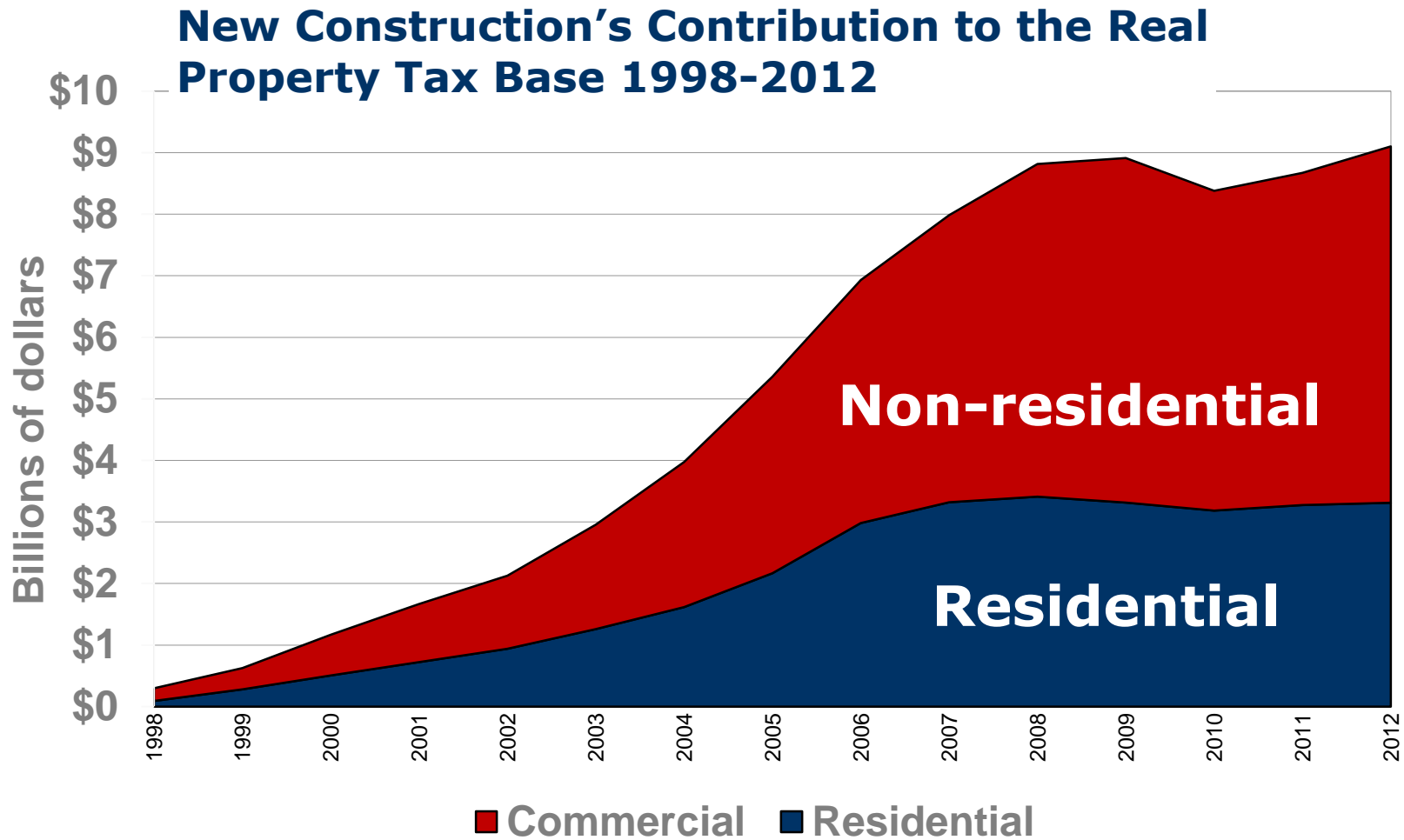


Development Constructed

**Alexandria Cumulative Development Activity
2000-2011**



Development Constructed



Development Planned

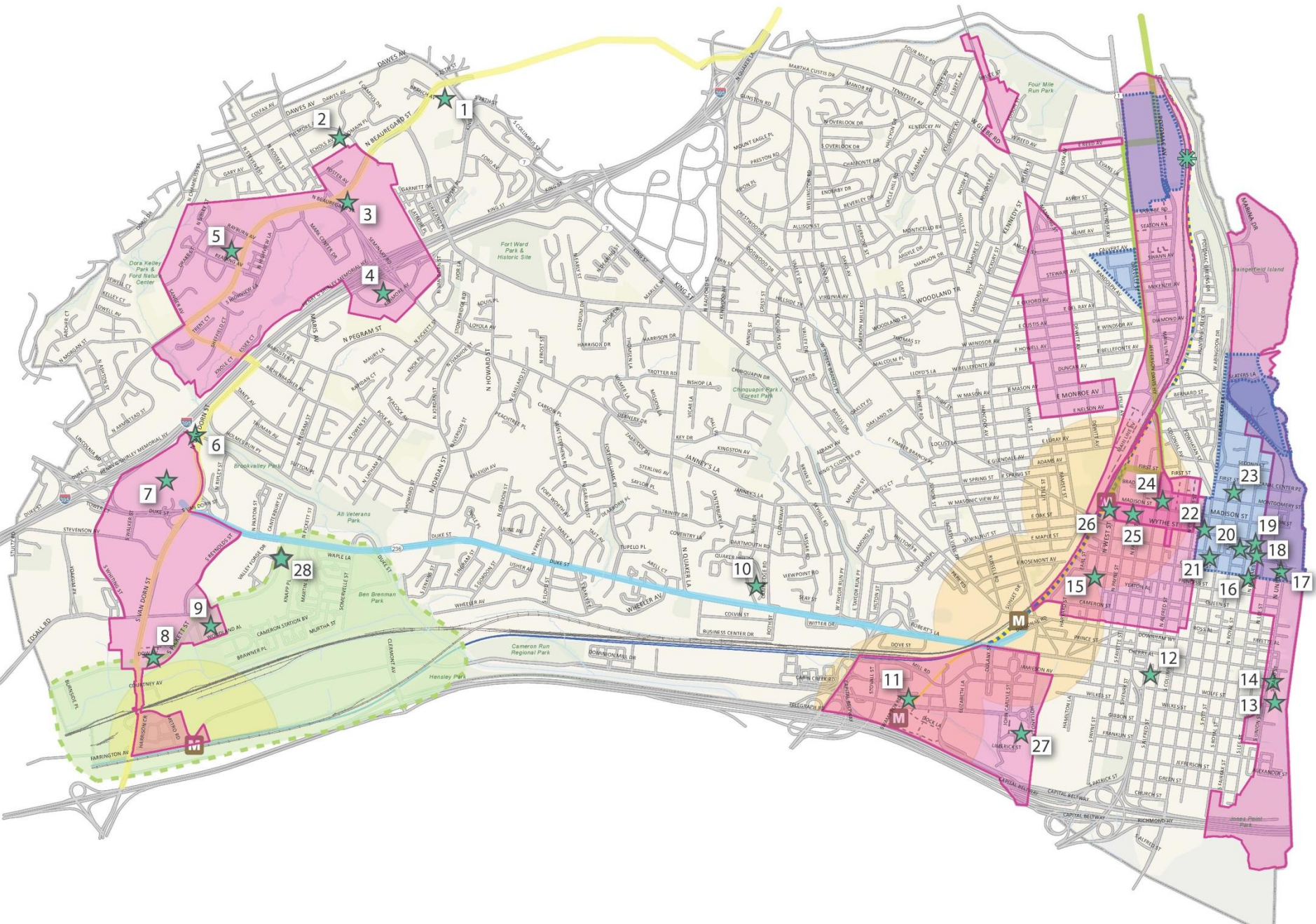
FY	Area	Development
1999	Potomac Yard	3.8 million
2001	Upper Potomac West	0.4 million
2003	Arlandria	1.7 million
2003	Eisenhower East	8.9 million
2005	Mount Vernon Avenue	0.2 million
2006	Hunting Creek	0.2 million
2008	Braddock Metro and Braddock East	3.6 million
2009	Landmark/Van Dorn	12.1 million
2010	Potomac Yard North	7.5 million
2012	Waterfront	0.8 million
2012	Beauregard	12.0 million
Total		51.4 million

Current Activity:

Plan implementation and Infill

- Beauregard
- Landmark/Van Dorn
- Arlandria
- Braddock
- Carlyle/Eisenhower East
- Potomac Yard
- Waterfront
- Infill







Current Activity: Plans and Studies

- Eisenhower West Small Area Plan*
- Ped./Bike Master Plan/Complete Streets*
- Public Art Master Plan
- Long Range Education Facilities Plan*
- Parking Standards for New Dev't*
- Del Ray Historic Preservation Plan*
- Neighborhood Park Improvement Plan*
- Transit Corridor C Alternatives Analysis*
- Sanitary Sewer/CSO Plan*
- Stormwater Management Plan*

*** Work will
continue
into FY 15**



Eisenhower West

- Steering Committee now being formed
- Consultant RFP to be issued in January
- Transportation study will begin February
- Draft Plan completion antic. June 2015



←----- Transportation Study ----->

Steering Committee Engagement



New Development Parking Standards Study

- Goal – to evaluate existing City parking standards for new development and propose revisions
- Phase I - focus on residential development (Phase II if pursued will focus on commercial)
- Completed/current work - data collection + analysis, review recent policy changes of adjacent jurisdictions; regl/natl best practices
- Next steps (March-Dec) - Speaker series, Task Force meetings, community engagement, develop draft ordinance
- January 2015 - Public hearings



New Initiatives Expected in FY15

- Oakville Triangle
- Major redevelopment
 - ARHA – 7 sites
 - Robinson Terminals
 - WMATA Bus Barn (begins in FY14)
- FY 2016: Old Town North SAP and North Potomac Yard re-planning



Constraints

- Project staff
- Management staff
- Decision-making system capacity
- Community capacity to engage
- Consultant funding



Oakville Triangle

- Hybrid project - a “small” small area plan/large redevelopment project
- Potentially limited market window of opportunity; developer interested in moving forward now, or will re-sign long term leases
- Somewhat less dependent on Metro location than North Potomac Yard, more dependent on BRT
- Developer potentially willing to contribute to technical studies (retail and market analyses, land use, civic engagement) and staff resources, although in house staff resources will be needed



ARHA Redevelopment

- ARHA RFP released January 6
- 7 total sites, 3 in Old Town North, 3 in Braddock, with complex issues of density, height, open space, financing, 545 replacement affordable housing units, short timeframe
- Requires significant PZ/interdepartmental staff resources, consistency w/HMP and SAPs, community goals
- Other current affordable housing projects: East Reed, St. James



WMATA Bus Barn

- Hybrid process - Partnership between City and WMATA
- City (P&Z) manages community input process (4 months, starting Feb 14) to create redevelopment standards and parameters for the RFP
- Ad-Hoc Advisory Committee (~12 community representatives)
- WMATA issues RFP based on community developed standards.



Old Town North/NRG – FY16

- Work Program has OTN SAP starting in FY16 but City is processing rezonings as they come in
- ARHA and WMATA Bus Barn to start soon
- NRG and ABC/Giant start dates uncertain
- Potential for developer contributions for SAP
- Will require the use of in-house staff



North Potomac Yard – FY16

- Location of Metro key factor in what is proposed where in NPY; best that this be determined before NPY re-planning
- Some preliminary work can occur in meantime, retail and market analyses
- Some potential for developer contributions toward technical studies (retail and market analyses, land use, civic engagement) and staffing
- Still requires use of some existing staff resources
 - project management, specific skill sets



FY16 Work Program: OTN, NPY





- OTN recommended to begin July 2016 (per existing approved WP)
- NPY tentatively added to FY16 WP pending further information – may be necessary to move quickly to capture market opportunity and value
- NOTE - Metro EIS: By Feb 2015 CC will have selected locally preferred alternative, at which point we will have more info about optimal timing/scope of NPY re-plan



Preliminary Draft FY2015 Work Program

[illegible]

KEY

-  Preparatory staff work &/or technical analysis
-  Planning with public engagement
-  Plan approval process
-  Plan Implementation





Legislation Details (With Text)

File #: 14-2288 **Name:** minutes
Type: Minutes **Status:** Agenda Ready
File created: 1/3/2014 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: The Regular Meeting Minutes of December 10, 2013; and
The Public Hearing Meeting Minutes of December 14, 2013.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2288 Dec 10 minutes.pdf](#)
[14-2288 Dec 14 minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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The Regular Meeting Minutes of December 10, 2013; and
The Public Hearing Meeting Minutes of December 14, 2013.

**City of Alexandria
Meeting Minutes
Tuesday, December 10, 2013
7:00 P.M.
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Police Captain Wemple; Mr. Caton, Legislative Director; Ms. Collins, Deputy City Manager; Mr. Gates, Deputy City Manager; Ms. Smith, Director, Office of Management and Budget; Mr. Baier, Director, Transportation and Environmental Services; Ms. Reinfeld, Division Chief, Transportation and Environmental Services; Ms. Marks, Transportation and Environmental Services; Ms. Baker, Director, Department of Project Implementation; Ms. Farmer, Transportation and Environmental Services; Mr. Stokes, Transportation and Environmental Services; Fire Chief Thiel; Ms. Triggs, Chief Financial Officer; Ms. Hamer, Director, Planning and Zoning; Mr. Farner, Planning and Zoning; Ms. Beach, Planning and Zoning; Ms. Williams, Planning and Zoning; Mr. Castrilli, Director, Office of Communications; Ms. Chis, Deputy Director, Office of Community and Human Services; Ms. Farrell, Office of Community and Human Services; Ms. Anderson, Office of Community and Human Services; Mr. Frazier, Office of Community and Human Services; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

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

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6:00 p.m. - Work Session on the Potomac Yard Metro Rail Station Planning

City Council held the work session on the Potomac Yard Metro Rail Station Planning.

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1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance

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

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

The Special Public Hearing Meeting Minutes of November 19, 2013; and
The Regular Meeting Minutes of November 26, 2013.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the special public hearing meeting minutes of November 19, 2013, and the regular meeting minutes of November 26, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation for First Night Alexandria.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council endorsed the proclamation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

5. Presentation of a Proclamation Issuing a Challenge to the British Embassy for the War of 1812.

WHEREUPON, upon motion by Vice Mayor Silberberg, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

6. Presentation of a Proclamation Recognizing the Winners of the Health Workplace Awards Program by the Alexandria Childhood Obesity Action Network.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council endorsed the proclamation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

OTHER

7. Discussion with Senator Tim Kaine-Federal Issues of Concern to the City of Alexandria.

Mr. Caton, Legislative Director, went over issues of possible concern to the City.

Senator Kaine spoke of issues related to the City and responded to questions of City Council.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (five min.)

CONSENT CALENDAR (8-14)

(Resignations and Uncontested Appointments)

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

- (a) Beautification Commission
Gary Henson
- (b) Commission on HIV/AIDS
Nicole Battle
- (c) Emergency Medical Services Council
E. Susan Roe

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 12/10/13, and is incorporated as part of this record by reference.)

9. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alcohol Safety Action Program Board
 - 1 U.S. Probation Office Representative
 - 1 Commonwealth's Attorney Representative
- (b) Archaeological Commission
 - 1 Citizen Member
- (b) Beautification Commission
 - 1 Citizen Member
- (c) Children, Youth and Families Collaborative Commission
 - 1 City Staff Member
 - 1 Young Adult Member
 - 1 High School Student
 - 1 Alexandria City Public Schools Member
- (d) Commission on Aging
 - 1 Citizen Member
- (e) Commission on HIV/AIDS
 - 1 Hospice of Northern Virginia Representative
- (f) George Washington Birthday Celebration Committee
 - 1 Alexandria Chapter of the Daughters of the American Revolution
 - 1 Member Who Attends High School in the City of Alexandria
- (g) Public Health Advisory Commission

2 Non-Health Professionals

- (h) Waterfront Commission
- 1 Old Town Civic Association Representative
- 1 Founders Park Community Association Representative

(A copy of the above uncontested appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 12/10/13, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

10. Consideration of a Grant Funding Request of \$300,000 to Repair and Renovate the Fire Department's Burn Building.

(A copy of the City Manager's memorandum dated December 4, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 12/10/13, and is incorporated as part of this record by reference.)

11. Consideration of the Monthly Financial Report for the Period Ending October 31, 2013.

(A copy of the City Manager's memorandum dated December 4, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 12/10/13, 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 Authorizing the Owner of the Property Located at 2250 Mill Road (Tax Map #078.02-01-06) in the City of Alexandria, Virginia to Construct and Maintain an Encroachment into the Public Street Known as Dock Lane For a Bay on the Building and an Underground Transformer Vault. (Implementing Ordinance for the Encroachment Approved by the City Council on June 15, 2013 For the Eisenhower East Block 19 Residential Development)

(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. 12; 12/10/13, 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. 12; 12/10/13, and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Vacate a Portion of the Public Access and Emergency Vehicle Easement on the Private Street Known as East Campus Drive Located at 3001 North Beauregard Street and 3003 East Campus Drive (VAC No.2013-0004). (Implementing Ordinance for the Vacation Approved by the City Council For the Northern Virginia Community College on October 19, 2013)

(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. 13; 12/10/13, 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. 13; 12/10/13, and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2014.

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilmember Lovain and carried unanimously, City Council adopted the consent calendar, with the removal of item #10, which was considered under separate motion, as follows:

8. City Council received the following resignations with regret: (a) Gary Henson, Beautification Commission; (b) Nicole Battle, Commission on HIV/AIDS; and (c) E. Susan Roe, Emergency Medical Services Council.

9. City Council made the following appointments to boards, commissions and committees: (a) waived the residency requirement and reappointed Eva Wall as the one U.S. Probation Office representative and reappointed Molly Sullivan as the one Commonwealth's Attorney representative to the Alcohol Safety Action Program Board; (b) appointed Mark Ludlow as the one citizen member to the Archaeological Commission; (c) appointed Jamie Toraason as the one citizen member to the Beautification Commission; (d) waived the residency requirement and reappointed William Chesley as the one City staff member, appointed Nelson Majano as the one young adult member, reappointed Samuel Hanoura as the one high school student, and reappointed Margaret Walsh as the one Alexandria City Public Schools member to the Children, Youth and Families Collaborative Commission; (e) appointed Michael Kreps as the one citizen member to the Commission on Aging; (f) reappointed Ralph Cagle as the one Hospice of Northern Virginia representative to the Commission on HIV/AIDS; (g) appointed Stephanie Campbell as the one Alexandria Chapter of the Daughters of the American Revolution and appointed Katherine Campbell as the one member who attends high school in the City of Alexandria to the George Washington Birthday Celebration Committee; (h) reappointed Andrew LaVanway and Kathryn Taylor as the two non-health professionals to the Public Health Advisory Commission; (i) and reappointed Townsend Van Fleet as the one Old Town Civic Association representative and appointed Howard Bergman as the one Founders Park Community Association representative to the Waterfront Commission.

11. City Council received the monthly financial report for the period ending October 31, 2013.

12. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on December 14, 2013.

13. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on December 14, 2013.

14. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on December 14, 2013.

The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

10. Consideration of a Grant Funding Request of \$300,000 to Repair and Renovate the Fire Department's Burn Building.

(A copy of the City Manager's memorandum dated December 4, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 12/10/13, and is incorporated as part of this record by reference.)

Fire Chief Thiel responded to questions of City Council concerning the burn building.

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council authorized the City Manager to: 1. submit a grant application due January 1, 2014 to the Virginia Department of Fire Programs to repair and renovate the Fire Department's burn building; and 2. execute all necessary documents and agreements that may be required to receive funding under this grant program. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

CONTESTED APPOINTMENTS

15. Alcohol Safety Action Program Board
1 Citizen Member
1 Public Defender Representative

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

NAME:	ENDORSED BY:
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Todd Pilot
Sharon Taylor

Jon Bourdon

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 12/10/13, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Todd Pilot as the one citizen member and waived the residency requirement and appointed Jon Bourdon as the one public defender representative to the Alcohol Safety Action Program Board. The voting was as follows:

Euille	-	Pilot, Bourdon
Silberberg	-	Pilot, Bourdon
Chapman	-	Pilot, Bourdon
Lovain	-	Pilot, Bourdon
Pepper	-	Pilot, Bourdon
Smedberg	-	Pilot, Bourdon
Wilson	-	Pilot, Bourdon

16. Alexandria Marketing Committee
1 Citizen Member

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

NAME: ENDORSED BY:

Kara Batt
Mary Beiro

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 12/10/13, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Kara Batt as the one citizen member to the Alexandria Marketing Committee. The voting was as follows:

Euille	-	Beiro
Silberberg	-	Batt
Chapman	-	Batt
Lovain	-	Batt
Pepper	-	Batt
Smedberg	-	Beiro
Wilson	-	Batt

17. Beauregard Urban Design Advisory Committee
1 Qualified Professional Member Skilled in Architecture, Planning, Landscape Architecture and/or Urban Design

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

NAME: ENDORSED BY:

Matthew Clark
Clare McCaffrey

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 12/10/13, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Matthew Clark as the one qualified professional member skilled in architecture, planning, landscape architecture and/or urban design to the Beauregard Urban Design Advisory Committee. The voting was as follows:

Euille	-	Clark
Silberberg	-	Clark
Chapman	-	Clark
Lovain	-	Clark
Pepper	-	Clark
Smedberg	-	Clark
Wilson	-	Clark

18. Children, Youth and Families Collaborative Commission

2 Community Members with Expertise in Children, Youth and Family Issues, Public Safety, Medical/Health Related Profession or Non-Profit Experience

2 Community Members with Experiences as Parents, Guardians, Teachers and/or Expertise in Early Childhood, Youth or General Education Policy

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

NAME:

ENDORSED BY:

Amy Fortney-Parks
Glenn Hopkins
Gwendolyn Lewis
Daniel Solomon

Andria Cook
Gina Gargano-Amari
Sonia Price

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 12/10/13, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Glenn Hopkins and Daniel Solomon as the two community members with expertise in children, youth and family issues, public safety, medical/health related profession or non-profit experience, and reappointed Andria Cook and Sonia Price as the two community members with experiences as parents, guardians, teachers and/or expertise in early childhood, youth or general education policy to the Children, Youth and Families Collaborative Commission. The voting was as follows:

Euille	-	Hopkins, Lewis, Cook, Price
Silberberg	-	Hopkins, Solomon, Cook, Price
Chapman	-	Hopkins, Solomon, Cook, Price
Lovain	-	Hopkins, Solomon, Cook, Price
Pepper	-	Hopkins, Lewis, Cook, Price
Smedberg	-	Fortney-Parks, Solomon, Cook, Price

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

19. Consideration of the Transmittal of the Alexandria Fund for Human Services Review Committee Report.

(A copy of the City Manager's memorandum dated December 4, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 12/10/13, and is incorporated as part of this record by reference.)

Mr. Dechant, chair of the Alexandria Fund for Human Services Review Committee, along with members Clarence Tong, Joseph Valenti, Kendra Gallespie and Sonia Price, presented the report and responded to questions from City Council.

Councilman Wilson noted that the City Manager is not being limited by the report and that if he has his own recommendations he wants to bring forward, he should bring those as well.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council: 1. received the report of the AFHS Review Committee; 2. thanked the members of the Committee for their work; and 3. requested that the City Manager direct staff to develop specific responses and recommendations for implementation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

and

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

1. Mayor Euille noted that last week, when he was in Richmond at the Virginia Municipal League executive committee meeting, there was an annual VML finance forum in which town and city managers and finance and budget people from all over the state are invited to a presentation from the State Senate Finance Committee for the revenue and budget outlook. That presentation was presented by Betsy Dailey, the director of the Senate Committee. Mayor Euille said that as the City is starting its own internal budget process, some of the challenges the City Manager will be focusing on are some of the same budget challenges that the State is experiencing as well. Mayor Euille said the State does a two-year budget process. He said the economic outlook for the next two years will be characterized by slow growth and uncertainty. He said that when the Governor releases his two-year budget, the challenges they will be dealing with is uncertainty with regard to the national economic outlook and revenue forecast. The biggest unknown that continues to face the State and localities is going to be the Federal deficit reduction action. In addition, he said, there was a presentation by the Senate Finance Committee with regard to the K-12 budget update, in which the Governor provided insight into where he is going with K-12 education funding.

2. Mayor Euille said that WMATA released its draft proposed budget at the committee meeting last Thursday, and there will be an increase of about \$101 million in additional services for operations, and the drivers for the increases are the new collective bargaining agreements, fringe benefits, overtime increases, and materials and supplies. There is a projected increase to the City of \$700,000. Fare increases are also on the table, so there is a laundry list of increases that will be subject to public hearings that will commence shortly.

3. Mayor Euille said that last Friday morning, the Alexandria Convention and Visitors Association presented the City of Alexandria with the David G. Speck Tourism Partner of the Year Award for 2013 for the City's hard work, commitment and dedication to supporting and promoting tourism. The event took place at George Washington's Estate at Mount Vernon.

4. Councilwoman Pepper asked staff to give an update on the outages for Dominion Power.

Mr. Young, City Manager, went over the power outage numbers in the City that remain from the recent winter storm.

5. Councilwoman Pepper said on docket item #12, the introduction of an ordinance on the encroachment at 4250 Mill Road, she noticed that the City protected itself from any kind of liability when it comes to offering an easement or an encroachment. She said she noticed that it also had a termination arrangement, which she thought would be a nice thing to have in all the easements. She said she hoped that if it wasn't already a clause in the easements, then she would like one put in to protect the City for the future.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

20. Update on the Eisenhower West Small Area Plan and Consideration of a Resolution to Establish an Eisenhower West Steering Committee. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated December 4, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 12/10/13, and is incorporated as part of this record by reference.)

Ms. Hamer, Director, Planning and Zoning, made a presentation of the report and responded to questions of City Council.

There was discussion among City Council about the number and make-up of the Steering Committee.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried 5-2 by roll-call vote, City Council: 1. received the update; 2. approved the resolution establishing an Eisenhower West Steering Committee, subject to a revision of the language to change "business organizations" to "business representatives" and removal of line #4 altogether, with the understanding that the City Manager will advertise the slot and fill accordingly; 3. requested that the chairs of the Planning Commission, Transportation

Commission, Environmental Policy Commission and Parks and Recreation Commission each nominate a member from their commission to serve on the Steering Committee; and 4. authorized the City Manager to appoint the remaining members and designate the Chair of the Steering Committee. The voting was as follows: In favor, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain Councilman Wilson; Opposed, Mayor Euille and Councilman Smedberg.

The resolution reads as follows:

RESOLUTION NO. 2589

WHEREAS, City Council wishes to establish a Eisenhower West Steering Committee; and

WHEREAS, the Eisenhower West Steering Committee will comment on the Eisenhower West Small Area Plan and conduct specified tasks outlined in this resolution.

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

1. That there is hereby established the Eisenhower West Steering Committee (the "Steering Committee").

2. That the Steering Committee shall consist of 12 members, and the composition of the group shall be as follows:

Community Representatives (4)
(with the goal of not more than one from the same development)
Planning Commission member (1)
Transportation Commission member (1)
Environmental Policy Commission member (1)
Parks and Recreation Commission member (1)
Business Representatives (3)
Landowners Group (1)

Total (12)

3. That the Chairs of the above named City commissions shall nominate a member of their group to serve on the Steering Committee.

4. That the City Manager shall designate the Chair of the Steering Committee.

5. That the mission of the Steering Committee shall be to provide guidance to City staff on the Eisenhower West planning process.

6. That the Steering Committee complete the following tasks:

- a. Provide guidance on process related issues.
- b. Review the civic engagement process.

- c. Advise on tools and strategies for engagement, agenda setting, outreach, and communications.
- d. Offer input on some technical content elements, such as project scopes and development scenarios for consideration within the transportation study.

- 7. That the Steering Committee need not necessarily develop a consensus position, broker a compromise or take formal votes. There may be differing opinions reported to City Council.
- 8. That staff assistance to the Steering Committee shall be managed by the Department of Planning and Zoning with assistance from other City departments and offices as needed.
- 9. That the Steering Committee shall meet on a regular basis.
- 10. That the Steering Committee shall forward a letter to the Director of Planning and Zoning, which shall include comments on the Eisenhower West planning process to be included in the final staff report.
- 11. That the Steering Committee shall sunset when the Eisenhower West Small Area Plan is approved by City Council.

21. Consideration of a Resolution to Approve Change Orders to the City's Contract With Lane Construction Corporation to Procure Additional Services for the Route 1 Transitway Project. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated December 4, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 12/10/13, and is incorporated as part of this record by reference.)

Ms. Reinfeld, Division Chief, Transportation and Environmental Services, along with Ms. Farmer, project manager for the Route 1 Transitway, Mr. Baier, Director, T&ES, Ms. Baker, Director, Department of Project Implementation, and Mr. Stokes, T&ES, went over the report and they, along with Mr. Young, City Manager, responded to questions of City Council.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted a resolution authorizing the City's Purchasing Agent to issue up to \$1.4 million in change orders to the contract with Lane Construction Corporation for construction of the Route 1 Transitway for a total contract amount of \$14.5 million. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2590

RESOLUTION TO APPROVE CONTRACT CHANGE ORDER FOR ROUTE 1 TRANSITWAY CONTRACT WITH LANE CONSTRUCTION

WHEREAS, on or about November 30, 2011, after a competitive bidding process, the City of Alexandria, Virginia entered into a contract with Lane Construction Company to construct a median-running transitway on Route 1 in the original contract amount of \$7,442,460; and

WHEREAS, on or about February 12, 2013, City Council authorized the City's Purchasing Agent to execute change orders for changed field conditions, final design elements, and stations and amenities up to \$5,656,000, bringing the potential total contract price to \$13,098,460; and

WHEREAS, due to the projected costs of two critical project elements – landscaping and transitway stations – being higher than originally expected, and in order to maintain sufficient project contingency reserves, City staff recommends that the City be authorized to enter into additional change orders to the contract not to exceed \$1,400,000, for a total contract amount not to exceed \$14,498,460; and

WHEREAS, the projected change orders are not within the City's Purchasing Agent's current authority; and

WHEREAS, the City Council wishes to authorize the City's Purchasing Agent to execute change orders as referenced above and for City staff to otherwise proceed with all steps necessary to implement those change orders;

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

1. That the City's Purchasing Agent be and hereby is authorized to enter into change orders related to landscaping and transitway stations to the current Lane Construction Company Route 1 transitway contract and to maintain project contingency reserves, all in the total additional amount not to exceed \$1,400,000, with the total contract amount not to exceed \$14,498,460; and
2. That the City Manager be, and hereby is, authorized and directed to take such additional actions as may be necessary or convenient to implement those change orders; and
3. That the City Clerk be, and hereby is, authorized and directed to affix the seal of the City to such documents as may be necessary or convenient to implement this Resolution; and
4. That this Resolution shall be effective immediately.

OTHER

22. Consideration of City Council Schedule

(A copy of the City Manager's memorandum dated December 4, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22, 12/10/13, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Mr. Chapman and carried unanimously, City Council: 1. received the revised Council calendar which includes: the new Governor's Swearing in Ceremony will occur on Saturday, January 11, 2014, at 9:00 a.m. at the Capitol Square in Richmond; and 2. approved the calendar. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

23. Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter and to Discuss a Personnel Matter.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 10:15 p.m., City Council convened in closed executive session to discuss the performance and salary of a specific public officer and to consult with staff and legal counsel regarding threatened or pending litigation, specifically the performance and compensation of a Constitutional Officer and the litigation and/or settlement of certain land use matters, pursuant to Sections 2.2-3711(a)(1) and (7) of the Code of Virginia. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously, at 11:01 p.m., City Council reconvened the meeting. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted a resolution pertaining the Executive Session. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2591

WHEREAS, the Alexandria City Council has this 10th day of December 2013, 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 Wilson, seconded by Councilwoman Pepper and carried unanimously, the regular meeting of December 10, 2013, was adjourned at 11:03 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council

**City of Alexandria
Meeting Minutes
Saturday, December 14, 2013
9:30 A.M.
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Banks, City Attorney; Ms. Anderson, Assistant City Attorney; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Police Captain Wemple; Ms. Triggs, Director, Office of Finance; Ms. Davis, Director, Office of Housing; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Keeler, Office of Housing; Mr. Frederick, Office of Housing; Mr. Baier, Director, Transportation and Environmental Services; Ms. Dastgheib, Transportation and Environmental Services; Ms. Hamer, Director, Planning and Zoning; Mr. Moritz, Deputy Director, Planning and Zoning; Mr. Wagner, Planning and Zoning; Mr. Randall, Planning and Zoning; Ms. Eischer, Planning and Zoning; Ms. Willger, Planning and Zoning; Mr. Dambach, Planning and Zoning; Mr. Lawrence, Planning and Zoning; Mr. Roberts, Planning and Zoning; Mr. Canfield, Planning and Zoning; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Mr. Kagawa, Recreation, Parks and Cultural Activities; Mr. Martinez, Information Technology Services; and Mr. Lloyd.

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

* * * * *

OPENING

1. Calling the Roll.

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

City Council observed a moment of silence in honor of former City Manager Vola Lawson, who recently passed away.

2. Public Discussion Period.

1. Marla Brin, 20 East Rosemont Avenue, spoke of the impact of the overuse of Hoofs Run Park on the residents of East Rosemont Avenue, submitting the original petition from April. Ms. Brin spoke of the need to protect neighbors in residential areas from the impact of people using adjoining open space and play areas, noting that Hoofs Run is severely overused and she invited Council to visit her home and the area. She noted the heavy increase in

pedestrian traffic cutting through E. Rosemont Avenue, the sanitation problems in the area, problems with people in the area, and misuse of the park on both the fields and the picnic areas.

Mayor Euille asked staff to set up a meeting with he and Ms. Brin, the City Manager and the Director of Recreation, Parks and Cultural Activities. Councilman Chapman also requested a meeting with Ms. Brin.

2. Bert Ely, 200 S. Pitt Street, spoke of the fact that all the doors to City Hall were locked when he tried to enter late on the night of the last Planning Commission meeting to speak on the protest petition that was before the Commission, so he was unable to speak on the issue. He said the inability of the public to not be able to attend the Planning Commission meeting while the meeting was still in session effectively closed the meeting to the public. Mr. Ely said that what had been a public meeting, by virtue of the locked doors, had become a closed door meeting, a clear violation of Virginia's open meeting law.

Mayor Euille noted that he, along with the City Manager and City Attorney, will review and will respond accordingly.

3. Randy Stephens, 5610 Bloomfield Drive, #2, thanked Council for the effort it gave in the resolution to save the American Legion building. He also advocated for young people at Brent Place, who have lost their social hall in that building and it deprives them of learning how to be sociable and amongst other people at the same time. He asked what the City could do to help those young people in the building have some capacity to have a social center close enough that they could walk to or get to without being in harm's way.

Mayor Euille noted that the Department of Recreation, Parks and Cultural Activities will be in touch with Mr. Stephens to discuss his concerns.

4. Robert Calhoun, 3264 Circle Hill Road, spoke of the hiring of Vola Lawson, noting that he was on Council at the time, and he spoke of her time working for the City.

Members of City Council, along with Mr. Jinks, Deputy City Manager, made remarks on the passing of former City Manager Vola Lawson.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-5)

Planning Commission

3. Special Use Permit #2013-0069
251 W. Glebe Road (Parcel Address: 221 W. Glebe Road) - El Cuscatleco Restaurant
Public Hearing and Consideration of a request for an amendment to an existing special use permit (SUP #2012-0028) to allow live entertainment; zoned CDD #12 / Coordinated Development District. Applicant: Fossal, Inc. represented by Nicholas Gehrig, attorney
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #3, 12/14/13, and is

incorporated as part of this record by reference.)

4. Special Use Permit #2013-0075

600 S. Pickett Street - German Auto Center

Public Hearing and Consideration of a request to operate a general auto repair shop; zoned I / Industrial. Applicant: German Auto Group of Alexandria, LLC represented by Roland Joun

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #4, 12/14/13, and is incorporated as part of this record by reference.)

5. Special Use Permit #2013-0077

682 S. Pickett Street (Parcel Address: 660 S. Pickett St.) - King Pollo Restaurant

Public Hearing and Consideration of a request to operate a restaurant; zoned CG/Commercial General. Applicant: Mihn Hwan Oh represented by Bruce D.S. Kim

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #5, 12/14/13, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council adopted the consent calendar, with the removal of items #3 and 4, which were considered under separate motions, as follows:

5. City Council approved the Planning Commission recommendation.

The vote on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

3. Special Use Permit #2013-0069

251 W. Glebe Road (Parcel Address: 221 W. Glebe Road) - El Cuscatleco Restaurant

Public Hearing and Consideration of a request for an amendment to an existing special use permit (SUP #2012-0028) to allow live entertainment; zoned CDD #12 / Coordinated Development District. Applicant: Fossal, Inc. represented by Nicholas Gehrig, attorney

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #3, 12/14/13, and is incorporated as part of this record by reference.)

Mr. Randall, Planning and Zoning, along with Ms. Hamer, Director, Planning and Zoning, responded to questions of City Council regarding the violations and complaints, review provisions and redevelopment potential.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman

Smedberg and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

4. Special Use Permit #2013-0075

600 S. Pickett Street - German Auto Center

Public Hearing and Consideration of a request to operate a general auto repair shop; zoned I / Industrial. Applicant: German Auto Group of Alexandria, LLC represented by Roland Joun
Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #4, 12/14/13, and is incorporated as part of this record by reference.)

Ms. Hamer, Director, Planning and Zoning, along with Mr. Moritz, Planning and Zoning, and Mr. Dambach, Planning and Zoning, responded to questions of Council regarding standard language for leases, test driving in the neighborhood, and if the property meets Code.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

6. Special Use Permit #2013-0076

5 Cameron Street - Blackwall Hitch Restaurant

Public Hearing and Consideration of a request to operate a restaurant; zoned CD/Commercial Downtown. Applicant: Blackwall Hitch Associates, LLC represented by Duncan Blair, attorney

Planning Commission Action: Recommend Approval 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #6, 12/14/13, and is incorporated as part of this record by reference.)

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

The following person participated in the public hearing on this item:

1. Duncan Blair, attorney for the applicant, 524 King Street, spoke in support of the request.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the

Planning Commission recommendation, with the understanding that the City will work with the applicant on the public restroom, parking, trash and loading areas. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

7. Special Use Permit #2013-0074

1106 & 1108 King Street - Notting Hill Restaurant

Public Hearing and Consideration of a request for an amendment to an existing special use permit to allow an outdoor bar and to remove various special use permit conditions; zoned KR/King Street Retail. Applicant: Notting Hill Restaurant & Bar, LLC represented by Amir Jahangeri

Planning Commission Action: Recommend Partial Approval and Partial Denial 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #7, 12/14/13, and is incorporated as part of this record by reference.)

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

The following persons participated in the public hearing on this item:

1. Roger Digilio, 1115 King Street, spoke in support of the Planning Commission recommendation.
2. Frede Ottinger, 1115 King Street, spoke in support of the Planning Commission recommendation.
3. Dino Drudi, 315 N. West Street, spoke in opposition to the request.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The following item was heard out of turn:

16. Public Hearing, Second Reading and Final Passage of an Ordinance authorizing the owner of the property located at 2250 Mill Road (Tax Map #078.02-01-06) in the City of Alexandria, Virginia to construct and maintain an encroachment into the public street known as Dock Lane for a bay on the building and an underground transformer vault. (Implementing ordinance for the Encroachment approved by the City Council on June 15, 2013 for the Eisenhower East Block 19 residential development) [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. 16; 12/14/13, 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. 16; 12/14/13, and is incorporated as part of this record by reference.)

Councilman Smedberg asked staff to take a look at street names more closely.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance authorizing the owner of the property located at 2250 Mill Road to construct and maintain an encroachment into the public street known as Dock Lane for a bay on the building and an underground transformer vault, with an amendment to remove the language of "bay on the building" throughout the ordinance. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4845

An Ordinance authorizing the owner of the property located at 2250 Mill Road (Tax Map #078.02-01-06) in the City of Alexandria, Virginia to construct and maintain an encroachment into the public street known as Dock Lane for an underground transformer vault.

WHEREAS Paradigm 2250 Mill LLC is the Owner ("Owner") of the property located at 2250 Mill Road (Tax Map #078.02-01-06), in the City of Alexandria, Virginia; and

WHEREAS, Owner desires to establish and maintain an underground transformer vault which will encroach into the public right-of-way of Dock Lane at that location; and

WHEREAS, the public right-of-way at that location will not be significantly impaired by this encroachment; and

WHEREAS, in Encroachment No. 2013-0001 the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on June 4, 2013 which recommendation was approved by the City Council at its public hearing on June 15, 2013 and

WHEREAS, it has been determined by the Council of the City of Alexandria that this encroachment is not detrimental to the public interest; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Owner be, and the same hereby is, authorized to establish and maintain such encroachments into the public right-of-way on Dock Lane at the property known as 2250 Mill Road (Tax Map #078.02-01-06) in the City of Alexandria, as shown in the attached Encroachment Plat attached hereto as Attachment A, said encroachment consisting of an underground transformer vault, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to

establish and maintain the encroachment shall not be construed to relieve Owner of liability for any negligence on their part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain said encroachments shall be subject to and conditioned upon Owner maintaining, at all times and at their own expense, liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

Bodily Injury:	\$1,000,000 each occurrence
	\$1,000,000 aggregate

Property Damage:	\$1,000,000 each occurrence
	\$1,000,000 aggregate

This liability insurance policy shall identify the City of Alexandria and Owner as named insureds and shall provide for the indemnification of the City of Alexandria and Owner against any and all loss occasioned by the establishment, construction, placement, existence, use or maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed with the city attorney's office. Any other provision herein to the contrary notwithstanding, in the event this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in force and effect, the authorization herein granted to establish and maintain the encroachment shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In that event, Owner shall, upon notice from the city, remove the encroachment from the public right-of-way, or the city, at its option, may remove the encroachment at the expense and risk of Owner. Nothing in this section shall relieve Owner of their obligations and undertakings required under this ordinance.

Section 3. That the authorization hereby granted to establish and maintain said encroachment shall in addition be subject to and conditioned upon the following terms:

(a) Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment.

(b) In the event the City shall, in the future, have need for the area of the proposed ground level encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City.

(c) The Owner shall be responsible for replacement and repairs to the adjacent City right-of-way, including any areas damaged during construction activity.

Section 4. That by accepting the authorization hereby granted to establish and maintain the encroachment and by so establishing and/or maintaining the encroachment, Owner shall be deemed to have promised and agreed to save harmless the City of Alexandria from any and all liability (including attorneys' fees and litigation expenses) arising by reason of

the establishment, construction, placement, existence, use or maintenance of the encroachment.

Section 5. That the authorization herein granted to establish and maintain the encroachment shall be subject to Owner maintaining the area of the encroachment at all times unobstructed and free from accumulation of litter, snow, ice and other potentially dangerous matter.

Section 6. That nothing in this ordinance is intended to constitute, or shall be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.

Section 7. That the authorization herein granted to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right-of-way for any purpose whatsoever and, by written notification, demands from Owner the removal of the encroachment. Said removal shall be completed by the date specified in the notice and shall be accomplished by Owner without cost to the city. If Owner cannot be found, or shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of Owner, and shall not be liable to Owner for any loss or damage to the structure of the encroachment or personal property within the encroachment area, caused by the removal.

Section 8. The terms "Owner" shall be deemed to include Owner and their successors in interest if any.

Section 9. That this ordinance shall be effective upon the date and at the time of its final passage.

8. Development Special Use Permit #2013-0014

3300 King St. - T.C. Williams High School Tennis Courts

Public Hearing and Consideration of a request for an amendment to a previously approved development special use permit and site plan (DSUP #2002-0044) to allow lighted tennis courts at a public high school; zoned R-20/Single Family. Applicant: Alexandria City Public Schools

Planning Commission Action: Recommend denial of the request to install lights at the tennis court 3-2-1; Recommend Approval of the tennis courts, as Amended 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #8, 12/14/13, and is incorporated as part of this record by reference.)

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

The following persons participated in the public hearing on this item:

1. Bill Finn, 4001 Seminary Road, Facilities Director, Alexandria City Public Schools, spoke in support of the request.

2. Karen Graf, 2714 Hickory Street, chair, Alexandria City School Board, spoke in

support of the request for lights.

3. Carter Fleming, 1403 Bishop Lane, spoke of the process the Schools has gone through on the request for lights, noting that they were told there would be no lights, and they were distressed at the lack of communication.

4. Gina Baum, 203 S. Fairfax Street, said she is a member of the Park and Recreation Commission and the Waterfront Commission, and spoke in support of the lights.

5. Jennifer Atkins, 2503 Dewitt Avenue, said she is a member of the Park and Recreation Commission and she spoke in support of the lights.

6. Nancy Jennings, 2115 Marlboro Drive, president, Seminary Hill Association, Inc., spoke in support of the tennis courts without the lights.

7. Peter Heimberg, 201 E. Windsor Avenue, spoke in support of the request for lights.

8. Isabelle Harris, 401 Woodland Terrace, captain, T.C. Williams girls tennis team, spoke in support of the tennis courts with lights.

9. James Gibson, 1317 Knox Place, representing the Youth Sports Advisory Board, spoke in support of the tennis courts with lighting.

10. Terri Belcher, 505 W. Windsor Avenue, said she is the coach of the T.C. Williams girls tennis team, and she spoke in supports of the tennis courts with lights.

11. Jason Wood, 1029 N. Quaker Lane, representing the Seminary Civic Association, spoke in opposition to the request for lights.

12. Hank Harris, 401 Woodland Terrace, spoke in support of the request for tennis courts with lights.

13. Tammy Ignacio, 4326 Loyola Avenue, spoke in support of the request for tennis courts with lights.

14. Mark Eisenhour, 4 E. Oxford Avenue, spoke in support of the request for tennis courts with lights.

15. George Foote, 910 Vicar Lane, spoke in support of the Planning Commission recommendation for tennis courts without the lights.

16. Kurt Johnson, 1300 Bishop Lane, spoke in support of the Planning Commission recommendation for tennis courts with no lights.

17. Frank Putzu, 11123 Juliana Place, support in support of the Planning Commission recommendation for tennis courts with no lights.

18. Sheryl Gorsuch, 408 A. East Raymond Avenue, spoke in support of the request for tennis courts with lights.

19. Mimi Goff, 1313 Bishop Lane, spoke in support of the request for tennis courts without lights.

20. Kathy Harkness, 1307 Bishop Lane, spoke in support of the request for tennis courts without lights.

21. Owen Malone, 501 E. Windsor Avenue, representing Alexandria Rugby, Inc., spoke in support of the tennis courts with lights.

22. Debra Raggio, 609 Fontaine Street, spoke in support of the request for tennis courts with lights.

23. Bill Campbell, 320 N. Fayette Street, spoke in support of the request for tennis courts with lights.

24. David Curtin, 1303 Bishop Lane, spoke in support of the tennis courts without lights.

25. Jack Sullivan, 4300 Ivanhoe Place, spoke about the formal agreement with the neighbors that there would be no lights, and that should be observed.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, a motion was made by Councilman Wilson, and seconded by Councilwoman Pepper that City Council approve the Planning Commission recommendation, with the following amendments: to condition #85 to return to the original staff recommendation; to condition #86A, to return to the original staff recommendation; on page 17, for the landscaping and open space plan that was in the original SUP for T.C. Williams that the Planning staff go back and assess each of the items that were called for in the landscaping plan to ensure they are complied with and provide the Council with a report as to the compliance or non-compliance of those items as well as any other recommendations for additional screening that may mitigate the existing uses at the site as well as any planned future uses.

Councilman Chapman said he would like to add to the motion the words "The allowance of lighted tennis courts shall not be interpreted as support for permanent stadium lighting."

Councilmember Lovain asked for a friendly amendment for the gap in the foliage/greenery/landscape buffering between the garage and the entrance, near the lower left corner of the tennis courts. The amendment was acceptable to the maker and seconder of the motion and becomes part of the motion.

The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

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(City Council took a 15 minute break at this time.)

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9. Master Plan Amendment #2013-0003

Rezoning #2013-0004

Development Special Use Permit #2012-0031

800 & 820 Slater's Lane - Slater's Lane Residences Public Hearing and Consideration of requests for A) an amendment to the Northeast Small Area Plan chapter of the Master Plan for a height increase; B) rezoning to amend the existing proffers; and C) a development special use permit and site plan with modifications to construct a residential building with a parking reduction to allow tandem parking spaces and an increase to the floor area ratio in exchange for affordable housing pursuant to section 7-700; zoned RC/High Density Apartment. Applicant: CIAM-Slaters, LLC represented by Duncan W. Blair, attorney
Planning Commission Action: MPA #2013-0003 Adopted Resolution 4-3; REZ #2013-0004 Recommend Approval 4-3; DSUP #2012-0031 Recommend Approval 4-3

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #9, 12/14/13, and is incorporated as part of this record by reference.)

Ms. Willger, Planning and Zoning, made a presentation of the staff report and she, along with Mr. Canfield, Planning and Zoning, Mr. Fredrick, Office of Housing, Mr. Moritz, Planning and Zoning, Ms. Escher, Planning and Zoning, Ms. Hamer, Director, Planning and Zoning, and Mr. Baier, Director, Transportation and Environmental Services, responded to questions of City Council.

The following persons participated in the public hearing on this item:

1. Duncan Blair, 524 King Street, attorney for the applicant, spoke in support of the request.
2. Steve Bannister, owner and developer of the property, spoke in support of the request.
3. Mary Reader, 1600 Prince Street, #600, the developer, spoke in support of the request.
4. Linda Dwyer, 915 Bernard Street, president, Old Town Crescent Town House Association, spoke in opposition to the request.
5. Andrea Lucas, 640 John Carlyle Street, spoke in support of the request.
6. Steven Troxel, 1200 Colonial Avenue, spoke in opposition to the request.
7. Mary Jane Kramer, 1219 Powhatan Street, president, North East Citizens' Association, spoke in opposition to the request.

8. Richard Cooper, 1219 Powhatan Street, spoke in opposition to the request.
9. Robin Roberts, 815 Slaters Lane, spoke in support of the request.
10. Mindy Lyle, 5235 Tancreti Lane, spoke in support of the request.
11. Nicholas Panos, 828 Slaters Lane, Unit 303, president, Old Town Crescent Unit Owners Association, spoke in support of the request.
12. Poul Hertel, 1217 Michigan Court, spoke in opposition to the request.
13. Katy Cannady, 20 East Oak Street, spoke in opposition to the request.

WHEREUPON, a motion was made by Councilmember Lovain and seconded by Councilwoman Pepper that City Council close the public hearing and approve the Planning Commission recommendation, with an amendment to condition #33d to read: "this property would be eligible to lease parking spaces that are determined to be in excess of the property zoning ordinance parking requirements, which may be amended by the City's 2014 parking ratio project."

WHEREUPON, an amendment to the motion was made by Councilman Smedberg and seconded by Councilwoman Pepper, to maintain a second point of access in between the two properties. The motion failed by a vote of 3-4 and was as follows: In favor, Vice Mayor Silberberg, Councilwoman Pepper and Councilman Smedberg; Opposed, Mayor Euille, Councilman Chapman, Councilmember Lovain and Councilman Wilson.

The voting on the original motion carried by a vote of 6-1 and was as follows: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, Vice Mayor Silberberg.

10. Master Plan Amendment #2013-0007

Eisenhower East Plan Amendment

A) Initiation of a Master Plan Amendment; B) Public Hearing and Consideration of a request for an amendment to the Eisenhower East Design Guidelines in the Eisenhower East Small Area Plan chapter of the Master Plan to revise the required sidewalk materials. Staff: Department of Planning and Zoning.

Planning Commission Action: Adopt Resolution and Recommend Approval 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #10, 12/14/13, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The following three items were heard together:

11. Master Plan Amendment #2013-0005

Housing Master Plan

A) Initiation of a Master Plan Amendment; B) Public Hearing and Consideration of an amendment to the City of Alexandria Master Plan to incorporate the Housing Master Plan chapter. Staff: Office of Housing

Planning Commission Action: Initiate the Master Plan Amendment 6-0; Adopt Resolution and Recommend Approval 6-0

12. Text Amendment #2013-0013

A) Initiation of a text amendment; B) Public Hearing and Consideration of a text amendment to implement amendments to the Zoning Ordinance recommended by the Housing Master Plan including an amendment to Section 7-700 regarding bonus density in exchange for affordable housing and an amendment to Section 8-200 (F) regarding the parking requirements for affordable housing projects that undergo a substantial renovation. Staff: Office of Housing

Planning Commission Action: Initiation of a text amendment 6-0;

Recommend Approval of text amendments to Section 8-200(F)(4) 6-0;

Deferred text amendments to Section 7-700 6-0

15. Public Hearing for Consideration of Increase in Amount of Affordable Housing Predevelopment Funding Subject to Administrative Approval.

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of items #11 and 12, 12/14/13, and is incorporated as part of this record by reference.

A copy of the City Manager's memorandum dated December 2, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15 12/10/13, and is incorporated as part of this record by reference.)

Ms. Davis, Director, Office of Housing, made a presentation of the staff report and she, along with Ms. McIlvaine, Deputy Director, Office of Housing, responded to questions of City Council.

The following persons participated in the public hearing on this item:

1. Jenny Wade, 26 Underwood Place, representing the Human Rights Commission, said the Commission encourages Council to approve the revised Housing Master Plan with the base plus option 2 target.

2. Elizabeth Palmer Johnson, representing the Commission for Women, spoke in support of the revised draft Housing Master Plan and to adopt the base plus option 2 target.

3. Annabelle Fisher, 5001 Seminary Road, #1221, said the Housing Master Plan is not yet ready to be adopted and she spoke to needs of renters and where the money will come from.

4. Poul Hertel, 1217 Michigan Court, said he would change the indexing from CPI to average cost house in the City, asked Council to prioritize rental, would be careful of cash in lieu of units, spoke of his concern of not limiting bonus density in the future, the definition of affordability should be more in keeping with the public perception, and Council should

remember that the belief is that density is the way to pay for it.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation for the master plan amendment for the Housing Master Plan (MPA2013-0005). The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the text amendment (Text Amendment 2013-0013) for Section 8-200 regarding the parking requirements. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, a motion was made by Vice Mayor Silberberg and seconded by Councilman Chapman, to adopt option 1A, which a value of \$1 million rather than \$1.6 million.

WHEREUPON, a substitute motion was made by Councilman Chapman and seconded by Councilmember Lovain, for 2,000 units from 2014-2025 with the caveat that there is no dollar amount.

Vice Mayor Silberberg removed her motion from the floor.

The voting on the motion for the 2,000 units from 2014-2025 with the caveat that there is no dollar amount, carried unanimously was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Chapman and carried unanimously, City Council approved a new predevelopment funding policy for affordable housing, which will set the maximum amount of predevelopment funds that can be administratively approved by the City Manager to the greater of \$50,000 or \$5,000 per unit. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

13. Text Amendment #2013-0003 **Protest Petitions**

A) Initiation of a text amendment; B) Public Hearing and Consideration of amendments to Section 11-808 of the zoning ordinance regarding protest petitions. Staff: Department of Planning and Zoning

Planning Commission Action: Initiate the text amendment 6-0; Recommend Approval as

amended and Adopt the Policy as set forth in Attachment #2 6-0

(A copy of the Planning Commission report, dated December 14, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #13, 12/14/13, and is incorporated as part of this record by reference.)

Ms. Anderson, Assistant City Attorney, made a presentation of the item, noting that staff is in agreement with the Planning Commission analysis, and she responded to questions of City Council.

The following persons participated in the public hearing on this item:

1. Bert Ely, 200 S. Pitt Street, spoke in support of the Planning Commission recommendation that Section 11-808(e)(3) not be amended.

2. Kathryn Papp, 504 Cameron Street, asked Council to keep the protest petition in its original format and process as closely as possible, that Council accept that there is ambiguity between text and map amendments, change the verification timing in b, the policy section should be cleaned up, and that it be sent back to the Planning Commission to be cleaned up, and on condos being shoe-horned into calculation of ownership.

3. Michael Hobbs, 419 Cameron Street, spoke in support of the Planning Commission recommendation.

4. Yvonne Weight Callahan, 735 S. Lee Street, representing the Old Town Civic Association, suggested that Council take a more careful look at how and under what circumstances a text amendment could be protested.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the Planning Commission recommendation, inclusive of the policy regarding the blurry of the line between text amendments and map amendments. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

14. Public Hearing to Consider an Appeal to a Decision of the Board of Architectural Review - Old and Historic District, for Property at 207 Prince Street. Appellant: Robert Montague on behalf of petitioners.

THE APPLICANT HAS REQUESTED DEFERAL OF THIS ITEM.

This item was deferred at the request of the applicant.

ORDINANCES AND RESOLUTIONS

17. Public Hearing, Second Reading and Final Passage of an ordinance to vacate a portion of the public access and emergency vehicle easement on the private street known as East Campus Drive located at 3001 North Beauregard Street and 3003 East Campus Drive (VAC No.2013-0004). (Implementing Ordinance for the Vacation approved by the City Council for the Northern Virginia Community College on October 19, 2013) [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. 17; 12/14/13, 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. 17; 12/14/13, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance to vacate a portion of the public access and emergency vehicle easement on the private street known as East Campus Drive located at 3001 North Beauregard Street and 3003 East Campus Drive. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4846

AN ORDINANCE to vacate a portion of the public access and emergency vehicle easement on the private street known as East Campus Drive located at 3001 North Beauregard Street and 3003 East Campus Drive (VAC No.2013-0004).

WHEREAS, Commonwealth of Virginia, State Board for Community Colleges (Owner) has applied for the vacation of a portion of the public access and emergency vehicle easement on East Campus Drive at 3001 North Beauregard Street and 3003 East Campus Drive in the City of Alexandria, Virginia; and

In Vacation No 2013-0004 the planning commission recommended approval to the City Council on October 1, 2013 of a vacation of public right of way, which recommendation was approved by the City Council at public hearing on October 19, 2013, and

WHEREAS, viewers, Mindy Lyle, Benjamin Klein, and John Hemphill have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, the procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, have been followed in conjunction with this vacation; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of

the City of Alexandria, has determined that the portion of the public access easement and emergency vehicle easement to be vacated is no longer desirable for public use and that the public interest will not be harmed by this vacation; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the vacation of a portion of the public access and emergency vehicle easement on East Campus Drive at 3001 North Beauregard Street and 3003 East Campus Drive in the City of Alexandria, Virginia to Owner, as shown on the plat of vacation attached hereto and incorporated herein by reference, be, and the same hereby is, approved.

Section 2. That the vacation made and provided by the preceding section of this ordinance be, and the same hereby is, subject to the conditions set forth below:

1. The Owner shall prepare a deed and plat showing the easements to be vacated which shall be filed with the Director of Planning and Zoning, the Director of Transportation and Environmental Services, and among the land records of the City.

Section 3. The term "Owner" shall be deemed to include the Owner and their respective successors in interest.

Section 4. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this vacation, including the execution of documents.

Section 5. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall be effective upon the date and at the time of its final passage; provided, however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to Owner. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and Owner as grantee, and such recordation shall be done by the grantee at his or her own expense. In the event no such deed is recorded within 18 months of the effective date, this ordinance shall be void and of no effect.

18. Public Hearing, Second Reading and Passage of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2014. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated December 4, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18 12/14/13, 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. 18; 12/14/13, 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. 18; 12/14/13, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance to make supplemental appropriations for the support of the City government for Fiscal Year 2014. The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4847

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for fiscal year 2014.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amounts required to defray the expenditures and liabilities of the city for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2013, but which are payable in fiscal year 2014, and for which amounts were appropriated but not expended in fiscal year 2013, and further that the council does hereby allot the amounts so appropriated to the several city departments for fiscal year 2014, as follows:

EQUIPMENT REPLACEMENT RESERVE FUND

Historic Alexandria	\$ 20,000
Information and Technology Services	20,000
Planning and Zoning	20,000
Emergency Communications	52,000
Transportation and Environmental Services	2,025,887
Fire	2,083,343
Police	203,510
General Services	233,002
Community and Human Services	95,598
Recreation	484,517
Total Equipment Replacement Reserve Fund	<u>\$ 5,237,857</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2014 the source of such amount being external grant awards for which the proceeds were received or accepted prior to June 30, 2013, but which were not expended by such date, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2014, as

follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Housing	\$ 5,504,697
Total Estimated Revenue	<u>\$ 5,504,697</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Housing	\$ 5,504,697
Total Appropriation	<u>\$ 5,504,697</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2014 the source of such amount being General Fund Revenues for which the proceeds were received after July 1, 2013 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2014, as follows:

GENERAL FUND

ESTIMATED REVENUE:

General Fund Revenues	\$ 516,620
Total Estimate Revenues	<u>\$ 516,620</u>

GENERAL FUND

APPROPRIATION:

Health	\$ 85,000
General Services	168,120
Other Health Activities	<u>263,500</u>
Total Appropriation	<u>\$ 516,620</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2014 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2013 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Transportation and Environmental Services	\$ 963,558
Police	106,789
Housing	4,521,561
Fire	1,009,452
Sheriff	(6,502)
Community and Human Services	785,827
Total Estimated Revenue	<u>\$ 7,380,685</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Transportation and Environmental Services	\$ 963,558
Police	106,789
Housing	4,521,561
Fire	1,009,452
Sheriff	(6,502)
Community and Human Services	785,827
Total Appropriation	<u>\$ 7,380,685</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in fiscal year 2014 the source of such amount being the residual balances accumulated as of June 30, 2013, in accounts for donations and other activities, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Police Department	\$ 1,000
Community and Human Services	30,130
Recreation	374,302
Total Estimated Revenue	<u>\$ 405,432</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Police Department	\$ 1,000
Community and Human Services	30,130
Recreation	374,302
Total Appropriation	<u>\$ 405,432</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in fiscal year 2014 the source of such amount being the residual balances accumulated as of June 30, 2013, in accounts for other special revenues, and further that the council does hereby allot the amount so

appropriated to the several city departments for fiscal year 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Police Department	\$ 87,965
General Services	375,000
Planning and Zoning	210,781
Office of the Commonwealth's Attorney	82,074
Clerk of the Courts	72,000
Code Administration	1,090,792
Fire	58,280
Recreation	51,000
Total Estimated Revenue	<u>\$ 2,027,892</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Police Department	\$ 87,965
General Services	375,000
Planning and Zoning	210,781
Office of the Commonwealth's Attorney	82,074
Clerk of the Courts	72,000
Code Administration	1,090,792
Fire	58,280
Recreation	51,000
Total Appropriation	<u>\$ 2,027,892</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures of the city for fiscal year 2014 the source of such amount being undesignated General Fund Balance, and further that the Council does hereby allot the amount so appropriated to the several city departments, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Spendable General Fund Balance	\$ 4,073
Total Estimated Revenue	<u>\$ 4,073</u>

APPROPRIATION:

Office of Historic Alexandria	\$ 4,073
Total Appropriation	<u>\$ 4,073</u>

Section 8. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to

defray certain expenditures and liabilities of the city for fiscal year 2014, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for fiscal year 2014, as follows:

CAPITAL PROJECTS

ESTIMATED REVENUE:

Capital Projects	\$ 979,339
Total Estimated Revenue	<u>\$ 979,339</u>

APPROPRIATION:

Capital Projects	\$ 979,339
Total Appropriation	<u>\$ 979,339</u>

Section 9. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2014, the source of such amount being Committed or Assigned General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Committed or Assigned General Fund Balance	\$ 2,842,339
Total Estimated Revenue	<u>\$ 2,842,339</u>

APPROPRIATION:

Community and Human Services	\$ 142,979
Planning and Zoning	180,000
Communications	149,000
Transportation and Environmental Services	175,000
Transportation and Environmental Services – Cash Capital	662,664
Historic Alexandria	41,358
Economic Development Activities	50,000
Performance Accountability	224,000
Human Resources	125,000
Recreation, Parks and Cultural Activities	60,000
Fire Department	125,482
General Services	37,500
Non-Departmental	<u>\$ 869,356</u>
Total Appropriation	<u>\$ 2,842,339</u>

Section 10. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the General Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

GENERAL FUND

APPROPRIATION:

Non-Departmental	\$ (864,377)
Communications	(2,700)
Sheriff	(42,900)
City Manager's Office	7,000
Human Resources	178,400
Emergency Communications	434,577
Transportation and Environmental Services	290,000
General Services	43,930
Historic Alexandria	\$ (43,930)
Total Appropriation	<u>\$ 0</u>

Section 11. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in the fiscal year 2014, the source of such amount being General Fund revenue in support of the Special Revenue Fund, and further that the council does hereby allot the amount so appropriated, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Transfers In	\$ 92,979
Total Estimated Revenue	<u>\$ 92,979</u>

APPROPRIATION

Community and Human Services	92,979
Total Appropriation	<u>\$ 92,979</u>

Section 12. That this ordinance shall be effective upon the date and at the time of its final passage.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

19. City Charter Section 9.06 Case #2013-0005

1205 South Alfred Street - Ford Foundation Property

Public Hearing and Consideration of a request for Planning Commission to review whether the proposed dedication to the City of the subject property is consistent with the City of Alexandria Master Plan; zoned RC/High density apartment. Staff: Department of Recreation Parks and Cultural Activities

Planning Commission Action: Deferred without objection

20. Text Amendment #2013-0009

Transportation Management Plans

A) Initiation of text amendment; B) Public Hearing and Consideration of a text amendment to Section 11-700 of the Zoning Ordinance to establish new regulations regarding Transportation Management Plan Special Use Permits. Staff: Department of Transportation and Environmental Services

Planning Commission Action: Deferred 5-1

City Council noted the deferrals.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, the public hearing meeting of December 14, 2013, was adjourned at 6:20 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

WILLIAM D. EUILLE

MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council



Legislation Details (With Text)

File #:	14-2234	Name:	Kelley Care Foundation Presentation
Type:	Proclamation	Status:	Agenda Ready
File created:	12/13/2013	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Presentation by CVS in the Amount of \$25,000 For Funding of the Therapeutic Equipment and Playground Equipment at the Lee Center.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:			

Date	Ver.	Action By	Action	Result
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Presentation by CVS in the Amount of \$25,000 For Funding of the Therapeutic Equipment and Playground Equipment at the Lee Center.



Legislation Details (With Text)

File #: 14-2107 **Name:** plaque to mayor re: city's floodplain mgt program
Type: Proclamation **Status:** Agenda Ready
File created: 11/5/2013 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Presentation of a Plaque and Recognition of the City's Positive Class Change for the City's Flood Management Program.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation of a Plaque and Recognition of the City's Positive Class Change for the City's Flood Management Program.



Legislation Details (With Text)

File #:	14-2271	Name:	proclamation for Chinquapin Wahoos Championship Season
Type:	Proclamation	Status:	Agenda Ready
File created:	1/2/2014	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Presentation of a Proclamation Recognizing the Chinquapin Wahoos Championship Season.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2271 Proclamation		

Date	Ver.	Action By	Action	Result
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Presentation of a Proclamation Recognizing the Chinquapin Wahoos Championship Season.

P R O C L A M A T I O N

WHEREAS, the Chinquapin Wahoos, members of the Colonial Swimming League (CSL), are the only public swim team in the City of Alexandria; and

WHEREAS, Alexandria's Chinquapin Wahoos won the CSL Gold Division Championship, the culmination of an extraordinary season and the result of hard work and determination by the Wahoos' young team members and coaches; and

WHEREAS, the Wahoos used a team effort to complete only the second undefeated season in the history of the team; and

WHEREAS, the 9-10 boys team of Emil LaSida, Ronan Lauinger, William McLaury and Jacob Rosario set a 35 year-old league record in the 100 yard medley relay; and

WHEREAS, the 8 and under girls and 9-10 boys were division champion, and the 13-14 boys tied for Division wins; and

WHEREAS, the Wahoos swimmers posted 56 personal bests at Gold Divisionals; and

WHEREAS, all citizens in the City of Alexandria have the right to be proud of their Alexandria Chinquapin Wahoos Swim Team; and

WHEREAS, we hereby recognize the efforts of the Wahoos swimmers, the dedicated coaching staff, the parent volunteers and all the parties involved in this great achievement for the city of Alexandria; and

WHEREAS, swimming has physical benefits such as building muscular strength, endurance, and cardiorespiratory fitness, as well as psychological benefits such as relaxation, and provides a healthy activity that contributes to the quality of life for all ages.

NOW, THEREFORE, I, WILLIAM D. EUILLE, Mayor of the City of Alexandria, Virginia, and on behalf of the Alexandria City Council, do hereby recognize and salute the efforts of the:

“CHINQUAPIN WAHOOS”

and extend our best wishes to you in the next swimming season.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Alexandria to be affixed this 14th day of January, 2014.

WILLIAM D. EUILLE MAYOR

On behalf of the City Council
of Alexandria, Virginia

ATTEST:

Jacqueline M. Henderson, MMC City Clerk



Legislation Details (With Text)

File #:	14-2301	Name:	resignations
Type:	Appointment	Status:	Agenda Ready
File created:	1/7/2014	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Receipt of the Following Resignations from Members of Boards, Commissions and Committees:		

(a) Alexandria Transportation Commission
Josh Sawislak

(b) Building Code Board of Appeals
Daniel Wiechert

(c) Commission on Aging
Niall O'Connor

(d) Commission on Employment
Amy Bell

(e) Commission on HIV/AIDS
Thomas Suydam

(f) Environmental Policy Commission
Chris Gamache
Josh Sawislak

Sponsors:

Indexes:

Code sections:

Attachments: [14-2301 resignations](#)

Date	Ver.	Action By	Action	Result
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Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Alexandria Transportation Commission
Josh Sawislak

(b) Building Code Board of Appeals
Daniel Wiechert

(c) Commission on Aging
Niall O'Connor

(d) Commission on Employment
Amy Bell

(e) Commission on HIV/AIDS
Thomas Suydam

(f) Environmental Policy Commission
Chris Gamache
Josh Sawislak

January 7, 2011

Receipt of the following resignations from Members of Boards, Commissions and Committees:

- (a) Alexandria Transportation Commission
Josh Sawislak
- (b) Building Code Board of Appeals
Daniel Wiechert
- (c) Commission on Aging
Niall O'Connor
- (d) Commission on Employment
Amy Bell
- (e) Commission on HIV/AIDS
Thomas Suydam
- (f) Environmental Policy Commission
Chris Gamache
Josh Sawislak

These resignations are for information only.

Server Error

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Please [try again](#) in 30 seconds.

Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

Alexandria Marketing Committee

(3-year term)

1 member with experience or expertise in the following areas: marketing/communications, advertising agency/public relations, media buyer, graphic design/production, and or media relations/media outlet

_____ Natascha Syre O'Leary

Alexandria Transportation Commission

(3-year term)

1 Environmental Policy Commission member

_____ Monica Starnes

Steve Sindiong, City staff liaison,
Alexandria Transportation Comm.

Beautification Commission

(2-year term)

2 citizen members

_____ Oscar Martin *

_____ Ruth McKenty *

Commission on Employment

(2-year term)

1 business representative from among recognized area businesses including minority-owned and small businesses

_____ Dipo Akin-Deko

Commission on HIV/AIDS

(3-year term)

1 citizen member

_____ Julia Baker *

* incumbent

Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

Commission on Persons with Disabilities

(2-year term)

2 citizen members

_____ Mary (Mollie) Danforth *

_____ Kent Fee *

Historic Alexandria Resources Commission

(2-year term)

1 Alexandria Society for the Preservation of Black Heritage representative

_____ McArthur Myers

Leroy Baker, Chair, The
Alexandria Society for the
Preservation of Black
Heritage, Inc.

1 Alexandria Historic Landmark Society representative

_____ Linda Lovell

Gretchen Bulova, Director,
Gadsby's Tavern Museum

Landlord-Tenant Relations Board

(2-year term)

1 tenant member

_____ William Mount

1 low-income tenant member

_____ Geraldine Baldwin *
(originally appointed on 12/8/2003 – this will be her final term under the 10-year
term limit requirement)

Potomac Yard Design Advisory Committee

(2-year term)

1 member representing the Potomac Yard area

_____ Jason Albers *

* incumbent

Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

Public Health Advisory Committee

(2-year term)

1 citizen member who shall not be a health professional

_____ Arlene Hewitt *

(originally appointed on 2/10/2004 – this will be her final term under the 10-year term limit requirement)

Public Records Advisory Committee

(2-year term)

2 citizen members

_____ Lisa Knight

_____ Myrtis Parham

Torpedo Factory Art Center Board

(3-year term)

1 Commission for the Arts representative

_____ James Johnson

Diane Ruggiero, Deputy Director,
Recreation, Parks and Cultural
Activities

* incumbent



Legislation Details (With Text)

File #: 14-2235 **Name:**

Type: **Status:** Agenda Ready

File created: 12/13/2013 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: Consideration of the Monthly Financial Report for the Period Ending November 30, 2013.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2235 Attachment 1 revenues](#)
[14-2235 Attachment 2 Expenditures November 2013](#)
[14-2235 Attachment 3 Economic charts November 2013](#)
[14-2235 Attachment 4 Contingent Reserves Nov 2013](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Consideration of the Monthly Financial Report for the Period Ending November 30, 2013.

ISSUE: Receipt of the City's Monthly Financial Report for the period ending November 30, 2013.

DISCUSSION: That City Council receives the Monthly Financial Report for the period ending November 30, 2013.

ECONOMIC HIGHLIGHTS:

Below are a few of the key economic indicators that City staff tracks to assist with revenue projections and analysis:

- Alexandria's unemployment rate spiked in October to 4.9 percent from 4.4 percent last month; the number of employed decreased by 642 persons. This represents the highest October unemployment rate in four years. Continued increases to this indicator may impact disposable income of residents translating into continued softening of consumption based taxes, such as sales taxes and restaurant meals taxes.
- From Smith Travel Research, via ACVA, Alexandria's hotel occupancy rate fell from 76.1 percent in October 2012 to around 72.4 percent in October 2013. The average room rate also was lower compared to last year. This has a direct impact on the amount of revenue collected in transient lodging taxes, which is discussed in more detail in the "Revenue Highlights" section.

There is additional information regarding sequestration and its impact in a detailed analysis at the City's web site: <http://www.alexandriava.gov/FinancialReports>.

REVENUE HIGHLIGHTS:

Year-to-Date Revenues: As of November 30, 2013, actual General Fund revenues totaled \$281.8 million, which is approximately 4 percent more than the report for the same period last year. Most of this increase is related to higher real property tax collections from assessment and tax rate increases. Current revenue projections, however, are running below budgeted revenues by approximately \$0.6 million primarily for consumption based taxes including sales, transient lodging, and restaurant meals taxes, as indicated in last month's financial report. The City has set aside \$1 million in fund balance to compensate for potential short-term revenue reductions related to sequestration. If revenues continue to decline, it may be necessary to make up any additional shortfalls with expenditure reductions. Current revenue estimates are taken into consideration when building the revenue estimates for the FY 2015 Proposed Budget.

Below is additional detail for revenues that are showing variance compared to last year's collections:

- **Recordation Tax:** Recordation Tax collections have fallen by approximately 14 percent compared to last year's collections. Since the number and average value of residential property sales have increased, the decrease is primarily attributable to the commercial portion of Alexandria's real estate market. Further indication of this, during the third quarter of 2013, office vacancy rates were 16.7 percent, an indication of weakness in the commercial office market. Additionally, commercial construction in Alexandria, as measured by the number and value of permit applications in Code Administration, has been soft since 2008.
- **Sales Tax:** A three-month average of Sales Tax collections decreased by 0.7 percent compared to last year, though October sales tax collections showed improvement compared to September. For that same three month period, national retail sales increased by 4.6 percent. The disparity is most likely caused in part by the effect of sequestration which has slowed revenue growth in key areas.
- **Transient Lodging Tax:** From August through October, Transient Lodging Tax collections decreased by 3.8 percent compared to last year, and total collections for the August through October period were the weakest of any since 2008. Some of the decrease is most likely related to the government shutdown during the first two weeks of October.
- **Utility taxes:** Utility taxes decreased 5%, on a year over year basis, based largely on the timing of

billing and collections activity.

- **Business license tax:** Year-to-date Business License Tax collections decreased by about one-third compared to the previous fiscal year, but with about two percent of the budgeted amount collected, it is not possible to accurately project collections until March. Business license renewal applications and taxes are due by March 1 of each license tax year.

EXPENDITURE HIGHLIGHTS:

Year-to-Date Expenditures: As of November 30, 2013, actual General Fund expenditures totaled \$208.1 million, a decrease of \$3.2 million, or approximately one percent compared to expenditures for the same period last year. Citywide, expenditures appear to be tracking with the budget.

A few of the largest variances are explained below:

- **Position vacancies filled:** The increase in year-to-date expenditures in Management and Budget, Human Resources, and the Department of Code Administration reflect the filling of budgeted positions that were vacant for some period of time in FY 2013.
- **Debt Service:** The increase in debt service reflects an increase in budgeted expenditures for the FY 2013 General Obligation bonds.
- **Cash Capital:** The decrease is due to the timing of moving cash capital from Non-Department budget into capital project budgets.
- **Transit Subsidies:** The increase in expenditures is mostly due to the timing of the payments to WMATA. A mix of funding sources is used to pay for the WMATA contribution. This year, the General Fund contribution was used prior to the other funding sources, most notably the Northern Virginia Transportation Commission.

Contingent Reserves

- At its December 10 meeting, City Council approved a supplemental appropriations ordinance appropriating \$226,856 from FY 2013 General Fund fund balance for the following: \$80,000 to Recreation for Urban Forestry, \$4,160 for Sister Cities Initiatives, and \$222,696 for Fire Safety Improvements. Detailed information regarding the status of Contingent Reserves for FY 2014 is available in Attachment 4.

The report is also available online at: <http://www.alexandriava.gov/FinancialReports>.

ATTACHMENTS:

Attachment 1 Revenue

Attachment 2 Expenditures

Attachment 3 Economic tables

Attachment 4 Contingent Reserves

STAFF:

Laura Triggs, Chief Financial Officer

Nelsie L. Smith, Director, Office of Management & Budget
Eric Eisinger, Budget Analyst
Berenice Harris, Finance Department

CITY OF ALEXANDRIA, VIRGINIA

COMPARATIVE STATEMENT OF REVENUES

GENERAL FUND

FOR THE PERIODS ENDING NOVEMBER 30, 2013 AND NOVEMBER 30, 2012

	B	B2	C	D=C/B	E	F=(C-E)/E
	FY2014	FY 2014	FY2014		FY2013	
	REVISED	PROJECTED	REVENUES	%	REVENUES	%
	BUDGET	REVENUE	THRU 11/30/13	OF BUDGET	THRU 11/30/12	CHANGE
General Property Taxes						
Real Property Taxes.....	\$ 357,840,032	\$ 358,400,000	\$ 172,939,015	48.3%	\$ 162,933,521	6%
Personal Property Taxes.....	41,340,000	41,700,000	38,835,437	93.9%	35,797,535	8%
Penalties and Interest.....	2,375,000	2,375,000	50,021	2.1%	556,845	-91%
Total General Property Taxes	\$ 401,555,032	\$ 402,475,000	\$ 211,824,473	52.8%	\$ 199,287,901	6%
Other Local Taxes						
Local Sales and Use Taxes.....	\$ 27,340,000	25,900,000	\$ 6,261,868	22.9%	\$ 6,419,827	-2%
Consumer Utility Taxes.....	11,400,000	11,600,000	3,427,921	30.1%	3,627,227	-5%
Communication Sales and Use Taxes.....	11,300,000	11,100,000	2,726,728	24.1%	2,702,114	1%
Business License Taxes.....	33,000,000	33,000,000	723,992	2.2%	1,074,885	-33%
Transient Lodging Taxes.....	12,510,000	11,500,000	3,745,072	29.9%	4,129,980	-9%
Restaurant Meals Tax.....	17,550,000	17,300,000	5,103,860	29.1%	5,339,754	-4%
Tobacco Taxes.....	3,234,000	3,234,000	1,057,191	32.7%	921,663	15%
Motor Vehicle License Tax.....	3,400,000	3,400,000	2,826,868	83.1%	2,692,503	5%
Real Estate Recordation.....	5,400,000	5,200,000	1,484,783	27.5%	1,718,856	-14%
Admissions Tax.....	1,000,000	1,000,000	265,800	26.6%	334,560	-21%
Other Local Taxes.....	3,380,000	3,490,000	312,054	9.2%	186,724	67%
Total Other Local Taxes	\$ 129,514,000	\$ 126,724,000	\$ 27,936,137	21.6%	\$ 29,148,093	-4%
Intergovernmental Revenues						
Revenue from the Fed. Government.....	\$ 10,847,576	9,512,197	\$ 950,969	8.8%	\$ 1,353,620	-30%
Personal Property Tax Relief from the Commonwealth.....	28,989,067	23,578,531	22,399,604	77.3%	22,399,604	0%
Revenue from the Commonwealth.....	15,407,155	22,606,733	6,639,276	43.1%	6,759,308	-2%
Total Intergovernmental Revenues	\$ 55,243,798	\$ 55,697,461	\$ 29,989,849	54.3%	\$ 30,512,532	-2%
Other Governmental Revenues And Transfers In						
Fines and Forfeitures.....	\$ 5,322,000	5,322,000	\$ 2,222,492	41.8%	\$ 2,008,844	11%
Licenses and Permits.....	2,519,975	2,519,975	1,150,477	45.7%	1,090,601	5%
Charges for City Services.....	16,694,959	16,609,959	7,331,859	43.9%	7,315,769	0%
Revenue from Use of Money & Prop.....	3,995,000	4,643,000	1,277,599	32.0%	1,531,898	-17%
Other Revenue.....	782,000	782,000	809,751	103.5%	698,436	16%
Transfer from Other Funds.....	2,894,329	3,136,329	-	0.0%	-	0%
Total Other Governmental Revenues	\$ 32,208,263	\$ 33,013,263	\$ 12,792,178	39.7%	\$ 12,645,548	1%
TOTAL REVENUE	\$ 618,521,093	\$ 617,909,724	\$ 282,542,637	45.7%	\$ 271,594,074	4%
Appropriated Fund Balance						
General Fund.....	6,527,654	6,527,654				
Reappropriation of FY 2013						
Encumbrances And Other						
Supplemental Appropriations and Projections.....	3,560,916	4,172,285				
TOTAL	\$ 628,609,663	\$ 628,609,663	\$ 282,542,637	44.9%	\$ 271,594,074	4%

41.6% of Fiscal Year Completed
40.23% of Payrolls Processed

Attachment 2

**COMPARATIVE STATEMENT OF EXPENDITURES & TRANSFERS BY FUNCTION
GENERAL FUND
FOR THE PERIODS ENDING NOVEMBER 30, 2013 AND NOVEMBER 30, 2012**

	B	C	D=C/B	E	F=(C-E)/E
	FY2014	FY2014	%	FY2013	
	REVISED	EXPENDITURES	OF BUDGET	EXPENDITURES	
FUNCTION	BUDGET	THRU 11/30/13	EXPENDED	THRU 11/30/12	% CHANGE
Legislative & Executive.....	\$ 7,074,874	\$ 2,677,788	37.8%	\$ 2,482,979	8%
Judicial Administration.....	\$ 42,412,097	\$ 17,222,075	40.6%	\$ 16,843,072	2%
Staff Agencies					
Information Technology Services.....	\$ 8,573,292	\$ 3,517,461	41.0%	\$ 3,519,687	0%
Management & Budget.....	1,277,825	480,466	37.6%	331,964	45%
Finance.....	12,006,815	4,221,777	35.2%	3,865,812	9%
Real Estate Assessment.....	1,856,591	555,039	29.9%	623,248	-11%
Human Resources.....	3,095,460	1,379,434	44.6%	1,159,880	19%
Planning & Zoning.....	5,843,816	2,379,713	40.7%	2,372,422	0%
Economic Development Activities.....	5,085,724	2,583,704	50.8%	2,416,034	7%
City Attorney.....	2,734,638	951,998	34.8%	1,010,188	-6%
Registrar.....	1,215,161	553,828	45.6%	790,526	-30%
General Services.....	12,556,198	4,377,198	34.9%	4,466,545	-2%
Total Staff Agencies	\$ 54,245,520	\$ 21,000,618	38.7%	\$ 20,556,306	2%
Operating Agencies					
Transportation & Environmental Services.....	\$ 33,678,035	\$ 11,826,974	35.1%	\$ 12,521,384	-6%
Fire.....	42,430,633	17,485,297	41.2%	16,910,455	3%
Police.....	55,116,636	23,004,030	41.7%	22,391,915	3%
Emergency Communications.....	6,797,156	2,512,304	37.0%	2,485,124	1%
Code.....	841,632	373,561	44.4%	324,148	15%
Transit Subsidies.....	9,584,748	5,209,413	54.4%	3,539,440	47%
Community and Human Services.....	51,417,591	5,737,176	11.2%	6,224,634	-8%
Health.....	8,303,231	3,901,079	47.0%	3,753,647	4%
Historic Resources.....	2,707,055	1,085,636	40.1%	1,149,832	-6%
Recreation.....	21,835,433	8,683,082	39.8%	8,708,213	0%
Total Operating Agencies	\$ 232,712,150	\$ 79,818,552	34.3%	\$ 78,008,792	2%
Education					
Schools.....	\$ 185,611,472	\$ 57,037,097	30.7%	\$ 55,608,966	3%
Other Educational Activities.....	11,785	5,892	50.0%	5,860	1%
Total Education	\$ 185,623,257	\$ 57,042,989	30.7%	\$ 55,614,826	3%
Capital, Debt Service and Miscellaneous					
Debt Service.....	\$ 55,779,933	\$ 18,605,592	33.4%	\$ 16,150,983	15%
Non-Departmental.....	11,094,162	4,875,044	43.9%	6,515,850	-25%
General Cash Capital.....	13,996,995			6,955,483	-100%
Contingent Reserves.....	1,160,985				0%
Total Capital, Debt Service and Miscellaneous	\$ 82,032,075	\$ 23,480,636	28.6%	\$ 29,622,316	-21%
TOTAL EXPENDITURES	\$ 604,099,973	\$ 201,242,658	33%	\$ 203,128,291	-1%
Cash Match (Transportation/DCHS/ and Transfers to the Special Revenue /Capital Projects Funds)	\$ 3,760,916	\$ 127,371	3.4%	\$ -	
Transfer to Housing.....	2,313,228	665,807	28.8%	653,092	2%
Transfer to Library.....	6,849,914	2,260,472	33.0%	2,866,131	-21%
Transfer to DASH.....	11,585,632	3,823,259	33.0%	4,618,703	-17%
TOTAL EXPENDITURES & TRANSFERS	\$ 628,609,663	\$ 208,119,566	33.1%	\$ 211,266,217	-1%
Total Expenditures by Category					
Salaries and Benefits.....	\$ 206,672,802	\$ 66,284,295	32.1%	\$ 79,254,663	-16%
Non Personnel (includes all school funds)	421,936,861	141,835,271	33.6%	132,011,554	7%
Total Expenditures	\$ 628,609,663	\$ 208,119,566	33.1%	\$ 211,266,217	-1%

SELECTED ECONOMIC INDICATORS

Attachment 3

Consumer Price Index (CPI-U) **for the Washington-Baltimore,** **DC-MD-VA-WV Area** (as of October 2013) **For the United States** (as of November 2013) **Core CPI-U (excludes food and energy)** (as of November 2013) (Source: U.S. Department of Labor, Bureau of Labor Statistics)

**Change on
Previous Year**

1.3%
1.2%
1.7%

Unemployment Rates

Current Month Prior Month Prior Year

Alexandria (as of October 2013) 4.9% 4.4% 4.2%
Virginia (as of October 2013) 5.6% 5.6% 5.8%
United States (as of November 2013) 7.0% 7.3% 7.8%
(Source: U.S. Department of Labor, Bureau of Labor
Statistics)

Office Vacancy Rates

Current Quarter Prior Quarter Prior Year

Alexandria 16.7% 17.3% 17.3%
Northern Virginia 15.2% 15.3% 14.5%
Washington, DC Metro area 12.9% 13.1% 12.5%
(As of 3rd quarter 2013)
(Source: CoStar)

New Business Licenses

**Current Year Prior Year Change on
Previous Year**

3 month trailing average 76 73 4.1%
(As of October 2013)
(Source: Finance Department)

New Commercial Construction (excluding Apartment Buildings) and Building Renovations

(Fiscal YTD as of October 2013)
Number of new building permits 6 0 -
Value of new building permits (\$ millions) \$25.1 \$0.0 -
(Source: Office of Code Administration)

New Multi-family Construction (including Apartment & Condominium Buildings)

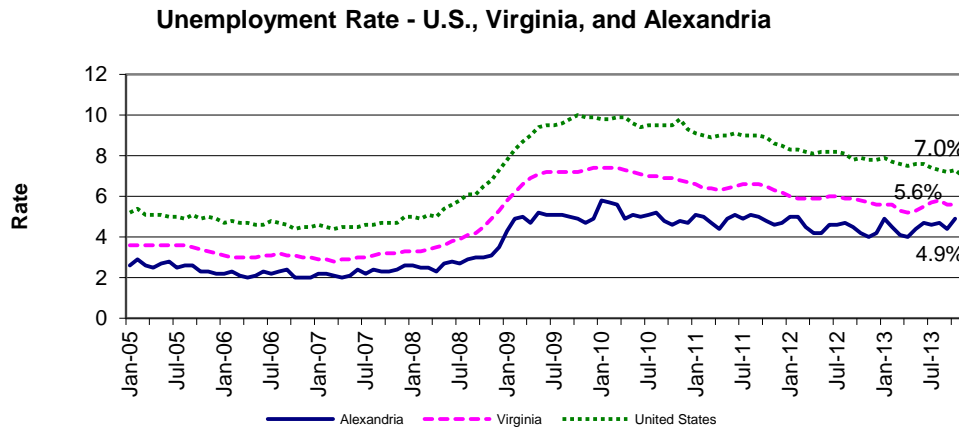
(Fiscal YTD as of October 2013)
Number of new building permits 36 1 3500.0%
Value of new building permits (\$ millions) \$41.4 \$29.5 40.3%

Residential Real Estate Indicators

Residential Dwelling Units Sold 2,154 1,805 19.3%
(Calendar YTD ending October 2013)
Median Residential Sales Price (As of October 2013) \$482,000 \$460,000 4.8%
(Source: Department of Real Estate Assessments)

Foreclosures

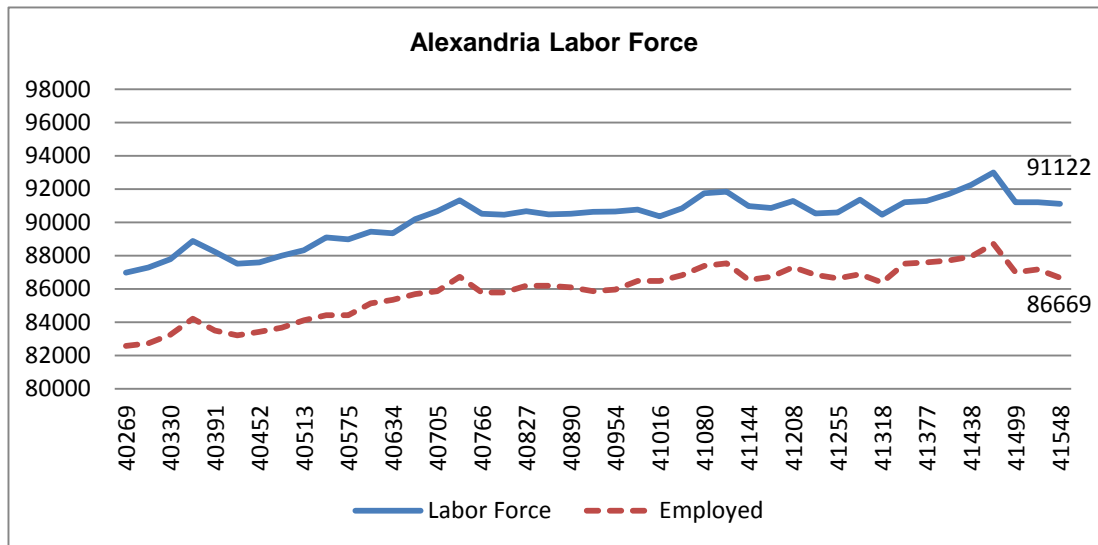
3 month trailing average
(As of October 2013) 8 10 -20.0%
Source: Dept of Real Estate Assessments



Source: U.S. Department of Labor, Bureau of Labor Statistics

Alexandria and Virginia data through October, US data through November

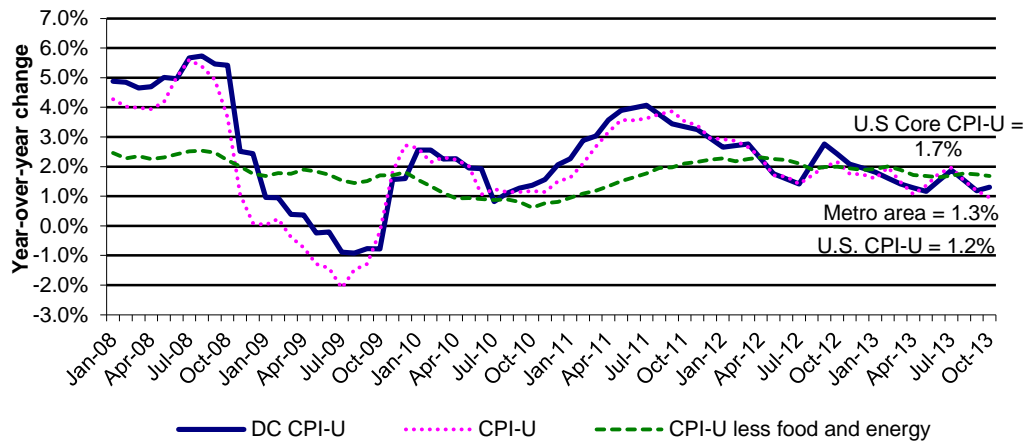
**Alexandria unemployment is not seasonally-adjusted, while U.S. and Virginia are seasonally-*



Source: Virginia Employment Commission

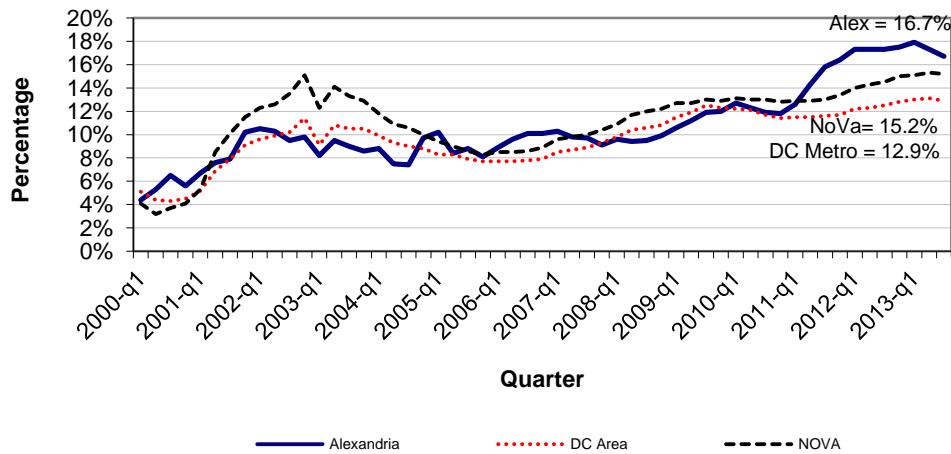
Through October 2013

Annual Change in Consumer Price Index

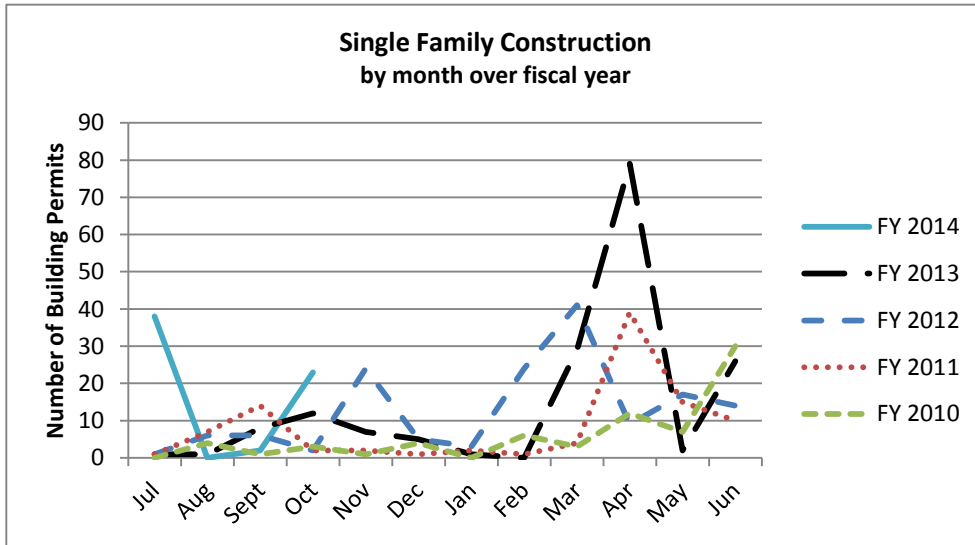


Source: U.S. Department of Labor, Bureau of Labor Statistics
Metro area data through October, US data through November

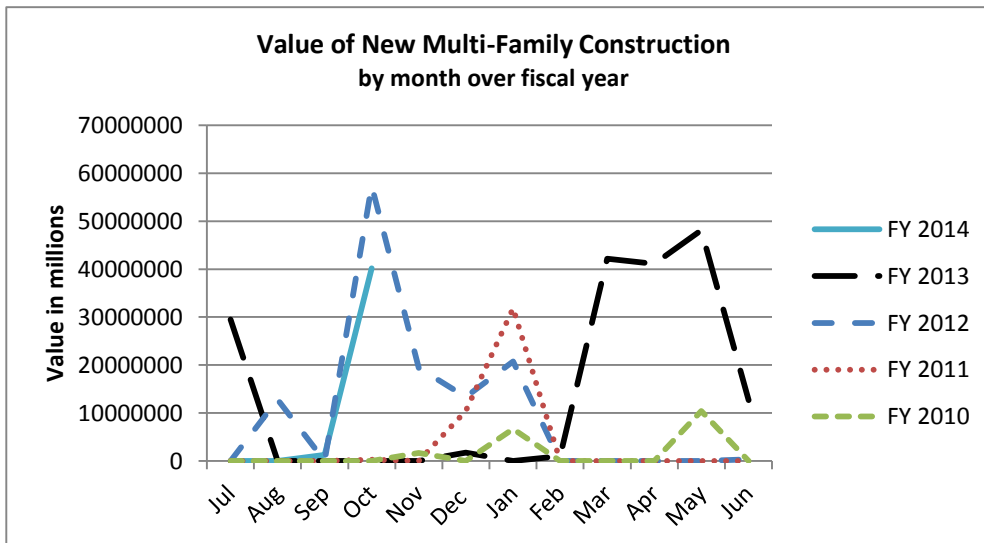
Office Vacancy Rates



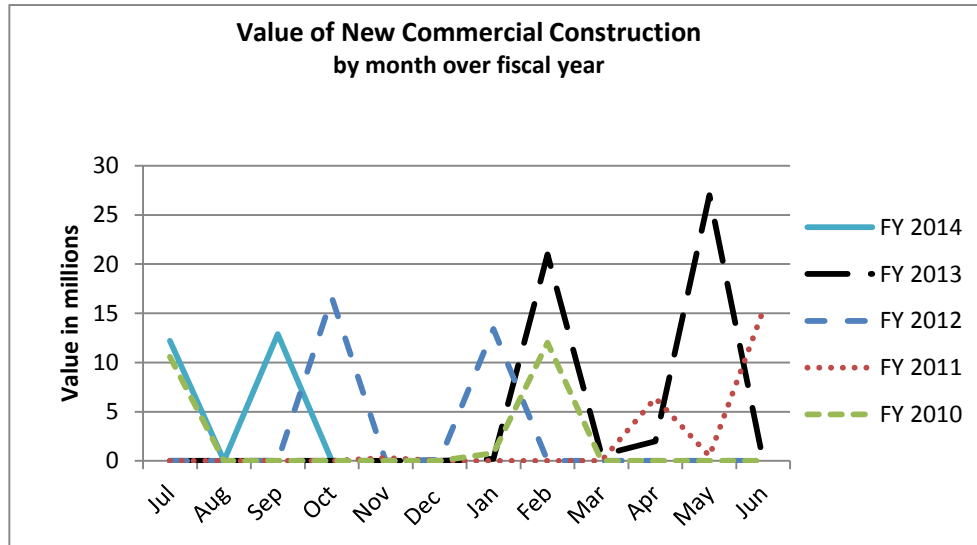
Source: CoStar
Through 3rd quarter 2013



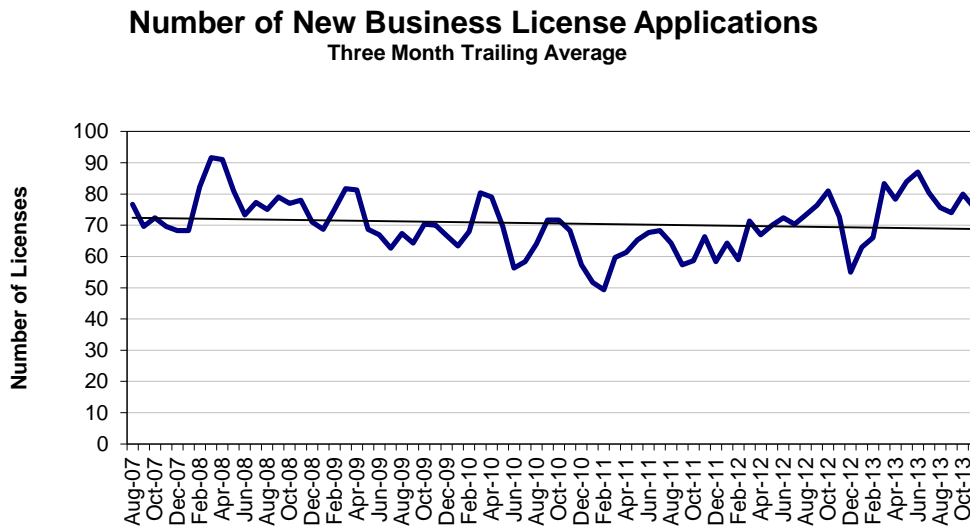
Source: Code Administration
Through October 2013



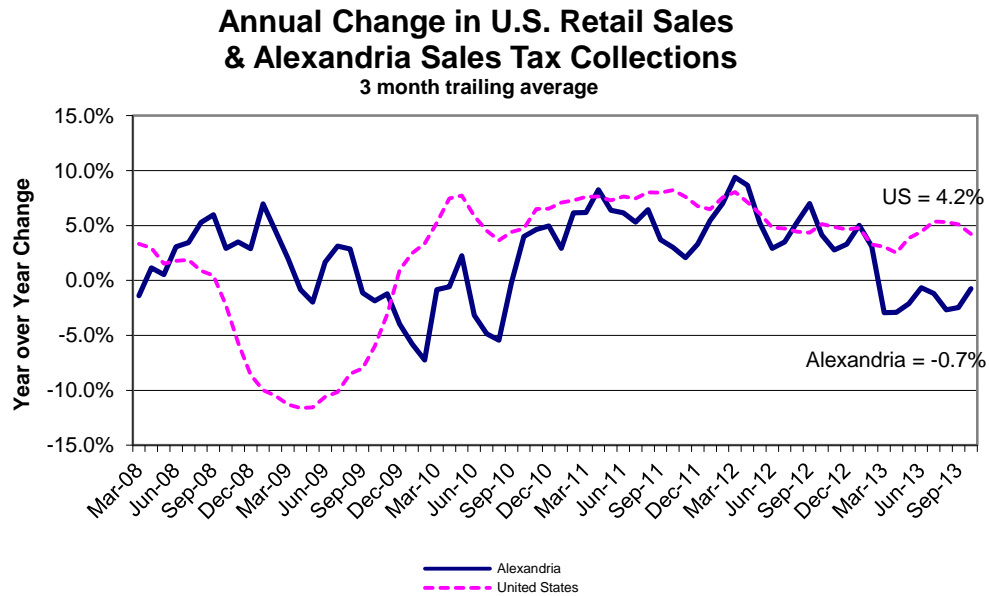
Source: Code Administration
Through October 2013



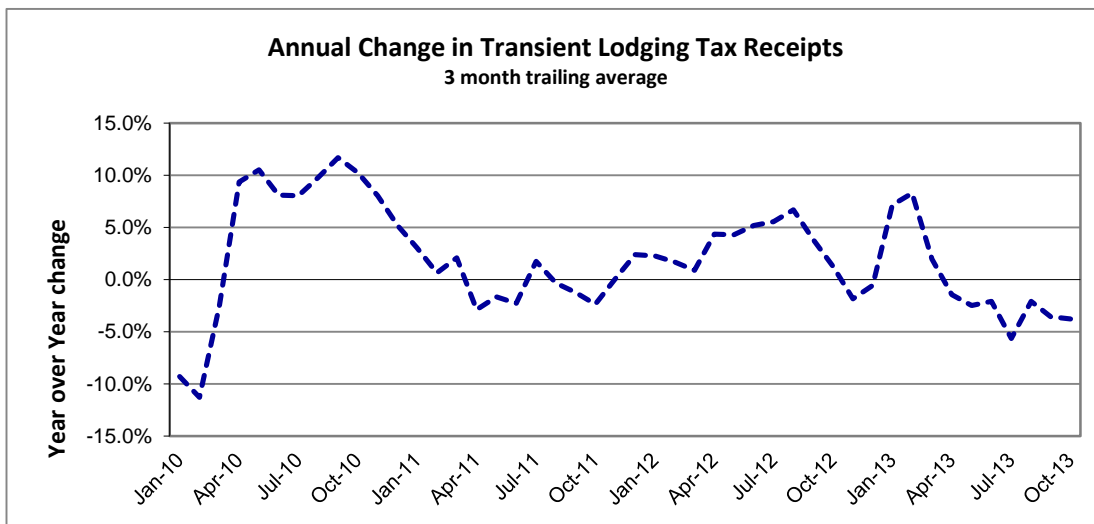
Source: Code Administration
Through October 2013



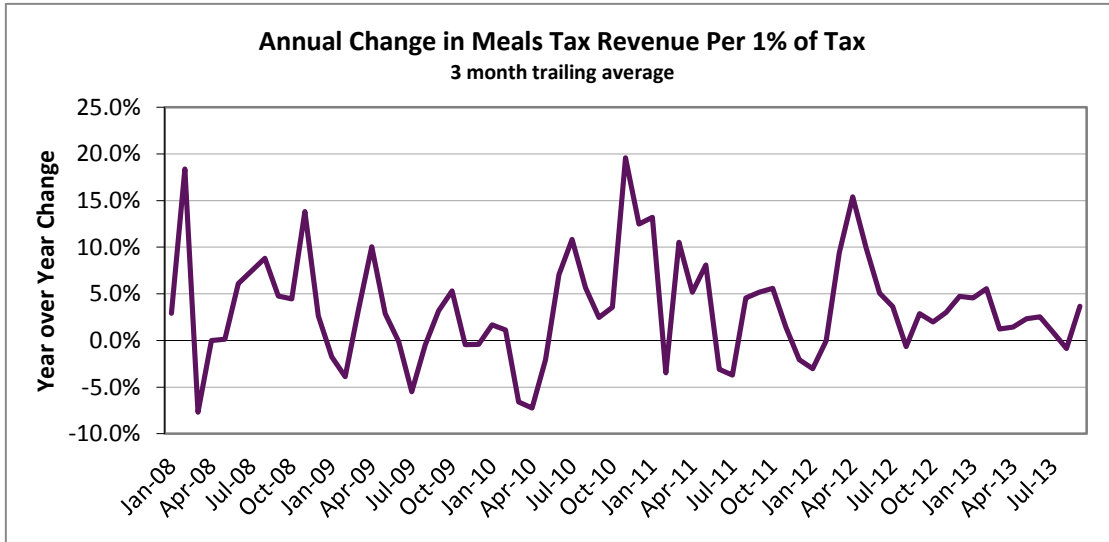
Source: Finance Department
Through November 2013



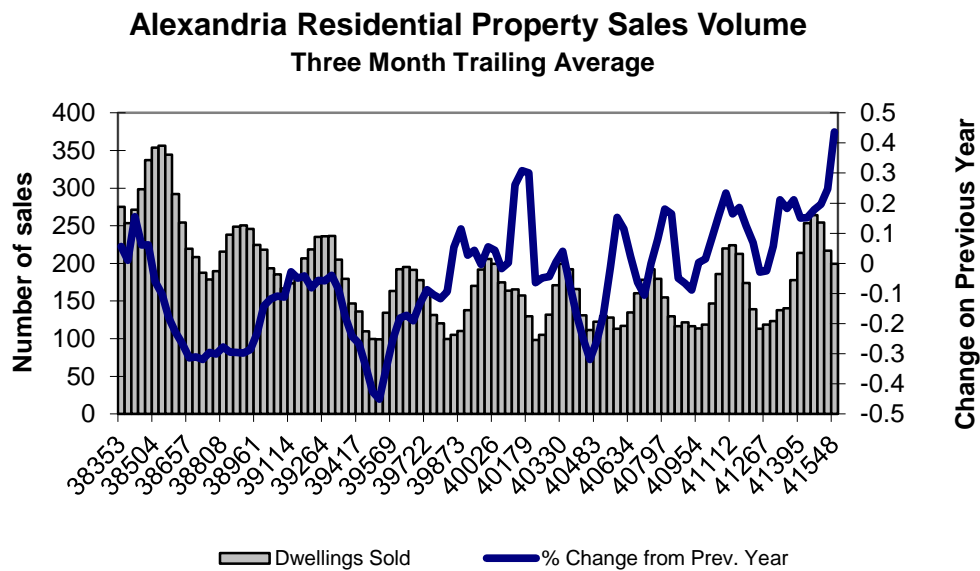
Source: Finance Department, U.S. Census Bureau
US, Alexandria data through October 2013



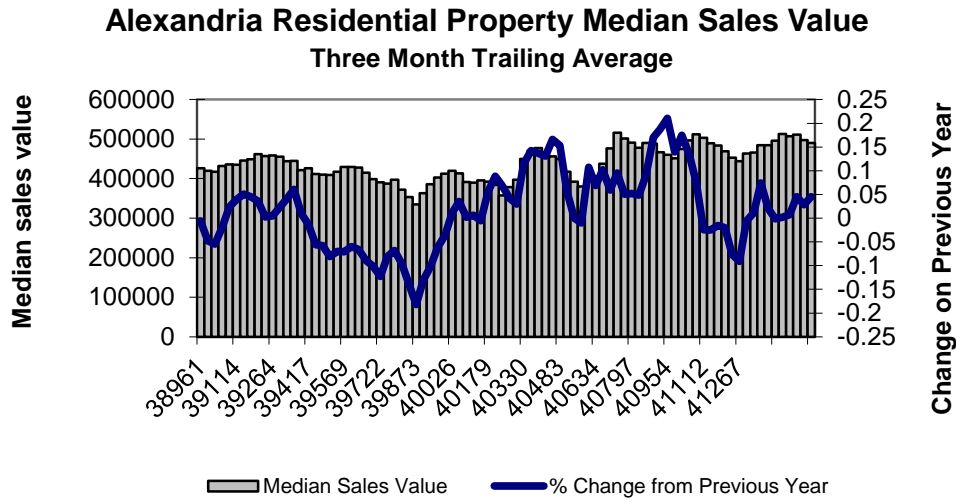
Source: Finance Department
Through September 2013



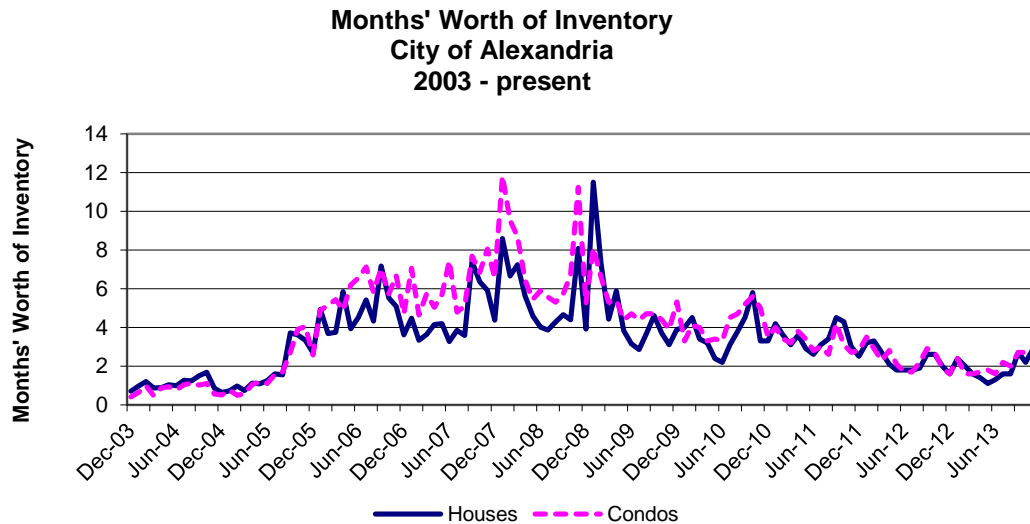
Source: Finance Department
Through September 2013



Source: Department of Real Estate Assessments
Through October 2013

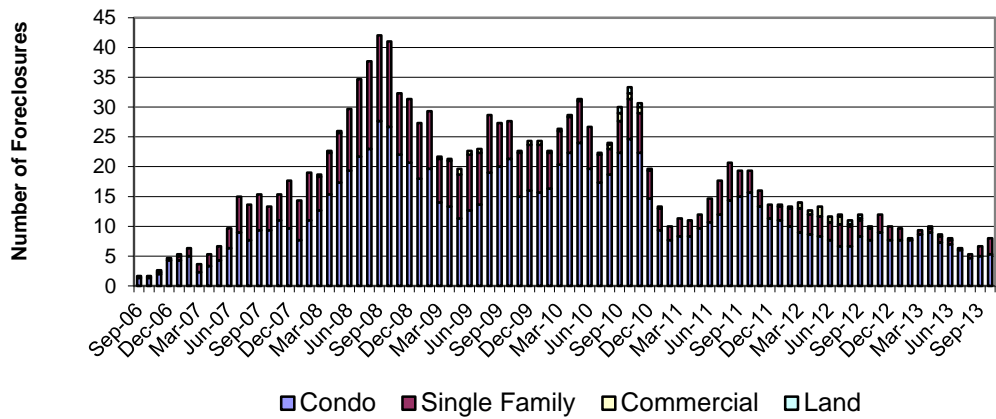


Sources: Metropolitan Regional Information Systems; Department of Real Estate Assessments
Through October 2013



Source: Metropolitan Regional Information Systems
Through November 2013

New Foreclosures in Alexandria
3 month trailing average



Source: Department of Real Estate Assessments
Through October 2013

Attachment 4

At its December 10 meeting, Council passed a supplemental appropriations ordinance for \$226,856 for appropriated fund balance from FY 2013 for the following: \$4,160 to Communications for Sister Cities Initiatives, \$80,000 to Recreation for Urban Forestry, and \$222, 696 for Fire Safety Improvements.

Information regarding the status of Council Action on FY 2014 Contingent Reserves is included in the table below.

CITY OF ALEXANDRIA, VIRGINIA FY 2014 CONTINGENT RESERVES

Item	Budget	Balance	Action	Action Date
Urban Forestry initiatives (from FY 13)	80,000	-	Released to Recreation for Urban Forestry Initiatives	November
Fire Safety Improvements (from FY 13)	222,696	222,696		
Sister Cities improvements (from FY 13)	4,160	4,160		
Childcare Fee Subsidy Waiting List	950,000	400,669	Released to DCHS to fund the Childcare Fee Subsidy Waiting List, a social worker position, and replace Sequestration cuts to Head Start.	June
Affordable Housing Initiatives	174,235	174,235	Released to T&ES for recycling initiatives, including "Recycling on the Go" and the Pilot Food Composting Program, among others.	September
Recycling Initiatives	210,000	-		
King Street Lights	6,750	6,750		
Car Seat Installation	10,000	10,000	Released for smoking cessation and secondhand smoke reduction project at ARHA.	October
Smoking Cessation Program	35,000	-		
Community Engagement	20,000	20,000	Released in June for a Senior Mental Health Therapist position in DCHS for the Detention Center. Due to the City's current revenue climate, the position will not be filled and the funds were returned to the Non-D budget as part of the December 2013 Supplemental Appropriation Ordinance.	June
Senior Mental Health Therapist	42,900	42,900		

updated for November Monthly Financial Report



Legislation Details (With Text)

File #: 14-2261 **Name:** Consideration of Appointment of a Medic/Fire Marshal Alternate to the City of Alexandria Supplemental Retirement Board.

Type: **Status:** Agenda Ready

File created: 12/19/2013 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: Consideration of Appointment of a Medic/Fire Marshal Alternate to the City of Alexandria Supplemental Retirement Board.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Consideration of Appointment of a Medic/Fire Marshal Alternate to the City of Alexandria Supplemental Retirement Board.

ISSUE: Appointment of a Participant Alternate to the Retirement Board ("Board") of the City of Alexandria's Supplemental Retirement Plan ("Plan").

RECOMMENDATION : That City Council appoint Mr. Young-Ju Kim, Medic II, to the City of Alexandria's Supplemental Retirement Board as the Fire Marshall/Medic Alternate. Mr. Kim's term will begin January 15, 2014 and expire December 31, 2016.

BACKGROUND : The Board was created on December 11, 2012 and includes General Schedule, Deputy Sheriff and Fire Marshal/Medic employees. The Board is comprised of eight members and five alternates who serve as the trustees of the Plan's trust and fiduciaries of the Plan and its assets. The Board acts for the City on

matters concerning the Plan's assets, including selecting and monitoring investment funds and appointing investment managers, custodians, and advisors. The Board is also charged with consulting with City management to recommend modifications to the Plan. The Plan requires Board meetings to be held each quarter of the calendar year, but meetings are held more often.

City Council has the authority to appoint Board members. The Board members are either nominated by the City Manager or by the Board. The City Manager nominates four representatives and one alternate to represent City management. The Board nominates two representatives and two alternates to represent General Schedule employees, one representative and one alternate to represent the Deputy Sheriffs, and one representative and one alternate to represent the Fire Marshals and Medics. In the event that City Council does not appoint a representative or alternate nominated by the City Manager or the Board, the nomination process must be repeated until all Board member positions are filled. The chairman and the secretary are elected by the Board members.

Participant Representatives and Participant Alternates serve four-year terms, which are staggered so that members' terms overlap but are not concurrent.

Current Participant Representatives and Alternates for the Supplemental Retirement Board are as follows:

Participant Representatives and Alternates for General Schedule Employees:

<u>Name</u>	<u>Current Term</u>
Shane Cochran	12/11/2012 - 12/31/2014
Marietta Robinson	12/11/2012 - 12/31/2016
Brenda D'Sylva (Alternate)	12/11/2012 - 12/31/2016
Bill Eger (Alternate)	01/01/2013 - 12/31/2014

Participant Representatives and Alternates for Deputy Sheriffs:

<u>Name</u>	<u>Current Term</u>
Robert Gilmore *	12/11/2012 - 12/31/2014
Valarie Wright (Alternate)	11/13/2013 - 12/31/2014

Participant Representatives and Alternates for Medics and Fire Marshals:

<u>Name</u>	<u>Current Term</u>
Nancy McFadden	12/11/2012 - 12/31/2016
Vacant (Alternate)	
Proposed - Young-Ju Kim	Once appointed term will end 12/31/2016.

* Mr. Robert Gilmore served as the Deputy Sheriff's Participant Alternate from 12/11/2012 through 11/12/2013. He was appointed the Deputy Sheriff's Participant Representative on 11/13/2013.

Management Representatives and the Management Alternate serve until they resign, are removed from the Board by City Council or end their employment with the City.

Current Management Representatives and Alternate for the Supplemental Retirement Board are as follows:

<u>Name</u>

Tom Gates, Deputy City Manager/Chief of Staff
Morgan Routt, Assistant Director, Office of Management & Budget
Nelsie Smith, Director, Office of Management & Budget
Laura Triggs, CFO, Finance Director and Plan Administrator
Jean Kelleher, Director, Office of Human Rights (Alternate)

DISCUSSION: The Fire Marshal/Medic Alternate was not appointed when the Board was created in 2012. Mr. Kim is being recommended by the Supplemental Board trustees to fill this vacancy. Staff requests that City Council appoint Mr. Young-Ju Kim to the Board effective January 15, 2014.

FISCAL IMPACT: None.

ATTACHMENTS:
None.

STAFF:
Laura Triggs, Chief Financial Officer/Director of Finance
Tom Gates, Deputy City Manager/Chief of Staff
Steven Bland, Retirement Administrator



Legislation Details (With Text)

File #:	14-2124	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	11/8/2013	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to the Northeast Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2013-0003 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (Implementing Ordinance for the Master Plan Amendment for the Slaters Lane Project Approved By the City Council on December 14, 2013)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2124 Information Sheet 14-2124 Ordinance 14-2124 Attachment		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to the Northeast Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2013-0003 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (Implementing Ordinance for the Master Plan Amendment for the Slaters Lane Project Approved By the City Council on December 14, 2013)

1 Introduction and first reading: January 14, 2014
2 Public hearing: January 25, 2014
3 Second reading and enactment: January 25, 2014
4

5 INFORMATION ON PROPOSED ORDINANCE
6

7 Title
8

9 AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria,
10 Virginia, by adopting and incorporating therein the amendment heretofore approved by city
11 council to the Northeast Small Area Plan chapter of such master plan as Master Plan
12 Amendment No. 2013-0003 and no other amendments, and to repeal all provisions of the
13 said master plan as may be inconsistent with such amendment.
14

15 Summary
16

17 The proposed ordinance accomplishes the final adoption of Master Plan Amendment No.
18 2013-0003 to revise the height map to from a maximum 50 feet to a maximum of 65 feet for
19 the property known as 800 and 820 Slaters Lane approved by the City Council on December
20 14, 2013.
21

22 Sponsor
23

24 Department of Planning and Zoning
25

26 Staff
27

28 Faroll Hamer, Director of Planning and Zoning
29 James L. Banks, Jr., City Attorney
30 Joanna C. Anderson, Assistant City Attorney
31

32 Authority
33

34 § 9.01, Alexandria City Charter
35 § 11-900, City of Alexandria Zoning Ordinance
36

37 Estimated Costs of Implementation
38

39 None
40

41 Attachments in Addition to Proposed Ordinance and its Attachment (if any)
42

43 None
44
45
46

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Northeast Small Area Plan chapter of such master plan as Master Plan Amendment No. 2013-0003 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2013-0003, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on November 7, 2013 of an amendment to the Northeast Small Area Plan chapter of the Master Plan of the City of Alexandria to revise the height map to from a maximum 50 feet to a maximum of 65 feet for the property known as 800 and 820 Slaters Lane, which recommendation was approved by the City Council at public hearing on December 14, 2013;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Northeast Small Area Plan chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending the height map as shown in the attachment titled Proposed Height Map and labeled as Attachment #1 , attached hereto and incorporated fully herein by reference.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Northeast Small Area Plan Chapter of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE
Mayor

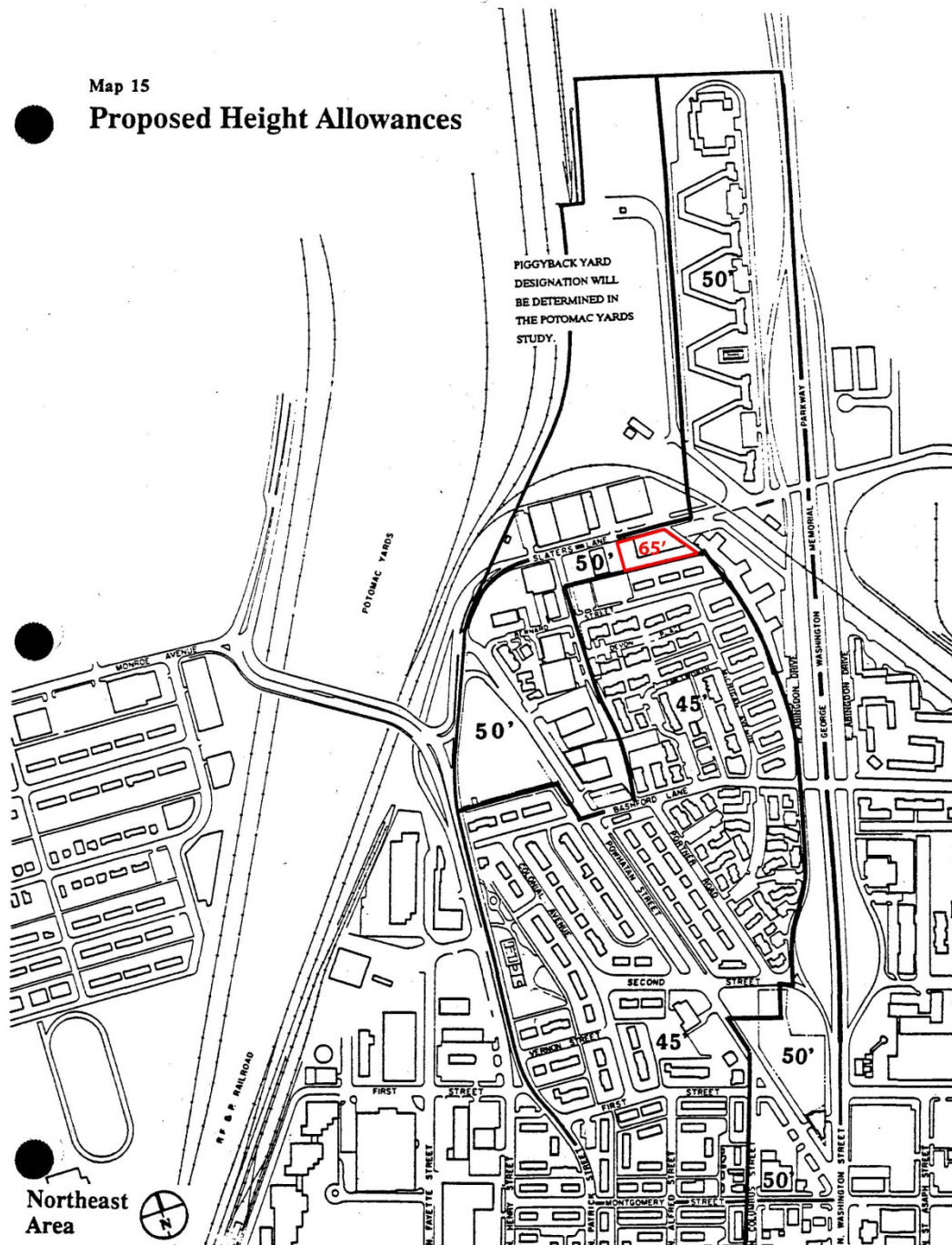
Introduction: January 14, 2014
First Reading: January 14, 2014
Publication:
Public Hearing: January 25, 2014
Second Reading: January 25, 2014
Final Passage: January 25, 2014

ATTACHMENT #1

Proposed Height Map

Map 15

Proposed Height Allowances





Legislation Details (With Text)

File #:	14-2126	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	11/8/2013	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sheet No. 044.02 of the "Official Zoning Map, Alexandria, Virginia," Adopted By Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, By Rezoning the Property at 800 and 820 Slaters Lane to Amend the Proffer in Accordance With the Said Zoning Map Amendment Heretofore Approved By City Council as Rezoning No. 2013-0004. (Implementing Ordinance for the Rezoning to Amend the Proffer for the Slaters Lane Project Approved By the City Council on December 14, 2013)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2126 Information Sheet 14-2126 Ordinance 14-2126 Attachment		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sheet No. 044.02 of the "Official Zoning Map, Alexandria, Virginia," Adopted By Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, By Rezoning the Property at 800 and 820 Slaters Lane to Amend the Proffer in Accordance With the Said Zoning Map Amendment Heretofore Approved By City Council as Rezoning No. 2013-0004. (Implementing Ordinance for the Rezoning to Amend the Proffer for the Slaters Lane Project Approved By the City Council on December 14, 2013)

1 Introduction and first reading: January 14, 2014
2 Public hearing: January 25, 2014
3 Second reading and enactment: January 25, 2014
4
5

6 INFORMATION ON PROPOSED ORDINANCE
7

8 Title
9

10 AN ORDINANCE to amend and reordain Sheet No. 044.02 of the "Official Zoning Map,
11 Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District
12 Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 800 and
13 820 Slaters Lane to amend the proffer in accordance with the said zoning map amendment
14 heretofore approved by city council as Rezoning No. 2013-0004.
15

16 Summary
17

18 The proposed ordinance accomplishes the final adoption of Rezoning No. 2013-0004 to rezone
19 the property at 800 and 820 Slaters Lane to amend the proffer on the property to allow the new
20 development approved with DSUP 2012-0031.
21

22 Sponsor
23

24 Department of Planning and Zoning
25

26 Staff
27

28 Faroll Hamer, Director of Planning and Zoning
29 James L. Banks, Jr., City Attorney
30 Joanna C. Anderson, Assistant City Attorney
31

32 Authority
33

34 §§ 2.04(w), 9.12, Alexandria City Charter
35 § 11-800, City of Alexandria Zoning Ordinance
36
37

38 Estimated Costs of Implementation
39

40 None
41

42 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
43

44 None
45
46

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Sheet No. 044.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 800 and 820 Slaters Lane to amend the proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2013-0004.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2013-0004, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on November 7, 2013 of a rezoning of the property at 800 and 820 Slaters Lane to amend the proffer on the property, which recommendation was approved by the City Council at public hearing on December 14, 2013;

2. The said rezoning is in conformity with the Master Plan of the City of Alexandria, Virginia, as amended;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 044.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 800 Slaters Lane (Tax Map #044.02-02-06)

820 Slaters Lane (Tax Map #044.02-02-05)

From: RC with a proffer

To: RC with a proffer as stated in the attached proffer statement dated October 24, 2013 and labeled as Attachment #1

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

Section 3. That Sheet No. 044.02 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

WILLIAM D. EUILLE
Mayor

Introduction: January 14, 2014
First Reading: January 14, 2014
Publication:
Public Hearing: January 25, 2014
Second Reading: January 25, 2014
Final Passage: January 25, 2014

ATTACHMENT #1

**PROFFER STATEMENT
PROPOSED DEVELOPMENT CONDITION
RZ 2013-0004**

Pursuant to the provision of §11-804 of the Alexandria Zoning Ordinance, 1992, as amended (the "**Ordinance**"), CIAM-Slaters, LLC, a Virginia limited liability company ("**CIAM-S**"), the owner of the property known as 800-820 Slater's Lane, Alexandria, Virginia, also known as City of Alexandria Tax Parcel Map 44.02 Block 02 Lot 06 (the "**Property**") and the applicant requesting a map amendment rezoning of the Property to remove and existing proffered condition and to proffer a new condition does hereby proffer in writing the provision of reasonable conditions to be applied to and be part of the rezoning.

CIAM-S voluntarily and in writing prior to the scheduled public hearing proffers:

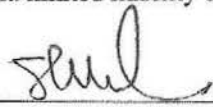
2. The redevelopment of the Property shall be in substantial conformance with the improvements depicted in DSUP 2012-0031 as approved by the Alexandria City Council, and as shown on the final site plan approved by the City of Alexandria.

3. These proffers are submitted in accord with §11-804 of the Ordinance and shall be governed and construed in accordance with §11-804 of the Ordinance.

4. Stephen A. Bannister, its Member Manager, represents that he is authorized to execute and deliver this Proffer and this Proffer is voluntarily entered into by CIAM-S.

These proffers are the only proffers on this Zoning Map Amendment. In the event the rezoning is not approved and associated approvals MPA # 2013-0003 and DSUP 2012-0031, these proffers shall be of no binding effect.

CIAM-Slaters, LLC
a Virginia limited liability company

By: 
Stephen A. Bannister, its Member Manager
October 24, 2013



Legislation Details (With Text)

File #: 14-2252 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 12/17/2013 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 11-808 (Protest of Zoning Map Amendment By Landowners) of Section 11-800 (Zoning Amendment) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved by City Council as Text Amendment No. 2013-0003. (Implementing Ordinance for Text Amendment to Update Section 11-808 Approved by City Council on December 14, 2013)

Sponsors:

Indexes:

Code sections:

Attachments: [14-2252 Information Sheet](#)
[14-2252 Ordinance](#)

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 11-808 (Protest of Zoning Map Amendment By Landowners) of Section 11-800 (Zoning Amendment) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved by City Council as Text Amendment No. 2013-0003. (Implementing Ordinance for Text Amendment to Update Section 11-808 Approved by City Council on December 14, 2013)

1 Introduction and first reading: January 14, 2013

2 Public hearing: January 25, 2013

3 Second reading and enactment: January 25, 2013

4
5 INFORMATION ON PROPOSED ORDINANCE

6
7 Title

8
9 AN ORDINANCE to amend and reordain Section 11-808 (Protest of zoning map amendment by
10 landowners) of Section 11-800 (Zoning amendment) of Article XI (Development Approvals
11 and Procedures) of the City of Alexandria Zoning Ordinance, in accordance with the text
12 amendment heretofore approved by city council as Text Amendment No. 2013-0003.
13 (Implementing Ordinance for Text Amendment to update Section 11-808 approved by City
14 Council on December 14, 2013)

15
16 Summary

17
18 The proposed ordinance accomplishes the final adoption of Text Amendment No. 2013-0003 to
19 update the protest petition provision to address new technology and condominium unit
20 ownership of land.

21
22 Sponsor

23
24 Department of Planning and Zoning

25
26 Staff

27
28 Faroll Hamer, Director of Planning and Zoning
29 James L. Banks, Jr., City Attorney
30 Joanna C. Anderson, Assistant City Attorney

31
32 Authority

33
34 §§ 2.04(w), 9.12, Alexandria City Charter
35 § 11-800, City of Alexandria Zoning Ordinance

36
37 Estimated Costs of Implementation

38
39 None

40
41 Attachments in Addition to Proposed Ordinance and its Attachments (if any)

42
43 None

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 11-808 (Protest of zoning map amendment by landowners) of Section 11-800 (Zoning amendment) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0003. (Implementing Ordinance for Text Amendment to update Section 11-808 approved by City Council on December 14, 2013)

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0003, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on December 3, 2013 of a text amendment to the Zoning Ordinance to update the protest petition provision to address new technology and condominium unit ownership of land, which recommendation was approved by the City Council at public hearing on December 14, 2013

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 11-808 of the Zoning Ordinance be, and the same hereby is, amended by deleting the text shown in strikethrough and inserting new language shown as underlined as follows:

11-800 Zoning Amendments

11-808 - Protest of zoning map amendment by landowners.

(A) Who may protest. A protest shall be signed by the owners of at least 20 percent of:

- (1) The land proposed to be rezoned by the map amendment; or
- (2) All land within 300 feet of the boundaries of the land proposed to be changed by the map amendment.

(B) Deadline for protest. A protest must be filed with the city clerk no later than noon on the last working day before the day on which city council conducts its first public hearing on the proposed amendment.

1 (C) Calculation of ownership. The director shall verify that those filing are legal property
2 owners **and that there are sufficient legal property owners signing to constitute the**
3 **required 20 percent, subject to the following:** ~~Through mathematical calculation~~
4 ~~and the use of a planimeter, the department of transportation and environmental~~
5 ~~services shall verify said 20 percent area.~~

6 (1) Streets, alleys and land dedicated to public use or owned by the city, state or
7 federal government shall not be included in computing the areas of ownership
8 required.

9 **(2) If land included in the computation is owned by a Condominium Unit**
10 **Owners Association then the square footage of the land shall be divided**
11 **evenly by the number of units in the Condominium Unit Owners Association**
12 **and each owner of a unit shall be entitled to sign for his or her allocated**
13 **portion of the land.**

14
15 (D) Effect of protest. If a protest to a proposed map amendment is filed, the city council may
16 not approve the proposed amendment except by an affirmative vote of three-fourths of its
17 members.

18
19 (E) Limitations.

20 (1) Once a protest has been filed, no changes by way of addition, substitution, amendment or
21 withdrawal may be made to the protest after the deadline provided for the filing of a
22 protest in section 11-808(B).

23 (2) A protest against a less restrictive change is not effective against a more restrictive
24 change but a new protest may be filed against the more restrictive change and this
25 paragraph does not prevent the filing of a protest against both a less and more restrictive
26 change.

27 (3) The provisions of this section 11-808 shall not apply to city owned property or be
28 effective in the case of a map amendment which is part of a comprehensive
29 implementation of a new or substantially revised zoning ordinance.

30
31 Section 2. That the director of planning and zoning be, and hereby is, directed to
32 record the foregoing text amendment.

33
34 Section 3. That Section 11-808 as amended pursuant to Section 1 of this ordinance,
35 be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.
36

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

WILLIAM D. EUILLE
Mayor

Introduction:	January 14, 2013
First Reading:	January 14, 2013
Publication:	
Public Hearing:	January 25, 2013
Second Reading:	January 25, 2013
Final Passage:	January 25, 2013



Legislation Details (With Text)

File #: 14-2254 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 12/17/2013 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Subsection F (Prior Existing Buildings and Structures) of Section 8-200 (General Parking Regulations) of Article VIII (Off-Street Parking Regulations) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2013-0013. (Implementing Ordinance for the Parking Related Text Amendment Approved By City Council With the Housing Master Plan on December 14, 2013)

Sponsors:

Indexes:

Code sections:

Attachments: [14-2254 Information Sheet](#)
[14-2254 Ordinance](#)

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Subsection F (Prior Existing Buildings and Structures) of Section 8-200 (General Parking Regulations) of Article VIII (Off-Street Parking Regulations) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2013-0013. (Implementing Ordinance for the Parking Related Text Amendment Approved By City Council With the Housing Master Plan on December 14, 2013)

1 Introduction and first reading: January 14, 2013

2 Public hearing: January 25, 2013

3 Second reading and enactment: January 25, 2013

4
5 INFORMATION ON PROPOSED ORDINANCE

6
7 Title

8
9 AN ORDINANCE to amend and reordain Subsection F (Prior Existing Buildings and Structures) of
10 Section 8-200 (General Parking Regulations) of Article VIII (Off-Street Parking Regulations)
11 of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore
12 approved by city council as Text Amendment No. 2013-0013. (Implementing Ordinance for the
13 parking related Text Amendment approved by City Council with the Housing Master Plan on
14 December 14, 2013)

15
16 Summary

17
18 The proposed ordinance accomplishes the final adoption of Text Amendment No. 2013-0013 to
19 revise the parking triggers for prior and existing buildings to exempt projects rehabilitating
20 affordable housing.

21
22 Sponsor

23
24 Department of Planning and Zoning

25
26 Staff

27
28 Faroll Hamer, Director of Planning and Zoning
29 James L. Banks, Jr., City Attorney
30 Joanna C. Anderson, Assistant City Attorney

31
32 Authority

33
34 §§ 2.04(w), 9.12, Alexandria City Charter
35 § 11-800, City of Alexandria Zoning Ordinance

36
37 Estimated Costs of Implementation

38
39 None

40
41 Attachments in Addition to Proposed Ordinance and its Attachments (if any)

42
43 None

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Subsection F (Prior Existing Buildings and Structures) of Section 8-200 (General Parking Regulations) of Article VIII (Off-Street Parking Regulations) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0013. (Implementing Ordinance for the parking related Text Amendment approved by City Council with the Housing Master Plan on December 14, 2013)

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0013, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on December 3, 2013 of a text amendment to the Zoning Ordinance to revise the parking triggers for prior and existing buildings to exempt projects rehabilitating affordable housing, which recommendation was approved by the City Council at public hearing on December 14, 2013

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 8-200(F) of the Zoning Ordinance be, and the same hereby is, amended by inserting new language shown as underlined as follows:

Sec. 8-200 General parking regulations.

(F)Prior existing buildings and structures.

(1) Notwithstanding the provisions of section 8-100 and except as provided in section 8-200(F)(3) below, no off-street parking need be provided for land actually in use on June 25, 1963, for structures or buildings partially or fully constructed as of that date, or for structures or buildings for which a final site plan had been approved or a building permit had been applied for on that date, except as follows:

(a) If any such land has been changed in use or any such structure or building has been changed in use, enlarged, significantly enlarged or significantly altered between June 23, 1963, and January 27, 1987, the parking requirements of this Article XIII shall apply only to such change in use, enlargement or alteration; and

1 (b) If any such land has been changed in use or any such structure or building has
2 been changed in use, enlarged, significantly enlarged or significantly altered after
3 January 27, 1987, the parking requirements of this Article XIII shall apply to all
4 the land and to the entire structure or building upon completion of the change in
5 use, significant enlargement or significant alteration, and such requirements shall
6 apply only to the enlargement of the structure or building upon its completion,
7 unless, as of January 27, 1987, a construction or alteration permit has been
8 applied for and reasonably soon thereafter construction activity has commenced
9 and continues to be diligently pursued, or unless a special use permit is obtained
10 under section 7-700 or section 11-500 which authorizes the change in use,
11 enlargement, significant enlargement or significant alteration with the provision
12 of less off-street parking than is required.

13 (2) Notwithstanding the provisions of section 8-100 above and except as provided in
14 section 8-200(F)(3) below, any change in use in land which had been placed in
15 use between June 23, 1963, and January 27, 1987, and any change in use,
16 enlargement, significant enlargement or significant alteration of a structure or
17 building which had been constructed between those dates shall be governed by the
18 provisions of sections 8-200(F)(1)(a) and (b).

19 (3) The provisions of this section 8-200(F) shall not apply to the enlargement,
20 significant enlargement or significant alteration of single-family, two-family or
21 row or townhouse dwellings.

22 (4) For purposes of this section 8-200(F), the following definitions shall apply:

23 (a) "Significantly altered" and "significant alteration" shall mean the reconstruction,
24 remodeling or rehabilitation of, or other physical changes to, a structure or
25 building, or a portion thereof, over any two-year period, whether or not involving
26 any supporting members of the structure or building and whether altering interior
27 or exterior components of the structure or building, which involves expenditures
28 amounting to 33 1/3 percent or more of the market value of the structure or
29 building, or portion thereof, at the time of the application for an alteration permit.
30 **The cost of the remodeling or rehabilitation of units that serve households at**
31 **or below sixty percent (60%) Area Median Income (AMI) for thirty (30)**
32 **years or more shall be exempt from the calculation of expenditures pursuant**
33 **to this section.**

34
35 Section 2. That the director of planning and zoning be, and hereby is, directed to
36 record the foregoing text amendment.
37

38 Section 3. That Section 8-200(F) as amended pursuant to Section 1 of this
39 ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning
40 Ordinance.
41

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

WILLIAM D. EUILLE
Mayor

Introduction:	January 14, 2013
First Reading:	January 14, 2013
Publication:	
Public Hearing:	January 25, 2013
Second Reading:	January 25, 2013
Final Passage:	January 25, 2013



Legislation Details (With Text)

File #:	14-2256	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	12/18/2013	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to the Eisenhower East Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2013-0007 and No Other Amendments, and To Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (Implementing Ordinance for the Eisenhower East Small Area Plan Amendment to Incorporate the Change to the Sidewalk Material Approved by City Council on December 14, 2013)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2256 Information Sheet 14-2256 Ordinance 14-2256 Attachment		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to the Eisenhower East Small Area Plan Chapter of Such Master Plan as Master Plan Amendment No. 2013-0007 and No Other Amendments, and To Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (Implementing Ordinance for the Eisenhower East Small Area Plan Amendment to Incorporate the Change to the Sidewalk Material Approved by City Council on December 14, 2013)

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan chapter of such master plan as Master Plan Amendment No. 2013-0007 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2013-0007, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on December 3, 2013 of an amendment to the Eisenhower East Small Area Plan chapter of the Master Plan of the City of Alexandria to revise the design guidelines to establish new requirements for brick and concrete sidewalks, which recommendation was approved by the City Council at public hearing on December 14, 2013;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Eisenhower East Small Area Plan chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by revising the design guidelines as follows:

1. Page 44 of the Eisenhower East Design Guidelines shall be revised as follows:
"All sidewalks on A ~~and B and C~~ streets shall be a combination of brick and concrete sidewalks 4" x 8" red brick, laid in accordance with City of Alexandria Standards. The Mill Road sidewalk for Block 23 and the sidewalks for Block 20 shall be City Standard brick sidewalks. "
2. The Eisenhower East Design Guidelines shall be amended including all applicable graphics, images to implement the brick and concrete sidewalks, required herein. The plan view as generally depicted in Figure 1, attached hereto and incorporated herein by this reference, shall be incorporated as part of the Eisenhower East Design Guidelines.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Eisenhower East Small Area Plan chapter of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Eisenhower East Small Area Plan chapter of the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Eisenhower East Small Area Plan chapter of the Master Plan of the City of Alexandria, Virginia.

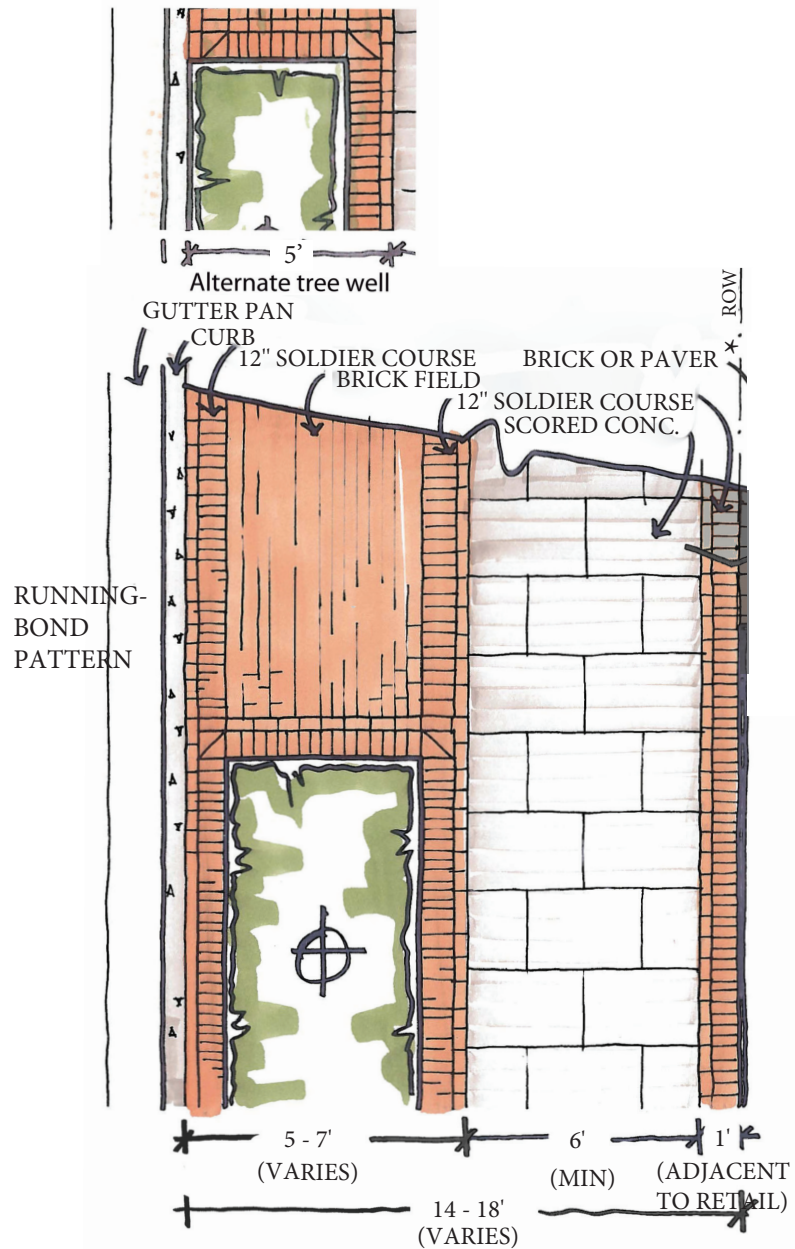
Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE
Mayor

Introduction: January 14, 2014
First Reading: January 14, 2014
Publication:
Public Hearing: January 25, 2014
Second Reading: January 25, 2014
Final Passage: January 25, 2014

FIGURE 1
SIDEWALK MATERIALS - BRICK/CONCRETE





Legislation Details (With Text)

File #:	14-2258	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	12/18/2013	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to Such Master Plan as Master Plan Amendment No. 2013-0005 to Incorporate the Housing Master Plan Chapter into the Master Plan and No Other Amendments, and To Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (Implementing Ordinance for the Housing Master Plan Chapter of the Master Plan Approved by the City Council on December 14, 2013)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2258 Information Sheet 14-2258 Ordinance		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, By Adopting and Incorporating Therein the Amendment Heretofore Approved By City Council to Such Master Plan as Master Plan Amendment No. 2013-0005 to Incorporate the Housing Master Plan Chapter into the Master Plan and No Other Amendments, and To Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (Implementing Ordinance for the Housing Master Plan Chapter of the Master Plan Approved by the City Council on December 14, 2013)



Legislation Details (With Text)

File #:	14-2277	Name:	
Type:	Resolution	Status:	Agenda Ready
File created:	1/2/2014	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance, to Amend and Reordain Section 5-2-64 of Article C (Street Names) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) and Repeal Section 13-1-23 of Chapter 1 (General Offenses) of Title 13 (Miscellaneous Offenses) and repeal Section 5-2-25 of Article A (General Provisions) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) and Repeal Article B (Alexandria Transportation Safety Commission) of Chapter 8 (Parking and Traffic Regulations) of Title 5 (Transportation and Environmental Services) and repeal Chapter 9 (Rebound Tumbling Centers) of Title 9 (Licensing and Regulation) of the Code of the City of Alexandria.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2277 cover sheet 14-2277 Draft ordinance December 27 2013		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance, to Amend and Reordain Section 5-2-64 of Article C (Street Names) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) and Repeal Section 13-1-23 of Chapter 1 (General Offenses) of Title 13 (Miscellaneous Offenses) and repeal Section 5-2-25 of Article A (General Provisions) of Chapter 2 (Streets and Sidewalks) of Title 5 (Transportation and Environmental Services) and Repeal Article B (Alexandria Transportation Safety Commission) of Chapter 8 (Parking and Traffic Regulations) of Title 5 (Transportation and Environmental Services) and repeal Chapter 9 (Rebound Tumbling Centers) of Title 9 (Licensing and Regulation) of the Code of the City of Alexandria.

Introduction and first reading: 1/14/14
Public hearing: 1/25/14
Second reading and enactment: 1/25/14

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE, to amend and reordain Section 5-2-64 of Article C (STREET NAMES) of Chapter 2 (STREETS AND SIDEWALKS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Section 13-1-23 of Chapter 1 (GENERAL OFFENSES) of Title 13 (MISCELLANEOUS OFFENSES) and repeal Section 5-2-25 of Article A (GENERAL PROVISIONS) of Chapter 2 (STREETS AND SIDEWALKS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Article B (ALEXANDRIA TRANSPORTATION SAFETY COMMISSION) of Chapter 8 (PARKING AND TRAFFIC REGULATIONS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Chapter 9 (REBOUND TUMBLING CENTERS) of Title 9 (LICENSING AND REGULATION) of the Code of the City of Alexandria, Virginia, 1981, as amended

Summary

The proposed ordinance would eliminate the requirement that new streets in the City be named after American history figures and places or confederate military leaders. The proposed ordinance would also repeal the prohibition on lewd and lascivious cohabitation, and on boot black stands on city streets. The proposed ordinance would also repeal those City ordinances governing the Alexandria Transportation Safety Commission, a body which is no longer active. Finally, the ordinance would repeal those City ordinances regulating rebound tumbling centers.

Sponsor

Justin Wilson, Councilman

Staff

James L. Banks Jr., City Attorney
Travis S. MacRae, Assistant City Attorney

Authority

§ 3.04(g), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. _____

AN ORDINANCE, to amend and reordain Section 5-2-64 of Article C (STREET NAMES) of Chapter 2 (STREETS AND SIDEWALKS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Section 13-1-23 of Chapter 1 (GENERAL OFFENSES) of Title 13 (MISCELLANEOUS OFFENSES) and repeal Section 5-2-25 of Article A (GENERAL PROVISIONS) of Chapter 2 (STREETS AND SIDEWALKS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Article B (ALEXANDRIA TRANSPORTATION SAFETY COMMISSION) of Chapter 8 (PARKING AND TRAFFIC REGULATIONS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Chapter 9 (REBOUND TUMBLING CENTERS) of Title 9 (LICENSING AND REGULATION) of the Code of the City of Alexandria, Virginia, 1981, as amended

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. Section 5-2-64 of Article C of Chapter 2 of Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is, amended and reordained to read as follows:

Sec. 5-2-64 Streets named in future.

- (a) Except as hereinafter provided, all streets hereafter named and running in a generally eastward direction shall be designated as avenues, and all streets hereafter named and running in a generally north-south direction shall be designated as streets. In the case of diagonal streets, the planning commission shall designate the direction to be applied. Streets may also be designated parkways or places when the planning commission is of the opinion that the use of such a name is more desirable than that of street or avenue.
- (1) In that portion of the city lying east of Quaker Lane, names shall be in harmony with the existing developments insofar as possible.
- (2) In the area west of Quaker Lane, an alphabetical progression of names shall be instituted, based upon a rectangular grid whose eastern base line shall run in a northerly direction passing through the intersection of Duke Street and Quaker Lane and the intersection of King Street and Quaker Lane, and northern base line of which shall be at right angles to the eastern base line and pass through the northernmost corner of the city limits west of Quaker Lane.
- (3) Each base line shall be subdivided into sections 600 feet in length. Beginning at the intersection of the base lines, each 600 feet shall be lettered alphabetically beginning with A and proceeding south and east through W at which point a new alphabet beginning with A shall be begun.
- ~~(4) Street names shall be assigned beginning with that letter in whose interval the street or its proposed extension begins. Streets running in a generally east-west direction shall bear names of persons or places prominent in American history; streets running in a generally north-south direction shall, insofar as possible, bear the names of confederate military leaders.~~

- 1 (b) The planning commission is hereby empowered to assign names to all newly
2 acquired or dedicated streets in accordance with the provisions of this section.
3

4 Section 2. Section 13-1-23 of Chapter 1 of Title 13 of The Code of the City of
5 Alexandria, Virginia, 1981, as amended, be and the same hereby is, repealed:
6

7 ~~Sec. 13-1-23 Lewd and lascivious cohabitation.~~

8 ~~If any persons, not married to each other, lewdly and lasciviously associate and cohabit~~
9 ~~together, or whether married or not, be guilty of open and gross lewdness and lasciviousness,~~
10 ~~each of them shall be guilty of a class 3 misdemeanor; and upon a repetition of the offense, and~~
11 ~~conviction thereof, each of them shall be guilty of a class 2 misdemeanor.~~
12

13 Section 3. Section 5-2-25 of Article A of Chapter 2 of Title 5 of The Code of the City of
14 Alexandria, Virginia, 1981, as amended, be, and the same hereby is, repealed:
15

16 ~~Sec. 5-2-25 Bootblack stands.~~

17 ~~Bootblack stands on the streets or sidewalks of the city are prohibited.~~
18

19 Section 4. Article B of Chapter 8 of Title 5 of The Code of the City of Alexandria,
20 Virginia, 1981, as amended, be, and the same hereby is, repealed:
21

22 ~~Sec. 5-8-11 Establishment and organization.~~

23 ~~There is hereby created the Alexandria Transportation Safety Commission, herein~~
24 ~~sometimes referred to as the "commission," which shall consist of 10 members, seven members~~
25 ~~of which shall be the members of the traffic and parking board whose terms of office on the~~
26 ~~commission shall correspond with their terms on the board. One member shall be a member of~~
27 ~~the city council who shall be appointed by and serve at the pleasure of the city council. One~~
28 ~~member shall be the superintendent of public schools whose term of office shall correspond to~~
29 ~~his tenure as superintendent. One member shall be the chief of police. The commission shall~~
30 ~~elect its chairman from its membership. A quorum of six members present is required before the~~
31 ~~commission may take any official action. All decisions shall be determined by a majority vote of~~
32 ~~the members present, and no proxy vote shall be allowed. The commission shall meet at least~~
33 ~~four times each year. In matters concerning the procedure for meetings not covered by this~~
34 ~~article, the commission may establish its own rules; provided they are not contrary to the spirit of~~
35 ~~this article.~~
36

37 ~~Sec. 5-8-12. Powers and duties.~~

- 38 (a) ~~The commission is charged with the responsibility for recommending to the city~~
39 ~~council plans for the formulation of a transportation safety program for the city~~
40 ~~and thereafter with the responsibility for a periodic review of the operation and~~
41 ~~effect of this program. The commission shall advise and assist the city in the~~
42 ~~preparation of a program for transportation safety within the city which shall be~~
43 ~~subject to the approval of the governor for purposes of determining the eligibility~~
44 ~~of the city to participate in funds and grants available under the federal Highway~~
45 ~~Safety Act of 1966 or any federal or state funds as may be made available. The~~
46 ~~plans shall specifically include, in addition to any matters as the governor through~~

1 the state board of transportation safety may require, material on the status of need
2 for and means to provide within the city driver education and driver improvement
3 courses for adults and out of school youths and identification of accident prone
4 locations on roads within the city's jurisdiction and in cooperation with state
5 agencies.

6 (b) ~~The commission shall also perform any other functions relating to transportation~~
7 ~~safety as the city council may from time to time require.~~

8
9 ~~Sec. 5-8-13. Advisory officials.~~

10 ~~The city manager may designate appropriate public officials or employees to attend the~~
11 ~~meetings of the commission in an advisory and consulting capacity, but with no right to vote.~~

12
13 Section 5. Chapter 9 of Title 9 of The Code of the City of Alexandria, Virginia, 1981, as
14 amended, be, and the same hereby is, repealed:

15
16 ~~Sec. 9-9-1 Definitions.~~

17 ~~For the purposes of the chapter, the following words and phrases shall have the meaning~~
18 ~~ascribed to them in this section, unless otherwise expressly stated or the context clearly indicates~~
19 ~~a different intention:~~

20 (1) ~~Director of recreation.~~ The legally designated director of recreation of the city or his
21 authorized representative.

22 (2) ~~Operator.~~ The individual in control of the management and operation of a rebound tumbling
23 center or any person acting by and with the authority of the person so in control.

24 (3) ~~Permit.~~ A written permit issued by the director of recreation to maintain and operate a
25 rebound tumbling center, issued under the provisions of this chapter, which permit shall be
26 separate and distinct from any other business license or pertinent which may otherwise have
27 been issued for the conduct of any business other than that of a rebound tumbling center.

28 (4) ~~Rebound tumbling center.~~ Any facility open to the use of the general public, within or upon
29 which any rebound tumbling mat is installed, maintained or operated, irrespective of whether
30 or not a charge is made for its use.

31 (5) ~~Rebound tumbling mat.~~ Any rebound or recoil tumbling mat or net, or any similar rebound
32 or recoil device or apparatus of any type of construction or installation, designed or intended
33 to be used by any person for bouncing, tumbling, springing, acrobatic or gymnastic activity,
34 or any other amusement, recreational or athletic purpose.

35
36 ~~Sec. 9-9-2 Permit required.~~

37 (a) ~~It shall be unlawful for any person to establish, construct, operate, maintain or offer for use~~
38 ~~any rebound tumbling center unless he holds a valid permit issued by the director of~~
39 ~~recreation, in the name of such person for the specific rebound tumbling center and a special~~
40 ~~use permit has been granted by the city council pursuant to the provisions of title 7, chapter~~
41 ~~6, article J of this code. The requirement that such permits shall be obtained is in addition to~~
42 ~~any other permits or licenses required by the state, this code, the city council or any~~
43 ~~department, board, agency or commission of the city.~~

44 (b) ~~Any person violating the provisions of this section shall, upon conviction, be punished by a~~
45 ~~fine not to exceed \$100 or by imprisonment in the city jail for a period not to exceed 30~~
46 ~~days, or by both such fine and imprisonment.~~

1 ~~(c) Violations of this section may also be restrained, prohibited and enjoined in any proper court~~
2 ~~of equity jurisdiction.~~

3 ~~(d) The suspension or revocation of any permit shall not excuse any violation or permit it to~~
4 ~~continue.~~

5
6 ~~Sec. 9-9-3 Same—application; generally.~~

7 ~~Each application for a permit required by this chapter shall be filed with the director of~~
8 ~~recreation, in writing, signed by the applicant, and shall contain the following:~~

9 ~~(1) the name and address of the applicant,~~

10 ~~(2) the name and address of the operator of the rebound tumbling center;~~

11 ~~(3) the name and address of the owner of the real property upon which the rebound tumbling~~
12 ~~center will be located;~~

13 ~~(4) the area and dimensions of the tract of land to be used;~~

14 ~~(5) the zone in which the location is located and reference to the special use permit granted~~
15 ~~by the city council;~~

16 ~~(6) the nature of the installation, viz., open ground or enclosed within roofed building or~~
17 ~~other structure; and~~

18 ~~(7) the number of rebound tumbling mats to be installed and operated.~~

19
20 ~~Sec. 9-9-4 Same—same; plans showing location, space and general layout.~~

21 ~~(a) The applicant for a permit under this chapter shall attach to and file with the application~~
22 ~~detailed plans, drawn to scale of a ratio of not less than one (1) inch to 10 feet, which~~
23 ~~shall contain the following:~~

24 ~~(1) The size and location of all rebound tumbling mats. Size shall be indicated by the over-~~
25 ~~all dimension of the frame of the rebound tumbling in mat.~~

26 ~~(2) The size and thickness of all padding covering the framework of all rebound tumbling~~
27 ~~mats.~~

28 ~~(3) The location and height of all fences, walls or other barricades in or enclosing the~~
29 ~~rebound tumbling center.~~

30 ~~(4) The net overhead distance between the rebound tumbling mat and the ceiling or roof, if~~
31 ~~the center is located within the enclosure of any building or structure.~~

32 ~~(5) The location and height of all poles bearing illumination fixtures, number of lights carried~~
33 ~~per pole and wattage per individual light.~~

34 ~~(6) The course and maximum height of all overhead electric wiring, with an indication of all~~
35 ~~voltages carried thereby.~~

36 ~~(7) The size and location of any office or any other building or structure existing or proposed~~
37 ~~to be located on the tract of land to be used.~~

38 ~~(8) The layout of the public address system and specifications of decibel output.~~

39 ~~(9) The size and location of off street parking area showing each individual car space and~~
40 ~~aisle space and the dimensions thereof.~~

41 ~~(10) The size and location of all entrances and exits.~~

42 ~~(b) Such plans shall bear a certification of compliance with all affected city departments, as~~
43 ~~specified on the approved special use permit, as required by title 7, chapter 6 of this code,~~
44 ~~before a permit is issued by the director of recreation for the operation of such rebound~~
45 ~~tumbling center.~~

1 (c) ~~One (1) copy of the approved plans shall be kept as a permanent city record in the office~~
2 ~~of the director of building and mechanical inspection.~~

3
4 ~~Sec. 9 9 5 Same same; specifications.~~

5 ~~The applicant for a permit required by this chapter shall attach to and file with the~~
6 ~~application detailed specifications, which shall include the following:~~

- 7
8 (1) ~~the type of padding to be used on the rebound tumbling mats;~~
9 (2) ~~if other than pit type installation, a detail of the support of the rebound tumbling mats,~~
10 ~~the manner of securing the same to the ground or floor and the minimum distance~~
11 ~~from the rebound tumbling mat to the ground or floor.~~
12 (3) ~~any further specification or plan which the director of recreation may reasonably~~
13 ~~require in order to enable him to determine compliance with this chapter.~~

14
15 ~~Sec. 9 9 6 Same issuance; term; renewal; nontransferable.~~

16 ~~The director of recreation shall issue a permit for a rebound tumbling center to an~~
17 ~~applicant upon compliance with the provisions of this chapter. The permit shall be valid for a~~
18 ~~period of one (1) year from date of issuance unless sooner revoked or suspended. Permits may~~
19 ~~be renewed annually. No permit may be transferable, and any person holding a permit shall give~~
20 ~~notice in writing to the director of recreation within 24 hours after having sold, transferred, given~~
21 ~~away, or otherwise disposed of interest in or control of any rebound tumbling center. The notice~~
22 ~~shall include the name and address of the person succeeding to the ownership or control of the~~
23 ~~rebound tumbling center.~~

24
25 ~~Sec. 9 9 7 Same suspension and revocation.~~

26 (a) ~~Whenever the director of recreation determines that there are reasonable grounds to~~
27 ~~believe that there has been a violation of any provision of this chapter or of any~~
28 ~~regulations adopted pursuant to this chapter, he shall give notice of such alleged violation~~
29 ~~to the person responsible therefor. The notice shall:~~

- 30 (1) ~~be put in writing;~~
31 (2) ~~include a statement of the reasons for its issuance; and~~
32 (3) ~~contain an outline of remedial action, which if taken will effect compliance with~~
33 ~~provisions of this chapter and any regulations adopted pursuant thereto.~~

34 (b) ~~The notice shall be served upon the owner or his agent or the operator, as the case may~~
35 ~~require. Such notice or order shall be deemed to have been properly served upon the~~
36 ~~owner or agent or upon the operator when a copy thereof has been sent by certified or~~
37 ~~registered mail to his last known legal address.~~

38 (c) ~~If, after 15 calendar days, commencing from the day such legal notice is received by the~~
39 ~~owner or operator, as the case may require, the violation as exists is not corrected, the~~
40 ~~director of recreation shall send a notice of the violation to the city manager.~~

41 (d) ~~The city manager shall cause the alleged violations to be brought to the attention of the~~
42 ~~city council, and the city council may revoke or suspend the special use permit as~~
43 ~~provided in title 7, chapter 6, article J of this code. A suspension or revocation of the~~
44 ~~special use permit shall be deemed a suspension or revocation of any permit granted by~~
45 ~~the director of recreation pursuant to this chapter.~~

1 (e) — Whenever the director of recreation finds that a violation of this chapter exists which he
2 deems requires immediate action to protect the public health or safety, he shall issue an
3 order requiring that action be taken to immediately correct the violation. If the violation
4 is not immediately corrected the director of recreation shall send a notice of the violation
5 to the city manager.

6 (f) — The city manager shall forthwith cause the alleged violations to be brought to the
7 attention of the city council, and the city council may revoke or suspend the special use
8 permit, as provided in title 7, chapter 6, article J of this code. A suspension or revocation
9 of the special use permit shall be deemed a suspension or revocation of any permit
10 granted by the director of recreation pursuant to this chapter.

11
12 **Sec. 9-9-8 Construction and installation regulations.**

13 No rebound tumbling center located within the city shall be installed, maintained or
14 operated until the following regulations have been complied with:

15
16 (1) — Measured from the outside dimension of the frame, the minimum distance between
17 rebound tumbling mats shall be: End to end (longitudinal), 10 feet; side to side (lateral),
18 six (6) feet.

19 (2) — All rebound tumbling mat frames shall be securely covered with padding of an approved
20 type, construction and dimension.

21 (3) — Any ceiling, roof or other covering shall be not less than 15 feet above the rebound
22 tumbling mat.

23 (4) — For pit type rebound tumbling mats, the downward vertical distance from the rebound
24 tumbling mat to the bottom of such pit shall not be less than 36 inches. The pit shall be
25 constructed in such a manner so as to provide a shelf or ledge beneath all springs, elastic
26 bands or other recoil or rebound mechanism attached to the rebound tumbling mat.

27 (5) — All rebound tumbling mats other than pit type shall be firmly secured to the floor or
28 ground.

29 (6) — No rebound tumbling center shall be open between the hours of 10:00 p.m. and 8:00 a.m.

30 (7) — Any rebound tumbling center open for use after the hour of sunset shall be illuminated
31 with a light intensity of not less than seven (7) foot candles at the level of the rebound
32 tumbling mat. However, where such rebound tumbling center is located immediately
33 adjacent to or across the street from any residential zone or property used for residential
34 purposes, such illumination shall be controlled and regulated so as not to create
35 objectionable glare visible from any residential zone or properties.

36 (8) — Upon every rebound tumbling center, a public address system of sufficient capacity,
37 design and volume shall provide at all times a voice transmission clearly audible to all
38 persons within and upon the rebound tumbling center. Such public address system shall
39 be operated at all times for the sole purpose of directing and controlling the activities of
40 all persons within and upon the center. The operating sound level of such public address
41 system shall at no time exceed 20 decibels measured at 50 feet at any point beyond the
42 perimeter of the rebound tumbling center.

43 (9) — The perimeter of the rebound tumbling center, excluding the off-street parking area, shall
44 be enclosed with a sturdy fence no less than six (6) feet in height.

- 1 (10) ~~Off-street parking shall be provided, having adequate means of ingress and egress. Such~~
2 ~~off-street parking facility shall be constructed and surfaced in accordance with prevailing~~
3 ~~city standards.~~
4 (11) ~~No rebound tumbling center shall be maintained or operated unless there is in full force~~
5 ~~and effect and covering the operation of the same a policy of public liability and property~~
6 ~~damage issued by a duly authorized insurance carrier, and insuring such operation within~~
7 ~~minimum public liability limits of \$100,000/\$200,000 and property damage limit of~~
8 ~~\$5,000.~~
9 (12) ~~No rebound tumbling mat shall be any closer to another object than six (6) feet.~~
10 (13) ~~Sanitary facilities for both sexes shall be installed in accordance with the requirements of~~
11 ~~the health department of the city.~~
12

13 ~~Sec. 9-9-9 General operating regulations.~~

14 ~~The following operating regulations shall be enforced by the permittee at any rebound~~
15 ~~tumbling center used by the public:~~
16

- 17 (1) ~~No child under six (6) years of age shall use any rebound tumbling mat at any time.~~
18 (2) ~~No child between the ages of six (6) and nine (9) years shall use any rebound~~
19 ~~tumbling mat, except in the presence of a parent, legal guardian or other adult~~
20 ~~relative.~~
21 (3) ~~Any rebound tumbling mat in use shall at all times be under the immediate~~
22 ~~supervision, direction and control of an authorized supervisor. The required number~~
23 ~~of supervisors shall be as follows:~~
24 a. ~~six (6) rebound tumbling mats or less in use, one (1) supervisor;~~
25 b. ~~for each additional six (6) rebound tumbling mats or fraction thereof in use, one (1)~~
26 ~~additional supervisor for each such additional six (6) rebound tumbling mats or~~
27 ~~fraction thereof.~~
28 (4) ~~Each supervisor shall be an individual of good moral character and physical fitness,~~
29 ~~trained and experienced in the safe use of and performance upon a rebound tumbling~~
30 ~~mat, and shall at all times be a qualified holder of the standard first aid certificate of~~
31 ~~the American Red Cross.~~
32 (5) ~~An adequate first aid kit shall be kept on the premises, and shall be available at all~~
33 ~~times.~~
34 (6) ~~Persons using any rebound tumbling mat shall be directed to perform thereon in~~
35 ~~accordance with accepted good gymnastic practice.~~
36 (7) ~~Eating and drinking shall be prohibited on the premises.~~
37 (8) ~~All persons shall be required to wear socks or shoes and a shirt or blouse while using~~
38 ~~a rebound tumbling mat.~~
39 (9) ~~No rebound tumbling mat that is wet or damp shall be used at any time.~~
40 (10) ~~Only one (1) person shall be allowed to perform on any rebound tumbling mat at one~~
41 ~~(1) time.~~
42 (11) ~~A complete record of all injuries shall be kept and shall be open for inspection by the~~
43 ~~director of recreation at all times.~~
44 (12) ~~All persons shall be required to register with the supervisor, such registration to~~
45 ~~include the name, address, whom to contact in case of an accident and the person's~~
46 ~~previous gymnastic experience.~~

1
2 ~~Sec. 9-9-10 Inspection; right of entry.~~

3 ~~(a) — The director of recreation shall make inspections to determine the condition of~~
4 ~~rebound tumbling centers located within the city, in order that he may perform his~~
5 ~~duty of safeguarding the health and safety of persons using such rebound tumbling~~
6 ~~centers.~~

7 ~~(b) — The director of recreation shall have the power to enter any reasonable time upon any~~
8 ~~private or public property for the purpose of inspecting and investigating conditions~~
9 ~~relating to the enforcement of this chapter or of regulations adopted pursuant thereto.~~

10
11 This ordinance shall become effective immediately.

12
13 William D. Euille
14 Mayor
15

16
17 Introduction: 1/14/14
18 First Reading: 1/14/14
19 Publication:
20 Second Reading:
21 Final Passage:



Legislation Details (With Text)

File #: 14-2285 **Name:** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize Participation in the Virginia Investment Pool.

Type: Ordinance **Status:** Agenda Ready

File created: 1/3/2014 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize Participation in the Virginia Investment Pool.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2285 Virginia Investment Pool Trust Fund Ordinance Cover Sheet](#)
[14-2285 Virginia Investment Pool Trust Fund Ordinance](#)
[14-2285 1-VIP Trust Agreement 9.13.13](#)
[14-2285 2-VIP Joinder Agreement Alexandria 12062013](#)
[14-2285 3-AG Opinion - Official 2.8.13](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize Participation in the Virginia Investment Pool.

ISSUE: Consideration of an Ordinance to Authorize Participation in the Virginia Investment Pool.

RECOMMENDATION: That City Council pass this proposed ordinance (Attachment 2) on first reading on January 14, 2014 and schedule it for public hearing, second reading, and final passage on January 25, 2014.

BACKGROUND: The Virginia Association of Counties (“VACo”) and the Virginia Municipal League (“VML”) have joined together to establish a new investment program for local governments and authorities named the Virginia Investment Pool (“VIP”). While new to Virginia, similar locally-controlled joint investment pools have operated successfully in other states for years. VIP is a Section 115 governmental trust fund created under the Joint Exercise of Powers statute of the Commonwealth of Virginia. The program will allow political subdivisions to invest jointly in relatively short-term, conservative fixed income investments that are authorized under state law. The Trust was established by the City of Chesapeake and the City of Roanoke and operates under the Trust Agreement dated September 13, 2013. By letter to the Honorable Laura M. Rudy, Treasurer of Stafford County, dated February 8, 2013, the Virginia Attorney General has opined that two or more political subdivisions may exercise their investment powers by investing in a jointly administered investment pool, which may be organized in the form of a trust fund (Attachment 5).

This is the same approach used to create the VACo/VML Virginia Pooled OPEB Trust, which was established by founding members Fairfax County and Henrico County in 2008. This is the only pooled OPEB trust fund offered in Virginia, and with invested assets of approximately \$500 million, the VACo/VML Pooled OPEB Trust is now the largest pooled trust fund in the nation dedicated for the purpose of funding health insurance and other post-employment benefits (OPEB).

Participation in the Trust Fund is limited to political subdivisions of the Commonwealth of Virginia. The Trust Fund is governed by a Board of Trustees, comprised of elected Treasurers or Chief Investment Officers from the counties of Arlington, Prince William, Chesterfield, Stafford and Washington, the cities of Chesapeake, Roanoke, Richmond and Suffolk, the towns of Christiansburg and Smithfield, and Executive Directors from the Virginia Municipal League and the Virginia Association of Counties.

VML/VACo Finance, the administrator for the VACo/VML Pooled OPEB Trust, will also administer VIP. Public Trust Advisors, LLC will serve as Investment Manager. Public Trust Advisors, LLC is an SEC registered, independent investment advisor, with significant local government investment pool experience and a senior team with experience managing more than \$25 billion in public funds nationwide. Regions Bank, which is the City’s custodian bank, will provide independent custodian bank services to VIP.

DISCUSSION:

VIP is a pooled investment program that local governments and other political subdivisions can use to invest assets in high-quality corporate and government securities with average duration between 1 to 2 years. VIP has a higher expected rate of return compared to traditional money market funds by investing in slightly longer-term securities. VIP allows local governments to take advantage of the broad range of investments authorized by the Virginia Investment of Public Funds Act (Code of Virginia, §2.2-4500 through 2.2-4519), through a professionally managed diversified portfolio. Under the Act, investments are limited to:

- Commercial paper rated at least A or equivalent (A-1, P-1, F-1);
- Bankers acceptances (A-1, P-1, F-1);
- U.S. Treasury and agency securities;
- Repurchase agreements (collateralized);
- Registered mutual funds of otherwise permitted investments;
- Negotiable certificates of deposit rated at least AA or equivalent (A-1, P-1, F-1);
- Corporate notes and bonds (AA-rated or above); and
- Municipal bonds and notes of Virginia state or local public bodies and other U.S. states and municipalities, subject to certain limitations.

The portfolio's benchmark will be the Bank of America Merrill Lynch 1 - 3 Year Corporate/Government Index. Over the last 10 years, the 1 - 3 Year Corporate/Government Index has returned an additional 1.19% over a money market equivalent index and has been less volatile than similar 1 - 3 Year Treasury and Treasury/Agency Indices. In addition, the 1 - 3 year area of the yield curve has lower interest rate risk than longer indices and volatility is historically less pronounced in the short end of the yield curve.

The pooled investment approach will provide the following key benefits that the City could not achieve on its own, namely:

1. Diversification of investments - The portfolio will consist of a broader mix of investment types with the goal of reducing overall investment risk.
2. Large number of holdings - The portfolio will include a large number of individual securities to limit the City's exposure to any single investment.
3. Semi-monthly liquidity - The fund will be structured with sufficient liquidity so the City can withdraw funds on a semi-monthly basis.
4. Active oversight - VIP offers six layers of active oversight: 1) a professional fund manager; 2) a Board of Trustees comprised of Treasurers and Chief Investment Officers from participating jurisdictions; 3) a full-time program administrator; 4) regular reporting to participants; 5) an annual independent audit; and 6) a globally-recognized rating agency.
5. Cost sharing - Participants can share costs and take advantage of fee breakpoints only available to larger scale investment portfolios.

A fourteen member voting Board of Trustees selected from participating jurisdictions plus two non-voting, *ex officio* members shall govern the program. The Executive Directors of the Virginia Municipal League and the Virginia Association of Counties will serve in an *ex officio* capacity. The 3-year terms of the voting trustees shall be staggered, with a class consisting of four trustees standing for election each year. Additionally, the Treasurers/Chief Investment Officers from the founding jurisdictions (Chesapeake and Roanoke) shall continue to serve for two 3-year terms until successor trustees are elected in Fiscal Year 2021. Membership on the Board shall be diverse in representing localities both small and large. Voting for the selection of trustees shall be reflective of the size of the investment by each locality.

To participate in VIP, City Council must adopt an ordinance authorizing the City to participate in the Trust Fund and provide the Chief Financial Officer with the authority to execute a Joinder Agreement. Once adopted, the Chief Financial Officer must submit a completed Participant Application Form, Joinder Agreement and certified copy of the adopted ordinance.

FISCAL IMPACT: Based upon the estimated Virginia Investment Pool's Net Weighted Portfolio Yield, the City may earn an additional \$43,000 annually for every \$10 million of City funds invested. Staff proposes an initial investment of \$10 million, with subsequent deposits when deemed appropriate.

ATTACHMENTS:

Attachment 1 - Ordinance Cover

Attachment 2 - Ordinance

Attachment 3 - Virginia Investment Pool Trust Fund Agreement, as approved by the Board of Trustees, September 13, 2013

Attachment 4 - Trust Joinder Agreement for Participating Political Subdivisions in the VACo/VML Virginia Investment Pool

Attachment 5 - Attorney General's February 8, 2013 Opinion regarding jointly administered investment pool

STAFF:

Laura B. Triggs, Chief Financial Officer/Director of Finance

David Clark, Assistant Director of Finance/Treasury

Steven Bland, Retirement Administrator

Introduction and first reading: 01/14/14
Public hearing: 01/25/14
Second reading and enactment:

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE TO ADOPT THE VACO/VML VIRGINIA INVESTMENT POOL TRUST FUND FOR THE PURPOSE OF INVESTING MONEYS BELONGING TO OR WITHIN THE CITY'S CONTROL, OTHER THAN SINKING FUNDS, IN CERTAIN AUTHORIZED INVESTMENTS IN ACCORDANCE WITH SECTION 2.2-4501 OF THE VIRGINIA CODE.

Summary

This is an ordinance to adopt the VACO/VML Virginia Investment Pool Trust Fund for the purpose of investing moneys belonging to or within the City's control in certain authorized investments.

Sponsor

None

Staff

Laura B. Triggs, Chief Financial Officer
Christina Zechman Brown, Assistant City Attorney

Authority

§ 15.2-1500, Code of Virginia

§ 2.2-4501, Code of Virginia

§ 15.2-1300, Code of Virginia

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THE VACO/VML VIRGINIA INVESTMENT POOL TRUST FUND FOR THE PURPOSE OF INVESTING MONEYS BELONGING TO OR WITHIN THE CITY'S CONTROL, OTHER THAN SINKING FUNDS, IN CERTAIN AUTHORIZED INVESTMENTS IN ACCORDANCE WITH SECTION 2.2-4501 OF THE VIRGINIA CODE.

WHEREAS, Section 15.2-1500 of the Virginia Code provides, in part, that every locality shall provide for all the governmental functions of the locality, including, without limitation, the organization of all departments, offices, boards, commissions and agencies of government, and the organizational structure thereof, which are necessary to carry out the functions of government; and

WHEREAS, Section 2.2-4501 of the Virginia Code provides that all municipal corporations and other political subdivisions may invest any and all moneys belonging to them or within their control, other than sinking funds, in certain authorized investments; and

WHEREAS, Section 15.2-1300 of the Virginia Code provides that any power, privilege or authority exercised or capable of exercise by any political subdivision of the Commonwealth of Virginia may be exercised and enjoyed jointly with any other political subdivision of the Commonwealth having a similar power, privilege or authority pursuant to agreements with one another for joint action pursuant to the provisions of that section; and

WHEREAS, any two or more political subdivisions may enter into agreements with one another for joint action pursuant to the provisions of Section 15.2-1300 of the Virginia Code provided that the participating political subdivisions shall approve such agreement before the agreement may enter into force; and

WHEREAS, the City of Chesapeake, Virginia and the City of Roanoke, Virginia have determined to jointly establish and participate in the VACo/VML Virginia Investment Pool (the "Trust Fund") for each such city; and

WHEREAS, it appearing to the City Council that it is otherwise in the best interests of the City of Alexandria to become a participating locality in the Trust Fund; and

WHEREAS, Laura Triggs, the duly appointed Chief Financial Officer/Director of Finance of the City of Alexandria, has the authority and responsibility under Virginia law to determine the manner in which City funds under her control will be invested;

NOW, THEREFORE THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Council of the City of Alexandria does hereby establish a trust pursuant to Section 2.2-4501 of the Virginia Code for the purpose of investing moneys determined to derive the most benefit from this investment strategy, belonging to it or within its control, other than sinking funds, in certain authorized investments, in the form set forth in the

1 VACo/VML Virginia Investment Pool Trust Fund Agreement (the “Agreement”), a copy of
2 which is attached here as Exhibit A.
3

4 Section 2. That the Council of the City of Alexandria does hereby agree to become a
5 “Participating Political Subdivision” in the “VACo/VML Virginia Investment Pool” (hereinafter,
6 the “Trust Fund”), as further defined in the Agreement.
7

8 Section 3. That the Council of the City of Alexandria does hereby designate the Chief
9 Financial Officer/Director of Finance of the City of Alexandria to serve as the trustee of the City
10 of Alexandria with respect to the Trust Fund and to determine what funds under the Chief
11 Financial Officer/Director of Finance’s control shall be invested in the Trust Fund.
12

13 Section 4. That the Council of the City of Alexandria does hereby authorize the Chief
14 Financial Officer/Director of Finance to execute and deliver the Trust Joinder Agreement for
15 Participating Political Subdivisions under VACo/VML Virginia Investment Pool (“Trust Joinder
16 Agreement”), a copy of which is attached hereto as Exhibit B.
17

18 Section 5. This ordinance shall become effective upon the date and at the time of its final
19 passage.
20

21 Exhibits: VACo/VML Virginia Investment Pool Trust Fund Agreement (“Exhibit A”)
22 Trust Joinder Agreement (“Exhibit B”)
23

24 WILLIAM D. EUILLE
25 Mayor
26

27 Introduction: 01/14/14
28 First Reading: 01/14/14
29 Publication: 01/25/14
30 Public Hearing: 01/25/14
31 Second Reading:
32 Final Passage:
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**VIRGINIA INVESTMENT POOL
TRUST FUND AGREEMENT**

THIS AGREEMENT (the “Agreement”), is made by and among the Participating Political Subdivisions that execute Trust Joinder Agreements to participate in the Virginia Investment Pool Trust Fund, their duly elected Treasurers or other Chief Investment Officers empowered by law to invest the public funds of such Participating Political Subdivisions, and the individuals named as Trustees pursuant to Section 106 hereof and their successors (the “Board of Trustees”). The Participating Political Subdivisions and their Treasurers or Chief Investment Officers hereby establish with the Board of Trustees, and the Board of Trustees hereby accepts, under the terms of this Agreement, a trust for the purpose of investing moneys belonging to or within the control of the respective Participating Political Subdivisions as allowed by law.

WITNESSETH:

WHEREAS, Section 15.2-1500 of the Virginia Code provides, in part, that every locality shall provide for all the governmental functions of the locality, including, without limitation, the organization of all departments, offices, boards, commissions and agencies of government, and the organizational structure thereof, which are necessary to carry out the functions of government; and

WHEREAS, Section 2.2-4501 of the Virginia Code provides that all municipal corporations and other political subdivisions may invest any and all moneys belonging to them or within their control, other than sinking funds, in certain authorized investments; and

WHEREAS, Section 15.2-1300 of the Virginia Code provides that any power, privilege or authority exercised or capable of exercise by any political subdivision of the Commonwealth of Virginia may be exercised and enjoyed jointly with any other political subdivision of the Commonwealth having a similar power, privilege or authority pursuant to agreements with one another for joint action pursuant to the provisions of that section; and

WHEREAS, the City of Chesapeake and the City of Roanoke have adopted ordinances approving participation in the Virginia Investment Pool for each such locality; and

WHEREAS, the Participating Political Subdivisions and their Treasurers or Chief Investment Officers and the Board of Trustees of the Virginia Investment Pool Trust Fund (herein referred to as the “Trust Fund”) hereby establish a trust for the purpose of investing monies belonging to or within the control of the Participating Political Subdivisions, respectively, other than sinking funds, in investments authorized under Section 2.2-4501 of the Virginia Code; and

WHEREAS, the parties intend that the Trust Fund hereby established shall constitute a tax-exempt governmental trust under Section 115 of the Internal Revenue Code of 1986, as amended;

NOW, THEREFORE, the parties hereto mutually agree as follows:

PART 1- GENERAL PROVISIONS

Section 100. APPLICATION.

The provisions of Part 1 are general administrative provisions applicable to each Part of this Agreement and provisions applicable to the Board of Trustees.

Section 101. DEFINITIONS.

The following definitions shall apply to this Agreement, unless the context of the term indicates otherwise, and shall govern the interpretation of this Agreement:

- A. Administrator. The term “Administrator” means the Virginia Local Government Finance Corporation (d/b/a “VML/VACo Finance”) or any successor designated by the Board of Trustees to administer the Trust Fund.
- B. Beneficial Interest. The right of a party to some distribution or benefit from the Trust Fund; a vested interest in the Trust Fund’s assets.
- C. Code. The term “Code” means the Internal Revenue Code of 1986, as amended, and, as relevant in context, the Internal Revenue Code of 1954, as amended.
- D. Custodian. The term “Custodian” means the banks, mutual funds, insurance companies or other qualified entities selected by the Board of Trustees, under a separate written document with each, to accept contributions from Participating Political Subdivisions and to hold the assets of the Trust Fund.
- E. Effective Date. The term “Effective Date” means the date coinciding with the last to occur of each of the following events: (i) passage of an ordinance by each of the City of Chesapeake and the City of Roanoke approving such governmental entities as Participating Political Subdivisions in the Trust Fund; (ii) execution by the authorized officer of each such governmental entity of the Trust Joinder Agreement; (iii) execution of this Agreement by all members of the initial Board of Trustees and the Administrator; and (iv) any contribution of cash to the Trust by a Participating Political Subdivision.
- F. Participating Political Subdivision. The term “Participating Political Subdivision” means any county, city, town, or other political subdivision within the State whose governing body has passed an ordinance or resolution to participate in the Trust Fund, and whose Treasurer or Chief Investment Officer, serving as trustee for such Participating Political Subdivision, executes a Trust Joinder Agreement, as provided in Section 301 hereof.
- G. Treasurer. The term “Treasurer” means an officer described in Article VII, Section 4, of the Constitution of Virginia who shall serve as the trustee and representative of its Participating Political Subdivision for purposes of this Agreement. Treasurers shall vote the

beneficial interest of such Participating Political Subdivision in the Trust Fund, as prescribed in Part 3 of this Agreement. Nothing in this agreement shall be construed to limit the discretion of a duly elected Treasurer to invest the public funds of his or her political subdivision in any manner otherwise permitted by law, not shall the decision of any local governing body to become a Participating Political Subdivision under this agreement compel any duly elected Treasurer having responsibility for such investments of public funds to invest any the locality's funds in the Trust Fund created under this Agreement.

H. Chief Investment Officer. The term "Chief Investment Officer" means an officer designated by the governing body of a Participating Political Subdivision to invest public funds on behalf of the political subdivision and to serve as the trustee of such Participating Political Subdivision with respect to the Trust Fund, but only in a political subdivision that does not have an elected treasurer empowered by law to perform those functions. The term "Chief Investment Officer" may include certain individuals holding the title of "treasurer" for the political subdivision but who are not included in the definition in Subsection F. Each Treasurer or Chief Investment Officer, as the case may be, shall be the trustee and representative of his or her Participating Political Subdivision for purposes of this Agreement and shall vote the beneficial interest of such Participating Political Subdivision in the Trust Fund, as prescribed in Part 3 of this Agreement.

I. Fiscal Year. The first fiscal year of the Trust Fund shall be a short fiscal year beginning on the Effective Date of this Agreement and ending on June 30, 2014. Each subsequent fiscal year of the Trust Fund shall begin on the first day of July and end on the thirtieth day of June.

J. Investment Policy. The term "Investment Policy" means the Virginia Investment Pool Trust Fund Investment Policy, as established by the Board of Trustees, as amended from time to time.

K. Prudent Person. A person who conducts himself faithfully, with intelligence, and exercising sound discretion in the management of his affairs, not in regard to speculation, but in regard to the permanent disposition of his funds, considering the probable income, as well as the probable safety of capital to be invested.

L. State. The term "State" means the Commonwealth of Virginia.

M. Trust Fund. The term "Trust Fund" means the Virginia Investment Pool Trust Fund, comprised of all of the assets set aside hereunder.

N. Trust Joinder Agreement. The term "Trust Joinder Agreement" means the agreement, in the form attached hereto as Exhibit A, pursuant to which the Participating Political Subdivision joins in the Trust Fund, with the Treasurer or Chief Investment Officer, as the case may be, serving as the trustee of such Participating Political Subdivision, and agrees to be bound by the terms and conditions of the Virginia Investment Pool Trust Fund Agreement, as provided in Section 301 hereof.

O. Trustees. The term “Trustees” means the individuals who serve on the Board of Trustees of the Trust Fund pursuant to Section 106 hereof and their successors.

P. Virginia Code. The term “Virginia Code” means the laws embraced in the titles, chapters, articles and sections designated and cited as the “Code of Virginia,” under the laws of the State.

Section 102. GENERAL DUTIES AND MEETINGS OF THE BOARD OF TRUSTEES.

A. General Duties. The Board of Trustees and each Investment Manager appointed pursuant to this Agreement shall discharge their respective duties under this Agreement solely as follows: (i) except as otherwise provided by any applicable provision of any statute, regulation, ordinance, or resolution, for the exclusive purpose of fulfilling the investment objectives of the Participating Political Subdivisions and defraying the reasonable expenses of administering the Trust Fund; (ii) with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims; and (iii) by diversifying the investments of the Trust Fund so as to minimize the risk of large losses unless under the circumstances, it is clearly prudent not to do so. However, the duties and obligations of the Board of Trustees and each Investment Manager, respectively, as such, shall be limited to those expressly imposed upon them, respectively, by this Agreement. The Board of Trustees shall administer the Trust Fund in compliance with Chapter 45 of the Virginia Code (2.2-4500 *et. seq.*)

1. Authority of the Trustees. The Trustees shall have the power and authority and shall be charged with the duty of general supervision and operation of the Trust Fund, and shall conduct the business and activities of the Trust Fund in accordance with this Agreement, the Trust Joinder Agreements, rules and regulations adopted by the Board of Trustees and applicable law.

2. Trustees’ Liabilities. No Trustee shall be liable for any action taken pursuant to this Agreement in good faith or for an omission except bad faith or gross negligence, or for any act of omission or commission by any other Trustee. The Trustees are hereby authorized and empowered to obtain, at the expense of the Trust Fund, liability insurance fully protecting the respective Trustees, the Administrator, and the Trust Fund from any loss or expense incurred, including reasonable attorney’s fees, for all acts of the Trustees except bad faith or gross negligence. The Trust Fund shall save, hold harmless and indemnify the Trustees and Administrator from any loss, damage or expense incurred by said persons or entities while acting in their official capacity excepting bad faith or gross negligence.

3. Standard of Review. In evaluating the performance of the Trustees, compliance by the Trustees with this Agreement must be determined in light of the facts and circumstances existing at the time of the Trustees’ decision or action and not by hindsight.

4. Limitations on Liabilities. The Trustees' responsibilities and liabilities shall be subject to the following limitations:

(a) The Trustees shall have no duties other than those expressly set forth in this Agreement and those imposed on the Trustees by applicable laws.

(b) The Trustees shall be responsible only for money actually received by the Trustees, and then to the extent described in this Agreement.

(c) The Trustees shall not be responsible for the correctness of any determination of payments or disbursements from the Trust Fund.

(d) The Trustees shall have no liability for the acts or omissions of any predecessor or successor in office.

(e) The Trustees shall have no liability for (i) the acts or omissions of any Investment Advisor or Advisors, or Investment Manager or Managers; (ii) the acts or omissions of any insurance company; (iii) the acts or omissions of any mutual fund; or (iv) following directions that are given to the Trustees by the Treasurer or Chief Investment Officer in accordance with this Agreement.

B. Reliance on Counsel. The Board of Trustees may employ, retain or consult with legal counsel, who may be counsel for the Administrator, concerning any questions which may arise with reference to the duties and powers or with reference to any other matter pertaining to this Agreement; and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by the Trustees in good faith in accordance with the opinion of such counsel, and the Trustees shall not be individually or collectively liable therefor.

C. Meetings. The Board of Trustees shall meet at least three times per year, and more frequently if called, at the principal office of the Trust Fund or at such other location as may be acceptable to a majority of the Trustees. One such meeting of the Board of Trustees shall be held as soon as practicable after the adjournment of the annual meeting of Treasurers or Chief Investment Officers of Participating Political Subdivisions at such time and place as the Board of Trustees may designate. Other meetings of the Board of Trustees shall be held at places within the Commonwealth of Virginia and at times fixed by resolution of the Board of Trustees, or upon call of the Chairperson of the Board or a majority of the Trustees, on not less than ten (10) days' advance notice. Such notice shall be directed to the Trustees by mail to the respective addresses of the Trustees as recorded in the office of the Trust Fund. The notice of any special meetings of the Board of Trustees shall state the purpose of the meeting.

A majority of the number of Trustees elected and serving at the time of any meeting shall constitute a quorum for the transaction of business. Each Trustee shall be entitled to cast a single vote of equal weight on each question coming before the Board. Proxy voting is not allowed. The act of a majority of Trustees present at a meeting at which a quorum is present,

shall be the act of the Board of Trustees unless otherwise specified in this agreement. Less than a quorum may adjourn any meeting.

Robert's Rules of Order Newly Revised (11th edition) shall be the parliamentary authority for the Board of Trustees.

D. Office of the Trust Fund. The Administrator shall establish, maintain and provide adequate funding for an office for the administration of the Trust Fund. The address of such office is to be made known to the parties interested in or participating in the Trust Fund and to the appropriate governmental agencies. The books and records pertaining to the Trust Fund and its administration shall be kept and maintained at the office of the Trust Fund.

E. Execution of Documents. A certificate signed by a person designated by the Board of Trustees to serve as Secretary shall be evidence of the action of the Trustees, and any such certificate or other instrument so signed shall be kept and maintained at the office of the Trust Fund and may be relied upon as an action of the Trustees.

F. Appointment and Removal of Administrator. The Virginia Local Government Finance Corporation is hereby initially designated the Administrator pursuant to an administrative services agreement between the parties. The Board of Trustees shall provide compensation for the Administrator to administer the affairs of the Trust Fund. Any three (3) Trustees may call for a vote of the Board of Trustees to remove the Administrator by providing no less than 30 days' notice to the other Trustees and to the Administrator. A vote will be scheduled at the next meeting of the Board of Trustees, for which sufficient notice can be given, at which meeting the Administrator may be removed on a majority vote of the Trustees then serving. Upon removal of the Administrator, the Board of Trustees shall designate a successor Administrator.

G. Duty to Furnish Information. The Treasurers or Chief Investment Officers and the Board of Trustees shall furnish to each other any document, report, return, statement or other information that the other reasonably deems necessary to perform duties imposed under this Agreement or otherwise imposed by law.

H. Reliance on Communications. The Board of Trustees may rely upon a certification of a Treasurer or Chief Investment Officer with respect to any instruction, direction, or approval of its Participating Political Subdivision and may continue to rely upon such certification until a subsequent certification is filed with the Trustees. The Trustees shall have no duty to make any investigation or inquiry as to any statement contained in any such writing but may accept the same as fully authorized by the Treasurer or Chief Investment Officer and its Participating Political Subdivision.

Section 103. ADMINISTRATIVE POWERS AND DUTIES.

A. Trustees. The Board of Trustees, in addition to all powers and authorities under common law or statutory authority, including Chapter 45 of Title 2.2 of the Virginia Code (§§ 2.2-4500 *et seq.*), and subject to the requirements and limitations imposed by the common

law or statutory authority, including Chapter 45 of Title 2.2 of the Virginia Code (§§ 2.2-4500 *et seq.*), shall have and in its sole and absolute discretion may exercise from time to time and at any time, either through its own actions, delegation to the Administrator, or through a Custodian selected by the Board of Trustees, the following administrative powers and authority with respect to the Trust Fund:

1. To receive for the purposes hereof all cash contributions paid to it by or at the direction of the Participating Political Subdivisions or their Treasurers or Chief Investment Officers.

2. To hold, invest, reinvest, manage, administer and distribute cash balances as shall be transferred to the Trustees from time to time by the Participating Political Subdivisions or their Treasurers or Chief Investment Officers and the increments, proceeds, earnings and income thereof for the exclusive benefit of Participating Political Subdivisions.

3. To continue to hold any property of the Trust Fund that becomes otherwise unsuitable for investment for as long as the Board of Trustees in its discretion deems desirable; to reserve from investment and keep unproductive of income, without liability for interest, cash temporarily awaiting investment and such cash as it deems advisable, or as the Administrator from time to time may specify, in order to meet the administrative expenses of the Trust Fund or anticipated distributions therefrom.

4. To hold property of the Trust Fund in the name of the Trust Fund, or in the name of a nominee or nominees (e.g., registered agents), without disclosure of the trust, or in bearer form so that it will pass by delivery, but no such holding shall relieve the Board of Trustees of its responsibility for the safe custody and disposition of the Trust Fund in accordance with the provisions of this Agreement; the books and records of the Board of Trustees shall show at all times that such property is part of the Trust Fund and the Board of Trustees shall be absolutely liable for any loss occasioned by the acts of its nominee or nominees with respect to securities registered in the name of the nominee or nominees.

4. To employ in the management of the Trust Fund suitable agents, without liability for any loss occasioned by any such agents, so long as they are selected with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims.

5. To make, execute and deliver, as trustee, any deeds, conveyances, leases, mortgages, contracts, waivers or other instruments in writing that it may deem necessary or desirable in the exercise of its powers under this Agreement.

6. To do all other acts that it may deem necessary or proper to carry out any of the powers set forth in this Section 103 or Section 202, to administer or carry out the purposes of the Trust Fund, or as otherwise is in the best interests of the Trust Fund;

provided, however, the Board of Trustees need not take any action unless in its opinion there are sufficient Trust Fund assets available for the expense thereof.

7. To adopt rules and regulations governing the Trustees' operations and procedures.

8. To contract with municipal corporations, political subdivisions and other public entities of State or of local government and private entities for the provision of Trust Fund services and for the use or furnishing of services and facilities necessary, useful, or incident to providing Trust Fund services.

9. To advise the Administrator on the establishment of expectations with regard to the provision of administrative services and the establishment of appropriate fee levels.

10. To establish and charge fees for participation in the Trust Fund and for additional administrative services provided to a Participating Political Subdivision in addition to any fees charged by other administrative service providers.

11. To collect and disburse all funds due or payable from the Trust Fund, under the terms of this Agreement.

12. To provide for and promulgate all rules, regulations, and forms deemed necessary or desirable in contracting with Treasurers and Chief Investment Officers and their Participating Political Subdivisions, in fulfilling the Trustees' purposes and in maintaining proper records and accounts.

13. To employ insurance companies, banks, trust companies, investment brokers, investment advisors, or others as agents for the receipt and disbursement of funds held in trust for Participating Political Subdivisions.

14. To determine, consistent with the applicable law and the procedures under the Trust Fund, all questions of law or fact that may arise as to investments and the rights of any Participating Political Subdivision to assets of the Trust Fund.

15. Subject to and consistent with the Code and the Virginia Code, to construe and interpret the Trust Agreement and to correct any defect, supply any omissions, or reconcile any inconsistency in the Agreement.

16. To contract for, purchase or otherwise procure insurance and investment products.

B. Administrator. Pursuant to an administrative services agreement between the Board of Trustees and the Administrator, the Administrator shall have the power and authority to implement policy and procedural matters as directed by the Board of Trustees as they relate to the ongoing operation and supervision of the Trust Fund and the provisions of this Agreement

and applicable law. The Administrator shall immediately make application for a fidelity bond, to any company designated by the Board of Trustees, in such amount as may be specified by the Board of Trustees. The premium on such bond shall be paid from the Trust Fund, which bond shall be continued in force in such amount as the Board of Trustees may from time to time require. If the Administrator's bond is refused, or is ever cancelled, the Administrator may be removed on a majority vote of the Trustees then serving.

Section 104. TAXES, EXPENSES AND COMPENSATION OF TRUSTEES.

A. Taxes. The Administrator, without direction from the Board of Trustees, shall pay out of the Trust Fund all taxes, if any, properly imposed or levied with respect to the Trust Fund, or any part thereof, under applicable law, and, in its discretion, may contest the validity or amount of any tax, assessment, claim or demand respecting the Trust Fund or any part thereof.

B. Expenses and Compensation. The Board of Trustees is authorized to set aside from Participating Political Subdivision contributions received and the investment income earned thereon a reasonable sum for the operating expenses and administrative expenses of the Trust Fund including but not limited to, the employment of such administrative, legal, accounting, and other expert and clerical assistance, and the purchase or lease of such materials, supplies and equipment as the Board of Trustees, in its discretion, may deem necessary or appropriate in the performance of its duties, or the duties of the agents or employees of the Trust Fund or the Trustees.

All remaining funds coming into the Trust shall be set aside, managed and used only for the benefit of Participating Political Subdivisions.

Section 105. COMMUNICATIONS.

Until notice is given to the contrary, communication to the Trustees or to the Administrator shall be sent to them at the Trust Fund's office in care of the Administrator. The Administrator's address is VML/VACo Finance at 919 E. Main Street, Suite 1100 Richmond, VA 23219.

Section 106. APPOINTMENT, RESIGNATION OR REMOVAL OF TRUSTEES.

A. Appointment of Trustees and Length of Appointment. The number of Trustees serving on the Board of Trustees shall be fourteen (14).

1. The initial group of Trustees to establish the Trust Fund will be comprised as follows: (a) the Treasurer of the City of Chesapeake, (b) the Treasurer of the City of Roanoke, (c) five (5) individuals designated by the Board of Directors of the Virginia Association of Counties ("VACo"), (d) five (5) individuals designated by the Board of Directors of the Virginia Municipal League ("VML"), (e) the Executive Director of VACo, who shall serve as a non-voting *ex officio* trustee, and (f) the Executive Director of VML, who shall serve as a non-voting *ex officio* trustee. VACo and VML shall give priority for appointment to Treasurers and Chief Investment Officers. The appointees of

VACo and VML shall serve until successor trustees are elected at the first annual meeting of the Treasurers and Chief Investment Officers.

2. With the first annual meeting of the Treasurers and Chief Investment Officers, the Board of Trustees shall be divided into three classes, A, B, and C. Class A will include the Treasurers of the two founding Participating Political Subdivisions, who shall continue to serve for two 3-year terms until successor trustees are elected at the annual meeting of the Treasurers and Chief Investment Officers to be held in Fiscal Year 2021 (the “Fiscal Year 2021 annual meeting”), and two trustees to be elected to serve until successor trustees are elected at the annual meeting to be held in Fiscal Year 2018. Class B, will serve for a transitional period until successor trustees are elected at the annual meeting to be held in Fiscal Year 2017. Class C will serve for a transitional period until successor trustees are elected at the annual meeting to be held in Fiscal Year 2016.

One of the Class B seats and one of the Class C seats will be designated to be filled by a Treasurer or Chief Investment Officer of a locality with a population of 75,000 or less, according to the latest decennial census. Individuals who do not meet this requirement may not be nominated for a seat so designated.

3. On or after July 1, 2014, the Trustees shall solicit nominations from the Treasurers and Chief Investment Officers of Participating Political Subdivisions for two Class A, four Class B, and four Class C Trusteeships, and such nominees, along with any nominations from the floor, shall constitute the candidates for the election of Trustees by vote at the Fiscal Year 2015 annual meeting of the Treasurers and Chief Investment Officers as provided in Section 307. In the event that there are not a sufficient number of eligible nominees from among Participating Political Subdivisions, nominations will be provided by the Executive Directors of the Virginia Association of Counties and the Virginia Municipal League. VACo and VML shall give priority for nomination, firstly, to Treasurers and Chief Investment Officers of Participating Political Subdivisions and, secondly, to treasurers and chief investment officers of non-participating political subdivisions.

4. On or after July 1, 2015, the Trustees shall solicit nominations from Treasurers and Chief Investment Officers of Participating Political Subdivisions for Class C Trusteeships, and such nominees, along with any nominations from the floor, shall constitute the candidates for the election of Trustee by vote at the Fiscal Year 2016 annual meeting of the Treasurers and Chief Operating Officers as provided in Section 307. In the event that there are not a sufficient number of eligible nominees from among Participating Political Subdivisions, nominations will be provided by the Executive Directors of the Virginia Association of Counties and the Virginia Municipal League. VACo and VML shall give priority for nomination, firstly, to Treasurers and Chief Investment Officers of Participating Political Subdivisions and, secondly, to treasurers and chief investment officers of non-participating political subdivisions.

5. At each annual meeting of Treasurers and Chief Investment Officers following the transitional period, the successors to the class of Trustees whose terms shall then expire shall be identified as being of the same class as the trustees they succeed and elected to hold office for a term expiring at the third succeeding annual meeting of Treasurers and Chief Investment Officers. Trustees shall hold their offices until the next annual meeting of Treasurers and Chief Investment Officers for such Trustee's respective Class and until their successors are elected and qualify.

6. At each annual meeting of the Treasurers and Chief Investment Officers, the incumbent Trustees will present all nominations received for each class of Trustees (A, B, and/or C) for which an election is to be held and entertain nominations from the floor. If a Treasurer or Chief Investment Officer does not designate a particular class for its nominee(s), such names will be included on the lists of eligible nominees for each class for which an election is to be held unless the individual named is elected to another seat.

7. No individual Trustee may be elected or continue to serve as a Trustee after becoming an owner, officer or employee of the Administrator, an Investment Advisor, an Investment Manager or a Custodian. Beginning with the FY 2017 annual meeting, no Trustee may be elected or continue to serve as a Trustee unless he or she is a Treasurer or Chief Investment Officer of a Participating Political Subdivision. In the event that there are not a sufficient number of eligible nominees as of the date of the annual meeting, the position will be declared vacant.

8. Each Trustee and each successor Trustee shall acknowledge and consent to his or her election as a Trustee at the annual meeting at which he/she is elected or, if subsequent to the annual meeting, by giving written notice of acceptance of such election to the Chairperson of the Trustees.

B. Resignation of a Trustee.

1. A Trustee may resign from all duties and responsibilities under this Agreement by giving written notice to the Chairperson of the Trustees. The Chairperson may resign from all duties and responsibilities under this Agreement by giving written notice to all of the other Trustees. Such notice shall state the date such resignation shall take effect and such resignation shall take effect on such date but not later than sixty (60) days after the date such written notice is given.

2. Any Trustee, upon leaving office, shall forthwith turn over and deliver to the Administrator at the principal office of the Trust Fund any and all records, books, documents or other property in his or her possession or under his or her control which belong to the Trust Fund.

C. Removal of a Trustee. Each Trustee, unless due to resignation, death, incapacity, removal, or conviction of a felony or any offense for which registration is required as defined in

Virginia Code § 9.1-902, shall serve and shall continue to serve as Trustee hereunder, subject to the provisions of this Agreement.

A Trustee shall relinquish his or her office or may be removed by a majority vote of the Trustees then serving or *ipso facto* when the Employer which he/she represents is no longer a Participating Political Subdivision in the Trust Fund. Notice of removal of a Trustee shall be furnished to the other Trustees by the Chairperson of the Trustees and shall set forth the effective date of such removal. Notice of removal of the Chairperson shall be furnished to the other Trustees by the Administrator and shall set forth the effective date of such removal.

D. Appointment of a Successor Trustee. Except as otherwise provided in part A.1 of this Section with respect to the initial term of Class A Trustees, in the event a Trustee shall die, resign, become incapacitated, be removed from office, or convicted of a felony or any offense for which registration is required as defined in Virginia Code § 9.1-902, a successor Trustee shall be elected forthwith by the affirmative vote of the majority of the remaining Trustees though less than a quorum of the Board of Trustees. The notice of the election of a successor Trustee shall be furnished to the other Trustees by the Chairperson. In case of the removal, death, resignation, etc. of the Chairperson, notice of the election of a successor Trustee, and the new Chairperson, shall be furnished to the other Trustees by the Administrator. Nominations for interim replacement of vacant positions may be made by any member of the Board of Trustees. The term of office of any Trustee so elected shall expire at the next Annual Meeting of Treasurers and Chief Investment Officers at which Trustees are elected. The successor Trustee shall be elected to complete the term for the Class to which such Trustee has been assigned. In the event that a vacancy occurs in the office of either the Treasurer of Chesapeake or the Treasurer of Roanoke prior to the FY 2021 annual meeting, the newly assigned Treasurer of the founding Participating Political Subdivision will automatically assume the vacant position.

E. Trustees' Rights. In case of the death, resignation or removal of any one or more of the Trustees, the remaining Trustees shall have the powers, rights, estates and interests of this Agreement as Trustees and shall be charged with the duties of this Agreement; provided in such cases, no action may be taken unless it is concurred in by a majority of the remaining Trustees. However, if such vacancies leave less than a quorum of Trustees, the remaining trustees may only act to appoint successors. Only after a quorum has been established may the trustees take the other actions established in this subsection.

Section 107. BONDING.

All Trustees shall immediately make application for a fidelity bond, to any company designated by the Board of Trustees, in such amount as may be specified by the Board of Trustees. Premiums on such bonds shall be paid from the Trust Fund, which bonds shall be continued in force in such amount as the Board of Trustees may from time to time require. If a Trustee's bond is refused, or is ever cancelled, except with the Board of Trustees' approval, such Trustee may be removed from office by majority vote of the Trustees then serving.

PART 2 – PROVISIONS APPLICABLE TO INVESTMENTS

Section 200. APPLICATION.

The provisions of Part 2 apply to the investments of the Trust Fund.

Section 201. ADMINISTRATION OF TRUST.

A. General. All such assets shall be held by the Trustees in the Trust Fund.

B. Contributions. The Board of Trustees hereby delegates to the Custodian the responsibility for accepting cash contributions to the Trust Fund, and the Custodian shall have the responsibility for accepting cash contributions by Participating Political Subdivisions. Assets held in the Trust Fund shall be dedicated to the benefit of each Participating Political Subdivision, respectively, or to defraying reasonable expenses of the Trust Fund. All contributions by a Participating Political Subdivision shall be transferred to the Trust Fund to be held, managed, invested and distributed as part of the Trust Fund by the Trustees in accordance with the provisions of this Agreement and applicable law.

C. Applicable Laws and Regulations. The Board of Trustees shall be authorized to take the steps it deems necessary or appropriate to comply with any laws or regulations applicable to the Trust Fund.

D. Accumulated Share. No Participating Political Subdivision shall have any right, title or interest in or to any specific assets of the Trust Fund, but shall have an undivided beneficial interest in the Trust Fund; however, there shall be a specific accounting of assets allocable to each Participating Political Subdivision.

Section 202. MANAGEMENT OF INVESTMENTS OF THE TRUST FUND.

A. Authority of Trustees. Except as set forth in subsections C, D, F, or G of this Section, and except as otherwise provided by law, the Board of Trustees shall have exclusive authority and discretion to manage and control the assets of the Trust Fund held by them pursuant to the guidelines established by the Board of Trustees in the Investment Policy.

B. Investment Policy. The Board of Trustees, as its primary responsibility under this Agreement, shall develop a written Investment Policy establishing guidelines applicable to the investment of the assets of the Trust Fund, and from time to time shall modify such Investment Policy, in light of the short and long-term financial interests of the Participating Political Subdivisions and the Trust Fund. The Investment Policy shall serve as the description of the funding policy and method for the Trust Fund.

C. Investment Advisor. From time to time, the Administrator may, pursuant to approval of the Board of Trustees, appoint one (1) or more independent Investment Advisors (“Investment Advisor”), pursuant to a written investment advisory agreement with each, describing the powers and duties of the Investment Advisor with regard to the management of all

or any portion of any investment or trading account of the Trust Fund. The Investment Advisor shall review, a minimum of every calendar quarter, the suitability of the Trust Fund's investments, the performance of the Investment Managers and their consistency with the objectives of the Investment Policy with assets in the portion of the Trust Fund for which the Investment Manager has responsibility for management, acquisition or disposition.

If the Administrator contracted with a lead Investment Advisor prior to the establishment of this Agreement, the Board of Trustees may ratify such contract. The lead Investment Advisor will serve at the pleasure of the Board of Trustees and will be compensated for its recurring, usual and customary services.

Subject to the approval of the Board of Trustees, the Investment Advisor shall recommend an asset allocation for the Trust Fund that is consistent with the objectives of the Investment Policy. If the Board of Trustees shall approve a separate Investment Policy with respect to assets in a segregated portion of the Trust Fund, the Investment Advisor shall recommend an asset allocation for such segregated portion of the Trust Fund that is consistent with the objectives of such Investment Policy. At least annually, the Investment Advisor shall review the Investment Policy and asset allocation with the Board of Trustees. The Investment Advisor shall also advise the Board of Trustees with regard to investing in a manner that is consistent with applicable law, based on majority vote of the Board of Trustees, and in consideration of the expected distribution requirements of the Plans.

D. Investment Managers. The Board of Trustees, from time to time, may appoint one (1) or more independent Investment Managers ("Investment Manager"), pursuant to a written investment management agreement with each, describing the powers and duties of the Investment Manager to invest and manage all or a portion of the Trust Fund. The Investment Manager shall have the power to direct the management, acquisition or disposition of that portion of the Trust Fund for which the Investment Manager is responsible.

The Board of Trustees shall be responsible for ascertaining that each Investment Manager, while acting in that capacity, satisfies the following requirements:

1. The Investment Manager is either (i) registered as an investment advisor under the Investment Advisors Act of 1940, as amended; (ii) a bank as defined in that Act; or (iii) an insurance company qualified to perform the services described herein under the laws of more than one state; and
2. The Investment Manager has acknowledged in writing to the Board of Trustees that it is a fiduciary with respect to the assets in the portion of the Trust Fund for which the Investment Manager has responsibility for management, acquisition or disposition.

If the Administrator contracted with a lead Investment Manager prior to the establishment of this Agreement, the Board of Trustees may ratify such contract. The lead Investment Manager will serve at the pleasure of the Board of Trustees and will be compensated for its recurring, usual and customary services.

E. Custodians. The Custodian(s) shall provide monthly statements to each participant and at the request of the Board of Trustees certify the value of any property of the Trust Fund managed by the Investment Manager(s). The Trustees shall be entitled to rely conclusively upon such valuation for all purposes under the Trust Fund.

F. Absence of Trustees' Responsibility for Investment Advisor and Manager. Except to the extent provided in paragraph A of Section 102 above, the Board of Trustees, collectively and individually, shall not be liable for any act or omission of any Investment Manager and shall not be under any obligation to invest or otherwise manage the assets of the Trust Fund that are subject to the management of any Investment Manager. Without limiting the generality of the foregoing, the Board of Trustees shall be under no duty at any time to make any recommendation with respect to disposing of or continuing to retain any such asset. Furthermore, the Board of Trustees, collectively and individually, shall not be liable by reason of its taking or refraining from taking the advice of the Investment Advisor any action pursuant to this Section, nor shall the Board of Trustees be liable by reason of its refraining from taking any action to remove or replace any Investment Manager on advice of the Investment Advisor; and the Trustees shall be under no duty to make any review of an asset acquired at the direction or order of an Investment Manager.

G.. Reporting. The Board of Trustees shall be responsible for and shall cause to be filed periodic audits, valuations, reports and disclosures of the Trust Fund as are required by law or agreements. Notwithstanding anything herein to the contrary, the Board of Trustees shall cause the Trust Fund to be audited by a certified public accounting firm retained for this purpose at least once each year. The Board of Trustees may employ professional advisors to prepare such audits, valuations, reports and disclosures and the cost of such professional advisors shall be borne by the Trust Fund.

H. Commingling Assets. Except to the extent prohibited by applicable law, the Board of Trustees may commingle the assets of all Participating Political Subdivisions held by the Board of Trustees under this Agreement for investment purposes in the Trust Fund and shall hold the Trust Fund in trust and manage and administer the same in accordance with the terms and provisions of this Agreement. However, the assets of each Participating Political Subdivision shall be accounted for separately.

Section 203. ACCOUNTS.

The Trustees shall keep or cause to be kept at the expense of the Trust Fund accurate and detailed accounts of all its receipts, investments and disbursements under this Agreement, with the Trustees causing the Investment Advisor to account separately for each Investment Manager's portion of the Trust Fund.

Section 204. DISBURSEMENTS FROM THE TRUST.

A. Trust Payments. The Board of Trustees hereby delegates to the Administrator the responsibility for making payments from the Trust Fund. In accordance with rules and regulations established by the Board of Trustees, the Administrator shall make payments from the Trust Fund as directed by the Treasurer or Chief Investment Officer of each Participating Political Subdivision. Payments shall be made in such manner, in such amounts and for such purposes as may be directed by the respective Treasurer or Chief Investment Officer. Payments from the Trust Fund shall be made by electronic transfer or check (or the check of an agent) for deposit to the order of the payee. Payments or other distributions hereunder may be mailed to the payee at the address last furnished to the Administrator. The Trustees shall not incur any liability on account of any payment or other distribution made by the Trust Fund in accordance with this Section. Such payment shall be in full satisfaction of claims hereunder against the Trustee, Administrator or Participating Political Subdivision.

B. Allocation of Expenses. The Trustees shall pay all expenses of the Trust Fund from the assets in the Trust Fund. All expenses of the Trust Fund, which are allocable to a particular investment option or account, may be allocated and charged to such investment option or account as determined by the Trustees. All expenses of the Trust Fund which are not allocable to a particular investment option or account shall be charged to each such investment option or account in the manner established by the Trustees.

Section 205. INVESTMENT OPTIONS.

The Trustees shall initially establish one (1) investment option within the Trust Fund pursuant to the Investment Policy, for communication to, and acceptance by, Treasurers and Chief Investment Officers. Following development of the initial "investment option" pursuant to the Investment Policy, the Board of Trustees may develop additional investment options, reflecting different risk/return objectives and corresponding asset mixes, for selection by Treasurers and Chief Investment Officers, as alternatives to the initial investment option. The determination to add alternative investment options to the Investment Policy, and the development of each such investment option, are within the sole and absolute discretion of the Board of Trustees. The Trustees shall transfer to any deemed investment option developed hereunder such portion of the assets of the Trust Fund as appropriate. The Trustees shall manage, acquire or dispose of the assets in an investment option in accordance with the directions given by each Treasurer or Chief Investment Officer. All income received with respect to, and all proceeds received from, the disposition of property held in an investment option shall be credited to, and reinvested in, such investment option.

If multiple investment options are developed, from time to time, the Board of Trustees may eliminate an investment option, and the proceeds thereof shall be reinvested in the remaining investment option having the shortest duration of investments unless another investment option is selected in accordance with directions given by the Treasurer or Chief Investment Officer.

Notwithstanding anything in this agreement to the contrary, the Board of Trustees, in its sole discretion, may establish a separate, short-term investment option or fund, to facilitate contributions, disbursements or other short-term liquidity needs of the Trust or of particular Participating Political Subdivisions. Separate investment funds within the Trust Fund and varying percentages of investment in any such separate investment fund by the Participating Political Subdivisions, to the extent so determined by the Board of Trustees, are expressly permitted.

PART 3 – PROVISIONS APPLICABLE TO PARTICIPATING POLITICAL SUBDIVISIONS

Section 300. APPLICATION.

The provisions of Part 3 set forth the rights of Participating Political Subdivisions.

Section 301. PARTICIPATING POLITICAL SUBDIVISIONS.

A. Approval. The Board of Trustees or its designee shall receive applications from Treasurers and Chief Investment Officers of Participating Political Subdivisions for membership in the Trust Fund and shall approve or disapprove such applications for membership in accordance with the terms of this Agreement, the Trust Joinder Agreement, and the rules and regulations established by the Board of Trustees for admission of new Participating Political Subdivisions. The Board of Trustees shall have total discretion in determining whether to accept a new member. The Board of Trustees may delegate the authority for membership approval to the Administrator.

B. Execution of Trust Joinder Agreement. Once the governing body of a political subdivision has approved an ordinance or resolution to participate in the Trust Fund, its Treasurer or Chief Investment Officer, serving as trustee for such political subdivision, may execute a Trust Joinder Agreement in such form and content as prescribed by the Board of Trustees. By the execution of the Trust Joinder Agreement, the Participating Political Subdivision agrees to be bound by all the terms and provisions of this Agreement, the Trust Joinder Agreement, and any rules and regulations adopted by the Trustees under this Agreement. The Treasurer or Chief Investment Officer of each Participating Political Subdivision, serving as such Participating Political Subdivision's trustee shall represent such Participating Political Subdivision's interest in all meetings, votes, and any other actions to be taken by a Participating Political Subdivision hereunder, provided that a Treasurer who elects not to invest public funds pursuant to the Joinder Agreement shall have no obligation to serve as a trustee for his or her locality.

C. Continuing as a Participating Political Subdivision. Application for participation in this Agreement, when approved in writing by the Board of Trustees or its designee, shall constitute a continuing contract for each succeeding fiscal year unless terminated by the Trustees or unless the Participating Political Subdivision resigns or withdraws from this Agreement by written notice sent by its duly authorized official. The Board of Trustees may terminate a Participating Political Subdivision's participation in this Agreement for any reason by vote of a

three-fourths (3/4) majority of the voting members of the Board of Trustees present at a duly called meeting. If the participation of a Participating Political Subdivision is terminated, the Board of Trustees and the Administrator shall effect the withdrawal of such Participating Political Subdivision's beneficial interest in the Trust in accordance with its usual withdrawal policies.

Section 302. MEETINGS OF PARTICIPATING POLITICAL SUBDIVISIONS.

A. Places of Meetings. All meetings of the Treasurers and Chief Investment Officers shall be held at such place, within the Commonwealth of Virginia, as from time to time may be fixed by the Trustees.

B. Annual Meetings. The annual meeting of the Treasurers and Chief Investment Officers of Participating Political Subdivisions, for the election of Trustees and for the transaction of such other business as may come before the annual meeting, shall be held at such time on such business day between September 1st and October 31st as shall be designated by resolution of the Board of Trustees.

C. Special Meetings. Special meetings of the Treasurers or Chief Investment Officers for any purpose or purposes may be called at any time by the Chairperson of the Board of Trustees, by the Board of Trustees, or if Treasurers and Chief Investment Officers together holding at least twenty percent (20%) of all votes entitled to be cast on any issue proposed to be considered at the special meeting sign, date and deliver to the Trust Fund's Secretary one or more written demands for the meeting describing the purpose or purposes for which it is to be held. At a special meeting no business shall be transacted and no action shall be taken other than that stated in the notice of the meeting.

D. Notice of Meetings. Written notice stating the place, day and hour of every meeting of the Treasurers and Chief Investment Officers and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be given not less than ten (10) nor more than sixty (60) days before the date of the meeting to each Participating Political Subdivision's Treasurer or Chief Investment Officer of record entitled to vote at such meeting, at the address which appears on the books of the Trust Fund. Such notice may include any rules established by the Board of Trustees governing the nomination and election of candidates, determination of vote allocations, and other such matters.

E. Quorum. Any number of Treasurers and Chief Investment Officers together holding at least a majority of the outstanding beneficial interests entitled to vote with respect to the business to be transacted, who shall be physically present in person at any meeting duly called, shall constitute a quorum of such group for the transaction of business. If less than a quorum shall be in attendance at the time for which a meeting shall have been called, the meeting may be adjourned from time to time by a majority of the Treasurers and Chief Investment Officers present. Once a beneficial interest is represented for any purpose at a meeting of Treasurers and Chief Investment Officers, it shall be deemed present for quorum purposes for the remainder of the meeting and for any adjournment of that meeting unless a new record date is, or shall be, set for that adjourned meeting.

F. Voting. At any meeting of the Treasurers and Chief Investment Officers, each Treasurer or Chief Investment Officer entitled to vote on any matter coming before the meeting shall, as to such matter, have one vote, in person, for each two hundred fifty thousand (\$250,000) dollars, or fraction thereof, invested in its name in the Trust Fund, based upon an annual weighted average during the previous fiscal year ending June 30. Notwithstanding the preceding sentence, at any meeting held after the date the *tenth (10th)* Participating Political Subdivision joins the Trust, no one Treasurer or Chief Investment Officer may vote more than *twenty percent (20%)* of the total votes cast. A Treasurer or Chief Investment Officer may, by written and signed proxy, designate another employee or elected official of his/her Participating Political Subdivision to cast his/her votes in person at the meeting.

If a quorum is present at a meeting of the Treasurers and Chief Investment Officers, action on a matter other than election of Trustees shall be approved if the votes cast favoring the action exceed the votes cast opposing the action, unless a vote of a greater number is required by this Agreement. If a quorum is present at a meeting of the Treasurers and Chief Investment Officers, nominees for Trustees for all open seats for each class of Trustees on the Board of Trustees shall be elected by a plurality of the votes cast by the beneficial interests entitled to vote in such election.

Treasurers and Chief Investment Officers at the annual meeting will vote at one time to fill all open positions within a single class of Trustees. Elections will be held by class, in the order of the length of the terms to be filled, beginning with the longest term. Each Treasurer or Chief Investment Officer will cast up to the full number of its votes for each open position within a class of Trustees but may not cast votes for more than the number of open positions in such class. Those nominees receiving the largest plurality of votes, up to the number of positions to be filled, will be declared elected. Subsequent votes may be held to break any ties, if necessary, in order to elect the correct number of Trustees.

PART 4 – PROVISIONS APPLICABLE TO OFFICERS

Section 401. ELECTION AND REMOVAL OF OFFICERS.

A. Election of Officers; Terms. The Board of Trustees shall appoint the officers of the Trust Fund. The officers of the Trust Fund shall consist of a Chairperson of the Board, a Vice-Chairperson, and a Secretary. The Secretary need not be a member of the Board of Trustees and may be the Administrator. Other officers, including assistant and subordinate officers, may from time to time be elected by the Board of Trustees, and they shall hold office for such terms as the Board of Trustees may prescribe. All officers shall hold office until the next annual meeting of the Board of Trustees and until their successors are elected.

B. Removal of Officers; Vacancies. Any officer of the Trust Fund may be removed summarily with or without cause, at any time, on a three-fourths ($\frac{3}{4}$) vote of the Board of Trustees present at a duly called meeting. Vacancies may be filled by the Board of Trustees.

Section 402. DUTIES.

A. Duties, generally. The officers of the Trust Fund shall have such duties as generally pertain to their offices, respectively, as well as such powers and duties as are prescribed by law or are hereinafter provided or as from time to time shall be conferred by the Board of Trustees. The Board of Trustees may require any officer to give such bond for the faithful performance of such officer's duties as the Board of Trustees may see fit.

B. Duties of the Chairperson. The Chairperson shall be selected from among the Trustees. Except as otherwise provided in this Agreement or in the resolutions establishing such committees, the Chairperson shall be *ex officio* a member of all Committees of the Board of Trustees. The Chairperson shall preside at all Board meetings. The Chairperson may sign and execute in the name of the Trust Fund stock certificates, deeds, mortgages, bonds, contracts or other instruments except in cases where the signing and the execution thereof shall be expressly delegated by the Board of Trustees or by this Agreement to some other officer or agent of the Trust Fund or as otherwise required by law. In addition, he/she shall perform all duties incident to the office of the Chairperson and such other duties as from time to time may be assigned to the Chairperson by the Board of Trustees. In the event of any vacancy in the office of the Chairperson, the Vice-Chairperson shall serve as Chairperson on an interim basis until such vacancy is filled by subsequent action of the Board of Trustees.

C. Duties of the Vice-Chairperson. The Vice-Chairperson, if any, shall be selected from among the Trustees and shall have such powers and duties as may from time to time be assigned to the Vice-Chairperson. The Vice-Chairperson will preside at meetings in the absence of the Chairperson.

D. Duties of the Secretary. The Secretary shall act as secretary of all meetings of the Board of Trustees and of the Treasurers and Chief Investment Officers. When requested, the Secretary shall also act as secretary of the meetings of the Committees of the Board of Trustees. The Secretary shall keep and preserve the minutes of all such meetings in permanent books. The Secretary shall see that all notices required to be given by the Trust Fund are duly given and served. The Secretary may, at the direction of the Board of Trustees, sign and execute in the name of the Trust Fund stock certificates, deeds, mortgages, bonds, contracts or other instruments, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Trustees or by this Agreement. The Secretary shall have custody of all deeds, leases, contracts and other important Trust Fund documents; shall have charge of the books, records and papers of the Trust Fund relating to its organization and management as a trust; and shall see that all reports, statements and other documents required by law are properly filed.

PART 5 – MISCELLANEOUS PROVISIONS

Section 501. TITLES.

The titles to Parts and Sections of this Agreement are placed herein for convenience of reference only, and the Agreement is not to be construed by reference thereto.

Section 502. SUCCESSORS.

This Agreement shall bind and inure to the benefit of the successors and assigns of the Trustees, the Treasurers and Chief Investment Officers, and the Participating Political Subdivisions.

Section 503. COUNTERPARTS.

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original but all of which together shall constitute but one instrument, which may be sufficiently evidenced by any counterpart. Any Participating Political Subdivision that formally applies for participation in this Agreement by its execution of a Trust Joinder Agreement which is accepted by the Trustees shall thereupon become a party to this Agreement and be bound by all of the terms and conditions thereof, and said Trust Joinder Agreement shall constitute a counterpart of this Agreement.

Section 504. AMENDMENT OR TERMINATION OF THIS AGREEMENT;
TERMINATION OF PLANS.

A. Duration. The Trust shall be perpetual, subject to the termination provisions contained in Section 504, Subsection C below.

B. Amendment. This Agreement may be amended in writing at any time by the vote of a two-thirds (2/3) majority of the Trustees. Notwithstanding the preceding sentence, this Agreement may not be amended so as to change its purpose as set forth herein or to permit the diversion or application of any funds of the Trust Fund for any purpose other than those specified herein.

The Board of Trustees, upon adoption of an amendment to this Agreement, shall provide notice by sending a copy of any such amendment to each Treasurer and Chief Investment Officer within 15 days of adoption of such amendment. If a Treasurer or Chief Investment Officer objects to such amendment, the Treasurer or Chief Investment Officer must provide written notice of its objection and intent to terminate its participation in the Trust Fund by registered mail delivered to the Administrator within ninety (90) days of such notice, and if such notice is given, the amendments shall not apply to such Participating Political Subdivision for a period of 180 days from the date of adoption of such amendments. The Participating Political Subdivision's interest shall be terminated in accordance with the provisions of paragraph B of this section.

C. Withdrawal and Termination. Any Participating Political Subdivision may at any time in its sole discretion withdraw and terminate its interest in this Agreement and any trust created hereby by giving written notice from the Participating Political Subdivision's Treasurer or Chief Investment Officer to the Trustees in the manner prescribed by this Section. The Trust Fund may be terminated in its entirety when all participation interests of all Participating Political Subdivisions have been terminated in their entirety. This Agreement and the Trust Fund will then be terminated in its entirety pursuant to Virginia law.

In case of a termination of this Agreement, either in whole or in part by a Participating Political Subdivision, the Trustees shall hold, apply, transfer or distribute the affected assets of the Trust Fund in accordance with the applicable provisions of this Agreement and as directed by the Treasurer or Chief Investment Officer of each Participating Political Subdivision. Upon any termination, in whole or in part, of this Agreement, the Trustees shall have a right to have their respective accounts settled as provided in this Section 504.

In the case of the complete or partial termination of this Agreement as to one or more Participating Political Subdivisions, the affected assets of the Trust Fund shall continue to be held pursuant to the direction of the Trustees, for the benefit of the Participating Political Subdivision, until the Trustees, upon recommendation of the Administrator, distribute such assets to a Participating Political Subdivision, or other suitable arrangements for the transfer of such assets have been made. This Agreement shall remain in full effect with respect to each Participating Political Subdivision that does not terminate or withdraw its participation in the Trust Fund, or whose participation is not terminated by the Trustees. However, if distributions must be made, the Treasurer or Chief Investment Officer of each Participating Political Subdivision shall be responsible for directing the Administrator on how to distribute the beneficial interest of such Participating Political Subdivision. In the absence of such direction, the Administrator may take such steps as it determines are reasonable to distribute such Participating Political Subdivision's interest.

A Participating Political Subdivision must provide written notice of its intent to terminate its participation in the Trust Fund by registered mail signed by the appropriate official of the subdivision and delivered to the Administrator.

Notwithstanding the foregoing, the Trustees shall be required to pay out any assets of the Trust Fund to Participating Political Subdivisions upon termination of this Agreement or the Trust Fund, in whole or in part, upon receipt by the Trustees of written certification from the Administrator that all provisions of law with respect to such termination have been complied with. The Administrator shall provide the required written certification to the Trustees within three (3) working days of receiving a written notice of intent to terminate as described above. The Trustees shall rely conclusively on such written certification and shall be under no obligation to investigate or otherwise determine its propriety.

When all of the assets of the Trust Fund affected by a termination have been applied, transferred or distributed and the accounts of the Trustees have been settled, then the Trustees and Administrator shall be released and discharged from all further accountability or liability respecting the Trust Fund, or portions thereof, affected by the termination and shall not be responsible in any way for the further disposition of the assets of the Trust Fund, or portions thereof, affected by the termination or any part thereof so applied, transferred or distributed; provided, however, that the Trustees shall provide full and complete accounting for all assets up through the date of final disposition of all assets held in the Trust.

Section 505. SPENDTHRIFT PROVISIONS; PROHIBITION OF ASSIGNMENT OF INTEREST.

The Trust Fund shall be exempt from taxation and execution, attachment, garnishment, or any other process. No Participating Political Subdivision or other person with a beneficial interest in any part of the Trust Fund may commute, anticipate, encumber, alienate or assign the beneficial interests or any interest of a Participating Political Subdivision in the Trust Fund, and no payments of interest or principal shall be in any way subject to any person's debts, contracts or engagements, nor to any judicial process to levy upon or attach the interest or principal for payment of those debts, contracts, or engagements.

Section 506. VIRGINIA FREEDOM OF INFORMATION ACT.

The Administrator shall give the public notice of the date, time, and location of any meeting of the Board of Trustees' or of the Treasurers and Chief Investment Officers in the manner and as necessary to comply with the Virginia Freedom of Information Act (Va. Code §§ 2.2-3700 *et seq.*). The Secretary or its designee shall keep all minutes of all meetings, proceedings and acts of the Trustees and of Treasurers and Chief Investment Officers, but such minutes need not be verbatim. Copies of all minutes of the Trustees and of Treasurers and Chief Investment Officers shall be sent by the Secretary or its designee to the Trustees.

All meetings of the Board of Trustees and of Treasurers or Chief Investment Officers shall be open to the public, except as provided in § 2.2-3711 of the Virginia Code. No meeting shall be conducted through telephonic, video, electronic or other communication means where the members are not physically assembled to discuss or transact public business, except as provided in §§ 2.2-3708 or 2.2-3708.1 of the Virginia Code.

Section 507. JURISDICTION.

This Agreement shall be interpreted, construed and enforced, and the trust or trusts created hereby shall be administered, in accordance with the laws of the United States and of the Commonwealth of Virginia, excluding Virginia's law governing the conflict of laws.

Section 508. SITUS OF THE TRUST.

The situs of the trust or trusts created hereby is the Commonwealth of Virginia. All questions pertaining to its validity, construction, and administration shall be determined in accordance with the laws of the Commonwealth of Virginia. Venue for any action regarding this Agreement is the City of Richmond, Virginia.

Section 509. CONSTRUCTION.

Whenever any words are used in this Agreement in the masculine gender, they shall be construed as though they were also used in the feminine or neuter gender in all situations where they would so apply and whenever any words are used in this Agreement in the singular form, they shall be construed as though they were also used in the plural form in all situations where

they would so apply, and whenever any words are used in this Agreement in the plural form, they shall be construed as though they were also in the singular form in all situations where they would so apply.

Section 510. CONFLICT.

In resolving any conflict among provisions of this Agreement and in resolving any other uncertainty as to the meaning or intention of any provision of the Agreement, the interpretation that (i) causes the Trust Fund to be exempt from tax under Code Sections 115 and 501(a), and (ii) causes the participating Plan and the Trust Fund to comply with all applicable requirements of law shall prevail over any different interpretation.

Section 511. NO GUARANTEES.

Neither the Administrator nor the Trustees guarantee the Trust Fund from loss or depreciation or for the payment of any amount which may become due to any person under any participating Plan or this Agreement.

Section 512. PARTIES BOUND; NO THIRD PARTY RIGHTS.

This Agreement and the Trust Joinder Agreements, when properly executed and accepted as provided hereunder, shall be binding only upon the parties hereto, *i.e.*, the Board of Trustees, the Administrator and the Participating Political Subdivisions. Neither the establishment of the Trust nor any modification thereof, nor the creation of any fund or account shall be construed as giving to any person any legal or equitable right against the Trustees, or any officer or employee thereof, except as may otherwise be provided in this Agreement. Under no circumstances shall the term of employment of any Employee be modified or in any way affected by this Agreement.

Section 513. NECESSARY PARTIES TO DISPUTES.

Necessary parties to any accounting, litigation or other proceedings relating to this Agreement shall include only the Trustees and the Administrator. The settlement or judgment in any such case in which the Trustees are duly served or cited shall be binding upon all Participating Political Subdivisions and upon all persons claiming by, through or under them.

Section 514. SEVERABILITY.

If any provision of this Agreement shall be held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of the Agreement shall continue to be fully effective. If any provision of the Agreement is held to violate the Code or to be illegal or invalid for any other reason, that provision shall be deemed to be null and void, but the invalidation of that provision shall not otherwise affect the trust created by this Agreement.

[SIGNATURE PAGE FOLLOWS]

**TRUST JOINDER AGREEMENT
FOR PARTICIPATING POLITICAL SUBDIVISIONS IN THE
VACo/VML VIRGINIA INVESTMENT POOL**

THIS TRUST JOINDER AGREEMENT is made by and between the Chief Financial Officer/Director of Finance of the City of Alexandria, Virginia (herein referred to as the “Chief Financial Officer/Director of Finance”), the City of Alexandria, Virginia (herein referred to as the “Participating Political Subdivision”), and the Board of Trustees (herein collectively referred to as the “Trustees”) of the VACo/VML Virginia Investment Pool (herein referred to as the “Trust Fund”).

WITNESSETH:

WHEREAS, the governing body of the Participating Political Subdivision desires to establish a trust for the purpose of investing monies belonging to or within its control, other than sinking funds, in investments authorized under Section 2.2-4501 of the Virginia Code; and

WHEREAS, the governing body of the Participating Political Subdivision has adopted an ordinance and/or resolution (a certified copy of which is attached hereto as Exhibit A) to authorize participation in the Trust Fund and has designated the Chief Financial Officer/Director of Finance to serve as the trustee of the Participating Political Subdivision with respect to the Trust Fund and to determine what funds under the Chief Financial Officer/Director of Finance’s control shall be invested in the Trust Fund, and has authorized the Chief Financial Officer/Director of Finance to enter into this Trust Joinder Agreement; and

WHEREAS, the Trust Fund, in accordance with the terms of the VACo/VML Virginia Investment Pool Trust Fund Agreement (the “Agreement”), provides administrative, custodial and investment services to the Participating Political Subdivisions in the Trust Fund; and

WHEREAS, the Chief Financial Officer/Director of Finance, upon the authorization of the governing body of the City of Alexandria, Virginia, desires to submit this Trust Joinder Agreement to the Trustees to enable the City of Alexandria, Virginia, to become a Participating Political Subdivision in the Trust Fund and a party to the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements flowing to each of the parties hereto, it is agreed as follows:

1. Pursuant to the Board of Trustees’ acceptance of this Trust Joinder Agreement, the City of Alexandria, Virginia, is a Participating Political Subdivision in the Trust Fund, as provided in the Agreement, and the Chief Financial Officer/Director of Finance is authorized to enter into this Trust Joinder Agreement, and to represent and vote the beneficial interest of the City of Alexandria, Virginia, in the Trust Fund in accordance with the Agreement.

2. Capitalized terms not otherwise defined in this Trust Joinder Agreement have the meaning given to them under the Agreement.

3. The Chief Financial Officer/Director of Finance shall cause appropriations designated by the Participating Political Subdivision for deposit in the Trust Fund to be deposited into a depository designated by the Trustees.

4. The Chief Financial Officer/Director of Finance shall timely remit, or timely approve the remittance of, administrative fees as may be due and payable by the Participating Employer under the Agreement into a depository designated by the Trustees.

5. The Participating Political Subdivision shall have no right, title or interest in or to any specific assets of the Trust Fund, but shall have an undivided beneficial interest in the Trust Fund; however, there shall be a specific accounting of assets allocable to the Participating Political Subdivision.

6. The Chief Financial Officer/Director of Finance shall provide to the Administrator designated by the Trustees all relevant information reasonably requested by the Administrator for the administration of the Participating Political Subdivision's investment, and shall promptly update all such information. The Chief Financial Officer/Director of Finance shall certify said information to be correct to the best of his/her knowledge, and the Trustees and the Administrator shall have the right to rely on the accuracy of said information in performing their contractual responsibilities.

7. The Trust Fund provides administrative, custodial and investment services to the Participating Political Subdivision in accordance with the Agreement.

8. The Trustees and the Administrator, in accordance with the Agreement and the policies and procedures established by the Trustees, shall periodically report Trust activities to the Participating Political Subdivision on a timely basis.

9. The Chief Financial Officer/Director of Finance and the Participating Political Subdivision agree to abide by and be bound by the terms, duties, rights and obligations as set forth in the Agreement, as may be amended by the Trustees, which is attached hereto and is made a part of this Trust Joinder Agreement.

10. The Chief Financial Officer/Director of Finance, in fulfillment of his/her duties as the trustee of the Participating Political Subdivision, retains the services of the Investment Manager or Managers selected by the Trustees pursuant to the Agreement.

11. The term of this Trust Joinder Agreement shall be indefinite. The Chief Financial Officer/Director of Finance may terminate this Trust Joinder Agreement on behalf of the Participating Political Subdivision by giving notice in writing to the Trustees. Termination shall be governed by the provisions of the Agreement.

IN WITNESS WHEREOF, the Chief Financial Officer/Director of Finance has caused this Trust Joinder Agreement to be executed this _____ day of _____, 20____.

**CHIEF FINANCIAL OFFICER/DIRECTOR
OF FINANCE OF**

CITY OF ALEXANDRIA, VIRGINIA

ATTEST:

* * * *

ACCEPTANCE:

**VACo/VML VIRGINIA INVESTMENT POOL
Virginia Local Government Finance Corporation**

By: _____
Administrator



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Kenneth T. Cuccinelli, II
Attorney General

February 8, 2013

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

The Honorable Laura M. Rudy
Treasurer, Stafford County
Post Office Box 68
Stafford, Virginia 22555

Dear Ms. Rudy:

I am responding to your request for an official advisory opinion in accordance with § 2.2-505 of the *Code of Virginia*.

Issues Presented

You ask two questions regarding the development of a pooled investment program for the use of local governments and other political subdivisions.¹ Specifically, you ask whether two or more political subdivisions may invest in a jointly administered investment pool, and if so, whether any such pooled investment program can be established in the form of a trust fund.

Response

It is my opinion that two or more political subdivisions may exercise their investment powers by investing in a jointly administered investment pool and that such pooled investment program may be organized in the form of a trust fund.

Background

You relate that a number of political subdivisions in the Commonwealth are interested in establishing a pooled investment program for the exclusive use of political subdivisions, to be named the "Virginia Investment Pool." You project that this pool will provide greater liquidity and diversity in investment portfolios for individual participants, as well as allowing participating political subdivisions to share investment management and administrative expenses.

You indicate that the Virginia Investment Pool will be focused on investing assets that are available for investment for periods of six months or longer. The program will select investments with an estimated average duration of 1.5 years. Investments made with the pooled funds will be only in securities or instruments listed as authorized investments in the Investment of Public Funds Act of the *Code of Virginia*. Counties, cities, and towns wanting to join will be required to approve an ordinance

¹ For purposes of this opinion, I will refer to both municipal corporations (cities, towns, and service authorities) and counties as "political subdivisions."

authorizing execution of an agreement for participation in the Virginia Investment Pool. Other political subdivisions would be required to adopt a resolution for that purpose.

Applicable Law and Discussion

In determining whether localities possess a particular power, Virginia follows the Dillon Rule, which provides that “[m]unicipal corporations possess and can exercise only those powers expressly granted by the General Assembly, those necessarily or fairly implied therefrom, and those that are essential and indispensable.”²

The Constitution of Virginia states that,

The General Assembly may provide by general law or special act that any county, city, town or other unit of government may exercise any of its powers or perform any of its functions and may participate in the financing thereof jointly or in cooperation with the Commonwealth or any other unit of government within or without the Commonwealth.^[3]

Pursuant to that enabling authority, the Joint Powers Act⁴ provides that,

Any power, privilege or authority exercised or capable of exercise by any political subdivision of this Commonwealth may be exercised and enjoyed jointly with any other political subdivision of this Commonwealth having a similar power, privilege or authority except where an express statutory procedure is otherwise provided for the joint exercise.^[5]

The Investment of Public Funds Act expressly authorizes political subdivisions to invest funds belonging to them or within their control and enumerates the types of securities in which such funds may be invested.⁶ It is thus clear that political subdivisions are authorized to make and manage independently the investments you describe. Moreover, I am not aware of any statutory procedures specifically governing the potential joint exercise of the investment powers afforded localities separately.

² *Richmond v. Confre Club of Richmond, Inc.*, 239 Va. 77, 79, 387 S.E.2d 471, 473 (1990) (citations omitted). A corollary of this rule applies to counties. *See Bd. of Supvrs. v. Countryside Inv. Co.*, 258 Va. 497, 503, 522, S.E.2d 610, 613 (1999) (“In Virginia, the powers of boards of supervisors are fixed by statute and are limited to those conferred expressly or by necessary implication. This rule is a corollary to Dillon’s Rule that municipal corporations have only those powers expressly granted, those necessarily or fairly implied therefrom, and those that are essential and indispensable.”)

³ VA. CONST. art. VII, §3.

⁴ VA. CODE ANN. §§ 15.2-1300 through 1310 (2012).

⁵ Section 15.2-1300(A). Previous opinions of the Attorney General have interpreted this provision, for example, to allow two or more counties to establish a joint department of real estate assessment. 2000 Op. Va. Att’y Gen. 68, and to authorize multiple localities and school boards to create a single voluntary, self-funded trust to insure health benefits for their employees and the families of their employees, 2012 Op. Va. Att’y Gen. No. 12-059, *available at* <http://www.ag.virginia.gov/Opinions%20and%20Legal%20Resources/Opinions/2012opns/Oct12opndx.html>.

⁶ The Investment of Public Funds Act, VA. CODE ANN. §§ 2.2-4500 through 2.2-4519 (2011). You indicate that any investments made by the Virginia Investment Pool will be made in accordance to and in compliance with this list of authorized securities or instruments. I therefore do not address what investments are authorized by this Act, and will assume for purposes of this opinion that all investments are to be made pursuant to this statutory authority and that no investment will be made in any category not specifically authorized therein.

The Joint Powers Act also prescribes how agreements to exercise powers jointly are to be entered into and particular elements that must be contained in the agreement.⁷ You indicate that the Virginia Investment Pool will adhere to these statutory requirements. I therefore conclude that the *Code of Virginia* authorizes two or more political subdivisions to exercise their investment powers by investing in a jointly administered investment pool.

Having answered your first question in the affirmative, I turn to your next question regarding whether such a pooled investment program can be organized as a trust fund. In authorizing local governments to enter into agreements to execute their authorized powers jointly, the Joint Powers Act provides that the agreement, in addition to the items enumerated as required, may contain "the manner of acquiring, holding (including how title to such property shall be held) and disposing of real and personal property used in the undertaking."⁸ Political subdivisions are thus given substantial discretion in determining how to title and manage funds pooled in the joint execution of their powers. Nowhere does the Code prohibit a trust fund arrangement. I therefore conclude that political subdivisions lawfully may establish a trust fund as the form of organization for the pooled investment program.

Conclusion

Accordingly, it is my opinion that two or more political subdivisions may exercise their investment powers by investing in a jointly administered investment pool and that such pooled investment program may be organized in the form of a trust fund.

With kindest regards, I am

Very truly yours,



Kenneth T. Cuccinelli, II
Attorney General

⁷ Section 15.2-1300(B), (C).

⁸ Section 15.2-1300(D)(2). In addition, subsection (D)(1) enables the participating political subdivisions to provide by agreement for "an administrator or a joint board responsible for administering the undertaking. The precise organization, composition, term, powers and duties of any administrator or joint board shall be specified."



Legislation Details (With Text)

File #:	14-1956	Name:	Update on 2014 General Assembly Session
Type:		Status:	Agenda Ready
File created:	10/1/2013	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Update on the 2014 General Assembly Session.		

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Update on the 2014 General Assembly Session.



Legislation Details (With Text)

File #: 14-2314 **Name:** IT Comm
Type: Appointment **Status:** Agenda Ready
File created: 1/7/2014 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Commission on Information Technology
1 Citizen Member
Sponsors:
Indexes:
Code sections:
Attachments: [14-2314 Comm on IT.pdf](#)

Date	Ver.	Action By	Action	Result
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Commission on Information Technology
1 Citizen Member

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Commission on Information Technology
(3-year term)
1 citizen member

_____ Pamela Corsini

_____ Jordan Costen

_____ Dennis McDonald



Legislation Details (With Text)

File #:	14-2312	Name:	Environmental Policy Comm
Type:	Appointment	Status:	Agenda Ready
File created:	1/7/2014	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Environmental Policy Commission 1 Citizen-at-Large Member		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2312 Environmental Policy Comm.pdf		

Date	Ver.	Action By	Action	Result
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Environmental Policy Commission
1 Citizen-at-Large Member

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Environmental Policy Commission

(2-year term)

1 citizen-at-large member

_____ Amy Burwell

_____ Susan Gitlin



Legislation Details (With Text)

File #: 14-2308 **Name:** Sanitation Authority
Type: Appointment **Status:** Agenda Ready
File created: 1/7/2014 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Sanitation Authority/Alexandria Renew Enterprises
1 Citizen Member
Sponsors:
Indexes:
Code sections:
Attachments: [14-2308 Sanitation Authority](#)

Date	Ver.	Action By	Action	Result
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Sanitation Authority/Alexandria Renew Enterprises
1 Citizen Member

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Sanitation Authority/Alexandria Renew Enterprises

(4-year term)

1 citizen member

_____ Raighne Delaney

_____ Jorianne Jernberg

_____ Bruce Johnson

_____ Laura Ledwith

_____ David Mudarri

_____ John Ray

_____ Paul Stilp

_____ David (Max) Williamson



Legislation Details (With Text)

File #:	14-2310	Name:	Sister Cities Committee
Type:	Appointment	Status:	Agenda Ready
File created:	1/7/2014	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Sister Cities Committee 1 Citizen Member		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2310 Sister Cities Comm.pdf		

Date	Ver.	Action By	Action	Result
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Sister Cities Committee
1 Citizen Member

Name of Council Member

CONTESTED APPOINTMENT

Endorsement

Sister Cities Committee

(2-year term)

1 citizen member

_____ Tammie Harrison

_____ Jessica Killeen

_____ Eric O'Leary



Legislation Details (With Text)

File #: 14-1730 **Name:** Civic Engagement Public Hearing
Type: **Status:** Agenda Ready
File created: 7/29/2013 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Consideration of Civic Engagement Handbook and Implementation Plan and Setting The Plan for Public Hearing and Adoption on Saturday, January 25, 2014.
Sponsors:
Indexes:
Code sections:
Attachments: [14-1730 Attachment 1 CE Revised WNA Handbook 12.20.13 resize](#)
[14-1730 Attachment 2 CE Handbook Comments Responses 122013](#)
[14-1730 Attachment 3 CE Implementation Plan](#)
[14-1730 Attachment 4 CE Policy Resolution attachment 121813](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Consideration of Civic Engagement Handbook and Implementation Plan and Setting The Plan for Public Hearing and Adoption on Saturday, January 25, 2014.

ISSUE : Consideration of Alexandria's Civic Engagement Handbook and implementation plan; consideration of a resolution to adopt Alexandria's policy on civic engagement.

RECOMMENDATION : That City Council receive the revised Civic Engagement Handbook and Civic Engagement Implementation Plan, hold a public hearing on January 25, 2014, after the public hearing adopt the attached Resolution establishing as city policy the concepts contained in these documents, and direct the City Manager to implement these civic engagement policies.

BACKGROUND : In September 2012, at City Council’s direction, the City launched *What’s Next Alexandria* , an initiative to develop guidelines for improving and expanding civic engagement in Alexandria. Through a series of community conversations and online participation that extended through June 2013, members of the community collaborated with City staff and City officials to develop guidance about how to improve the quality of Alexandria’s public participation process so that members of the community can be more actively, constructively, and meaningfully involved in the public decisions that affect their lives.

Community members’ engagement opportunities during the *What’s Next Alexandria* process included four community dialogues where participants worked together in small groups, four opportunities for online engagement, some of which supplemented dialogue work; and three opportunities for real time online video engagement during the dialogues. Community collaboration resulted in three key elements: Principles for civic engagement, a standard Framework for the engagement process, and guidance on communications and outreach strategies. Together, these important pieces make up Alexandria’s Civic Engagement Handbook (Attachment 1), which will serve as a guide for future public decision-making processes in the city.

The draft Handbook was posted online and made available in city locations beginning in early September 2013 for public review and comment, which informed the final draft of the Handbook now before Council. A detailed description of the community engagement process for *What’s Next Alexandria* as well as the public comments received in response to the September draft are attached and can also be found on the project webpage at www.alexandriava.gov/whatsnext <<http://www.alexandriava.gov/whatsnext>>.

The City of Alexandria team involved in *What’s Next Alexandria* spanned multiple departments, including the City Attorney’s Office, the City Manager’s Office, Communications and Public Information, the Department of Community and Human Services, the Health Department, Information Technology Services, Recreation Parks, and Cultural Activities, Planning and Zoning, and Transportation and Environmental Services, as well as ACTion Alexandria, the Alexandria Economic and Development Partnership, and a city resident who works in the civic engagement field.

DISCUSSION: The City has historically demonstrated a strong commitment to civic engagement. However, the length and trajectory of recent planning processes led Council to determine that a re-examination of the City’s process and fundamental principles, as well as a recommitment to the goal of robust civic engagement, was a timely and important step to take. The intention was to improve the predictability of the public engagement process, standardizing our process and establishing a set of expectations to which we hold ourselves accountable. The *What’s Next Alexandria* effort and proposed civic engagement policy resolution recognize that public decisions developed collaboratively are based on better information and more surely stand the test of time - and a process that invites ongoing public engagement in policy, resource and planning discussions is the hallmark of a healthy community.

Principles of Civic Engagement

In September 2012, the City launched an online poll asking the community to provide feedback on their preferences and experience in public participation in decision-making processes and communication with the City. The information gleaned from the poll served as the basis for the development of nine *Principles of Civic Engagement* that participants crafted at subsequent community dialogues. The final principles established by the community to guide the City’s civic engagement actions are:

Respect Inclusiveness and Equity	Easy Participation	Mutual Accountability	Sustained Collaboration
Early Involvement	Transparency		Evaluation Meaningful Engagement

Each principle is accompanied by actions and outcomes and the expectation that all the work we do will be consistent with the principles.

Framework for Civic Engagement

One of the common community concerns we worked to address through this process was inconsistency in how the City engages the community in different projects and by different departments. What was needed was an improved (and shared) understanding of what to expect in every process for how, when, and where the community should be engaged, and doing a better job of communicating that information. Therefore, during the second Community Dialogue, participants began developing a “*framework*” for Alexandria’s civic engagement process, elaborating on strategies that would improve consistency from project to project and make it easier to be informed and involved. Staff collaborated with community facilitators to use simple language and ensure that the Framework is easy to understand for those not experienced in civic engagement.

The Framework will be used by City staff at the outset of City projects that require and benefit from public participation. Beginning each project with a common agreement on the four standard phases and the proposed engagement strategies, tools and deliverables of each, builds trust and transparency in public participation. Recognizing that each process will still to some degree be tailored to fit project requirements, there is also great value in sticking to a standard framework and expectations for clarity and transparency. As a tool, the Framework provides a realistic and achievable way of unifying community engagement efforts across departments.

Public Comment on the Draft Handbook

A preliminary draft outline of the Handbook was available online and in city locations for public comment in June and July, and then a full draft was distributed in September for a five week public comment period. The draft is available in English and Spanish, online and printed in hard copies at libraries. Twenty-one comments were submitted on the draft, the majority via the City website comment board and a few as written comments. All of the comments, along with staff response and how they were incorporated into the handbook, are provided in Attachment 2.

In addition to soliciting individual public comment, staff provided briefings to and solicited feedback from the Federation of Civic Associations, Planning Commission, Transportation Commission, Parks and Recreation Commission, Traffic and Parking Board, Environmental Policy Commission, and land use attorneys.

A range of opinions is reflected in the comments received online and in the briefings, many supportive of the City’s focus on civic engagement, some concerned about follow-through, some dismissive of the effort altogether. Some people provided specific suggestions for edits to the handbook, the majority of which were incorporated unless they substantively changed the meaning and were not a common thread among commenters. Some commenters asked for clarification on the applicability of the framework and principles, and we have provided that, both in the Handbook, and also in the implementation plan discussed below.

One commenter suggested that the Handbook not be approved as a final document at this time, and instead be implemented in draft form while the City uses this year as a pilot year. Staff feels that to some degree, this is how the handbook is being approached. Many projects now underway or in planning stages are already incorporating the recommendations of the handbook, though it hasn’t yet been adopted. In addition, language in the handbook specifies that the Handbook itself be reviewed and updated annually as needed, to address any deficiencies uncovered in response to performance indicators and staff/community/interdepartmental evaluation. Any updates to the Handbook will be vetted by the community. The goal is that the handbook

should very much be a living document, updated as appropriate to ensure that the City can best live up to the goal of improving the quality of Alexandria's public participation process so that members of the community can be actively, constructively, and meaningfully involved in the public decisions that affect their lives.

Another suggestion was made to establish a civic engagement advisory group. While an advisory group may ultimately be a wise course for the City, Staff does not think this should be pursued at this time, both because of limited staff resources and the necessity to focus on the civic engagement work itself rather than staffing a group, and also because this first year will be an opportunity to test run the framework and principles in a small area plan process, Eisenhower West. Participants in the process will be asked to assess the City's civic engagement performance over the course of the process, and staff will have the opportunity to document what's working well and what isn't. As mentioned, the interdepartmental working group will conduct annual reviews of civic engagement performance following the first year of implementation, and the possibility of an advisory group can be considered in the course of that evaluation.

Applicability

Although the Handbook has not yet been adopted, staff has already begun working the civic engagement principles and framework into current planning efforts. The Eisenhower West Plan, scheduled to officially launch in March 2014 has a proposed civic engagement process that will be shared with the community for review and approval before work begins. All of the planning efforts that will utilize consultant support have written a requirement to understand and comply with the *What's Next Alexandria* handbook into their scope of work, including the Eisenhower West Plan, Eisenhower West Transportation Study, Public Arts Master Plan, and the Pedestrian Bicycle Master Plan. When the Stormwater Management Master Plan begins, it too will apply the City's new civic engagement framework and principles.

As stated previously, there was a desire for some additional clarification in the Handbook with regard to applicability. What types of projects trigger use of the framework or a given level of "civic engagement" treatment? Staff has developed a matrix illustrating the threshold applicability criteria for the variety of policies, plans and projects typically requiring public participation in the city as a guide. Generally speaking, the type of project dictates the level of civic engagement that will be required, although the nature of a specific project may require a higher or different type of civic engagement than would otherwise be called for in the applicability criteria. Additional clarifying language and the applicability matrix have been added to the handbook, as well as to the implementation plan.

Implementation Plan

Improving civic engagement will require the commitment of both staff and elected and appointed officials throughout city government. Further, the dedication of resources, both human and fiscal, will be required for implementation. Effective implementation must ensure consistency in the application of civic engagement principles and similarity of civic engagement practices across the various departments/agencies of the City government.

The attached implementation plan (Attachment 3) proposes a realistic framework for success, including recommendations for organizational structure, resource requirements, applicability, training, communications, and performance assessment. A summary follows below.

Organizational Structure and Resources

In order to deliver the Civic Engagement effort as outlined and achieve desired results, staff believes there is a

need for organization wide coordination and support. The City Manager's Office (CMO) will provide oversight to ensure that expectations are clear, resources are adequate to meet expectations, and staff is held accountable for results. A designated staff person within the City Manager's Office will assume primary responsibility for overall coordination of civic engagement implementation. CMO staff will be supported by the Office of Communications and Public Information (OCPI). Departments most likely to require direct assistance to provide the level of civic engagement envisioned include Transportation & Environmental Services, Planning & Zoning, Recreation, Parks and Cultural Activities, and Project Implementation. These departments are expected to be the most active in applying civic engagement practices. It is expected that at full implementation, additional staff resources will be required. The specific resource requirement has yet to be determined.

Roles and Responsibilities:

City Manager's Office

- Set expectations: Establish citywide policies and procedures
- Allocate resources for training
- Civic Engagement Coordination
 - Manage training program
 - Ensure consistent application of the principles and framework
 - Provide technical support and expertise to departmental project staff
 - Coordinate and track projects on *What's Next Alexandria* website
 - Manage performance accountability
 - Manage internal communication and provide support for external communications and outreach

Departments/Project Management Staff

- Attend training
- Apply the principles
- Use the civic engagement framework
- Manage civic engagement processes

Civic Engagement Interdepartmental Working Group

- Monitor civic engagement implementation across departments
- Provide guidance on refining the organizational structure as needed
- Provide guidance on refining applicability criteria
- Review performance accountability data

Training

Facilitation training for staff and members of the community will help embed the City's new approach to civic engagement in a consistent way. Training sessions are expected to begin in summer 2014 and be offered on a quarterly basis throughout the year. Civic engagement training will consist of two parts: content and skill building. The content element will train staff and other stakeholders in Alexandria's new civic engagement "way" - what the principles are and how to ensure they are being followed, what the framework is and how to apply it, and how to implement a meaningful and constructive civic engagement process. The skill-building piece will focus on conducting productive meetings, facilitating small group discussions, managing difficult situations, and learning about non-meeting engagement options.

Training will be required of City staff engaged in public participation work. City Council members and Board and Commission members involved in work that has a large civic engagement component will also be provided training. The City will also offer training to community members, community and civic organizations and nonprofit agencies.

The City will partner with the Alexandria Collaborators and other nonprofit community groups such as Alexandria Council of Human Service Organizations and Parent Leadership Training Institute (PLTI) for guidance on curriculum development, and assistance with outreach and delivering community training sessions citywide. The City will contract with outside professionals to assist with curriculum development and early training sessions that will be oriented initially toward training staff in those departments that conduct the majority of civic engagement processes.

Communications Plan

The Office of Communications and Public Information, will take the lead on implementing the initial communications plan. Key communication events/items that the plan covers:

- *Adoption of Handbook and the City's Civic Engagement Policy Statement*
- *Training Plan*
- *Project Catalog*
- *Initial Projects*
- *Branding*

Performance Measures and Evaluation

In partnership with and oversight by the Office of Performance Accountability, the City shall pursue a program of data collection via participant surveys on a series of civic engagement performance measures. A full list of performance measures is included in the Implementation plan, but examples include: Number of participants at each meeting, Percentage of Alexandria's demographic population represented at meetings, Rate of return of meetings' participants, Percentage of City staff trained in civic engagement principles and practices, and Percentage of Boards and Commissions' members trained in civic engagement principles and practices.

In addition to collecting the performance data points outlined above through participant evaluations during a given process, staff project managers will conduct assessment of civic engagement performance at the end of each project, producing a brief summary and evaluation of each project's civic engagement process and outcome. The interdepartmental working group will review the project evaluations completed by departments and develop a proposed plan for future annual review of civic engagement performance.

Applicability

The community should reasonably expect that staff is applying the principles of civic engagement in all interactions between City government and community with particular attention focused on major land use plans, significant public policy initiatives, and substantive program efforts. Generally speaking, the type of project/public decision to be made will dictate the level of civic engagement required. Even among these categories remains a significant degree of subjectivity. Additional clarifying language has been added to the handbook, as well as a more detailed matrix to the appendix and to this implementation plan. The matrix illustrates the threshold applicability criteria for the variety of policies, plans and projects typically requiring public participation in the city.

All of the planning efforts that will utilize consultant support have written a requirement to understand and

comply with the *What's Next Alexandria* handbook into their scope of work, including the Eisenhower West Plan, Eisenhower West Transportation Study, Public Arts Master Plan, and the Pedestrian Bicycle Master Plan. When the Stormwater Management Master Plan begins, it too will apply the City's new civic engagement framework and principles.

All projects that meet the threshold criteria for full civic engagement will complete and post a process framework template which provides information about the civic engagement plan for the project, a general timeline, goals for the project, and lead department. Each of these projects will be added to the project catalog on the What's Next Alexandria webpage, using an online form adding information on project web address, project manager name and contact information, and members/departments involved in the Interdepartmental team.

What Will Success Look Like?

The Handbook and the proposed Civic Engagement Policy (Attachment 4) establish the foundation, commitment and accountability for pursuing, achieving, and measuring the following positive outcomes for civic engagement:

- Improved understanding of the value of working together to solve common problems.
- The public is fully informed and has a better understanding of how to participate.
- More people are participating, better representing the City's demographic diversity.
- Members of the community take an active role in organizing their community to participate in civic engagement processes and in the broader goals of the City.
- Members of the community endorse decisions and actions by the City because decisions clearly reflect public participation in a transparent process.
- There is consistency across City departments and Boards and Commissions in the application of civic engagement principles and process.
- Confidence in the equity of the public decision making process is improved.
- The community and City government have mutual trust in one another.

By achieving these outcomes, Alexandria will thrive as demonstrated in the quality of the daily life of its citizens and their participation in shaping the city's future.

FISCAL IMPACT : It is expected that full implementation will require the commitment of additional staff resources; however, the specific resource requirement has yet to be determined. Initial funding will be requested as part of the FY 2015 budget process.

ATTACHMENTS:

1. Civic Engagement Handbook (Revised Draft December 2013)
2. Public comment on (and City responses to) Civic Engagement Handbook (Draft September 2013)
3. Civic Engagement Implementation Plan
4. Draft Resolution establishing City of Alexandria Civic Engagement Policy

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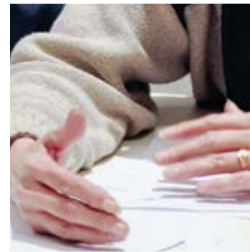
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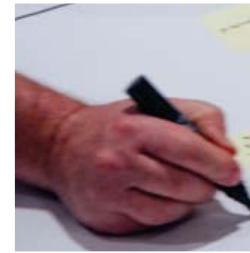
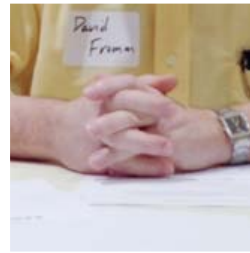
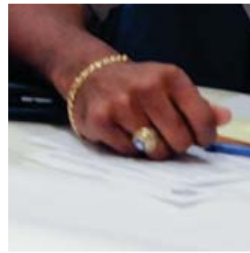
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What's Next Alexandria



Handbook for Civic Engagement



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Introduction

What's Next Alexandria is a City initiative to gather information and develop and implement strategies for improving and expanding civic engagement in Alexandria. Through a series of community conversations and online participation starting in September 2012, and ending in June 2013, members of the community collaborated with City staff, appointed, and elected officials to talk about how Alexandrians can best participate in public decision-making processes that shape the City.

We know that collaboration between community members and city government leads to better results than either working in a vacuum. One without the other misses out on a whole range of good ideas. More importantly, public decisions that are developed collaboratively produce better results and better stand the test of time. The *What's Next Alexandria* initiative focused on understanding how to use civic engagement to improve this kind of collaborative give-and-take that will always be more effective than community members or City staff working alone.

The International City/County Management Association (ICMA) white paper entitled *Connected Communities* explains that civic engagement is both the “right” thing to do as well as the “smart” thing to do. As the “right” thing to do, effective citizen engagement supports “democratic ideals and our desire to build a sense of community identity and responsibility...with a shared sense of place

and purpose.” At the same time, it is the “smart” thing to do, knowing that government cannot solve community problems without community input.

This handbook explains how Alexandrians can make their voices and views heard. This is essential to ensure that City government is responsive to those whom it is dedicated to serve. “In the best of all worlds, the right thing and the smart thing reinforce each other in order to promote shared ownership of problems and a willingness to contribute to their solution. Citizen involvement that achieves extensive participation from persons affected by a decision, promotes understanding of the issues involved, and grounds the decision in citizen preferences that help to build support for the principle of citizen engagement.”

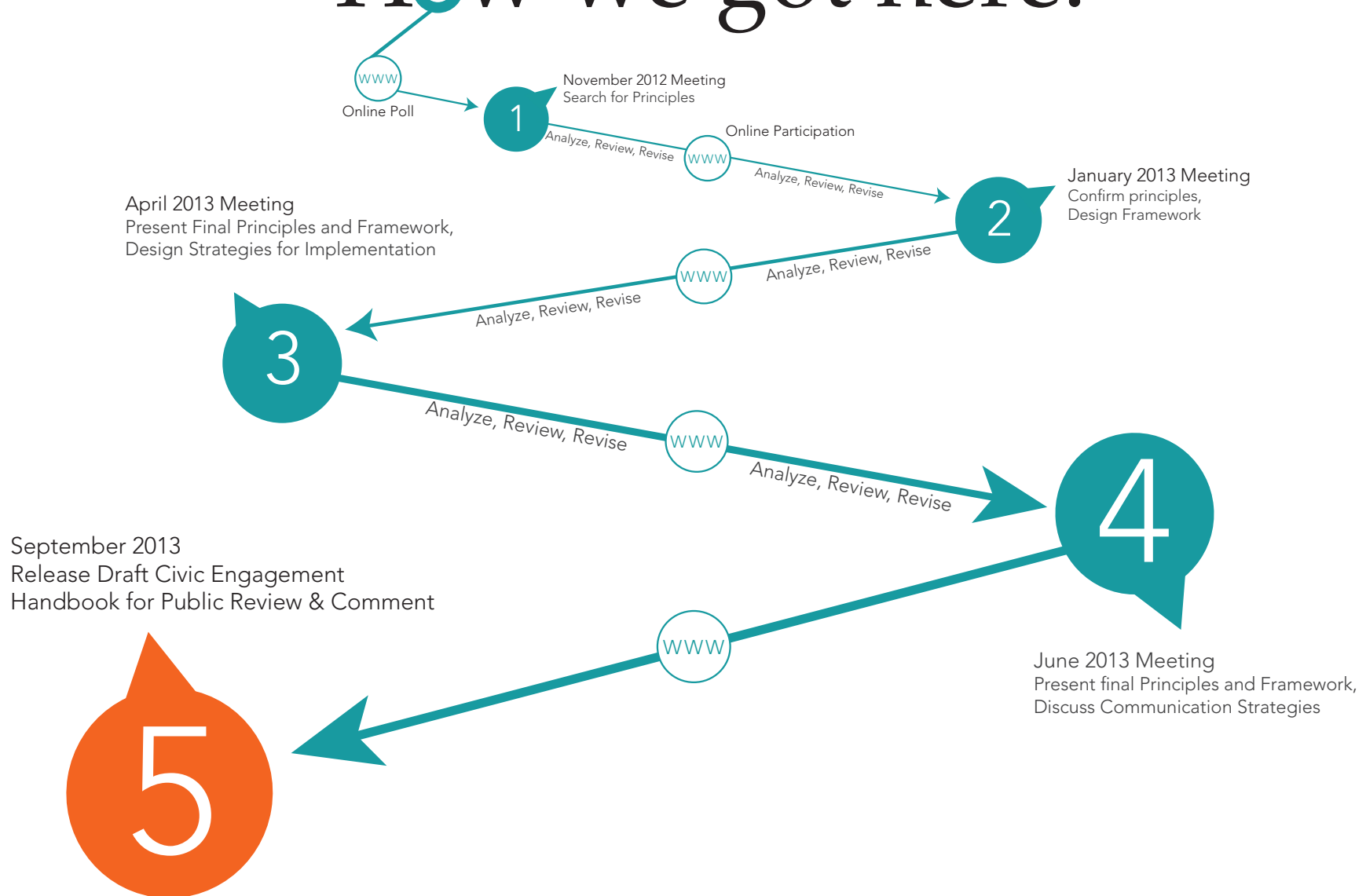
Why does *What's Next Alexandria* use the term “engagement”? And what is civic engagement, anyway?

As described in *Connected Communities*, “In any of their interactions with citizens, local governments should look for the opportunity to encourage engagement rather than simply seeking an exchange of information.” The term “engagement” implies more than simply hosting or attending a meeting. **Engagement involves conversations, debates, deliberation, and creating new relationships with neighbors.**

“Most importantly, I think just the bringing people together is a good start. I think the people at our table were motivated and ready to act.”

- What's Next Participant

What's Next Alexandria Process: How we got here.





The most powerful tool for planning for the future and solving problems is community members providing their own perspective and actively listening to different points of view. Civic engagement rallies community members, City staff, and elected and appointed officials to engage and collaborate with one another on public policy, planning, and development decisions that affect the lives of all Alexandrians.

Community collaboration over the course of the *What's Next Alexandria* process resulted in three key elements:

- **Principles** for civic engagement.
- **A Standard Framework** for civic engagement.
- **Tools and Strategies** for communications and engagement.

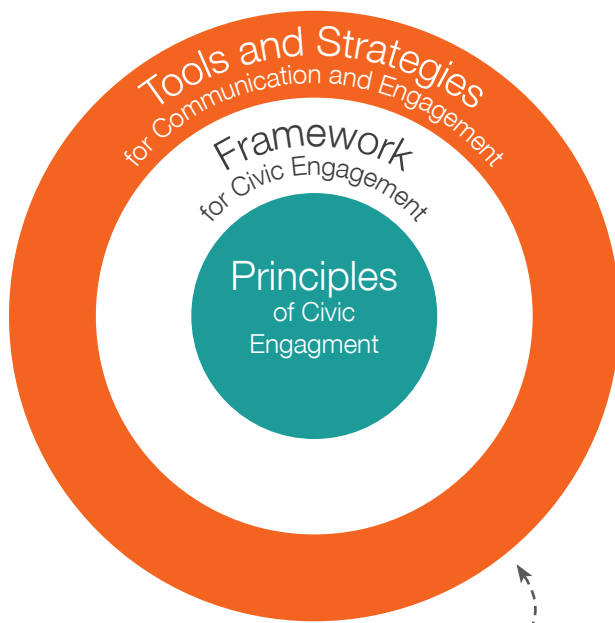
Together, these important pieces make up Alexandria's Civic Engagement Handbook, which will serve as a guide for future public decision-making processes in the city.

This document focuses on just one aspect of civic engagement, but there are many other important avenues for participating in civic life, such as serving on Commissions, volunteering in the community, and of course, voting.

This Handbook is for community members and City staff who will work together to improve or expand:

- **Understanding** about how to participate in public decision-making in Alexandria.
- **Knowledge** about planning and development in Alexandria.
- **Skills** to participate in civic engagement processes in a meaningful way.
- **Participation** to include a broad representation of our diverse city.
- **Solutions** for cooperative, productive, and sustainable public decision-making.

A chart has been added to the appendix of this handbook and to the implementation plan to clarify how the civic engagement framework and principles apply to the range of projects the City undertakes. In general, projects initiated by the City will be expected to apply the outcomes of *What's Next Alexandria*. Projects initiated by others, such as development applications, will still require community outreach and feedback as always, but not at the level required of City projects.



This circle motif will be used throughout the Handbook to continuously connect Principles, the Framework, and Strategies



Focused on Outcomes

To effectively meet the current and future needs of its residents, organizations, and businesses, the City must productively engage community members in decision-making processes, including planning, operations, development and implementation. Successful civic engagement helps to ensure that every action the City takes is well-informed and maximizes benefits to the community.

Productive engagement is not an easy task, nor is it the task of local government working alone. ***The community is a partner and shares responsibility, as they know best the issues affecting their neighborhoods.*** A process that invites ongoing public engagement in policy, resource and planning discussions is the hallmark of a healthy community.

The primary goal of the What's Next Alexandria initiative is to improve the quality of Alexandria's public participation process so that members of the community are actively, constructively, and meaningfully involved in the public decisions that affect their lives and see outcomes as reflective of their input.

The process by which the community is involved must by its nature be realistic, transparent, and representative.



Providing neutral and accurate information to groups of residents coupled with their collective understanding of the impacts of their participation pays off when projects are implemented that benefit the whole community and align with their vision.

What does success look like?

With the goal of improving Alexandria's public participation process in mind, this Handbook is a tool for pursuing, achieving, and measuring positive outcomes for civic engagement. Desired outcomes for improved civic engagement are straightforward:

- **Improved understanding** of the value of working together to solve common problems.
- **Fully informed public** that knows how its city government works as well as its public policy process.
- **Increased Participation**, representative of the City's demographic diversity.
- **Public which regularly votes** in elections and has knowledge of their elected officials.
- **Active Leadership** by community members in organizing their community to participate in civic engagement processes and help shape broader goals of the City.
- **Ownership**: Members of the community endorse decisions and actions by the City because decisions clearly reflect public participation in a transparent process.
- **Consistency** across City departments, Boards and Commissions in the application of civic engagement

principles and process.

- **Confidence** in the equity of the public decision making process.
- **Mutual Trust** between the community and its government.

By achieving these outcomes, Alexandria will thrive as demonstrated in the quality of the daily life of its citizens and their participation in shaping the city's future.

"La participación de todas las presentes va a tener éxito." (Everyone's participation will bring success.)

- What's Next Participant



Community engagement will bring everyone to the table and create a unified decision-making process.

Principles of Engagement

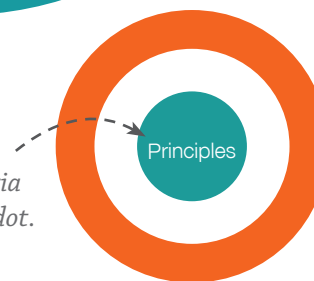
Alexandria's Principles of Civic Engagement were developed by those who participated from the community during the *What's Next Alexandria* process to guide the City and its residents in how Alexandrians can best participate in public dialogue for decisions that shape the city for years to come. In the first year of implementation, staff will develop performance measures for each principle to inform any necessary improvements.

The following Principles serve as the foundation for civic engagement in Alexandria and will be posted in all appropriate locations throughout the city.

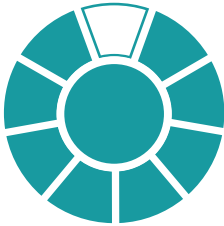
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At the core of civic engagement in Alexandria are the Principles, represented by the blue dot.



Respect



Alexandria values a process of engagement where participants demonstrate respect in words and actions and approach decisions with open-mindedness so that everyone feels comfortable expressing their opinion regardless of differences.

Actions

- Clearly articulate participation ground rules based on mutual respect from the beginning of the project. *(Ground rules can be found in the appendix.)*
- Recruit and train staff and community facilitators to assist with and manage productive meetings.
- Support facilitators and the project team and share responsibility for maintaining respect of all participants in the projects.
- Demonstrate active listening.
- Respond to all input.

Outcomes

- Participants feel they have been heard and their ideas fairly evaluated.
- Participants build relationships and focus on the work to be accomplished in each project.
- Participants see the outcome as reflective of the common ground reached through the community process even if they do not agree with all recommendations

Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Inclusiveness and Equity

Alexandria reaches out to and encourages the participation of all members of the community in dialogue and decision-making processes, including those who will be affected by the issue as well as those who have not historically been engaged. All members of the community are informed and empowered to participate; all views are equally heard and inform the outcome; and all impacts and benefits are fairly distributed.



Actions

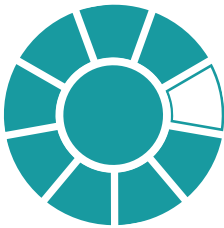
- Develop a communications and engagement strategy for each project outlining a plan to reach out to all community members with emphasis on ensuring engagement of population most affected by project, especially those traditionally under-represented.
- Recruit and involve people most impacted by a project.
- Design agendas and other materials to facilitate easy understanding of issues for all participants.
- Respect cultural and language differences; provide translation and interpretation when appropriate.

Outcomes

- Increased participation by under-represented constituents and those constituencies impacted by the project.
- Understandable, meaningful process seen as worthy of community participation.

Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Early Involvement



Alexandria identifies and involves stakeholders early in decision-making processes. Community members are involved in framing issues before any conclusions have been drawn, requiring early and ongoing communication with participants through each phase in the process.

Actions

- Begin community outreach well before the project begins so that residents have ample time to prepare for active participation. This should include developing a project website and beginning outreach through volunteer communicators and via digital and print flyers (or other on-site methods) in the affected neighborhoods.
- Provide an opportunity for the community to shape the project's definition (validate/expand issues involved), scope, expected timeline and strategy for engaging all sectors of the public well before the project begins.
- Clearly delineate and broadly communicate the community's opportunity for involvement.

Outcomes

- Community members, especially those most affected, participate from the beginning and throughout the project.
- Projects are better defined and scoped.
- Early identification and resolution of community's issues of importance so that resources can be applied toward resolving them.
- Planning and completing the project is highly collaborative.
- Broad support for the completed project.

Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Easy Participation

Alexandria promotes open and readily accessible government. Communications and information are timely, easy to understand, and offered in a variety of formats, appropriate to a given process. The City will provide clarity about the public decision-making process, including milestones and a defined endpoint. Participants will have the flexibility to participate in a variety of ways, including online and in person.



Actions

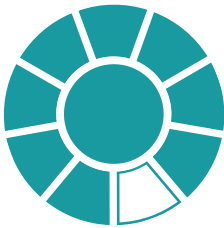
- Share project scope, deliverables and timeline with the community well in advance of the project start date and first public meeting..
- Develop public materials to be clear, concise, and easily understandable by a wide variety of constituents.
- Conduct a robust and coordinated communications process prior to and throughout the project, using multiple communications tools.
- Foster cooperation among all partners (City, community, individuals, community organizations, and businesses) to invite and increase awareness, participation, and engagement.
- Ensure that multiple opportunities for both online and in-person participation and input are available throughout the project.

Outcomes

- Civic participation is robust. A variety of stakeholders demonstrate sustained engagement in the process in numbers that exceed expectations.
- Participants generally represent the demographics of the City or the project area.
- Meeting evaluations or community polls demonstrate that barriers to participation (such as too many meetings, limited notice or inaccessibility of meetings, lack of online information or opportunities for input) have decreased, and satisfaction in civic engagement has increased.
- The number of residents from the community invested and participating in civic engagement processes grows.

Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Meaningful Engagement



Alexandria provides opportunities for all community members to participate in an open and unbiased process, free of predetermined outcomes, to consider and deliberate feasible options. The City authentically solicits, acknowledges, incorporates, and responds to community input.

Actions

- Invite input from stakeholders at each phase of the process from issue definition to conclusion before any conclusions have been drawn as demonstrated in the materials and activities for each project.
- Present multiple feasible scenarios based on community input for the community to consider; Make it clear what issues are on and off the table and why.
- Demonstrate how research, analysis and community input shapes decision points and recommendations at each phase in the process.
- Utilize ongoing evaluation to inform whether processes should change and how they should be modified.

Outcomes

- Community members understand and accept the purpose of proposed projects.
- Projects proceed with less conflict; where there is no consensus, each alternative is given fair consideration, and stakeholders perceive a fair process.
- Participants clearly see the impact of their participation throughout the process.
- Results of projects are beneficial to the community and the city overall.
- Increased confidence in the process and project outcomes.

Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Mutual Accountability

The City and community are mutually accountable for a fair process, honest and respectful participation, informed and fact-based discussion, outcomes that reflect input, and acceptance of the result. City processes will include meaningful assessments to measure progress, implementation of improvements as needed, and effective communication of both.



Actions

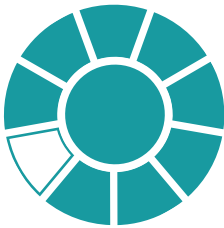
- Demonstrate respect for all participants' time and effort by following the engagement principles and conducting productive meetings and online activities.
- Conduct a meaningful process and encourage each other's efforts with positive reinforcement and constructive criticism.
- Apply resources for civic engagement appropriately.
- Provide opportunity to evaluate the process – participate in evaluating the process.

Outcomes

- Outreach, engagement and decision making is improved.
- Increased trust in City government.
- Process documentation and outcomes illustrate that members of the community are assisting the City with community organizing and participation.

Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Transparency



City government will act with integrity in an open process, and will provide timely access to clear, trustworthy information, presented and employed by all parties from the beginning to the end of the process, including the reasoning that leads to and supports policy conclusions.

Actions

- Share background information and meeting materials with the community at least one week in advance of public meetings via eNews, Email distribution, or on the City's webpage.
- Design materials that are clear, simply expressed, informative, impartial, and easily understood.
- Share publicly all public input from all sources, whether from meetings, online polls, online comment boards, in person polls, etc., as well as City response
- Demonstrate how input will shape recommendations.
- Post completed evaluations online.

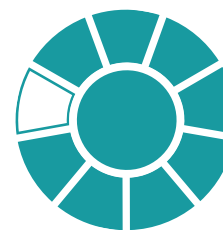
Outcomes

- Participants understand the purpose of the project and their role in the decision-making process.
- Community members have access to all of the information that is used to make a decision in a form that is easy to understand.
- The City understands the needs of community members for productive participation.
- The community has a clear understanding of how public input shaped the final recommendation.

Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Sustained Collaboration

Alexandria promotes a culture of community engagement that enhances public decision making processes and invests in long-term working relationships, learning opportunities and ongoing, open collaboration among community members, community groups, City leaders and staff.



Actions

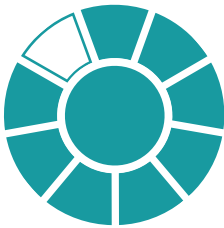
- Community members volunteer to serve in supportive roles such as community organizing, meeting facilitation, and evaluation committees.
- The City actively recruits leaders of organizations, businesses, associations and clubs as active partners in civic engagement.

Outcomes

- The tools for recruiting community members to engage in City projects are improved and executed.
- Community organizations, businesses, associations and clubs agree to active participation in projects as appropriate.
- Civic engagement principles and practices are widely known and understood, therefore residents know how to participate and increase their degree of involvement.

Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Evaluation



The City will work in partnership with the community to periodically assess the application of civic engagement principles. The evaluation will quantify participant feedback, document lessons learned, and identify strategies for refinement.

Actions

- Participants complete an evaluation form at the end of each public meeting or at least once during each phase of a process, or if more suitable, via an online survey. City staff works collaboratively with residents to address concerns in a way that does not impede the project schedule.
- Share evaluations with the community via the project webpage.
- Conduct annual reviews of civic engagement performance following the first year of implementation of the *What's Next Alexandria* process and the utilization of this handbook, including the outcomes of each principle, and recommendations for improvement and revisions to the Civic Engagement Handbook, if needed.
- Share recommendations with the public for a round of comments, review and agreement.

Outcomes

- Increased participation.
- Meeting evaluations or process surveys indicate that principles are being met. (If not, the engagement strategy will be modified to be more effective before the project is completed).
- The annual review ensures that “lessons learned” are applied to future projects.
- Trust in the civic engagement process increases.

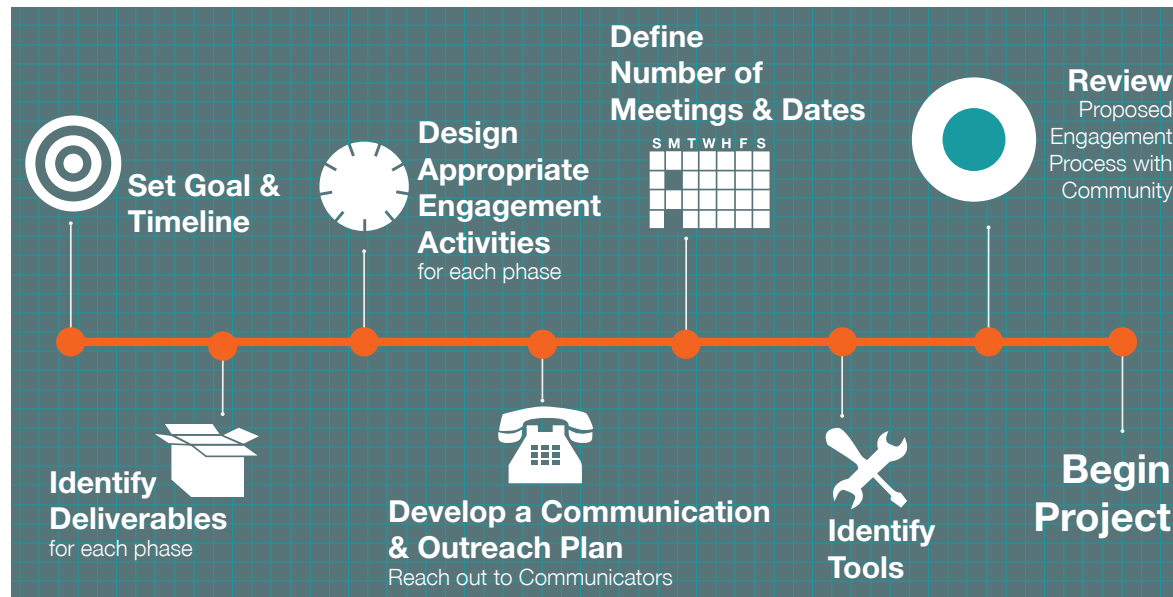
Actions and Outcomes shown represent an initial list; many others may develop over time that address the process in general or relate to a particular project.

Framework for Engagement

The purpose of establishing a standard Framework for the civic engagement process is to ensure consistency in how the City engages the community in different projects. ***The Framework establishes a shared understanding of what to expect in every process, and will be used by City staff at the outset of all City projects that require and benefit from public participation.*** Beginning each project with a shared understanding of the four standard

phases and the proposed engagement strategies, tools and deliverables of each, builds trust and transparency in public participation. As a tool, the Framework provides a realistic and achievable way of unifying community engagement efforts across departments.

Projects will start with the menu of options shown in the framework template and will be tailored to fit the needs



of that project. Before any major work begins, City staff will fill out the proposed engagement framework and share it with the community for review and feedback.

The Framework will be posted on the City’s webpage and paper copies provided in key locations as appropriate.

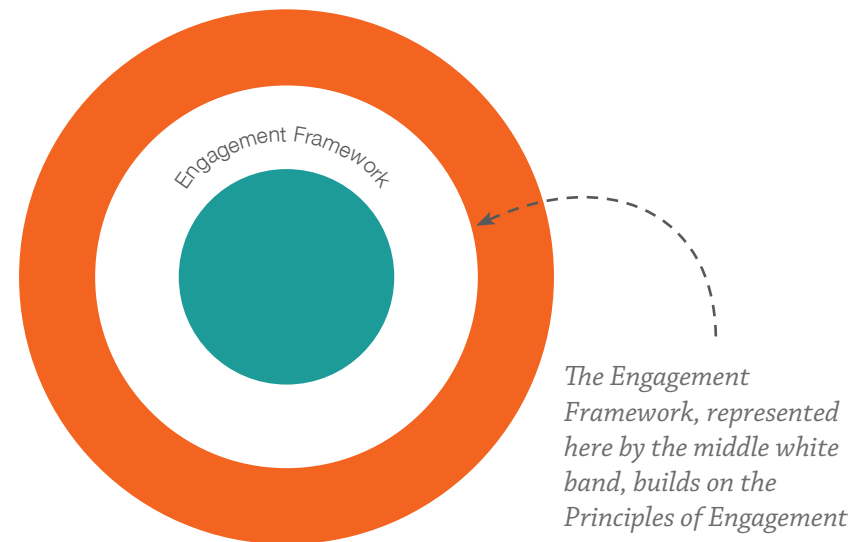
The Framework will include the following information about the project:

- Goal(s)
- Timeline
- Deliverables for each phase
- Activities required to accomplish deliverables
- Anticipated number of meetings and/or other engagement opportunities needed within each phase. (Some projects may require few public meetings, and more complex projects may require more than one meeting per phase)
- Tools to be used for each phase

The framework will be refined based on community input as the project gets started. Any changes will be shared with the community by keeping a current version posted on the web page and sharing it at each opportunity for community input. The project can move on to the next phase when the participants are satisfied that the current

phase has been completed. In addition, each phase will be evaluated to assess whether goals are being met and principles have been observed and allow for adjustments along the way.

Adhering to the established project timeline is an important step in establishing credibility and trust in the process, as well as respecting participants’ time and making efficient use of City resources. While it is not always possible and some factors can’t be controlled, it is important to set the expectation that staff will always strive to adhere to the project timeline.



A Tour of the Framework

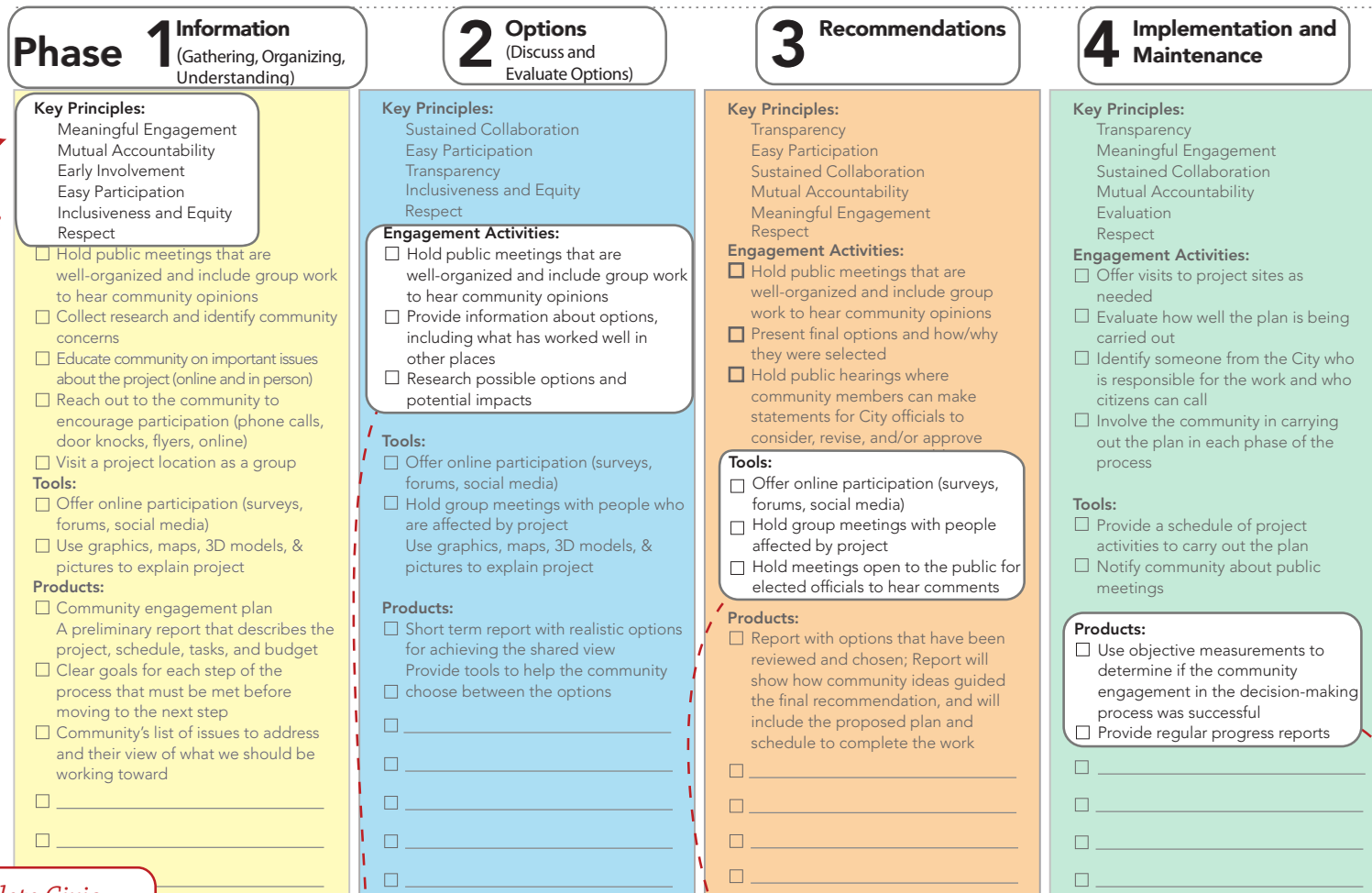
The first step in an engaged process is to gather, organize, and understand information.

Engage the community to discuss and evaluate the feasible options.

Hone down the best options to create the final recommendation.

Carry out the project as planned, with continued communication and outreach, so the community can monitor implementation and know their work is being honored.

For each phase, be mindful of applicable Key Principles that should guide all actions and decisionmaking.



For the Complete Civic Engagement Framework worksheet, see Appendix D on page 72

Each phase should utilize engagement activities to arrive at the best possible outcome.

Use these tools to assist in engagement efforts along the way.

Each phase identifies deliverables that will denote successful execution of that phase.



Shared Responsibility



*"If we are fully engaged in the process
there is no 'them', we are all 'us'."*

- What's Next Participant

The entire community shares the responsibility of working toward broad and inclusive participation in decision-making that impacts how the city sustains and improves the quality of life of Alexandrians. Community members have an important role to play in encouraging a representative group of people, as many as possible, to participate.

While City staff can facilitate this work, ***community members are most effective in engaging their neighbors in decisions that reflect the best interest of all Alexandrians.***

Many Alexandrians have expressed a willingness to partner with the City and other organizations/institutions in expanding civic engagement through an informal network of community volunteers. The City will build on this volunteer spirit as well as continue to strengthen its partnership with the Parent Leadership Training Institute (PLTI), Leadership Alexandria, and the Citizen Academy to "deputize" graduates in filling this important community role.

Volunteer Community Organizer

Staff will utilize this important and growing community resource as needed and appropriate to enhance outreach, expand understanding about a given project, and call on community facilitators if needed.

Below are the key roles of a volunteer community organizer to expand community capacity for engagement and the empowerment of individuals to influence decision-making in Alexandria.

Communicator

Share information about city government or decision-making processes; use your personal network to disseminate information; attend and provide updates at neighborhood, school and faith-based meetings; post or distribute flyers at neighborhood gathering spots or shopping centers; knock on doors, or find other effective avenues for information sharing. The communicator serves as a bridge builder, forming partnerships between the City government and Alexandria's institutions, organizations, businesses, and individuals.

Educator

Empower others to participate by providing fact-based information about plans or projects and how to participate in government processes. This requires stepping back from personal areas of interest to attract the broadest base of constituencies possible. Providing facts about projects also results in increased community capacity to participate, increased understanding of city issues, and emergence of new local leaders to support project implementation and future efforts.

Facilitator

Serve as an impartial discussion leader for a small group table at a large community meeting to ensure that all attendees have an equal opportunity to make their opinion heard. Facilitators attend training sessions in order to be well-prepared and to understand the project content. Volunteer facilitators send a message to community members that civic participation is important and valuable to the City and that no decisions have been determined in advance of the engagement.

Engagement Strategies

There are many strategies for engaging the community in the public decision-making process, some better suited to particular projects than others, and some better suited to particular phases in the process than others.

Included in the appendix is a civic engagement toolbox, which provides a comprehensive list, description and suggested use for many tools available.

“
*I think the process is going well. It's good
 that the process has been so transparent.
 I appreciate all the effort.*
 ”

- What's Next Participant

Regardless of the strategies used, there are some fundamental guidelines to follow as projects are carried out:

- **Keep** a written and visual record of the process documenting ideas put forward and evaluation of options, as well as decision points along the way.
- **Respect** individual points of view.
- **Be mindful** of participants' time. Engagement opportunities (online or in-person) should be constructive and meaningful, contributing to the overarching process goal.
- **Provide feedback** results in verbatim and summary form.
- **Prioritize the transparency principle** at each step of the way.
- **Show** how input in each phase has led to the next phase.
- **Always ask** participants how the process can be improved.

Engagement Process



This graphic shows the continuous and iterative nature of the civic engagement process.

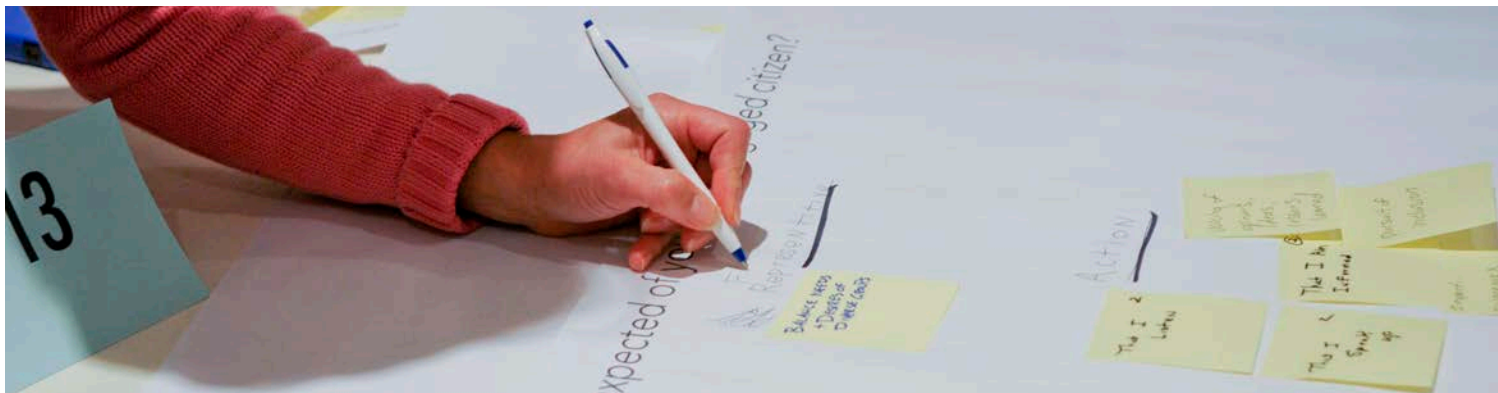
Meetings

As explained in Section 4 describing the Framework, an overall civic engagement plan (including number and type of engagement opportunities) should be established and published prior to initiating a public engagement process.

While meetings are certainly not the only way to inform and hear from the community, they are often an important component at some stage in the process, and therefore warrant detailed description. It should be emphasized that ***the community's preference is for fewer, more efficient meetings based on feedback received by the City.*** This section reviews primary meeting types with information about when and how each is appropriate.

The value of a single meeting process cannot be over-emphasized. The advantages over multiple separate small group meetings are significant, including:

- Most efficient for City staff to conduct.
- Avoids multiple conversations on parallel tracks that are difficult to bring together.
- Greater clarity and transparency, and therefore trust-building, rather than divisive.
- Achieves forward movement without being derailed and losing focus.
- Fewest opportunities for special interest groups to exert outside pressure and influence.



5 Meeting Types

1 Facilitated, Small Group Dialogue & Feedback

Best meeting tool for allowing transparent participation in a public project.

Designed to be iterative, which means that the results from one meeting are used as a starting point and built upon in subsequent meetings.

Provides opportunity to share information with the group as a whole and take advantage of the ability to work in small groups.

Capitalizes on the natural human tendency for conversations. Activities take place in small group tables of 6-10 participants. Participants share experiences, solve problems and answer questions by working together. Group facilitators guide the collaborative discussion to make the meetings as efficient and productive as possible.

Allows opportunities to hear divergent points of view while still encouraging every participant to express an opinion. Small groups can quickly report out to the larger group and explain the work the table or group was able to complete.

Can work well with simultaneous online participation to accommodate community members who can't attend in person. If the meeting activities are suited to online work, the online group participates in a "Virtual Table," viewing the meeting in real time and participating with others in moderated online discussion.

Mobile Workshop &

2 Non-traditional Meetings

Meet people where they are. Host meetings or informal dialogues in coffee shops, parks, or other neighborhood locations, to engage those who don't typically participate in night meetings on topics directly related to their neighborhood.

Attend or host a table at community events, festivals, or farmers markets to provide information and gather feedback through surveys.

Arrange bus tours, site visits, or neighborhood walks with City Staff and community members to view project sites and discuss issues.

3 Open House

Typically suited to the beginning or end of a project.

Open to the public to drop in when convenient and visit tables set up with information in a standing and browsing format.

Informative as opposed to working meetings.

Generally not appropriate for gathering feedback, actively involving meeting participants or encouraging interaction and collaboration between attendees.

4 Separate Small Group Meetings

Used sparingly during engagement processes. They can build distrust by sending the message that certain organizations deserve an audience while others do not.

Require significant additional staff time and pose the risk of duplicating the engagement process or creating multiple tracks that are difficult to bring back together.

Primarily serve as an information-sharing tool and secondarily as an engagement tool, if used.

Can be effective as one-time meetings in the beginning of a project in order to engage key constituents who might not otherwise attend larger community meetings.

Only used as a tool for bringing outside groups or hesitant organizations into the larger meeting process. The larger Community Meetings must drive the process.

Stakeholder Advisory Groups are a type of small group meeting tool that can be effective in specific circumstances, such as engaging participants in highly technical projects or projects which require ongoing focus/monitoring of a particular issue over a long period of time. Successful past examples of Advisory Groups include the City's 2009 Infill Task Force, the Beauregard Corridor Stakeholders Group, Beauregard Rezoning Advisory Group, and Small Area Plan Implementation groups. The benefits are having a consistent group of engaged participants over the long term, as well as a membership that has a particular technical capacity.

Avoiding process duplication, emphasizing transparency and providing clarity about how members of the public can meaningfully participate are crucial issues to be addressed if an advisory group is selected for a public decision making process.

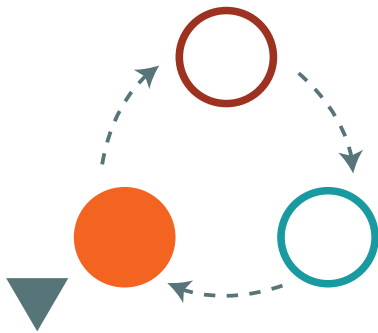
5 Town Hall

Attendees voice opinions one-at-a-time and/or ask questions of staff or elected officials. Allows a limited number of people to participate in the discussion and excludes most attendees from providing their opinion. Not an effective means of gathering meaningful input from community members in a sustained way, and should be used sparingly.

Most productive at the end of a planning project that has involved robust community participation. If participation in the planning process has not been robust, and/or when residents don't feel their voices have been heard, a Town Hall meeting can devolve into a personal venting session that is highly adversarial, rather than productive in terms of collecting feedback.

Participants from past meetings should speak or present to mitigate the potential for adversarial meetings. A diversity of viewpoints is best expressed when past participants are present to counterbalance angry voices.

Before a Meeting: Gather Information



GATHER AND PRESENT CONCRETE BACKGROUND INFORMATION AND DATA AS A FOUNDATION FOR EACH PROJECT.

Trust & Transparency

Participants should see that the City has spent time reviewing past plans, feedback, history, and current events that may affect the project under consideration.

Brevity

Presentation of this information should be kept to a reasonably short period of time during the meeting.



Determine Accessibility Needs

Meeting venue

Select a meeting venue that is a neutral place where all people feel comfortable going. The venue should be easily accessible by transit, accessible to persons with disabilities, and conveniently located within the project/ planning area. If the project has citywide impact, meetings should be centrally located or be held in multiple sections of the city over the course of the process

Language barriers

Is there a high percentage of foreign language speaking residents in the project area? Providing simultaneous language translation at the meetings and translating all materials, including online, will go a long way to engaging those who don't speak English. It is important that this be built into the project budget at the beginning.

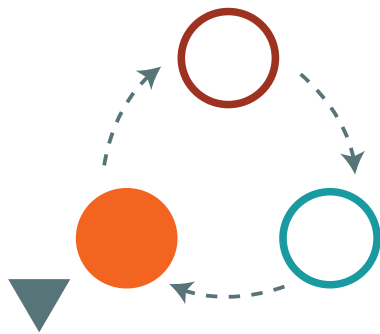
Childcare

Is it likely that the meeting will benefit from better attendance if the City provides childcare? Does the project relate particularly to families with children? This is a relatively low cost investment in encouraging parents with children who might not otherwise attend to get involved in their community.

Online participation

Live Internet video engagement is an excellent way to include members of the community who don't have time or ability to attend in person. This option serves as a "Virtual Table," allowing participants to watch the meeting in real time and participate with other viewers in group exercises through a moderated live chat. While this tool may not be cost effective for all City meetings, it provides a great option for people who cannot attend meetings.

Determine Facilitation Needs



DETERMINE IF THE MEETING WOULD BENEFIT FROM SMALL GROUP FACILITATORS.

Role of the Facilitators

The facilitators' role is to explain things clearly, keep participants on track, and ensure that everyone at the table has an opportunity to contribute to the discussion.

Volunteers

Staff managing each project will have access to a growing cadre of community volunteer facilitators. The list of volunteers will be maintained by City Manager's office. Staff will conduct a brief facilitator training prior to each meeting so that facilitators have a basic understanding of the project and fully understand the meeting objectives and activities. Advanced review is critical in order for facilitators to provide a productive meeting experience for participants. Facilitators should arrive early to review table set-up and meeting materials, and greet participants at their table as they arrive.

Staff

In some cases, when community facilitators are not available, staff will need to perform the facilitator role, either at small group tables or in front of the large group. In order to perform this role effectively, staff must also be well prepared and should attend the City's facilitator/civic engagement training.

Master of Ceremonies

Some community meetings should be led by a volunteer Master of Ceremonies (MC) in order to keep the meeting on track and ensure impartiality. This MC may be a leader or director of a known organization or institution and should be recognized as a neutral party.

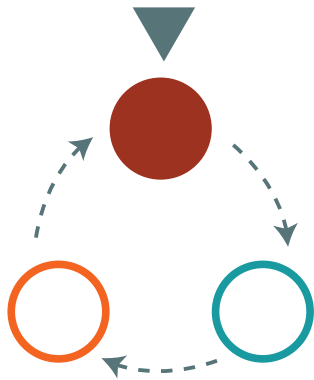
A volunteer MC may not be necessary for every meeting process, but should be especially considered for citywide meeting processes or projects that might benefit from a neutral party leading the meeting. A volunteer MC also demonstrates the importance of participation in civic life of the City.

“ *Involve the stakeholders from the beginning and let the group shape the process.*

- What's Next Participant



Developing a Meaningful Agenda and Conducting a Meeting



AGENDAS SHOULD BE SIMPLE, STRAIGHTFORWARD AND PROVIDE CLEAR OBJECTIVES ABOUT HOW THE MEETING WILL PRODUCE MEANINGFUL RESULTS TO INFORM EACH PROJECT.

It should be clear from each agenda how the meeting will move the discussion forward by soliciting discussion and feedback from the community. This is one of the most important components of a successful process.

Focused Agenda

- Aim for quality in the work and experience of the participants.
- The agenda should be focused on the work to be accomplished, removing extraneous tasks and presentations.
- Remove politics from the process as much as possible. Brief introductions of public officials are sufficient.
- Presentations to the larger group must be short, engaging and to the point.
- Respects participants' time by starting and finishing on time and sticking to the agenda.

Activities

- Prepare one or two hands-on, creative, and engaging activities per meeting.
- Meeting activities should be simple enough for newcomers to quickly understand while simultaneously addressing a specific component of the work or project at hand.
- Avoid the use of similar activities from one meeting to the next. Meetings over the course of a process should provide a variety of ways that people will be engaged.

Group Work

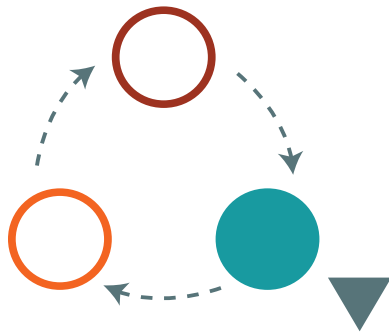
- Participants must spend most of their time doing meaningful work and/or participating in meaningful conversations with fellow community members.
- Participants should work in small groups (between 6 to 10 persons) so that they can build off of each other's ideas and all have a chance to contribute.

Report-Outs

- After each activity (or at the end of the meeting), the facilitator should invite groups to stand and report out to the larger group what they discussed or accomplished.
- Report-outs should focus on sharing overall ideas of the group's work.
- Report-outs should be kept to 1-2 minutes per report. Total reporting time for meetings should be kept to 10 minutes or less. At the conclusion of report-outs, acknowledge that all work will be posted online in verbatim and summary form.



After the Meeting



OPENLY COMMUNICATE ENGAGEMENT RESULTS FROM PUBLIC MEETINGS AND ONLINE ACTIVITIES IN AS MANY WAYS AS POSSIBLE. POST/DISTRIBUTE ENGAGEMENT RESULTS WITHIN AS SHORT A TIMEFRAME AS POSSIBLE FOLLOWING THE MEETING (PREFERABLY LESS THAN 10 DAYS).

Communications

Avenues for communicating post-meeting results should include the City website, eNews, project email lists that develop, community listserves, and social media. Notice of where the community can access post-meeting materials and project information should be included

on meeting flyers provided to libraries and newspapers. Posted information should be widely accessible as JPEG images, publicly accessible Google maps, or PDFs.

Reiterate at Next Meeting

At the beginning of the next community meeting, share the results of the previous meeting (and online work, if applicable). Ensure that participants at subsequent meetings understand that their work has been acknowledged and synthesized. The hallmark of an iterative community meeting process is that participants know how their work informs the progression of the project.

Be Concise

The presentation of results should be short and to-the-point. However, it is a crucial part of transparency and trust-building that overall themes of participant work are covered with reference to verbatim or raw data available online (or in the appropriate place).

Meeting Process Checklists

Use these checklists during the process as a way to measure your progress

Before a Meeting

- ☐ Provide concise background information demonstrating that the City has spent time reviewing past plans, feedback, history, and current events.
- ☐ Provide advance notice of meeting date. While it is not always possible given multiple factors, the City's goal is to provide 3 week notice of meeting dates. Meeting agendas should be provided 1 week in advance.
- ☐ Present this information concisely.
- ☐ Determine accessibility needs: meeting venue, childcare, language barriers, online participation.
- ☐ Determine facilitation needs.
- ☐ Train and prepare facilitators.

Developing a Meaningful Agenda & Conducting a Meeting

- ☐ Meeting agenda should be simple and produce meaningful results. It should be clear from each meeting agenda how the meeting will solicit discussion and feedback from the community.
- ☐ Aim for quality in the work and experience of the participants.
- ☐ Participants must spend most of their time doing meaningful work in small groups.
- ☐ Remove politics as much as possible.
- ☐ Speaking and presenting to the larger group must be short, engaging, and to the point.
- ☐ Prepare one or two engaging, hands on, simple activities per meeting. Avoid the use of similar activities from one meeting to the next.
- ☐ Use 10 minutes to invite groups to stand and report out on what they discussed or accomplished. These should be 1-2 minutes each.
- ☐ Respect participants' time by starting and finishing meetings on time and sticking to the agenda.

After a Meeting

- ☐ Communicate engagement results from public meetings and online activities.
- ☐ Use all appropriate methods of communication.
- ☐ Share previous results at next meeting.
- ☐ Be transparent yet concise.

Online Engagement

Online community engagement is now part of the norm nationwide, and regularly expected of public processes by young and old participants alike. Websites, blogs, online forums, social media and other platforms provide easy and accessible opportunities for communication and process documentation.

For those individuals who are unable or unwilling to physically participate in a community meeting, online platforms provide a crucial option for engagement.

There are many digital engagement tools available today, including smartphone apps, text message tools, online town halls, and many others. Many are briefly described in the *Engagement Toolbox* provided as an appendix to this Handbook. The City already utilizes a broad spectrum of online communication and will continue to evaluate the benefits and constraints of online tools as new options are developed (including how resource-heavy they may be from an implementation standpoint).

Below are some guidelines for online engagement:

Do not consider online participation the primary method for community engagement. Although it can be efficient, it is less successful at building the kinds of relationships formed during in-person meetings which allow participants to understand each other's' point of view, to brainstorm together, and to reach consensus.

Consider which kinds of activities are appropriate for online engagement. The previous section on engagement strategies emphasizes the importance of designing meaningful and creative meeting activities. In some cases, these collaborative group activities don't translate well to the digital realm. However, these activities can be accommodated through live-streamed "virtual tables," where people can participate via live moderated chats in the same activities as those attending in person.

Online engagement can be an effective and efficient resource for interim work done between in-person meetings. Consider using **synthesized** feedback from an in-person meeting as a starting point for interim online participation. Polling, voting, confirming or **augmenting** community work during the previous meeting is a great way to allow online participants to contribute.

Online activities between in-person meetings should not edit work that took place during those meetings. Instead, online activities should build on past work in ways that respect the work of in-person participants.

Opportunities for online interaction should be free and readily accessible to the public. Tools that are hidden behind pay walls and special accounts are discouraged.

***“Synthesizing”** typically involves eliminating duplicity, correcting spelling errors, or simplifying large volumes of data in order to make meeting results easily understandable for the next meeting.*

***“Augmenting”** the results of a community meeting is deeper than synthesizing. Augmenting typically involves using synthesized meeting results, but re-organizing the information into categories useful in the next meeting, or adding to the community-generated information with research or visual aids.*

Social Media & Virtual Meetings



Social Media

Social media is an effective and valuable tool for quickly disseminating information to a wide audience (and second-tier networks), and reaches community members that might not typically attend meetings or know about City projects.

- As it doesn't reach everyone in the City, it should be **viewed as a supplement to other channels** of communication.
- Use the **City's Facebook and Twitter accounts** to promote upcoming projects or meetings and direct people to project websites with more detailed information.
- Before creating a dedicated Facebook page or Twitter account, **consider the amount of time required** for consistent production of fresh material and rapid response requirements.
- Use Twitter as a platform for an **interactive Town Hall**, which has proven to be an engaging tool that may capture the attention of individuals who don't typically attend community meetings.
- Use other social networking/sharing tools such as Tumblr, Flickr and Pinterest to engage the community

by inviting them to **share images of places and things** they think the City could emulate in new projects or development.

Virtual Meetings

There are myriad options for hosting "virtual meetings"-meetings that can be video recorded and Livestreamed on the Internet for people to watch and participate in real time via a live chat, offering a "virtual table" addition to the in-person tables at the meeting.

- Can be used for **real-time polling, voting, and live chat** sessions.
- Requires a **trained facilitator and camera operator/technology aide**.
- Uses **widely accessible technology** – video, City's Livestream account, and an Internet connection. Add a smartphone, Twitter, email and people can participate on the go.
- **Recorded meetings** can be posted on the web or Channel 70, with options for commenting.
- For more information about how virtual participation can be integrated into an engagement process and when it may or may not be appropriate, see "Meeting Types" on pg. 26 of this document.

Online Comment Boards & Virtual Town Halls

Online comment boards and virtual town halls can be a useful tool for supplementing in-person engagement because they allow people (with computer access) the flexibility to participate any time or place.

There are many commercial vendors that provide “town hall” type online platforms for an annual subscription fee. (See the engagement toolbox in the appendix for a listing of these tools).

Staff pose specific questions asking for public feedback on a particular project or question and participants respond, with the ability to view comments from fellow community members, and conversation threads on a particular topic that can spark useful dialogue.

The benefit? The easy to read presentation of the dialogue, and the ability for responses to be analyzed and presented in user friendly formats.

The success of comment boards or virtual town halls is dependent on the following ingredients:

- A **strong marketing campaign** encouraging the community to use the tool, with links from the City’s website and to social media to engage a broader audience.
- **Clarity about the objective** of the forum and **how input will be used**.
- **Dedicated staff resources** to develop questions, provide monitoring and ensure a timely response.
- **Clear rules of engagement** and comment monitoring. Avoid platforms that allow anonymous comments.
- **Easy to use, and, easy to find**.
- **Suited to the group that the City is trying to reach**, particularly with regard to computer/Internet access and potential language barriers.



Online Polls



Online polls are a quick and convenient option for residents to share their concerns or ideas; they are effective for staff because of the ease of compiling, analyzing and sharing the feedback.

Online polls are especially valuable when it's important to get feedback from a broader group than those who can attend meetings in person.

Some things to keep in mind when considering use of an online poll:

- Online polls are **typically not considered a statistically valid** measure of broad public opinion, but simply record the opinions of the group that chooses to respond.
- **Questions must be well written** so as to be clear and balanced.
- Respondents should understand **how the poll feedback will inform the process.**
- **Polls can be conducted out in the field where community members already congregate**; using iPads or smartphones, staff can get information from community members who might not otherwise know the City wants their feedback.
- Consider polling platforms that rely on text message surveys on smart phones. It combines old-fashioned outreach (posters, fliers with a QR code) with smart phone technology, **capturing the community's opinion right where they are.**
- For those without technology access, **printed polls** can be mailed or shared through libraries, recreation centers and schools. **Telephone polls** are also still a useful alternative, even in an age of cell phones and unwanted phone solicitations. Community members are often willing to answer a phone poll that directly affects their neighborhood.

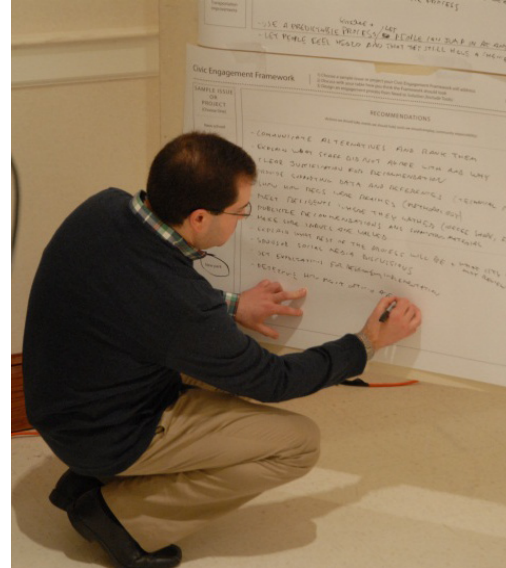
Visual Aids

Visual art can both improve public understanding in a project and create opportunities for informal community engagement. Some examples are listed below; see toolbox in Appendix for more information.



Del Ray community mural

- **Interactive public art projects** allow people to express their unfiltered opinions (through art) in the public realm. The process of expression provides an opportunity for the community to interact and also creates an intelligent piece of temporary public art.
- Public **art projects in schools or at open houses** can be used as a tool to engage families through their children, occupying and educating children while parents have an opportunity to learn more about the topic at hand.
- **Illustrative plans, models, graphic renderings, blocks and Legos** provide an opportunity to illustrate planning concepts and projects in a way that is visually appealing and engaging, and can level the playing field by reducing the importance of literacy and written language translations.
- **Short informative videos** on basic planning principles or current projects convey information and engage public interest. They can be informative and inspiring – simple enough for kids to understand, but profound in the message they deliver. Videos are posted on the City's YouTube Channel and links can be shared broadly.
- **Storytelling** can be coupled with visual arts to shape and inform neighborhood revitalization plans and development projects by sharing stories of the community and aspirations for its future.
- **Well-designed maps** are a useful tool for telling the story of a particular project, visualizing data associated with various options or recommendations, showing change in an area over time, etc.



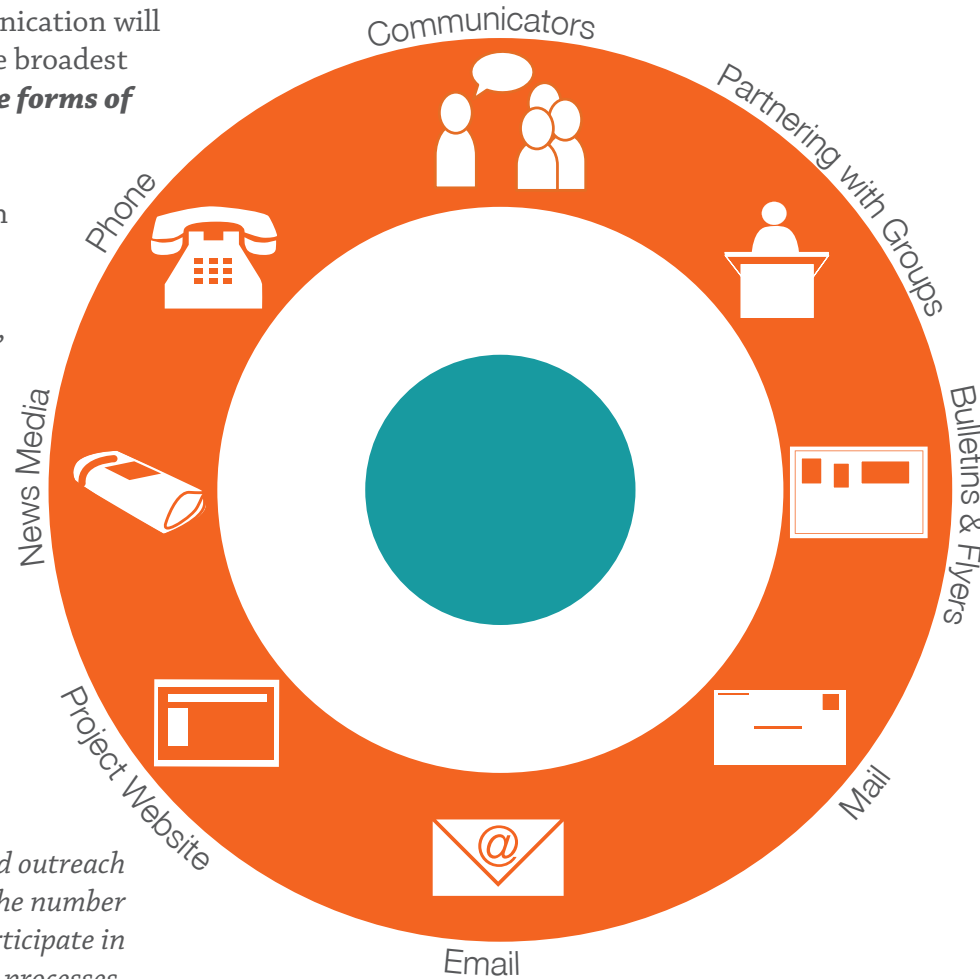
Communication & Outreach

It is clear that no one method of communication will suffice in successfully reaching out to the broadest possible audience. **Continuous, multiple forms of communication are necessary.**

Regardless of the type of communication used, information must be provided **early** in a decision-making process, **consistently** throughout, and in **simple**, understandable ways. This requirement is memorialized in the civic engagement principles and the framework, and cannot be emphasized strongly enough.

The following pages describe many methods of communication suitable for civic engagement.

A variety of communication and outreach tools are crucial for expanding the number of community members who participate in City decision-making processes.



Communicators



There is no substitute for person-to-person information sharing.

Being encouraged to attend a community meeting by your well-informed neighbor who can explain why your participation is important is much more likely to get you to a meeting than an email from the City.

Therefore, having a cadre of informed communicators on a given project is critical to increasing participation and ensuring a productive process that stays on track.



- Communicators are volunteers who bridge communications and information gaps between government and the community, and expand the number of participants.
- Communicators can include anyone – community members, civic leaders, elected officials, and decision makers.
- City staff must provide accurate, timely and clear information so that communicators are well informed and able to respond intelligently to questions from stakeholders.
- It is essential that communicators remain engaged and active throughout a project in order to be effective.
- While communicators serve an important function, they will not have greater influence in the process than any other community member.

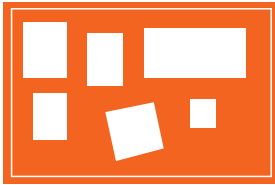
Partnering with Existing Groups

In some cases, staff does not have adequate social capital to be effective in engaging communities without assistance. ***It is critical to forge appropriate partnerships with organizations and trusted leaders within the organizations to share information and solicit participation from their members.***

- Face-to-face contact works best for some populations within the city, reaching people who might not have email or access to computers, and can negate language barriers.
- Community leaders can provide key information at meetings of their respective groups (cultural, advocacy, or faith groups, civic or Parent Teacher Associations, among others), where the message will carry more weight when delivered by someone known to the group. Attendees can in turn share the information with their own personal networks.
- Effectiveness depends on factors such as meeting attendance, flyer distribution/translation, and ability to clearly communicate the connection between the project at hand and quality of life issues for the people in the room.
- Social service providers are an excellent channel for Information sharing.



Print: Posters, Bulletins, and Flyers



Today, many cities experience a digital divide impacting populations without Internet access. Even as Internet access increases, on smart phones and in public facilities, many people are still not reachable by Internet, which is why offline communication is still important.

Flyers in neighborhood locations and word of mouth are often the only way many community members hear about upcoming meetings.

For those populations whom the City has not yet successfully engaged in public decision-making, and until more effective tools are successful, print materials will continue to provide an important communications link and send a positive message about the City's goal to expand participation. Therefore, print communication should be an integral part of project communications, and should be taken into consideration when developing a project budget.

- Flyer distribution is time consuming and can be a major drain on staff resources; a volunteer force of communicators willing to distribute flyers in neighborhoods can divide the task into manageable pieces and encourage further neighbor-to-neighbor connection.
- Print materials can be distributed using existing City infrastructure, including libraries, recreation centers, other City facilities and school distribution systems, as well as at religious institutions, local shops, restaurants, gyms, bus stops, and waiting rooms. Flyers should be considered for any place that residents congregate, spend time, or have to wait.
- Materials should include project and meeting information, including ADA compliance, transit accessibility, language translation, and childcare, if applicable, and a Quick Response (QR) code, which, when scanned by a smartphone, links the user to the project website.

Print: Mail

Print materials can also be distributed by mail, but this is a significantly more expensive approach. ***Its reach can be broad or targeted but its effectiveness can be partially undermined by the volume of junk mail.*** Staff needs to consider cost and frequency when establishing a budget for this engagement tool.

There are some items that are better suited for mail distribution:

- Printed items with a longer shelf life than a meeting notice, such as the Department of Transportation and Environmental Services' Spring Cleanup bulletin – items that might get posted on the refrigerator.
- Initial flyers or postcard that announce the kickoff of a new planning process and providing the project website, scope, timeline, and opportunities for community participation.
- Updates to residents summarizing key city-related information, major upcoming projects, and how to participate in public decision making processes.

Important Print Communications issues to consider:

- Consistency in branding/identity – are City materials easily recognizable?
- Do the materials clearly address the issue, why it's important and for who?
- Are the materials for citywide distribution or specific to a neighborhood?
- Should the flyer/postcard be translated into multiple languages?



The City's eNews subscription service offers a way for residents to sign up to receive email or text message updates on projects that are important to them.

City eNews & Email



The City will continue to promote this tool widely to expand the number of residents who subscribe.

While staff needs to avoid inundating the community with too many email and eNews updates, they are basic, easy tools for sharing information, taking the following into consideration:

- Ask community members to share emails and eNews with their own networks.
- Provide regular updates and information to relevant eNews groups as well as to the email contact list of stakeholders specific to that project.
- Respond to emails from the community in a timely manner. Delayed response or unanswered emails lead to lack of trust and uncertainty that comments have been considered. If time constraints don't allow for responses to multiple messages on the same topic,

summarize the email communication – such as listing responses to frequently asked questions or noting frequently suggested policy or actions.

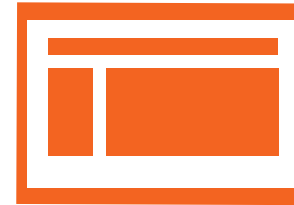
- Use community listserves for periodic updates of planning processes, public hearings, and upcoming event information. Alexandria boasts many neighborhood and professional listserves that can be used by the City or communicators.

Project Website

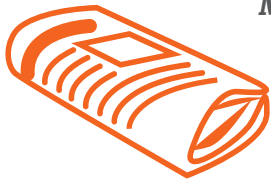
The City's dedicated project webpages should provide consistent, detailed information about projects and issues, and serve as an effective and accessible public record of the process.

Webpage checklist:

- ☐ Demonstrate how community input will be or has been incorporated and how decision-making will occur or has occurred throughout the process.
- ☐ Provide links to audio and video recordings of past meetings.
- ☐ Provide Frequently Asked Questions (FAQ) sheet, with answers and brief explanations to common questions.
- ☐ If there is an area on the site for feedback make it clear how feedback will be responded to and how it will shape the process.
- ☐ Ensure that information is always up to date, easy to navigate, well organized, and comprehensive.
- ☐ Designate a staff person to manage each project page.
- ☐ Provide an easy way for the new or infrequent visitor to get a quick summary of the project goals, purpose, current status, timeline, and what remains to be decided.
- ☐ Take feasible steps to provide information to non-English speaking residents.
- ☐ Include staff contact information.
- ☐ Highlight important upcoming dates.



News Media



Many community members rely on local print and online news sources for their information.

There are a number of ways that the City can utilize these resources to help communicate important information:

- Media advisories through the City's Office of Communications can provide news agencies (including local radio and TV channels) with fact-based information about projects.
- Information about meetings for inclusion in local calendars, such as the Thursday insert in the Washington Post.
- Letters to the Editor.
- Advertising – this can be an expensive option and will require consideration about budget and target audience. City staff is continuing to test the effectiveness of targeted online advertising.
- It may take longer to publish information in print media due to time constraints associated with the medium. Using daily online news can be faster and may reach a broader audience.

Phone



While using the telephone might seem antiquated or inefficient as an outreach tool, there are limited situations in which it may be appropriate and worthy of consideration. **The simplicity of the tool means that it is accessible to many.**

- Particularly suited to short timelines, connecting with individuals who don't have computer access, and when a personal contact is needed in order to engage people in a project.
- Phone calls to personal friends can be an effective way of encouraging neighbors to participate in a given process.
- Communicators, or even City staff, can kick off an informal, old-fashioned phone tree that has the power of personal contact which eNews or flyers do not.
- Robo-calls can be targeted to specific areas to notify residents of an upcoming planning process.
- Telephone town halls provide a way for community members to call into a massive conference line to hear a brief update and ask questions.

Reaching the Community's Full Diversity

Alexandria is fortunate to have such a diverse community. However, a common concern of staff and community members alike is the lack of diversity in engagement from all parts of the community. The City has consistently had difficulty successfully engaging certain segments of Alexandria, particularly racial/ethnic minorities, low income residents, immigrants/foreign language speakers, renters, people who live in condominiums, persons with disabilities, parents of young children, and young Alexandrians (younger than 30).



Reaching all community members can prove challenging for a variety of reasons, common among them are:

- People are busy with jobs and families and are unable to attend meetings to learn about issues affecting them.
- People don't know about opportunities to participate, or they can't easily tell what the issue is or how it affects them.
- Lack of Internet/computer access.
- Many residents do not speak English or are reluctant to participate, because they are not U.S. citizens; however, involving noncitizen residents is strongly encouraged.
- Many people do not have cars or have physical disabilities that prevent them from going to meetings.
- Country of origin does not have a culture of civic participation.

"We have to find ways to involve the people who have dismissed or given up on the process of engaging in the democratic process."

- What's Next Participant

Reaching Diversity: Strategies

Staff will continue to work on improving outreach to segments of the community who do not typically participate and will develop an action plan to reach these community members. In order to encourage first time participation, it is important to identify community leaders to engage these populations, engage people where they are, personalize the communications, and improve the accessibility of information and events. Below are strategies to assist in this ongoing effort:

Develop relationships with formal or informal community leaders who are already known and trusted by the community and can best convey potential impacts or the importance of getting involved in a particular issue.

Hold group discussions after religious or community gatherings to reach those residents who are normally unable to attend meetings during the week or evenings. Use the opportunity to solicit suggestions on the best ways to communicate with the group.



Utilize digital communication. Not everyone has access to computers, but most people have access to a cell phone. Texting, Twitter, Facebook, community listserves and email alerts are effective tools for making multiple connections quickly. Translating brief alerts can be more feasible than disseminating entire documents in several languages.

Distribute flyers at neighborhood businesses and gathering places like grocery stores, Laundromats, gyms, schools, clinics, coffee shops and religious institutions. Get permission to post flyers in condo and apartment buildings on bulletin boards or in elevators, or in workplaces. Usually flyers can be easily/quickly translated into multiple languages.

“ It is always a great experience meeting different people with different viewpoints working toward a common goal. Alexandria is ours to prepare and preserve for the next generation. ”

- What's Next Participant

Contact local radio and TV stations to focus outreach on particular groups: Spanish-speaking channels (AM/FM); religious stations (AM); ACPS channel; local access channels.

Provide translation services and translated materials during meetings. Doing so makes everyone feel welcome and encourages participation. People do want to be involved in what is happening in their city – our job is to make that as simple as possible.

Consider transportation. Many residents rely on public transportation, which does not run frequently in the evenings; others cannot drive at night or have other restrictions precluding them from driving to meetings. Individuals with mobility issues or other special needs face great barriers in arranging evening transportation.

Provide childcare at key meetings to encourage and make it possible for parents with young children to attend.

Meet people where they are, in parks, recreation centers, community or school events, neighborhood businesses, even bars.



Reaching Diversity: Summary

Expanding participation in decision-making in the City will require a multifaceted communications and engagement approach. Because residents get their information in many different ways, multiple channels of communication are necessary, from low-tech to high-tech, and everywhere in between.

Staff time and resources are limited, so the process will work best when the community shares in the responsibility for outreach. Communication needs to occur early and then consistently throughout all City planning/decision-making processes.

Finally, communication must be clear and understandable so people know what is being asked of them and how they can participate.



Implementation

This Handbook sets forth the policies and procedures for consistent implementation of the *What's Next Alexandria* civic engagement work, an effort that spans City government. Application of the principles and framework must be fundamentally consistent citywide, but the level of effort may vary from project to project to be realistic and achievable.

An effective organizational structure is necessary for successful implementation. The City will utilize a hybrid structure, with some elements centralized and others decentralized to ensure both consistency and cost-effectiveness/efficiency.

The City Manager's Office will provide oversight to ensure that expectations are clear, resources are adequate to meet expectations, and staff is held accountable for results. A key element of this role will be management of resources to provide facilitation training to staff involved in civic engagement work throughout the City. Facilitation training for staff and members of the community will help embed this new approach – and in some cases, culture shift – in everyday work in a consistent way.

Staff training will consist of two parts: skill building and content.

The skill-building piece will focus on how to run productive meetings, facilitate small group discussions, and manage difficult situations. The content element will train staff in Alexandria's new civic engagement “way” – how to apply the principles, use the framework, and run a meaningful and constructive civic engagement process.

In order to create staff ownership of the new approach, trainers will help staff understand why this effort is important to the City as a whole and what the benefits are to them in their work. Training will be accompanied by a short staff manual (essentially the appendices of this Handbook) outlining the policies and procedures. Training will be followed up by regular communication to the departments about expectations.

The individual departments will integrate the new standards and framework into their existing operations. All of the planning efforts included on the City's Interdepartmental Work Program will follow the principles and guidelines established in the Handbook.

Implementation

Having the departments lead the implementation effort, rather than through a centralized administrative function, allows the civic engagement approach to meet the needs of the specific project. It also encourages ownership of implementation, which speeds the internalization of the new civic engagement approach.

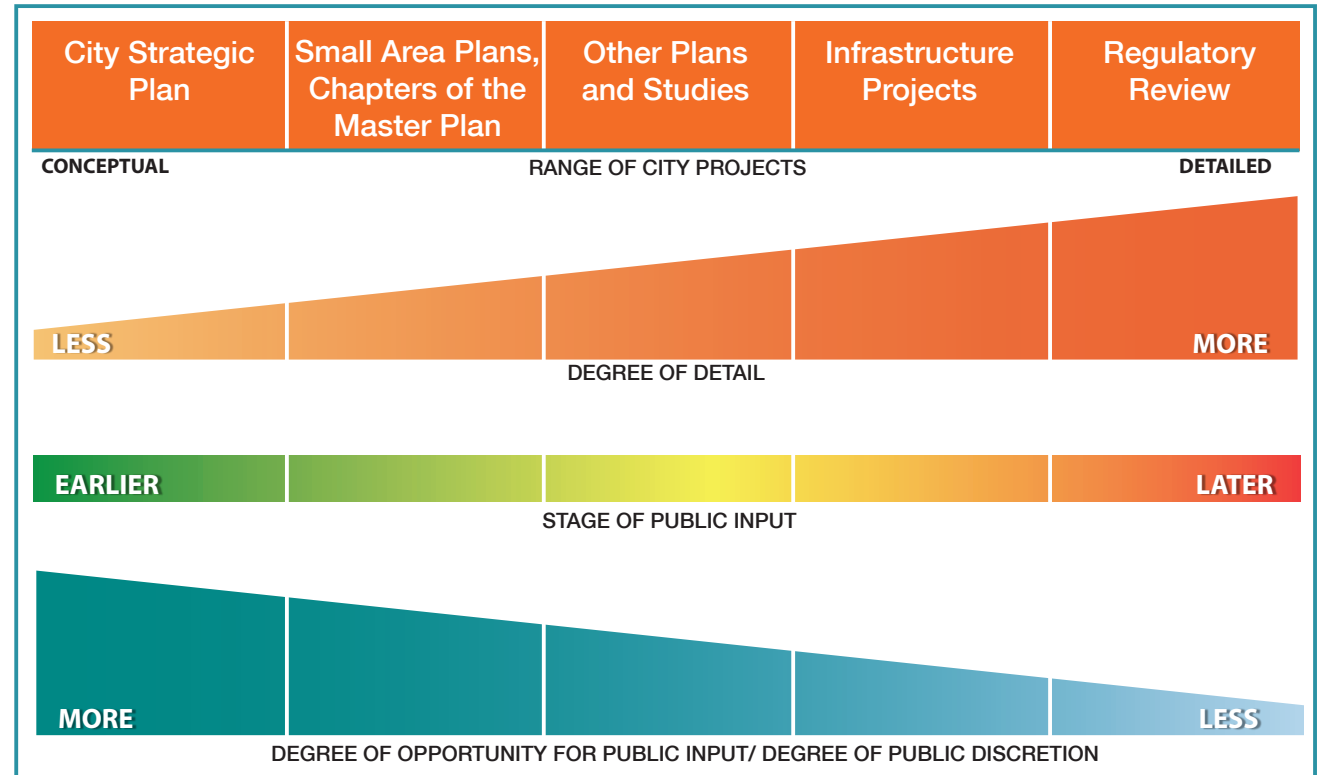
Because the projects are of different scales, from a Small Area Plan process to a more focused technical study, each project's civic engagement framework will be distinct, but the common threads will be the principles and the agreed upon phases of the process overall.

Examples of City projects that will require a civic engagement framework and the most comprehensive levels of outreach and public participation include the City Budget, Small Area Plans (SAPs), and Citywide Chapters of the Master Plan. SAPs tend to provide an opportunity for a great deal of public input and discretion in the beginning of the process, because they establish a long term vision for an area. SAPs must also remain consistent with the City's strategic plan, funding capacity, and develop contributions. At the other end of the continuum is development review, where applicants

have existing property rights for development and an obligation to comply with a previously adopted Small Area Plan, which the public has presumably already participated in developing. The community can weigh in on a project's consistency with the Small Area Plan, zoning, and a variety of details, but the major issues such as use, scale, and density have already been established by the community in the Small Area Plan.

An interdepartmental working group will monitor civic engagement implementation across departments and provide guidance on refining the organizational structure as needed. This group will develop a set of guiding criteria to serve as a threshold for understanding when a City project requires a civic engagement plan or when the Handbook is simply a reference document for general engagement on smaller projects. Performance accountability will be managed by the City Manager's Office following recommendations from the interdepartmental group.

This chart serves as a general guide to help demonstrate the scope and nature of public participation in the range of decision making processes in the City. This is not to suggest that a greater/lesser level of public input can/cannot occur at any stage of the process, but serves as a general guide.



This graphic illustrates the relationship between the range of City plans and projects. It shows how the City Strategic Plan informs each successive tier of plans, projects, and regulatory review, from the more conceptual/strategic down to the more detailed. The public decisions made in the smaller circles must be consistent with the overarching policies and plans found in the progressively larger circles.

Evaluation

City departments, led by the Civic Engagement Interdepartmental Working Group, will conduct ongoing assessment of civic engagement performance by project.

Staff will develop a brief summary of each project's civic engagement process and outcomes as well as a brief evaluation. Staff will consider the following data points and performance to develop the evaluation using the project evaluation template provided in the appendix.

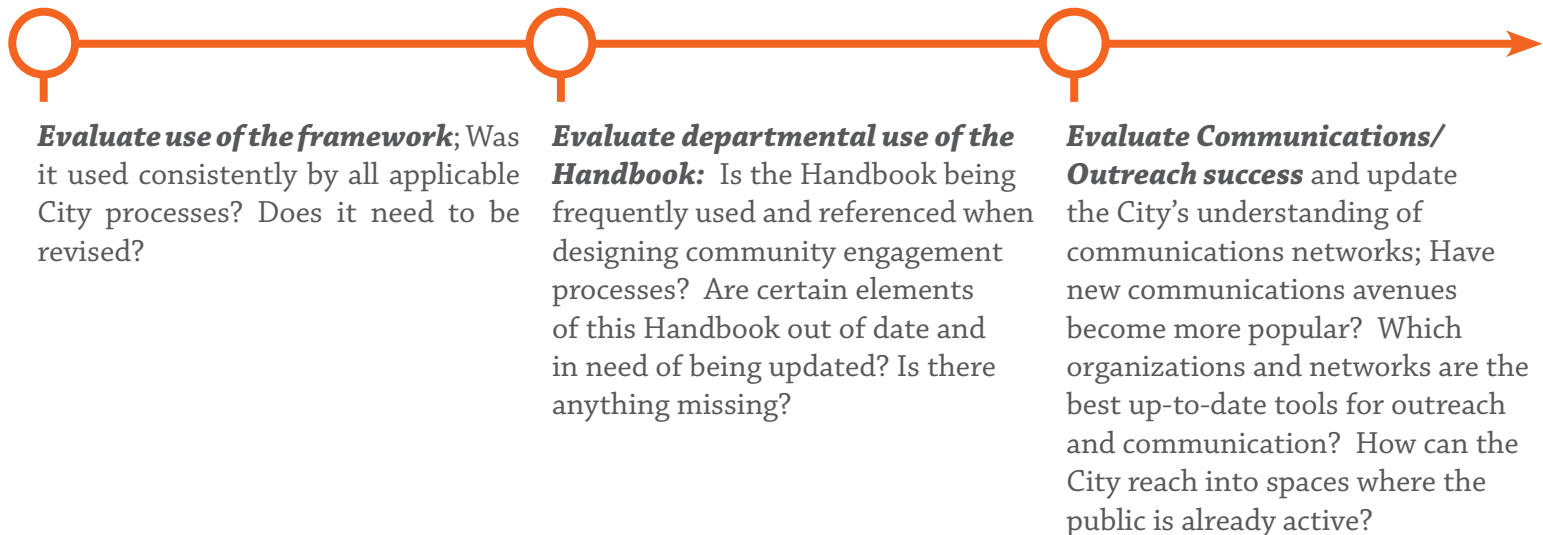
- **Track and review data on participation.** It would be intrusive to ask participants to report their demographic characteristics at every civic engagement event, but it is still possible to gauge the diversity of the participant group. For example, it is possible to report on data such as how many families used the provided childcare, or how many individuals used the translation services. Some questions can be added to the sign in sheet to help track participation, such as “is this your first time participating in a City process?” One way of tracking geographic diversity is to ask participants to place a dot on a map where they live and work.
- **Assess the organizing and communication process:** Which outreach methods were used, how frequently were they used and how did they succeed in garnering participation?
- **Review and assess use of the Framework:** Was it shared with the community in advance of starting the process? Was it used properly and followed? Was it updated if needed?
- **Review meeting evaluations** for further insight into department success. Participants may have the opportunity to evaluate each meeting, as in the What's Next Alexandria Process, or each phrase, or the project as a whole.
- **Assess project accountability and transparency:** Did departments make the Framework available prior to each project? How quickly were meeting results and summaries posted for the public?
- **Assess performance of each principle,** using the actions and outcomes checklists.

Annual Evaluation

During the first year, the Interdepartmental Working Group will develop a proposed plan for future annual review of civic engagement performance. While the benefits of an annual review are clear – ongoing assessment and refinement of the City’s Civic Engagement performance – the staff resources to conduct such an effort could be significant. The City should not devote resources to assessment at the expense of doing the actual civic engagement work well.

Therefore, the Working Group will need to carefully consider and weigh the ***most efficient and effective model for evaluating performance and holding the City accountable*** for its commitment to civic engagement.

The proposed plan will be shared with the community for comment. An annual evaluation would consider the following elements based on input received from community evaluations and identify areas of improvement:





Evaluate new and emerging online and digital engagement techniques: Have new forums for online engagement become popular or free?

Celebrate small victories: Increasing public engagement across the City will require years of sustained, collaborative, and considered progress.

Define the process for revising the Civic Engagement Handbook when necessary.

Assess the City's implementation structure. Is there a problem with consistency or has the effort become too administratively onerous? Does the hybrid approach need to be adjusted to gain more consistency or to allow for more flexibility based on workflows? Portland, Oregon, which underwent a similar civic engagement process to Alexandria's, established a Civic Engagement Advisory Commission to perform the evaluation assessment, five years after completing the original civic engagement initiative.

Appendices

A-1	Appendix A	<i>What's Next Alexandria</i> Process	A-18	Appendix F	Communications and Engagement Toolbox
		Learn about the progression of the <i>What's Next Alexandria</i> initiative from concept through completion, including a timeline of community engagement opportunities and plans for implementation.			Matrix of suggested community engagement and communication tools with descriptions, resource requirements and applications.
A-8	Appendix B	Resources	A-32	Appendix G	Meeting Evaluation Template
		Resources and background information collected on public participation throughout the United States.			Sample evaluation form to be completed by participants of community meetings.
A-10	Appendix C	Civic Engagement Meeting Ground Rules	A-34	Appendix H	Project Evaluation Template
		Community meeting ground rules utilized during the <i>What's Next Alexandria</i> process.			Sample project evaluation form to be completed by staff upon completion of city projects.
A-11	Appendix D	Civic Engagement Framework Template	A-37	Appendix I	Community Engagement Strategy Evaluation Template
		Process framework template to be utilized by staff at the outset of all City projects that require and benefit from public participation.			Sample project evaluation form to be completed by participants of community meetings.
A-14	Appendix E	General Threshold Applicability Guidelines for Civic Engagement Process			
		Matrix clarifying how the civic engagement framework and principles apply to the range of projects the City undertakes.			

Appendix A: What's Next Alexandria Process

Summary

What's Next Alexandria is a City initiative to gather information and develop and implement strategies for improving and expanding civic engagement in Alexandria. Through a series of community conversations and online participation starting in September 2012 through June 2013, members of the community collaborated with City staff and City officials to talk about how Alexandrians can best participate in the public decision-making process that shapes the City. Opportunities for engagement included four community dialogues where participants worked together in small groups, four opportunities for online engagement, some of which supplemented dialogue work; and three opportunities for real time online video engagement during the dialogues. The final product is Alexandria's Civic Engagement Handbook, to guide the City and the community in future public participation efforts.

A hallmark of the process was modeling the civic engagement principles that emerged from the community's early input in the first community poll and as they developed over time, and responding to community suggestions and concerns. At times, this

meant making changes that ultimately enhanced the process and the end product. The overarching effort was to establish standard practices to build trust and increase transparency, and expand the opportunities for participation. This included: asking the community for feedback before issues have been framed and decisions made, posting verbatim feedback and summaries on website, providing significant advance notice of meetings, offering online opportunities to participate and review, using members of the community as facilitators, and offering Spanish interpretation and childcare at meetings.

The City of Alexandria team involved in *What's Next Alexandria* spanned multiple departments, including the City Attorney's Office, the City Manager's Office, Communications and Public Information, the Department of Community and Human Services, the Virginia Health Department, Information Technology Services, Recreation Parks, and Cultural Activities, Planning and Zoning, and Transportation and Environmental Services, as well as ACTion Alexandria, the Alexandria Economic and Development Partnership, and a city resident/Civic Engagement practitioner to provide subject matter expertise.

**Opportunities for engagement:
September 2012-June 2013**

Online poll (Sept. 18 – Oct. 25) on ACTion Alexandria in English and Spanish

- Topic: health of civic engagement in City, community preferences for getting information/providing feedback on public decision making processes.
- Received 1,614 responses, some in Spanish, most in English

Community Dialogue #1, November 15, 2012, First Baptist Church

- 165 participants defined optimal civic engagement and City/community roles

Online poll (January 4-14, 2013) on ACTion Alexandria

- Topic: Confirm the categories for Principles of Civic Engagement.
- 130 people responded, majority confirmed the 8 principle categories.

Community Dialogue #2, January 29, 2013, First Baptist Church

- 120 participants crafted principle statements, planning process framework.
- City piloted live streaming video and online chat – allowing remote participation in same activities as those attending the meeting.

Online poll (March 19-April-9) on ACTion Alexandria

- Topic: Review/affirm synthesized principle statements.
- 160 people responded.

Community Dialogue #3, April 30, 2013, First Baptist Church

- 120 participants heard feedback on final draft principle statements and process framework and discussed concrete steps for applying the principles/framework.
- City offered live streaming video and online chat

Online Comment Board (May 9-May 23) on What's Next Alexandria webpage

- Community had the opportunity to review and comment on the civic engagement process framework.

Community Dialogue #4, June 24, 2013, First Baptist Church

- 90 participants reviewed community achievements to date and outline of content that will be included in the Civic Engagement Handbook as well as the process for developing the final draft and community review of the document; Participants also collaborated to expanding the City's partnerships and outreach capacity and citizen participation in engaging the broader community.
- City offered live streaming video and online chat.

Online Comment Board (June 26-July 30) on What's Next Alexandria webpage

- Community had the opportunity to review and comment on the preliminary draft outline of the civic engagement handbook.
- 5 people provided comments

Note: All materials collected during the What's Next Alexandria Process, including small group work from the community dialogues, meeting evaluations, and responses to online polls, can be found in summary and verbatim form on the project website: alexandriava.gov/whatsnext.

Narrative Summary

a. Community Poll Launches *What's Next Alexandria* Process

In September 2012, the community participated in an online poll on the future of civic engagement in Alexandria, addressing community preferences for getting information and providing feedback on public decision-making processes. The poll was the first step in the *What's Next Alexandria* initiative to collect input on the community's thoughts about civic engagement, both in terms of personal experience and suggestions for improvement.

The poll was available online on the ACTion Alexandria website and on paper at various locations throughout the community including recreation centers, libraries and through community organizations. It consisted of 10 questions about civic engagement and planning for the City's future. In order to reach as many residents as possible, news of the survey was distributed via the City's eNews service, City website, media advisories, by email to City Boards and Commission members, community and civic organizations, past participants in planning processes, ACTion Alexandria email list, and to several neighborhood listservs.

Poll results were shared at the first Community Dialogue on November 15 and on the *What's Next Alexandria* website.

b. Development of the Principles of Civic Engagement

Alexandria's Principles of Civic Engagement were developed by the community to guide public participation in the City. The process for developing the principles began in the first Community Dialogue in November 2012, and continued through the succeeding dialogues as well as online engagement opportunities supplementing the work completed in those meetings.

At the first Community Dialogue, participants answered the following three questions individually and with their tables:

- What does ideal engagement feel like?
- What is expected of you as an engaged community member?
- What do you expect in return for your effort?

All responses were catalogued and synthesized following the meeting and brought back during the Second Community Dialogue for participants to review and craft principle statements, which were then further distilled by community facilitators collaborating with City staff. Finally, the draft principles were presented online for the community to affirm. Once confirmed, the Final Principles of Civic Engagement were official.

c. Development of the Framework for Civic Engagement

The Framework for the civic engagement process was initiated in response to concern that there was a lack of consistency in how the City engages the community in different projects. During the second Community Dialogue on January 29th, participants began developing the Framework to establish a shared understanding of what to expect in every process for how, when, and where the community should be engaged. Staff consolidated feedback received from dialogue participants and posted it for public comment on the website. No comments were posted, and so the Framework was further explained at the third Community Dialogue to serve as a basis for a discussion about how it will be implemented.

Following feedback received from the third dialogue, the community was again given the opportunity to provide online comments on the Revised Draft Civic Engagement Framework from May 9th through May 23rd. No comments were received. There were a number of suggestions from the volunteer facilitators to simplify the language in the framework. Staff collaborated with the facilitators to make the framework easier to understand for people who are not experience in civic engagement. These changes were presented to the community at the fourth community dialogue and the revised Framework is incorporated in this handbook.

The Framework will be used by City staff at the outset of all City projects that require and benefit from public participation.

(See Appendix D for Framework Template)

d. Live Internet Video Engagement

During the second Community Dialogue, the City of Alexandria tested and evaluated live Internet video engagement. This online option served as a Virtual Table, allowing community members who could not attend in person to watch it unfold in real time, participate with other viewers in group exercises through a moderated live chat, and tell us what they thought of this tool for future use. The community again had the opportunity to participate in the City's Virtual Table during the 3rd and 4th Community Dialogues. The Virtual Tables were met with positive response from the community and opened a door to another avenue for public participation. While this tool may not be cost effective for all City meetings, it provides a great opportunity for people who cannot attend meetings.

(See Appendix F, Communication and Engagement Toolbox)

e. Community Facilitators and Communicators

In response to participant feedback from the first Community Dialogue, the City asked community members to serve as facilitators during the subsequent dialogues. *What's Next Alexandria* facilitators attended training sessions and invested as volunteers in the community to expand and improve civic participation in Alexandria. A core group of community facilitators grew and were well received by participants, illustrating the effectiveness of community volunteers in the civic engagement process.

Over the course of the *What's Next Alexandria* process, many participants indicated a willingness to volunteer in some

capacity – whether as a facilitator or communicator – to help the City expand civic engagement. Community members and staff advocate building on the foundation established in *What's Next Alexandria* by forming an informal network community volunteers that will result in a growing community capacity for pursuing shared goals and the empowerment of individuals to influence decision-making, strengthening contact between residents and City government.

f. Communication

Throughout the *What's Next Alexandria* process, participants made many suggestions for improved communication between the community and the City, as evidenced by the initial community poll and subsequent engagement opportunities. During the fourth Community Dialogue, participants assessed the value of various methods of communication and how they could be used to support community networks. People consistently stressed the importance of early and clear communication, delivered through as many channels as feasible.

Many *What's Next Alexandria* participants mentioned that they heard about the dialogues via email from groups they are connected with or individuals they know who forwarded a City eNews. Others indicated they wouldn't have known about the meetings unless they saw the flyers posted around their community. What became clear based on all feedback is that people get their information in many different ways, and in order to reach the broadest possible audience, the City needs to communicate information in many ways.

(See Appendix F, Communication and Engagement Toolbox)

g. Draft Civic Engagement Handbook

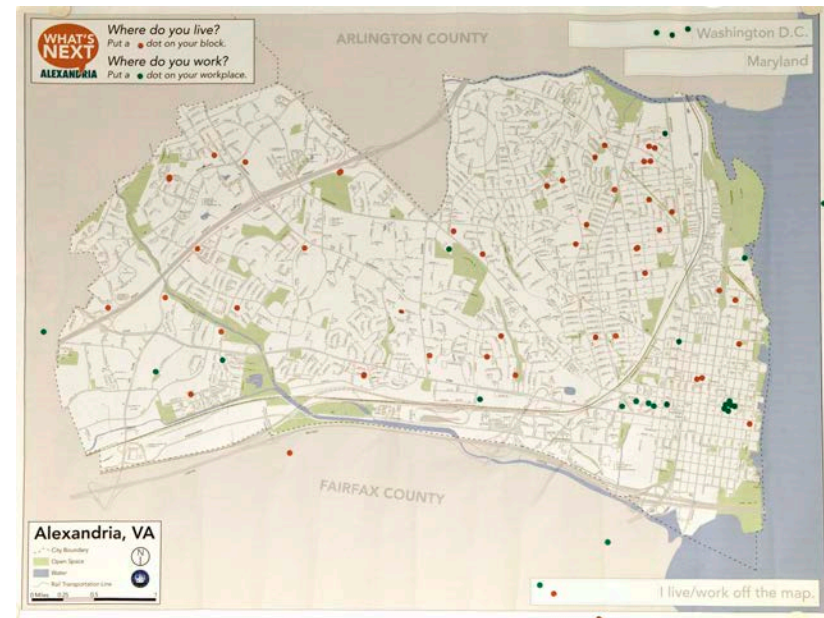
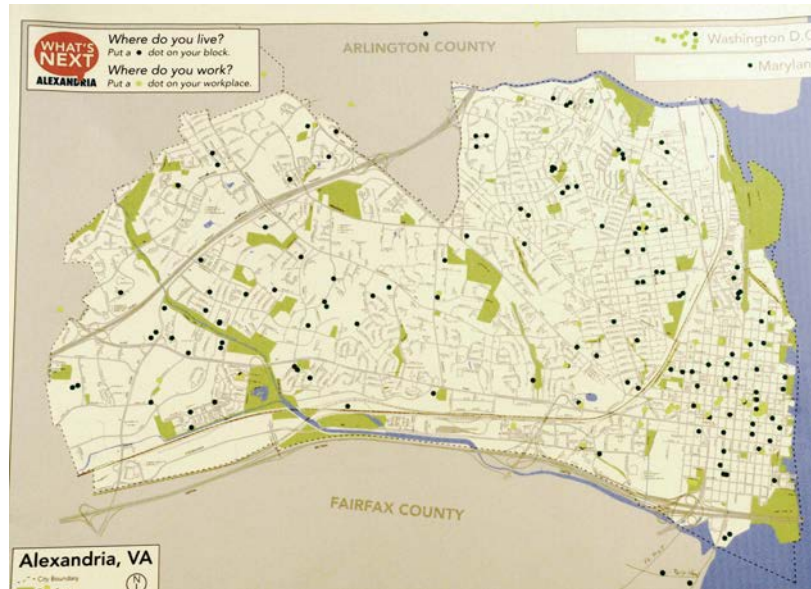
The culmination of the community's efforts is the completion of this Handbook for Civic Engagement in Alexandria, which pulls together all of the community's work developing the following:

- Principles of Civic Engagement, including concrete action steps and indicators of success.
- General framework for public decision-making processes.
- Recommendations for implementation and evaluation.
- Strategies and toolbox for communication/engagement.
- Documentation of *What's Next Alexandria* process.

During the fourth Community Dialogue, participants reviewed the draft elements of the Handbook. Following the dialogue, community members had an opportunity to review and comment on the preliminary draft outline on the City's online comment board.

The complete draft Handbook is posted online and has been circulated in hardcopy for community review. Printed copies have been distributed to community/rec centers and libraries across the city. Staff briefed Commissions in September, and City Council will consider the Handbook at their public hearing on January 25, 2014.

Maps from Community Dialogues: Where do you live and work?



Appendix B: Resources

Below are resources and background information staff has collected, referred to and shared with the community. Links to all of these references can be found by visiting the What's Next Alexandria Resource webpage: www.alexandriava.gov/67950.

National organizations

- [Alliance for Innovation](#)
 - [White paper: Connected Communities: Local Governments As a Partner in Citizen Engagement and Community Building](#)
- [America Speaks](#)
- [Consensus Building Institute](#)
- [Deliberative Democracy Consortium - Model Public Participation Ordinance](#)
- [Everyday Democracy](#)
- [Harvard Kennedy School, Saguaro Seminar on Civic Engagement](#)
- [Institute for Local Government](#)
- [International Association for Public Participation](#)
- [National Coalition for Dialogue and Deliberation](#)
- [National League of Cities -- City Examples of Civic Engagement](#)
- [National League of Cities: Planning for Stronger Local Democracy Toolkit](#)
- [Pepperdine School of Public Policy – Davenport Institute for Civic Engagement](#)
- [Sustainable Cities Institute](#)

Jurisdictions with notable civic engagement programs or reports:

- [Arlington County, Virginia](#)
- [Norfolk, Virginia](#)
- [Boston – Community Engagement Strategy](#)
- [Dialogue and Deliberation for Civic Engagement in Chicago: Building a Community of Practice](#)
- [Decatur, Georgia](#)
- [Denver, Colorado: South Lincoln Housing Redevelopment](#)
- [Eau Claire, Wisconsin: Clear Vision Eau Claire](#)
- [Illinois Department of Transportation, Circle Interchange Stakeholder Involvement Plan \(SIP\): A blueprint for defining methods and tools to educate and engage stakeholders in the decision-making process for this project.](#)
- [King County, WA: Countywide Community Forums, Public Engagement Program Evaluation](#)
- [New Hampshire: New Hampshire Listens](#)
- [New York Regional Planning](#)
- [Philadelphia, PA: Budget Planning](#)
- [Portland, Oregon Office of Neighborhood Involvement](#)

- [City of Portland Public Involvement Principles](#)
- [Portsmouth, New Hampshire: Portsmouth Listens](#)
- [Salem Sustainable Cities Initiative: Civic Engagement Strategies](#)
- [San Francisco, California](#)
 - [San Francisco Planning Department: Public Outreach, Engagement Effectiveness Initiative](#)
- [Toronto: Review and Reflection on Current Practices and Future Approaches](#)
- [Ventura, California Civic Engagement Division](#)
- [Utah: Envision Utah](#)
- [Vancouver, Canada: Greenest City Initiative](#)

Examples of Online Engagement Platforms

- [Action Alexandria](#) – brings together neighbors and local nonprofit organizations to exchange ideas, coordinate efforts, and solve problems in our community.
- [Civic Commons](#) – collaborative catalog of civic apps to help cities engage
- [Code for America](#) - working to change the way cities work through technology and public service
- [Crowdsourcing](#) - obtains ideas by soliciting contributions from a large group of undefined people from the online community
- [IdeaScale](#) – online civic engagement platform
- [Mindmixer](#) – online civic engagement platform
- [Neighborland](#) – online civic engagement platform
- [OpenPlans](#) – non-profit focused on open government and transportation
- [Open Town Hall](#) – online civic engagement platform

- [The Project for Public Spaces](#) -- Digital Placemaking
- [UserVoice](#) – online civic engagement platform

Articles about Civic Engagement

- [Learning to Listen in Portsmouth New Hampshire](#)

Appendix C:

Civic Engagement Meeting Ground rules

In response to community feedback received in the first community poll, and consistent with the civic engagement principles established through *What's Next Alexandria*, the following ground rules should be shared with participants at the outset of all meetings.

- ✓ Treat each other with respect.
- ✓ Only one person speaks at a time.
- ✓ Give everyone a chance to participate equally; avoid dominating.
- ✓ Listen as an ally, not an adversary. Everyone should feel comfortable expressing their opinion regardless of differences.
- ✓ Ask for clarification, don't assume you know what someone means.
- ✓ Do not characterize other people's views in or outside a group's meetings.
- ✓ Turn off or silence all cell phones and mobile devices.

Appendix D: Civic Engagement Framework Worksheet

See the following two pages for printable Civic Engagement Framework worksheets.

Civic Engagement Framework

City Department:

Project:

Goal :

Overall project timeline:

Phase 1 Information (Gathering, Organizing, Understanding)

Key Principles:

Meaningful Engagement
Mutual Accountability
Early Involvement
Easy Participation
Inclusiveness and Equity
Respect

Engagement Activities:

- ☐ Hold public meetings that are well-organized and include group work to hear community opinions
- ☐ Collect research and identify community concerns
- ☐ Educate community on important issues about the project (online and in person)
- ☐ Reach out to the community to encourage participation (phone calls, door knocks, flyers, online)
- ☐ Visit a project location as a group

Tools:

- ☐ Offer online participation (surveys, forums, social media)
- ☐ Use graphics, maps, 3D models, & pictures to explain project

Products:

- ☐ Community engagement plan
A preliminary report that describes the project, schedule, tasks, and budget
- ☐ Clear goals for each step of the process that must be met before moving to the next step
- ☐ Community's list of issues to address and their view of what we should be working toward

- ☐ _____
- ☐ _____

2 Options (Discuss and Evaluate Options)

Key Principles:

Sustained Collaboration
Easy Participation
Transparency
Inclusiveness and Equity
Respect

Engagement Activities:

- ☐ Hold public meetings that are well-organized and include group work to hear community opinions
- ☐ Provide information about options, including what has worked well in other places
- ☐ Research possible options and potential impacts

Tools:

- ☐ Offer online participation (surveys, forums, social media)
- ☐ Hold group meetings with people who are affected by project
Use graphics, maps, 3D models, & pictures to explain project

Products:

- ☐ Short term report with realistic options for achieving the shared view
Provide tools to help the community
- ☐ choose between the options
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

3 Recommendations

Key Principles:

Transparency
Easy Participation
Sustained Collaboration
Mutual Accountability
Meaningful Engagement
Respect

Engagement Activities:

- ☐ Hold public meetings that are well-organized and include group work to hear community opinions
- ☐ Present final options and how/why they were selected
- ☐ Hold public hearings where community members can make statements for City officials to consider, revise, and/or approve

Tools:

- ☐ Offer online participation (surveys, forums, social media)
- ☐ Hold group meetings with people affected by project
- ☐ Hold meetings open to the public for elected officials to hear comments and make decisions

Products:

- ☐ Report with options that have been reviewed and chosen; Report will show how community ideas guided the final recommendation, and will include the proposed plan and schedule to complete the work
- ☐ _____
- ☐ _____
- ☐ _____

4 Implementation and Maintenance

Key Principles:

Transparency
Meaningful Engagement
Sustained Collaboration
Mutual Accountability
Evaluation
Respect

Engagement Activities:

- ☐ Offer visits to project sites as needed
- ☐ Evaluate how well the plan is being carried out
- ☐ Identify someone from the City who is responsible for the work and who citizens can call
- ☐ Involve the community in carrying out the plan in each phase of the process

Tools:

- ☐ Provide a schedule of project activities to carry out the plan
- ☐ Notify community about public meetings

Products:

- ☐ Use objective measurements to determine if the community engagement in the decision-making process was successful
- ☐ Provide regular progress reports
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Civic Engagement Framework

City Department:

Project:

Goal :

Overall project timeline:

Phase 1 Information

2 Options

(Discuss and Evaluate Options)

3 Recommendations

4 Implementation and maintenance

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Appendix E: General Threshold Applicability Guidelines for Civic Engagement Process

Type of Project	Geographic Relevancy	Public hearing*	Output	Typical Length of Process	Scope of public input: Does the public decision have a high, medium, or low level of public discretion? How much is on the table that the public can weigh in on?	** IAP2 Level of Civic Engagement Goal: 1 -inform; 2-consult; 3-involve; 4-collaborate (see definitions after spreadsheet)	Description
Citywide Major Public Policy Documents							
City Council Strategic Plan	Citywide residents	Yes	CC Plan	12 months (+/-)	High level of public involvement and discretion.	4 - Collaborate	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive.
City Budget	Citywide residents	Yes	CC Detailed Budget	12 months	Currently, citizens have the opportunity to comment on the City Manager's proposed budget released in February of each year.	3 - Involve	While application of the framework may not fit with the budget schedule, outreach and request for community input should be comprehensive.
Chapters of the Master Plan, Small Area Plans or Special Studies							
Chapters of the Master Plan: Small Area Plans (SAP) and Programmatic Plans, such as Open Space Master Plan, Citywide Parks Planning, Aging Plan, Housing Master Plan, Public Art Master Plan	SAP area or citywide, varies	Yes CC	PC, Plan	18 months (+/-)	Small area plans (SAPs) tend to provide an opportunity for a great deal of public input and discretion because they establish a long term vision for an area, at the beginning of that "long term," although the plans must be consistent with the City's strategic plan, funding capacity, and developer contributions. Same applies to programmatic chapters of the master plan.	4 - Collaborate	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive.
Special Studies such as Parking Study, Infill Study; Union Street Corridor Study; Industrial Use Study; Wayfinding Design Guidelines	Varies	Yes/Varies	Report/Study	12 months (+/-)	Generally have a more limited scope than chapters of the Master Plan, but still provide opportunity for significant public input.	4 - Collaborate	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive.
Transportation Master Plans, Transit Corridor Plan, Ped/Bike Master Plan, Complete Streets Design Guidelines	Varies	Yes/Varies	Plan	18 months (+/-)	Similar to chapters of the master plan above, although may also have some engineering and state/federal mandates constraining options.	2 - Involve	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive.
Infrastructure Plan, such as Sewer Master Plan; Stormwater Management Plan	Citywide residents	Yes	Plan	18 months (+/-)	Much less on the table compared to SAP because of technical engineering constraints and state/federal mandates. However, where options exist, public should have opportunity to weigh in.	3 - Involve	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive, as possible given constraints of state/federal mandates.
Infrastructure Projects							
New Facilities (School, firestation, etc)	Specific location or citywide	Yes CC	PC, Construction Documents	18 months (+/-)	Constrained by capital funding and specific infrastructure requirements, but where options exist, public should have as much opportunity to weigh in as possible.	2 - Consult	Communications and outreach should be thorough and opportunity for comment should be provided, consistent with Whats Next Alexandria guidelines, but the process does not require application of the framework.

APPENDIX E | GENERAL THRESHOLD APPLICABILITY GUIDELINES FOR CIVIC ENGAGEMENT PROCESS

Type of Project	Geographic Relevancy	Public hearing*	Output	Typical Length of Process	Scope of public input: Does the public decision have a high, medium, or low level of public discretion? How much is on the table that the public can weigh in on?	** IAP2 Level of Civic Engagement Goal: 1-inform, 2-consult; 3-involve; 4-collaborate (see definitions after spreadsheet)	Description
Transportation or utility system improvements e.g. horizontal infrastructure, complete streets, bike lanes, pedestrian improvements.	Specific location or citywide	No	Construction Documents	18 months (+/-)	If consistent with/called out in the transportation master plan or other infrastructure utility related plans, then, outside of the manner with which the project is implemented, there is relatively little on the table for discussion. In that case, it would simply be implementation of an already approved community-developed plan. If improvement is in addition to/not called out in a previously approved plan, then the level of community input should be higher.	2- Consult/3 - Involve	Communications and outreach should be thorough and opportunity for comment should be provided, consistent with Whats Next Alexandria guidelines, but the process does not require application of the framework.
Regulatory Ordinance and Code Changes							
Changes to the Code or text amendments to the Zoning Ordinance or similar regulatory changes such as parking ratios, taxis, massage establishments, or outdoor dining, etc.	Specific location or citywide	Generally Yes PC, CC	Zoning Text Amendment	Varies	Should be consistent with already approved city policy and plans, but public can weigh in on details not already established in previous planning efforts.	2 - Consult	Communications and outreach should be thorough and opportunity for comment should be provided, consistent with Whats Next Alexandria guidelines, but the process does not require application of the framework.
Regulatory Review							
Rezoning/Map Amendments	Specific site	Yes CC	PC, Rezoning, Map Amendment	Varies	Property owners or the City can initiate rezonings/map amendments (zone/land use changes and corresponding map changes) to the master plan. Whether initiated by property owner or the City, the level of input by the community would be like that which occurs during the development review process. When a rezoning is initiated by a property owner, the community can weigh in on a project's consistency with the Small Area Plan, zoning, and implications to the adjacent and surrounding areas through community and public meetings. When initiated by the City, the rezoning/map amendment would include a community engagement process from the City.	2 - Consult	Communications and outreach should be thorough and opportunity for comment should be provided, consistent with Whats Next Alexandria guidelines, but the process does not require application of the framework.

APPENDIX E | GENERAL THRESHOLD APPLICABILITY GUIDELINES FOR CIVIC ENGAGEMENT PROCESS

Type of Project	Geographic Relevancy	Public hearing*	Output	Typical Length of Process	Scope of public input: Does the public decision have a high, medium, or low level of public discretion? How much is on the table that the public can weigh in on?	** IAP2 Level of Civic Engagement Goal: 1-inform, 2-consult; 3-involve; 4-collaborate (see definitions after spreadsheet)	Description
Development Application Review	Specific site	Yes OC	PC, Entitlement for property owner; developer contributions/ community benefits for City.	18 months (+/-)	Property owners can develop "by right" or seek approval for additional development rights. With the latter, there is more "on the table" for the community to weigh in on. Development applications have existing property rights for development and an obligation to comply with previously adopted Small Area Plan, which the public has presumably already participated in developing. Community can weigh in on a project's consistency with the Small Area Plan, zoning, and a variety of details, but the major issues such as use, scale, density have already been established by the community in the Small Area Plan.	2 - Consult	Applicants are required to conduct standard community outreach and generally abide by principles of civic engagement. Framework need not be applied.
SUP Review	Specific site	Yes OC	PC, Government approval	3 months (+/-)	Business owners required to comply with existing regulations. Community can provide comment before and at public hearings for Planning Commission consideration.	2 - Consult	Applicants are required to notify adjoining property owners.
BAR Cases	Specific site	Yes BAR, PG BAR	CHAD Government approval	3 months (+/-)	Property owners required to comply with existing regulations and guidance of the historic districts. Community can provide comment before and at public hearings for Board consideration.	2 - Consult	Applicants required to notify adjoining property owners.
BZA Cases	Specific site	Yes BZA	Government approval	3 months (+/-)	Community can provide comment before and at public hearings for Board consideration.	2 - Consult	Applicants required to notify adjoining property owners.

Notes:

This matrix serves as a guide only. Specific programs/projects/policies may require more or different engagement than shown in the chart. Not all project types may be listed above. Questions about a specific project should be directed to the Department and project manager.

* There are many more opportunities for public input in advance of public hearings.

**International Association for Public Participation (IAP2)

Definitions of Levels of Engagement from IAP2

http://www.iap2.org/associations/4748/files/IAP2%20Spectrum_vertical.pdf

1 - Inform: We will keep you informed.

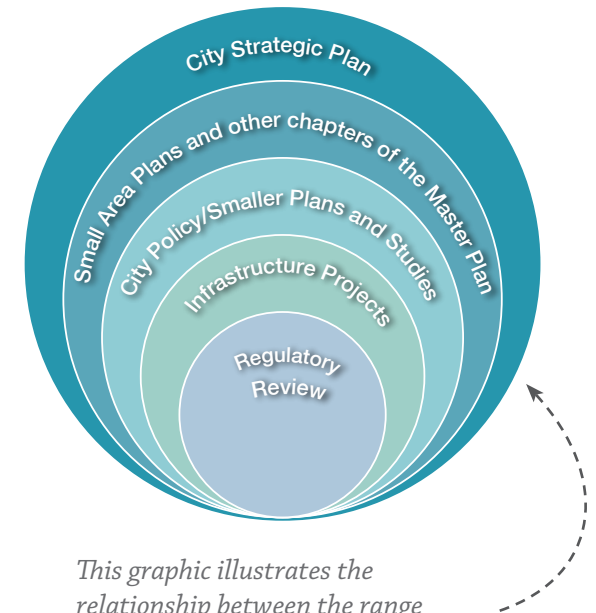
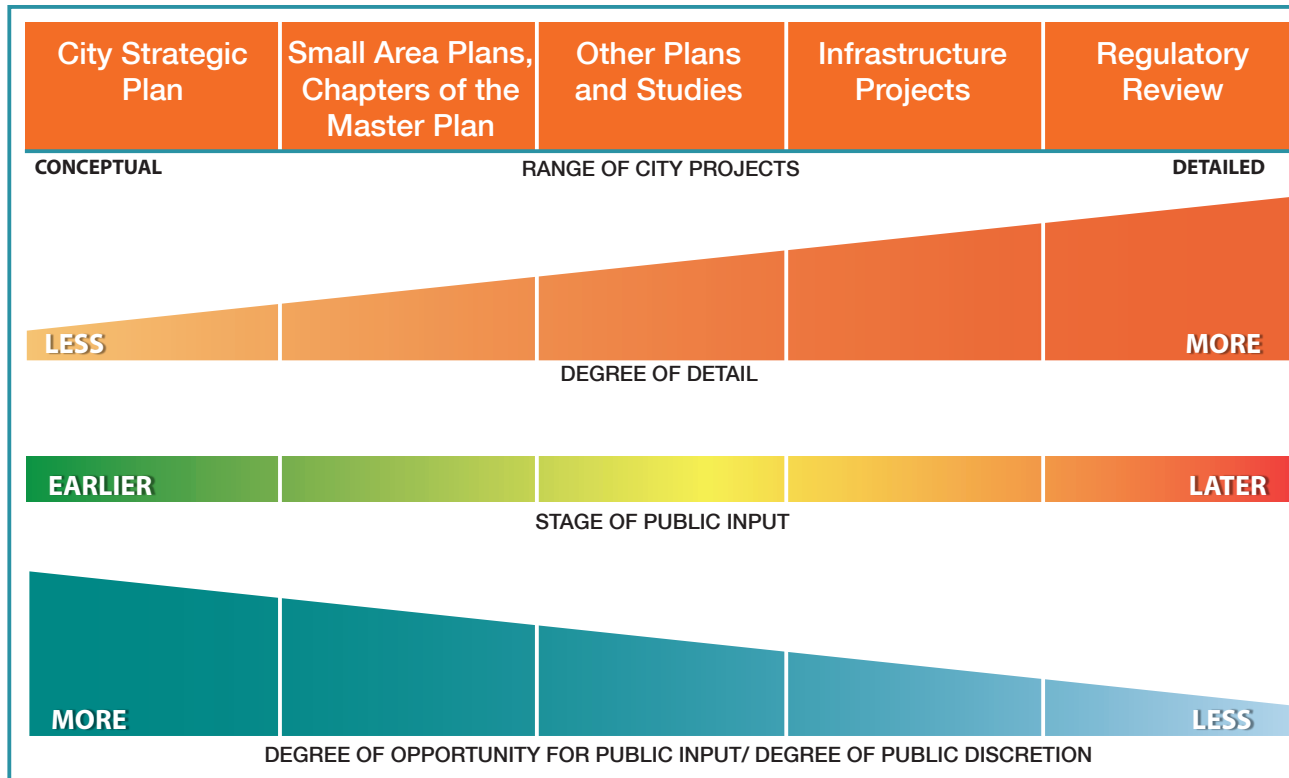
2 - Consult: We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision

3 - Involve: We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input shaped the result

4 - Collaborate: We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent

APPENDIX E | THRESHOLD APPLICABILITY FOR CIVIC ENGAGEMENT PROCESS

This chart serves as a general guide to help demonstrate the scope and nature of public participation in the range of decision making processes in the City. This is not to suggest that a greater/lesser level of public input can/cannot occur at any stage of the process, but serves as a general guide.



This graphic illustrates the relationship between the range of City plans and projects. It shows how the City Strategic Plan informs each successive tier of plans, projects, and regulatory review, from the more conceptual/strategic down to the more detailed. The public decisions made in the smaller circles must be consistent with the overarching policies and plans found in the progressively larger circles.

Appendix F:

Communications and Engagement Toolbox

The Communications and Engagement Toolbox are on the following pages. The tools are grouped into 7 major categories.

- A-14 Engagement in Non-Traditional Places
- A-15 Traditional Forms of Communications
- A-17 Online Tools for community input and interaction
 - A-19 Virtual “Town Halls”
 - A-20 Online Communication Options
- A-21 Media
- A-22 Social Media
- A-23 Partnerships
- A-24 Visual Aids
 - A-25 Informative Videos
 - A-26 GIS

#	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
1	Engagement in Non-Traditional Places	Holding meetings in places other than formal public facilities can be more inviting, more engaging, and more convenient for many stakeholders. It's an excellent way to get people initially engaged in a project who might not otherwise know about it. Going to where people are takes into consideration that some people don't feel comfortable coming into a "government" realm. Provide translation services for all meetings to the extent possible.		
1a	Bus Tours	Non-meeting opportunity to discuss issues and view regional examples of built development alternatives, develop a shared experience and knowledge base. Effective for facilitating more engaged, civil discussion and feedback outside of the typical meeting environment and inspiring/informing community and advisory group members with real-life examples rather than PowerPoint images. Waterfront, Beauregard and Landmark each featured bus tours. Labor-intensive to produce.	Financial Resources - Varies	In-person engagement and information sharing
1b	Host meetings and charrettes in third places such as art galleries, public plazas, vacant storefronts	Utilize private places that are active public spaces. The use of galleries (such as the Torpedo Factory), public plazas (such as Market Square or Four Mile Run Park Expansion), and vacant storefronts can both energize those sites and meeting attendees.	Financial Resources - Moderate	Community Meetings/outreach
1c	Host Tables at existing events	Use existing events to reach out to the public. For example, Farmers' Markets, outdoor community events; city holiday celebrations, etc.	Staff Time - Moderate Upfront	In-Person Outreach Efforts
1d	Onsite visits/meetings	Inviting members of the public on project site visits or hosting community meetings/events on the site is a great way to help people understand and visualize the project/process (pre- or post-construction).	Staff Time - Varies	Community Meetings/outreach
1e	Coffee shop talks	Many members of the public are too busy to attend community meetings at City Hall but have their daily cup of coffee or tea. Coffee shops have become wonderful third places for social interactions. Staff can use these places as opportunities to engage people informally and provide specific project information.	Staff Time - Moderate Upfront	In-Person Outreach Efforts

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
2	Traditional Forms of Communications	Traditional outreach practices continue to be an effective means of engaging community members who don't have computer/internet access, as well as those who may have access, but have not connected with the City (ie, we don't have their email address or they haven't signed up for enews).		
2a	Canvass Door-to-door	Door-to-Door campaigns are time intensive, but effective. They are useful when trying to engage non-English speakers, persons with disabilities, or the elderly. Volunteers, including high school students interested in civic engagement or earning volunteer hours, should be utilized for the task.	Staff Time - Large Upfront	In-Person Outreach Efforts
2b	Partnering with existing groups to provide information. (Civic/homeowner associations, places of worship, PTA meetings, etc.) (see also Partnerships)	Communicators can play a vital role in this effort. Hold a group discussion after a religious/school/community organization meeting or gathering to reach those residents who are normally unable to attend meetings during the week or evenings. In addition, while not all community members are represented by civic associations, they are one good point of contact in the community. Piggy-backing on school functions puts the city in contact with parents and educators, as well as providing a platform to encourage youth involvement in their city's issues. (Some teens have expressed interest in being youth ambassadors). Attending other organizations' meetings is a good way to provide information, answer questions, and most importantly, encourage participation in the larger project process. Keep in mind that a single community-wide meeting process is most productive - use other small group meetings as a tool for bringing outside groups or hesitant organizations into the larger meeting process.	Staff Time - Moderate Upfront	In-Person Outreach Efforts
2c	Comment/Evaluation Forms	Provide staff an additional opportunity to obtain community feedback on various issues. Information collected can be made public via the project website.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
2d	Direct mailings	Direct mailings can ensure that every resident within a planning area receives information on key project milestones including points for community engagement. Mailings should include QR codes directing residents to specific project information (website) and appropriate branding to ensure project/city recognition. These are especially helpful before a process begins.	Financial Resources - Moderate	Passive Outreach Efforts
2e	E-Newsletters	E-newsletters can be used for regular project updates, keeping the lines of communication open and ensuring the community is informed about the timeline and progress to date.	Staff Time - Moderate Upfront	Passive Outreach Efforts

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
2f	FAQ documents, issue papers	Provide answers to common questions, brief explanations of complex planning concepts or aspects of Plans. Direct community members to more specific information / project website. These documents can be made available online, or at various city and community meetings.	Staff Time - Moderate Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
2g	Post/Distribute flyers and posters	This strategy should be used to publicize meetings and events. Add QR codes to flyers to direct community members to relevant project information and include appropriate branding to ensure project/city recognition. Flyers can be posted/distributed at libraries, rec and community centers, places of worship, schools, civic associations, places of business, sporting events - or distributed via other services, e.g., Meals on Wheels. It is also important to translate flyers in multiple languages to the extent possible.	Staff Time - Large Upfront	Passive Outreach Efforts
2h	Telephone	There are limited situations in which the telephone is particularly suited - short timelines, connecting with individuals who don't have computer access, when a personal contact is needed in order to engage people in a project. Robo-calls can be an effective way of delivering information to an entire area, as demonstrated by ACPS. The City has experimented internally with telephone town halls - one option for engaging a large group without holding an in person meeting..	Staff Time - Varies	Outreach Efforts
2i	Write Op-Ed or blog updates in local newspapers (online/print)	The media is a great source of information for the community, and a tool that the City might take better advantage of to share timely project information with a broad audience. Newspapers, community blogs, professional blogs are opportunities for planning agencies to communicate to a large audience and possibly pre-empt misconceptions.	Staff Time - Varies	Passive Outreach Efforts
2j	Giveaways	In certain projects, it might be appropriate to encourage participation with small rewards, such as small gift items/gift cards/other locally donated merchandise. Utilized in the Census initiative, this was an effective way of getting students informed and hard-to-reach populations involved.	Staff time - varies	Outreach Efforts

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
3	Online tools for community input and interaction	Interacting with people electronically is an effective and cost-efficient way to reach many people quickly. A variety of interactive technological tools can facilitate community discussion and collect feedback - while saving costs on both the public and private sides by decreasing the number of public meetings needed. In addition, the format provides an opportunity for people who are unable to attend meetings for a variety of reasons to provide input.		
3a	Online comment board on project web page	Online outlet for community input and concerns during plan/project development process. Provides an effective opportunity for the community to see public comments and for online dialogue. Comment boards tend to work best when used to invite feedback on a specific topic – not a general feedback venue for airing grievances. Comment boards have the potential to be nonproductive if the dialogue devolves into something unconstructive or if the community does not have confidence that their input is being responded to and incorporated into the topic at hand.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
3b	Polling	Public input can be gathered through traditional and new polling techniques. Surveys can be web-based (such as survey questions posted on websites or via the City's polling software, Survey Gizmo), and distributed via email blasts, phone (Textizen, platform for text-message surveys) or mail, or taken during community meetings using real-time “clickers”. Printed copies of polls can also be distributed via city/community meetings, rec and community centers, libraries, schools, places of worship, civic associations, etc. The completed polls can then be mailed in to the appropriate contact.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets, Community Meetings
3c	Virtual Meetings (Web + Television + Computer+ Smart Phone + Traditional Phone)	Allows people to participate in community meetings without having to physically attend them. Additionally, staff can facilitate input from the online-meeting attendees in a number of ways.	Staff Time - Moderate	Website, Govt Access Channel, Smart Phones, Smart Tablets

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
3c.i	Virtual Tables, Live Stream viewing	During the What's Next Alexandria Community Dialogues, the City tested and evaluated live Internet video engagement. This online option served as a Virtual Table, allowing community members who could not attend in person watch the meeting in real time, participate with other viewers in group exercises through a moderated live chat, and provide a review of the tool for future use. While this tool may not be cost effective for all City meetings, it provides a great opportunity for people who cannot attend meetings to participate. Other forms of live stream viewing can be utilized - Community meetings, live staff presentations, and panel discussions can be broadcast live on Channel 70 and the web, and viewed on computers, mobile phones or tablets. People who watch the live event, or virtual attendees, can provide comments and questions via email, live chat, twitter, or phone. This invites people to the process who may not ordinarily participate because physically attending community meetings is not feasible or desirable.	Staff Time - Moderate Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
3c.ii	Dial-in for meetings	If video is not an option, consider coordinating a dial-in system for community members to listen in on meetings.	Staff Time - Small Upfront	Community Meetings
3c.iii	Post-Meeting Stream via web and viewed on computers, mobile phones, and tablets	Community meetings, staff presentations, and panel discussions can be recorded and rebroadcast on Channel 70 and the web. People can watch the event and provide comments and questions to staff via email or phone. (The City currently records meetings and broadcasts them on project webpages.)	Staff Time - Small Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
3c.iv	Webinar (GoToMeeting - http://www.gotomeeting.com); Cisco WebEx Meetings - http://www.webex.com)	A webinar is another virtual meeting technique that allows virtual attendees to hear and see presentations via a personal computer. Webinars, in many cases, allow attendees to submit questions and comments via live chat.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
3d	Virtual "Town Halls"	Virtual "town halls" are web-based engagement platforms that can collect input from stakeholders. Staff can submit questions/challenges/issues/projects to the public and the public can provide input. There are many products on the market with different offerings. Some of the leading vendors are shown below.		
3d.i	Vendors such as Peak Democracy or Mindmixer	These discussion platforms collect feedback related to public decision-making and often employ monitoring software to ensure discussions are free of profanity, personal attacks, and impertinent comments. Peak Democracy authenticates participants and prohibits them from dominating discussions. In addition, services comply with free speech rights, requirements for public records retention and requests, and sunshine ordinances. Mindmixer facilitates discussions related to "idea germination", interactive budgeting, goal prioritization, and more.	Financial Resources - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
3d.ii	ACTion Alexandria http://www.actionalexandria.org/organization	A local civic engagement website, supported in part by the City, that provides interactive tools making it easier for residents to take a more active role in addressing community problems. They offer Idea Challenges that invite Alexandria's population to an online community discussion.	Staff Time - Moderate Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
3d.iii	Wikiplanning - http://www.wikiplanning.org	Wikiplanning was developed by a landscape architect/urban design firm that wanted to get away from the traditional charrette model and pitfalls associated with hosting community meetings (such as scheduling, costs, non-representative attendees). This on-line tool allows more people to participate in the process via surveys and forums. The firm also provides direct mailer services, coordination with local media, and interviews with key stakeholders.	Financial Resources - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
3d.iv	Crowdbrite - http://www.crowdbrite.com/	Crowdbrite provides on-line meeting participation for projects ranging from physical design to policy. It has the capability to conduct a live discussion on alternative designs during charrettes. Crowdbrite has been used for civic engagement, design review and competitions, mobile asset mapping, place-based visual preference surveys, action planning & capital improvement programs, and statewide economic development.	Financial Resources - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
3e	Online Communication Options	There are a variety of platforms by which community members can receive information and provide feedback to staff. The method used is dependent on the type/size of project and desired outcome.		
3e.i	eNews	The City's eNews updates are a great resource for sharing information. This service should continue to be promoted widely as some community members are still unaware of it - consider including an eNews request in all email/eNews communications, and during community meetings distribute the Office of Communications' Tools Cards to participants.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
3e.ii	Email distribution lists from sign in sheets	Using email addresses/phone numbers from meeting sign-in sheets is a great way to communicate with residents who are interested in specific projects. Detailed project information can be shared with community members on a regular basis as well as upcoming meeting/event notifications.		
3e.iii	City Blog	The city can host a blog for the community to post opinions, receive information, be directed to appropriate city contacts, etc. on a regular basis. This venue is more informal and would need to be monitored for appropriateness; however, it can be a good tool for outreach and 'customer service.'	Staff Time - Large Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
3e.iv	City Web page improvements	The community provided many suggestions for making improvements to the City website during the What's Next Alexandria process. One option: Consolidate all projects, plans, and planning efforts for onr neighborhood to be presented on one webpage (with tabs and other organizational formats). This will make it easier for the public to access existing plans, development projects, and initiatives as it will be presented on a neighborhood basis. For example, one webpage can be dedicated to the Braddock Road Metro Small Area and on that page there will be information related to all current development projects, implementation efforts, approved plans, approved SUPs, etc. Each project webpage should be inclusive, up-to-date, informative; well organized and easy to understand; clear with regard to current project status; have a calendar that shows important dates, e.g., meetings/forums; have feedback area/comment board – monitor and respond to comments in a timely manner; show how decision making occurs – how community input is incorporated; include surveys and results; orient to citizen point of view; format should be consistent thru all departments. For IT: update city website search capability to make more user friendly - e.g., Smart-type; keywords that populate.	Staff Time - Large Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
3e.v	Community listservs	Community listservs are a great way to notify the community of upcoming meetings and events in Alexandria. And there is the added benefit that people will forward the notices to their networks.	Staff Time - Small Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
3e.vi	Google+ (Hangout)/Skype	Group video chat - allows for a direct connection with the audience. Only accommodates up to 10 people - but may be suitable for some smaller online meetings, focus groups for example.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
3e.vii	Polling software like SurveyGizmo (http://www.surveymogizmo.com)	SurveyGizmo (the City's service) is an easy online survey service that allows customers to create surveys specific to the need. Staff has used this service for Arlandria Implementation efforts.	Staff Time - Moderate Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
4	Media	While online media is often more cost effective and reaches a broader audience, there is still a very real need to utilize print media to communicate with the community. While taking into consideration budgetary concerns, local radio and television channels can be used to reach particular segments of the city's population.		
4a	News media (online and print) - Patch; Alexandria Times; Alexandria Gazette Packet; Old Town Crier; The Washington Post; El Tiempo Latino, etc.	It is important to consider timing with regard to weekly print media – if using print media, make sure the issue being communicated will coincide with the printing date. Using online news can be less time constrained and can reach a broader audience, since not all Alexandria residents receive the weekly print papers. Some online sources will send out a daily digest to subscribers.	Staff Time - Varies	News Media
4b	Local television and radio stations.	Public announcements can be made via local radio stations (AM/FM) and local access cable channels. It is important to also consider non-English speaking and religious stations. (Local access channels on cable - e.g., Government Access (71), ACPS (70), WDCA Mundofox (264), Ethiopian (40-45)etc.)	Financial Resources - Varies	News Media

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
5	Social Media	The City currently uses social media to inform and update the public. However, these media can be used more strategically to solicit feedback and input, post meeting notices, and share project milestones - and can be done in multiple languages.		
5a	Twitter/Twitter Town Hall	Twitter can be used to push information to users, i.e., in the case of an upcoming meeting or event. Additionally, a Twitter town hall, or Twitter chat, is an event where departments can invite public engagement for a scheduled time period during which users can ask questions or find out more information about a topic, much like a webinar. The questions are tagged with a pre-designated hashtag, and the agency responds to questions using the hashtag, follows-up via a blog post, or uses another digital means of meaningfully responding to the engagements. The use of the hashtag feature for the relevant neighborhood or projects should be employed. Ex. #braddock #waterfront #outdoorining	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
5b	Facebook	The City's Facebook page helps to build a connection to the community by providing quick updates and notices. It can also be used for advertising upcoming meetings/events.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
5c	Tumblr	A microblogging platform and social networking website, which allows users to post multimedia and other content to a short-form blog. Users can follow other users' blogs, as well as make their blogs private.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
5d	Flickr: Invite residents to submit photos to a Flickr pool	Flickr is an online photo-sharing service. Communities have used it to invite the public in planning processes by requesting the public to submit relevant pictures. For example, Chicago's "Go to 2040" Comprehensive Plan process has a Flickr page and invited members of the public to submit pictures: http://www.flickr.com/photos/go_to_2040/ ; Arlington CPHD: http://www.flickr.com/photos/54701791@N08/	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
5e	Pinterest	A pinboard-style photo-sharing website that allows users to create and manage theme-based image collections such as events, interests, and hobbies. Users can browse other pinboards for images, "re-pin" images to their own pinboards, or "like" photos.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
6	Partnerships	In many cases, City staff does not have adequate social capital within some communities and therefore has difficulty effectively engaging those communities alone. Engaging appropriate partners who are trusted by various communities is an effective way of reaching out to solicit participation.		
6a	Social Service Providers (ex. Community Lodgings, ANHSI, etc.)	Service providers have access to many hard-to-reach populations (minority, persons with disabilities, low-income, renters, parents). Utilizing their connections is good strategy.	Staff Time - Varies	In-Person Outreach Efforts
6b	Advocacy groups (ex. Tenants and Workers United, Ethiopian Community Development Corp, etc.)	Advocacy groups have access to many hard-to-reach populations (minority, persons with disabilities, low-income, renters, parents). Utilizing their connections is good strategy and helps create a sense of trust.	Staff Time - Varies	In-Person Outreach Efforts
6c	Boards and Commissions (ex. Commission for the Arts, Commission on Aging, etc.)	Commissions and Boards have access to networks of advocates, professionals, policy experts, and members of the hard-to-reach population (including Youth). Utilizing their connections is good strategy.	Staff Time - Varies	In-Person Outreach Efforts
6d	Civic and Homeowners Associations	Civic Organizations are purposed to improve the lives of their constituencies. Utilizing their connections is good strategy and provides an opportunity for them to serve their communities.	Staff Time - Varies	In-Person Outreach Efforts
6e	Educational Organizations (ex. PTAs, NOVA, ACPS, etc.)	Engaging parents, children, and youth in planning processes is very difficult. Establishing partnerships with ACPS and NOVA can broaden both outreach opportunities and mutually beneficial relationships. Educational organizations can often provide resources that can support planning processes (such as pro bono services from teachers, students, and technicians).	Staff Time - Varies	In-Person Outreach Efforts
6f	Faith Community (ex. Churches, Synagogues, Mosques, etc.)	The faith community can provide support in planning efforts as they are trusted within the community, they have access to large groups of people, and they tend to be large landholders. Engaging this community can be good strategy.	Staff Time - Varies	In-Person Outreach Efforts

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
7	Visual Aids - Art, Graphics, Maps, Videos			
7a	Public Engagement as Public Art: Public art can be used to allow people to express their opinions in the public realm without City interference	Public art can create opportunities for informal public engagement and input. Some examples are Candy Chang's public art as public engagement projects The process of expression provides an opportunity for the community to come together. It also becomes an intelligent piece of temporary public art. (http://candychang.com/category/projects) and the City of Charlottesville's Downtown Mall Community Chalkboard (http://www.brunerfoundation.org/rba/pdfs/2009/Chalkboard%20FINAL.pdf).	Financial Resources - Varies	Passive Outreach Efforts
7b	Visual Art techniques such as illustrative plans, models, graphic rendering, drawings, sculpting, painting, wooden blocks, legos, etc.	Visual arts provide an opportunity to illustrate planning concepts, development projects, document community input in an interactive format that is visually appealing. Also, it lessens the need for literacy and written language translations. (ex. Maps on Purpose project sponsored by Art on Purpose, a non-profit organization in Baltimore, MD)	Financial Resources - Varies	Passive Outreach Efforts
7c	Storytelling	Storytelling can be coupled with the use of visual arts to allow the community to provide input by sharing stories of the community and aspirations for its future. The storytelling can be used to inform the development of neighborhood and revitalization plans, and development projects. (ex. Braddock Plan and the Black History Museum, Nauck Community Heritage Project in Arlington County, Virginia and Stories for Change www. stories forchange.net)	Staff Time - Varies	Passive Outreach Efforts
7d	Art Projects at Community Events	Kids and adults alike can be engaged in small art/education projects - sometimes kids can be kept busy with an art project while parents have an opportunity to learn about or provide input on an issue.	Staff Time Only - Varies	Passive Outreach Efforts
7e	Sketching or Art Contests	In the event of a urban design opportunity (plazas, street furnitures, streetscape, pedestrian ways, staff can invite the public to provide design solutions via art submittals. This process can take the form of a contest to make it exciting and fun.	Staff Time - Varies	

APPENDIX F | COMMUNICATIONS AND ENGAGEMENT TOOLBOX

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
7g	Informative Videos	Partner with Communications Department to create short informative videos on both basic planning principles AND current projects. Use staff and volunteers for actors. To maximize viewer rate, share video link with relevant neighborhood associations, blogs, listserves, churches and faith groups, non-profits. Email to relevant E-news groups. Also post survey link on project webpage.		
7g.i	Create an Alexandria Planning Youtube Channel	Youtube channels can be created specifically for Alexandria Planning efforts and projects. As an example, Greenbelt Alliance has a Youtube channel that hosts general planning- and project-related videos. Also, the Chicago Metropolitan Agency for Planning has a Youtube channel related to its 2040 Comp Plan.	Staff Time - Moderate Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
7g.ii	Videos for Alexandria-based websites	These videos can be created for general or specific planning-related topics and can be linked on project websites, local blogs, on-line newspapers, etc. The City currently has a "What's New Alexandria" video stream that has been used to publicize planning efforts in Arlandria.	Staff Time - Large Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets
7g.iii	Project-specific videos using Cartoon Animation	Cartoon visualization, coupled with storytelling, can be used to educate the public on specific projects or general planning projects. The video consists of an illustrator's hand, a white board, markers, and a narrator. Vancouver used this tool and posted it as a Youtube video posted on the project webpage (http://talkgreenvancouver.ca/greeneest-city-story).	Staff Time - Large Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets

	TOOL	DESCRIPTION	RESOURCE NEED (Staff time , cost, etc)	APPLICATION
7h	GIS	Partner with Geographic Information Systems to make the best use of these tools for a relevant project.		
7h.i	Interactive GIS Tools	Allows people to visualize data/impacts.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart
7h.ii	GARI	GARI when public can communicate information about planning and development in the city.	Staff Time - Varies	Website, Govt Access Channel, Smart Phones, Smart Tablets
7h.iii	Geofencing	Geofencing is a feature in a software program that uses the global positioning system (GPS) or radio frequency identification (RFID) to define geographical boundaries. A geofence is a virtual barrier. Geofence programs allow an administrator to set up triggers so when a device crosses a geofence and enters (or exits) the boundaries defined by the administrator, an SMS or email alert is sent. People can register for updates when they are in an area of interest and they will receive text messages on their phones. This is another example of ways to push out information to residents who want to receive updates and it is relatively easy for the City of Alexandria to set up once the right protocols are in place. (Many geofencing applications incorporate Google Earth, allowing administrators to define boundaries on top of a satellite view of a specific geographical area. Other applications define boundaries by longitude and latitude or through user-created and Web-based maps.)	Staff Time - Large Upfront	Website, Govt Access Channel, Smart Phones, Smart Tablets

Appendix G: Printable: Meeting Evaluation

A printable sample meeting evaluation is on the following page.



MEETING EVALUATION

Date: _____

Event: _____

Please take a moment to answer the following questions in order to help us make the best use of your time, support each participant, learn from you, and facilitate the most productive outcome.

1. What are your concerns about this event/project?

2. Do you have suggestions for improvements?

3. What worked well during the meeting and why? What could have been done better during the meeting and why?

4. Other thoughts?

Appendix H: Printable: Sample Project Evaluation

A printable sample project evaluation is on the following two pages.



STAFF PROJECT EVALUATION

DRAFT: The Office of Performance Accountability will be further reviewing and refining to ensure we capture quantitative measures that can be assessed over time. One suggested addition is to measure performance of the Principles as evaluated by participants using a rating scale

Date: _____

Event: _____

Using the Guidelines listed below, develop a brief summary/evaluation of this project's civic engagement process and outcomes:

1. Track and review data on participation, including demographic and geographic diversity, number of participants.

2. Assess the organizing and communication process: Which outreach methods were used, how frequently were they used and how did they succeed in garnering participation?

3. Review and assess use of the Framework: How was the Framework used and were there any deviations from the Framework? If there were deviations, what were they and why?

4. Review participant meeting evaluations for further insight into department success.



[illegible]

Appendix I: Printable: Community Evaluation for Engagement Strategy Process

A printable community evaluation for engagement strategy process is on the following two pages.



SAMPLE COMMUNITY EVALUATION FOR ENGAGEMENT STRATEGY PROCESS

DRAFT: The Office of Performance Accountability will be further reviewing and refining to ensure we capture quantitative measures that can be assessed over time. One suggested addition is to measure performance of the Principles as evaluated by participants using a rating scale

Date: _____

Project/Plan: _____

In order to help us better implement Alexandria's civic engagement process, please take a moment to answer the following questions regarding this project.

1. Was it clear to you that staff consulted Alexandria's Handbook for Civic Engagement?

2. Was the goal of this project clear?

3. Can you identify some of the ways in which both the community and City staff shared responsibility in the process?

4. What engagement strategies were used to collect your input? Which were most useful?



SAMPLE COMMUNITY EVALUATION FOR
ENGAGEMENT STRATEGY PROCESS

5. Describe the communication and outreach methods used. Which were most useful?

6. What efforts were made to engage the community's diverse population? Which worked well?

7. Do you think that the City has implemented an effective organizational structure for improved civic engagement in the city?

8. Were adequate evaluation methods offered? How were they shared (online, during meetings, etc.)?

9. How/when were facilitators used? Did they enhance the process?



For more information about *What's Next Alexandria* or the City's civic engagement process, please visit our website, www.alexandriava.gov/whatsnext, or contact Carrie Beach, carrie.beach@alexandriava.gov / 703.746.3853.

Other avenues for staying connected:

eNews: Sign up for eNews (<https://enews.alexandriava.gov/index.php?CCheck=1>) to receive the latest information on all City initiatives.

The City of Alexandria's eNews service lets you sign up to receive information on more than 100 topics, including vital emergency alerts. The messages, ranging from news releases and department newsletters to public meeting dockets and payment deadline reminders, can be sent directly to your e-mail account, PDA, pager, cell phone, or BlackBerry. You can even receive alerts from other national and regional organizations, such as Amber Alerts, airport delays, and Metrorail service disruptions.

There is no cost to sign up for [Alexandria eNews](#), although your wireless provider may charge you to receive e-mail or text messages on your mobile device. If you already use e-mail or text messaging, Alexandria eNews messages will work the same way. Contact your wireless provider if you have any questions about the fees they may charge.

Call.Click.Connect. (<http://request.alexandriava.gov/CCC/>) is the City's customer service initiative that places "Your Government @ Your Fingertips". Community members can submit and track service requests, report problems, search for information, or find the right contact to call for various issues and topics of interests.

Call 703.746.HELP (4357), or click the Web portal on alexandriava.gov to easily access information and connect with their City government.

Comment # Response #	Last	First	Date	Draft Date	City Comment/Response (Text in Bold indicates changes that have been made to the revised draft as a result of suggestions. Text that is not bold is a comment, explanation or answer in response to a question that did not result in a change to the handbook.
COMMENT 1	Hickok	Tom	10-Sep	6-Sep	This document represents a tremendous amount of work. In a first read I didn't see any reference to establishing an amount of time for each agenda item at a meeting. I think that respecting people's time by starting and finishing on time, and sticking to the agenda items within (as best you can) is a key pre-condition of getting good participation. The norm should be that meetings start and end on time.
RESPONSE 1	While the handbook addresses the importance of timelines and timely responses, we have incorporated your suggestion specifically by adding new bullets to pages 32 and 35: "Respect participants' time by starting and finishing meetings on time and sticking to the agenda."				
COMMENT 2	Roberts	Jimm	11-Sep	6-Sep	Clearly, an enormous amount of work produced this handbook. Its motivating impetus; that is, explaining to citizens how to engage their government, is commendable. Missing, however, is a sharper delineation of its theme: Our city government needs citizen input to properly fulfill its purpose. Consequently, I urge the opening sentence in the introduction be edited to make indisputably clear that the city government belongs to its citizens and exists to serve our needs. To effectively perform this core mission, our public servants need advice and guidance from those whom they serve. My suggested opening sentence follows: "This Handbook explains how citizens of Alexandria can make their voice and views heard. Both are essential to ensure our city government is response to its those whom it is dedicated to serve and whose taxes make possible the city services intended to enhance the delight of residing, working and enjoying our historic and beautiful port city, Alexandria"
RESPONSE 2	Insert text on page 1: This handbook explains how Alexandrians can make their voices and views heard. This is essential to ensure that City government is responsive to those whom it is dedicated to serve. We have not included the last part of your sentence because it infers that we do not serve people who do not pay real estate taxes (such as renters) and it also assumes that tax revenue alone pays for services.				
COMMENT 3	Hopkins	J. Glenn	17-Sep	6-Sep	This is a very thoughtful and detailed document. It will certainly be very useful, I hope, in encouraging even more civic engagement than we already have in our city. Congratulations to everyone involved in its development. My only question is to ask how this engagement will be implemented? I assume the City Manager will assign a City office or officer to manage the several processes described in the document, including and especially training/retraining City staff and the public.
RESPONSE 3	The implementation of the civic engagement framework is addressed in the handbook on pages 55-59. A more detailed implementation action plan accompanies the Handbook presented to Council for review in January, proposing an organizational structure and resources to accomplish the goals set forth in the Handbook.				
COMMENT 4	Macek	Nate	2-Oct	6-Sep	I've had a chance to review the draft Civic Engagement Handbook and think it does a great job of capturing the What's Next discussions and documenting a flexible framework for future public participation efforts. I do have several specific comments that I wanted to provide for your consideration as you finalize the draft: <ul style="list-style-type: none">• In the Principles of Engagement section, pages 8-16, the Actions checklists are very focused on the process for a a given project or single utilization of the framework, but many of the Outcomes seems more focused on the City's civic engagement efforts in general. For example, on page 13, one outcome is "increased trust in city government," an outcome that will require several public outreach efforts using this framework assess. There are a few different ways to address this. One option is to remove the check-boxes from the Outcomes lists. Another is to try to reword Outcomes to make particular to a single effort utilizing the framework rather than the engagement process in general. Another is to separate the effort-specific outcomes with the overall process outcomes using sub-headers.• Page 17: I would suggest flipping the Framework for Engagement graphic so that the flow chart moves naturally from left to right. It's counterintuitive to our usual reading patterns as it's currently oriented.• Page 19: The Tour of the Framework on page 19 is very difficult to read. I suggest showing across two pages to provide more space, so that the annotations can be printed next to, rather than on top of, the framework text.• Page 29: I suggest adding a sentence to the Meeting Venue paragraph on choosing a building and meeting room that is accessible to persons with disabilities. This, of course, is a legal requirement, but is worth reiterating here along with the other venue considerations listed.• Page 32: Consider saying "advance the discussion" or "move the issue forward" instead of "move the ball forward."• Page 40: No other commercial products are mentioned on this page, so consider removing the specific reference to Textizen here.• Page 44: The clip art here (and the smaller version on the preceding page) connotes confrontation rather than communication. Consider using a figure of speaking persons instead.• Page 51: Might add bullet here noting that there is a hesitancy to participate in civic engagement by residents who are not U.S. citizens and are therefore not eligible to vote here, but engagement by non-citizen residents should be encouraged nonetheless.• Page A-7: Suggesting making the organization names hyperlinks that can be directly clicked on in the PDF version of the guide.

RESPONSE 4	<p><i>The following edits have been incorporated per suggestion:</i></p> <p><i>Page 8-16 - For all principles, under all 'Outcomes' columns, delete the boxes and lines - replace boxes with bullets</i></p> <p><i>Page 17 - reconfigure graph for improved understanding</i></p> <p><i>Page 19 - adjust framework graphic for improved legibility</i></p> <p><i>Page 29 - add to ...easily accessible by transit "and accessible to persons with disabilities," centrally...</i></p> <p><i>Pg 32: change: "move the ball forward" to "move the discussion"</i></p> <p><i>page 40: remove brand names</i></p> <p><i>page 44: edit clip art - use different graphic for 'communicators'</i></p> <p><i>page 51: add to existing bullet: Many residents do not speak English or are reluctant to participate, because they are not U.S citizens; however, involving noncitizen residents is strongly encouraged.</i></p> <p><i>A7: yes, these were intended to be hyperlinks, but will be fixed in the final online version.</i></p>				
Comment 5a	King	Janet	3-Oct	6-Sep	<p>10-3: I just reread the sentence below: "A document demonstrating how the comments were addressed will be provided with the public hearing docket item." This on the day of the Council consideration of the handbook.</p> <p>This suggests that the community members who have provided comments will not have an opportunity to see how or if they input was included. It would be far too difficult to do so while sitting in Council Chambers awaiting the beginning of the session that would address this issue. Please help me understand this - which seems inconsistent with civic engagement from my perspective. Again, I hope that it has been proposed that this draft handbook be retained in that status for the duration of the 4 projects - and then revised as necessary to reflect the real life experience (a test use).</p>
RESPONSE 5a	<p><i>Per response previously sent to Ms. King, the revised draft and response to comments will be posted two weeks prior to the City Council meeting.</i></p> <p><i>Re: retaining handbook in draft form: While staff is not recommending that the handbook be retained in "draft form" for the first year, it has been explicitly stated that the handbook will not be a static document set in stone. It will be reviewed and updated as needed over time to adjust for improved performance and usability. On page 16, under the principle Evaluation, it states: "Conduct annual reviews of civic engagement performance following the first year of implementation of the What’s Next Alexandria process and the utilization of this handbook, including the outcomes of each principle, and recommendations for improvement and revisions to the Civic Engagement Handbook, if needed." Pages 57-59 also covers evaluating performance and determining whether changes to the handbook are needed.</i></p>				
Comment 5b	King	Janet	11-Oct	6-Sep	<p>Ms. King's full comment on the draft handbook does not fit within the confines of this spreadsheet. Please see attached document for full text of the letter, attachments and written comments on the handbook. Key overarching recommendations in the letter are shown here.</p> <ol style="list-style-type: none">1. That the Principles of Civic Engagement alone be submitted for City Council approval on November 14 and thereafter posted in Council Chambers, at all public meetings, broadly distributed among city staff plus widely publicized via other media2. That the next projects before our city (those 4 stated at the June 24 meeting if they are still viable as candidates) be established as test projects or laboratories for the essential refinement of the handbook.3. That this interval be used by staff alone, and in conjunction with community activists/experts, those most often active in civic engagement to date (* specifically those described in greater detail at the end of this letter), to address deficiencies in this draft.4. That an evaluation tool be adopted which will provide quantitative assessments of citizen ratings of performance against the Nine Civic Engagement Principles. That this involve a numeric rating (e.g. using a scale of 1-10) of experience for each relevant Principle at every civic engagement setting- and with each rating, this assessment tool would elicit from the citizen one or more suggestions for improving her/his rating.5. That the actions stated in 2-4 above be woven into a process for producing a final draft and thereafter a final comprehensive Handbook for Civic Engagement for the City of Alexandria. <p>Staff also addressed additional comments provided by Ms. King in multiple attachments, responses to which follow below.</p>

RESPONSE 5b	<p><i>Thank you Ms. King for your time and commitment to providing extensive comments on the draft handbook. Because of the extent of your comments, an additional separate response will be provided. Many thoughtful and strong suggestions have been provided, and while we can't implement all of your suggestions at this time, they provide an excellent starting point when we begin to evaluate performance of the initiative over the next twelve months and determine what aspects of the handbook need strengthening. Your time and extraordinary effort are deeply appreciated.</i></p> <p><i>1. In order to move forward, Staff is recommending that the handbook as a whole be considered for adoption by City Council. As you state, the principles will be the foundation. At the same meeting, City Council will consider for adoption a resolution embedding the principles into all we do. Your suggestion to post the principles in all appropriate locations is a good one that we have recommended in the implementation plan. It has been explicitly stated that the handbook will not be a static document set in stone. It will be reviewed and updated as needed over time to adjust for improved performance and usability. On page 16, under the principle Evaluation, it states: "Conduct annual reviews of civic engagement performance following the first year of implementation of the What's Next Alexandria process and the utilization of this handbook, including the outcomes of each principle, and recommendations for improvement and revisions to the Civic Engagement Handbook, if needed." Pages 57-59 also cover evaluating performance and determining whether changes to the handbook are needed.</i></p> <p><i>2. The City will apply the What's Next Alexandria process to the 4 projects you mention. Those processes will be evaluated along the way and at completion to determine what adjustments are needed to the process to achieve continued improvement.</i></p> <p><i>3. As stated above, staff is recommending that Council consider approval of the full handbook rather than principles alone in the interest of moving forward. As you recommend, the staff interdepartmental team will use the upcoming year to troubleshoot and address any deficiencies in the handbook, the framework or the principles. Staff will consult with the City's experienced civic engagement community experts, like yourself, and others in proposing any improvements. The City does not intend to create a formal taskforce at this time. However, it is possible that community and staff evaluation of the civic engagement outcomes over this or future years may indicate the need for a community led taskforce focused on evaluation of outcomes and revision as needed of the Handbook.</i></p> <p><i>4. Staff has developed some initial measures that are included in the implementation plan accompanying the revised draft handbook for council consideration. In addition, Office of Performance Accountability staff will work with us to develop appropriate evaluation tools, and will address your suggestion for a rating scale of performance against each of the nine Civic Engagement Principles.</i></p> <p><i>5. As stated above, the full final draft will be considered by Council in January, but this is a document that will be subject to community and staff review on an annual basis. Additional suggestions for edits to the handbook have been incorporated throughout the document.</i></p>
RESPONSE 5b	<p><i>6. The City Manager's Office of Performance Accountability is working with the Interdepartmental team to develop and refine a final set of performance measures. In addition, OPA will be working to incorporate the civic engagement effort into Results Alexandria and develop an accompanying logic model for measuring and achieving results. This will be shared with the community after it is vetted internally.</i></p> <p><i>7. The language on page 32 referencing costs and benefits has been removed. The implementation plan recommends an annual evaluation of civic engagement performance, which will inform an annual review of the framework we have put in place (handbook, principles, evaluation tools, etc.).</i></p> <p><i>8. We sincerely apologize for this oversight. Your letter deserved a personal response acknowledging the time and effort you have dedicated to this issue. Instead, as we originally stated when seeking comments on the draft outline, we grouped all of the comments submitted to the City during the June 2013 comment period on the preliminary draft outline and responded to them in the "Responses to Public Comments PDF" posted on the website. Because you submitted a personal letter and extensive comments, you should have also received a personal response. Despite the lack of a personal response, staff did incorporate some of your key suggestions as well as many of the handwritten edits you provided.</i></p> <p><i>9. Your idea to post the civic engagement principles in City meeting rooms and other locations is a good one that has been recommended in the implementation plan and on page 7 introducing the principles. In addition, as you suggest, staff will develop a very short brochure highlighting the principles and other key elements in a simple way for distribution in public places throughout the City.</i></p> <p><i>10. We have added the following sentence to the introduction in response to your point: "There are many avenues for civic engagement, such as serving on Commissions, volunteering for city activities and functions, as well as volunteering, and of course, voting."</i></p> <p><i>11. This Action of "demonstrate active listening" has been added to the Respect principle on page 8 . The procedural change you suggest to re-set the clock for speakers during a public hearing if they are not afforded that respect can be considered as we begin implementation.</i></p> <p><i>12. The respect principle has been added to the framework graphic on page 19 at each phase.</i></p> <p><i>13. Because we were trying to make this both a staff and community handbook, we did not go into a great level of detail about how best to tailor a project or a phase of a project using the tools listed (page 23). The same holds for providing a comprehensive discussion of techniques to be employed to reach common ground. Both of these topics will be covered in detail in the staff training and accompanying materials. There is a great deal on page 19 of material already produced by experts in the field that will be drawn upon for this purpose.</i></p> <p><i>14. Your suggestion to reword the goal of shared responsibility on page 21 more accurately captures the reason for participation. The following phrase "...sustains and improves the quality of life for all Alexandrians" has replaced the words "impacts how the city grows and develops."</i></p> <p><i>15. Thank you for your feedback regarding the quote on the back of the handbook. The use of the participant's quote was not intended to be inflammatory or offensive. Since it was taken as such, it has been removed.</i></p> <p><i>16. We have incorporated your suggestion to add a rating scale into the community evaluation form. Both the community and staff evaluation forms have been marked draft, and will undergo further refinement by the Office of Performance Accountability.</i></p> <p><i>17. We have incorporated your suggestion to shift the focus to reviewing citizen ratings and suggestions for improvement in the staff evaluation form. Both the community and staff evaluation forms have been marked draft, and will undergo further refinement by the Office of Performance Accountability.</i></p> <p><i>18. OPA staff will help us refine our surveys/evaluation forms and data gathering to ensure that we capture quantitative ratings and measurements.</i></p> <p><i>19. Per your suggestion, the text regarding costs and benefits with regard to an annual review has been removed from the handbook on page 32 and was not carried forward into the implementation plan</i></p>

RESPONSE 5b	<p><i>In addition, staff incorporated many of your suggested edits shown in your annotated draft. Some suggested edits were not incorporated because they either substantively changed the meaning of a sentence or concept or were not perceived as enhancing the language.</i></p> <p>20. P4 crop photo</p> <p>21. P5 insert: “and see outcomes reflective of their input” to the goal of WNA is to...</p> <p>22. P6 replace “City” with “its” in the last bullet</p> <p>23. P7 insert “those who participated from” to the first sentence</p> <p>24. P7 replace “public participation” with “civic engagement” in the sentence that begins “the following principles serve as the foundation...”</p> <p>25. P7 insert “In the first year of implementation, staff will develop performance measures for each principle to inform any necessary improvements</p> <p>26. P8 add “respond to all input” and “demonstrate active listening” as new actions</p> <p>27. P8 add “participants feel they have been heard and their ideas fairly evaluated” to outcomes</p> <p>28. P8 strike “meaningful” in first bullet</p> <p>29. P8 strike “with one another” in first bullet</p> <p>30. P8 add “participants see the outcome as reflective of the common ground reached through the community process even if they do not agree with all the recommendations”</p> <p>31. P9 insert “with emphasis on ensuring engagement of the population most affected by a project” in 1st bullet</p> <p>32. P9 insert “of issues” in 3rd bullet</p> <p>33. P10 insert “(validate/expand issues involved)” and “all sectors” in 2nd bullet</p> <p>34. P10 insert “especially those most affected” into first bullet</p> <p>35. P11 1st bullet remove “and at least 1 week before the”</p> <p>36. P12 insert “from stakeholders at each phase of the process from issue definition to conclusion” in first bullet</p> <p>37. P12 insert “and why” at the end of the 2nd bullet</p> <p>38. P14 insert “clear, simply expressed” in the 2nd bullet, insert “as well as City response” to 3rd bullet, insert “completed” in last bullet</p> <p>39. P15 replace “streamlined” with “improved”, strike “easily”</p> <p>40. P18 insert “and principles have been observed” in the last sentence of the 2nd to last paragraph</p> <p>41. P23, insert “documenting ideas put forward and evaluation of options, as well as decision points along the way” into the first bullet</p> <p>42. P34 add new 1st checkbox: “Provide advance notice of meeting date. While it is not always possible, given multiple factors, the City’s goal is to provide three weeks notice of a meeting date. Meeting agenda should be provided one week in advance.</p> <p>43. P35 merge first three checkboxes to read: “Provide concise background information, demonstrating that the City has spent time reviewing past plans, feedback, history, and current events.”</p> <p>44. P59 insert “based on input received from community evaluations” into the last paragraph.</p>				
COMMENT 6	Calvord		4-Oct	6-Sep	The draft handbook is a good idea for politics. It needs a section on transportation and another on safety. In general it seems somewhat ambiguous. If tax-paying residents want the city to address certain issues We are aware of there needs to be better venues than the vague text I read in the sections about working together and sharing responsibility.
RESPONSE 6	<p><i>The handbook addresses the overall need for and suggestions for improving the civic engagement process on important public decisions, such as transportation improvements. The handbook itself does not include a section on transportation or safety as those are topics covered in other City plans.</i></p>				
COMMENT 7	Scheye	Jim	4-Oct	6-Sep	Terrific document to frame and document input for future civic engagements. I would consider being a volunteer facilitator. Based on a quick scan, I did not see accommodations for Spanish speakers addressed. We have a large Spanish population on the north and south sides of town.
RESPONSE 7	<p><i>The handbook addresses the importance of engaging the city's diverse population. The document itself is available in both English and Spanish, as was the What's Next Alexandria website and the materials used during the community dialogues and online engagement. Pages 51-54 outline specific tools and strategies for engaging the city's diverse population, including but not limited to providing translation services, meeting with resident in their communities, and developing relationships with community leaders.</i></p>				
COMMENT 8	Sullivan	Roger	4-Oct	6-Sep	I commend the City for trying harder to solicit citizens' input. Use of the City web site, e-mails, etc. is a positive development. My main comment on the Civic Engagement Handbook concerns page 47, "Mail". Many people, especially elderly people, do not use e-mail. Many others are busy and not aware of the City's electronic communications, or of posters, flyers, and newspaper articles. I believe that, at least once a year, if not more often, the City should mail to every citizen a brochure (perhaps 20 pages or so) summarizing key City-related information, especially upcoming potential changes that may be controversial, key scheduled key meetings of City Council and other groups, etc. Then, if someone later said, "I didn't hear about it", the response should be, "If you live in the City, you received this information in the annual summary brochure." If people ignore this mailing, it is their own fault. It is important to be sure that every citizen be informed about important, upcoming potential changes. Yes, direct mail to all citizens is expensive, but it is worth the cost at least once or twice a year.
RESPONSE 8	<p><i>We agree that mailings can be a great way to reach some populations who we can't reach by email. The interdepartmental implementation team will take your suggestion into consideration. We have added a bullet to page 47 consistent with your comment: Updates to residents summarizing key city-related information, major upcoming projects, and how to participate in public decision making processes.</i></p>				

COMMENT 9	Conn	Michelle	6-Oct	6-Sep	Page 7- Typo?- "Blue" dot should be "Green" dot
RESPONSE 9	Thank you for bringing this to our attention. Unfortunately, different printers can sometimes result in significant color variations.				
COMMENT 10	Lomax	Marjorie	6-Oct	6-Sep	Need to define what a project is. Page 56 mentions small area plan and technical study; however more examples would be helpful Page 19--hard to read red oertype. Could you define approximate timeframes for different (small-large) projects vs. current processing(realize we now get to implementation and have citizens who did not know about project and have concerns)? Will beginning date for this process be publication of handbook?
RESPONSE 10	page 56: We have added examples and text. "Examples of City projects that will require a civic engagement framework and the most comprehensive levels of outreach and public participation include the City Strategic Plan, City Budget, Small Area Plans, and Citywide Chapters of the Master Plan. Small area plans (SAPs) tend to provide an opportunity for a great deal of public input and discretion because they establish a long term vision for an area, at the beginning of that "long term," although the plans must be consistent with the City's strategic plan, funding capacity, and developer contributions. At the other end of the continuum is development review, where applicants have existing property rights for development and an obligation to comply with previously adopted Small Area Plan, which the public has presumably already participated in developing. The community can weigh in on a development project's consistency with the Small Area Plan, zoning, and a variety of details, but the major issues such as use, scale, density have already been established by the community in the Small Area Plan. " We have also developed a matrix outlining criteria to help determine what level of civic engagement process each type of project should undergo. The matrix has been added to the appendix of the Handbook and to the Implementation Plan. page 19: We have edited the framework graphic for improved legibility on this page Re timeframes: Timeframes vary significantly depending on the project. In general, Small Area Plan processes take about 18-36 months, depending on the complexity of issues and size of the area. Smaller technical studies or regulatory changes typically take between 6-12 months. Timelines are shown in the applicability matrix referred to above. Re Official implementation of the Civic Engagement Handbook: Council adoption of the handbook will mark the official beginning, however, staff has already begun planning for integration of the key principles into planning processes that have started or will soon start.				
COMMENT 11	Pennington		7-Oct	6-Sep	Time is a very expensive resource. I see mention of setting a timeline, but little mention of keeping to it, or revising it. At the micro level, meetings should not go on til 2.00am, at the macro level discussion should not go on until the project dies through boredom.
RESPONSE 11	As you mention, the handbook does discuss the importance of setting timelines. On the micro level, we have added a bullet to pages 32 and 35 to address the importance of adhering to scheduled meeting times and agendas. On the macro level, the handbook emphasizes the importance of documenting the process and decision points at each phase to avoid re-hashing of topics. We have added the following language to page 18 to further assert the point: Adhering to the established project timeline is an important step in establishing credibility and trust in the process, as well as respecting participants' time and making efficient use of City resources. While it is not always possible and some factors can't be controlled, it is important to set the expectation that staff will always strive to adhere to the project timeline.				
COMMENT 12	White	Maria Merced es	7-Oct	6-Sep	Coming from a culture where citizen participation does not exist, I am very appreciative of the City's efforts to include in their work, those the City serves. I only hope that those who still do not see this democracy in action, eventually come to appreciate this wonderful place where they live and where they are taken into account.
RESPONSE 12	Thank you for your comment and participation in the process.				
COMMENT 13	Thomas	Amy	10-Oct	6-Sep	This framework represents what I viewed online and in person throughout the civic engagement process and demonstrates citizen involvement in decision-making. In talking with residents who participated, I know many of us have learned new ways to present our opinions and have made new friends. In response to the Draft Handbook, I'd like to suggest one more evaluation form for use during an Engagement Strategy. This form would be a simple checklist that follows the Table of Contents to assure that the following were taken into consideration.: 1. Handbook was consulted 2. Focused Outcome was stated 3. Shared Responsibility took place and was measured 4. Engagement Strategy(ies) listed 5. Communication and Outreach used for this strategy/step/phase 6. Reaching the Community's Diversity took place in these ways 7. Implementation will take place 8. Evaluation took place 8. Date, time, place, facilitator 9. How this evaluation will be shared (online, kept in project binder, etc.)
RESPONSE 13	In response to your suggestion, we have developed a Community Evaluation form that mirrors the Staff Project Evaluation form and takes into consideration the points below. It has been added to the appendix of the handbook with the other evaluation forms.				

COMMENT 14	Pearson	Sarah	10-Oct	6-Sep	<p>Thank you for the opportunity to comment on the What's Next Handbook for Civic Engagement. Civic engagement has been part of my career and a passion of mine (examples below). I'm fairly active in the Alexandria community and I wish I had known this work was in progress as I would have happily volunteered my time to help. I've reviewed the handbook draft and I have some suggestions and concerns.</p> <ul style="list-style-type: none">• Reduce size by at least 40%! There is considerable repetition that can be edited out. The doc is far too long for the casual reader to review.• Page 1 -- Cut 4th paragraph and last paragraph.• Page 2 -- Great page! This could be the basis for a Prezi (prezi.com/) on the handbook.• Page 3 -- Cut first sentence of first para.• Page 5 -- Repetitive. Cut first sentence of first para. From 4th para, please provide examples of "representative groups of residents."• Page 7 -- Seems that the following principles of engagement were left behind: voting, knowledge of your elected official, knowledge of how city government works and Alexandria's public policy process. I'm concerned that these important elements are left out of the conversation and while they may not form the basis for your handbook, whenever civic engagement is mentioned, these are paramount.• The center of the handbook looks nice, but, again, there is a good deal of repetition---words/sentences could/should be cut.• Appendix A-3 -- This reveals another concern for me. I see that in-person meetings were all held in the same church. This compromises a sense of diversity and accessibility. Yikes.• Also, I only see that the poll was featured on one website. Yikes, again.• I realize my comments are critical and I apologize. I only mean to offer suggestions to streamline the handbook and facilitate accessibility. Please let me know if I can be of assistance in helping your team move the report forward.
RESPONSE 14	<p>Thank you for your offer to help. If you are still interested, we would like to discuss tapping your expertise as we move into implementation. In response to your comment regarding the length of the document, we felt it was important to include the key items and results of community discussion during the WNA process. Staff will develop a summary document once the handbook is approved by City Council to serve as a quick guide to the City's civic engagement principles. Response to specific page number comments:</p> <ul style="list-style-type: none">• Page 1 - The Connected Communities ICMA paper served as a foundation for this effort and therefore we consider it essential to include key points in the introduction. We have kept this text.• Page 3 - We kept this sentence.• Page 5 - We kept this sentence, but deleted the word "representative" as it is confusing.• Page 7 - The community developed the principles and framework through multiple iterations, and therefore we wouldn't change them at this late stage, unless the suggestion came from many people, rather than just one. However, you raise an important point about actions essential to the core of a civically engaged community. To your point, on page 6 under "What does success look like?" we've revised/added the following bullets +Fully informed public that knows how its city government works and Alexandria's public policy process. +a community that regularly votes in elections and has knowledge of their elected officials.• The venue for the community dialogues was chosen because of the large number of participants, availability of breakout tables, its central location within the city, its accessibility to bus routes as well as parking, and for consistency . Page 29 of the handbook has been updated to stress the importance of selecting locations that are easily accessible to a broad diversity of people. The meeting venue paragraph now reads: "Select a meeting venue that is a neutral place where all people feel comfortable going. The venue should be easily accessible by transit, accessible to persons with disabilities, and conveniently located within the project/planning area. If the project has citywide impact, meetings should be centrally located or be held in multiple different sections of the city over the course of the process."• All of the WNA polls were made available on the city website, ACTion Alexandria's website, as well as via hardcopy distribution in public libraries, and they were promoted through social media, community listservs, and printed flyers and posters distributed throughout the City.				
COMMENT 15	Benavage	Pete	11-Oct	6-Sep	<ul style="list-style-type: none">• p. 18: "Project can move on...when the majority is satisfied..." Majority of what? There needs to be some definite deadline on participation as a voting member in groups that require votes. Otherwise, factions pack the meetings at the last minute and obstruct progress. I have seen this happen.• p. 27: "Stakeholders' Groups" should be specifically mentioned and included• p. 34: Though mentioned later, NEWSPAPERS and LIBRARIES should be included.• p. 46: Again, please do not overlook LIBRARIES.• p. 51: In the side note, "Democratic" should be "democratic"; capital "D" implies the Democratic Party, while lower case "d" refers to the participation of people in governmental decisions.• p. 52: Mention should be made of free translation software. I have in fact used it to produce Spanish language flyers, and it really does work• .p. 52: Getting "permission to post flyers in condos" -- good luck. Condominium rules are a major stumbling block to communications with residents, and a very large segment of Alexandria lives in condos. Unless it is electronic media or mail, it is exceedingly difficult to post materials in condos, and in fact, any multi-family residential area with strong association regulations. This is a real problem for local political candidates as well, and actually is becoming a very major issue.• p. 53: With respect to translators at meetings, a real caveat needs to be added that such translation services must not impede the general audience's ability to hear or see the proceedings. Some translators have actually interfered with members on the dais conducting a meeting, and have frequently been so loud in there translating efforts that members of the audience could not hear the ongoing debate. There should be a protocol to allow for proper translation without it interfering with the overwhelming majority of the participants/audience.• A-12: This should be noted specifically as a BLANK FORM (for people who are easily confused, like me). Resource Listings: The Beauregard Corridor Stakeholders' Group should be listed as an example of community outreach and input. This was a major success in Alexandria, and we should build on lessons learned from that process.

RESPONSE 15	<p>page 18 - Language has been changed to "when participants are satisfied.."</p> <p>Page 27 - Add Beauregard Corridor Stakeholder's Group as one of the examples provided.</p> <p>page 34 - Add second sentence: Notice of where the community can access post-meeting materials and project information should be included on meeting flyers provided to libraries and newspapers."</p> <p>page 46 - Add libraries to first sentence of the paragraph beginning, "Print materials can be distributed at..."</p> <p>page 51 - In sidebar quote, change "Democratic" to "democratic"</p> <p>page 52 - Free translation software does not always translate accurately, so we don't suggest it. We use bilingual staff, community volunteers, or in some cases professional translators to ensure accurate translations. page 52 - We have had success with condo associations agreeing to post flyers on their website as well as in elevators or on bulletin boards.</p> <p>page 53 - You make a good point. Typically, we have translators using headsets and have not had issues, but this is something to keep in mind when setting up a meeting space.</p> <p>A12 - We have added "Blank Form" to the top of the page.</p> <p>We have added BCSG to page 27 as an example of a successful advisory group.</p>				
COMMENT 16	DB		11-Oct	6-Sep	I appreciated being able to participate in some of these discussions. I think the draft handbook is an excellent start. I do think the achieving engagement will be a difficult road and hope this can have some measure of success.
RESPONSE 16	Successful implementation of the handbook will certainly require significant commitment on the part of city staff, elected and appointed officials, and members of the community. The handbook establishes the foundation for moving forward.				
COMMENT 17	James	Carol	9-Oct	6-Sep	Congratulations on this process and acknowledging the needs it seeks to serve. Alexandria's living legacy and brand identity are served by the best possible means of civic engagement and exercise of freedom of speech. This process helps to underscore who we are as a community. One point I do not see addressed as a matter of diversity is the need to involve and include impartial, informed sources where available. "Celebrate small victories" (p. 59) is a very worthy goal deserving of a process - as is embracing the understanding that "increasing public engagement across the city will require years of sustained collaboration and considered progress." The use of a civic engagement advisory commission could extend and enhance this project.
RESPONSE 17	<p>Re: involving/including impartial sources - The civic engagement principles "Respect" and "Transparency" specifically address neutrality and impartiality, as well as sections on Facilitation and MCs (pg 22, 30 and 31)</p> <p>Re: Civic Engagement Advisory commission - In the first year, staff will focus on setting up the foundation for implementation of the civic engagement work through an Interdepartmental Implementation team. It may be that a Civic Engagement Advisory Commission is an appropriate future step to ensure continued successful implementation and accountability.</p>				
COMMENT 18	Enriquez	Edith	4-Oct	6-Sep	<p>Manual draft looks very good. It is easy to read in Spanish and the format of the presentation takes me slowly to each of the information points and easy to understand concepts.</p> <p>I am very happy to see how well is explained the community participation and the city is embracing our city diversity. I know it will be a hard work but the city already know that and recognize some of the challenges come along with bringing everyone to the table to talk. (Need of translation and child care services. Just to mentioned some the Manual is point out.)</p> <p>I love the comments are in the pages from the participants.</p> <p>The expectations are very clear for all the participants: city, community members, volunteers, facilitators. Definitely it is a Manual that will be use to go back and forth through the whole process for any one who participate because clarify each concept for any member who participates will be in the same line walking forward the outcome with the ingredients the Manual provides.</p> <p>I will encourage my network neighborhoods to review and send the feedback before the date line.</p> <p>I just need to let you know some typing mistakes in Spanish: Page #52 "Estratgegia" better "Estrategia". My recommendation will be also to change in Page 19 Phase 2 "enrolar" better "involucrar"and Page 21 at second paragraph same "enrolar" better "involucrar"</p>
RESPONSE 18	<p>Thank you for your participation and suggested improvements.</p> <p>The following edits have been made to the Spanish version of the handbook based on your suggestions:</p> <p>Page 52 "Estratgegia" change to "Estrategia"</p> <p>Page 19 Phase 2 "enrolar" is changed to "involucrar"</p> <p>Page 21 second paragraph "enrolar" is changed to "involucrar".</p>				

COMMENT 19	Hertel	Poul	11-Oct	6-Sep	<p>Thank you taking the time to listen to our comments on the revised Handbook for Civic Engagement. However, there is a real need for citizens to affect the outcome of major decisions in a meaningful way. Because citizens will only participate if there is a credible organizational process that gives them reason to believe they have the ability to affect the outcome.</p> <p>Although a lot of work obviously went into the Handbook, the City Growth Policy of the City Council is holding the civic engagement process back from addressing some of the core issues that precipitated the need for it in the first place. The primary Civic Engagement goal is to improve the quality of Alexandria's public participation process, so that "members of the community are actively, constructively, and meaningfully involved in the public decisions that affect their lives." This goal was intended to address the opinion of some that the Alexandria engagement process consists of one or more of the following objectives, which the White Paper; The Connected Community: Local Governments as Partners in Citizen Engagement and Community Building specifically states "that citizen engagement is not:" Selling the public on; Getting votes for; Convincing the public to; A meeting to complain/find fault with; A process where staff controls [the] outcome" As Lukensmeyer and Torres (2006, 7) state: "To simply inform and to consult are 'thin,' frequently pro-forma techniques of participation that often fail to meet the public's expectations for involvement, and typically yield little in the way of new knowledge." In the comprehensive review of the literature on Citizen participation, the White Paper concludes that "What appears to be most important from a citizen's perspective and from the standpoint of attaining ongoing engagement is not the strategy employed, but how government responds when citizens voice their preferences.</p> <p>1. For citizens, there are two questions that are paramount:" Did the government listen and take action based on what they heard from us? Was it worth my time and effort?" These are simple, but vitally important questions that need to become objectives for each major decision and be inculcated into the in the Handbook and City Hall.</p> <p>2. By emphasizing form, the Handbook offers the citizens to have opportunity to comment, but it does not address the core issue of ensuring that citizens will have influence over the outcome. Nor does it ensure that public servants treat service recipients, not as customers, but as citizens with whom they want to build a positive relationship, a sense of responsibility, and mutual trust.</p> <p>3. Moreover, if the "Growth Policy" is set outside the engagement process by the City Council, to what end is the engagement process? As in the past, unpopular or ill-conceived projects will merely degrade into mass protest movements, causing more damage than good.</p> <p>4. Furthermore, although the current version of the Handbook is rich in expectations placed on citizen behavior, it is surprisingly silent on the conduct of City entities, giving credence to the belief that engagement is not truly a bilateral process.</p> <p><i>(Numbers added above by staff to facilitate response below).</i></p>
RESPONSE 19	<p>1. We agree that an affirmative response to the questions you pose are fundamental to encouraging ongoing return engagement from members of the community. Depending on the issue at hand however, there may be opposing preferences within the community and therefore, there will always be people who are unhappy with the decision. What is important in those cases is being able to say, I didn't agree with the outcome but I thought the process was fair. We have added your essential questions to page 6 under the heading "What does success look like?": There are two simple, but vitally important questions that should be objectives for each major decision: Did the government listen and take action based on what they heard from us? Was it worth my time and effort to participate?"</p> <p>2. The Handbook does establish expectations throughout to ensure and to show how citizens have influence over the outcome. For example, on page 35, "The hallmark of an iterative process is that participants know how their work informs the progression of the project." This goal is also spelled out in the Principles of Meaningful Engagement and Transparency.</p> <p>3. The Handbook cannot ensure that public servants treat members of the community as people with whom they want to build a positive relationship, a sense of responsibility, and mutual trust, however these are valuable and many of these sentiments are spelled out in the principles.</p> <p>3. City Council's strategic plan is developed through a community process, and the strategic plan in turn informs city policy and small area planning.</p> <p>4. The Handbook largely sets a shared understanding and expectations for how City staff (and elected and appointed officials) should conduct the engagement process for major City decisions, and the principles that they should abide by in doing so. The onus is on staff to ensure that each of these processes starts off on the right foot and follows a process that complies with the framework, the principles, and the guidelines established. The handbook acknowledges however, that decisionmaking in the best interest of the city needs to happen in partnership with members of the community. For that reason, we added a 2 page section on Shared Responsibility illustrating ways in which members of the community can and should be a partner in the effort to engage a broad cross section of the community most meaningfully in the decisions that shape and affect their City. The principles of Respect, Mutual Accountability and Sustained Collaboration (generated from community input) also reference the importance of mutual trust and partnership in the best interest of our City.</p>				

20	Hobbs	Michael	11-Oct	6-Sep	<p>"What's Next Alexandria" 's draft Handbook for Civic Engagement is largely unobjectionable. Individuals might differ on some of the details, but the broad "Principles of Engagement" at the core of the undertaking seem sound and appropriate, and are accompanied by a broadly comprehensive "tool box" for implementation.</p> <p>Standing alone, however, the Handbook and its implementation run the risk of disappointing and discouraging rather than fulfilling public expectations, and thus failing to achieve the eloquently stated goal of "improv[ing] the quality of Alexandria's public participation process so that members of the community are actively, constructively, and meaningfully involved in the public decisions that affect their lives." The principal flaw is not in what the draft Handbook contains-but in what it does not.</p> <p>The principal lack is a clear, concise and credible statement by the City Council itself that its commitment to this objective and these principles is not superficial but substantial, not cursory but compelling, not peripheral but central to its determination as to how the City of Alexandria will conduct its public policy decision-making processes.</p> <p>Council's having commissioned the "What's Next Alexandria" project, and attendance by individual members of the Council and of City management at several of the community meetings, were welcome, but are not alone a sufficient demonstration of the depth of its commitment and the importance it attaches to the goal.</p> <p>When it adopts the Handbook, the Council should demonstrate that commitment by predicateding it on the adoption of a Statement of Policy on Public Participation in the City of Alexandria's Public Policy Decision-Making Process-a policy which Council is willing to measure the City's governmental processes against; for the implementation of which Council is willing to be held primarily and ultimately accountable; and which Council is prepared to apply fully to its own proceedings, as a hallmark for the practice of all other governmental bodies and agencies in the City. A suggested statement of principle proposed more than four years ago by the Alexandria Federation of Civic Associations (with some additional language to reflect some of the key conclusions and recommendations of the current "What's Next Alexandria" project) could be a useful starting point for the drafting of such a Statement of Policy by the Council:</p> <p>It shall be the policy of the City of Alexandria that significant public policies will be adopted, and significant governmental action taken, only after (1) the nature of the proposed policy or action has been fully disclosed, (2) the public has had full and fair opportunity to learn of the proposed action, and to comment on it, and (3) the decision-making body has had sufficient opportunity fairly to consider and reflect on such comment, before acting. It is the purpose of this policy to ensure that public participation in all of the City's public policy processes shall be welcomed and encouraged to the optimum degree, so that all citizens of Alexandria, regardless of their station or their circumstances, shall have no less access to and opportunity for participation in those processes, and their views afforded no less full, fair and respectful consideration, than is afforded to any public or private parties at interest.</p>
RESPONSE 20	<p><i>We agree with and appreciate your suggestion to adopt a strong policy statement supporting and holding the city accountable for its civic engagement work. Staff has incorporated your suggested language into a draft Resolution establishing Alexandria's Policy on Civic Engagement for City Council's consideration when it adopts the Handbook.</i></p>				
COMMENT 21	Linehan	Patrice	11-Oct	6-Sep	<p>The Handbook outlines the "What's Next Alexandria?" civic engagement process well, and captures the recommendations made during the public meetings (and online interaction)... Excellent work!</p> <p>Descriptions of what a "community organizer" does, and the purpose of different communication methods adds clarity and promotes common understanding. Nice work!</p> <p>Some general recommendations:</p> <p>-I like the idea of a basic evaluation as suggested by Amy Thomas.</p> <p>-Consider "chunking" the information into sections for the online version so the reader is not overwhelmed -Existing leadership groups might need to adjust their current structure (e.g., inviting City staff to speak at monthly meetings) to better align with the new process and could benefit from some training (similar to City staff training that is being planned).</p> <p>More detailed edits to consider:</p> <p>p. 23 (2nd paragraph) - Consider breaking up the one long, wordy sentence p. 26 - Mobile Workshop & ... (out of place? - Move to #2?) p. 36 "benefits and constraints" repeated twice in paragraph 3</p> <p>Other considerations:</p> <p>-Flyers also helpful in places where people gather and have to wait (e.g. bus stops) -Print distribution can use existing infrastructure (e.g. inter library, recreation center, City departments and/or school distribution systems)</p> <p>Thank you for the opportunity to participate and comment. I'm committed to carrying this work forward and hope to see the results of this work implemented in upcoming City projects.</p>
RESPONSE 21	<p>Evaluation: Staff has added a basic process evaluation form and added to the appendix with the other templates.</p> <p>Online Version: Per your suggestion, once approved by City Council, the online version will be "chunked" to facilitate easier access to the different sections by staff and community alike.</p> <p>page 23 (2nd paragraph) - Sentence edited to: Included in the appendix is a civic engagement toolbox, which provides a comprehensive list, description and suggested use for many tools available.</p> <p>page 26 - the misplaced header "Mobile Workshops &..." at the bottom of the page has been moved to the top of the right column</p> <p>page 36 - duplication of "benefits and constraints" has been removed in paragraph 3</p> <p>page 46 - second bullet has been edited to: "Print materials can be distributed using existing City infrastructure, including libraries, recreation centers, other City facilities and school distribution systems, as well as at religious institutions, local shops, restaurants, gyms, bus stops, and waiting rooms. Flyers should be considered for any place that residents congregate, spend time, or have to wait.</p>				
COMMENT 22	Dyer	Marc	11-Oct	6-Sep	<p>Looks like it could be a useful resource for folks interested in getting involved in their community. I'm glad it's also available online. Are there plans for translations (e.g., Spanish, Amharic)? From Library Comment Form</p>
RESPONSE 22	<p><i>The City has translated the document into Spanish, now available online and at City Libraries. In future, it may be recommended that additional language translations be provided, at least for the summary document.</i></p>				

COMMENT 23	Developer Attorneys	Developer Attorneys suggested the addition of clarifying language regarding what projects are required to use the civic engagement framework template and follow the principles. Their question was one of applicability and whether development projects (or more generally, changes initiated by non-City entities) will be required to undergo the same process as small area plans, for example.
RESPONSE 23	<i>Language has been added to page 3, page 56 (see above) and the Appendix, to help clarify expectations about applicability. Introduction, page 3: "A chart has been added to the appendix of this handbook and to the implementation plan to clarify how the civic engagement framework and principles apply to the range of projects the City undertakes. In general, projects initiated by the City will be expected to apply the outcomes of What's Next Alexandria. Projects initiated by others, such as development applications, will still require community outreach and feedback as always, but not at the level required of City projects."</i>	

ATTACHMENT 3

Implementation Plan

***What's Next Alexandria* Civic Engagement Initiative**

City of Alexandria

January 14, 2014

Table of Contents

- I. Statement of Intent
- II. Organizational Structure and Resources
- III. Training
- IV. Communications
- V. Performance Assessment
- VI. Applicability

I. Statement of Intent

The Civic Engagement Handbook (handbook) establishes a foundation that sets forth the principles and process for involving the community in the decisions that affect them. Successful implementation of the handbook will depend on fundamentally consistent application of the principles and practices across the various departments and agencies of the City government; sufficient resources, both human and fiscal; and consistent assessment of performance over time. The intent of this document is to serve as an implementation action plan, including recommendations for organizational structure, resource requirements, applicability, training, communications, and performance assessment.

II. Organizational Structure and Resources

An effective organizational structure is necessary to ensure that application of the principles and framework are fundamentally consistent citywide, and the level of effort is realistic and achievable. The City will utilize a hybrid structure, with some elements centralized and others decentralized to ensure both consistency and efficiency.

The City Manager's Office will provide oversight to ensure that expectations are clear, resources are adequate to meet expectations, and staff is held accountable for results. Primary responsibility for overall coordination of civic engagement implementation will be delegated to the Office of Communications and Public Information (OCPI). Working with City department staff, OCPI will coordinate the exchange of information with the community, interactions with the news media, and the activities of staff in support of the civic engagement effort. OCPI staff will work through cross-departmental collaboration to understand the barriers and opportunities to implement our civic engagement strategy and notably to ensure quality and consistency in application of the principles and practices of civic engagement. Specifically OCPI, under the direction of the City Manager's Office will:

- Coordinate the necessary training required for internal and external stakeholders as detailed below in the Training section of this document.
- Develop a communication plan clearly stating the principles, expectations and actions required for successful civic engagement as detailed in the Communication section of this document.
- Manage the overall tracking and assessment of civic engagement performance conducted by the Departments as detailed in the Performance Measures and Evaluation sections of this document.
- Provide guidance and troubleshooting as needed to project managers within the Departments

While City staff has historically and routinely engaged in civic engagement activities, adoption of specific principles and practices, clearly defined expectations for City staff performance in the civic engagement process, and the heightened need for cross departmental coordination, all place additional work responsibility on staff. It is expected that full implementation will require the commitment of additional staff resources. The specific resource requirement has yet to be determined. However, in order to deliver the Civic Engagement effort as outlined and achieve the desired results, staff believes there is a need for organization wide coordination as well as support to key departments. Departments most likely to require direct assistance to provide the level of civic engagement envisioned include Transportation & Environmental Services, Planning & Zoning, Recreation, Parks and Cultural Activities, and Project Implementation. These departments are expected to be the most active in applying civic engagement practices.

Individual departments will integrate the new standards and framework into their existing operations. All of the planning efforts included on the City's Interdepartmental Work Program will follow the principles, framework, and guidelines established in the handbook. Having the departments lead the implementation effort in this way, rather than through a centralized administrative function, allows the civic engagement approach to meet the needs of the specific project, and encourages ownership of implementation, speeding the process for internalizing the new civic engagement approach. Because the projects are of different scales, from a Small Area Plan process to a more focused technical study, each project's civic engagement framework will be distinct, but the common threads will be the principles and the agreed upon phases of the process overall.

An interdepartmental working group will monitor civic engagement implementation across departments and provide guidance on refining the organizational structure as needed. This group will review and refine the applicability criteria to serve as a threshold for understanding when a City project requires a civic engagement plan or when the Handbook is simply a reference document for general engagement on smaller projects. Evaluation and performance accountability will be managed by the City Manager's Office following recommendations from the interdepartmental group.

In summary, implementation roles are:

City Manager's Office

- Set expectations: Establish citywide policies and procedures
- Allocate resources for training

Civic Engagement Coordination

- Manage training program
- Ensure consistent application of the principles and framework
- Provide technical support and expertise to departmental project staff
- Coordinate and track projects on *What's Next Alexandria* website

- Manage performance accountability
- Manage internal communication and provide support for external communications and outreach

Departments/Project Management Staff

- Attend training
- Apply the principles
- Use the civic engagement framework
- Manage civic engagement processes

Civic Engagement Interdepartmental Working Group

- Monitor civic engagement implementation across departments
- Provide guidance on refining the organizational structure as needed
- Provide guidance on refining applicability criteria
- Review performance accountability data

III. Training

Facilitation training for staff and members of the community will help embed the City's new approach to civic engagement in a consistent way. While Staff has already begun to implement the principles and framework established in *What's Next Alexandria* in current planning processes, training sessions are expected to begin in Summer 2014 and be offered on a quarterly basis throughout the year.

Civic engagement training will consist of two parts: content and skill building. The content element will train staff and other stakeholders in Alexandria's new civic engagement "way" – what the principles are and how to ensure they are being followed, what the framework is and how to apply it, and how to implement a meaningful and constructive civic engagement process. The skill-building piece will focus on conducting productive meetings, facilitating small group discussions, managing difficult situations, and learning about non-meeting options for engagement.

Training will be required of City staff engaged in public participation work. Key project managers in applicable City departments are required to be adequately represented during the training sessions. City Council members and Board and Commission members involved in work that has a large civic engagement component will also be provided training. Examples of some of the applicable boards and commissions are: Planning Commission, Transportation Commission, Parks and Recreation Commission, Waterfront Commission, Board of Zoning Appeals, Traffic and Parking Board and School Board. The City will also offer training to community members, community and civic organizations and nonprofit agencies. Some training sessions will offer a combined approach with the community and staff together; others will be designed for staff only.

The City will partner with the Alexandria Collaborators and other nonprofit community groups such as Alexandria Council of Human Service Organizations and Parent Leadership Training Institute (PLTI) for guidance on curriculum development, and

assistance with outreach and delivering community training sessions citywide.

The City will contract with outside professionals to assist with curriculum development and early training sessions that will be oriented initially toward training staff in those departments that conduct the majority of civic engagement processes. Some of these early sessions will be focused on “training the trainer,” to institutionalize the training knowledge across departments. Training session coaches will underscore why this effort is important to the City as a whole and what the benefits are to staff in their work.

Training will be accompanied by a short staff manual outlining the policies and procedures, and will be followed up with regular communication to the departments about expectations and providing support. Training elements will also be recorded as short podcasts for improved accessibility by the widest audience.

Training Sessions

Core (required):

1. **Handbook:** Detailed instruction on civic engagement principles and practices using case studies; instructions and criteria on how and when to apply the civic engagement “Framework,” demonstrated through case studies.
2. **Facilitation Skills:** Introductory and 2nd level trainings on how to design and run an effective meeting, facilitate small group discussions, handle difficult participants, and get the most out of a meeting.

Additional sessions for Project Managers:

3. **Workshop - Applying the Civic Engagement Framework:** A in depth discussion of the criteria for when the framework is required, the steps involved in developing the framework, and planning a community engagement process, using current City projects as examples.
4. **Workshop – Engagement Toolbox:** An in depth look at best practices in the civic engagement field of effective engagement strategies (including meeting and non-meeting strategies) and communication and outreach tools.
5. **Workshop – Survey and Activity Design:** A workshop on developing effective questionnaires/surveys and designing productive engagement activities.

IV. Communications Plan

The Office of Communications and Public Information will take the lead on implementing the initial communications plan, with communications ultimately coordinated by the City’s Civic Engagement Coordinator in the OCPI and reviewed by the interdepartmental working group.

Each department will identify an initial coordinator in response to a request from the City Manager’s Office to Department Heads. This will be someone who can help distribute

materials within the department, not necessarily the position that will be responsible for all implementation.

Adoption of Handbook and the City's Civic Engagement Policy Statement: These communications will notify the public and stakeholders that City Council has adopted the handbook and policy statement, and will explain the purpose and overall implementation plan.

- News Release (all City news releases are distributed to media list, website, eNews, Facebook, Twitter)
- Email from City Manager to all employees
- Update on alexandriava.gov/WhatsNext with further information, including the initial project threshold criteria used to determine engagement
- Email/Letter from Mayor and/or City Manager to all City Boards and Commission members and all participants in the *What's Next Alexandria* process
- Posting the civic engagement principles in Council Chambers and other City meeting spaces

Training Plan: These communications will notify target audiences of training opportunities.

- Formatting and publication of training materials
- Emails to notify internal contacts (employees, department coordinators)
- Emails/Letters to notify external contacts (boards and commissions, civic groups, nonprofits, *What's Next Alexandria* participants)
- Standing calendar at alexandriava.gov/WhatsNext (subset of alexandriava.gov/Calendar)

Project Catalog: The catalog will consist of the checklists required to be submitted and maintained for each project that meets the threshold applicability criteria.

- Establishment of webpage under alexandriava.gov/WhatsNext
- Creation of simple online form for staff to create/submit/update checklists with cross references to their project websites.

Initial Projects: These communications will notify stakeholders of the projects being implemented in the first round of application of *What's Next Alexandria*.

- Emails/Letters/eNews to staff and external contacts
- Updates as appropriate based on project checklist

Branding: Branding is a communication of essential characteristics and values, designed to evoke a feeling or sense of understanding about the brand.

- The communications team should further develop the *What's Next Alexandria* civic engagement brand, and publish brief guidance to help implement the brand. Branding may include logos, taglines, color schemes, font and formatting guidelines, etc., but the brand is the combination of all these things.
- The brand can be extended to include identification of project or process amenities that are designed to encourage engagement. For example, icons could be developed to make it easy to determine that a given meeting will have WiFi, child care, and parking, or that a given document is in draft form and is seeking input through a certain date. These branding conventions would reinforce the idea that all City activities seek to promote and facilitate civic engagement.

V. Performance Measures

In partnership with and oversight by the Office of Performance Accountability, the City shall pursue a program of data collection via participant surveys on the following civic engagement performance measures:

1. Number of participants at each meeting
2. Percentage of Alexandria's demographic population represented at meetings
3. Rate of return of meetings' participants
4. Number of participants involved in online engagement activity
5. Percentage of participants who feel that an unbiased framing of the issues was provided at the start of the process
6. Percentage of participants who feel they had access to the key information regarding the issues before participating in each meeting
7. Percentage of participants who feel the final results of the process clearly highlighted the group's priorities
8. Percentage of participants who feel their input affected the final results of a project
9. Percentage of participants who feel the group's input affected the final results of a project
10. Percentage of participants who have confidence in the civic engagement process

Internal

1. Percentage of City staff trained in civic engagement principles and practices
2. Percentage of trained City staff who understand the civic engagement principles and practices
3. Percentage of Boards and Commissions' members trained in civic engagement principles and practices
4. Percentage of trained Boards and Commissions' members who understand civic engagement principles and practices

Office of Performance Accountability staff will assist with further refining these measures as needed and folding the Civic Engagement effort into the Results Alexandria framework.

Evaluation

In addition to collecting the performance data points outlined above through participant evaluations during a given process, staff project managers will conduct assessment of civic engagement performance at the end of each project, producing a brief summary and evaluation of each project's civic engagement process and outcome using the template provided in the Handbook appendix.

The interdepartmental working group will review the project evaluations completed by departments and develop a proposed plan for future annual review of civic engagement performance, considering the following elements and identifying areas of improvement:

- ***Evaluate use of the Framework:*** Is it being used consistently by all applicable City processes? Does it need to be revised?
- ***Evaluate departmental use of the Handbook:*** Is it frequently used/referenced when designing community engagement processes? Are certain elements of the Handbook out of date and in need of being updated? Is there anything missing?
- ***Define the process for revising the Civic Engagement Handbook*** when necessary;
- ***Evaluate Communications/Outreach success*** and update the City's understanding of communications networks; Have new communications avenues become more popular? Which organizations and networks are the best up-to-date tools for outreach and communication? How can the City reach into spaces where the public is already active?
- ***Evaluate new and emerging online and digital engagement techniques:*** Have new forums for online engagement become popular or free?
- ***Assess the City's implementation structure:*** Is there a problem with consistency or has the effort become too administratively onerous? Does the hybrid approach need to be adjusted to gain more consistency or to allow for more flexibility based on workflows? Should the City consider establishing a Civic Engagement Advisory Commission, similar to Portland, Oregon's, to assist with performance assessment and providing input for improvement?

VI. Applicability

Generally speaking, the type of project/public decision to be made will dictate the level of civic engagement required. A small area plan, for example, will require a significantly different approach than a development application. The small area planning process is characterized by a high level of public discretion because it occurs early in the land

development process, and establishes a vision for the area, whereas a development application has private property rights already given in the city's zoning ordinance, and a vision for the area already developed by the community in the small area plan.

The community should reasonably expect that staff is applying the principles of civic engagement in all interactions between City government and community with particular attention focused on major land use plans, significant public policy initiatives, and substantive program efforts. Even among these categories remains a significant degree of subjectivity. Additional clarifying language and a matrix have been added to the handbook and appendix, as well as to this implementation plan. The matrix illustrates general guidance on threshold applicability criteria for the variety of policies, plans and projects typically requiring public participation in the city. The matrix establishes the goals for the different levels of engagement based on the type of project, although the nature of a specific project may require a higher or different type of civic engagement than would otherwise be called for in the applicability criteria. The matrix is accompanied by two graphics that help demonstrate the continuum of civic engagement called for according to project, as well as the relationship between projects.

All of the planning efforts that will utilize consultant support have written a requirement to understand and comply with the *What's Next Alexandria* handbook into their scope of work, including the Eisenhower West Plan, Eisenhower West Transportation Study, Public Arts Master Plan, and the Pedestrian Bicycle Master Plan. When the Stormwater Management Master Plan begins, it too will apply the City's new civic engagement framework and principles.

All projects that meet the threshold criteria for full civic engagement will complete and post a process framework template which provides information about the civic engagement plan for the project, a general timeline, goals for the project, and lead department. Each of these projects will be added to the project catalog on the *What's Next Alexandria* webpage, using an online form adding information on project web address, project manager name and contact information, and members/departments involved in the Interdepartmental team.

Attachment 1: Civic Engagement Applicability Matrix

General Threshold Applicability Guidelines and Criteria for Civic Engagement Process

Type of Project	Geographic Relevancy	Public hearing*	Output	Typical Length of Process	Scope of public input: Does the public decision have a high, medium, or low level of public discretion? How much is on the table that the public can weigh in on?	** IAP2 Level of Civic Engagement Goal: 1 -inform; 2-consult; 3-involve; 4-collaborate (see definitions after spreadsheet)	Description
Citywide Major Public Policy Documents							
City Council Strategic Plan	Citywide residents	Yes	CC Plan	12 months (+/-)	High level of public involvement and discretion.	4 - Collaborate	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive.
City Budget	Citywide residents	Yes	CC Detailed Budget	12 months	Currently, citizens have the opportunity to comment on the City Manager's proposed budget released in February of each year.	3 - Involve	While application of the framework may not fit with the budget schedule, outreach and request for community input should be comprehensive.
Chapters of the Master Plan, Small Area Plans or Special Studies							
Chapters of the Master Plan: Small Area Plans (SAP) and Programmatic Plans, such as Open Space Master Plan, Citywide Parks Planning, Aging Plan, Housing Master Plan, Public Art Master Plan	SAP area or citywide, varies	Yes CC	PC, Plan	18 months (+/-)	Small area plans (SAPs) tend to provide an opportunity for a great deal of public input and discretion because they establish a long term vision for an area, at the beginning of that "long term," although the plans must be consistent with the City's strategic plan, funding capacity, and developer contributions. Same applies to programmatic chapters of the master plan.	4 - Collaborate	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive.
Special Studies such as Parking Study, Infill Study; Union Street Corridor Study; Industrial Use Study; Wayfinding Design Guidelines	Varies	Yes/Varies	Report/Study	12 months (+/-)	Generally have a more limited scope than chapters of the Master Plan, but still provide opportunity for significant public input.	4 - Collaborate	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive.
Transportation Master Plans, Transit Corridor Plan, Ped/Bike Master Plan, Complete Streets Design Guidelines	Varies	Yes/Varies	Plan	18 months (+/-)	Similar to chapters of the master plan above, although may also have some engineering and state/federal mandates constraining options.	2 - Involve	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive.
Infrastructure Plan, such as Sewer Master Plan; Stormwater Management Plan	Citywide residents	Yes	Plan	18 months (+/-)	Much less on the table compared to SAP because of technical engineering constraints and state/federal mandates. However, where options exist, public should have opportunity to weigh in.	3 - Involve	Civic engagement framework, principles, tools and strategies should be applied. Outreach and request for community input should be comprehensive. as possible given constraints of state/federal mandates.
Infrastructure Projects							
New Facilities (School, firestation, etc)	Specific location or citywide	Yes CC	PC, Construction Documents	18 months (+/-)	Constrained by capital funding and specific infrastructure requirements, but where options exist, public should have as much opportunity to weigh in as possible.	2 - Consult	Communications and outreach should be thorough and opportunity for comment should be provided, consistent with Whats Next Alexandria guidelines, but the process does not require application of the framework.

General Threshold Applicability Guidelines and Criteria for Civic Engagement Process

Type of Project	Geographic Relevancy	Public hearing*	Output	Typical Length of Process	Scope of public input: Does the public decision have a high, medium, or low level of public discretion? How much is on the table that the public can weigh in on?	** IAP2 Level of Civic Engagement Goal: 1 -inform; 2-consult; 3-involve; 4-collaborate (see definitions after spreadsheet)	Description
Transportation or utility system improvements e.g. horizontal infrastructure, complete streets, bike lanes, pedestrian improvements.	Specific location or citywide	No	Construction Documents	18 months (+/-)	If consistent with/called out in the transportation master plan or other infrastructure utility related plans, then, outside of the manner with which the project is implemented, there is relatively little on the table for discussion. In that case, it would simply be implementation of an already approved community-developed plan. If improvement is in addition to/not called out in a previously approved plan, then the level of community input should be higher.	2- Consult/3 - Involve	Communications and outreach should be thorough and opportunity for comment should be provided, consistent with Whats Next Alexandria guidelines, but the process does not require application of the framework.
Regulatory Ordinance and Code Changes							
Changes to the Code or text amendments to the Zoning Ordinance or similar regulatory changes such as parking ratios, taxis, massage establishments, or outdoor dining, etc.	Specific location or citywide	Generally Yes PC, CC	Zoning Text Amendment	Varies	Should be consistent with already approved city policy and plans, but public can weigh in on details not already established in previous planning efforts.	2 - Consult	Communications and outreach should be thorough and opportunity for comment should be provided, consistent with Whats Next Alexandria guidelines, but the process does not require application of the framework.
Regulatory Review							
Rezoning/Map Amendments	Specific site	Yes CC	PC, Rezoning, Map Amendment	Varies	Property owners or the City can initiate rezonings/map amendments (zone/land use changes and corresponding map changes) to the master plan. Whether initiated by property owner or the City, the level of input by the community would be like that which occurs during the development review process. When a rezoning is initiated by a property owner, the community can weigh in on a project's consistency with the Small Area Plan, zoning, and implications to the adjacent and surrounding areas through community and public meetings. When initiated by the City, the rezoning/map amendment would include a community engagement process from the City.	2 - Consult	Communications and outreach should be thorough and opportunity for comment should be provided, consistent with Whats Next Alexandria guidelines, but the process does not require application of the framework.

General Threshold Applicability Guidelines and Criteria for Civic Engagement Process

Type of Project	Geographic Relevancy	Public hearing*	Output	Typical Length of Process	Scope of public input: Does the public decision have a high, medium, or low level of public discretion? How much is on the table that the public can weigh in on?	** IAP2 Level of Civic Engagement Goal: 1 -inform, 2-consult; 3-involve; 4-collaborate (see definitions after spreadsheet)	Description
Development Application Review	Specific site	Yes OC	PC, Entitlement for property owner; developer contributions/ community benefits for City.	18 months (+/-)	Property owners can develop "by right" or seek approval for additional development rights. With the latter, there is more "on the table" for the community to weigh in on. Development applications have existing property rights for development and an obligation to comply with previously adopted Small Area Plan, which the public has presumably already participated in developing. Community can weigh in on a project's consistency with the Small Area Plan, zoning, and a variety of details, but the major issues such as use, scale, density have already been established by the community in the Small Area Plan.	2 - Consult	Applicants are required to conduct standard community outreach and generally abide by principles of civic engagement. Framework need not be applied.
SUP Review	Specific site	Yes OC	PC, Government approval	3 months (+/-)	Business owners required to comply with existing regulations. Community can provide comment before and at public hearings for Planning Commission consideration.	2 - Consult	Applicants are required to notify adjoining property owners.
BAR Cases	Specific site	Yes BAR, PG BAR	OHAD Government approval	3 months (+/-)	Property owners required to comply with existing regulations and guidance of the historic districts. Community can provide comment before and at public hearings for Board consideration.	2 - Consult	Applicants required to notify adjoining property owners.
BZA Cases	Specific site	Yes	BZA Government approval	3 months (+/-)	Community can provide comment before and at public hearings for Board consideration.	2 - Consult	Applicants required to notify adjoining property owners.

Notes:

This matrix serves as a guide only. Specific programs/projects/policies may require more or different engagement than shown in the chart. Not all project types may be listed above. Questions about a specific project should be directed to the Department and project manager.

* There are many more opportunities for public input in advance of public hearings.

**International Association for Public Participation (IAP2)

Definitions of Levels of Engagement from IAP2

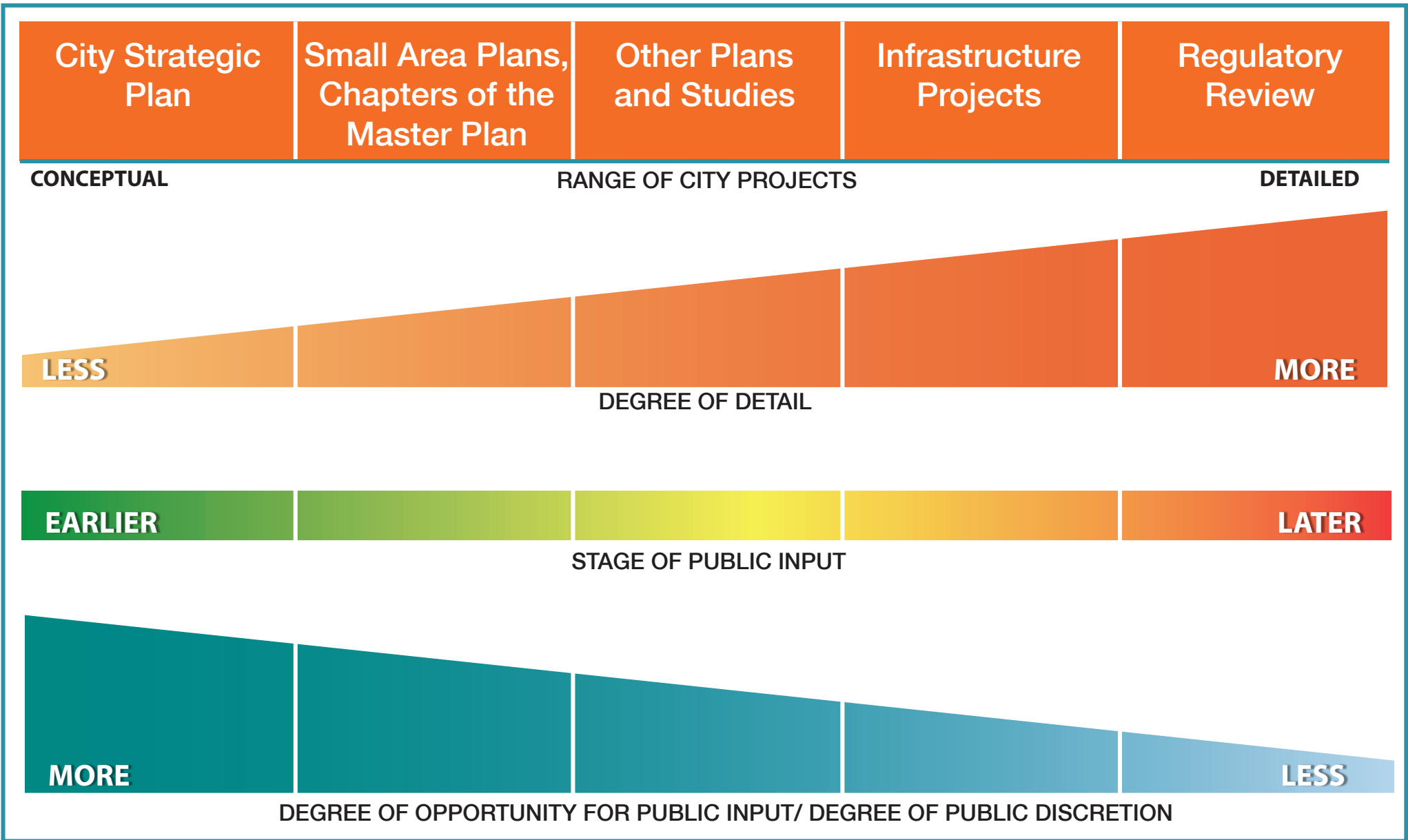
http://www.iap2.org/associations/4748/files/IAP2%20Spectrum_vertical.pdf

1 - Inform: We will keep you informed.

2 - Consult: We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision

3 - Involve: We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input shaped the result

4 - Collaborate: We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent





ATTACHMENT 4

RESOLUTION NO.

Establish civic engagement principles and process as set forth in *Alexandria's Handbook for Civic Engagement* ('Handbook') to guide the City's effort to involve the public in the development of public policy, program and planning decisions in the City of Alexandria.

WHEREAS, the City Council in 2012 charged the City Manager's office with launching a civic engagement initiative to gather information and develop and implement strategies for improving and expanding civic engagement in Alexandria; and

WHEREAS, the primary goal of the civic engagement initiative, *What's Next Alexandria*, is to improve the quality of Alexandria's public participation process so that members of the community are actively, constructively, and meaningfully involved in the public decisions that affect the city; and

WHEREAS, collaboration between community members and Alexandria city government leads to better results than either working separately, and as an outcome of that partnership, results better stand the test of time; and

WHEREAS, effective civic engagement:

- Improves understanding of the value of working together to solve common problems;
- Generates a fully informed public that knows how to participate;
- Increases public participation, representative of the City's demographic diversity;
- Ensures active leadership by the public in organizing their community to participate in civic engagement processes and help shape broader goals of the City;
- Inspires members of the community to endorse decisions and actions by the City because decisions clearly reflect public participation in a transparent process;
- Stems from consistency across City departments, Boards and Commissions in the application of civic engagement principles and process;
- Results in confidence in the equity of the public decision making process; and
- Reinforces mutual trust between the community and City government; and

WHEREAS, the attached *Handbook* and Principles for Civic Engagement serve as the foundation for public participation in Alexandria and is intended to guide the city government and members of the community in how Alexandrians can best participate in public dialogue for decisions that shape the city;

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

That the City Council of Alexandria, Virginia:

1. Establish as City policy the concepts contained in the attached Civic Engagement Principles and process framework specified in the *Handbook* for the purpose of more meaningfully engaging the community in the development of City policies, plans, and projects. It is the purpose of this policy to ensure that public participation in the formulation of City public policy shall be welcomed and encouraged. Further, it is the purpose of this policy to ensure all members of the Alexandria community, regardless of station or circumstance, shall have the opportunity to express their views on matters of public policy and that their views are given fair and respectful consideration.
2. Ensure that prior to the adoption of public policies which will significantly impact the quality of life of members of the community, (1) the nature of the proposed policy or action has been fully disclosed, (2) the public has had reasonable opportunity to be informed, consulted, involved, or to collaborate on the proposed action, and (3) the decision-making body has had sufficient opportunity fairly to consider and reflect before acting.
3. Charge the City Manager's Office with providing oversight to ensure that expectations are clear, request for resources are adequate to meet expectations, and staff is held accountable for results;
4. Charge the City Manager's Office with directing city departments to conduct ongoing assessments of civic engagement performance by project as stipulated in the *Handbook*, including but not limited to:
 - Assessing performance of each principle;
 - Assessing the organizing and communication process;
 - Reviewing and assessing use of the Framework;
 - Assessing project accountability and transparency;
 - Managing resources to provide appropriate facilitation training to staff involved in civic engagement work throughout the City; and
 - Incorporating internal and external evaluation methods for further insight into department success.
5. Direct the Civic Engagement Interdepartmental Working Group to advise city departments in these assessment processes and to develop a proposed plan for future annual review of civic engagement performance
6. Through this resolution establish binding city policy.

Adopted:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, MMC City Clerk



Legislation Details (With Text)

File #: 14-2128 **Name:** Arlandria Status of Implementation Report
Type: **Status:** Agenda Ready
File created: 11/8/2013 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Receipt of the 2013 Status Report Related to Implementation of the 2003 Arlandria Action Plan.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2128 Attachment 1 Arlandria - 2013 Status of Implementation Report 2012 18 13](#)
[14-2128 Attachment 2 Arlandria - Correspondences](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Receipt of the 2013 Status of Implementation Report Related to Implementation of the 2003 Arlandria Action Plan.

ISSUE: Status of the Arlandria Action Plan implementation activities.

RECOMMENDATION: That City Council: (1) Receive the attached “2013 Status of Implementation” Report (Attachment #1) and (2) Direct staff to continue collaborative and community-based implementation of the 2003 Arlandria Action Plan.

DISCUSSION: In 2011 and 2012, City Council received the first and second “Status of Implementation”

reports, documenting the process and accomplishments of the Arlandria Action Plan implementation activities. Those years of collaboration have resulted in continued progress in implementing the Arlandria Plan.

The 2013 report highlights the activities and achievements of the past implementation period (September 2012 to December 2013) as well as some recommendations that were not able to be advanced. It does demonstrate the consistent efforts on the part of the staff and the Arlandria community, via the Arlandria Action Plan Implementation Advisory Group (Advisory Group), to realize the community's vision as set forth in the 2003 Plan.

Accomplishments

The community building at Four Mile Run Park (4109 Mt. Vernon Avenue) was officially named the *Conservatory Center at Four Mile Run* this year and continues to be a valuable neighborhood resource. Although rentals and programming are limited during the winter months, the space was regularly used in the spring, summer, and fall. Additional phases of the expansion project have not yet been funded. Staff identified alternative funding to complete the new rain gardens and to install site furnishings. The remaining improvements to the expansion site, which were identified in the approved Concept Plan, are proposed for implementation as part of the Large Park Plan for Four Mile Run Park.

The Alexandria Economic Development Partnership (AEDP) continued to provide technical and administrative support to the Arlandria-Chirilagua Business Association (ACBA) and individual businesses; facilitating both the Façade Improvement Grant Program and new business technical assistance.

Planning and Zoning staff continue to monitor area development. Mt Vernon Village Center (3809-3839 Mount Vernon Avenue), a 685-unit multi-family redevelopment project, is moving to the Final Site Plan stage. Additional projects are moving forward and include: Alex Renew's new Four Mile Run Pump Station (3650 Commonwealth Avenue), East Reed Townhomes (101 and 103 East Reed Avenue) and non-profit AHC's Jackson Crossing (Route 1 and East Reed Avenue) in part due to a \$2.5 million city loan and partnered land equity. Also, the non-profit Wesley Housing Development Corporation's Lynhaven Apartment Complex (3515 -3525 Commonwealth Avenue) will undergo substantial rehabilitation in 2014 in part as a result of a \$1.1 million new city loan. Staff will continue to support and encourage redevelopment of the Plan's identified redevelopment sites and will continue to touch base with property owners on a regular basis.

The Four Mile Run Farmers and Artisans Market operated its fourth season at 4109-4125 Mt. Vernon Avenue adjacent to the community building from April 2013 - November 2013. During the past implementation period, Arlandrians also hosted and participated in community service projects (Casey Trees tree planting, Spring for Alexandria) and community events.

Lastly, during this time period, staff hosted one Advisory Group meeting, a spring community open house at the Four Mile Run Farmers and Artisans Markets, two Arlandria Advisory Group Executive Committee meetings, Quality of Life Walk (formerly Code Compliance Walk), and an annual Status of Implementation

Open House. Staff also provided an Implementation Update Memorandum in the spring and an Implementation Update Newsletter in the fall.

Recommendations

As detailed on page 7 and 8 in the attached report, recommendations for implementation activities over the next implementation period include completion of the following funded pedestrian and bicycle infrastructure improvements: Safety improvements at Mt. Vernon Avenue/Russell Road (planning, design, and engineering funded in FY14-23 budget); Commonwealth Avenue/W. Reed Avenue Safe Routes to School Project; new bike lanes, sharrows, and bicycle parking on Mt. Vernon Avenue; installation of additional bicycle parking; new pedestrian crossing at W. Glebe Road and Florence Drive; Mt. Vernon Avenue complete streets assessment and planning; installation of two bus shelters on Mt. Vernon Avenue /Executive Avenue and Mt. Vernon Avenue/W. Glebe Road. Currently unfunded capital and infrastructure projects that will need to compete for funding in the FY2015 City Capital Improvement Programs include additional phases of the Four Mile Run Park Expansion Project and new HVAC system and roof at *The Conservancy at Four Mile Run Park*.

Staff will continue with the following ongoing implementation work: monitoring of current development projects, support and enhancement of retail and small business, support of future redevelopment, support of community-led efforts, Quality of Life neighborhood walk, and Advisory Group and community meetings. In addition, staff is recommending that the next annual reporting period be shifted to end in June 2015 in order to align the work with the City's fiscal year.

FISCAL IMPACT: In order to carry out the work tasks associated with implementing the 2003 Arlandria Action Plan, staff resources are required. Staff will hold quarterly meetings with the Arlandria Advisory Group Executive Committee, three Arlandria Advisory Group meetings (including the annual Status of Implementation Open House), and an annual Quality of Life Walk. The total number of staff hours anticipated for the next eighteen months of work, based on experience from the three prior implementation years, is approximately 550 staff hours. This estimate includes up to 17 staff persons from six departments/ agencies for various work tasks. The aforementioned work will be done by existing staff who will meet and coordinate issues as needed.

ATTACHMENT:

2013 Status of Implementation Report with attachments

STAFF:

Mark Jinks, Deputy City Manager

Faroll Hamer, Director, Department of Planning and Zoning

Carrie Beach, Division Chief, Department of Planning and Zoning

Maya Contreras, Urban Planner, Department of Planning and Zoning

Brandi D. Collins, Urban Planner, Department of Planning and Zoning

ARLANDRIA ACTION PLAN DRAFT 2013 STATUS OF IMPLEMENTATION REPORT

OVERVIEW

This “Status of Implementation Report” provides a summary of ongoing implementation activities for the 2003 Arlandria Action Plan (Arlandria Plan or Plan) during the time period of September 2012 – December 2013. This report also includes recommended implementation tasks for the next 18 months and the fiscal impact of continuing implementation activities at that level of staffing. There are three attachments to this report: 1) Implementation Scorecard, a status of recommended activities proposed in the 2012 report; and additional activities that were conducted this implementation period, 2) Implementation Matrix, a comprehensive list of the status of the recommendations proposed in the 2003 Arlandria Action Plan, and 3) Arlandria Action Plan Advisory Group roster.

Accomplishments: September 2012 – December 2013

Key accomplishments of the most recent implementation period include the following:

- Completion of additional phases of the Four Mile Run Park Expansion Project
- Naming of community building at Four Mile Run Park; with continued use by various groups
- Installation of new bicycle parking facility providing 14 additional parking spaces at Mt. Vernon Avenue and Four Mile Road
- Pedestrian and bicycle improvements on Commonwealth Avenue at Mt. Vernon Avenue intersection
- Crosswalk markings upgraded along Mt. Vernon Avenue
- Bus stops upgraded to meet ADA compliance requirements
- Arlandria-Chirilagua Business Association (ACBA) celebrated one-year anniversary
- Completion of one façade grant project
- Technical assistance provided to two Arlandria businesses
- Annual Quality of Life Walk held and resulted in repairs to sidewalks, repair to gate at Hume Springs Park, removal of debris and trash in right-of-way, landscaping of right-of-way, and repairs to private property
- City Council approval of the Jackson Crossing Development Special Use Permit (DSUP) for a 78-unit affordable housing apartment building at E. Reed and Route 1
- The City of Alexandria and Community Lodgings, a local housing non-profit, were selected for an award by the National Community Development Association for affordable housing rehabilitation project
- Four Mile Run Pump Station DSUP and E. Reed Townhomes Site Plan moved forward
- Special Use Permit approval of a new restaurant, Shakti South Asian Cuisine restaurant
- Fourth year of the Four Mile Run Farmers and Artisans Market
- Casey Trees planting in Four Mile Run Park Expansion
- Spring for Alexandria event, installing and filling planters throughout the plaza at Four Mile Run Park Expansion
- Second annual DiverseCity Multicultural Festival held at Four Mile Run Park

- Pedestrian safety upgrades at the intersection of Four Mile Run Road and Mount Vernon Avenue

BACKGROUND

A Long-Term Vision and Action Plan for the Arlandria Neighborhood (Arlandria Action Plan or Plan) was adopted by City Council in 2003. The Plan identified and evaluated broad community assets and needs, addressed community concerns in the short- and mid-term, and created a long-term vision for the Arlandria neighborhood. In December 2009, City Council prioritized implementation of the Plan by directing staff to channel resources on implementing the recommendations within the Plan and to coordinate with the Arlandria community in implementation activities. To aid in this effort, City Council established the Arlandria Action Plan Implementation Advisory Group (Advisory Group) comprised of residents, property owners, civic and citizen association representatives, business owners, advocacy groups, arts community members, and community-serving organizations. The group's purpose is to partner with City staff in implementing the recommendations of the Arlandria Plan, provide guidance on the prioritization of capital improvements, and to serve as liaisons between their constituencies and City staff. This report is the third "Status of Implementation" Report presented to City Council.

PLAN IMPLEMENTATION ACTIVITIES (SEPTEMBER 2012 – DECEMBER 2013)

The Conservatory Center at Four Mile Run Park

The community building at Four Mile Run Park (4109 Mt. Vernon Avenue) continues to be a valuable neighborhood resource. Although rentals and programming are limited during the winter months, the space was regularly used in the spring, summer, and fall. The users and programs included a recurring Department of Recreation, Parks and Cultural Activities (RPCA) outdoor fitness bootcamp class, soccer camp, and fitness challenge; Community Lodgings, Inc. fundraiser; Center for Alexandria's Children playgroup; second annual DiverseCity event, and the ongoing seasonal Four Mile Run Farmers and Artisans Market on Sundays. The rentals generated over \$1,000 in revenue. A swipe card key system was installed which improved the ease of facilitating reservations and access to the facility. In October 2013, the City Council approved the recommendation of the Naming Committee to name the community building *The Conservatory Center at Four Mile Run Park*.

Four Mile Run Park Expansion Project

Staff identified alternative funding to complete the new rain gardens and to install site furnishings. The community and staff organized a "Spring for Alexandria" community service project and installed additional plantings around the site. Lastly, a Casey Trees grant provided 20 new trees on the site which were planted by volunteers and City staff.

The remaining improvements to the expansion site, which were identified in the approved Concept Plan, are proposed for implementation as part of the Large Park Plan for Four Mile Run Park. Staff is refining the draft plan based on community feedback received over the summer. Once finalized, an implementation strategy will be created for public input that includes cost estimates and phasing. The plans will go to the Park and Recreation Commission and City Council this winter.

Business Community Support and the Arlandria-Chirilagua Business Association

The Alexandria Economic Development Partnership (AEDP) continued to provide technical and administrative support to the Arlandria – Chirilagua Business Association (ACBA). In November 2012, the ACBA marked its one-year anniversary with a large celebration in the community building at Four Mile Run Park. During this implementation period, ACBA was focused on the recruitment of new leaders, growing its membership, and targeting initiatives to support and improve local business in Arlandria. The ACBA also supported the second annual DiverseCity event in September 2013.

AEDP continued to link businesses with resources through the Façade Improvement Grant Program. Since September 2012, one Arlandria business, RT's Restaurant, was awarded a \$5,000 grant. AEDP also provided technical assistance to two businesses; including Arlandria's newest restaurant, Shakthi South Asian Cuisine.

As of July 1, 2013, the Façade Improvement Grant Program expired as Arlandria no longer qualifies as a state of Virginia Enterprise Zone. Since 2009, when coordinated and collaborative plan implementation activities began, eight façade grants were awarded – four of which were in Arlandria. The businesses include Po-Siam Restaurant, Maid to Clean, Wing Zone, and RT's Restaurant. The eight grants total \$22,580 in public investment and resulted in more than \$25,000 in private investment.

In the 2012 Status of Implementation Report, one of the priority activities identified was collaboration among the interdepartmental City staff team, Advisory Group, and arts and business communities to create a strategy to use arts as a catalyst for neighborhood branding, community building, and economic development. However, staff did not move on this item as the Office of the Arts has channeled resources towards creating a citywide Public Arts Master Plan; to follow the 2012 adoption of the City's Public Arts Policy. After this endeavor is complete and implementation is underway, and at such time that is feasible, City staff will allocate resources towards creating a Cultural Arts Master Plan that will include a discussion and approach to arts and cultural districts – citywide. The Office of the Arts staff supports the desire in Arlandria to promote culture and arts; and to use such as an economic development vehicle. Arlandria will be one of the neighborhoods in in consideration as the Cultural Arts Master Plan is developed.

Infrastructure Improvements

The Department of Transportation and Environmental Services (TES) completed multiple projects in the Arlandria neighborhood and continues to work on others. The list below provides an outline of those recently completed and in-progress projects.

Mt. Vernon Avenue/W. Reed Avenue intersection

- Completion of pedestrian safety improvements at the Mt. Vernon Avenue/W. Reed Avenue intersection

Mt. Vernon Avenue /Four Mile Road intersection

- Two taxi parking spaces were removed and replaced with 14 bike parking spaces
- Conflict-free crossing time for pedestrians was added to the signal. This additional time provides an all-red phase for vehicles when pedestrians push the button to cross the street. New ADA-compliant pedestrian countdown signals and push buttons were also added.

Mt. Vernon Avenue /Commonwealth Avenue intersection

- Installation of bike box and bike lane is complete with addition of bike lanes that connect to the existing bike lanes north of the intersection

Mt. Vernon Avenue at Russell Road, Executive Avenue, and W. Glebe Road

- Crosswalks have been restriped for better visibility

Commonwealth Avenue /W. Reed Avenue intersection Safe Routes to School project

- Consultant has been procured and concept designs are complete
- Timeline not yet set for construction

W. Glebe Road/Florence Drive intersection

- A new crosswalk has been installed with ADA ramps
- A flashing beacon was approved and will be installed this winter

W. Glebe Road/ Executive Avenue and W. Glebe Road/Old Dominion Boulevard

- Bus stops were made ADA compliant

Mt. Vernon Avenue Complete Streets Project

- Consultants have begun an assessment of existing conditions along Mt. Vernon Avenue between S. Glebe Road and W. Glebe Road (parking, crosswalks, traffic signals, street widths, physical conditions)
- After existing conditions have been inventoried and documented, staff will propose redesign options, for community input, that improve safety for all road users.

Development Projects

Mt Vernon Village Center, 3809-3839 Mount Vernon Avenue

The site was approved for redevelopment by the City Council in December 2011. The design is for a mixed-use development including 53,000+ square feet of retail with 478 residential units, underground parking, and associated infrastructure and streetscape improvements. The project team is preparing their Final Site Plan submittal and anticipates starting construction in late 2014.

The Taco Place, 3401 Mt Vernon Avenue

The Special Use Permit was approved in December 2012 by Planning Commission to renovate

the existing building and operate a taco shop. The project was slated to begin construction in spring 2014 but the applicant no longer plans to proceed.

Four Mile Run Pump Station, 3650 Commonwealth Avenue

A Development Special Use Permit (DSUP) was approved in March 2012 for upgrades to the Four Mile Run Pump Station. This plan included a new pump station building that incorporated new park restrooms, a small field, and a new storage facility. Unfortunately, the applicant deemed the cost of those upgrades as prohibitive and submitted revisions to the approved plan. The revised plan achieves the necessary upgrades to the pump station all within their existing property lines. The proposal no longer includes replacement of the restroom facility or RPCA storage yard; and the site will not be accessible to the public. The revised plan does include streetscape improvements along Commonwealth Avenue, including a new sidewalk and landscaping, and a new decorative fence around the perimeter of the site. The revised DSUP was approved by City Council in May 2013.

East Reed Townhomes, 101 and 103 East Reed Avenue

The site plan for five townhomes was approved in April 2012 by the Planning Commission. Construction is in progress with a proposed finish date for exterior work spring 2014.

Jackson Crossing (AHC Affordable Housing Project), Route 1 and East Reed Avenue

City Council approved this DSUP for a 78-unit affordable housing project in January 2013. The applicant, AHC, was awarded Virginia Housing Development Authority (VHDA) Low-Income Housing Tax Credits and a loan from the City to assist in funding the project. Construction is anticipated to begin in early 2014.

Lynhaven Apartment Complex, 3515-3525 Commonwealth Avenue

City Council approved a new loan amount of \$1.078 million to Wesley Housing Development Corporation for the substantial renovation of the 28-unit Lynhaven Apartment complex. The project is currently closing on the permanent financing and hopes to start construction in early 2014.

Arlandria Action Plan Advisory Group (Advisory Group) Activities

During this time period, there was one Advisory Group meeting, two community open houses, and Arlandria Advisory Group Executive Committee meetings. In the absence of meetings with the Advisory Group, staff communicated with the group via an Implementation Update Memorandum and an Implementation Update Newsletter. An annual Status of Implementation Open House was held November 2013.

Civic Engagement Schedule

- Advisory Group Executive Committee Meeting – October 19, 2012
- Advisory Group Executive Committee Meeting (conference call) – November 28, 2012
- Advisory Group Meeting – November 29, 2012

- Implementation Update Memorandum to Advisory Group – March 2013
- Advisory Group Executive Committee Meeting – April 26, 2013
- Quality of Life Walk – May 31, 2013
- Community Arlandria Action Plan Implementation Open House – June 2, 2013
- Advisory Group Executive Committee Meeting – August 9, 2013
- Implementation Update Newsletter to Advisory Group – October 2013
- Status of Implementation Open House – November 14, 2013

Community Open House

A Community Open House was held on Sunday, June 2, 2013 at the Four Mile Run Farmers and Artisans Market located at Four Mile Run Park. The purpose of the event was to bring together members of the community, the Arlandria Action Plan Advisory Group, and City staff to discuss and highlight the ongoing efforts to implement the Arlandria Action Plan. Staff was present to discuss project status and answer questions on topics such as the Four Mile Run Restoration Plan, economic development, Four Mile Run Park improvements, area private development projects, and pedestrian safety and transportation enhancement projects.

Annual Quality of Life Walk (formerly Code Compliance Walk)

On May 31, 2013, staff from five City departments, AEDP, and members of the Arlandria community attended a Quality of Life neighborhood walk. The purpose of the walk was to observe, discuss, and document quality of life concerns including code violations, litter, infrastructure and property maintenance issues, and public safety concerns. Staff has worked to resolve the issues observed. TES repaired brick sidewalks and repaired over 50 trip hazards on concrete sidewalks. The Department of Code Administration addressed landscape overgrowth issues and worked with the owners of residential dwellings to address code violations. RPCA addressed landscape overgrowth issues and park maintenance issues.

Community-Led Activities

Arlandria residents continue to work towards making their neighborhood a community through programming and collaboration. During the past implementation period, Arlandrians hosted and participated in community service projects (Casey Trees tree planting, Spring for Alexandria), community events (DiverseCity Multicultural Festival), and reoccurring programs (Four Mile Run Farmers and Artisans Market). The Four Mile Run Farmers and Artisans Market operated its fourth season at 4109-4125 Mt. Vernon Avenue adjacent to the community building from April 2013 – November 2013.

Arlandria Action Plan Executive Committee

The Arlandria Action Plan Executive Committee (EC) has been a valued part of the implementation process. The main functions of the group are to 1) provide input on future meeting agendas and 2) serve as a communication conduit between staff and the larger Advisory Group. The Executive Committee and staff have met on an as needed basis and frequently communicate via email and phone, outside of formal meetings. During EC meetings, staff and

committee members discussed community concerns and plan implementation progress. Two important outcomes of the meetings this implementation period were:

- Facilitation and support of Shakthi South Asian Cuisine's Administrative Special Use Permit in August 2013
- The determination that intersection improvements proposed at the intersection of Mt. Vernon Avenue/Russell Road as set forth in the CIP for fiscal years FY15 and FY16 can proceed independent of the development of the Mt. Vernon Village Center DSUP.

RECOMMENDED IMPLEMENTATION ACTIVITIES (JANUARY 2014 – JUNE 2015)

Recommendations for continued implementation efforts for the next 18 months are summarized below.

- 1) Capital and Infrastructure Projects
 - a. Additional phases of the Four Mile Run Park Expansion Project (unfunded)
 - b. New HVAC system and roof at The Conservancy at Four Mile Run Park (unfunded)
 - c. Safety improvements at Mt. Vernon Avenue/Russell Road (planning, design, and engineering funded in FY14-23 budget)
 - d. Complete Commonwealth Avenue/W. Reed Avenue Safe Routes to School Project (funded)
 - e. Install Bike Lanes, Sharrows, and Bicycle Parking on Mt. Vernon Avenue (funded)
 - f. Installation of additional bicycle parking (funded)
 - g. New pedestrian crossing at W. Glebe Road and Florence Drive (funded)
 - h. Mt. Vernon Avenue Complete Streets assessment and planning (funded)
 - i. Install two Bus Shelters on Mt. Vernon Avenue/Executive Avenue, Mt. Vernon Avenue/W. Glebe Road (funded)
- 2) Explore Initiatives to Support Planned Redevelopment & Spur Economic Development
 - a. Support planned development activities
 - b. Work with the existing property owners within CDD #12 to develop a viable redevelopment strategy, as economic and market conditions merit
 - c. Explore Neighborhood-wide branding and marketing strategies
- 3) Monitor Development projects
 - a. Mt. Vernon Village Center DSUP – Approved by City Council
 - b. Four Mile Run Pump Station Improvements DSUP – Approved by City Council
 - c. E. Reed Townhomes Project DSP – Approved by Planning Commission
 - d. Jackson Crossing (AHC Affordable Housing) DSUP (E. Reed Avenue/Route 1) - Approved by City Council
- 4) Support and Enhance Retail and Small Businesses
 - a. Provide technical assistance to Arlandria businesses
 - b. Link eligible businesses to available local funding sources to improve operations
 - c. Support Arlandria-Chirilagua Business Association
 - d. Actively recruit businesses to fill gaps in the market

- 5) Community Engagement & Community-Led Quality-of-Life Projects
 - a. Support community engagement in the implementation of the Arlandria Action Plan
 - b. Support the Four Mile Run Park Farmers & Artisans Market
 - c. Support additional community-led activities
 - d. Host events at the Conservatory Center at Four Mile Run Park Building
- 6) Hold annual Quality of Life Walk
- 7) Host a “Status of Implementation” Open House
- 8) Provide City Council with an update on the status of implementation activities timed to coincide with the City’s fiscal calendar in May – June 2015, in order to better align with budget process.

Residential Overnight Parking Concerns

Staff continues to be aware of resident concerns regarding a lack of available overnight parking and explored shared parking alternatives, an overnight residential parking district, and the creation of additional spaces on W. Glebe Road. None of those options proved feasible. The neighborhood has more overnight residential parking demand than current overnight parking supply.

In an effort to provide a possible relief, staff carefully considered the feasibility of making the public surface parking lot, on 3612 and 3700 Mt. Vernon Avenue, available for overnight residential parking. The two parcels are owned by 3600 Mt. Vernon LLC and the City of Alexandria, respectively. The City leases the privately-owned lot at 3612 Mt. Vernon Avenue. The surface parking lot was constructed in 2002 to provide “interim public parking spaces” for patrons of area businesses; per the recommendation of the Arlandria Action Plan. Ultimate build-out of the site envisions a mixed-use building with retail and office facing the street and a screened parking structure on the rear. Currently, the surface parking lot has 66 spaces with a 2-hr parking restriction from 9am to midnight and a prohibition on overnight parking.

To provide additional parking supply during the evenings when residents face challenges in securing parking, staff initially proposed to lift the overnight parking restriction at the City lot from 10pm to 8am. Based on observations of occupancy over different days of the week and times of day, it has been determined that the lot can be made available for overnight residential parking without negatively impacting daytime parking for area businesses. The Arlandria neighborhood was informed of this proposal and their input was solicited. Community feedback included responses from the Arlandria Action Plan Executive Committee, owners of the Birchmere, residents of Arlandria Chirilagua Co-Op, and the leadership of St. Rita’s Catholic Church. The input ranged from support to opposition to recommendations to improve the proposal.

Based on community input, staff will move forward with lifting the overnight parking restriction; but from 10pm – 6am, beginning mid-December 2014. The daytime 2-hr parking restriction will be strictly enforced from 6am – 10pm. Staff informed the Alexandria Police Department of the proposal and the lot will be patrolled on a daily basis for parking violations. Staff will consult local businesses and adjacent property owners over the course of the ensuing months to determine if the change has had any adverse impacts and the decision needs to be revisited.

This change does not preclude the City from moving forward with the long-term vision for the site. Staff remains committed to supporting redevelopment of the site per the conditions of CDD #12 and the Arlandria Action Plan. The immediate proposal is an interim use to provide parking relief for existing residents. At such time that a redevelopment project is proposed - and that meets the community's vision as set forth in the Arlandria Plan - the site will become part of that redevelopment scheme.

Fiscal Impact of Staff Resources (January 2014 – June 2015)

In order to carry out the work tasks associated with implementing the 2003 Arlandria Action Plan, a great deal of staff resources is required. City staff will hold monthly interdepartmental staff meetings, quarterly meetings with the Arlandria Advisory Group Executive Committee, three Arlandria Advisory Group meetings (including the annual Status of Implementation Open House), and an annual Quality of Life Walk. The total number of staff hours anticipated for the next eighteen months of work, based on experience from the three prior implementation years, is almost 550 staff hours. This estimate includes up to 17 staff persons from six departments/agencies for various work tasks. The distribution of the estimated staff hours is illustrated below. The number of staff hours required for day-to-day project management is not included.

Total Staff Hours	Total (hours)
AG Meetings	252
Staff Team Meetings	172
AG EC Meetings	23
Quality of Life Walk	36
Status of Implementation Report	60
Total	543

Attachments:

Attachment1: Implementation Scorecard

Attachment 2: Implementation Matrix

Attachment 3: Arlandria Action Plan Advisory Group Roster

2013 IMPLEMENTATION SCORECARD

The 2012 Status of Implementation Report recommended activities for the 2013 implementation period. Staff moved forward with a majority of the activities but in several cases moving forward proved infeasible. The tables below highlight the progress of activities recommended in the 2012 Status of Implementation Report; as well as lists additional activities undertaken in the 2013 implementation period that were not previously considered.

Table 1. Status of Recommended 2012 – 2013 Implementation Activities for FY13			
WORK ITEM	PROJECT DESCRIPTION	LEAD DEPARTMENTS	STATUS
Capital Projects			
Four Mile Run Park Expansion – Phase 2	Additional improvements to the park included Phase 2 of the expansion project could include any or all of the remaining work items. Among them are installation of a rain garden, new trail, painted pavers, seating areas, site furnishings, shade structures, and plantings.	RPCA, TES	IN PROGRESS Installation of rain gardens, trees was completed. Site furnishings and shade structures in progress. NOT FUNDED Additional phases of project expansion
Four Mile Run Park Community Building - Upgrades	Installation of new HVAC system, roof, and additional building improvements (cistern, light tubes, and a smaller back roll-up window).	RPCA, General Services, TES	NOT FUNDED
Commonwealth Avenue/W. Reed Avenue Safe Routes to School Project	Improvements will include sidewalk and crossing upgrades.	TES	IN PROGRESS Designs are complete.
Commonwealth Avenue/Mt. Vernon Avenue Pedestrian and Bicycle Improvements	Bicycle boxes will be upgraded to improve bicycle sensors, visual appearance, and safety (will be repainted a bright color). This will improve safety for bicyclists traveling along Commonwealth and Mt. Vernon Avenues.	TES	COMPLETE

Mt. Vernon Avenue Bike Lanes, Sharrows, and Bicycle Parking	Bike lanes, sharrows, and bicycle parking will be installed along Mt. Vernon Avenue between W. Glebe Road and Four Mile Run. The improvements will not impact the location of existing on-street parking. Bike lanes will only be provided when there is enough right-of-way. All other conditions will result in the location of sharrows.	TES	IN PROGRESS Project will be part of Complete Streets Project. Consultants have begun an assessment of existing conditions.
Bus Shelter (2)	The existing Metrobus shelters located at Mt. Vernon Avenue / Executive Avenue will be replaced with two new City standard double bus shelters in the spring of 2013.	TES	IN PROGRESS
Initiatives to Support Planned Redevelopment and Spur Economic Development			
Work with the existing property owners within CDD #12 to develop a viable redevelopment strategy, as economic and market conditions merit	Establish a strategy to market the existing City surface parking lot (former Datatel site) for private redevelopment.	PZ, CMO, AEDP, General Services	IN PROGRESS
Create a coordinated streetscape improvement program that addresses street trees, landscaping, banners, wayfinding, outdoor dining, lighting, bicyclists and pedestrian improvements, and links amenities	The interdepartmental staff team will work with the Advisory Group and ACBA to create a streetscape plan that can impact aesthetics, improve pedestrian and bicyclists safety, and promote walkability in an effort to improve quality of life and increase revenues for the businesses.	PZ, RPCA, TES, AEDP	NOT STARTED Pending outcome of Complete Streets Project.
“Arts in Arlandria” demonstration project	Work with interdepartmental City staff team, Advisory Group, and arts and business communities to create a strategy to use arts as a catalyst for neighborhood branding, community building, and economic development.	PZ, RPCA, AEDP	NOT STARTED Staff resources devoted to Citywide Public Arts Master Plan.
Neighborhood-wide branding and marketing strategies	Arlandria-Chirilagua Business Association (ACBA) will use a marketing fund grant to fund a direct mailer and improved organization website that promotes Arlandria as a destination for shopping and dining.	AEDP	COMPLETE
Monitor Development Projects			
Mt. Vernon Village Center DSUP - Approved	Development Special Use Permit approved by City Council on December 17, 2011. Staff will continue to coordinate with developer until construction is complete.	PZ	IN PROGRESS

Four Mile Run Pump Station Improvements DSUP - Approved	Development Special Use Permit approved by City Council on March 17, 2012. Staff will continue to coordinate with developer until construction is complete.	PZ, RPCA	IN PROGRESS
E. Reed Townhomes Project DSUP - Approved	Development Site Plan approved by Planning Commission on April 3, 2012. Staff will continue to coordinate with developer until construction is complete.	PZ	IN PROGRESS
AHC Jackson Crossing Affordable Housing DSUP (E. Reed Avenue/Route 1) - Approved	Development Special Use Permit approved by City Council in 2013. Staff will continue to coordinate with developer until construction is complete.	PZ	IN PROGRESS
Support and Enhance Retail and Small Business			
Provide technical assistance to Arlandria businesses	AEDP will continue to provide technical assistance to local businesses.	AEDP	COMPLETE Technical assistance provided to two businesses; including an SUP for a new restaurant
Host seminars targeted to business owners/operators	AEDP will continue to work with ACBA to host relevant seminars and workshops that can improve the local business community.	AEDP	COMPLETE
Link eligible businesses to available local funding sources to improve operations - Facade Grant Program	There are four pending Facade Grants (El Cuzcatleco, Honduras Express, Feria Latina, and Waffle Shop) that AEDP will pursue.	AEDP, PZ	COMPLETE One façade grant was awarded to RT's Restaurant.
Link eligible businesses to available local funding sources to improve operations – City of Alexandria Marketing Fund Program	ACBA will use a marketing fund grant to fund a direct mailer and improved ACBA website that promotes Arlandria as a destination for shopping and dining.	AEDP	COMPLETE
Support of the Arlandria-Chirilagua Business Association	AEDP will continue to support ACBA and their efforts to promote Arlandria businesses.	AEDP	COMPLETE
Actively recruit businesses to fill gaps in the market	AEDP will continue to relocate businesses within Arlandria and recruit others to the community.	AEDP	NOT COMPLETE
Prepare existing businesses for new tourism traffic	AEDP will work with existing businesses to prepare them for the new tourism traffic that is generated by the Del Ray-Arlandria trolley.	AEDP, PZ	NOT COMPLETE Trolley was not funded.
Community Engagement and Community-Led Quality-of-Life Projects			
Support community engagement in the	Continue the collaborative approach to implementing the Arlandria Action Plan	PZ & Interdepartmental	COMPLETE

implementation of the Arlandria Action Plan	with the Advisory Group and larger Arlandria community.	Staff Team	
Support the Four Mile Run Park Farmers & Artisans Market	Allow the market to continue to use the site and facilities for the FY13 season.	RPCA, PZ	COMPLETE
Support additional community-led activities	Staff will continue to lend support to community-led activities and initiatives, as they are consistent with the 2003 Arlandria Action Plan	PZ, TES, RPCA, AEDP	COMPLETE
Host events at Four Mile Run Park Community Building	Staff will promote and encourage the use of the Four Mile Run Park Community Building	RPCA	COMPLETE
Liaise with City's Code Compliance group	Organize an annual interdepartmental Code Compliance walk; recognizing that the Division of Property Maintenance does ongoing compliance inspections throughout the year.	Code Administration, PZ, TES	COMPLETE
Host a "Status of Implementation" Open House	Staff will host a meeting to discuss the implementation activities of FY13 and recommended activities for FY14.	PZ	COMPLETE
Communication with City Council			
Provide City Council with an annual update on the status of implementation activities	City staff will submit the FY13 "Status of Implementation Report" on implementation activities to City Council.	PZ	COMPLETE

Table 2. Completed Implementation Activities for FY13 (Not identified in 2012 Report)			
WORK ITEM	PROJECT DESCRIPTION	LEAD DEPARTMENTS	STATUS
Pedestrian and Cyclists safety improvements at Mt. Vernon Avenue/Four Mile Road	Installation of 14 new bicycle parking spaces, Conflict-free crossing time for pedestrians was added to the signal; new ADA-compliant pedestrian countdown signals and push buttons were also added.	TES	COMPLETE
Crosswalks along Mt. Vernon Avenue restriped	Crosswalks have been restriped for better visibility at Mt. Vernon Avenue at Russell Road, Executive Avenue, and W. Glebe Road	TES	COMPLETE
W. Glebe Road/Florence Drive intersection pedestrian improvements	A new crosswalk has been installed with ADA ramps; a flashing beacon was approved and will be installed this winter	TES	COMPLETE
Allow overnight parking in	Overnight residential parking now	TES	COMPLETE

ARLANDRIA ACTION PLAN IMPLEMENTATION MATRIX
as of December 2013

Number	Work Item	Time Frame		Funding Mechanism	Status	Cost Spent to-date	Comments	CURRENT FUNDING NEED
		Term	Est. Start					
RECOMMENDATIONS OF THE 2003 ARLANDRIA ACTION PLAN (Adopted by City Council)								
1.0	MASTER PLAN/ZONING ORDINANCE							
1.1	Create neighborhood retail district		FY 2004	General Fund	COMPLETE	Staff Resources		
1.2	Create CDD for Safeway-Datatel Site		FY 2004	General Fund	COMPLETE	Staff Resources		
1.3	Amend CDD #6 (with Arlandria recommendations)		FY 2004	General Fund	COMPLETE	Staff Resources		
1.4	Amend Potomac West Small Area Plan		FY 2004	General Fund	COMPLETE	Staff Resources		
2.0	INFRASTRUCTURE IMPROVEMENTS							
2.1	Incorporate Target-market concepts into Urban Design Plans							
	2.1.1 Use of public art			N/A	NOT STARTED		Public art will be included with private redevelopment projects and considered part of the Public Art Master Plan process which will began in 2013	
	2.1.2 Use of street furniture		FY 2004	No Funding Available	ON HOLD		Analysis complete; 2 wooden benches need to be replaced; TES currently has no funding allocated for improvement	\$6,000 to \$12,000 (estimate;not funded)
	2.1.3 Use of public plazas/public areas			Arlandria CIP	IN PROGRESS		Part of the Four Mile Run Park Expansion project and will continue with implementation of Four Mile Run Large Park Plan.	
2.2	Streetscape							
	2.2.1 Install street trees, 3800 block Mt. Vernon Ave		FY 2004		COMPLETE			
	2.2.2 Restripe crosswalks - Glebe, Russell & Four Mile Rd		FY 2004		COMPLETE			
	2.2.3 Install handicap ramp, Mt. Vernon & Four Mile Rd		FY 2004		COMPLETE			
	2.2.4 Install banners		FY 2005 - 2008	N/A	NOT STARTED		Pending funding of Arlandria in City-wide Wayfinding Program	
	2.2.5 Install pavers, Bangkok 54		FY 2005 - 2008		COMPLETE			
	2.2.6 Install pavers, Lillian's Restaurant, Bruce Street		FY 2005 - 2008		COMPLETE			
	2.2.7 Bus shelters along Mt. Vernon Avenue			Grant Source	IN PROGRESS		A new bus shelter was installed at Mt. Vernon/W. Reed in Summer 2012. TES has a transportation funding to replace bus shelters at Mt. Vernon and Executive and W. Glebe. This is currently in progress.	
2.3	Bulb outs & Crosswalk Improvements							
	2.3.1 Reconfigure north end of Mt. Vernon Ave			No Funding Available	ON HOLD			
	2.3.2 Along W. Glebe Road		FY 2005 - 2008		COMPLETE			
	2.3.3 Mid-block crosswalk Mt. Vernon		FY 2005 - 2008		COMPLETE			
	2.3.5 Intersection, W. Reed Ave		FY 2005 - 2008	Arlandria CIP	COMPLETE		Construction completed Summer 2011	\$300,000 (Provided in FY11 CIP)
	2.3.6 Intersection, Mt. Vernon & W. Glebe Road		FY 2005 - 2008	N/A	ON HOLD		Design at 30%; project on hold; pending redevelopment of adjacent privately-owned parcels; funding reallocated to Four Mile Run Park	
2.4	Gateways Enhancements at Mt. Vernon/W.Glebe & Mt. Vernon/Four Mile Run Park							
	2.4.1 Misc. Gateway improvements			No Funding Available	IN PROGRESS		Analysis complete; Gateway enhancements at Mt. Vernon/W. Glebe are on hold pending private redevelopment; Gateway enhancements at Mt. Vernon/Four Mile Run Park are ongoing	

ARLANDRIA ACTION PLAN IMPLEMENTATION MATRIX
as of December 2013

	2.4.2	Improvements to existing median through lengthening median and tree planting			General Fund	COMPLETE		Analysis complete/project not viable; found that existing median does not meet standards for tree planting and widening the median to facilitate standards is not feasible.	
	2.4.3	Add entry features to create gateway			No Funding Available	IN PROGRESS		Gateway enhancements at Mt. Vernon/W. Glebe are on hold pending private redevelopment; Installed new lighting at Four Mile Bridge as gateway feature and additional features part of the Four Mile Run Park Expansion project are underway	
	2.4.4	Help to reconfigure shopping center parking lot			Private Development	ON HOLD		A DSUP application for the redevelopment of the Mt. Vernon Village Center was approved in December 2011. The parking lot will be reconfigured as of part of this development proposal.	
2.5		Four Mile Run Park & Enhancements							\$426,708 (estimate); \$200,000 Provided in FY11 CIP
	2.5.1	Landscaping and signs at park entrance			Arlandria CIP	IN PROGRESS		Four Mile Run Park Expansion Phase 1 is complete and landscaping was included in scope of work. Additional improvements will be made in future phases of expansion project and as part of implementation of the Four Mile Run Large Park Plan.	
	2.5.2	Enhance access & visibility			Arlandria CIP	IN PROGRESS		Four Mile Run Park Expansion Phase 1 is complete and landscaping was included in scope of work. Additional improvements will be made in future phases of expansion project and as part of implementation of the Four Mile Run Large Park Plan.	
2.6		Traffic control/Regulation							
	2.6.1	Install speed tables, 700 block Four Mile Road		FY 2005 - 2008		ON HOLD		Analysis complete and found that the location does not currently meet TES thresholds for installation of speed tables. Recommendation can be revisited if future conditions merit.	
	2.6.2	Conduct traffic study to address issues		FY 2005 - 2008	N/A	COMPLETE		Analysis complete	
	2.6.3	Left-turn signal, Mt. Vernon & S. Glebe Rd.		FY 2005 - 2008	N/A	ON HOLD		Analysis determined that the proposed improvement is infeasible. Arlington County is unable to make proposed improvements due to existing "F" LOS at intersection (lowest level of service); Arlington County submitted a memo to the City dated May 21, 2012 stating the findings of the analysis.	
	2.6.4	Study option to improve access to park		FY 2005 - 2008	Arlandria CIP	COMPLETE		Improved access will be addressed as part of Four Mile Run Park Expansion project and Four Mile Run Large Park Plan.	
3.0		INTERSECTION IMPROVEMENTS							
3.1		Redesign intersection of Mt. Vernon & Russell Road							\$1,000,000 (Provided in FY15/FY16 CIP)
	3.1.1	Provide striped crosswalks		FY 2004	Arlandria CIP	COMPLETE			

ARLANDRIA ACTION PLAN IMPLEMENTATION MATRIX
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	3.1.2	Eliminate free-flow right-turn onto Russell Road		FY 2005 - 2008	No Funding Available	ON HOLD		Interim improvements made; remaining improvements made during FY15 and FY16 funding years	
	3.1.3	Provide raised crosswalks			No Funding Available	ON HOLD		Interim improvements made; remaining improvements made during FY15 and FY16 funding years	
	3.1.4	Construct new "T" intersection			No Funding Available	ON HOLD		Interim improvements made; remaining improvements made during FY15 and FY16 funding years	
3.2		Redesign intersection of Mt. Vernon and Four Mile Road							
	3.2.1	Construct new public access road terminating in a cul-de-sac within Four Mile Run Park		FY 2005 - 2008		NO LONGER RECOMMENDED		Staff determined that recommendation is no longer feasible or desirable. Cul de sac within parkland is no longer recommended.	
3.3		Redesign intersection of Mt. Vernon and Bruce Street							
	3.3.1	Construct a new public access road along the eastern edge of Mt. Vernon Village Center bordering Four Mile Run Park. This road will include a cul-de-sac into Four Mile Run Park.			Private Development	ON HOLD		A DSUP application for the redevelopment of the Mt. Vernon Village Center was approved in December 2011. Public access road and cul de sac are no longer recommended. However, a pedestrian esplanade will be included along the eastern edge of Mt. Vernon Village Center bordering Four Mile Run Park.	
4.0	PARKING								
4.1		Construct surface parking lot on Datatel site; construct new parking garage on Datatel lot (3700 Mt. Vernon) & 3612 & 3610 Mt. Vernon		FY 2005 - 2008	No Funding Available	PART 1- COMPLETE, PART 2 - ON HOLD		Surface parking lot constructed; construction of parking garage is on hold pending future redevelopment	
4.2		Relocate existing bus stop Mt. Vernon Ave		FY 2005 - 2008		COMPLETE		Bus stop relocated from Mt. Vernon/Four Mile Run to Mt. Vernon/Executive Ave	
4.3		Stripe new on-street spaces, Mt. Vernon Ave		FY 2005 - 2008		COMPLETE			
4.4		Add 28 spaces Executive Ave		FY 2005 - 2008		COMPLETE			
5.0	RETAIL ENHANCEMENT								
5.1		Technical assistance - developing marketing/promotions organization							
	5.1.1	Contact & work with business owners			AEDP	ONGOING		AEDP staff in ongoing work with existing small businesses and support of Arlandria Chirilagua Business Association. Supported Façade improvement grant program through FY13.	
	5.1.2	Facilitate focus group of business owners			AEDP	COMPLETE		AEDP conducted a survey of business owners to collect feedback and statistics and created a listserve to regularly communicate with business community.	
5.2		Explore Business Improvement District			AEDP	COMPLETE		This was explored during earlier Plan implementation and found not feasible; staff worked with local businesses to create a business association, the Arlandria Chirilagua Business Association	
	5.2.1	Investigate other mechanisms			AEDP	ONGOING		AEDP has worked with business owners and managers to create a business organization - Arlandria-Chirilagua Business Association	

ARLANDRIA ACTION PLAN IMPLEMENTATION MATRIX
as of December 2013

5.3		Safeway-Datatel Site Redevelopment Work			N/A	ONGOING		Report on Feasibility of Redevelopment of the 'Safeway Site' was presented to City Council on February 21, 2009; Report found that 2009 market conditions hampered redevelopment of site; City staff has ongoing discussions with primary property owner to encourage redevelopment	
	5.3.1	Work on joint venture marketing			General Fund	ONGOING		AEDP and ACVA have created marketing materials and webpages advertising the Arlandria Submarket; ACBA will apply for a 2012 Marketing Fund Grant.	
5.4		Misc. Retail Enhancement						AEDP is actively working with area business owners and managers on the new Arlandria-Chirilagua Business Association, façade improvement grants, and business assistance counseling. AEDP has staff dedicated solely to efforts in Arlandria.	
	5.4.1	Merchandising audit with businesses		FY 2004	AEDP	NOT STARTED			
	5.4.2	Provide business plan assistance		FY 2004	AEDP	ONGOING			
	5.4.3	Provide SBA & other financing info		FY 2004	AEDP	ONGOING			
	5.4.4	Provide info about business assistance programs		FY 2004	AEDP	ONGOING			
	5.4.5	Coordinate weekly events and festivals		FY 2004	N/A	ONGOING			
	5.4.6	Assist with façade improvements		FY 2004	AEDP	ONGOING			
	5.4.7	Establish business plan monitoring system		FY 2004	AEDP	NOT STARTED			
6.0		FUTURE PLANNING							
6.1		Four Mile Run Enhancements							
	6.1.1	Prioritize ways to enhance access			Arlandria CIP	COMPLETE		Concept Plan for the Four Mile Run Park Expansion project is completed and approved. Phase I is completed and additional phases are underway. The City's "Large Parks" Planning Process, including Four Mile Run Park, is complete.	
	6.1.2	Consider acquiring property along Mt. Vernon Ave to enlarge park			Open Space Fund	COMPLETE	\$4.5 million	City purchased four commercial properties	
6.2		Tree planting with new improvements		FY 2004	General Fund	ONGOING		Planting will be made as needed	
6.3		Encourage Preservation of historic buildings		FY 2004	General Fund	ONGOING		As redevelopment of individual properties occur assessments of historic integrity will be made	
6.4		Adjust floodplain boundary (with FEMA)			General Fund	COMPLETE		Zoning Ordinance was amended to permit the option of mixed-use development within the floodplain.	
WORK TASKS IN THE 2009 CITY COUNCIL DOCKET ITEM (Establishment of the Implementation Advisory Group)									
7.0		Establish and convene an Arlandria Action Plan Advisory Group			General Fund	COMPLETE		Staff established an Advisory Group. Members supported creation of an Executive Committee	
	7.0.1	Solicit feedback from AG on prioritization of public improvements			General Fund	ONGOING		Staff provides information to AG and requests feedback on an on-going basis.	
	7.0.2	Solicit comments from AG on streetscape design and park design and programming			General Fund	ONGOING		Staff provides information to AG and requests feedback on an on-going basis.	
	7.0.3	Empower and assist AG in neighborhood-led projects			General Fund	ONGOING		Members of the community began a farmers and artisans market at Four Mile Run Park and organize annual park clean-up events.	
	7.0.4	Advise staff related to preferred spending priorities and public improvement phasing			General Fund	ONGOING		Staff provides information to AG and requests feedback on an on-going basis.	

ARLANDRIA ACTION PLAN IMPLEMENTATION MATRIX
as of December 2013

7.1		Consider leveraging city-owned property to incentivize redevelopment			General Fund	IN PROGRESS		The City only owns 1 parcel and it is identified as a site for a Municipal Parking Garage. A REOI would have to include the consideration of a parking garage to conform with Arlandria Plan.	
7.2		Explore disincentives for economic development and opportunities to overcome those			General Fund	COMPLETE		Staff completed studies to examine potential changes to CDD #6 & CDD #12 to facilitate development.	
	7.2.1	Issue a "Request for Expressions of Interest" for redevelopment of key parcels that permits respondents to propose projects that may require changes to current set of development constraints			N/A	NOT STARTED		The City only owns 1 parcel and it is identified as a site for a Municipal Parking Garage. A REOI would have to include the consideration of a parking garage to conform with Arlandria Plan.	
7.3		Retail enhancement efforts			AEDP	ONGOING		AEDP is actively working with area business owners and managers on the new Arlandria-Chirilagua Business Association, façade improvement grants, and business assistance counseling. AEDP has staff dedicated solely to efforts in Arlandria.	
7.4		Participate in the Four Mile Run Park Planning process			General Fund	COMPLETE		RPCA facilitated a Four Mile Run Park Expansion planning process that was complete in early 2011. Construction of Phase I is complete. Additional phases are underway.	
7.6		Explore possibility of establishing an Arts District			General Fund	IN PROGRESS		Will be considered as part of the Public Art Master Plan starting in 2013.	
7.7		Monitor on-going development projects			General Fund	ONGOING		Staff is working with property owners and developers on an as-needed and on-going basis. One DSUP application has been approved (Mt. Vernon Village Center, December 2011).	
7.8		Liaise with existing Code Compliance Group (lead by Office of Building & Fire Code Admin & Alexandria Police Department)			General Fund	ONGOING		Arlandria Staff Team participated on a Code Compliance/Quality of Life walk in 2011, 2012 and 2013.	
7.9		Host a "Status of Implementation" public open house			General Fund	ONGOING		Staff held the first event in Fall 2010. Second event was held in Fall 2012. Third event was held in Fall 2013.	
7.10		Submit a "Status of Implementation Report to City Council			General Fund	ONGOING		Staff submitted first Status of Implementation Report to City Council on April 12, 2011. Second Status of Implementation Report was submitted to City Council in September 2012. Third report anticipated for January 2014 submittal.	

Arlandria Action Plan Implementation Advisory Group

Group/Community Interest	Representative
Hume Springs Citizens Association	Jacob Cuomo*
Arlandria Civic Association	Kevin Beekman*
Brighton Square Citizens Association	Wilma Probst Levy
Lenox Place	Melissa Russell*
Warwick Village Citizens Association	Glenn Christianson
North Ridge Citizens Association	Libby Eife-Johnson
Chirilagua Co-op	Jazmin Ivette Gomez
Tenants and Workers United	Wesley Aten
Presidential Greens Property Owner/Manager	Richard Giannotti
Affordable Housing Advocate	Shelley Murphy, Welsey Housing Development Corporation
Alexandria Redevelopment and Housing Authority	Roy Priest
Arlandria Neighborhood Health Services	Dr. Geetha Matthew
Community-serving organization	Allison Cryor DiNardo (St. Rita's Catholic Church)
Community-serving organization	Rev. Malm and Rev. Leslie Nuñez Steffensen (Grace Episcopal Church)
Small Business Owner	VACANT
Small Business Owner	VACANT
Small Business Owner	Juan Nelson Zavaleta (Sea Tax Services)
Latino Business Owner	Paula or Celia Coletto (Huascaran Restaurant)
Commercial Property Owner	Nina Weissburg (Weissberg Corp)
Commercial Property Owner	Steve Weinstock (Weinstock Properties, LLC)
Commercial Property Owner	Jim Matthews (Birchmere)*
Commercial Property Owner	Nicky Vong (Mt. Vernon Professional Services)
Del Ray Business Association	Mellenie Runion
Arts Community Representative	Pat Miller*
Four Mile Run Joint Task Force	Judy Noritake
Arlington County Resident	Leo Sarli
Del Ray Citizens Association	Jason "Jay" Nestlerode
At-large (condo association or HOA)	Lynn Brautigan, President, Beverley Hills Manor HOA
Lynhaven Civic Association	Melissa Watson
Mount Jefferson Civic Association	Stephanie Babin

*Member of AG Executive Committee

The implementation of improvements in the Arlandria area mentioned in the Report is adequate to excellent with one big exception – The Mt. Vernon Village Center (MVVC). So my comments address only this issue. I write myself because there is no functioning communication line with my representative. I have consulted with several neighbors who are in partial but not complete agreement with my point of view. So I speak only for myself.

The MVVC developer seemed to be ready to get started when all the tenants vacated the southern end of the property around July 2012. But something must have happened because development never proceeded and the property is now blighted. At the Nov. 14, 2013 Arlandria update meeting, P&Z didn't seem to know why the project stalled. No one seems to know.

The many SUP's granted by City Council in Dec. 2011 to the developer without concessions in return, other than 27 small affordable units (unsuitable for working families) means he should not be given any further gifts, including extensions beyond his now 3-year time frame. He should be required to provide to the City and its citizens the reason for the stall, how it will be surmounted, and a timeline for the final site plan and start of demolition/construction.

If this is not forthcoming or is not met, I suggest that there be no further extensions beyond Dec. 2014. In that event, he could build by right, sell the property, or the City could take it by eminent domain since it is blighted. We cannot tolerate such blight and lack of commerce much longer.

Betty King
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Alexandria, VA 22305
703-836-0776
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Legislation Details (With Text)

File #: 14-2290 **Name:**

Type: Resolution **Status:** Agenda Ready

File created: 1/6/2014 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: Approval of the City's Proposed FY 2015 and FY 2016 Transportation Project List Request for Northern Virginia Transportation Authority (NVTa) 70 Percent Funds.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2290 Attachment 1 FY14-FY 2016 Proposed Program of Projects for NVTa 70 Percent Funds](#)
[14-2290_powerpoint.pdf](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Approval of the City's Proposed FY 2015 and FY 2016 Transportation Project List Request for Northern Virginia Transportation Authority (NVTa) 70 Percent Funds.

ISSUE: Consideration of the City of Alexandria's proposed program of projects for submission to NVTa for 70 percent funding in FY 2015 and FY 2016.

RECOMMENDATION: That City Council: (1) Approve the FY 2015 and FY 2016 proposed transportation project request as listed in Table 2, and authorize the City Manager to submit the projects to the Northern Virginia Transportation Authority (NVTa) for consideration, and (2) Endorse in concept the proposed transportation project funding plan for FY 2017 through FY2024 NVTa funds as listed in Attachment 1.

BACKGROUND: In April 2013, House Bill 2313 was signed into law, levying additional taxes and a fee in Planning Districts that meet population, motor vehicle registration, and transit ridership criteria. As of July 1,

2013, only the Northern Virginia and Hampton Roads Planning Districts currently meet these criteria. The additional revenues generated in Northern Virginia through these new taxes and fees are deposited into a fund managed by NVTa. Thirty percent of the funds will be distributed directly to member localities for use on transportation projects; the remaining 70 percent of the funds will be distributed by NVTa and used for regional transportation projects.

NVTa under the authorizing legislation may distribute the regional funds to (1) mass transit capital projects that increase capacity or (2) projects that are included in TransAction 2040 or the Constrained Long Range Plan and have been evaluated for congestion relief and emergency evacuation by VDOT. VDOT's HB599 study will compile and rate projects to help inform NVTa's competitive project funding decision making process.

Based on current projections, the region anticipates generating \$290 million annually in new tax and fee revenue, with approximately \$16.5 million annually in the City of Alexandria. NVTa will eventually develop a Six-Year Plan that allocates funding to member jurisdictions. House Bill 2313 states that each jurisdiction's long term benefit shall be approximately equal to the annual revenues generated by the jurisdiction. Therefore, for planning purposes in developing the City's 10-Year Capital Improvement Program, staff is projecting, based on the revenue generation estimate of \$16.5 million per year, that \$165 million in new NVTa transportation revenue for regional public transportation projects in the City's upcoming 10-year Capital Improvement Program. It should be noted that the NVTa revenue for any jurisdiction will not likely match its NVTa tax and fee revenue generation in any year, but that over time each jurisdiction's NVTa granted funds for that jurisdiction's transportation projects will equal its revenue generation.

In the spring of 2013, NVTa approved a program of projects for FY 2014 paid for by the 70 percent funds only. The following City projects were approved and will be reflected in the FY 2015-FY 2024 Capital Improvements Program:

Table 1. Approved FY 2014 Project Submission for NVTa 70 Percent Funds

▪ DASH Bus Expansion	\$3,250,000
▪ Traffic Signal Upgrades/Transit Signal Priority	\$660,000
○ <i>Route 1 implementation</i>	<i>\$600,000</i>
○ <i>Transit Corridor "B" - Duke Street design</i>	<i>\$60,000</i>
▪ Shelters and Real-Time Information for DASH/WMATA	\$450,000
▪ Potomac Yard Metrorail Environmental Impact Statement	<u>\$2,000,000</u>
TOTAL	\$6,360,000

DISCUSSION: In December 2013, NVTa issued a call for projects for the first three years of the eventually contemplated Six-Year Plan to be submitted by January 31, 2014. NVTa, however, is only accepting projects for the remainder of FY 2014 funds (of which the City has no projects which need funding for this time period beyond the already NVTa approved projects listed above), as well as FY 2015 and FY 2016. NVTa will issue a call for projects at a later date for the remaining three years of NVTa's contemplated Six Year Plan. City staff's FY2015 and FY 2016 recommendation (see Table 2 on page 3 of this memorandum) was developed as part of the City's annual Capital Improvement Program planning process. This funding proposal reflects the funding strategy presented to Transportation Commission in September 2013 and to the City Council at a work session on November 26, 2013 particularly:

- Reserve NVTa 70 percent funds for major capital investments with regional impacts;
- Rely on CMAQ, RSTP, and NVTa 30 percent funds for non-motorized, project development, ADA improvements, and transit capital maintenance;
- Focus NVTa 30 percent funds and Transportation Improvement Program funds on operating expenses in out years; and

- Continue to pursue discretionary grant funding for non-motorized and dedicated transitways.

While NVTa is only seeking projects for FY2014 - FY2016, staff maintained a long-term perspective while developing the proposed submission in line with City's ten-year Capital Improvement Program. For informational purposes, Attachment 1 illustrates the planned use of NVTa 70 percent funds over a 10-year horizon. The plan assumes that the City will see up to \$165 million in benefits over that 10-year period. The FY2014 -FY2016 submission is included in Table 2 below.

Table 2. FY 2015 and FY 2016 Project Submission for NVTa 70 Percent Funds

	FY 15	FY 2016
▪ Potomac Yard Metrorail Station	\$500,000	\$1,000,000
▪ Transit Corridor 'B' - Duke Street	\$190,000	\$0
▪ Transit Corridor 'C' - Beauregard	\$0	\$2,400,000
▪ Real Time Traffic Adaptive Control	\$500,000	\$0
TOTAL	\$1,190,000	\$3,400,000

In addition to the FY2014 projects that have already been approved for NVTa 70 percent funds; staff proposes seeking funding for the following projects:

A. It is proposed that the following project funding request to NVTa be approved by Council for FY 2015 and FY 2016:

Potomac Yard Metrorail Station: The Potomac Yard Metrorail Station is a proposed infill station along the Metrorail Yellow and Blue lines that will improve accessibility of the Potomac Yard area and provide more transportation choices for current and future residents, employees, and business by establishing a new access point to the regional Metrorail system. Currently, the City is conducting a multi-year Environmental Impact Statement study that evaluates three primary alternatives and a no-build alternative. If a build alternative is selected, the project will be designed and built by the Washington Metropolitan Area Transit Authority with support from and in coordination with the City. The requested NVTa 70 percent funding of **\$1,500,000** for this project in FY 2015 and FY 2016 is for the development of a design-build package, as well as professional services to support the City in reviewing design options.

Transit Corridor "B" - Duke Street: Transit Corridor "B" is a 4-mile segment of high-capacity transitway in dedicated lanes along the Duke Street and Eisenhower Avenue corridor between the western City limit and Old Town. The City has identified grant funding in FY 2019 to begin preliminary design and feasibility work. In advance of the transitway implementation, the City intends to make much needed improvements to traffic signalization. The additional **\$190,000** in NVTa 70% funds proposed to be requested will support the design of Transit Signal Priority, which will improve the efficiency of traffic flow in the Duke Street corridor.

Transit Corridor "C" - Beauregard: Transit Corridor "C" is a 4-mile segment of high-capacity transitway in dedicated lanes between the Van Dorn Metrorail station and the border with Arlington to the north. This investment will support the development proposed in the Landmark/Van Dorn Small Area Plan and the Beauregard Corridor Small Area Plan. The City recently kicked off an Alternatives Analysis and Environmental Assessment (AA/EA) to further refine the High Capacity Transit Corridor Work Group's recommendation for Bus Rapid Transit in dedicated lanes between Van Dorn Metrorail and the Pentagon. The City is seeking **\$2.4 million** in NVTa 70 percent funds to support preliminary engineering following completion of the AA/EA.

Real-Time Adaptive Traffic Control and Data Management System: This is a new project that the T&ES

is pursuing as part of the FY2015 - FY2024 Capital Improvement Program. When fully implemented, this initiative will allow the City to analyze real-time traffic data and determine how best to optimize the performance of all the traffic signals in a given network together. T&ES is currently investigating a system that allows for real-time response to changes in traffic changes caused by emergencies, construction, special events, weather, crashes, citywide emergency responses and other unpredictable events. In addition, T&ES is seeking a data management system that anonymously locates and tracks the movement of cellular devices and uses that data to create real-time and predictive traffic information. The City is seeking **\$500,000** in NVT A 70 percent funds in FY 2015 to conduct feasibility study and develop a concept strategy.

B. It is proposed that the following project funding plan be conceptually endorsed for FY 2017 to FY 2024: It should be noted that this transportation project list is only presented for City Council concept endorsement only, as it will be subject to future annual review, approval and amendment by City Council as part of the annual City's 10-year Capital Improvement Program planning and budgeting process:

Landmark Transit Station: A total of **\$6.0 million** is projected to be needed in FY 2023 and FY2024 to fund the planned transit station on the Landmark Mall site. Landmark Mall is currently a major transit hub, and which will continue to grow given continued mass transit growth in the region including serving as the intersect of high capacity transit corridor "C" and high capacity transit corridor "B". The eventual redevelopment of the 50 acre Landmark Mall site will also contribute to an increased transit demand. In areas where there are many bus and other transit lines, localities have seen that a transit station can make a difference in overall transit ridership.

Potomac Yard Metrorail Station: A total of **\$58.0 million** in NVT A regional funding is proposed as a funding source in FY 2017 to assist with the construction of the Potomac Yard Metrorail Station. Previous cost estimates were \$195 million for Alternative A, \$250 million for Alternative B and \$462 million for alternative D. If one of these three "build alternatives" is selected by the end of calendar year 2014, construction of this station could begin as early as FY 2017. These proposed significant NVT A monies will reduce the amount of debt the City would have to issue, as well as significantly reduce the resultant debt service over the 30- year bond repayment period. This mitigates the financial risk to the City, and would help ensure that sufficient Potomac Yard revenues (mostly Potomac Yard development generated new tax revenues) were available to meet future debt service obligations. The City's debt ratios would also not be needed to be increased as much above the City's current guidelines as previously contemplated. From the earliest financial planning analyses for the Potomac Yard Metrorail station, it has been stated that outside state, federal or regional funding sources would be sought. With the availability of regional NVT A 70% funds, this is now possible.

Corridor "A" Streetcar Study: While the establishment of a rubber tire rapid transit service in Corridor "A" (Braddock Metrorail station through Potomac Yard to the Crystal City Metrorail Station in Arlington) is the first planned rapid transit mode in that corridor, studying whether, where and when to possibly convert it to streetcar service has been on the City's agenda as part of its collaborative transit efforts with Arlington. Arlington has decided to forgo federal funding to proceed directly with a locally funded streetcar service in Crystal City - Pentagon City area of Arlington. This service will end near the City -County border near Four Mile Run. A total of **\$3.0 million** is contemplated to be requested in FY 2021 to undertake the necessary environmental studies as a precursor to determine if converting to streetcar is warranted as well as such a study is a mandatory step to be eligible for federal capital grant funding.

Transit Corridor "B" - Duke Street: To design and construct Corridor "B" in dedicated lanes along the Duke Street and Eisenhower Avenue corridors. It is estimated that over \$100million total investment by the private sector, the City and the federal government will be needed. The City has identified grant funding in FY 2019 to begin preliminary design and feasibility work. In advance of the transitway implementation, the City intends to

make much needed improvements to traffic signalization. The additional **\$190,000** in NVTa 70% funds proposed to be requested will support the design of Transit Signal Priority, which will improve the efficiency of traffic flow in the Duke Street corridor. This NVTa funding request is for **\$19.56 million** in FY 2020- FY 2023

Corridor “C” Beauregard-Van Dorn: To build out and equip Corridor C’s dedicated lanes and rapid transit service it is estimated that over \$129 million total investment by the private sector, the City and the federal government will be needed. To date some \$22.5 million in developer cash contributions and a significant amount of donated right of way have been pledged as part of the Beauregard Small Area Plan. This NVTa funding request of **\$54.1 million** in FY 2016 to FY 2019 will significantly accelerate the creation of the dedicated lanes in the corridor and serve as needed match to federal transit capital grant funds. This will also help the City maintain its debt ratios by not having to issue a significant amount of bonds to fund a portion of the Corridor C project.

Real-Time Adaptive Control and Data Management System: As described in the FY 2015 to FY 2016 capital request previous section A of this docket item, it is proposed that the City’s traffic control systems be upgraded to optimize the performance of the City’s traffic signal system and therefor improve traffic flow in the City. This is key, as the City as built-out urban jurisdiction is not in a position to build many more roads as a way to improve traffic flow. The study monies requested in FY 2015 will help define costs, and the **\$16.0 million** in NVTa funds contemplated for FY 2016 is an early estimate of the costs to build out the system. Since this would be a largely fiber-optic network based system, there is a possible synergy with other City broadband fiber needs that are under concept study.

FISCAL IMPACT: By seeking NVTa 70 percent funds, the City substantially improves its ability to deliver other needed transportation improvement projects using City funds. When the City secures NVTa 70 percent funds as detailed in this memorandum, other funding sources previously programmed in the City’s FY 2014-FY 2023 Capital Improvement Program (including, but not limited to Transportation Improvement Program (TIP) funding) will be available for other transportation projects. Furthermore, potential City debt issuances in the current CIP associated with large scale regional transportation projects, including the Potomac Yard Metrorail Station and the Beauregard Transit Corridor “C”, can be reduced in total by \$75 million or more. This reduction of General Obligation bond funding and its impact on City debt ratios are being considered as City staff develops the forthcoming FY 2015- FY 2024 Capital Improvement Program.

ATTACHMENTS:

Attachment 1 - NVTa 70 Percent Funds: Proposed 10-Year Plan

STAFF:

Mark B. Jinks, Deputy City Manager, CMO
Richard J. Baier, P.E., LEED AP, Director, T&ES
Sandra Marks, Acting Deputy Director, T&ES
Jerome Fletcher, Special Assistant to the City Manager, CMO
Antonio Baxter, Strategic Management Services Division Chief, T&ES
Marti Reinfeld, Transit Division Chief, T&ES
Nelsie Smith, Director, OMB
Christopher Bever, Assistant Budget Director, OMB

	FY 14 Approved	FY15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	Total FY 15-24
Bus Shelters and Benches	\$450,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$450,000
DASH Fleet Expansion	\$3,250,000	\$0	\$0	\$0	\$0	\$0		\$0	\$0	\$0	\$0	\$3,250,000
Landmark Transit Station	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$600,000	\$5,400,000	\$6,000,000
Potomac Yard Metrorail Station	\$2,000,000	\$500,000	\$1,000,000	\$58,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$61,500,000
Route 1 Transitway	\$600,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$600,000
Transit Corridor "A" - Streetcars	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,000,000	\$0	\$0	\$0	\$3,000,000
Transit Corridor "B" - Duke Street	\$60,000	\$190,000	\$0	\$0	\$0	\$0	\$210,000	\$0	\$2,100,000	\$2,000,000	\$15,000,000	\$19,560,000
Transit Corridor "C" - Beauregard	\$0	\$0	\$2,400,000	\$11,740,000	\$20,000,000	\$20,000,000	\$0	\$0	\$0	\$0	\$0	\$54,140,000
Real-Time Traffic Adaptive Control	\$0	\$500,000	\$0	\$16,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$16,500,000
NVTA 70% Total	\$6,360,000	\$1,190,000	\$3,400,000	\$85,740,000	\$20,000,000	\$20,000,000	\$210,000	\$3,000,000	\$2,100,000	\$2,600,000	\$20,400,000	\$165,000,000



NVTA Call for Projects

January 14, 2014

NVTA Call for Projects

- HB 2313 provides additional regional (70%) funds and local funds for transportation, through the NVTA.
- Earlier in 2013, the City assembled a set of projects to be funded by the 70% funds starting in FY2014, which were used as part of a court case to determine the constitutionality of NVTA funding.



FY 2014 Approved Projects

DASH Bus Expansion	\$3,250,000
Traffic Signal Priority and Upgrades	
Route 1	\$600,000
Corridor 'B'- Duke St.	\$60,000
	\$660,000
Bus Shelters and Real-Time Information	\$450,000
Potomac Yard Metro Environmental Impact Statement (EIS)	\$2,000,000
TOTAL	\$6,360,000

NVTA Call for Projects

- Approximately \$165 million over 10 years
- Over time, Alexandria should see that benefit
- After a favorable court ruling, NVTA placed a call for project for FY2015 and FY2016 funds
- Project list due to the NVTA by January 31, 2014

70% Funding Strategy

- Reserve NVTAF 70% funds for major capital investments with regional impacts
- Rely on CMAQ, RSTP, and NVTAF 30% funds for non-motorized, project development, ADA improvements, and transit capital maintenance
- Focus NVTAF 30% funds and TIP funds on operating expenses in out years
- Continue to pursue discretionary grant funding for non-motorized and dedicated transitways

FY 2015 & 2016 Proposal

	FY2015	FY2016
Potomac Yard Metrorail Station	\$500,000	\$1,000,000
Transit Corridor "B" Duke Street	\$190,000	\$0
Transit Corridor "C" Beauregard		\$2,400,000
Real Time Traffic Adaptive Control	\$500,000	
Total	\$1,190,000	\$3,400,000

Ten Year Proposal

- Conceptual Endorsement of the following projects:

Project	Year of Funding Request	Total Funding
Landmark Transit Station	2023 & 2024	\$6.0 million
Potomac Yard Metrorail Station	2017	\$58 million
Corridor "A" Streetcar Study	2021	\$3 million
Transit Corridor "B" Duke Street	2020 & 2021	\$19.56 million
Corridor "C" Beauregard	2016-2019	\$54.1 million
Real Time Adaptive Control and Data Management System	2016	\$16 million



Legislation Details (With Text)

File #: 14-2264 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 12/20/2013 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 108 of the City Code. [ROLL-CALL VOTE]

Sponsors:

Indexes:

Code sections:

Attachments: [14-2264_supp108.pdf](#)
[14-2264_SUPP108C.pdf](#)

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 108 of the City Code. [ROLL-CALL VOTE]

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THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 2. That the sections and portions thereof set forth in "The One Hundred and Eighth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between September 21, 2013 through November 12, 2013, 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 4. That one complete set of pages comprising "The One Hundred and Eighth 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.

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3 Section 5. This ordinance shall become effective upon the date and at the time of its
4 final passage.
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6
7 WILLIAM D. EUILLE
8 Mayor
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10 Introduction: 1/14/14
11 First Reading: 1/14/14
12 Publication:
13 Public Hearing:
14 Third Reading:
15 Final Passage:
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1 Introduction and first reading: 1/14/14
2 Second reading and enactment: 1/14/14
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5 INFORMATION ON PROPOSED ORDINANCE
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7 Title
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9 AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria,
10 Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein,
11 except those saved from repeal by this ordinance, and for other purposes.
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13 Summary
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15 The proposed ordinance adopts the One Hundred and Eighth Supplement to The Code of the
16 City of Alexandria, Virginia, 1981, as amended.
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18 Sponsor
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20 Office of the City Attorney
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22 Staff
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24 James L. Banks, Jr., City Attorney
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26 Authority
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28 § 3.14, Alexandria City Charter
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30 Estimated Costs of Implementation
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32 None
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34 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
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36 None
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Legislation Details (With Text)

File #: 14-2183 **Name:** Establishment of a Parking Study Task Force
Type: **Status:** Agenda Ready
File created: 11/25/2013 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Consideration of a Resolution to Establish a New Development Parking Standards Task Force. [ROLL-CALL VOTE]
Sponsors:
Indexes:
Code sections:
Attachments: [14-2183 Parking Study Resolution.pdf](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Consideration of a Resolution to Establish a New Development Parking Standards Task Force. [ROLL-CALL VOTE]

ISSUE: Consideration of a Resolution to establish a New Development Parking Standards Task Force.

RECOMMENDATION: That City Council:

- (1) Accept this update on the New Development Parking Standards Study ("Parking Study");
- (2) Approve the resolution establishing a New Development Parking Standards Task Force ("Task Force");
- (3) Request that the Chairs of the Planning Commission, Transportation Commission, Traffic and Parking Board, each nominate a member from their groups to serve on the Task Force; and
- (4) Authorize the City Manager to appoint the remaining members and to designate the Chair of the Task

Force.

PARKING STUDY PROJECT UPDATE

The scope of the New Development Parking Standards Study is to 1) evaluate existing City parking standards in light of current demand, and 2) propose revised parking standards, demand-based ratios, for new development. The project will be conducted in two phases with the first phase, residential development study (Phase I) already underway. An evaluation of the parking standards for new retail, commercial, and office development would be Phase II of this study. New residential development was chosen as the first phase study focus area, since that is where significant development pressures are occurring in the City, and expected to continue as the key development demand at least for the next few years.

As the initial stage of Phase I of this study project, fifteen residential developments were selected for data collection. Five sites each were selected within 0.25 mile of Metrorail stations, between 0.25 - 1 mile of Metrorail stations, and more than 1 mile from Metrorail stations. Staff selected a range of building typologies to include in the study - townhouse, mid-rise multifamily units, and high-rise multi-family units. Data collection began in October 2013 and was conducted at each site to evaluate the on-street and off-street parking demand. Data collection and data entry were completed in November 2013 and December 2013, respectively. In addition, staff will be analyzing data from recent parking studies to supplement and validate the data set.

Currently, staff is analyzing the data collected, reviewing national and regional best practices, reviewing what adjacent jurisdictions practices are or are proposed to be, mobilizing for civic engagement, and preparing to convene a Parking Study Task Force. Staff anticipates completing the data analysis in February 2014, hosting the first speaker series event in February 2014, and convening the proposed Task Force in March 2014. This Phase I study is tracking towards a January 2015 completion date.

It should be noted that these studies would be limited to issues related to parking standards for new development, and would not entail studying other parking issues in the City.

NEW DEVELOPMENT PARKING STANDARDS TASK FORCE

Mission:

Provide input on future to-be-recommended revisions to the City's parking standards for new development.

Purpose:

Support the City's civic engagement efforts and provide input on proposed parking standards for new development.

Tasks:

1. Evaluate current parking requirements and existing parking ratios
2. Review best practices and policies
3. Provide input on revisions to the City's parking requirements

Task Force Composition:

The Task Force should consist of nine members, including a chair. The City Manager shall designate the Chair of the Task Force. The Task Force should include the following representation:

Planning Commission	(1)
Transportation Commission	(1)
Traffic and Parking Board	(1)
Former Old Town Area Parking Study (OTAPS) Work Group	(1)

NAIOP, the Commercial Real Estate Development Association	(1)
Mixed-Use Developer with experience in Alexandria and other urban areas	(1)
At-Large Alexandria Residents	(3)
At-Large Alexandria Resident with expertise in regional transportation or parking issues	(1)
Total	(9)

The Chairs of the above named commissions and organizations will be asked to nominate a member of their group to serve on the Task Force. The remaining slots will be appointed by the City Manager based on a call for nominations publicized through the City's eNews service, notices to civic and community associations, and the City's website.

Process and Reporting:

The Task Force is contemplated to be an advisory body that will do the following:

1. Provide input to City staff on revisions to the City's parking standards.
2. Develop consensus (to the degree possible) on recommendations.
3. Submit a report to the Directors of the Departments of Planning and Zoning and Transportation and Environmental Services on the Task Force's comments on proposed recommendations. These Task Force recommendations will be considered in the final staff recommendations to the Traffic and Parking Board, Transportation Commission, Planning Commission and City Council.
4. Assist and support City staff's community engagement efforts by reporting back to the commissions, boards, and groups that they represent; in addition to the Alexandria Community at-large.

Expectation of Members:

It is anticipated that the Task Force will hold monthly public meetings (or as needed) for the duration of the study in addition to a *Speaker Series* (two meetings) and work sessions and public hearings of the Planning Commission and City Council. There may also be additional staff-led working meetings of the Task Force.

- Attend all meetings. If unable, members are encouraged to read materials provided by staff and provide any comments in a timely manner.
- Attend *Speaker Series*.
- Provide updates on the status of the parking study activities to their member commissions, boards, and organizations. They are expected to speak on behalf of those groups and communicate their interests in this process.
- Attend meetings prepared by reading assigned materials.
- Support City staff in community engagement activities.

Responsibilities of the Chair:

- Serve as a spokesperson for the Task Force
- Serve as a meeting facilitator
- Work with City staff to set Task Force meeting agendas

Civic Engagement: It is anticipated that the task force will hold four public meetings for Phase I, host two meetings of a *Speaker Series*, and attend work sessions and public hearings of the Planning Commission and City Council. The Task Force is expected to support City staff in communicating the efforts, outcomes, and directives of the citywide parking study. Members should report back to their constituents, attend public meetings, coordinate with the chair to craft messages to the public, and other tasks as assigned. The civic engagement process for Phase II of this study will be developed prior to the initiation of that phase of study.

Communication and Outreach: Consistent with the principles of *What's Next Alexandria*, City staff will keep

the public informed of the schedule, issues, materials and progress of Task Force through the City's Citywide Parking Study Planning process webpage as well as eNews and social media. The *Speaker Series* and Task Force meetings will be open to the public.

Staff Support: The Task Force will be staffed by representatives of the Department of Transportation and Environmental Services and the Department of Planning and Zoning.

Sunset: The Task Force will sunset upon completion of their stated task at the conclusion of the multi-phased parking study process and at the direction of City Council.

FISCAL IMPACT: In order to carry out the work tasks associated with convening the Parking Task Force and the associated community engagement, staff resources are required. It is anticipated that City staff will hold weekly interdepartmental staff meetings (this is for the management of the actual parking study project), as well as manage the Speaker Series, and meetings of the Task Force. The Phase I part of this study can be undertaken within existing resources and staffing levels.

Phase II of this effort, evaluation of new retail, commercial, and office development parking standards, as currently envisioned, is contemplated to require technical consultant support estimated at approximately \$150,000. In Phase II, consultants would conduct an extensive and complex data collection process looking at parking utilization of recently approved mixed-use development projects (data collection for mixed use projects is substantially more complicated than for exclusively residential projects). This additional funding will compete for and be considered during the FY 2015 budget process. If additional funding is not approved, an alternative approach to Phase II would be to review a substantial number (50) of case studies of recently approved mixed-use projects regionally, as well as best practices nationally, to develop a recommendation for revised parking standards, without conducting data collection. This effort could be completed in house, but would require significant staff resources, to be taken into consideration for the FY16 (or later) Interdepartmental Work Program. Without data collection the recommendations would not be as refined as they would be with local data. If Phase II is not funded with consultant funding, nor approved for inclusion in the Interdepartmental work program based on the alternative approach proposed above, then the new development parking standards study will end with Phase I.

ATTACHMENT: Draft Resolution

STAFF:

Mark Jinks, Deputy City Manager

Faroll Hamer, Director, Department of Planning and Zoning

Richard Baier, Director, Transportation and Environmental Services

Carrie Beach, Division Chief, Department of Planning and Zoning

Sandra Marks, Acting Deputy Director, Department of Transportation and Environmental Services

Faye Dastgheib, Principal Planner, Department of Transportation and Environmental Services

Brandi Collins, Urban Planner III, Department of Planning and Zoning.

ATTACHMENT

DRAFT RESOLUTION NO. __

WHEREAS, City Council wishes to establish a New Development Parking Standards Task Force;
and

WHEREAS, the New Development Parking Standards Task Force will conduct specified tasks outlined in this resolution.

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

1. That there is hereby established the New Development Parking Standards Task Force (the "Task Force") whose mission is to provide input on future to-be-recommended revisions to the City's parking standards for new development.
2. That the Task Force shall consist of nine members and the composition of the group shall be as follows:

Planning Commission	(1)
Transportation Commission	(1)
Traffic and Parking Board	(1)
Former Old Town Area Parking Study (OTAPS) Work Group	(1)
NAIOP, the Commercial Real Estate Development Association	(1)
Mixed-Use Developer with experience in Alexandria and other urban areas	(1)
At-Large Alexandria Residents	(3)
At-Large Alexandria Resident with expertise in regional transportation or parking issues	(1)
Total	(9)

3. That the Chairs of the above named commissions and organizations shall nominate a member of their group to serve on the Task Force.
4. That the remaining slots will be appointed by the City Manager based on a call for nominations publicized through the City's eNews service, notices to civic and community associations, and the City's website.
5. That the City Manager shall designate the Chair of the Task Force.

6. That the mission of the Task Force shall be to provide input to City staff on recommended revisions to the City's parking standards for new development.
7. That the Task Force is an advisory group that shall complete the following tasks:
 - a. Provide input to City staff on revisions to the City's parking standards for new development.
 - b. Develop consensus (to the degree possible) on recommendations. If necessary, differing opinions may be reported.
 - c. Submit a report to the Directors of the Departments of Planning and Zoning and Transportation and Environmental Services on the Task Force's comments on proposed recommendations. The recommendations will be considered in the final recommendations to the Traffic and Parking Board, Planning Commission and City Council.
 - d. Assist and support City staff's community engagement efforts by reporting back to the commissions, boards, and groups that they represent; in addition to the Alexandria Community at-large.
8. That the Task Force will be staffed by representatives of the Department of Transportation and Environmental Services and the Department of Planning and Zoning.
9. That the Task Force shall meet as needed.
10. That the Task Force will sunset at the completion of their stated task at the conclusion of the multi-phased parking study process

Adopted:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, MMC City Clerk



Legislation Details (With Text)

File #:	14-2245	Name:	Consideration of Resolution to Amend and Restate the Supplemental Retirement Plan
Type:	Resolution	Status:	Agenda Ready
File created:	12/16/2013	In control:	City Council Legislative Meeting
On agenda:	1/14/2014	Final action:	
Title:	Consideration of a Resolution to Amend and Restate the Supplemental Retirement Plan. [ROLL-CALL VOTE]		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2245 1 Resolution Supplemental 14-2245 2 List of Section Changes Supplemental 14-2245 3 Restatement Supplemental		

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER

DOCKET TITLE:

Consideration of a Resolution to Amend and Restate the Supplemental Retirement Plan. [ROLL-CALL VOTE]

ISSUE: Consideration of the proposed amendment to the City of Alexandria Supplemental Retirement Plan (the "Plan").

RECOMMENDATION: That City Council adopt the attached resolution (Attachment 1) which amends and restates the Supplement Plan. Below are the reasons these changes are necessary.

- To make technical corrections that add, delete, or modify the Plan Document language to clarify the Plan administration and to comply with Internal Revenue Service ("IRS") regulatory requirements;
- To restate the Plan Document to combine the January 1, 2009 Restatement and the subsequent amendments into one document;

These changes, which are recommended at this time, make **no change to benefits, contributions, or eligibility and are cost neutral to the City.**

BACKGROUND: The Plan provides both retirement and disability benefits in a defined benefit form to all benefited employees who are not firefighters and police officers. The Plan was originally effective on August 1, 1970. The plan was last restated at the December 9, 2008 City Council meeting and took effect on January 1, 2009. Amendment One, Two, Three, Four and Five to the January 1, 2009 Plan Restatement were adopted in 2010, 2010, 2011, 2012, and 2013 respectively.

The proposed changes in the restatement make technical corrections to ensure that the Plan Document reflects actual practice and to comply with the IRS regulatory requirement.

DISCUSSION: The attached *List of Section Changes Made for IRS Compliance* (Attachment 2) lists all of the proposed changes. The changes can be summarized as noted below.

Compliance with Federal Regulations

The Federal Government establishes pension plan rules and guidelines for both public and private pensions. Along with providing favorable tax treatment for pension plans, the government sets limits on benefits, contributions and the timing of pension payouts. Generally, these rules are designed to prevent abuses of pension plans created for small business owners or for highly paid individuals. While these rules rarely affect participants in public pension plans, the IRS requires that these provisions appear in our Plan Document to maintain favorable tax status for the Plan.

Technical Corrections

Technical changes have been made to the Plan Document to modify language in the sections for administrative purposes, to delete obsolete section and to correct typographical errors. A plan document is a formal, written instrument that establishes a retirement plan and its provisions and describes how the plan operates.

Plan Document Restatement

Typically, plan amendments do not include the entire text of the underlying Plan Document they amend. Instead, they only contain the sections of the document that they alter. As a plan evolves over time, the original plan document plus a series of plan amendments governs it, making it awkward to manage. Combining the Plan Document and all its amendments into one document will simplify plan management. The Plan Document has been restated to include all changes from amendments 1-5 as well as the changes needed for compliance with Federal Regulation and for technical corrections. The plan was last restated in 2009.

FISCAL IMPACT: There is no fiscal impact. The proposed plan amendment makes no changes to eligibility, benefits, or contributions, and are cost neutral to the plan.

ATTACHMENTS:

1. Resolution to Amend and Restate the City of Alexandria Supplemental Retirement Plan
2. List of Sections Changes Made for IRS Compliance
3. Proposed Restatement of the City of Alexandria Supplemental Retirement Plan

STAFF:

Laura Triggs, Chief Financial Officer/Director of Finance

Tom Gates, Deputy City Manager/Chief of Staff

Steven Bland, Retirement Administrator

Board of the Supplemental Retirement Plan

RESOLUTION NO. _____

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

WHEREAS, the City of Alexandria desires to adopt and incorporate certain amendments to the Plan as set forth in the Plan attached hereto; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA THAT the Alexandria City Council does hereby recognize, adopt, amend, approve and restate the Plan to incorporate the amendments attached hereto and incorporated fully herein by reference; and

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

ADOPTED _____ (date)

William D. Euille

Mayor

ATTEST:

Jackie M. Henderson, City Clerk

List of Section Changes Made for IRS Compliance

The City of Alexandria Supplemental Retirement Plan

This document lists the sections changed. The *subject* of the change is mentioned. This document does *not* list minor modifications to capitalization, punctuation, renumbering, spelling, and spacing.

Section Changed	Change
Preamble	Effective dates are changed. Most are for compliance; however, some relate to the effective dates of prior amendments.
Table of Contents	Sections and pages are renumbered to reflect additional sections; titles are changed.
Article 1.1 Definitions	
Earnings	The definition of this term is modified as required for IRS compliance.
ARTICLE 11.1	
Article 11.1	<i>Maximum Benefit and Contributions:</i> This section is rewritten as required for IRS compliance.
All sections	The list above does not include: spelling errors, typographical errors, punctuation, section references, changes involving only renumbering the section, or other minor errors that have no impact on benefits, eligibility, or contributions.

**CITY OF ALEXANDRIA
SUPPLEMENTAL RETIREMENT PLAN
January 1, 2014 Restatement**

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PREAMBLE

The City of Alexandria Supplemental Retirement Plan, originally effective as of August 1, 1970, is hereby amended and restated in its entirety. The Plan, as amended and restated hereby, is intended to qualify as a defined benefit pension plan under Code Section 401(a) and is a governmental plan under Code Section 414(d) and Section 3(32) of the Employee Retirement Income Security Act of 1974, as amended. The Plan is maintained for the exclusive benefit of eligible employees and their beneficiaries.

Except as otherwise specifically provided in the Plan, this amended and restated Plan shall be effective as of January 1, 2014, and the rights of any person who did not have an Hour of Service under the Plan on or after January 1, 2014, shall generally be determined in accordance with the terms of the Plan as in effect on the date for which he was last credited with an Hour of Service.

Notwithstanding the foregoing, the following special effective dates shall apply:

- (a) The provisions relating to direct rollovers of after-tax employee contributions to any qualified trust or annuity plan described in Code Section 401(a) or 403(a) or an annuity contract described in Code Section 403(b) as set forth in Section 10.5(b) apply to distributions on or after January 1, 2007.
- (b) The provisions relating to direct rollovers to Roth IRAs as set forth in Section 10.5(a) apply to distributions on or after January 1, 2008.
- (c) The provisions relating to minimum distribution requirements as set forth in Section 10.6 apply for calendar years beginning with the 2003 calendar year.
- (d) The limitations on retirement benefits in Article XI are effective for Limitation Years beginning on or after January 1, 2008.

Any provision which is contained in this amended and restated Plan (as the same may be further amended from time to time) and which is required to be effective before January 1, 2014, in order to retain the qualification of the Plan under Code Section 401(a) shall, nevertheless, be effective as of its required effective date under the Code.

ARTICLE I DEFINITIONS

1.1 Plan Definitions

As used herein, the following words and phrases, when they appear with initial letters capitalized as indicated below, have the meanings hereinafter set forth:

- (a) An “**Active Participant**” means a Participant who is accruing Credited Service under the Plan in accordance with the provisions of Article II.
- (b) A Participant’s “**Accrued Benefit**” shall mean, as of any date prior to the Participant’s Normal Retirement Date, a monthly benefit, commencing on the Participant’s Normal Retirement Date and continuing for his life, calculated in the same manner as a normal retirement benefit and based upon the Credited Service earned by such Participant and the Participant’s Average Earnings as of the date of determination. As of the Participant’s Normal Retirement Date, the Participant’s Accrued Benefit shall be the monthly retirement benefit described in Section 4.2.
- (c) A Participant’s “**Accumulated Contributions**” as of any date means the sum of the following:
 - (1) the total of the Participant’s Mandatory Employee Contributions, plus interest;
 - (2) the total of the Participant’s Pick Up Contributions, plus interest; and
 - (3) the total of the Participant’s Supplemental Employee Contributions, plus interest.

A Participant’s Accumulated Contributions shall include any amount contributed by the City as a Pick-Up Contribution notwithstanding that the amount of such Pick-Up Contribution was funded by the City and was not withheld from the Employee’s compensation.

Interest on a Participant’s Mandatory Employee Contributions and Pick Up Contributions shall be compounded annually from the end of the Plan Year for which the contribution was made to the first day of the month coinciding with or immediately preceding the date of determination as follows:

- (1) For contributions made prior to July 1, 1982, at two percent.
- (2) For contributions made on or after July 1, 1982, with respect to periods prior to July 1, 1990, at five percent.

(3) For contributions made on or after July 1, 1982, with respect to periods after June 30, 1990 and before January 1, 2005, at 120 percent of the Federal mid-term rate as in effect under Code Section 1274 for the first month of the Plan Year.

(4) For contributions made on or after July 1, 1982, with respect to periods after December 31, 2004, at five percent.

Interest on a Participant's Supplemental Employee Contributions shall be compounded annually from the end of the Plan Year for which the contribution was made to the first day of the month coinciding with or immediately preceding the date of determination at two percent.

- (d) The “**Actuarial Equivalent**” of a value means the actuarial equivalent determined using the mortality table adopted by the Administrator in accordance with this Section 1.1(d) and PBGC interest rates used at the beginning of each Plan Year, except that in determining the present value of a Participant's Accrued Benefit under the Plan for purposes of a single sum payment, the interest rate used shall be the annual rate of interest on 30-year Treasury securities for the second calendar month preceding the Plan Year in which the distribution is made, and the mortality table shall be the prevailing commissioners' standard table, described in Code Section 807(d)(5)(A), used to determine reserves for group annuity contracts issued on the date as of which present value is being determined (without regard to any other subparagraph of Code Section 807(d)(5)).

The Administrator shall adopt the mortality table determined by the Actuary as appropriate for use in determining actuarial equivalence under the Plan, and such mortality table shall be set forth in the Addendum to the Plan. The Administrator shall adopt new or revised mortality tables at such future times as determined appropriate by the Actuary, and any such new or revised mortality table shall be set forth in the Addendum to the Plan. No pension or other benefit earned prior to the time of the adoption of a mortality table under this Section 1.1(d) shall be reduced as a result thereof, except to the extent necessary to enable the Plan to meet the requirements for qualification under the Code or the requirements of any governmental authority.

For purposes of this paragraph, the “PBGC interest rate” means the immediate or deferred rates utilized by the Pension Benefit Guaranty Corporation for purposes of determining the present value of a lump sum distribution on Plan termination as in effect at the beginning of the Plan Year in which the present value of the Participant's benefit is being determined. For Participants who have reached Normal Retirement Date at the time present value is being determined, the PBGC interest rate shall be the immediate rate. For Participants who have not yet reached Normal Retirement Date at the time present value is being determined, the PBGC rate shall be the deferred rate.

- (e) The “**Actuary**” means an independent actuary selected by the City, who is an enrolled actuary as defined in Code Section 7701(a)(35), or a firm or corporation of actuaries having

such a person on its staff, which person, firm, or corporation is to serve as the actuarial consultant for the Plan.

- (f) The “**Administrator**” means the City Manager or the person or persons designated by the City Manager. If more than one Person is designated as the Administrator by the City Manager, the committee thus formed shall be known as the Administrative Committee and all references in the Plan to the Administrator shall be deemed to apply to the Administrative Committee.
- (g) An “**Affiliate**” means any agency, instrumentality or other entity which must be aggregated with the City for a relevant purpose under Code Section 414.
- (h) “**Annual Additions**” means the sum of the following items credited to the Participant under this Plan and any other tax qualified retirement plan sponsored by the City for a Limitation Year and treated as a defined contribution plan for purposes of Code Section 415: City contributions that are separately allocated to the Participant’s credit in any defined contribution plan; forfeitures; Participant contributions (other than contributions that are picked up by the City as described in Code Section 414(h)(2)); and amounts credited after March 31, 1984 to a Participant’s individual medical account (within the meaning of Code Section 415(l)).
- (i) “**Annuity Starting Date**” means the first day of the first period for which an amount is paid as an annuity or, in the case of a single sum payment, the first day on which all events have occurred which entitle the Participant, or his Beneficiary , if applicable, to such benefit.

If a Participant whose Annuity Starting Date has occurred is reemployed by the City resulting in a suspension of benefits in accordance with the provisions of Section 10.1, for purposes of determining the form of payment of such Participant’s benefit upon his subsequent retirement, such prior Annuity Starting Date shall apply to benefits accrued both before and after the Participant’s reemployment.

- (j) A Participant’s “**Average Earnings**” means the average monthly Earnings of a Participant over any thirty-six (36) consecutive full calendar months of Credited Service (during the one hundred eighty (180) full calendar months preceding the Participant’s Employment Severance Date) that produces the highest average. In the event a Participant’s relevant period of Credited Service consists of less than thirty-six (36) consecutive full calendar months, the Participant’s Average Earnings shall be determined by averaging (on a monthly basis) the Participant’s Earnings during the number of full calendar months of Credited Service.

Notwithstanding the forgoing, in no event shall a Participant’s Accrued Benefit be less than the Participant’s Accrued Benefit as of February 22, 2005 (calculated based on the Participant’s Average Earnings and Credited Service as of such date, and ignoring any Earnings or Credited Service after such date).

- (k) A Participant's "**Beneficiary**" means the person or persons designated by the Participant in accordance with Section 8.3 or 9.2 or who is otherwise entitled to receive any benefit payable under the terms of the Plan following the death of a Participant. Such Beneficiary shall be the designated Beneficiary under Code Section 401(a)(9) and Treas. Reg. §1.401(a)(9)-4.
- (l) "**City**" means the City of Alexandria. Where required by the context of the Plan, the term City shall also include the Commonwealth of Virginia Department of Health, Division of Community Health Services with respect to employees who work for the Alexandria Health Department.
- (m) "**City Council**" means the Alexandria City Council.
- (n) The "**Code**" means the Internal Revenue Code of 1986, as amended from time to time. Reference to a Code section shall include (i) such section and any comparable section or sections of any future legislation that amends, supplements, or supersedes such section and (ii) all rulings, regulations, notices, announcements, and other pronouncements issued by the U.S. Treasury Department, the Internal Revenue Service, and any court of competent jurisdiction that relate to such section and that are applicable to governmental plans.
- (o) A Participant's "**Credited Service**" means his period of service for purposes of determining the amount of any benefit for which he is eligible under the Plan, as computed in accordance with the provisions of Article II.
- (p) "**Distribution Calendar Year**" means a calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first Distribution Calendar Year is the calendar year immediately preceding the calendar year which contains the Participant's Required Beginning Date. For distributions beginning after the Participant's death, the first Distribution Calendar Year is the calendar year in which distributions are required to begin under Section 10.6(a)(2).
- (q) The "**Earnings**" for an Employee means basic compensation from the City for services as an Employee, excluding overtime, commissions, bonuses, and other additional compensation. Earnings for a Part-Time Employee shall be determined by converting the basic compensation for such Part-Time Employee to an equivalent full-time amount. Earnings for a member of the City Council means the basic compensation that is paid to a member of the City Council and treated as wages under Code Section 3401(a). Earnings shall include any amount contributed by the City on behalf of an Employee to a plan described in Code Section 457(b) or that would otherwise be included as Earnings but for the fact that it is subject to a salary reduction agreement under a plan described in Code Section 125, 132(f), or 457(b).

Earnings with respect to any Plan Year shall not exceed \$255,000, as adjusted for cost of living increases in accordance with Code Section 401(a)(17)(B). The cost of living

adjustment in effect for a calendar year applies to Earnings for the determination period that begins with or within such calendar year. Notwithstanding the foregoing, the annual Earnings limit for determination periods beginning before January 1, 2002, shall be \$150,000 for any determination period beginning in 1996 or earlier, \$160,000 for any determination period beginning in 1997, 1998, or 1999, \$170,000 for any determination period beginning in 2000 or 2001, \$200,000 for any determination period beginning in 2002 or 2003, \$205,000 for any determination period beginning in 2004, \$210,000 for any determination period beginning in 2005, \$220,000 for any determination period beginning in 2006, \$225,000 for any determination period beginning in 2007, \$230,000 for any determination period beginning in 2008, \$245,000 for any determination period beginning in 2009, 2010, or 2011, \$250,000 for any determination period beginning in 2012, and \$255,000 for any determination period beginning in 2013.

(r) An “**Employee**” means

(1) A member of the City Council.

(2) The Chief of the Fire Department (provided, however, that the term “Employee” shall not include any individual serving as Chief of the Fire Department if such individual is covered by the City of Alexandria Firefighters and Police Officers Pension Plan).

(3) A regular Full-Time or Part-Time Employee of the City who is classified as the Sheriff, a deputy sheriff, an emergency medical technician or a fire marshal.

(4) Any other individual who is treated by the City as a regular Full-Time or Part-Time Employee of the City for payroll purposes other than (i) a police officer or firefighter covered by another pension plan to which the City makes contributions, or (ii) any employee of the City school system (individuals referenced in (1), (2), (3) and (4) are collectively referred to as a “**City Employee**”).

(5) Any individual employed by the Commonwealth of Virginia Department of Health, Division of Community Health Services who works for the Alexandria Health Department on a full-time basis (a “**Health Department Employee**”).

For this purpose, a “**Full-Time Employee**” means the Chief of the Fire Department (provided, however, that the term “Employee” shall not include any individual serving as Chief of the Fire Department if such individual is covered by the City of Alexandria Firefighters and Police Officers Pension Plan), any member of the City Council and any other City Employee who is classified and treated by the City as a regular full-time general employee. The term “Full-Time Employee” also includes any Health Department Employee who is treated by the City as a regular full-time general employee for purposes of this Plan. A “**Part-Time Employee**” means any City Employee who is classified and treated by the City as a part-time general employee and who is scheduled to work at least twenty (20) hours per week. The term “Part-Time Employee” does not include any Health Department Employee.

For purposes of the Plan, a member of the City Council is deemed to be in the employment of the City during the period such individual is serving as a member of the City Council.

Seasonal employees and employees who are not classified and treated by the City or the Commonwealth of Virginia, Department of Health as regular general employees are not considered "Employees" for purposes of the Plan and are not eligible to participate in the Plan.

For purposes of the Plan, any "**Leased Employee**," other than an excludable Leased Employee, shall be treated as an employee of the City; provided, however, that no "Leased Employee" shall become an Employee or shall accrue a benefit hereunder based on Service as a "Leased Employee."

A "**Leased Employee**" means any person who performs services for the City (the "Recipient") (other than an employee of the recipient) pursuant to an agreement between the recipient and any other person (the "Leasing Organization") on a substantially full-time basis for a period of at least one (1) year, provided that such services are performed under the primary direction or control of the recipient. An "excludable leased employee" means any Leased Employee of the recipient who is covered by a money purchase pension Plan maintained by the Leasing Organization which provides for (i) a nonintegrated employer contribution on behalf of each Participant in the Plan equal to at least ten percent of compensation, (ii) full and immediate vesting, and (iii) immediate participation by employees of the Leasing Organization (other than employees who perform substantially all of their services for the Leasing Organization or whose compensation from the Leasing Organization in each Plan year during the four-year period ending with the Plan year is less than \$1,000); provided, however, that leased employees do not constitute more than 20 percent of the recipient's nonhighly compensated work force. For purposes of this Section, contributions or benefits provided to a Leased Employee by the Leasing Organization that are attributable to services performed for the recipient shall be treated as provided by the recipient.

Notwithstanding anything to the contrary, the term Employee shall not include any individual classified by the City as working or providing services in a capacity other than as an Employee (including, without limitation, a person classified as an independent contractor or any person performing services for the City under a contract between the City and a leasing or other third party organization), notwithstanding the later reclassification, by a court or any governmental agency, of the person as a common law employee of the City.

To the extent that this Plan refers to termination of employment with the City or retirement from the City, a Health Department Employee shall be deemed to have terminated employment, or retired from employment, with the City when he or she ceases to be an Employee.

- (s) A Participant's "**Employee Derived Benefit**" as of any date means an amount equal to the Participant's Accumulated Contributions expressed in the normal form of benefit as a monthly benefit commencing at Normal Retirement Date. A Participant's Employee Derived Benefit shall be deemed to include Pick-Up Contributions funded by the City notwithstanding that such amount was not withheld from the Employee's compensation.
- (t) A Participant's "**Employer Derived Benefit**" as of any date means the excess, if any, of his Accrued Benefit as of such date over his Employee Derived Benefit as of such date.
- (u) An Employee's "**Employment Commencement Date**" means the date he first completes an Hour of Service or, in the case of an Employee who has incurred an Employment Severance Date, the first date following his Employment Severance Date on which he again completes an Hour of Service. In the case of the City Council, the Employment Commencement Date means the date on which a member is sworn in as and officially becomes a member of the City Council.
- (v) An Employee's "**Employment Severance Date**" means the date on which he retires, dies, or his active employment as an Employee is otherwise terminated. An Employee's Employment Severance Date is deemed to have occur on the last day on which he is actively at work for the City; provided, however, that his Employment Severance Date shall not occur due to absence from active work because of sickness, injury, leave of absence, or layoff, unless or until he retires, dies, or his employment it otherwise terminated. Notwithstanding the foregoing, an Employee's Employment Severance Date shall not occur if he is absent from work with the City on account of service with the armed forces of the United States, he is eligible for reemployment rights under the Uniformed Services Employment and Reemployment Rights Act of 1994, and he returns to work with the City within the period during which he retains such reemployment rights, but, if he does not return to work within such period, his Employment Severance Date shall be the date his absence commenced. A member of the City Council shall be deemed to have reached his Employment Severance Date on the day he ceases to be a member of the City Council.
- (w) An "**Entry Date**" means the first day of each calendar month.
- (x) The "**Funding Agent**" means the person or persons which at the time shall be designated, qualified, and acting under the Funding Agreement and shall include (i) any trustee for a trust established pursuant to the Funding Agreement, (ii) any insurance company that issues an annuity or insurance contract pursuant to the Funding Agreement, or (iii) any person holding assets in a custodial account pursuant to the Funding Agreement. The City may designate a person or persons other than the Funding Agent to perform any responsibilities of the Funding Agent under the Plan, and the Funding Agent shall not be liable for the performance of such person in carrying out such responsibilities. The term Funding Agent shall include any delegate of the Funding Agent as may be provided in the Funding Agreement.

- (y) The “**Funding Agreement**” means the agreement entered into between the City and the Funding Agent relating to the holding, investment, and reinvestment of the assets of the Plan, together with all amendments thereto and shall include any agreement establishing a trust (including, without limitation, a master trust used to fund more than one retirement plan of the City, provided separate trust accounts are established for each such plan funded under the master trust), a custodial account, an annuity contract, or an insurance contract (other than a life, health or accident, property, casualty, or liability insurance contract) for the investment of assets; provided, however, that any custodial account or contract established hereunder meets the requirements of Code Section 401(f).
- (z) An “**Hour of Service**” with respect to any Employee means each hour for which he is paid, or entitled to payment, for the performance of duties for the City as an Employee.
- (aa) “**Life Expectancy**” means life expectancy as computed by use of the Single Life Table in Treas. Reg. §1.401(a)(9)-9, as amended from time to time.
- (bb) “**Limitation Year**” means the Plan Year.
- (cc) A Participant’s “**Mandatory Employee Contributions**” mean
- (1) with respect to Participants who are Health Department Employees, the after-tax contributions required to be made by a Participant to accrue a benefit hereunder.
 - (2) with respect to Participants who are City Employees, the after-tax contributions made by the Participant prior to July 1, 1982 to accrue a benefit under the Plan as in effect prior to such date.
- (dd) A Participant’s “**Normal Retirement Date**” means
- (1) with respect to the Chief of the Fire Department or a Full-Time Employee who is the Sheriff, or who is classified by the City as a deputy sheriff, emergency medical technician, or fire marshal:
 - (i) for purposes of benefit eligibility, the earlier of the date such Participant (A) attains age 65, or (B) attains age 50 with 25 years of Service as the Chief of the Fire Department, the Sheriff, or as a deputy sheriff, emergency medical technician, or fire marshal, and
 - (ii) for all other purposes, the first day of the month coinciding with or immediately following such date.
 - (2) with respect to all other Full-Time Employees:

- (i) for purposes of benefit eligibility, the earlier of (A) the date the Participant attains age 65, or (B) the date the Participant attains age 50 with 30 years of Service, and
 - (ii) for all other purposes, the first day of the month coinciding with or immediately following such date.
- (3) with respect to Part-Time Employees:
 - (i) for purposes of benefit eligibility, the later of (A) the date the Participant attains age 65, or (B) the fifth anniversary of the Participant's "participation commencement date," and
 - (ii) for all other purposes, the first day of the month coinciding with or immediately following such date.
- (ee) A Participant's "**Past Service Compensation**" means 1/12th of his fixed annual pay as of July 22, 1970, excluding bonuses, commissions, overtime and other special compensation.
- (ff) A "**Participant**" means any person who becomes eligible to participate in the Plan in accordance with the provisions of Article III and who retains an Accrued Benefit under the Plan.
- (gg) The "**Pension Fund**" means the fund or funds maintained under the Funding Agreement for purposes of accumulating contributions made by the City and Employees and paying benefits under the Plan.
- (hh) A Participant's "**Pick Up Contributions**" mean:
 - (1) In the case of a City Employee who commenced participation in the Plan prior to July 1, 2009, "**Pick-Up Contributions**" mean the contributions contributed by the City to the Plan prior to July 1, 2009 on behalf of the Participant and which were treated as employer contributions pursuant to Code Section 414(h)(2).
 - (2) In the case of a City Employee (other than the Sheriff, a deputy sheriff, an emergency medical technician or a fire marshal) who commences or re-commences participation in the Plan on or after to July 1, 2009, "**Pick-Up Contributions**" mean the contributions required to be made by a Participant to accrue a benefit hereunder and which are treated as employer contributions pursuant to Code Section 414(h)(2).
- (ii) The "**Plan**" means this City of Alexandria Supplemental Retirement Plan, established effective August 1, 1970, as amended and restated by this instrument, with all amendments, modifications, and supplements hereafter made.

- (jj) A “**Plan Year**” means the 12-consecutive-month period ending each December 31.
- (kk) A Participant’s “**Required Beginning Date**” means April 1st following the later of (i) the calendar year in which the Participant attains age 70-1/2 or (ii) the calendar year in which such Participant retires from employment with the City.
- (ll) “**Remuneration**” means a participant’s wages as defined in Code Section 3401(a) and all other payments of compensation to the Participant from the City for which the City is required to furnish the Participant a written statement under Code Sections 6041(d) and 6051(a)(3). Remuneration shall be determined without regard to any rules that limit the remuneration included in wages based on the nature or location of the employment or the services performed. Remuneration does not include any employee contributions picked up by the City as described in Code Section 414(h)(2). Remuneration shall include any amount which would otherwise be deemed Remuneration under this definition but for the fact that it is subject to a salary reduction agreement under any plan described in Code Section 457(b), 132(f), or 125. Remuneration with respect to any Limitation Year shall in no event exceed the dollar limit specified in Code Section 401(a)(17) (as adjusted from time to time by the Secretary of the Treasury). The cost of living adjustment in effect for a calendar year applies to Remuneration for the Limitation Year that begins with or within such calendar year.

“**Remuneration**” shall also include regular Earnings received after such Participant’s severance from employment (as defined in Treas. Reg. §1.415(a)-1(f)(5)) (but not severance payments); provided that payment of such Earnings is made by the later of (i) two and one-half (2-1/2) months after the Participant’s severance from employment or (ii) the end of the calendar year that includes the Participant’s severance from employment; and provided further, in order for these post-severance payments to be considered Remuneration, these amounts may only consist of the following (which constitute Earnings under Section 1.1(q)):

- (1) Regular compensation for services during the Participant’s regular working hours, or compensation for Service outside of the Participant’s regular working hours (such as overtime or shift differential), commission, bonuses, or other similar payments, if such payment would have been paid to the Participant prior to severance from employment if the Participant had continued in employment with the City;
- (2) Payment for unused, accrued, bona fide sick, vacation or other leave (but only if the Participant would have been able to use the leave if employment had continued); and
- (3) For Plan years beginning on or after January 1, 2009, payments to Participants who do not currently perform services for the Employer by reason of qualified military service (as that term is defined in Section 414(u)(1) of the Code) to the extent those payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the Employer rather than entering qualified military service.

Other types of payments paid to the Participant after severance from employment shall not be considered Remuneration, even if paid within the time frame described above. In no event, however, shall Remuneration for this purpose include any amounts not permitted to be included under Section 415 of the Code or exceed the dollar limit specified in Section 401(a)(17) of the Code applicable for the Plan Year, as adjusted from time to time by the Secretary of Treasury.

- (mm) A Participant's "**Service**" means his period of service for purposes of determining his eligibility for a benefit under the Plan, as computed in accordance with the provisions of Article II.
- (nn) A Participant's "**Supplemental Employee Contributions**" mean the after-tax contributions he made to the Plan in addition to his Mandatory Employee Contributions prior to February 1, 1972, pursuant to his election filed with the City prior to February 1, 1971.
- (oo) A Participant's "**Spouse**" means the person who is the Participant's lawful spouse.

1.2 Construction

Where required by the context, the noun, verb, adjective, and adverb forms of each defined term shall include any of its other forms. Wherever used herein, the masculine pronoun shall include the feminine, the singular shall include the plural, and the plural shall include the singular. The Plan is intended to comply with all applicable requirements for qualification of a governmental plan under Code Section 401(a) and if any provision of the Plan is subject to more than one interpretation or construction, such ambiguity shall be resolved in favor of that interpretation or construction which is consistent with the Plan being so qualified.

ARTICLE II SERVICE & CREDITED SERVICE

2.1 Service and Credited Service

Each person who is an Employee shall be credited with Service and Credited Service for purposes of the Plan as follows:

- (a) Service shall be computed in completed full years treating each 365 days of Service as a completed full year of Service.
- (b) If he is a Full-Time Employee, he shall be credited with Service and Credited Service for the period beginning on his Employment Commencement Date and ending on his Employment Severance Date. Credited Service shall be computed in completed full years and fractions of years treating each full month for which he is credited with Credited Service as 1/12th year of Credited Service. If a Full-Time Employee is credited with Credited Service for a portion of a month that is equal to at least 15 days, his Credited Service shall be rounded up to the next highest 1/12th.
- (c) If he is a Part-Time Employee, he shall be credited with Service and Credited Service for the period beginning on the later to occur of (i) July 1, 1999 or (ii) his Employment Commencement Date and ending on his Employment Severance Date. Credited Service for a Part-Time Employee will be based on the Employee's regularly scheduled hours divided by 2,080. Monthly Credited Service for a Part-Time Employee shall be determined by further dividing the Employee's pro-rated Credited Service by 12; provided however, if a Part-Time Employee is credited with Credited Service for a portion of a month that is equal to at least 15 days, he shall be deemed to have worked for the entire month his Credited Service (so that the divisor for such month will be 1/12th notwithstanding that the Employee was not credited with Credited Service for the entire month). If an employee who is regularly scheduled to work less than 20 hours a week becomes regularly scheduled to work 20 or more hours a week after December 1 of a year and enters the Plan at that time, such Employee's Credited Service for his initial year of participation will be based on the number of hours the Employee is regularly scheduled to work on his Entry Date.
- (d) A Part-Time Employee who suspends his regular position to accept a temporary summer, seasonal position with the City at an increased rate of compensation or additional hours of work and who returns to his regular part-time position will receive credit for Service completed in such temporary summer, seasonal position. However, the Part-Time Employee shall not accrue Credited Service with respect to such temporary summer, seasonal position.
- (e) A Part-Time Employee who becomes a Full-Time Employee shall receive credit for Service as a Part-Time Employee from the later to occur of (i) July 1, 1999 or (ii) his Employment Commencement Date through his Employment Severance Date without regard to the pro-

ration requirement contained in Section 2.1 (c). However, Credited Service completed as a Part-Time Employee shall continue to be computed in accordance with the pro-ration rules contained in Section 2.1(c).

- (f) Notwithstanding the foregoing, no Service shall be credited to an Employee for periods in which he was required to, but did not, make Mandatory Employee Contributions to the Plan.
- (g) A member of the City Council shall receive credit for Service as a member of the City Council from his Employment Commencement Date through the member's Employment Severance Date. However, Credited Service shall be measured (based on Service as a member of the City Council) from the later of (i) July 1, 2003 or (ii) the Council member's Employment Commencement Date.

2.2 Employment In Another Capacity

Notwithstanding the foregoing, the determination of a Participant's Service and Credited Service shall be subject to the following:

- (a) Any person who is employed by the City in a capacity other than as an Employee and who subsequently becomes an Employee shall be credited with Service and Credited Service beginning on the date he becomes an Employee (and his employment with the City prior to the date he becomes an Employee shall be ignored in determining Service and Credited Service under the Plan).
- (b) For purposes of determining Service or Credited Service, any person who ceases to be an Employee and who is subsequently employed by the City in a capacity other than as an Employee (even if he transfers from employment with the City as an Employee directly to other employment with the City in a capacity other than as an Employee), shall be deemed to have terminated employment with the City as of the date he ceases to be an Employee. However, such person shall not be deemed to have terminated his employment as an Employee for other purposes of the Plan until such time as he is no longer in the employment of the City.

2.3 Retirement or Termination and Reemployment

If an Employee retires or otherwise terminates employment with the City, his eligibility for and the amount of any benefit to which he may be entitled under the Plan shall be determined based upon the Service and Credited Service with which he is credited at the time of such retirement or other termination of employment. If such retired or former Employee is reemployed by the City and if he had a vested interest in his Employer Derived Benefit at the time of his previous retirement or other termination of employment, the Service and Credited Service with which he was credited at the time of such prior retirement or other termination of employment shall be aggregated with the Service and Credited Service with which he is credited following his reemployment for purposes of determining his eligibility for and the amount of any benefit to which he may be entitled under the Plan upon his

subsequent retirement or other termination of employment. If a retired or former Employee is reemployed by the City and if he had no vested interest in his Employer Derived Benefit at the time of his previous retirement or other termination of employment, the Service and Credited Service with which he was credited at the time of such prior retirement or other termination of employment shall be lost and shall not be aggregated with the Service and Credited Service with which he is credited following his reemployment for purposes of determining his eligibility for and the amount of any benefit to which he may be entitled under the Plan upon his subsequent retirement or other termination of employment. Notwithstanding the foregoing, if the former Employee voluntarily terminated employment and certified, at such time and in such manner as required under rules prescribed by the Administrator, that he intended to return to covered employment within five years, and if he returns to covered employment within five years, then the Service and Credited Service with which he was credited at the time of his termination of employment shall be aggregated with the Service and Credited Service with which he is credited following his reemployment for purposes of determining his eligibility for and the amount of any benefit to which he may be entitled under the Plan upon his subsequent retirement or other termination of employment.

Notwithstanding the foregoing, if a Participant received a single sum payment of the present value of his vested Accrued Benefit as provided in Section 8.2 or 10.4, or a distribution of his Accumulated Contributions as provided in Section 9.1, in connection with his prior retirement or termination of employment, the Service and Credited Service with which he was credited at the time of such prior retirement or termination of employment shall be lost and shall not be aggregated with the Service and Credited Service with which he is credited following his reemployment for purposes of determining his eligibility for and the amount of any benefit to which he may be entitled under the Plan upon his subsequent retirement or other termination of employment.

Notwithstanding any other provision of this Section, if a retired or former Employee returns to employment with the City in a capacity other than as an Employee, he shall be deemed to have transferred directly to other employment with the City and he shall not receive Service or Credited Service with respect to his subsequent period of employment in a capacity other than an Employee.

2.4 Finality of Determinations

All determinations with respect to the crediting of Service and Credited Service under the Plan shall be made on the basis of the records of the City, and all determinations so made shall be final and conclusive upon Employees, former Employees, and all other persons claiming a benefit interest under the Plan. Notwithstanding anything to the contrary contained in this Article, there shall be no duplication of Service and Credited Service.

ARTICLE III ELIGIBILITY FOR PARTICIPATION

3.1 Participation

Participation in the Plan is mandatory.

Each City Employee who was hired on or after July 1, 1982, or who was hired prior to July 1, 1982 and made a one-time election to continue as an Active Participant hereunder, shall automatically participate in the Plan.

Each Employee who was an Active Participant immediately prior to January 1, 2014, shall continue as an Active Participant hereunder. Each other person shall become an Active Participant as of the Entry Date coinciding with or immediately following the date on which he becomes an Employee.

A City Employee (other than the Sheriff, a deputy sheriff, an emergency medical technician or a fire marshal) who commences or re-commences participation in the Plan on or after July 1, 2009 is required to make Pick-Up Contributions to the Plan in accordance with Section 3.2(b).

Notwithstanding the foregoing, no person who is a Health Department Employee shall become an Active Participant hereunder unless he makes Mandatory Employee Contributions to the Plan as provided in Section 3.3. A Health Department Employee who would otherwise have become an Active Participant hereunder as of an Entry Date but for his failure to make the required Mandatory Employee Contributions to the Plan shall become an Active Participant as of any subsequent Entry Date as of which he actually begins to make the required Mandatory Employee Contributions to the Plan.

3.2 Pick Up Contributions

Pick-Up contributions to the Plan shall be handled as follows:

- (a) In the case of a City Employee who commenced participation in the Plan prior to July 1, 2009, the City shall make a Pick-Up Contribution on behalf of such City Employee equal to two percent of his Earnings for periods prior to July 1, 2009. On and after July 1, 2009, no Pick-Up Contributions shall be required with respect to (i) a City Employee who commenced participation in the Plan prior to July 1, 2009, or (ii) the Sheriff, a deputy sheriff, an emergency medical technician or a fire marshal who commences or re-commences participation in the Plan on or after July 1, 2009 (i.e., the Plan shall be non-contributory with respect to these City Employees).
- (b) A City Employee (other than the Sheriff, a deputy sheriff, an emergency medical technician or a fire marshal) who commences or re-commences participation in the Plan on or after July 1, 2009, shall make Pick-Up Contributions to the Plan equal to two percent of his Earnings for the Plan Year. Such Pick-Up Contribution shall be deducted from the Earnings of such

City Employee on a pre-tax basis.

No Pick-Up Contributions shall be required to be made with respect to a Participant on or after the earliest of (1) the Participant's Employment Severance Date, (2) the date the Participant ceases to be an Employee, or (3) the Participant's Annuity Starting Date.

A Participant who commenced participation in the Plan prior to July 1, 2009, but reached his Employment Severance Date or ceased to be an Employee, and who re-commences participation in the Plan on or after July 1, 2009, shall be required to make the Pick-Up Contribution to the extent required under subsection (b) above and shall have the Pick-Up Contribution deducted from his Earnings on a pre-tax basis.

3.3 Mandatory Employee Contributions

A Health Department Employee who commenced participation in the Plan prior to July 1, 2009 shall make Mandatory Employee Contributions to the Plan equal to two percent for periods prior to July 1, 2009. Effective July 1, 2009, a Health Department Employee who commenced participation in the Plan prior to July 1, 2009 shall make Mandatory Employee Contributions to the Plan equal to one percent of his Earnings for the Plan Year.

A Health Department Employee who commences or re-commences participation in the Plan on or after July 1, 2009 shall make Mandatory Employee Contributions to the Plan equal to two percent of his Earnings for the Plan Year.

A Health Department Employee must authorize the Commonwealth of Virginia to withhold the required Mandatory Employee Contributions to the Plan from his Earnings and to contribute such amounts to the Plan.

Notwithstanding the foregoing, a Health Department Employee shall no longer be required or eligible to make Mandatory Employee Contributions to the Plan beginning on the earliest of (1) the Participant's Employment Severance Date, (2) the date the Participant ceases to be an Employee, or (3) the Participant's Annuity Starting Date.

3.4 Suspension of Mandatory Employee Contributions and Pick-Up Contributions

Any applicable Pick-Up Contributions required with respect to a Participant or any Mandatory Employee Contributions shall automatically be suspended in accordance with rules established by the Administrator during:

- (a) an unpaid temporary absence from active Service as a City Employee for a specified period which is not treated as a termination of employment and which is granted or extended by the City pursuant to its regular personnel policies, or

- (b) any period during which a Participant is not eligible to accrue Credited Service under the Plan.

Applicable Mandatory Employee Contributions or Pick-Up Contributions shall automatically resume as of the date the Participant returns from such approved unpaid temporary leave of absence or is once more eligible to accrue Credited Service under the Plan.

To the extent that Mandatory Employee Contributions or Pick-Up Contributions are suspended with respect to a Participant pursuant to this Section, such Participant shall not accrue a benefit hereunder for the period such suspension is in effect; provided, however, that in the case of Pick-Up contributions suspended for a City Employee, the Administrator may (but is not required to) prescribe rules under which a City Employee can make Pick-Up Contributions (and receive Credited Service) with respect to an approved unpaid temporary absence from active service.

3.5 Termination of Participation

A Participant shall remain an Active Participant as long as he continues in employment as an Employee and, if he is a Health Department Employee, he continues to make Mandatory Employee Contributions to the Plan. A person shall remain a Participant as long as he retains an Accrued Benefit under the Plan.

3.6 Participation Upon Reemployment

If a former Employee who was a Participant hereunder is reemployed as an Employee, he shall again become an Active Participant hereunder as of (i) his reemployment date if he is a City Employee or, (ii) the date as of which he begins making the required Mandatory Employee Contributions to the Plan in accordance with the provisions of Section 3.3, if he is a Health Department Employee. If a former Employee who was not a Participant hereunder is reemployed as an Employee, he shall become an Active Participant hereunder on the next Entry Date if he is a City Employee or, if he is a Health Department Employee, the date as of which he begins to make Mandatory Employee Contributions to the Plan in accordance with the provisions of Section 3.3.

If a former Employee who was a Participant hereunder is reemployed as an Employee on or after July 1, 2009, such Employee shall be required to make Pick-Up Contributions to the extent required under Section 3.2(b) and shall have such Pick-Up Contribution deducted from his Earnings.

3.7 Finality of Determinations

All determinations with respect to the eligibility of an Employee to become a Participant under the Plan shall be made by the Administrator on the basis of the records of the City, and all determinations so made by the Administrator shall be final and conclusive for all Plan purposes. Each Employee who becomes a Participant shall be entitled to the benefits, and be bound by all the terms, provisions, and conditions of the Plan and the Funding Agreement.

ARTICLE IV NORMAL RETIREMENT

4.1 Eligibility

Each Participant who retires from employment with the City on or after his Normal Retirement Date, or who ceases covered employment with the City on or after his Normal Retirement Date, shall be eligible for a normal retirement benefit. A Participant who remains employed as a City or Health Department Employee after his Normal Retirement Date shall not be entitled to receive any benefits hereunder until his actual retirement date.

4.2 Amount

An eligible Participant's monthly normal retirement benefit shall be equal to the benefit determined (to the extent applicable) under paragraphs (a), (b) and (c) below.

- (a) For Credited Service completed as an Employee (other than as the Chief of the Fire Department, the Sheriff, or as a deputy sheriff, emergency medical technician or fire marshal), an eligible Participant's basic pension benefit is equal to the sum of (1) and (2) below.

- (1) For Credited Service earned prior to January 1, 1988, the sum of (i) and (ii), increased by the percentage in (iii) below:

(i) 1.625 percent of the Participant's Past Service Compensation up to \$100.00, plus 0.250 percent of the Participant's Past Service Compensation in excess of \$100.00, multiplied by the number of years of Credited Service earned after July 31, 1960, but prior to August 1, 1970; plus

(ii) 1.625 percent of the Participant's Average Earnings up to \$100.00, plus 0.250 percent of the Participant's Average Earnings in excess of \$100.00, multiplied by the number of years of Credited Service earned after July 31, 1970, but prior to January 1, 1988;

increased by

(iii) 50 percent.

plus

- (2) For all Credited Service earned after December 31, 1987, 0.80 percent of Average Earnings multiplied by such years of Credited Service.

- (b) A supplemental pension benefit shall only be payable with respect to a Participant who made Supplemental Employee Contributions to the Plan. An eligible Participant's supplemental pension benefit is equal to: (1) 1.625 percent of the Participant's Past Service Compensation up to \$100.00, plus 0.250 percent of the Participant's Past Service Compensation in excess of \$100.00, multiplied by (2) the number of years of Credited Service earned immediately prior to August 1, 1960.
- (c) For all Credited Service earned as the Chief of the Fire Department, the Sheriff, or as a deputy sheriff, emergency medical technician or fire marshal, the sum of (1), (2), and (3):
 - (1) 0.6 percent of Average Earnings multiplied by the each of the first five years of Credited Service as the Chief of the Fire Department, the Sheriff, or as a deputy sheriff, emergency medical technician or fire marshal;
 - (2) 0.9 percent of Average Earnings multiplied by each of the next ten years of Credited Service as the Chief of the Fire Department, the Sheriff, or as a deputy sheriff, emergency medical technician or fire marshal; and
 - (3) 1.0 percent of Average Earnings multiplied by all years of Credited Service as the Chief of the Fire Department, the Sheriff, or as deputy sheriff, emergency medical technician or fire marshal in excess of fifteen.

In no event will a reduction in a Participant's Average Earnings reduce the normal retirement benefit payable to the Participant below the amount that would have been payable to the Participant under the same form of payment had the Participant retired prior to his Normal Retirement Date when eligible for an early retirement benefit."

4.3 Minimum Benefits

Notwithstanding any other provision of the Plan to the contrary, in the case of a Participant who does not receive a return of his Accumulated Contributions, in no event will the monthly normal retirement benefit payable to a Participant be less than his Employee Derived Benefit.

4.4 Adjustment to Normal Retirement Benefit for Employment After Normal Retirement Date

The monthly retirement benefit payable with respect to each Participant who continues in employment with the City after Normal Retirement Date shall be determined as provided in paragraph (a), and if applicable paragraph (b) below:

- (a) the Participant's Accrued Benefit as of the date such benefit is being determined in accordance with paragraph (a) or (c) of Section 4.2; plus
- (b) if he is eligible for a supplemental pension benefit, the sum of item (1) plus item (2):

- (1) 50 percent of his supplemental pension benefit determined under paragraph (b) of Section 4.2 as of his Normal Retirement Date multiplied by the late retirement factor shown in the Table attached to the Plan based on the number of years by which his Annuity Starting Date follows his Normal Retirement Date.
- (2) The balance of his supplemental pension determined under paragraph (b) of Section 4.2 as of his Normal Retirement Date.

No further adjustments shall be made to a Participant's monthly normal retirement benefit after his Annuity Starting Date, and, if he continues to accrue benefits under the Plan, such continued accruals shall be reduced as provided in Section 8.6.

4.5 Payment

A monthly normal retirement benefit shall be paid to an eligible Participant commencing as of the first day of the month following the later of the month in which he retires or the first day of the month for which he applies for the benefit to commence, but not later than the date specified in Section 10.6.

ARTICLE V EARLY RETIREMENT

5.1 Eligibility

Each Participant who retires from employment with the City at or after age 55 with 5 or more years of Service, but prior to his Normal Retirement Date, shall be eligible for an early retirement benefit.

5.2 Amount

An eligible Participant's monthly early retirement benefit shall be equal to his Accrued Benefit on the date of his early retirement; provided, however, that if the Participant has fewer than 30 years of Service at retirement, the amount of such benefit shall be reduced by multiplying such amount by the appropriate early commencement factor determined as provided in the Table attached to the Plan.

5.3 Payment

A monthly early retirement benefit shall be paid to an eligible Participant commencing as of the first day of the month following the later of the month in which he retires or the month in which he makes written application for the benefit, but not later than his Normal Retirement Date.

ARTICLE VI VESTED RIGHTS

6.1 Vesting

A Participant's vested interest in his Employee Derived Benefit shall be at all times 100 percent.

A Participant's vested interest in his Employer Derived Benefit shall be determined in accordance with the following schedule, based upon the number of full years of Service credited to him; provided, however, that a Participant's vested interest in his Employer Derived Benefit shall be 100 percent (1) if he is employed by the City on his Normal Retirement Date, (2) if he becomes totally and permanent disabled (as defined in Section 7.1) while an Employee, or (3) if he is a Full-Time Employee, and he is employed by the City on the date he attains age 60, regardless of Service.

Years of Service	Vested Interest
less than five	0%
five or more	100%

6.2 Eligibility for Deferred Vested Retirement Benefit

Each Participant who terminates employment with the City, who has a vested interest in his Employer Derived Benefit, and who is not eligible for any other retirement benefit under the Plan shall be eligible for a deferred vested retirement benefit.

6.3 Amount of Deferred Vested Retirement Benefit

An eligible Participant's deferred vested retirement benefit shall be equal to his Accrued Benefit determined as of the date of his termination of employment and payable commencing on his Normal Retirement Date; provided, however, that if the Participant is totally and permanent disabled (as defined in Section 7.1) while an Employee, and he is not otherwise entitled to a disability benefit under Article VII, the Participant may elect to receive a reduced retirement benefit commencing as of the first day of any month prior to his Normal Retirement Date. The amount of such reduced benefit shall be determined by applying the appropriate early commencement factor determined as provided in the Table attached to the Plan.

6.4 Payment

A monthly deferred vested retirement benefit shall be paid to an eligible Participant commencing as of his Normal Retirement Date; provided, however, that a Participant may elect to begin benefit payments as of the first day of any month following the month in which he attains age 55; and further

provided that if the Participant has fewer than 30 years of Service at retirement, the amount of such benefit shall be reduced by multiplying such amount by the appropriate early commencement factor determined as provided in the Table attached to the Plan.

If a Participant with fewer than 30 years of Service at retirement elects, pursuant to Section 8.2(h), to receive a single sum payment of the full present value of his vested Accrued Benefit, as of any month following the month in which he attains age 55 and prior to his Normal Retirement Date, the amount of such single sum payment shall be equal to the present value of the Participant's deferred vested benefit commencing on his Normal Retirement Date.

ARTICLE VII DISABILITY BENEFIT

7.1 Eligibility

Each Participant who (a) suffers permanent and total disability prior to his Normal Retirement Date while actively employed by the City as an Employee, (b) has at least five years of Service, and (c) is entitled to disability benefits under Title II of the Social Security Act shall be eligible for a disability benefit under this Article VII. For purposes of this Article, “permanent and total disability” means any physical or mental condition sustained while an Employee that prevents the Participant from engaging in any substantial gainful activity, as determined by the Administrator, in its discretion, on the basis of medical evidence satisfactory to the Administrator.

Notwithstanding the forgoing, a Participant who is receiving disability benefits under the City of Alexandria Firefighters and Police Officers Pension Plan (or who was receiving disability benefits under the City of Alexandria Firefighters and Police Officers Pension Plan prior to reaching his Normal Retirement Date under such Plan) shall not be eligible for disability benefits under this Article VII.

7.2 Amount

An eligible Participant’s monthly disability benefit shall be equal to his Accrued Benefit on the date his disability commenced.

7.3 Payment

A monthly disability benefit shall be paid to an eligible Participant commencing as of the first day of the month following the later of:

- (a) the expiration of five months from the date on which his permanent and total disability commenced; or
- (b) the month in which he makes written application for the disability benefit.

A Participant may not apply for the disability benefit under this Article VII until after receiving notification from the Social Security Administration of entitlement to disability benefits under Title II of the Social Security Act. In the case of a Participant who files an application with the Social Security Administration for disability benefits under Title II of the Social Security Act (a “Title II disability application”), who notifies the Administrator of the Title II disability application at such time and in such manner as required under rules prescribed by the Administrator, and who later makes written application for the disability benefit under this Article VII in accordance with this Section 7.3, the Participant’s written application for the disability benefit under this Article VII shall

be deemed to have been made in the month in which the Title II disability application was filed with the Social Security Administration.

A Participant's Annuity Starting Date will not be deemed to have occurred simply because payment of disability benefits have commenced to him hereunder.

Payment of a monthly disability benefit shall continue to a Participant until his Normal Retirement Date, or until otherwise terminated as hereinafter provided. Any Participant who continuously up to his Normal Retirement Date receives a disability benefit under the Plan shall be deemed for all Plan purposes to have retired upon the occurrence of his Normal Retirement Date and shall be eligible for a normal retirement benefit in an amount determined as provided in Section 4.2, but based on his years of Credited Service and the provisions of the Plan in effect on the date his disability commenced. Upon the occurrence of his Normal Retirement Date, a Participant receiving disability benefits may elect (subject to the rules prescribed by the Administrator) to receive payment of his normal retirement benefit in one of the optional forms of payment provided in Section 8.2.

7.4 Termination of Disability Benefit Prior to Normal Retirement Date

Disability benefit payments shall terminate if, prior to the Participant's Normal Retirement Date, the Participant

- (a) ceases to be disabled;
- (b) dies; or
- (c) refuses to undergo a medical examination requested by the Administrator.

If a Participant's disability benefit ceases prior to his Normal Retirement Date, and if he does not return promptly to work with the City, his employment thereupon shall be deemed terminated for all Plan purposes, and he shall be eligible for an early retirement benefit in an amount determined in the same manner as specified in Section 5.2, or a deferred vested retirement benefit in an amount determined in the same manner as specified in Section 6.3, but based on his years of Credited Service and the provisions of the Plan in effect on the date his disability commenced and only if he meets the eligibility requirements for such benefit as in effect on the date his disability commenced. If such Participant's disability benefit ceases prior to his Normal Retirement Date, and if he returns promptly to work with the City, he shall continue as an Employee in accordance with and subject to the remaining provisions of the Plan.

7.5 Medical Examination

In determining whether or not a Participant is or continues to be permanently and totally disabled, the Administrator may require the Participant to submit to a medical examination by a physician acceptable to it. The Administrator may not require a Participant to submit to such an examination more than two times during a 12-month period. If the Participant refuses to submit to such a medical examination, he shall be deemed to have ceased to be disabled hereunder and shall no longer be entitled to disability benefits hereunder.

7.6 Service Crediting While Receiving Disability Benefit

A Participant who is receiving disability benefits hereunder shall not be credited with Service or Credited Service for periods for which he is paid disability benefits hereunder.

ARTICLE VIII FORMS OF PAYMENT

8.1 Normal Form of Payment

A Participant who is eligible to receive any retirement benefit under Section 4.1, 5.1, or 6.2 of the Plan shall receive payment of such benefit in the form of a single life annuity with cash refund. Such Participant shall receive a monthly retirement benefit payable for his lifetime, the last monthly payment being for the month in which his death occurs. Upon the Participant's death, the excess of his Accumulated Contributions determined as of his Annuity Starting Date over the total payments made to the Participant shall be paid to the Participant's surviving Beneficiary in a single sum payment.

Subject to the rules prescribed by the Administrator, a Participant may elect to receive payment of his benefit in one of the optional forms of payment provided in Section 8.2.

8.2 Optional Forms of Payment

Within the election period prescribed by the Administrator, a Participant who is eligible to receive a normal, early, or deferred vested retirement benefit may elect to receive payment of such benefit in accordance with any one of the following options.

If the Participant's Beneficiary under an optional form of payment dies prior to the Participant's Annuity Starting Date, the election shall become inoperative and ineffective, and benefit payments, if any, shall be made under the normal form of payment provided in Section 8.1, unless the Participant elects another optional form of payment prior to his Annuity Starting Date. Once a Participant's Annuity Starting Date occurs, however, the form of payment elected by the Participant will not change even if the Participant's Beneficiary predeceases him.

The monthly payments made under any optional form of payment hereunder shall be the Actuarial Equivalent of the monthly benefit otherwise payable to the Participant in the normal single life annuity with cash refund form described in Section 8.1.

- (a) **Single Life Annuity (no cash refund).** The Participant shall receive an increased monthly retirement benefit payable for his lifetime, the last monthly payment being for the month in which his death occurs. No further benefits shall be payable following the Participant's death.
- (b) **100% Joint and Survivor Annuity.** The Participant shall receive a reduced monthly retirement benefit payable for his lifetime, the last monthly payment being for the month in which his death occurs. If the Participant's Beneficiary survives him, then commencing with the month following the month in which the Participant's death occurs, his Beneficiary shall receive a monthly benefit for his remaining lifetime equal to the reduced amount payable

during the Participant's lifetime, the last monthly payment being for the month in which the Beneficiary's death occurs.

- (c) **66 2/3% Joint and Survivor Annuity.** The Participant shall receive a reduced monthly retirement benefit payable for his lifetime, the last monthly payment being for the month in which his death occurs. If the Participant's Beneficiary survives him, then commencing with the month following the month in which the Participant's death occurs, his Beneficiary shall receive a monthly benefit for his remaining lifetime equal to 66 2/3rds percent of the reduced amount payable during the Participant's lifetime, the last monthly payment being for the month in which the Beneficiary's death occurs.
- (d) **50% Joint and Survivor Annuity.** The Participant shall receive a reduced monthly retirement benefit payable for his lifetime, the last monthly payment being for the month in which his death occurs. If the Participant's Beneficiary survives him, then commencing with the month following the month in which the Participant's death occurs, his Spouse shall receive a monthly benefit for his remaining lifetime equal to one-half of the reduced amount payable during the Participant's lifetime, the last monthly payment being for the month in which the Beneficiary's death occurs.
- (e) **15-Year Certain and Life Annuity.** The Participant shall receive a reduced monthly retirement benefit payable for his lifetime, the last monthly payment being for the month in which his death occurs. If the Participant's death occurs prior to the end of the 15-year period commencing with his Annuity Starting Date, his Beneficiary shall receive a continued monthly benefit equal to such reduced amount for the remainder of such 15-year period. If the Participant's Beneficiary dies after becoming eligible to receive a benefit hereunder, but prior to the end of the 15-year period, the unpaid monthly benefit shall be paid to the Beneficiary designated by the Participant to receive payment in such event or, if none, in accordance with the provisions of Section 8.3.
- (f) **Ten-Year Certain and Life Annuity.** The Participant shall receive a reduced monthly retirement benefit payable for his lifetime, the last monthly payment being for the month in which his death occurs. If the Participant's death occurs prior to the end of the ten-year period commencing with his Annuity Starting Date, his Beneficiary shall receive a continued monthly benefit equal to such reduced amount for the remainder of such ten-year period. If the Participant's Beneficiary dies after becoming eligible to receive a benefit hereunder, but prior to the end of the ten-year period, the unpaid monthly benefit shall be paid to the Beneficiary designated by the Participant to receive payment in such event or, if none, in accordance with the provisions of Section 8.3.
- (g) **Five-Year Certain and Life Annuity.** The Participant shall receive a reduced monthly retirement benefit payable for his lifetime, the last monthly payment being for the month in which his death occurs. If the Participant's death occurs prior to the end of the five-year period commencing with his Annuity Starting Date, his Beneficiary shall receive a continued monthly benefit equal to such reduced amount for the remainder of such five-year period. If

the Participant's Beneficiary dies after becoming eligible to receive a benefit hereunder, but prior to the end of the five-year period, the unpaid monthly benefit shall be paid to the Beneficiary designated by the Participant to receive payment in such event or, if none, in accordance with the provisions of Section 8.3.

- (h) **Single Sum Payment.** The Participant may elect to receive a single sum payment of the full present value of his vested Accrued Benefit in lieu of the form of benefit described in Section 8.1, which is the Actuarial Equivalent thereof. In the case of a Participant who does not receive a return of his Accumulated Contributions, in no event will the single sum payment payable to a Participant be less than his Employee Derived Benefit.

Notwithstanding any other provision of the Plan to the contrary, distribution under an optional form of payment shall be made in accordance with Code Section 401(a)(9) and regulations issued thereunder as provided under Section 10.6, including the minimum distribution incidental benefit requirement. If a Participant designates a person other than his Spouse as his Beneficiary under an optional form of payment, and if payments under the optional form elected would not meet the minimum distribution incidental benefit requirement, the payment period (and the monthly amount payable) shall be reduced to the extent necessary to satisfy such requirement.

8.3 Designation of Beneficiary and Beneficiary in Absence of Designated Beneficiary

A Participant's Beneficiary may be any individual or, in the case of a Beneficiary to receive payments for the remainder of a period-certain under the form of payment elected by the Participant, any individuals, trust, or estate, selected by the Participant.

If payment is to be made to a Participant's surviving Beneficiary for the remainder of a period-certain under the form of payment elected by the Participant and no Beneficiary survives or the Participant has not designated a Beneficiary, the Participant's Beneficiary shall be the Participant's surviving Spouse or, if none, the Participant's surviving children in equal shares or, if none, the Participant's estate.

8.4 Notice Regarding Forms of Payment

Subject to the rules prescribed by the Administrator, the Administrator shall provide a Participant with a written description of (i) the terms and conditions of the normal form of payment provided in Section 8.1, (ii) the optional forms of payment provided in Section 8.2, (iii) the Participant's right to elect an optional form of payment and the effect thereof. Effective for Plan years after January 1, 2006, distributions under the Plan shall not be paid until at least 30 days (or shorter period as may be permitted by law) but not more than 180 days after a Participant has received d all of the required distribution notice and election forms pursuant to Code Section 402(f).

8.5 Death Prior to Annuity Starting Date

If a Participant dies prior to his Annuity Starting Date, the only death benefit payable under this Plan is the benefit payable under Section 9.2 and no Beneficiary or any person claiming under or through the Participant shall be entitled to any other benefit under the Plan.

8.6 Effect of Reemployment on Form of Payment

If a Participant who has commenced benefit payments under the Plan resumes employment with the City as an Employee and participation in the Plan, such Participant's benefits shall be suspended in accordance with Section 10.1 and the determination the Participant's future benefit shall be actuarially reduced or offset, if and as necessary, to avoid duplication of any benefits paid with respect to the Participant's prior employment.

8.7 Qualified Health Insurance Premium Distributions

- (a) A Participant who is an Eligible Retired Public Safety Officer and is receiving monthly annuity benefits from the Plan may elect to have Qualified Health Insurance Premium Distributions made in accordance with procedures established by the Administrator.
- (b) Qualified Health Insurance Premium Distributions may be excluded from the gross income of the Eligible Retired Public Safety Officer under Section 402(l) of the Code, subject to the annual dollar limitation therein of \$3,000.
- (c) The following definitions apply for purposes of this Section 8.7:
 - (1) An “**Eligible Retired Public Safety Officer**” is a Participant who separated from service with the City as the Chief of the Fire Department, the Sheriff, a deputy sheriff, or an emergency rescue technician (1) by reason of a total disability (under Section 7.1) or (2) at or after his or her Normal Retirement Date.
 - (2) A “**Qualified Health Insurance Premium Distribution**” is an amount deducted from an Eligible Retired Public Safety Officer's benefit payment and paid directly to the insurer providing coverage for which Qualified Health Insurance Premiums are paid. Such amount may not exceed the amount of the Qualified Health Insurance Premiums.
 - (3) “**Qualified Health Insurance Premiums**” means premiums for coverage for the Eligible Retired Public Safety Officer (and his or her spouse and dependents, if applicable) under accident and health insurance (including an accident or health plan within the meaning of Section 105(e) of the Code) or a qualified long-term care insurance contract as defined in Section 7702B(b) of the Code.

ARTICLE IX RETURN OF ACCUMULATED CONTRIBUTIONS

9.1 Distribution of Accumulated Contributions

Subject to the provisions of Section 10.4, a Participant who terminates employment for reasons other than death, or otherwise ceases covered employment, may elect to receive, in lieu of any other benefit provided under the Plan, a cash distribution of his Accumulated Contributions at any time prior to the date payment of his retirement benefit begins.

If a Participant who terminates employment for reasons other than death, or otherwise ceases covered employment, and who has no vested interest in his Employer Derived Benefit, is not reemployed by the City, or does not return to covered employment, within one year of such termination of employment or cessation of covered employment, the Participant's Accumulated Contributions shall be paid to the Participant in a single sum payment, in lieu of all other benefits under the Plan, as soon as practicable following the end of such one-year period, and he shall cease to be a Participant under the Plan as of the date of such payment. Notwithstanding the foregoing, but subject to the provisions of Section 10.4, if the Participant voluntarily terminates employment and certifies, at such time and in such manner as required under rules prescribed by the Administrator, that he intends to return to covered employment within five years, then payment of the Participant's Accumulated Contributions under this paragraph shall be made only at the end of such five-year period and only if the Participant has not returned to covered employment at that time.

The payment of a Participant's Accumulated Contributions shall be in full satisfaction of any benefit to which the Participant may be entitled to receive under the terms of the Plan.

9.2 Death Benefit

Upon a Participant's death, his Beneficiary may be eligible for a death benefit as provided herein.

- (a) **Death Prior to Commencement of Benefit Payments.** If a Participant dies prior to his Annuity Starting Date and has not previously received distribution of his Accumulated Contributions as provided in Section 9.1, his Beneficiary shall receive a death benefit, payable in a single sum, that is equal to the Participant's Accumulated Contributions determined as of the Participant's date of death.
- (b) **Death After Commencement of Benefit Payments.** If a Participant dies after his Annuity Starting Date and the form of payment elected by the Participant under the provisions of Article VIII does not provide for continued benefits in the event of the Participant's death, the Participant's Beneficiary shall receive a death benefit, payable in a single sum, that is equal to the excess, if any, of (i) the Participant's Accumulated Contributions, determined as of the date benefit payments commenced under the Plan, over (ii) the amount of all benefit payments made under the terms of the Plan either to the Participant and/or his Beneficiary or

Spouse under the provisions of Article VIII. No death benefit shall be payable hereunder if the Participant elected the optional single life annuity described in paragraph (a) of Section 8.2.

- (c) **Designation of Beneficiary.** Each Participant may designate in writing any one or more persons as his death Beneficiary to receive payment of the death benefit provided under this Section 9.2. Such designation shall be filed with the Administrator and shall be in such form as the Administrator shall require. A Participant at any time and from time to time, whether before or after his retirement or other termination of employment, may change the Beneficiary previously designated by him by filing with the Administrator a new designation in such form as it shall require.

If no Beneficiary shall have been designated by a Participant under this Section, or if all persons designated by him as Beneficiary shall die before becoming entitled to a death benefit hereunder, then such Participant's Beneficiary shall be his surviving Spouse or, if none, his surviving children in equal shares or, if none, his estate. A Beneficiary designation under this Section shall be separate from any Beneficiary designation under the provisions of Article VIII.

**ARTICLE X
GENERAL PROVISIONS & LIMITATIONS
REGARDING BENEFITS**

10.1 Suspension of Benefits

Subject to the provisions of Section 10.6, if a Participant who is receiving benefits under this Plan resumes employment with the City as an Employee, his benefits shall be suspended until his subsequent retirement, termination of employment or death.

If a Participant's benefits are suspended pursuant to this Section 10.1, any benefit payable upon his subsequent retirement, termination of employment or death shall be actuarially reduced or offset, if and as necessary, to avoid duplication of any benefits paid with respect to his prior employment.

Notwithstanding the forgoing, to the extent that a Participant receives a single sum payment pursuant to Section 8.2(h) hereof or a distribution of Accumulated Contributions pursuant to Section 9.1, such Participant shall be treated as a new Employee upon his resumption of employment, and his prior period of employment shall be ignored for purposes of determining his Accrued Benefit until his subsequent retirement, termination of employment or death.

10.2 Non-Alienation of Retirement Rights or Benefits

Except as otherwise required by law, no benefit under the Plan at any time shall be subject in any manner to anticipation, alienation, assignment (either at law or in equity), encumbrance, garnishment, levy, execution, or other legal or equitable process; and no person shall have the power in any manner to anticipate, transfer, assign (either at law or in equity), alienate or subject to attachment, garnishment, levy, execution, or other legal or equitable process, or in any way encumber his benefits under the Plan, or any part thereof, and any attempt to do so shall be void. Notwithstanding the foregoing, retirement benefits hereunder may be reduced pursuant to a domestic relations order approved by the Administrator in accordance with the procedures set forth in Section 13.11.

Notwithstanding the foregoing, retirement benefits hereunder may be (i) reduced pursuant to a domestic relations order approved by the Administrator in accordance with the procedures set forth in Section 13.11, and (ii) forfeited for termination due to dishonesty, malfeasance, or misfeasance in office in accordance with Section 10.7.

10.3 Payment of Benefits to Others

If any person to whom a retirement benefit is payable is unable to care for his affairs because of illness or accident, any payment due (unless prior claim therefor shall have been made by a duly qualified guardian or other legal representative) may be paid to the Spouse, parent, brother or sister, or any other individual deemed by the Administrator to be maintaining or responsible for the maintenance of such person. The monthly payment of a retirement benefit to a person for the month

in which he dies shall, if not paid to such person prior to his death, be paid to his Spouse, parent, brother, sister, or estate as the Administrator shall determine. Any payment made in accordance with the provisions of this Section shall be a complete discharge of any liability of the Plan with respect to the benefit so paid.

10.4 Payment of Small Benefits; Deemed Cashout

Notwithstanding any other provision of the Plan, if the Actuarially Equivalent present value of any retirement benefit payable under Section 4.1, 5.1, or 6.2 is \$1,000 or less or of any survivor benefit is \$5,000 or less, such Actuarially Equivalent present value shall be paid to the Participant, or his Beneficiary, if applicable, in a single sum payment, in lieu of all other benefits under the Plan, as soon as practicable following the date of the Participant's retirement, death, or other termination of employment, and he shall cease to be a Participant under the Plan as of the date of such payment. If the Actuarially Equivalent present value of any retirement benefit payable under Section 4.1, 5.1, or 6.2, or of any survivor benefit, is zero, such Actuarially Equivalent present value shall be deemed to be paid under this Section 10.4 to the Participant, or his Beneficiary, if applicable.

A former Participant who received a distribution or deemed distribution hereunder, because of his retirement or other termination of employment shall lose the Service and Credited Service with which he was credited at the time of his prior termination of employment or retirement. If such former Participant is reemployed, such prior Service and Credited Service shall not be reinstated.

10.5 Direct Rollovers

Notwithstanding any other provision of the Plan to the contrary, in lieu of receiving a single sum payment as provided in Section 8.2 or Section 10.4, a "qualified distributee" may elect in writing, in accordance with rules prescribed by the Administrator, to have any portion or all of such payment that is an "eligible rollover distribution" paid directly by the Plan to the "eligible retirement plan" designated by the "qualified distributee"; provided, however, that this provision shall not apply if the total distribution is less than \$200 and that a "qualified distributee" may not elect this provision with respect to any partial distribution that is less than \$500. Any such payment by the Plan to another "eligible retirement plan" shall be a direct rollover. For purposes of this Section, the following terms have the following meanings:

- (a) An "eligible retirement plan" is:
 - (1) An individual retirement account described in Code Section 408(a), including a Roth IRA described in Code Section 408A;
 - (2) An individual retirement annuity described in Code Section 408(b), including a Roth IRA described in Code Section 408A;
 - (3) A qualified trust described in Code Section 401(a) or an annuity plan described in Code Section 403(a), that accepts the distributee's eligible rollover distribution;

- (4) An annuity contract described in Code Section 403(b) that accepts the distributee's eligible rollover distribution; and
- (5) An eligible plan described in Code Section 457(b) which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, that accepts the distributee's eligible rollover distribution and agrees to account separately for amounts transferred into such plan from this Plan.

The foregoing definition of eligible retirement plan shall also apply in the case of a distribution to a surviving Spouse, or to a Spouse or former Spouse who is the alternate payee under a domestic relations order as defined in Code Section 414(p).

- (b) An "eligible rollover distribution" is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or Life Expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated Beneficiary, or for a specified period of 10 years or more; and any distribution to the extent such distribution is required under Code Section 401(a)(9).

A portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be paid only to an individual retirement account or annuity described in Code Section 408(a) or (b) or to a qualified trust or annuity plan described in Code Section 401(a) or 403(a) or an annuity contract described in Code Section 403(b) if such trust or annuity plan or contract provides for separate accounting for amounts so transferred (and earnings thereon), including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

- (c) A "qualified distributee" means a Participant, his surviving Spouse, or his Spouse or former Spouse who is an alternate payee under a domestic relations order, as defined in Code Section 414(p). A nonspouse beneficiary of a deceased Participant is also a qualified distributee for purposes of this Section 10.5, provided, however, in the case of a nonspouse beneficiary, the direct rollover may be made only to an individual retirement account or annuity under Code Section 408 that is established on behalf of the nonspouse beneficiary and that will be treated as an inherited IRA pursuant to the provisions of Code Section 402(c)(11). The determination of the extent to which a distribution to a nonspouse beneficiary is required under Code Section 401(a)(9) shall be made in accordance with IRS Notice 2007-7, Q&A 17 and 18, 2007-5 I.R.B. 395.

10.6 Minimum Distribution Requirements

The provisions of this Section apply for purposes of determining minimum required distributions under Code Section 401(a)(9) and take precedence over any inconsistent provisions of the Plan; provided, however, that these provisions are intended solely to reflect the requirements of Code Section 401(a)(9) (and accompanying Treasury Regulations) and are not intended to provide or expand (and shall not be construed as providing or expanding) any benefit or distribution option not otherwise expressly provided for under the terms of the Plan. The provisions of this Section shall apply only to the extent required under Code Section 401(a)(9) as applied to a governmental plan and if any special rules for governmental plans are not set forth herein, such special rules are hereby incorporated by reference and shall for all purposes be deemed a part of the Plan.

(a) Time and Manner of Distribution

- (1) **Required Beginning Date.** The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's Required Beginning Date.
- (2) **Death of Participant Before Distributions Begin.** If the Participant dies before distributions begin, the Participant's entire interest will be distributed, or will begin to be distributed, no later than as follows:
 - (i) If the Participant's surviving Spouse is the sole designated Beneficiary, then subject to Section 10.6(a)(2)(v) below, distributions to the surviving Spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 70½, if later.
 - (ii) If the Participant's surviving Spouse is not the sole designated Beneficiary, then subject to Section 10.6(a)(2)(v) below, distributions to the designated Beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.
 - (iii) If there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.
 - (iv) If the Participant's surviving Spouse is the sole designated Beneficiary and the surviving Spouse dies after the Participant but before distributions to the surviving Spouse begin, this Section 10.6(a)(2) other than Section 10.6(a)(2)(i) will apply as if the surviving Spouse were the Participant.

- (v) If the Participant dies before distributions begin and there is a designated Beneficiary, distribution to the designated Beneficiary is not required to begin by the date specified in Section 10.6(a)(2)(i) or (ii) above, but only if the designated Beneficiary elects to have the Participant's entire interest distributed to the designated Beneficiary by December 31 of the calendar year containing the fifth anniversary of the Participant's death. Such an election by the designated Beneficiary must be made no later than the earlier of September 30 of the calendar year in which the distribution would otherwise be required to begin under Section 10.6(a)(2)(i) or (ii), or September 30 of the calendar year that contains the fifth anniversary of the Participant's death.

For purposes of this Section 10.6(a)(2) and Section 10.6(d), distributions are considered to begin on the Participant's Required Beginning Date (or, if Section 10.6(a)(2)(iv) applies, the date distributions are required to begin to the surviving Spouse under Section 10.6(a)(2)(i)). If annuity payments irrevocably commence to the Participant before the Participant's Required Beginning Date (or to the Participant's surviving Spouse before the date distributions are required to begin to the surviving Spouse under Section 10.6(a)(2)(i)), the date distributions are considered to begin is the date distributions actually commence.

- (3) **Form of Distribution.** Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the Required Beginning Date, as of the first Distribution Calendar Year distributions will be made in accordance with Sections 10.6(b), (c) and (d). If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Code Section 401(a)(9) and applicable Treasury Regulations. Any part of the Participant's interest which is in the form of an individual account described in Code Section 414(k) will be distributed in a manner satisfying the requirements of Code Section 401(a)(9) and the Treasury Regulations that apply to individual accounts.

(b) **Determination of Amount to be Distributed Each Year**

- (1) **General Annuity Requirements.** If the Participant's interest is paid in the form of annuity distributions under the Plan, payments under the annuity shall satisfy the following requirements:
 - (i) The annuity distributions will be paid in periodic payments made at intervals not longer than one year;
 - (ii) The distribution period will be over a life (or lives) or over a period certain not longer than the period described in Section 10.6(c) or (d);

- (iii) Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;
 - (iv) Payments will either be non-increasing or increase only as follows:
 - a. By an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index based on prices of all items and issued by the Bureau of Labor Statistics;
 - b. To the extent of the reduction in the amount of the Participant's payments to provide for a survivor benefit upon death, but only if the Beneficiary whose life was being used to determine the distribution period described in Section 10.6(c) dies or is no longer the Participant's Beneficiary pursuant to a qualified domestic relations order within the meaning of Code Section 414(p);
 - c. To provide cash refunds of employee contributions upon the Participant's death;
 - d. To pay increased benefits that result from a Plan amendment.
- (2) **Amount Required to be Distributed by Required Beginning Date.** The amount that must be distributed on or before the Participant's Required Beginning Date (or, if the Participant dies before distributions begin, the date distributions are required to begin under Section 10.6(a)(2)(i) or (ii) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the Participant's benefit accruals as of the last day of the first Distribution Calendar Year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the Participant's Required Beginning Date.
- (3) **Additional Accruals after First Distribution Calendar Year.** Any additional benefits accruing to the Participant in a calendar year after the first Distribution Calendar Year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(c) **Requirements for Annuity Distributions Commencing During Participant's Lifetime**

- (1) **Joint Life Annuities Where Beneficiary Is Not the Participant's Spouse.** If the Participant's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the Participant and a non-spouse Beneficiary, annuity payments to be made on or after the Participant's Required Beginning Date to the designated Beneficiary after the Participant's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the Participant using the table in Q&A-2 of Treas. Reg. §1.401(a)(9)-6. If the form of distribution combines a joint and survivor annuity for the joint lives of the Participant and a non-spouse Beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated Beneficiary after the expiration of the period certain.
- (2) **Period Certain Annuities.** Unless the Participant's Spouse is the sole designated Beneficiary and the form of distribution is a period certain and no life annuity, the period certain for an annuity distribution commencing during the Participant's lifetime may not exceed the applicable distribution period for the Participant under the Uniform Lifetime Table set forth in Treas. Reg. §1.401(a)(9)-9 for the calendar year that contains the Annuity Starting Date. If the Annuity Starting Date precedes the year in which the Participant reaches age 70, the applicable distribution period for the Participant is the distribution period for age 70 under the Uniform Lifetime Table set forth in Treas. Reg. §1.401(a)(9)-9 plus the excess of 70 over the age of the Participant as of the Participant's birthday in the year that contains the Annuity Starting Date. If the Participant's Spouse is the Participant's sole designated Beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the Participant's applicable distribution period, as determined under this Section 10.6(c)(2), or the joint life and last survivor expectancy of the Participant and the Participant's Spouse as determined under the Joint and Last Survivor Table set forth in Treas. Reg. §1.401(a)(9)-9, using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the calendar year that contains the Annuity Starting Date.

(d) **Requirements For Minimum Distributions If Participant Dies Before Distributions Begin**

- (1) **Participant Survived by Designated Beneficiary.** Except as provided in Section 10.6(a)(2)(v), if the Participant dies before the date distribution of his interest begins and there is a designated Beneficiary, the Participant's entire interest will be distributed, beginning no later than the time described in Section 10.6(a)(2)(i) or (ii), over the life of the designated Beneficiary or over a period certain not exceeding:
 - (i) Unless the Annuity Starting Date is before the first Distribution Calendar Year, the Life Expectancy of the designated Beneficiary determined using the

Beneficiary's age as of the Beneficiary's birthday in the calendar year immediately following the calendar year of the Participant's death; or

- (ii) If the Annuity Starting Date is before the first Distribution Calendar Year, the Life Expectancy of the designated Beneficiary determined using the Beneficiary's age as of the Beneficiary's birthday in the calendar year that contains the Annuity Starting Date.
- (2) **No Designated Beneficiary.** If the Participant dies before the date distributions begin and there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.
- (3) **Death of Surviving Spouse Before Distributions to Surviving Spouse Begin.** If the Participant dies before the date distribution of his interest begins, the Participant's surviving Spouse is the Participant's sole designated Beneficiary, and the surviving Spouse dies before distributions to the surviving Spouse begin, this Section 10.6(d) will apply as if the surviving Spouse were the Participant, except that the time by which distributions must begin will be determined without regard to Section 10.6(a)(2)(i).
- (e) **Reasonable and Good Faith Interpretation.** Notwithstanding anything contained herein to the contrary, any distribution option under the Plan that is consistent with a reasonable and good faith interpretation of Code Section 401(a)(9) shall be permitted under this Section 10.6.
- (f) **TEFRA §242(b) Elections.** Notwithstanding the other provisions of this Section, distributions may be made under a designation made before January 1, 1984, in accordance with §242 (b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the Plan that relate to §242(b)(2) of TEFRA.

10.7 Forfeiture of Benefits Due To Misconduct

With respect to benefits accrued after June 22, 2010, in the event that the employment of a Participant is terminated because of dishonesty, malfeasance, or misfeasance in office, the Participant shall forfeit and cease to have any right to receive his or her Accrued Benefit (or any other benefit under the Plan). A forfeiture pursuant to this Section 10.7 may be appealed to the Administrator in accordance with the provisions of Section 13.12.

ARTICLE XI
MAXIMUM RETIREMENT BENEFITS

11.1 Maximum Benefit and Contributions

- (a) Notwithstanding any Plan provisions to the contrary, effective for Limitation Years beginning on or after January 1, 2008, to the extent necessary to prevent disqualification under Code Section 415, and subject to the remainder of this Article XI, the maximum monthly benefit to which any Participant may be entitled in any Limitation Year with respect to his Accrued Benefit pursuant to Sections 4.1, 5.1, 6.2 or 7.2 (hereafter referred to as the “maximum benefit”) shall not exceed the defined benefit dollar limit (adjusted as provided in Section 11.2), which limit shall be determined in accordance with the following:
 - (1) The Defined Benefit Dollar Limit shall be \$17,083, as adjusted for the Limitation Year under Code Section 415(d).
 - (2) The Defined Benefit Dollar Limit as set forth above is the monthly amount payable in the form of a straight life annuity, beginning no earlier than age 62 (except as provided in Section 11.2(b)(1)) and no later than age 65. In the case of a monthly amount payable in a form other than a straight life annuity, or beginning before age 62 or after age 65, the adjustments in Section 11.2 shall apply.
- (b) In addition to the foregoing, to the extent necessary to prevent disqualification under Code Section 415, and subject to the remainder of this Article XI, the maximum Annual Additions for any Limitation Year shall be equal to the lesser of:
 - (1) \$51,000, as adjusted for the Limitation Year under Code Section 415(d); or
 - (2) 100% of the Participant’s Remuneration.
- (c) The dollar limits in this Section 11.1 shall be adjusted, effective January 1 of each year, under Code Section 415(d) in such manner as the Secretary shall prescribe. A limit as adjusted under Code Section 415(d) shall apply to Limitation Years ending with or within the calendar year for which the adjustment applies but a Participant’s benefits shall not reflect the adjusted limit prior to January 1 of that calendar year. To the extent that the monthly benefit payable to a Participant who has reached his Employment Severance Date is limited by the application of this Section 11.1, such limit shall be adjusted to reflect any subsequent adjustments made in accordance with Code Section 415(d), but the adjusted limit shall apply only to benefits payable on or after January 1 of the calendar year for which the adjustment applies.

11.2 Actuarial Adjustments Relating to Defined Benefit Dollar Limit

(a) Adjustment for Benefit Payable in Form Other than Straight Life Annuity

- (1) If a monthly benefit is payable in a form other than a straight life annuity, before applying the Defined Benefit Dollar Limit, the benefit shall be adjusted, in the manner described in Section 11.2(a)(2) or (3), to the actuarially equivalent straight life annuity that begins at the same time. No actuarial adjustment to the benefit shall be made for (a) survivor benefits payable to a surviving Spouse under a qualified joint and survivor annuity (as defined for purposes of Code Section 415) to the extent such benefits would not be payable if the Participant's benefit were paid in another form, (b) benefits that are not directly related to retirement benefits (such as a qualified disability benefit, preretirement incidental death benefits, and postretirement medical benefits), or (c) in the case of a form of benefit not subject to Code Section 417(e)(3), the inclusion of a feature under which a benefit increases automatically to the extent permitted to reflect cost of living adjustments and the increase, if any, in the defined benefit dollar limit under Code Section 415(d).
- (2) If the benefit of a Participant is paid in a form not subject to Code Section 417(e), the actuarially equivalent straight life annuity (without regard to cost-of-living adjustments described in Section 11.1) is equal to the greater of (a) the annual amount of the straight life annuity (if any) payable to the Participant under the Plan commencing at the same time, or (b) the annual amount of the straight life annuity commencing at the same time that has the same actuarial present value as the Participant's form of benefit, computed using a 5% interest rate and the applicable mortality designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3).
- (3) If the benefit of a Participant is paid in a form subject to Code Section 417(e), the actuarially equivalent straight life annuity is equal to the greatest of: (a) the annual amount of the straight life annuity commencing at the Annuity Starting Date that has the same actuarial present value as the Participant's form of benefit, computed using the interest rate and mortality table (or other tabular factor) specified in the Plan for adjusting benefits in the same form, (b) the annual amount of the straight life annuity commencing at the time that has the same actuarial present value as the Participant's form of benefit, computed using a 5.5% interest rate assumption and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3), or (c) the annual amount of the straight life annuity commencing at the same time that has the same actuarial present value as the Participant's form of benefit, computed using the applicable interest rate and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3), divided by 1.05.

- (4) For purposes of this Section 11.2, whether a form of benefit is subject to Code Section 417(e) is determined without regard to the status of the Plan as a governmental plan as described in Code Section 414(d).

(b) Adjustment for Benefit Commencement before Age 62 or after Age 65

- (1) If the benefit of a Participant begins prior to age 62, the Defined Benefit Dollar Limit applicable to the Participant at such earlier age is an annual benefit payable in the form of a straight life annuity beginning at the earlier age that is the Actuarial Equivalent of the Defined Benefit Dollar Limit applicable to the Participant at age 62 (adjusted for participation of fewer than 10 years if applicable) computed using a 5% interest rate and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3). However, if the Plan provides an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement, the Defined Benefit Dollar Limit is the lesser of: (1) the limitation determined under the immediately preceding sentence, or (2) the Defined Benefit Dollar Limit (adjusted for participation of fewer than 10 years if applicable) multiplied by the ratio of the annual amount of the immediately commencing straight life annuity under the Plan at the age of benefit commencement to the annual amount of the immediately commencing straight life annuity under the Plan at age 62, both determined without applying the limitations of this section. The adjustment in this Section 11.2(b)(1) shall not apply to a Participant with Credited Service of at least 15 years as an Employee of the City police department or fire department within the meaning of Code Section 415(b)(2)(H). In addition, the adjustment in this Section 11.2(b)(1) shall not apply as a result of benefits paid on account of Disability under Article VII or as a result of the death of a Participant under Section 9.2.
- (2) If the benefit of a Participant begins after age 65, the Defined Benefit Dollar Limit applicable to the Participant at the later age is the annual benefit payable in the form of a straight life annuity beginning at the later age that is actuarially equivalent to the Defined Benefit Dollar Limit applicable at age 65 (adjusted for participation of fewer than 10 years, if applicable) computed using a 5% interest rate assumption and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3). However, if the Plan provides an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement, the Defined Benefit Dollar Limit is the lesser of (1) the limitation determined under the immediately preceding sentence, or (2) the Defined Benefit Dollar Limit (adjusted for participation of less than 10 years if applicable) multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the Plan at the age of benefit commencement to the annual amount of the adjusted immediately commencing straight life annuity under the Plan at age 65, both determined without applying the limitations of this section. For this purpose, the adjusted immediately commencing straight life annuity

under the Plan at the age of Annuity Starting Date is the annual amount of such annuity payable to the Participant, computed disregarding the Participant's accruals after age 65 but including any actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under the Plan at age 65 is the annual amount of such annuity that would be payable under the Plan to a hypothetical Participant who is age 65 and has the same Accrued Benefit as the Participant.

- (3) For purposes of this Section 11.2(b), no adjustment shall be made to the Defined Benefit Dollar Limit to reflect the probability of a Participant's death between the Annuity Starting Date and age 62, or between age 65 and the Annuity Starting Date, as applicable, if benefits are not forfeited upon the death of the Participant prior to the Annuity Starting Date. To the extent benefits are forfeited upon death before the Annuity Starting Date, such an adjustment shall be made. For this purpose, no forfeiture shall be treated as occurring upon the Participant's death if the Plan does not charge Participants for providing a qualified preretirement survivor annuity (as defined for purposes of Code Section 415) upon the Participant's death.

11.3 Reduced Dollar Limit

If the Participant has fewer than 10 years of participation in the Plan (as determined under Code Section 415 and the regulations thereunder), the Defined Benefit Dollar Limit shall be multiplied by a fraction, the numerator of which is the number of years (or part thereof) of participation in the Plan and the denominator of which is 10. The adjustment in this Section 11.3 shall not apply to benefits paid on account of Disability under Article VII or as a result of the death of a Participant under Section 9.2.

11.4 Benefits Funded by After-Tax Employee Contributions

The Defined Benefit Dollar Limit shall not apply to the portion of a Participant's benefit (determined as of his Annuity Starting Date) that is attributable to the Participant's Mandatory Employee Contributions or Supplemental Employee Contributions. The determination of the extent to which the Participant's benefit (determined as of his Annuity Starting Date) attributable to the Participant's Mandatory Employee Contributions or Supplemental Employee Contributions shall be made under the rules of Code Section 411(c) (using the actuarial assumptions thereunder), applied as if the Plan were subject to such Section 411(c).

11.5 Other Reductions in Maximum Benefit and Contributions

In addition to the foregoing, the maximum benefit and contributions shall be reduced, and the rate of benefit accrual shall be frozen or reduced accordingly, to the extent necessary to prevent disqualification of the Plan under Code Section 415, with respect to any Participant who is also a Participant in:

- (a) Any other tax qualified retirement plan maintained by the City, including a defined benefit plan in which an individual medical benefit account (as described in Code Section 415(l)) has been established for the Participant;
- (b) Any welfare plan maintained by the City in which a separate account (as described in Code Section 419A(d)) has been established to provide post-retirement medical benefits for the Participant; and/or
- (c) Any retirement or welfare plan, as aforesaid, maintained by an affiliated or predecessor employer, as described in regulations under Code Section 415, or otherwise required to be taken into account under such regulations.

If the limit on Annual Additions under Code Section 415 would otherwise be exceeded, the portion of the employer contributions and of forfeitures for the Limitation Year under all such other Plans that would otherwise have been allocated to the Participant thereunder, but which exceeds the limit, shall not be allocated to the Participant but shall be deemed a forfeiture for the Limitation Year and shall be disposed of as provided in such other Plans; provided, however, that the amount of the employer contributions and forfeitures that is not allocated and is deemed forfeiture under this Section 11.5 shall be effected in the order prescribed by the Administrator, but first under any defined contribution plan that is not a money purchase pension plan and, if the limitation still is not satisfied, then under such money purchase pension plan. If the limit on Annual Additions under Code Section 415 still is not satisfied after all employer contributions and forfeitures under all such other plans are not allocated (and deemed forfeited) for the Limitation Year, the limit shall be satisfied by reducing Annual Additions under this Plan as provided in this Section 11.5.

If the Annual Additions to the Plan on behalf of a Participant in any Limitation Year beginning before July 1, 2007 would otherwise exceed the limit on Annual Additions under Section 11.1, the limit shall be satisfied by reducing the Participant's Mandatory Employee Contributions to the extent necessary. If a Participant is covered by any other plan taken into account under this Section 11.5 and if the Annual Additions for the Limitation Year would otherwise exceed the limit on Annual Additions under Code Section 415, such excess shall be reduced first by returning the after-tax employee contributions made by the Participant for the Limitation Year under all plans other than the Plan, and the income attributable thereto, to the extent necessary in the order prescribed by the Administrator. If the limit on Annual Additions under Code Section 415 still is not satisfied after returning all of the after-tax employee contributions made by the Participant under all such other plans, the excess shall be reduced by returning or forfeiting, as provided in each such plan, the elective contributions made on the Participant's behalf for the Limitation Year under all such other plans, and, if elective contributions are returned, the income attributable thereto, to the extent necessary in the order prescribed by the Administrator. If the limit on Annual Additions under Code Section 415 still is not satisfied, the provisions of the prior paragraph shall apply, so as to limit the Annual Additions under this and all other plans to which Code section 415 applies.

11.6 Miscellaneous

- (a) **Multiple Annuity Starting Dates.** If a Participant has distributions commencing at more than one Annuity Starting Date (determined in accordance with Code Section 415 and the regulations thereunder), the benefits payable as of each such Annuity Starting Date shall satisfy the limitations of this Article XI as of each such date, actuarially adjusting for past and future distributions of benefits commencing at the other Annuity Starting Dates.
- (b) **Grandfathered Benefits.** The application of the provisions of this Section shall not cause the maximum permissible benefit for any Participant to be less than the Participant's Accrued Benefit under this Plan as of the end of the last Limitation Year beginning before July 1, 2007 under provisions of this Plan that were both adopted and in effect before April 5, 2007 and that satisfied the limitations under Code Section 415 as in effect as of the end of the last Limitation Year beginning before July 1, 2007.
- (c) **Incorporation of Section 415 Limits.** To the extent a Participant's benefit is subject to provisions of Code Section 415 which have not been set forth in the Plan, such provisions are hereby incorporated by reference into this Plan and for all purposes shall be deemed a part of the Plan.

ARTICLE XII PENSION FUND

12.1 Pension Fund

The Pension Fund is maintained by the Funding Agent for the Plan under a Funding Agreement with the City. Benefits under the Plan shall be only such as can be provided by the assets of the Pension Fund, and no liability for payment of benefits shall be imposed upon the City, or any of its elected or appointed officials or employees.

12.2 Contributions by the City

So long as the Plan continues, contributions will be made by the City at such times and in such amounts as the City in its sole discretion shall from time to time determine, based on the advice of the Actuary and consistent with the funding policy for the Plan. Subject to the provisions of Section 12.5, all such contributions shall be delivered to the Funding Agent for deposit in the Pension Fund.

12.3 Expenses of the Plan

Unless paid by the City, any expenses incurred by the Administrator in connection with the administration or management of the Plan shall be paid out of the Pension Fund, including but not limited to fees of the Funding Agent and any expenses associated with the retention of attorneys, accountants, actuaries, or other service providers.

12.4 No Reversion

The Pension Fund shall be for the exclusive benefit of Participants and persons claiming under or through them.

All such contributions shall be irrevocable and such contributions as well as the Pension Fund, or any portion of the principal or income thereof, shall never revert to or inure to the benefit of the City or any Affiliate except that:

- (a) the residual amounts specified in Article XIV may be returned to the City;
- (b) any contributions which are made under a mistake of fact may be returned to the City within one year after the contributions were made;

The Administrator shall determine, in its sole discretion, whether the contributions described above shall be returned to the City. If any such contributions are to be returned, the Administrator shall so direct the Funding Agent, in writing, no later than ten days prior to the last day upon which they may be returned.

12.5 Forfeitures Not to Increase Benefits

Any forfeitures arising from the termination of employment or death of an Employee, or for any other reason, shall be used to reduce City contributions to the Pension Fund, and shall not be applied to increase the benefits any Participant otherwise would receive under the Plan at any time prior to the termination of the Plan.

12.6 Change of Funding Medium

The City shall have the right to change at any time the means through which benefits under the Plan shall be provided. No such change shall constitute a termination of the Plan or result in the diversion to the City of any funds previously contributed in accordance with the Plan.

ARTICLE XIII ADMINISTRATION

13.1 Administrator

The Administrator shall have full power and authority to administer and operate the Plan in accordance with its terms and in particular the authority contained in Section 13.2, and, in acting pursuant thereto, shall have full power and authority to deal with all persons in any matter directly connected with the operation and administration of the Plan.

13.2 Duties and Powers of Administrator

The Administrator shall have the following duties and powers in connection with the administration of this Plan:

- (a) To administer the Plan in accordance with the provisions of the Plan and applicable law.
- (b) To make and to change from time to time and to enforce such rules and regulations, consistent with the provisions of this Plan, as may be necessary or desirable for the carrying out of its duties, and for the efficient administration of the Plan.
- (c) Finally and conclusively to determine, according to the provisions set forth in this Plan, the eligibility of a Participant under this Plan and, if eligible, the Participant's rights hereunder.
- (d) To exercise his sole discretionary right and authority to interpret and construe terms of this Plan and any rules and regulations that the Administrator might make.
- (e) To correct defects, supply omissions and reconcile inconsistencies to the extent necessary to effectuate the Plan.
- (f) To compute the amount of benefits which shall be payable to any Participant or Beneficiary in accordance with the provisions of the Plan and to determine the person or persons to whom such benefits shall be paid.
- (g) To direct the Funding Agent concerning all payments which shall be made out of the Pension Fund pursuant to the provisions of this Plan or the Funding Agreement.
- (h) To file all reports with government agencies, Employees and other parties as may be required by law, whether such reports are initially the obligation of the City, the Plan or the Funding Agent.
- (i) To engage the Actuary and to cause the liabilities of the Plan to be evaluated by the Actuary as provided in the Plan.

- (j) To compromise, settle, or release claims or demands in favor of or against the Plan or the Administrator on such terms as the Administrator may deem reasonable and prudent.
- (k) To recommend changes to the Plan that are necessary or desirable to maintain the qualification of the Plan under Code Section 401(a).
- (l) To request determination letters from the Secretary of the Treasury that the Plan continues to meet the requirements for qualification under Code Section 401 and to take the necessary steps to notify the appropriate interested parties whenever an application is made to the Secretary of the Treasury for a determination letter in accordance with Code Section 7476.
- (m) To do all acts necessary to implement any action or decision with respect to the administration of the Plan.
- (n) To do all acts, whether or not expressly authorized herein, which the Administrator deems necessary to accomplish the general purposes of this Plan.

Notwithstanding anything herein to the contrary, the Administrator shall not have the power to amend or terminate the Plan or to affect the employer-employee relationship between the City and any Employee, which powers are reserved to the City.

13.3 Participation by Administrator

The Administrator shall not be precluded from becoming a Participant in the Plan if he would be otherwise eligible, but shall not be entitled to act upon matters or to sign any documents relating specifically to his own participation under the Plan, except when such matters or documents relate to benefits generally.

13.4 Agents

The Administrator may employ agents, consultants, accountants, attorneys, and service providers and provide for such clerical, legal, actuarial, accounting, medical, advisory or other services as he deems necessary to perform their respective duties under this Plan.

13.5 Delegation of Duties

The Administrator may delegate any of his respective duties or powers to employees of the City, or to any other person or firm, provided that the Administrator shall prudently choose such person or firm and rely in good faith on their actions.

13.6 Actions Binding

Any action taken by the Administrator which is authorized, permitted, or required under the Plan shall be final and binding upon the City, the Funding Agent, all persons who have or who claim an interest under the Plan, and all third parties dealing with the City or the Funding Agent.

13.7 Records and Reports

- (a) The Administrator shall maintain such records, and compile such data, as is necessary for the proper administration and operation of the Plan and the proper management of the assets of the Plan. The Administrator shall maintain adequate records of any actions and proceedings in administering this Plan and shall file all reports and take all other actions necessary or appropriate in order to comply with applicable law.
- (b) The Plan shall be included in the annual audit of City sponsored retirement plans.
- (c) The City shall promptly furnish all necessary information to the Administrator to permit him to perform his duties under the Plan. The Administrator shall be entitled to rely upon the accuracy and completeness of all information furnished by the City, unless he knows or should have known that such information is erroneous.

13.8 Reservation of Rights by City

Where rights are reserved in this Plan to the City, such rights shall be exercised only by action of the City. The City may conduct independent audits of the Pension Fund, or examine the records of the Plan or the Pension Fund, at any time.

13.9 Standard of Care

The Administrator shall perform all duties required of him under this Plan in a prudent manner. The Administrator shall not be responsible in any way for any action or omission of the City, the Funding Agent or any other fiduciaries in the performance of their respective duties and obligations under the Plan and the Funding Agreement. The Administrator shall not be responsible for any act or omission of any of his agents, or with respect to reliance upon advice of his counsel (whether or not such counsel is also counsel to the City) provided that such agents or counsel were prudently chosen by the Administrator and that the Administrator relied in good faith upon the action of such agent or the advice of such counsel.

13.10 Communications

All notices, advice, directions, certifications, approvals, and instructions required or authorized to be given by the Administrator under the Plan shall be in writing and signed by or on behalf of the Administrator.

Notwithstanding anything contained herein to the contrary, the Administrator from time to time may establish uniform procedures whereby with respect to any or all instances herein where a writing is required, including but not limited to any required written notice, election, consent, authorization, instruction, direction, designation, request or claim, communication may be made by any other means designated by the Administrator including by paperless communication, and such alternative communication shall be deemed to constitute a writing to the extent permitted by applicable law, provided that such alternative communication is carried out in accordance with such procedures in effect at such time.

13.11 Domestic Relations Order Approval Procedures

The Administrator shall approve a domestic relations order and direct that payment of a Participant's benefit be made in accordance with the terms of such order provided that all of the following requirements are met:

- (a) The order creates or recognizes the existence of an "alternate payee's" right to, or assigns to an "alternate payee" the right to, receive all or a portion of the Participant's Accrued Benefit under the Plan.
- (b) The order clearly specifies the following:
 - (1) the name and last known mailing address, if any, of the Participant and of each "alternate payee" covered by the order;
 - (2) the amount or percentage of the Participant's Accrued Benefit to be paid to each "alternate payee", or the manner in which such amount or percentage is to be determined;
 - (3) the number of payments or the period to which such order applies; and
 - (4) the name of the Plan.
- (c) The order does not require the Plan to provide any type or form of benefit, or any option, not otherwise provided under the Plan.
- (d) The order does not require the Plan to provide increased benefits (determined on the basis of actuarial value).
- (e) The order does not require the payment of benefits to an "alternate payee" which are required to be paid to another "alternate payee" under another order previously approved by the Administrator.
- (f) The order does not provide for payment to the "alternate payee" in the form of a joint and survivor annuity with the "alternate payee's" subsequent Spouse as beneficiary.

A domestic relations order may provide for payment prior to the date the Participant has separated from service if it provides that such payment shall be made on or after the date the Participant would have attained “earliest retirement age” under the Plan as if the Participant had retired on the date payments commence under the order (based only on the Participant’s Accrued Benefit as of that date and subject to reduction for early commencement in accordance with the terms of the Plan).

The Administrator shall promptly notify the Participant and “alternate payee” of its receipt of the domestic relations order and of the Plan’s procedures for approval of domestic relations orders. Within a reasonable period of receipt of such order, the Administrator shall determine whether the order meets the requirements established under this Section and shall notify the Participant and each “alternate payee” of its determination.

During the period of time following the Administrator’s receipt of a domestic relations order and prior to the Administrator’s determination as to whether the order meets the requirements of this Section, the Administrator shall separately account for those amounts that would have been payable to the “alternate payee” if the order had been approved (the “segregated amounts”). If within 18 months of the date the first payment would have been made under the domestic relations order, such order is approved by the Administrator, the Administrator shall pay the segregated amounts to the appropriate “alternate payee”, with interest thereon. If within such 18-month period the order is disapproved by the Administrator, or the Administrator has not yet resolved whether the order meets the requirements of this Section, the Administrator shall pay the segregated amounts to the person or persons to whom payment would have been made if there had been no order. If the Administrator later approves the order, such order shall be applied prospectively only.

For purposes of this Section, the following terms shall have the following meanings:

- (g) An “alternate payee” means any Spouse, former Spouse, child or other dependent of a Participant who is recognized by a domestic relations order as having a right to receive all, or a portion of, a Participant’s benefit under the Plan.
- (h) A “domestic relations order” means any judgment, decree, or order (including approval of a property settlement) that:
 - (1) relates to the provision of child support, alimony payments, or marital property rights to a Spouse, former Spouse, child, or other dependent of a Participant; and
 - (2) is made pursuant to a state domestic relations law (including a community property law).
- (i) A Participant’s “earliest retirement age” means the earlier of (1) the date on which the Participant is entitled to a distribution under the Plan, or (2) the date the Participant would have attained age 55.

13.12 Claim for Benefits.

- (a) Any person claiming a benefit under the Plan (a “**Claimant**”) shall apply for such benefit by filing a claim with the Administrator in writing on the form or forms prescribed by the Administrator. If no form or forms have been prescribed, a claim for benefits shall be made in writing to the Administrator setting forth the basis for the claim. The Claimant shall furnish the Administrator with such documents, evidence, data, authorizations, consents or information in support of such claim as the Administrator considers necessary or desirable to determine the validity of the claim. The Administrator shall respond in writing to any claim for benefits.
- (b) If the claim is denied, either in whole or in part, the written notice of denial shall state, in a manner calculated to be understood by the Claimant:
 - (1) The specific reason or reasons for denial, with specific references to the Plan provisions on which the denial is based;
 - (2) A description of any additional material or information necessary for the Claimant to perfect his claim, if possible, and an explanation of why such material or information is necessary; and
 - (3) An explanation of the Plan’s claims review procedure and the time limits applicable to such procedures.
- (c) The written notice denying or granting the Claimant’s claim shall be provided to the Claimant within 90 days after the Administrator’s receipt of the claim, unless special circumstances require an extension of time for processing the claim. If such an extension is required, written notice of the extension shall be furnished by the Administrator to the Claimant within the initial 90-day period and in no event shall such an extension exceed a period of ninety (90) days from the end of the initial 90-day period. Any extension notice shall indicate the special circumstances requiring the extension and the date on which the Administrator expects to render a decision on the claim.
- (d) Any Claimant whose claim is denied (or such Claimant’s authorized representative) may, within sixty (60) days after the Claimant’s receipt of notice of the denial, request a review of the denial by notice given, in writing, to the Administrator. Upon such a request for review, the claim shall be reviewed by the Administrator (or its designated representative) which may, but shall not be required to, grant the Claimant a hearing.
- (e) The Claimant shall be provided reasonable access to, and copies of, all relevant documents, records and information directly related to the claim. In connection with the review, the Claimant may have an authorized representative act on the claimant’s behalf. The Claimant may submit comments, documents, records and other relevant information in writing to the Administrator.

- (f) The decision on review normally shall be made within sixty (60) days of the Administrator's receipt of the request for review. If an extension of time is required due to special circumstances, the Claimant shall be notified, in writing, by the Administrator, and the time limit for the decision on review shall be extended up to a total of one hundred and twenty (120) days. Any extension notice shall indicate the special circumstance requiring the extension and the date on which the Administrator expect to render a decision on the appeal.
- (g) The Administrator shall notify the Claimant in writing of all benefit determinations as soon as possible, but no later than fifteen (15) days after the benefit determination is made.
- (h) The decision on review shall be in writing and shall state, in a manner calculated to be understood by the Claimant the specific reason or reasons for the decision, with specific references to the relevant Plan provisions on which the decision is based.
- (i) The Administrator has the exclusive discretionary authority to construe and to interpret Plan terms, to decide all questions of eligibility for benefits and to determine the amount of such benefits, and its decisions on such matters shall be final and conclusive. This grant of discretionary authority extends to all decisions made by the Administrator on review, which shall be final and binding with respect to all concerned parties.
- (j) A Claimant shall be entitled, either in his own name or in conjunction with any other interested parties, to bring such actions in law or equity or to undertake such administrative actions or to seek such relief as may be necessary or appropriate to compel the disclosure of any required information, to enforce or protect his rights, to recover present benefits due to the Claimant or to clarify rights to future benefits under the Plan. However, in any civil action, in law or equity, any interpretation or determination made pursuant to the discretionary authority conveyed upon the Administrator shall be upheld, unless it is shown that the interpretation or determination made by the Administrator was an abuse of discretion (or was arbitrary and capricious).

ARTICLE XIV
AMENDMENT & TERMINATION OF PLAN

14.1 Right of Amendment

The City reserves the right at any time and from time to time, by means of a written instrument executed in the name of the City by its duly authorized representatives, to amend or modify the Plan and, to the extent provided therein, to amend or modify the Funding Agreement. No pension or other benefit granted prior to the time of any amendment or modification of the Plan shall be reduced, suspended, or discontinued as a result thereof, except to the extent necessary to enable the Plan to meet the requirements for qualification under the Code or the requirements of any governmental authority. Moreover, no such action shall operate to recapture for the City any contributions made to the Pension Fund.

14.2 Termination of the Plan

The City reserves the right, by means of a written resolution adopted by the City Council, at any time to terminate the Plan. In the event of termination, no further benefits shall accrue, no further contributions shall be made, and all assets remaining in the Pension Fund, after provision has been made for payment of the expenses of administration and liquidation in connection with the termination, shall be allocated by the Funding Agent upon the advice of the Actuary, among the Participants and Beneficiaries of the Plan, in the following manner and order of precedence:

- (a) First to that portion of a Participant's or Beneficiary's Accrued Benefit that is derived from the Participant's Mandatory Employee Contributions, Supplemental Employee Contributions, and Pick Up Contributions.
- (b) In the case of benefits payable as an annuity,
 - (1) in the case of the benefit of a Participant or Beneficiary which was in pay status as of the beginning of the three-year period ending on the termination date of the Plan, to each such benefit, based on the provisions of the Plan (as in effect during the five-year period ending on such date) under which such benefit would be the least; and
 - (2) in the case of a Participant's or Beneficiary's benefit (other than a benefit described in subparagraph (1) of this paragraph) which would have been in pay status as of the beginning of such three-year period if the Participant had retired prior to the beginning of such three-year period and if his benefits had commenced (in the normal form of annuity under the Plan) as of the beginning of such period, to each such benefit based on the provisions of the Plan (as in effect during the five-year period ending on such date) under which such benefit would be the least.

For purposes of subparagraph (1) of this paragraph, the lowest benefit in pay status during a three-year period shall be considered the three-year benefit in pay status for such period.

- (c) Next,
 - (1) to Participants age 60 or over; and
 - (2) to Participants age 50 to 59; and
 - (3) to Participants age 45 to 54, inclusive; and
 - (4) to Participants under age 45.

Notwithstanding any other provision of the Plan to the contrary, other than Sections 14.3 through 14.8, the amount allocated to any Participant under this Section 14.2 shall be fully vested and nonforfeitable. The City shall furnish all information reasonably required for the purposes of making such allocations. The Funding Agent shall implement the allocations determined under this Section among the persons for whose benefit such allocations are made through distribution of the assets of the Pension Fund, through application of the amounts allocated to the purchase from an insurance company of immediate or deferred annuities, or through creation of one or more new funds for the purpose of distributing the assets of the Pension Fund (to the extent so allocated), or by a combination of the foregoing.

14.3 Adjustment of Allocation

The amount allocated under any paragraph of Section 14.2 with respect to any benefit shall be properly adjusted for any allocations of assets with respect to that benefit under a prior paragraph of Section 14.2.

14.4 Assets Insufficient for Allocation

If the assets available for allocation under any paragraph of Section 14.2 (other than paragraph (c)) are insufficient to satisfy in full the benefits of all individuals which are described in that paragraph, the assets shall be allocated pro rata among such individuals on the basis of the present value (as of the date of termination of the Plan) of their respective benefits described in that paragraph.

14.5 Assets Insufficient for Allocation Under Paragraph (c) of Section 14.2

This Section applies if the assets available for allocation under paragraph (c) of Section 14.2 are not sufficient to satisfy in full the benefits of individuals described in such paragraph.

- (a) If this Section applies, except as provided in paragraph (b), the assets shall be allocated to the benefits of individuals described in paragraph (c) of Section 14.2 on the basis of the benefits

of individuals which would have been described in such paragraph under the Plan as in effect at the beginning of the five-year period ending on the date of termination of the Plan.

- (b) If the assets available for allocation under paragraph (a) of this Section are sufficient to satisfy in full the benefits described in such paragraph (without regard to this paragraph (b)), then for purposes of paragraph (a), benefits of individuals described in such paragraph shall be determined on the basis of the Plan as amended by the most recent Plan amendment effective during such five-year period under which the assets available for allocation are sufficient to satisfy in full the benefits of individuals described in paragraph (a), and any assets remaining to be allocated under such paragraph (a) on the basis of the Plan as amended by the next succeeding Plan amendment effective during such period.

14.6 Residual Assets

Subject to the provisions of Section 14.9, any residual assets of the Plan shall be distributable to the City if:

- (a) all liabilities of the Plan to Participants and their beneficiaries have been satisfied; and
- (b) the distribution does not contravene any provision of law.

14.7 Meanings of Terms

The terms used in Sections 14.2 through 14.4 shall have, where required, the same meaning as the same terms have as used in Section 4044 of the Employee Retirement Income Security Act of 1974, as amended; provided, however, that any term specifically defined in the Plan shall retain its meaning as defined thereunder.

14.8 Payments by the Funding Agent

The Funding Agent shall make the payments specified in a written direction of the Administrator in accordance with the provisions of Section 14.2 until the same shall be superseded by a further written direction. The obligation of the Funding Agent to make any payment hereunder in all events shall be limited to the amount of the Pension Fund at the time any such payment shall become due.

14.9 Residual Assets Distributable to the City

Upon written notice from the Administrator that any residual assets of the Plan are distributable to the City in accordance with the provisions of Section 14.6, then the Funding Agent shall pay over such residual assets, or an amount equal to the fair market value of that portion of such residual assets which are not so paid, to the City; provided, however, that, under no circumstances or conditions other than as set forth in this Section 14.9 and in Section 12.4, shall any contribution of the City, or any portion of the proceeds or avails thereof, ever revert, be paid, or inure to the benefit, directly or indirectly, of the City or any Affiliate; nor shall any portion of the principal or the income

from the Pension Fund ever be used for or diverted to any purpose other than for the exclusive benefit of Participants and persons claiming under or through them pursuant to the Plan.

ARTICLE XV MISCELLANEOUS

15.1 No Commitment as to Employment

Nothing contained herein shall be construed as a commitment or agreement on the part of any person to continue his employment with the City, or as a commitment on the part of the City to continue the employment, compensation, or benefits of any person for any period, and all employees of the City shall remain subject to discharge, layoff, or disciplinary action to the same extent as if the Plan had never been put into effect.

15.2 Governing Law

Except as provided under Federal law, the provisions of the Plan shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

15.3 Benefit Offsets for Overpayments

If a Participant or Beneficiary receives benefits hereunder for any period in excess of the amount of benefits to which he was entitled under the terms of the Plan as in effect for such period, such overpayment shall be offset against current or future benefit payments, as applicable, until such time as the overpayment is entirely recouped by the Plan.

15.4 Veterans Reemployment Rights

Notwithstanding any other provision of the Plan to the contrary, contributions, benefits and service credit with respect to qualified military service shall be provided in accordance with Code Section 414(u). A Participant who dies on or after January 1, 2007 while on a leave of absence for qualified military service under the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended, shall be treated as having died while actively employed as an Employee and shall receive additional death benefits (other than benefit accruals), if any.

ADDENDUM

Re: Adjustment Factors

Early Commencement Reduction Factors

Number of Years from Annuity Starting Date to Normal Retirement Date:	Factors:
1	93.33%
2	86.67%
3	80.00%
4	73.33%
5	66.67%
6	63.33%
7	60.00%
8	56.67%
9	53.33%
10	50.00%

Note: When a partial year is involved, the factor will be appropriately adjusted.

Late Commencement Adjustment Factors

Number of Years from Normal Retirement Date to Annuity Starting Date:	Factors:
1	106.00%
2	112.36%
3	119.10%
4	126.25%
5	133.82%
6	141.85%
7	150.36%
8	159.38%
9	168.95%
10	179.08%

Note: When a partial year is involved, the factor will be appropriately adjusted. Factors for other years and months will be determined in a manner consistent with the manner used in determining these factors.



Legislation Details (With Text)

File #: 14-2246 **Name:** Consideration of a Resolution to Amend and Restate The City of Alexandria Pension Plan for Firefighters and Police Officers (CLOSED PLAN)

Type: Resolution **Status:** Agenda Ready

File created: 12/16/2013 **In control:** City Council Legislative Meeting

On agenda: 1/14/2014 **Final action:**

Title: Consideration of a Resolution to Amend and Restate the City of Alexandria Pension Plan for Firefighters and Police Officers (Closed Plan). [ROLL-CALL VOTE]

Sponsors:

Indexes:

Code sections:

Attachments: [14-2246 1 Resolution Old F&P Plan](#)
[14-2246 2 List of Section Changes Old Fire and Police](#)
[14-2246 3 Restatement Old Fire and Police](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Consideration of a Resolution to Amend and Restate the City of Alexandria Pension Plan for Firefighters and Police Officers (Closed Plan). [ROLL-CALL VOTE]

ISSUE: Consideration of the proposed amendment to the City of Alexandria Pension Plan for Firefighters and Police Officers (the "Plan").

RECOMMENDATION: That City Council adopt the attached resolution (Attachment 1) which amends and restates the City of Alexandria Pension Plan for Firefighters and Police Officers. Below are the reasons these changes are necessary.

- To make technical corrections that add, delete, or modify the Plan Document language to clarify the

- Plan administration and to comply with Internal Revenue Service (“IRS”) regulatory requirements;
- To restate the Plan Document to combine the January 1, 2009 Restatement and the subsequent amendments into one document;

These changes, which are recommended at this time, make **no change to benefits, contributions, or eligibility and are cost neutral to the City**.

BACKGROUND: The Plan, a defined benefit plan, provides both retirement and disability benefits to firefighters and police officers. The Plan was closed to new employees hired after February 12, 1979, when the City of Alexandria Retirement Income Plan (the “Retirement Income Plan”), a defined contribution plan, was created. There are no active employees and 124 retired employees participating in this plan. A defined contribution plan links benefits to employer contributions and investment return while a defined benefit plan links benefits to the employee’s salary and years of service.

The Plan was last restated at the December 9, 2008 City Council meeting and took effect on January 1, 2009. Amendment One and Two to the January 1, 2009 Plan Restatement were adopted in 2011 and 2012 respectively.

The proposed changes in the restatement make technical corrections to ensure that the Plan Document reflects actual practice and to comply with the IRS regulatory requirement.

DISCUSSION: The attached *List of Section Changes Made for IRS Compliance* (Attachment 2) lists all of the proposed changes. The changes can be summarized as noted below.

Compliance with Federal Regulations

The Federal Government establishes pension plan rules and guidelines for both public and private pensions. Along with providing favorable tax treatment for pension plans, the government sets limits on benefits, contributions and the timing of pension payouts. Generally, these rules are designed to prevent abuses of pension plans created for small business owners or for highly paid individuals. While these rules rarely affect participants in public pension plans, the IRS requires that these provisions appear in our Plan Document to maintain favorable tax status for the Plan.

Technical Corrections

Technical changes have been made to the Plan Document to modify language in the sections for administrative purposes, to delete obsolete section and to correct typographical errors. A plan document is a formal, written instrument that establishes a retirement plan and its provisions and describes how the plan operates.

Plan Document Restatement

Typically, plan amendments do not include the entire text of the underlying Plan Document they amend. Instead, they only contain the sections of the document that they alter. As a plan evolves over time, the original plan document plus a series of plan amendments governs it, making it awkward to manage. Combining the Plan Document and all its amendments into one document will simplify plan management. The Plan Document has been restated to include all changes from amendments 1-2 as well as the changes needed for compliance with Federal Regulation and for technical corrections. The plan was last restated in 2009.

FISCAL IMPACT: There is no fiscal impact. The proposed plan amendment makes no changes to eligibility, benefits, or contributions, and are cost neutral to the plan.

ATTACHMENTS:

1. Resolution to Amend and Restate the City of Alexandria Pension Plan for Firefighters and Police Officers
2. List of Section Changes Made for IRS Compliance
3. Proposed Restatement of the City of Alexandria Pension Plan for Firefighters and Police Officers

STAFF:

Laura Triggs, Chief Financial Officer/Director of Finance

Steven Bland, Retirement Administrator

RESOLUTION NO. _____

WHEREAS, the City of Alexandria maintains ““City of Alexandria Pension Plan for Firefighters and Police Officers” (the “Old Plan”); and

WHEREAS, the City of Alexandria desires to adopt and incorporate certain amendments to the Plan as set forth in the Amendment attached hereto; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA THAT the Alexandria City Council does hereby recognize, adopt, amend, approve and restate the Plan to incorporate the amendments attached hereto and incorporated fully herein by reference; and

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

ADOPTED _____ (date)

William D. Euille

Mayor

ATTEST:

Jackie M. Henderson, MMC, City Clerk

List of Section Changes Made for IRS Compliance

The City of Alexandria Pension Plan for Firefighters and Police Officers (Closed Plan)

This document lists the sections changed. The *subject* of the change is mentioned. This document does *not* list minor modifications to capitalization, punctuation, renumbering, spelling, and spacing.

Section Changed	Change
History of the Plan, Preservation of Rights	Effective dates are changed. Most are for compliance; however, some relate to the effective dates of prior amendments.
Table of Contents	Sections and pages are renumbered to reflect additional sections; titles are changed.
Article 1 Definitions	
3. Effective Date	Effective date is changed for compliance.
13. Earnings	The definition of this term is modified as required for IRS compliance.
ARTICLES	
Article A.1	<i>Participation:</i> Effective date is updated for compliance. Each employee who was a Participant on 12/31/2013 will continue to be Participant of the Plan on 01/01/2014 provided they did not elect to transfer assets.
Article B.1	<i>Maximum Benefit and Contributions:</i> This section is rewritten as required for IRS compliance.
All sections	The list above does not include: spelling errors, typographical errors, punctuation, section references, changes involving only renumbering the section, or other minor errors that have no impact on benefits, eligibility, or contributions.

CITY OF ALEXANDRIA
PENSION PLAN FOR FIREFIGHTERS AND POLICE OFFICERS

As Amended and Restated Effective January 1, 2014

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History of the Plan

As of July 1, 1956 the City of Alexandria (hereinafter referred to as the “City”) established the City of Alexandria Pension Plan for Firefighters, and Police Officers (the “Plan”) to provide retirement income and other benefits for certain of its employees and their beneficiaries. The Plan was set forth in Group Annuity Contract GR-574 issued by Connecticut General Life Insurance Company,

The Plan has been amended over the years in order to reflect certain changes and improvements in the retirement program.

Effective January 1, 1984, the Plan was amended and restated to reflect certain legislative changes and amendments to the Plan.

Effective September 1, 1983, the Plan was amended to incorporate gender-neutral Adjustment Factors for contributions made or benefits accrued after August 1, 1983.

Effective January 1, 1984, the Plan was amended to comply with Internal Revenue Rulings 79-90 and 81-12 which required retirement income plans to describe the actuarial assumptions used in computing optional benefits and to provide protection of accrued benefits from rate basis changes.

The Plan was also amended to comply with the Tax Equity Fiscal Responsibility Act of 1982 (“TEFRA”), the Deficit Reduction Act of 1984 (“DEFRA”) and the Retirement Equity Act of 1984 (“REA”). In conjunction with these amendments, the Plan incorporated the regulations governing the Internal Revenue Code’s Section 415 limitations determining the minimum and maximum amounts of retirement benefits that may be provided for or paid to a Participant under a qualified defined benefit and/or defined contribution plan.

Effective as of December 31, 2001, the Plan was amended and restated in order to comply with further legislative changes including the Tax Reform Act of 1986 (TRA ‘86), the Uruguay Round Agreements Act (“GATT”), the Uniformed Services Employment and Reemployment Rights Act (“USERRA”), the Small Business Jobs Protection Act of 1996 (“SBJPA”) and the Taxpayer Relief Act of 1997 (“TRA ‘97”), the Internal Revenue Service Restructuring and Reform Act (RRA ‘98), and the Community Renewal Tax Relief Act of 2000 (CRA).

Effective as of January 1, 2009, the Plan was amended and restated in order to comply with further legislative and regulatory changes including the Economic Growth and Tax Relief Reconciliation Act of 2001 (“EGTRRA”), the Pension Protection Act of 2006 (“PPA”), and final regulations under Internal Revenue Code Sections 401(a)(9) and 415.

Effective as of January 1, 2014, the Plan has been amended and restated in order to comply with further legislative changes including the Heroes Earnings Assistance and Relief Tax Act (“HEART Act”) and the Worker Retiree and Employer Recovery Act of 2008 (“WRERA”).

Preservation of Rights

Each Participant under the Plan who is in the active employ of the City on January 1, 2014, shall continue to be a Participant under this Plan on and after January 1, 2014, in accordance with its terms.

Except as hereinafter provided each former employee who was receiving benefits under the Plan prior to January 1, 2014, shall continue to receive such payments in accordance with the terms of the Plan as in effect prior to January 1, 2014.

Except as hereinafter provided each former employee who terminated employment prior to January 1, 2014, shall not be eligible for coverage hereunder.

No provisions of this Plan, other than those required to maintain this Plan as one that is qualified under Code Section 401(a), shall operate to diminish or otherwise adversely affect the amount or terms of retirement income accrued in respect to a Participant's coverage under the Plan as in effect prior to January 1, 2014.

Except as is otherwise explicitly provided in the Plan or as is required by applicable law, the terms of the Plan, as amended and restated, shall apply only with respect to Plan Years (or other applicable 12-month periods, as the case may be) commencing after January 1, 2014.

Except as is otherwise explicitly provided in the Plan or as is required by applicable law, the terms of the Plan, as amended and restated, shall apply only with respect to Employees of the City on and after January 1, 2014, and the rights, benefits and interests of any Employee who died, retired or otherwise terminated his employment with the City prior to January 1, 2014, shall be determined under the provisions of the Plan as in effect on the date such former Employee died, retired or otherwise terminated his employment with the City.

CITY OF ALEXANDRIA PENSION PLAN
FOR FIREFIGHTERS AND POLICE OFFICERS
AS AMENDED AND RESTATED EFFECTIVE DECEMBER 31, 2001

ARTICLE I

DEFINITIONS

1. “PLAN” means the City of Alexandria Pension Plan for Firefighters and Police Officers, as described herein or as hereinafter amended.
2. “CITY” means City of Alexandria, Virginia.
3. “EFFECTIVE DATE” means January 1, 2014, the effective date of this amended and restated Plan; provided, however, that any provision which is contained in this amended and restated Plan (as the same may be further amended from time to time) and which is required to be effective before January 1, 2014, in order to retain the qualification of the Plan under Code Section 401(a) shall, nevertheless, be effective as of its required effective date under the Code.
4. “EMPLOYEE” means any individual in the employ of the City who is classified as a firefighter or police officer, other than an individual who is classified as a meter patrol officer. The term Employee shall include any Leased Employee as described in Code Section 414(n), unless such Leased Employee is covered by a money purchase pension plan sponsored by the lessor under which:
 - (1) non-integrated lessor contributions equal or exceed 7½% of compensation; and
 - (2) the plan provides for immediate participation and for full and immediate vesting.

If no such plan exists, any retirement income accrued under this Plan by a Leased Employee will be reduced by the amount of retirement income funded by the lessor which is attributable to the same period of employment.

For this purpose, a “Leased Employee” shall mean any person (other than an employee of the recipient) who pursuant to an agreement between the recipient and any other person (“leasing organization”) has performed services for the recipient (or for the recipient and related persons determined in accordance with Section 414(n)(6) of the Code) on a substantially full time basis for a period of at least one year, and such services are performed under primary direction or control by the recipient.

5. “PARTICIPANT” means an Employee who becomes covered under this Plan.
6. “SPOUSE” means the lawful wife of a male Participant, or the lawful husband of a female Participant.

7. “BENEFICIARY” means the Beneficiary designated in accordance with the further terms of this Plan or who is otherwise entitled to receive any benefit payable under the terms of the Plan following the death of a Participant. Such Beneficiary shall be the designated Beneficiary under Code Section 401(a)(9) and Treas. Reg. §1.401(a)(9)-4.
8. “CONTINGENT ANNUITANT” means the person designated as the Contingent Annuitant in accordance with the further terms of this Plan.
9. “NORMAL RETIREMENT DATE” E” of each Participant shall be the first day of the month coinciding with or next following his 60th birthday.
10. “EARLY RETIREMENT DATE” means the date that a Participant is entitled to a pension in accordance with Sections B or C of Article IV.
11. “POSTPONED RETIREMENT DATE” means the date that a Participant is entitled to a pension in accordance with Section D of Article IV.
12. “DISABILITY RETIREMENT DATE” means the date that a Participant is entitled to receive a disability benefit in accordance with Article VI.
13. “EARNINGS” - Prior to January 1, 1976, Earnings shall refer to basic earnings, overtime, holiday pay, and educational incentive pay. On and after January 1, 1976, Earnings shall refer to basic earnings and educational incentive pay. However, Earnings shall not include overtime pay, holiday pay or any other additional compensation, unless otherwise specified. Earnings with respect to any Plan Year shall not exceed \$255,000, as adjusted for cost of living increases in accordance with Code Section 401(a)(17)(B). The cost of living adjustment in effect for a calendar year applies to Earnings for the determination period that begins with or within such calendar year. Notwithstanding the foregoing, the annual Earnings limit for determination periods beginning before January 1, 2002, shall be \$150,000 for any determination period beginning in 1996 or earlier, \$160,000 for any determination period beginning in 1997, 1998, or 1999, \$170,000 for any determination period beginning in 2000 or 2001, \$200,000 for any determination period beginning in 2002 or 2003, \$205,000 for any determination period beginning in 2004, \$210,000 for any determination period beginning in 2005, \$220,000 for any determination period beginning in 2006, \$225,000 for any determination period beginning in 2007, \$230,000 for any determination period beginning in 2008, \$245,000 for any determination period beginning in 2009, 2010, or 2011, \$250,000 for any determination period beginning in 2012, and \$255,000 for any determination period beginning in 2013.
14. “FINAL AVERAGE EARNINGS” shall refer to the highest average Earnings received during any 36 consecutive months while the Participant is actively employed by the City and is covered under the Plan.
15. “TERMINATION OF EMPLOYMENT” means a severance of the relationship between the City and the Employee other than a severance on account of death, disability or retirement.

16. "CREDITED INTEREST" shall refer to interest added to a Participant's Pension Contributions at the rate of 2% per annum prior to January 1, 1977 and 3% per annum thereafter, compounded annually, for the number of completed months from the January 1 following the date such Participant's Pension Contribution was made to whichever of the following dates is earliest.
- (a) the date on which the Participant elects a refund of his Pension Contributions,
 - (b) the date of a Participant's death,
 - (c) the date that the Participant's pension commences, or to the date specified hereinafter; provided, however, that with respect to a Participant's Pension Contributions made prior to July 1, 1967, Credited Interest shall be computed on each Participant's Pension Contribution for the number of completed months from the July 1 following the date such Participant's Pension Contribution was received to January 1, 1968, and then interest will be compounded annually thereon from January 1, 1968 to the appropriate date specified above.
17. "CREDITED SERVICE" is as defined in Article III.
18. "INSURANCE COMPANY" means Connecticut General Life Insurance Company, or any other legal reserve life insurance company with whom the City may contact for the issuance of a group annuity contract or contracts for the purpose of providing the benefits specified and provided for in this Plan.
19. "ADJUSTMENT FACTOR" means the appropriate adjustment factor(s) which may be applicable to a Participant's retirement income in accordance with the further terms of the Plan.

With respect to each Participant whose retirement date occurs after August 1, 1983, the appropriate Adjustment Factors are the applicable gender-neutral Adjustment Factors as shown in the Tables attached hereto, subject to the following:

- (a) With respect to participants whose retirement dates are other than the Normal Retirement Date, the Early Retirement Adjustment Factors as in effect in accordance with the terms, of this Plan as constituted on August 1, 1983 shall continue to be of full force and effect after August 1, 1983.
 - (b) In no event will the pension payable to a Participant on his retirement date, as adjusted by the applicable Adjustment Factor(s) as in effect after August 1, 1983, be less than the amount of pension the Participant had accrued on August 1, 1983, as adjusted by the applicable Adjustment Factor(s) as in effect in accordance with the terms of this Plan as constituted on August 1, 1983.
20. "PARTICIPANT DISABILITY CONTRIBUTION" means an amount of Participant contributions which shall be deducted by the City from his Earnings and shall be used to offset the cost as determined by the Insurance Company to provide for the Non-Service-Connected Partial Disability Benefit of this Plan. The initial amount of Participant

Disability Contribution shall be 1/2% of each Participant's Earnings; however, this amount may be changed on any January 1 that the Insurance Company determines that such change is necessary to maintain proper funding.

21. "VALUE" means the present value of a Participant's retirement income based upon the male annuity factors in the Pension Benefit Guaranty Corporations' Prospective Actuarial and Mortality Tables, Publication Number PBGC 509, as in effect at the beginning of the Plan Year in which the Value is determined. In no event shall the interest rate used be greater than the Pension Benefit Guaranty Corporation's immediate annuity interest rate in effect at the beginning of the Plan Year in which the Value is determined.
22. "DISTRIBUTION CALENDAR YEAR" means a calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first Distribution Calendar Year is the calendar year immediately preceding the calendar year which contains the Participant's Required Beginning Date. For distributions beginning after the Participant's death, the first Distribution Calendar Year is the calendar year in which distributions are required to begin pursuant to Section F.2(b) of Article IX.
23. "LIFE EXPECTANCY" means life expectancy as computed by use of the Single Life Table in Treas. Reg. §1.401(a)(9)-9, as amended from time to time.
24. "REQUIRED BEGINNING DATE" means April 1st following the later of (1) the calendar year in which the Participant attains age 70½ or (2) the calendar year in which such Participant retires from employment with the City.
25. "ANNUAL ADDITIONS" means the sum of the following items credited to the Participant under this Plan and any other tax qualified retirement plan sponsored by the City for a Limitation Year and treated as a defined contribution plan for purposes of Code Section 415: City contributions that are separately allocated to the Participant's credit in any defined contribution plan; forfeitures; participant contributions (other than contributions that are picked up by the City as described in Code Section 414(h)(2)); and amounts credited after March 31, 1984 to a Participant's individual medical account (within the meaning of Code Section 415(1)).
26. "LIMITATION YEAR" means the calendar year.
27. "REMUNERATION" means a participant's wages as defined in Code Section 3401(a) and all other payments of compensation to the Participant from the City for which the City is required to furnish the Participant a written statement under Code Sections 6041(d) and 6051(a)(3). Remuneration shall be determined without regard to any rules that limit the remuneration included in wages based on the nature or location of the employment or the services performed. Remuneration does not include any employee contributions picked up by the City as described in Code Section 414(h)(2). Remuneration shall include any amount which would otherwise be deemed Remuneration under this definition but for the fact that it is subject to a salary reduction agreement under any plan described in Code Section 457(b), 132(f) or 125. Remuneration with

respect to any Limitation Year shall in no event exceed the dollar limit specified in Code Section 401(a)(17) (as adjusted from time to time by the Secretary of the Treasury). The cost of living adjustment in effect for a calendar year applies to Remuneration for the Limitation Year that begins with or within such calendar year.

Remuneration shall also include regular Earnings received after such Participant's severance from employment (as defined in Treas. Reg. §1.415(a)-1(f)(5)) (but not severance payments); provided that payment of such Earnings is made by the later of (i) two and one-half (2-1/2) months after the Participant's severance from employment or (ii) the end of the calendar year that includes the Participant's severance from employment; and provided further, in order for these post-severance payments to be considered Remuneration, these amounts may only consist of the following (which otherwise constitute Earnings under Paragraph 13):

- (1) Regular compensation for services during the Participant's regular working hours, or compensation for service outside of the Participant's regular working hours (such as overtime or shift differential), commission, bonuses, or other similar payments, if such payment would have been paid to the Participant prior to severance from employment if the Participant had continued in employment with the City;
- (2) Payment for unused, accrued, bona fide sick, vacation or other leave (but only if the Participant would have been able to use the leave if employment had continued); and
- (3) For plan years beginning on or after January 1, 2009, payments to Participants who do not currently perform services for the Employer by reason of qualified military service (as that term is defined in Code Section 414(u)(5)) to the extent those payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the Employer rather than entering qualified military service.

Other types of payments paid to the Participant after severance from employment shall not be considered Remuneration, even if paid within the time frame described above. In no event, however, shall Remuneration for this purpose include any amounts not permitted to be included under Code Section 415 or exceed the dollar limit specified in Code Section 401(a)(17) applicable for the Plan Year, as adjusted from time to time by the Secretary of Treasury. For plan years beginning on or after January 1, 2009, to the extent permitted by Code Section 3401(h), differential wage payments for an employee performing qualified military service as defined in Code Section 414(u)(5) shall be treated as compensation pursuant to Code Section 414(u)(12).

28. "CODE" or "INTERNAL REVENUE CODE" means the Internal Revenue Code of 1986, as amended from time to time. Reference to a Code or Internal Revenue Code section shall include (i) such section and any comparable section or sections of any future legislation that amends, supplements, or supersedes such section and (ii) all rulings, regulations, notices, announcements, and other pronouncements issued by the U.S.

Treasury Department, the Internal Revenue Service, and any court of competent jurisdiction that relate to such section and that are applicable to governmental plans.

29. Unless the context otherwise requires, the singular number shall include the plural and the masculine gender shall include the feminine.

ARTICLE II

PARTICIPATION AND FUNDING

Section A. Participation

1. Each Employee who was a Participant on December 31, 2013, will continue to be a Participant under this Plan on January 1, 2014, provided that he did not elect a transfer of the assets attributable to his coverage under this Plan in accordance with Section D of this Article II.
2. Each Participant who continues to be covered hereunder shall continue to contribute 7½% of his Earnings received during each month thereafter in accordance with Section B, below.
3. No other Employee shall become a Participant on or after February 13, 1979.

Section B. Funding

1. Participant's Pension Contributions shall be deducted by the City from his Earnings and shall be used to help fund for any retirement benefits or death benefits that become payable hereunder.

Each Participant shall also be required to contribute Participant Disability Contributions in accordance with Section D of Article VI and Definition 20 of Article I.

The Participant's obligation to make said contributions shall continue to the earliest of the date he completes 30 years of Credited Service, his retirement date or date of Termination of Employment.

A rehired Employee shall be considered to be a new employee; provided, however, that an employee who terminates his employment with the City and who is rehired within 24 months of his termination date, may obtain retirement credit for his prior service by repaying the amount of his Participant's Pension Contributions with Credited Interest refunded to him on or after his Termination of Employment plus 6% interest per annum on this amount from the date such refund was made until the date of repayment. The date of repayment of the refunded Participant's Pension Contributions with Credited Interest must be completed within 24 months after reemployment, provided, however, that with respect to any Participant who was reemployed prior to July 1, 1975 and who had not previously elected to repay his Participant's Pension Contributions with Credited Interest will have until April 1, 1978 to elect to repay such previously refunded contributions with interest in accordance with this paragraph 3. This reinstated Participant must complete a new payroll deductions order and contribute the same as a Participant in paragraph 2 of Section A, above.

2. The City will make the remainder of the contributions necessary to provide the benefits hereunder and to pay the cost of administering the Plan.

3. Forfeitures resulting from the Termination of Employment shall be used as soon as possible to reduce the City's cost of the Plan.

Section C. Establishment of Pension Fund

1. All contributions made to the fund for the benefits to be provided under this Plan shall be paid to the Insurance Company for application under the group annuity contract or contracts. The assets of said contract or contracts shall constitute the Pension Fund.

Section D. Transfer of Assets

1. Each Employee who was a Participant on February 12, 1979 may elect to have the assets attributable to his coverage under this Plan as of such date transferred from this Plan to the City of Alexandria Retirement Income Plan for Firefighters and Police Officers. If a Participant makes such an election, no benefits will be payable to him, his Spouse, Contingent Annuitant or Beneficiary as a result of his coverage under this Plan. All benefits payable with respect to such a Participant will be determined in accordance with the terms of the City of Alexandria Retirement Income Plan for Firefighters and Police Officers.
2. The amount of assets to be transferred in accordance with paragraph 1 above will be equal to:
 - (a) the actuarial equivalent of the Participant's annual pension accrued under this Plan as of January 1, 1978 (but not less than the aggregate of the Participant's Pension Contributions made prior to January 1, 1978 with Credited Interest as of such date), plus
 - (b) 20% of the Participant's basic earnings (excluding overtime, holiday pay, educational and incentive pay) received during the period from January 1, 1978 through May 30, 1979, plus
 - (c) if the Participant so elects, the aggregate of his Participant's Pension Contributions made during the period from January 1, 1978 through May 30, 1979 together with Credited Interest to May 30, 1979 on the amount of such Participant's Pension Contributions made during calendar year 1978. Participant's Pension Contributions transferred to the City of Alexandria Retirement Income Plan Firefighters and Police Officers will be treated as Voluntary Employee Contributions under the terms of that Plan.
3. In lieu of an election in accordance with paragraph 2(c) above, a Participant who elects to have assets transferred in accordance with this Section D of Article II may elect to receive a refund of the amount of his Participant's Pension Contributions with Credited Interest determined in accordance with paragraph 2(c) above.
4. An election under this Section D of Article II shall be made in writing on forms provided by the City and returned to the Personnel Department of the City no later than May 15, 1979.

5. Each Employee who was a Participant on May 24, 1983 may elect within three weeks of receiving actuarial data from the Connecticut General Life Insurance Company providing him with information as to the amount that may be transferred from this Plan (but in any event, prior to September 1, 1983) to have the assets attributable to his coverage under this Plan as defined herein transferred from this Plan to the City of Alexandria Retirement Income Plan for Firefighters and Police Officers and, to the extent set forth herein, to the City of Alexandria Firefighters and Police Officers Disability Income Plan. Such transfer shall be subject to the provisions of paragraphs 5 through 9 of this Article II, Section D. If a Participant makes such an election and assets attributable to his coverage under this Plan as defined herein are transferred from this Plan, no benefits will be payable to him, his Spouse, Contingent Annuitant or Beneficiary as a result of his coverage under this Plan. All benefits payable with respect to such a Participant will be determined in accordance with the terms of the City of Alexandria Retirement Income Plan for Firefighters and Police Officers and the City of Alexandria Firefighters and Police Officers Disability Income Plan.
6. The amount of assets to be transferred in accordance with paragraph 5 above to the City of Alexandria Retirement Income Plan for Firefighters and Police Officers (and, in the case of subparagraph (d) hereof, the City of Alexandria Firefighters and Police Officers Disability Income Plan) will be equal to:
 - (a) the actuarial equivalent of the Participant's annual pension accrued under this Plan as of January 1, 1978 and calculated in the same manner as prior transfers as of January 1, 1978 (but not less than the aggregate of the Participant's Pension Contributions made prior to January 1, 1978 with Credited Interest as of such date and with interest equal to that sum which would have been credited by the Insurance Company had such amount been transferred to the City of Alexandria Retirement Income Plan for Firefighters and Police Officers on June 1, 1979), plus
 - (b) 20% of the Participant's basic earnings (excluding overtime, holiday pay, educational and incentive pay) received during the period from January 1, 1978 through the date of transfer, including interest equal to that sum which would have been credited by the Insurance Company had such amount been transferred to the City of Alexandria Retirement Income Plan for Firefighters and Police Officers on June 1;1979, plus
 - (c) if the Participant so elects, the aggregate of his
 - (i) Participant's Pension Contributions made during the period from January 1, 1978 through the date of transfer; and
 - (ii) Participant's Disability Contributions made during the period from January 1, 1978 through May 31, 1979together with interest equal to that sum which would have been credited by the Insurance Company had such amounts been transferred to the City of Alexandria

Retirement Income Plan for Firefighters and Police Officers on June 1, 1979 to the date of transfer. Participant's Pension Contributions and Disability Contributions transferred to the City of Alexandria Retirement Income Plan for Firefighters and Police Officers will be treated as Voluntary Employee Contributions under the terms of that plan.

- (d) Participant's Disability Contributions made during the period from June 1, 1979, through the date of transfer, without interest.
- 7. In lieu of an election in accordance with paragraph 6(c) above, a Participant who elects to have assets transferred in accordance with this Section D of Article II may elect to receive a refund of the amount of his Participant's Pension and Disability Contributions with interest determined in accordance with paragraph 6(c) above.
- 8. An election under this Section D of Article II shall be made in writing on forms provided by the City and returned to the Personnel Department of the City no later than September 1, 1983.
- 9. In the event that the amount to be transferred to the City of Alexandria Retirement Income Plan for Firefighters and Police Officers pursuant to paragraph 6(b) exceeds \$200,000, elections to transfer will be accepted, but transfers of funds will be effectuated in 1983 only with respect to those employees with the greatest number of years of Credited Service, the transfer of whom would require an aggregate amount determined under paragraph 6(b) not to exceed \$200,000. All other Participants who had submitted an election to transfer on or before September 1, 1983 shall have transfers of their assets under paragraph 6(b) effectuated in 1984 or thereafter, not to exceed \$200,000 per year. Interest calculations on assets transferred will be to the date of transfer as to any deferred asset transfers. Effective as of the date of transfer, for those Participants on whose behalf transfers of funds have been effectuated, all benefits shall be determined solely under the City of Alexandria Retirement Income Plan for Firefighters and Police Officers or the City of Alexandria Firefighters and Police Officers Disability Income Plan, as appropriate. No benefits for such Participants shall be determined pursuant to the terms of this Plan. If there is a delay in asset transfers for a Participant because of the \$200,000 per year limitation on the amount to be transferred pursuant to paragraph 6(b), such Participant shall continue to make Pension Contributions and Disability Contributions to this Plan, and his benefits shall be determined solely pursuant to the terms of this Plan until the effective date of the transfer of assets attributable to his coverage under this Plan.
- 10. Any Employee who is a Participant in this Plan as of March 11, 1986 may advise the City no later than April 11, 1986 that he desires to be considered for transfer from this Plan to the City of Alexandria Retirement Income Plan for Firefighters and Police Officers (the 'New Pension Plan'). The City, in its discretion, may either grant or reject all such requests. If the City proposes to grant all such requests, it shall promptly request Connecticut General Life Insurance Company ('CG') to make calculations in the same manner as was done in 1979 and 1983, as more particularly set forth in paragraphs 6 and 7 of Article II, Section D, as set forth in the first change in the amendments to this Plan effective May 24, 1983, as determined by CG, and advise the City of such calculations

and the proposed transfer amounts. If the City then continues to approve all such requests, in its sole discretion, it shall then advise all such Participants and furnish each such Participant with CG calculations. Each such Participant shall then have a period of three weeks to notify the City in writing of his election to have the assets thus calculated as being attributable to his coverage under this Plan transferred to the New Pension Plan. The City may effectuate such transfer from existing funds in the Plan or from new City contributions or a combination, in its sole discretion. If a Participant makes such election to transfer, and assets attributable to his coverage under this Plan as defined herein are transferred from this Plan, no benefits will be payable to him, his Spouse, Contingent Annuitant or Beneficiary as a result of his coverage under this Plan.

ARTICLE III
CREDITED SERVICE

Section A. Credited Service

1. The term "Credited Service" means continuous employment with the City while classified as an Employee, and, for the purpose of determining eligibility for benefits hereunder, shall include the periods of time specified in paragraphs 2, 3 and 4 below; however for the purpose of determining the amount of benefits hereunder, Credited Service shall not include the period of time specified in paragraphs 3 and 4 below.
2. Absence from employment with the City on account of active duty in the Armed Forces will be counted as continuous employment with the City in accordance with the City's Administrative Regulations.
3. Absence from employment with the City on account of authorized leave of absence will be counted as continuous employment with the City in accordance with the City's Administrative Regulations.
4. The period of time while he is disabled in accordance with Article VI.

In determining Credited Service all Participants under similar circumstances will be treated alike.

Notwithstanding any provision of this Plan to the contrary, effective on and after December 12, 1994, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with Code Section 414(u).

ARTICLE IV

BENEFITS UPON RETIREMENT

Section A. Normal Retirement

1. Each Participant who retires on his Normal Retirement Date on and after January 1, 1984 will be entitled to an annual pension commencing on his Normal Retirement Date equal to 2½% of his Final Average Earnings multiplied by his years of Credited Service up to a maximum of 30 years. In determining the Participant's annual pension, Credited Service shall be computed to the nearest 1/12 year.
2. Each Participant who was receiving a disability benefit in accordance with Article VI immediately prior to his Normal Retirement Date shall be entitled to an annual pension equal to his disability benefit payable immediately prior to his Normal Retirement Date without regard to any reduction in accordance with Section F of Article VI, if applicable. However, each Participant who was receiving a partial disability benefit in accordance with Article VI immediately prior to his Normal Retirement Date and whose Disability Retirement Date commenced on and after May 24, 1983 shall be entitled only to an annual pension equal to his accrued retirement benefit immediately prior to his Disability Retirement Date, determined in accordance with paragraph 1, Section A of Article IV; provided that the benefit payable at such Participant's Normal Retirement Date shall not be less than 50% of the Participant's Final Average Earnings. A Participant shall be fully vested on his Normal Retirement Date.

Section B. Early Retirement — Voluntary

1. Unreduced

Each Participant who has attained his 50th birthday and completed at least 20 years of Credited Service or who has attained his 56th birthday and completed at least 10 years of Credited Service may elect to receive an early pension, commencing on his Early Retirement Date, by filing a written notice to the City. Such Early Retirement Date shall be the first day of any month between the date such election is made and the Participant's Normal Retirement Date. The annual pension, commencing on a Participant's Early Retirement Date, shall be determined in accordance with paragraph 1 Section A of this Article IV.

2. Reduced

Each Participant who has attained his 50th birthday and completed at least 10 years of Credited Service may elect to receive an early pension commencing on his Early Retirement Date by filing notice with the City. Such Early Retirement Date shall be the first date of any month between the date such election is made and the Participant's Normal Retirement Date. The annual pension, commencing on a Participant's Early Retirement Date shall be determined in accordance with paragraph 1, Section A of this Article IV based on the Participant's Credited Service completed prior to his Early Retirement Date computed to the nearest 1/12 of year, with the annual amount so

determined adjusted by multiplying by the appropriate early retirement Adjustment Factor in Table B-1.

Section C. Early Retirement — Involuntary

1. The City may require early retirement in any case with respect to a Participant who has attained his 50th birthday and completed at least 20 years of Credited Service where it is deemed necessary due to lack of work or the inability of the Participant to perform his occupation in a satisfactory manner of efficiency, provided that the City shall exercise this right to retire a Participant early in a nondiscriminatory manner. The Early Retirement Date of such a Participant will be the first of the month coinciding with or next following his retirement. The annual pension, commencing on such Early Retirement Date, shall be determined in accordance with paragraph 1, Section A of this Article IV.

Section D. Postponed Retirement

A Participant may continue to be employed after his Normal Retirement Date. The Participant's Postponed Retirement Date shall be the first day of the month coinciding with or next following his date of actual retirement. The Participant's annual pension, commencing on his Postponed Retirement Date shall be calculated in accordance with Section A of this Article IV with Service being credited to his actual retirement date and using his Earnings in effect at his retirement date.

Section E. Minimum Annual Pension

In no event will the annual pension payable to a Participant under this Article be less than the annual pension that can be provided by applying the aggregate of the Participant's Pension Contributions with Credited Interest to the appropriate factor contained in Table B-2 used to provide the benefits specified and attached to this Plan.

Section F. Cost-of-Living Benefit

1. For the purposes of this Section, the Terms "Consumer Price Index," "Current Pension," "Base Pension," and "Base Index," shall have the following meanings:
 - (a) Consumer Price Index means the Consumer Price Index (U.S. All Items Index) published by the United States Department of Labor, Bureau of Labor Statistics.
 - (b) The Current Pension of any Participant, Contingent Annuitant, Spouse or Beneficiary shall mean the annual pension which is payable on the date specified on the form of pension which is applicable to said individual; except that with respect to a Participant whose annual pension is payable under the Social Security option, the amount of Current Pension shall mean the amount of annual pension which will be payable to the Participant after his Social Security Commencement Date if he is then living.
 - (c) Base Pension means the annual pension which becomes payable to a Participant on his Early Retirement Date or his Normal Retirement Date or Postponed

Retirement Date, whichever is applicable. With respect to a Participant whose annual pension commences on his Normal Retirement Date in accordance with paragraph 2, Section A, Article IV, the Base Pension shall be equal to the Current Disability Benefit payable to such Participant during the month immediately preceding his Normal Retirement Date. The amount of the Base Pension shall be redetermined on the following later dates, if applicable:

- (i) the date an optional form of pension becomes effective with respect to such annual pension; or
- (ii) the date a reduced amount of annual pension become payable to the Participant's Contingent Annuitant as a result of the Participant's death,

and shall be equal to the annual pension then payable. If an annual pension is payable to a Participant under the Social Security Option, the term Base Pension shall mean the annual pension, if any, which will continue to be payable after the Participant's Social Security Commencement Date if he is then living.

- (d) Current Disability Benefit means the annual amount of disability benefit which is payable on the date specified to said Participant in (e), below.
- (e) Base Disability Benefit means the annual amount of disability benefit initially payable in accordance with Article IV, as applicable below:
 - (i) For a Participant whose Disability Retirement Date commenced prior to May 24, 1983 in accordance with Section D of Article VI such Participant's Base Disability Benefit means the amount of disability benefit payable to the Participant as of the January 1 immediately following his 50th birthday.
 - (ii) For a Participant whose Disability Retirement Date commenced on and after May 24, 1983 in accordance with Sections C and D of Article VI, such Participant's Base Disability Benefit means the amount of disability benefit payable to the Participant as of January 1 immediately following his 60th birthday.
- (f) With respect to an amount of Base Pension or Base Disability Benefit, the term Base Index shall mean the Consumer Price Index for the month of January in the calendar year in which such Base Pension or Base Disability Benefit became payable or January 1, 1970, whichever is later. (Notwithstanding anything herein to the contrary, for Participants whose Disability Retirement Dates commenced prior to May 24, 1983, in accordance with Section D of Article VI, the Base Index shall be determined as of January 1 immediately following his 50th birthday. For Participants whose Disability Retirement Dates commenced on and after May 24, 1983 in accordance with Sections C and D of Article VI, the Base Index shall be determined as of January 1 immediately following his 60th birthday.) If the Bureau of Labor Statistics subsequently adjusts the basis on which the Consumer Price Index is determined, the Base Index shall be adjusted as of the next

following January by multiplying it by the ratio that the Consumer Price Index for said January on the new basis bears to the Consumer Price Index for said January on the prior basis.

- (g) Current Index means the Consumer Price Index for January of the current calendar year.
2. On May 1, 1971 and on May 1 thereafter, there shall be determined a cost of living benefit for each Participant, Contingent Annuitant, Spouse and Beneficiary to whom an annual pension, or a disability benefit which is determined in accordance with Sections A, B, C or D of Article VI is then payable. (Notwithstanding anything herein to the contrary, for Participants whose Disability Retirement Dates commenced prior to May 24, 1983, in accordance with Section D of Article VI, the Base Index shall be determined as of January 1 immediately following his 50th birthday. For Participants whose Disability Retirement Dates commenced on and after May 24, 1983 in accordance with Sections C and D of Article VI, the Base Index shall be determined as of January 1 immediately following his 60th birthday.) The cost of living benefit on any May 1 for a Participant, Contingent Annuitant, or Beneficiary shall be equal to the excess of (a) over (b) where:
- (a) is equal to his Base Pension or Base Disability Benefit, whichever is applicable, multiplied by the quotient obtained by dividing the Current Index by the Base Index applicable to such Base Pension or Base Disability Benefit; and
 - (b) is his Current Pension or Current Disability Benefit, whichever is applicable.
- Each such payee shall be eligible for an additional amount of annual pension or disability benefit equal to the Cost of Living Benefit so determined, if any, provided that such additional annual pension may be cancelled or such additional disability benefit reduced in accordance with the terms of paragraph 3, below and provided further that such cost of living benefit shall not exceed 3% of his Current Pension or Current Disability Benefit whichever is applicable, prior to the determination of the cost of living benefit nor shall it increase his Current Pension or Current Disability Benefit to more than 200% of his Base Pension.
3. If on any May 1, the Current Pension of a Participant, Contingent Annuitant, Spouse or Beneficiary or the Current Disability Benefit exceeds the amount described in subparagraph (a) of paragraph 2, above, for him as a result of a decline in the Consumer Price Index, a portion of the annual pension payable to such payee equal to the excess shall be cancelled or a portion of the disability benefit reduced; provided, however, that the amount cancelled or reduced shall not exceed 3% of his Current Pension or Current Disability Benefit prior to such cancellation nor shall it reduce his Current Pension or Current Disability Benefit to less than his Base Pension.
4. Notwithstanding anything herein to the contrary, the cost of living benefit shall be applicable only to those Participants whose annual pension is determined in accordance with Article IV, V, IX or whose disability benefits are determined in accordance with Sections A, B, C or D of Article VI.

5. Each Participant who was receiving an annual pension or disability benefit prior to March 21, 1967, who is still receiving such type of payment as of January 1, 1982, will be eligible for a one-time Cost-of-Living Benefit increase as of such latter date. This Benefit increase will be payable with each benefit payment made to such Participant on and after January 1, 1982, and shall remain payable unless the City deems the increase should be eliminated due to a sufficient decline in the Consumer Price Index. This one-time increase will be determined by the following formula:

Participant's Base Pension (without regard to any Social Security Yearly Amount reduction) multiplied by 75% of the ratio the cost-of-living benefit being paid immediately prior to January 1, 1982 bears to the Participant's Base Pension; such resulting amount then reduced by the cost-of-living benefit payable.

ARTICLE V

TERMINATION OF EMPLOYMENT

Section A. Refund of Participant's Pension and Disability Contributions

1. A Participant may elect, on or after his date of Termination of Employment, to receive a cash refund equal to his Participant's Pension and Disability Contributions made under the Plan together with Credited Interest thereon to the date he makes such an election. Such cash refund shall be in lieu of all other rights and benefits of the Participant under the Plan.

Section B. Retirement Benefit

1. If a Participant does not make the election of a cash refund in accordance with Section A, above, a Participant will be entitled to receive an annual pension commencing on his 56th birthday. The amount of such Participant's pension shall be determined by (a) or, if applicable, (b) below:
 - (a) If the Participant has less than 10 years of Credited Service his annual pension shall be determined by applying his Participant's Pension Contributions together with Credited Interest to an appropriate factor contained in Table B-2 attached to this Plan.
 - (b) If the Participant has 10 or more years of Credited Service he will be 100% vested in his accrued retirement benefit. Such benefit will be determined in accordance with paragraph 1 Section A of Article IV.

A Participant who has 10 or more years of Credited Service may elect to have his pension commence prior to age 56 but not earlier than age 50. If a Participant elects to receive his pension prior to age 56 he shall receive an amount of pension determined in accordance with subparagraph (b) above, adjusted by multiplying by the appropriate early retirement Adjustment Factor in Table B-1.

2. Any Participant who is on leave of absence prior to January 1, 1974 must return to active service with the City of Alexandria for a period of at least 12 months to become eligible to vest in his accrued retirement benefit.

Section C. Repayment of Refund

1. A Participant, who is reemployed within 24 months of his termination of employment, whose accrued retirement benefit was forfeited in accordance with the preceding Section may repay the Plan within 24 months of his re-employment an amount equal to the cash refund he received plus 6% interest per annum on this amount from the date the refund was made until the date of repayment. Upon repayment of this amount, the Participant shall have his prior accrued retirement benefit restored to him.

ARTICLE VI

DISABILITY BENEFITS

Section A. Eligibility for a Disability Benefit on Account of Service-Connected Total and Permanent Disability

1. A Participant will be eligible for a disability benefit commencing on the first day of the month when he meets all of the following conditions:
 - (a) he has suffered an illness or injury which prevents him from performing the duties of all jobs for which he is otherwise qualified or any job for which he could become qualified by rehabilitation or retraining, as determined by the City on the basis of a medical examination performed by an independent diagnostic clinic/physician(s) selected by the City, and
 - (b) he has been so disabled for a period of six consecutive months, and
 - (c) his disability has been ruled by the Virginia State Industrial Commission as total and permanent and is compensable as Workmens' Compensation, and the Participant must be receiving Social Security disability benefits.

Section B. Eligibility for a Disability Benefit on Account of Non-Service-Connected Total and Permanent Disability

1. A Participant will be eligible for a disability benefit commencing on the first day of the month when he meets all of the following conditions:
 - (a) he has suffered an illness or injury which prevents him from performing the duties of all jobs for which he is otherwise qualified or any job for which he could become qualified through rehabilitation or retraining, as determined by the City on the basis of a medical examination performed by an independent diagnostic clinic/physician(s) selected by the City, and
 - (b) he has been so disabled for a period of six consecutive months,
 - (c) the Participant must be receiving Social Security disability benefits.

Section C. Eligibility for a Disability Benefit on Account of Service-Connected Partial Disability

1. A Participant will become eligible for a disability benefit as a result of a service connected partial disability commencing on the first day of the month when he meets all of the following conditions:
 - (a) he has suffered an illness or injury which prevents him from performing the duties he was assigned by the City at the time of suffering such illness or injury, as determined by the City on the basis of a medical examination performed by an

independent diagnostic clinic/physician(s) selected by the City,

- (b) his disability has been ruled by the Virginia State Industrial Commission as partial and is compensable as Workmen's Compensation, and
- (c) his disability is certified by the City as a service-connected partial disability, and
- (d) the City determines that such disability is not reasonably correctable nor subject to rehabilitation, the cost of which will be borne by the City.

Section D. Eligibility for a Disability Benefit on Account of Non-Service-Connected Partial Disability

1. A Participant will become eligible for a disability benefit as a result of a non-service-connected partial disability commencing on the first day of the month when he meets all of the following conditions:
 - (a) he has suffered an illness or injury which prevents him from performing the duties of the job he was assigned by the City at the time of suffering such illness or injury, as determined by the City on the basis of a medical examination performed by an independent diagnostic clinic/physician selected by the City,
 - (b) he has been a Participant under this Plan (including any participation under the Prior Plan) for at least five years at the commencement of his partial disability, and
 - (c) his disability is certified by the City as a non-service-connected partial disability,
 - (d) the City determines that such disability is not reasonably correctable nor subject to rehabilitation, the cost of which will be borne by the City, and
 - (e) he is contributing Participant Disability Contributions.

Section E. Certain Excluded Disabilities

1. Notwithstanding anything in this Plan to the contrary, a Participant shall not become eligible for a disability benefit under this Article VI if this total and permanent disability or his partial disability results from, or consists of addiction to narcotics or conviction of participation in a felonious act.

Section F. Amount of Disability Benefits

1. The annual amount of disability benefit payable to a Participant in accordance with Section A, above, will be equal to the greater of 70% of the Participant's final Average Earnings or his accrued benefit as determined in Sections A and E of Article IV.
2. The annual amount of disability benefit payable to a Participant in accordance with Section B, above, will be equal to the greater of 66-2/3% of the Participant's Final

Average Earnings or his accrued benefit as determined in Sections A and E of Article IV.

3. The annual amount of disability benefit payable to a Participant in accordance with Section C, above, will be equal to the greater of 66-2/3% of the Participant's Final Average Earnings or his accrued benefit as determined in Sections A and E of Article IV, reduced by the annual amount of periodic payments payable under the Workmen's Compensation Act of the Commonwealth of Virginia. Such reduction shall be applied on a monthly basis in an amount equal to 1/12 of the yearly amount so determined.
4. The annual amount of disability benefit payable to a Participant in accordance with Section D, above, will be equal to the greater of 50% of the Participant's Final Average Earnings or his accrued benefit as determined in Sections A and E of Article IV.

Such reduction shall be applied on a monthly basis in an amount equal to 1/12 of the yearly amount so determined.

Section G. Gainful Employment

1. Effective For Disability Retirement Dates On or After May 24, 1983 – Notwithstanding any other provision of this Plan, any Participant receiving benefits or eligible to receive benefits under this Plan as a result of a disability shall be required to accept employment in any position offered by an employer for which the Participant is qualified or for which the City is willing to assume the costs for the retraining and rehabilitation necessary to enable the Participant to qualify, if the City, in its sole judgment, determines that such employment is appropriate under the circumstances and if the locus of employment is suitable to the Participant's residence.

The provisions of the preceding paragraph shall be subject to the following conditions:

- (a) Prior to any action to provide such alternative employment,
 - (i) the Personnel Department shall present a detailed job description to an independent physician selected by the City (who shall be the treating physician if the disability was covered by the Workmen's Compensation Act) for review and a determination that the Participant is medically able to undertake such employment;
 - (ii) the Personnel Department shall notify the Participant of the particulars of the alternative employment (including the job location and a copy of the job description) and a copy of the physician's determination that the Participant is able to undertake the offered employment;
 - (iii) if the Participant believes he has just cause to refuse to accept such alternate employment, he shall notify the Personnel Department in writing of such reason or reasons for refusal, no later than ten (10) days from receipt of the notification required by the preceding subparagraph;
 - (iv) should the Personnel Director, after reviewing the Participant's written

statement, still believe the alternative employment is appropriate and suitable, he shall respond in writing to the Participant, stating the reasons supporting the determination of appropriateness and suitability, particularly responding to the Participant's written statement of reasons;

- (v) should the Participant continue to refuse to accept the alternate employment, the issue shall be determined in accordance with the procedures of paragraph (b)(i) or (ii).
- (b) (i) In the event the Participant who refuses employment is, in addition, entitled to receive benefits under the Workmen's Compensation Act, the decision as to whether his refusal is justifiable shall be presented to the Industrial Commission of Virginia for determination under the provisions of Section 65.1-63, Code of Virginia, and the decision of the Industrial Commission shall also be binding on the question of termination of disability retirement benefits, as set forth in Article VI, Section H, Paragraphs 2(e) and 3(c). If the Industrial Commission should fail or refuse to act on this question, then the determination shall be made pursuant to sub-paragraph (ii) below.
- (ii) If a Participant entitled to disability benefits under this Plan is not entitled to receive benefits under the Workmen's Compensation Act of the Commonwealth of Virginia, the decision as to whether his refusal of alternative employment is justifiable shall be presented to the City Attorney who shall act as an impartial arbitrator, based upon the entire record, under the standards utilized by the Industrial Commission under the provisions of Section 65.1-63, Code of Virginia. The City Attorney shall issue a written opinion specifying his reasoning and precedential support, if any, for his decision. The City Attorney may request either the Participant or the Personnel Director, or both, to present additional information prior to rendering his decision.

Section H. Commencement and Cessation of Disability Benefit.

1. Disability benefits will be paid in monthly installments equal to 1/12 of the annual amount commencing on the Participant's Disability Retirement Date.
2. With respect to a Participant who is permanently and totally disabled in accordance with Section A or B of this Article, disability benefits will cease on the first day of the month coinciding with or next following the earliest of the dates specified below:
 - (a) the date the City determines, on the basis of a medical examination by an independent diagnostic clinic/physician(s) selected by the City, that the Participant is no longer permanently and totally disabled,
 - (b) the date the Participant refuses to undergo medical examination requested by the City, provided that the Participant may not be required to undergo such medical examination more often than twice a year,

- (c) the Participant's Normal Retirement Date (see Article IV),
 - (d) the date that the Participant's disability payments under Social Security cease or
 - (e) the date the Participant refuses any employment which the Participant is required to accept pursuant to Article VI. G. of this Plan,
 - (f) the date the Participant returns to regular occupation or employment.
3. With respect to a Participant who is partially disabled in accordance with Sections C or D of this Article, disability benefits will cease on the first day of the month coinciding with or next following the earliest of the dates specified below:
- (a) the date the City determines, on the basis of a medical examination by an independent diagnostic clinic/physician(s) selected by the City, that the Participant is no longer partially disabled.
 - (b) the date the Participant refuses to undergo a medical examination requested by the City, provided the Participant may not be required to undergo such a medial examination more often than twice a year,
 - (c) the date the Participant refuses any employment which the Participant is required to accept pursuant to Article VI.G. of this Plan, or
 - (d) the Participant's Normal Retirement Date (see Article IV).

Section I. Cash Settlement Option

1. The Participant may at the option of the City, receive a cash settlement in an amount agreed upon by the Participant and the Employer prior to his Disability Requirement Date in lieu of the disability benefit which he would otherwise be entitled to, provided such disability is due to a partial or total service-connected disability. Any such cash settlement shall not be in excess of the Value of the Participant's disability benefit on his Retirement Date, as determined in accordance with Definition 21, Article I assuming the normal form of pension described in Article IX is effective.

ARTICLE VII
SPOUSE BENEFITS

Section A. Eligibility

Upon the death of a Participant, his Spouse will receive a Spouse Benefit as described below if the following conditions are met when the Participant dies:

- (A) The Participant had a Spouse to whom the Participant had been married at least one full year prior to his death.
- (B) The Participant's Termination of Employment Date, Early Retirement Date, Disability Retirement Date or Normal Retirement Date had not yet occurred.
- (C) One of the following must be applicable:
 - (1) The Participant dies in the line of duty, or
 - (2) The Participant has accrued at least 5 years of Service.

Section B. Amount of Spouse Benefit

If benefit payments become payable to a Spouse in accordance with this Section, the yearly amount will be equal to the greater of (A) or (B):

- (A) 50% of the pension that the deceased Participant had accrued to his date of death reduced by any Social Security benefits that become payable to his Spouse, provided, however, that such Social Security reduction shall be limited solely to the Social Security widow's benefit – no deduction will be made for any burial allowance or for any benefits received for dependent children. Any change in the Social Security status of a Spouse receiving such widow's benefit will cause a redetermination of the Spouse's benefit.
- (B) \$100 per month

Section C. Payment of Spouse Benefit

Spouse Benefit payments will be payable monthly with each payment equivalent to 1/12 of the yearly amount. The initial monthly payment will be made as of the first of the month next following the Participant's death, with subsequent monthly payments being made as of the first day of each month thereafter until the earlier of:

- (1) the Spouse's death,
- (2) the Spouse's remarriage.

In the event of remarriage there will be a lump sum payment made to the Spouse equal to 12 monthly payments, less any payments made after the date of remarriage, and no further payments will be made.

When the final Spouse Benefit payment has been made, an amount, equal to the excess, if any, of the Participant's Pension Contributions with Credited Interest thereon to his date of death over, the sum of the Spouse Benefit payments plus any lump sum payments made under this Section C, will become payable to the Spouse if still living, or if not, to the Participant's Beneficiary.

No such refund, however, will be paid if the Participant had previously elected a refund of his Participant's Pension Contributions with Credited Interest.

ARTICLE VIII

DEATH BENEFITS

Section A. Death Benefits Prior to Retirement

1. Upon the death of a Participant prior to the date his annuity pension commences, a death benefit will be payable in accordance with (A) or (B) below whichever applies,
 - (A) if a married Participant's Spouse was eligible to receive a Spouse Benefit in accordance with Article VII then the death benefit will be paid in accordance with that Article,
 - (B) if a Participant is not eligible for a Death Benefit in accordance with (A) above then the Participant's Beneficiary will become eligible to receive a death benefit, in a lump sum, in an amount equal to the Participant's Pension and Disability Contributions together with Credited Interest thereon to the date of the Participant's death,

provided, however, that in the case of a Participant who, as of the date of his death, was receiving a disability benefit, had a Contingent Annuitant option in effect in accordance with Section B of Article IX and whose death occurs prior to his Normal Retirement Date, any death benefit payable will be made in accordance with the terms of such option.

2. No such death benefit, however, will be payable if the Participant dies on or after his Normal Retirement Date and before his annual pension commences if either the Contingent Annuitant option or the Ten Year Certain and Life Annuity option is in effect on the date of death. In such event, any death benefit will be determined in accordance with either Section B or Section C of Article IX, whichever is applicable.

Section B. Death Benefits After Retirement

1. Upon the death of the Participant (or, if the Contingent Annuitant option set forth in Section B of Article IX is in effect, upon the death of the survivor of the Participant and his Contingent Annuitant) on or after the date as of which the Participant's annual pension commences, a death benefit will be paid to the Participant's Beneficiary, in a lump sum, in an amount equal to the excess, if any, of the Participant's Pension and Disability Contributions together with Credited Interest thereon to the date the Participant's annual pension commenced over the sum of the pension payments that have become payable.
2. In no event will the death benefit described in paragraph 1, above, become payable if the Ten Year Certain and Life Annuity option set forth in Section C of Article IX is in effect on the date of the Participant's death. In such event, any death benefit will be determined in accordance with Section C of Article IX.

Section C. Beneficiary

1. The Participant will designate a Beneficiary and may change from time to time his designation of Beneficiary by filing with the City written notice thereof on a form satisfactory to the City. Such designation or change of designation of Beneficiary shall take effect as of the date of execution of such notice thereof whether or not the Participant be living at the time of such filing but without prejudice to this Plan on account of any payments made hereunder before receipt of such notice by the City.
2. In case of death any benefits hereunder payable to a Beneficiary will be paid to the payee most recently designated by the Participant as Beneficiary provided the name of the Beneficiary has been filed with the City. If no name has been filed or if the named Beneficiary does not survive the Participant, the benefits which would have otherwise been paid to the named Beneficiary shall, at the option of the City, be paid to one of the following: the Participant's widow or widower, surviving children in equal shares, or the executor or administrator of the Participant.
3. Payment made to any person set out in the preceding paragraph will release the Pension Fund from all further liability to the extent of such payment.
4. If the Beneficiary designated is the executor or administrator of the Participant or a corporation, association, partnership or trustee, any pension payments to which the Beneficiary becomes entitled will be commuted and paid in one sum. If a Beneficiary dies after having become entitled to receive pension payments, any remainder of such will, unless otherwise provided by the Participant, be commuted and paid in one sum to the executor or administration of the Beneficiary. A Participant may elect that any pension payments to which his Beneficiary becomes entitled will be commuted and paid in one sum; or in the absence of such election and unless otherwise provided by the participant, a Beneficiary who is entitled to receive the pension payments may elect that the remainder of such payments be commuted and paid in one sum. Any such commutation will be made in accordance with the terms of Definition 21 of Article I.

Section D. Death Benefits: Limitations

1. In the event of a Participant's death after the commencement of benefits hereunder in accordance with a method of distribution permitted under Article IX, Section F, the death benefit, if any, payable to his Beneficiary shall be distributed in accordance with the method of distribution already in effect.
2. Notwithstanding any other provision in the Plan to the contrary, all death benefits paid pursuant to this Article VIII shall be distributed only in accordance with Code Section 401(a)(9) (and accompanying Treasury Regulations), as more fully set forth in Article IX, Section F.
3. Notwithstanding anything contained herein to the contrary, in the event a Participant has validly elected a method of distribution other than one permitted under Article VIII, Section D.2, payments hereunder shall be made according to such method of distribution, provided that (1) such method was elected by the Participant prior to January 1, 1984,

and (2) such method was permitted by law and by the terms of the Plan as of December 31, 1983.

Section E. Death Benefits During Qualified Military Service

1. To the extent required by Code Section 401(a)(37), a participant who dies on or after January 1, 2007 while performing qualified military service as defined in Chapter 43, Title 38 of the United States Code and Code Section 414(u)(5), shall receive any additional benefits (other than benefit accruals) that the Plan provides for any Participant who resumes employment after completing qualified military service and then dies, including any death benefits that are contingent on a Participant's death while employed and thus shall be treated as having died while an active Employee.

ARTICLE IX

NORMAL AND OPTIONAL FORMS OF PENSION

Section A. Normal Form of Pension

1. Except in the case of a disability benefit payable prior to the Participant's Normal Retirement Date, the normal form of pension under this Plan is a modified cash refund annuity which provides that lifetime pension payments in equal monthly installments will be payable to a Participant commencing on his retirement date (commencing on the Participant's Normal Retirement Date in the case of a Participant receiving disability benefits under the Plan) and terminating with the last payment payable preceding his death. The Participant's Beneficiary will receive a lump sum death benefit in an amount equal to the excess, if any, of the Participant's Pension and Disability Contributions together with Credited Interest thereon to the Participant's retirement date over the sum of the pension payments that have become payable.
2. In lieu of receiving his pension on the normal form of payment described above, the Participant may elect to receive a pension of equal value under an optional form of pension in accordance with the further terms of this Article provided, however, that a Participant who becomes eligible for a disability benefit may elect, prior to his Disability Retirement Date, to receive a disability benefit of equal value in accordance with Section B below.
3. The Participant may elect, or revoke an option at any time before his Retirement Date by filing written notice with the Employer. However, a Participant may not elect more than one option to be effective at the same time. No such election or revocation can be made after the Participant's Retirement Date.

If a Participant elects an optional form of payment, the amount of pension benefit payable to him must be more than 50% of the present value of the pension benefit payable to the Participant had the option not been elected, unless the alternate recipient is the Participant's spouse; otherwise, such election will be inoperative.

Section B. Contingent Annuitant Option

1. Prior to his Early Retirement Date or Normal Retirement Date, whichever is earlier, or in the case of a Participant who is disabled, prior to his Disability Retirement Date, a Participant may elect the Contingent Annuitant option and designate a Contingent Annuitant. Such Contingent Annuitant shall not be more than 30 years younger than the Participant. Under this option, the Participant will receive a reduced annual pension (or disability benefit whichever applies) which, after his death, will be continued in the same amount or two-thirds or one-half thereof (as specified in the election) and paid to the Contingent Annuitant for life.

2. On the date a Participant's annual pension commences, if the Contingent Annuitant option is then in effect, the amount of annual pension (or disability pension) to which the Participant is entitled will be determined by multiplying the amount which would otherwise be payable to him by the appropriate Adjustment Factor attached to this Plan.
3. Upon the death of a Participant on or after his annual pension (or disability pension) commences, if the Contingent Annuitant option is in effect and if the Contingent Annuitant survives the Participant, the annual pension (or disability pension) in the amount that was payable to the Participant, or two-thirds or one-half thereof if so specified in the election, will be continued and paid to the Contingent Annuitant as long as he lives.
4. If either the Participant or the Contingent Annuitant dies before the Participant's annual pension (or disability pension) commences, this option will be inoperative except as may be provided in the following paragraph.
5. In the event of the death of a Participant on or after his Normal Retirement Date, and before his Postponed Retirement Date, if the Contingent Annuitant survives to the first day of the month next following the Participant's death, the Contingent Annuitant will become eligible to have an annual pension provided for him, under which an annual pension will be payable to the Contingent Annuitant commencing on such first day of the month and continuing as long as he lives. Such annual pension will be in the same amount as that which would have been payable to the Contingent Annuitant had the Participant's Postponed Retirement Date been such first day of the month and had the Contingent Annuitant survived him.
6. If in the case of a disabled Participant such Participant ceases to be eligible for disability benefits for reasons other than death, this option will be inoperative.
7. If the Contingent Annuitant dies before the Participant, or, if in accordance with the terms of divorce decree or legal separation, the Contingent Annuitant has waived all rights to benefits under the Plan, this option will become inoperative and the Participant's annual pension (or disability benefit) will be adjusted back to the full amount.
8. In the case of a Contingent Annuitant who is receiving payments hereunder on account of a disabled Participant's death, upon the death of the Contingent Annuitant a death benefit will be paid to the Participant's Beneficiary, in a lump sum, in an amount equal to the excess, if any, of the Participant's Pension and Disability Contributions with Credited Interest thereon to the earlier of the date of the Participant's death or the Participant's Normal Retirement Date over the sum of the payments that have become payable.

The Insurance Company reserves the right to make this option inoperative with respect to any Participant if the annual pension to the Contingent Annuitant would be less than \$60.00.

9. A Participant's election, revocation or change under this Section shall be made by written notice filed with the City. Only one option described in this Article IX may be elected by the Participant.

Section C. Ten-Year Certain Option

1. Prior to his Early Retirement Date or Normal Retirement Date, whichever is earlier, a Participant may elect the Ten-Year Certain option. Under this option the Participant will receive a reduced annual pension with the provision, however, that the annual pension in such reduced amount will be payable for a period of at least ten years.
2. On the date a Participant's annual pension commences, if the Ten-Year Certain option is in effect, the annual pension to which the Participant is entitled will be determined by multiplying the amount which would otherwise be payable to him by the appropriate Adjustment Factor attached to this Plan.
3. Upon the death of a Participant within the ten-year period beginning on the date his annual pension commences, if the Ten-Year Certain option was in effect on the date his annual pension commenced, the annual pension in the amount that was payable to the Participant will be continued and paid to his Beneficiary during the remainder of such period.
4. This option will be inoperative if the Participant dies before his Early Retirement Date or Normal Retirement Date, whichever is earlier.
5. In the event of the death of a Participant on or after his Normal Retirement Date and before his Postponed Retirement Date, if the Ten-Year Certain option is in effect, his Beneficiary will become eligible to have an annual pension provided for him, under which Retirement Annuity payments will be payable to the Beneficiary during the ten-year period commencing on the first day of the month next following the Participant's death. Such annual pension will be in the same amount as the annual pension that would have been payable to the Participant had his Postponed Retirement Date been on such first day of the month.
6. A Participant's election and revocation under this Section shall be made by written notice filed with the City. Only one option described in this Article IX may be elected by the Participant.

Section D. Social Security Option

1. For the purposes of this option, the following terms are defined:
 - (a) Social Security Yearly Amount. A Participant's Social Security Yearly Amount is the yearly Primary Insurance Amount, or portion thereof, which the Participant is expected to receive under the Social Security Act.
 - (b) Social Security Commencement Date. A Participant's Social Security Commencement Date is the first day of the month coinciding with or next following the date his Social Security Yearly Amount is expected to commence or the first day of the month next following his 65th birthday, whichever is earlier.

When a Participant elects this option, his Social Security Yearly Amount and Social Security Commencement Date will be determined conclusively by the City on the basis of the Social Security Act as then constituted.

2. Prior to the date a Participant's annual pension commences, if such date precedes his Social Security Commencement Date, he may elect the Social Security option. Under this option, the amount of the annual pension payable to the Participant before his Social Security Commencement Date will be increased and the amount of the annual pension payable to the Participant on and after such date will be reduced.
3. The yearly amount of such increased Retirement Annuity payments will be equal to the yearly amount of Retirement Annuity payments which would have been payable to the Participant if this option had not been elected plus his Social Security Yearly Amount multiplied by the appropriate Adjustment Factor attached to this Plan.
4. The yearly amount of such reduced Retirement Annuity payments will be equal to the increased yearly amount of Retirement Annuity payments payable to the Participant before his Social Security Commencement Date minus his Social Security Yearly Amount.
5. Prior to the date his annual pension commences, a Participant may revoke this option.
6. The Insurance Company reserves the right to modify the terms of this option with respect to any Participant if the reduced annual pension payable to him would be less than \$60.
7. A Participant's election and revocation under this Section shall be made by written notice filed with the City. Only one option described in this Article IX may be elected by the Participant.

Section E. Payment of Retirement Income to Participant

A Participant's retirement income will be payable monthly with each payment equivalent to 1/12 of the yearly amount. The first of such monthly payments will be made at the Participant's Retirement Date, with subsequent monthly payments being made at the first of each month thereafter until the Participant's death occurs.

Unless the Participant elects otherwise, the payment of retirement income shall commence not later than the 60th day after the latest of the close of the Plan Year in which:

- (A) the Participant attains the earlier of age 65 or the normal retirement age specified, if different, or
- (B) the tenth anniversary of the year in which the Participant commenced participation in the Plan occurs, or
- (C) the Participant terminates his Service with the Employer.

Section F. Minimum Distribution Requirements.

1. General Rules.

- (a) The provisions of this Section F apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year.
- (b) The requirements of this Section F will take precedence over any inconsistent provisions of the Plan; provided, however, that these provisions are intended solely to reflect the requirements of Code Section 401(a)(9) (and accompanying Treasury Regulations) and are not intended to provide or expand (and shall not be construed as providing or expanding) any benefit or distribution option not otherwise expressly provided for under the terms of the Plan.
- (c) All distributions required under this Section F will be determined and made in accordance with the Treasury Regulations under Code Section 401(a)(9). The provisions of this Section shall apply only to the extent required under Code Section 401(a)(9) as applied to a governmental plan and if any special rules for governmental plans are not set forth herein, such special rules are hereby incorporated by reference and shall for all purposes be deemed a part of the Plan.

2. Time and Manner of Distribution.

- (a) The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's Required Beginning Date.
- (b) If the Participant dies before distributions begin, the Participant's entire interest (if any) will be distributed, or begin to be distributed, no later than as follows:
 - (i) If the Participant's surviving spouse is the Participant's sole designated Beneficiary, then subject to Section F.2(b)(v) below, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 70-1/2, if later.
 - (ii) If the Participant's surviving spouse is not the Participant's sole designated Beneficiary, then subject to Section F.2(b)(v) below, distributions to the designated Beneficiary shall begin by December 31 of the calendar year immediately following the calendar year in which the participant died.
 - (iii) If there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest (if any) will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

- (iv) If the Participant's surviving spouse is the Participant's sole designated Beneficiary and the surviving spouse dies after the Participant but before distributions to the surviving spouse begin, this Section F.2(b), other than Section F.2(b)(i), will apply as if the surviving spouse were the Participant.
- (v) If the Participant dies before distributions begin and there is a designated Beneficiary, distribution to the designated Beneficiary is not required to begin by the date specified in Section F.2(b)(i) or (ii) above, but only if the designated Beneficiary elects to have the Participant's entire interest distributed to the designated Beneficiary by December 31 of the calendar year containing the fifth anniversary of the Participant's death. Such an election by the designated Beneficiary must be made no later than the earlier of September 30 of the calendar year in which the distribution would otherwise be required to begin under Section F.2(b)(i) or (ii), or September 30 of the calendar year that contains the fifth anniversary of the Participant's death.

For purposes of this Section F.2 and Section F.5, distributions are considered to begin on the Participant's Required Beginning Date (or, if Section F.2(b)(iv) applies, the date distributions are required to begin to the surviving spouse under Section F.2(b)(i)). If annuity payments irrevocably commence to the Participant before the Participant's Required Beginning Date (or to the Participant's surviving spouse before the date distributions are required to begin to the surviving spouse under Section F.2(b)(i)), the date distributions are considered to begin is the date distributions actually commence.

(c) Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the Required Beginning Date, as of the first Distribution Calendar Year distributions will be made in accordance with Section F.3, F.4, and F.5. If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Code Section 401(a)(9) and the Treasury Regulations.

3. Determination of Amount to be Distributed Each Year.

- (a) If the Participant's interest is paid in the form of annuity distributions under the Plan, payments under the annuity will satisfy the following requirements:
 - (i) The annuity distributions will be paid in periodic payments made at intervals not longer than one year;
 - (ii) The distribution period will be over a life (or lives) or over a period certain not longer than the period described in Section F.4 or F.5;

- (iii) Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;
 - (iv) Payments will either be nonincreasing or increase only as follows:
 - (1) by an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index that is based on prices of all items and issued by the Bureau of Labor Statistics;
 - (2) to the extent of the reduction in the amount of the Participant's payments to provide for a survivor benefit upon death, but only if the beneficiary whose life was being used to determine the distribution period described in Section F.4 dies or is no longer the Participant's beneficiary pursuant to a qualified domestic relations order within the meaning of Section 414(p);
 - (3) to provide cash refunds of employee contributions upon the Participant's death; or
 - (4) to pay increased benefits that result from a Plan amendment.
 - (b) The amount that must be distributed on or before the Participant's Required Beginning Date (or, if the Participant dies before distributions begin, the date distributions are required to begin under Section F.2(b)(i) or (ii) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the Participant's benefit accruals as of the last day of the first Distribution Calendar Year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the Participant's Required Beginning Date.
 - (c) Any additional benefits accruing to the Participant in a calendar year after the first Distribution Calendar Year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.
4. Requirements For Annuity Distributions That Commence During Participants Lifetime.
- (a) If the Participant's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the Participant and a non-spouse beneficiary, annuity payments to be made on or after the Participant's Required Beginning Date to the designated Beneficiary after the Participant's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the Participant using the table set forth in Q&A-2 of Treas. Reg. §1.401(a)(9)-6. If the form of distribution combines a joint and survivor annuity for the joint lives of the Participant and a non-spouse beneficiary and a period

certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated Beneficiary after the expiration of the period certain.

- (b) Unless the Participant's spouse is the sole designated Beneficiary and the form of distribution is a period certain and no life annuity, the period certain for an annuity distribution commencing during the Participant's lifetime may not exceed the applicable distribution period for the Participant under the Uniform Lifetime Table set forth in Treas. Reg. §1.401(a)(9)-9 for the calendar year that contains the annuity starting date. If the annuity starting date precedes the year in which the Participant reaches age 70, the applicable distribution period for the Participant is the distribution period for age 70 under the Uniform Lifetime Table set forth in Treas. Reg. §1.401(a)(9)-9 plus the excess of 70 over the age of the Participant as of the Participant's birthday in the year that contains the annuity starting date. If the Participant's spouse is the Participant's sole designated Beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the Participant's applicable distribution period, as determined under this Section F.4, or the joint life and last survivor expectancy of the Participant and the Participant's spouse as determined under the Joint and Last Survivor Table set forth in Treas. Reg. §1.401(a)(9)-9, using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the calendar year that contains the annuity starting date.

5. Requirements For Minimum Distributions Where Participant Dies Before Date Distributions Begin.

- (a) Except as provided in Section F.2(b)(v), if the Participant dies before the date distribution of his interest begins and there is a designated Beneficiary, the Participant's entire interest (if any) will be distributed, beginning no later than the time described in Section F.2(b)(i) or (ii), over the life of the designated Beneficiary or over a period certain not exceeding:
 - (i) unless the annuity starting date is before the first Distribution Calendar Year, the Life Expectancy of the designated Beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the Participant's death; or
 - (ii) if the annuity starting date is before the first Distribution Calendar Year, the Life Expectancy of the designated Beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.
- (b) If the Participant dies before the date distributions begin and there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest (if any) will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

- (c) If the Participant dies before the date distribution of his interest begins, the Participant's surviving spouse is the Participant's sole designated Beneficiary, and the surviving spouse dies before distributions to the surviving spouse begin, this Section F.5 will apply as if the surviving spouse were the Participant, except that the time by which distributions must begin will be determined without regard to Section F.2(b)(i).
- 6. Notwithstanding anything. contained herein to the contrary, any distribution option under the Plan that is consistent with a reasonable and good faith interpretation of Code Section 401(a)(9) shall be permitted under this Section F.
- 7. Notwithstanding the other provisions of this Section, distributions may be made under a designation made before January 1, 1984, in accordance with §242 (b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the Plan that relate to §242(b)(2) of TEFRA.

Section G. Direct Rollover Option

- 1. This Section G applies to distributions made on or after January 1, 2008. Notwithstanding any provision of the Plan to the contrary that would otherwise limit a distributee's election under this part, a "qualified distributee" may elect in writing, in accordance with rules prescribed by the Administrator, to have any portion or all of such payment that is an "eligible rollover distribution" paid directly by the Plan to the "eligible retirement plan" designated by the "qualified distributee"; provided, however, that this provision shall not apply if the total distribution is less than \$200 and that a "qualified distributee" may not elect this provision with respect to any partial distribution that is less than \$500. Any such payment by the Plan to another "eligible retirement plan" shall be a direct rollover. For purposes of this Section, the following terms have the following meanings:
 - (a) An "eligible retirement plan" is:
 - (i) An individual retirement account described in Code Section 408(a), including a Roth IRA described in Code Section 408A;
 - (ii) An individual retirement annuity described in Code Section 408(b), including a Roth IRA described in Code Section 408A;
 - (iii) A qualified trust described in Code Section 401(a) or an annuity plan described in Code Section 403(a), that accepts the distributee's eligible rollover distribution;
 - (iv) An annuity contract described in Code Section 403(b) that accepts the distributee's eligible rollover distribution; and
 - (v) An eligible plan described in Code Section 457(b) which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, that accepts the distributee's

eligible rollover distribution and agrees to account separately for amounts transferred into such plan from this plan.

The foregoing definition of eligible retirement plan shall also apply in the case of a distribution to a surviving Spouse, or to a Spouse or former Spouse who is the alternate payee under a domestic relations order as defined in Code Section 414(p).

- (b) An “eligible rollover distribution” is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee’s designated beneficiary, or for a specified period of 10 years or more; and any distribution to the extent such distribution is required under Code Section 401(a)(9).

A portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be paid only to an individual retirement account or annuity described in Code Section 408(a) or (b) or to a qualified trust or annuity plan described in Code Section 401(a) or 403(a) or an annuity contract described in Code Section 403(b) if such trust or annuity plan or contract provides for separate accounting for amounts so transferred (and earnings thereon), including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible. Effective for plan years after January 1, 2006, distributions under the Plan shall not be paid until at least 30 days (or shorter period as may be permitted by law) but not more than 180 days after a Participant’s received all of the required distribution notices and election forms pursuant to Code Section 402(f).

- (c) A “qualified distributee” means a Participant, his surviving Spouse, or his Spouse or former Spouse who is an alternate payee under a domestic relations order, as defined in Code Section 414(p). A nonspouse beneficiary of a deceased participant is also a qualified distributee for purposes of this Section, provided, however, in the case of a nonspouse beneficiary, the direct rollover may be made only to an individual retirement account or annuity under Code Section 408 that is established on behalf of the nonspouse beneficiary and that will be treated as an inherited IRA pursuant to the provisions of Code Section 402(c)(11). The determination of the extent to which a distribution to a nonspouse beneficiary is required under Code Section 401(a)(9) shall be made in accordance with IRS Notice 2007-7, Q&A 17 and 18, 2007-5 C.B 395.”

Section H. Qualified Health Insurance Premium Distributions

1. A Participant who is an Eligible Retired Public Safety Officer and is receiving monthly annuity benefits from the Plan may elect to have Qualified Health Insurance Premium Distributions made in accordance with procedures established by the Administrator.
2. Qualified Health Insurance Premium Distributions may be excluded from the gross income of the Eligible Retired Public Safety Officer under Code Section 402(l), subject to the annual dollar limitation contained in Code Section 402(l)(2).
3. The following definitions apply for purposes of this Section H:
 - (a) An “Eligible Retired Public Safety Officer” is a Participant who separated from service with the City as a sworn police officer or firefighter (1) by reason of Disability or (2) at or after his or her Normal Retirement Date.
 - (b) A “Qualified Health Insurance Premium Distribution” is an amount deducted from an Eligible Retired Public Safety Officer's benefit payment and paid directly to the insurer providing coverage for which Qualified Health Insurance Premiums are paid. Such amount may not exceed the amount of the Qualified Health Insurance Premiums.
 - (c) “Qualified Health Insurance Premiums” means premiums for coverage for the Eligible Retired Public Safety Officer (and his or her spouse and dependents, if applicable) under accident and health insurance (including an accident or health plan within the meaning of Code Section 105(e)) or a qualified long-term care insurance contract as defined in Code Section 7702B(b).

ARTICLE X

PAYMENT AND FORFEITURE OF BENEFITS

Section A. Frequency of Payment

1. Except as may be otherwise provided under this Plan, the Participant's annual pension will be paid in monthly installments equal to 1/12 of the annual amount commencing on his Early Retirement Date, Normal Retirement Date or Postponed Retirement Date, as the case may be, with subsequent payments payable on the first day of each month thereafter, terminating with the last monthly payment prior to the Participant's death.

Section B. Small Payments

1. If the Value of a Participant's benefit at his cessation of employment or death prior to commencement of benefits is \$1,000 or less, the Plan Administrator may authorize a lump sum payment of such value in lieu of all future benefits.

Section C. Non-Assignability

1. All payments, benefits, and refunds hereunder to a Participant or other payee are for the support and maintenance of such payee and shall not be assigned, commuted or anticipated and shall be free from the claims of all creditors to the fullest extent permitted by law.

Section D. Facility of Payment

1. If, in the judgment of the City, any payee is legally, physically or mentally incapable of personally receiving and receipting for any payment due him, such payment or any part thereof may be paid to any person or institution who, in the opinion of the City is then maintaining or has custody of the payee until claim is made by the duly appointed guardian or other legal representative of the payee. Such payments will constitute a full discharge of the liability of the Pension Fund to the extent thereof.

Section E. Misstatements

1. If the date of birth, sex, or any other fact pertaining to a Participant's coverage under this Plan has been misstated, the annual pension will be adjusted to that provided by the City's contributions made on behalf, on the basis of the correct facts, or, at the option of the City, adjustment may be made in the liability under the group annuity contract or contracts. Overpayments will be charged against (to the extent possible), and underpayments will be added to, any further payments with respect to the Participant's coverage under this Plan.

ARTICLE XI
ADMINISTRATION

Section A. Administration

1. The Plan shall be administered by the City.
2. The City shall have such powers as are necessary for proper administration of the Plan, including but not restricted to the following:
 - (a) To prescribe procedures to be followed by Employees in filing application for benefits and for furnishing of evidence necessary to establish Employee's rights to such benefits.
 - (b) To make determinations as to the rights of an Employee applying for or receiving retirement benefits and to afford a mechanism for adjusting the complaint of any individual dissatisfied with any such termination
 - (c) To develop procedures for determining service of Employees and, after affording Employees an opportunity after written notice to make objection with respect thereto, to establish such service in advance of retirement.
 - (d) To authorize all disbursements from the Pension Fund in accordance with the provisions of this ordinance and to establish necessary procedures therefor.
 - (e) To establish policies and standards and make determinations concerning disability for the purpose of this Plan.
 - (f) To notify Employees at least 90 days prior to Normal Retirement Date of their right to elect the Contingent Annuitant option or Ten Year Certain and Life Annuity option hereunder and the terms thereof.

Section B. Inconsistency with Group Annuity Contract

1. In the case of any inconsistency between the provisions of this Plan and those of any group annuity contract or contracts issued by the Insurance Company, the latter shall govern to the extent required by the Insurance Company in order to provide for effective administration of the Plan.

ARTICLE XII

AMENDMENT AND TERMINATION OF PLAN

Section A. Amendment and Termination

1. While it is the intent of the City that this Plan be permanent, the City necessarily reserves the right to amend from time to time or terminate this Plan, but any such amendment or termination shall not affect in any way the amount or terms of any benefits accrued prior to the effective date of such amendment, unless it is deemed advisable to make such amendment of retroactive effect in order to conform the Plan to the requirements of the appropriate Sections of the Code, or any benefits accrued prior to the effective date of termination of the Plan. In the event this Plan is terminated, the liability of the City under this Plan shall only be to the extent of all Participant's Pension and Disability Contributions which have not been refunded or used to provide benefits plus all benefits under the Plan to the extent funded as of the date of termination for all Participants who are active, retired or disabled or for other payees receiving benefits hereunder.
2. The City shall give notice to Participants prior to making any material changes to this Plan, except, those required by statutes, and shall be available to receive and consider comments of Participants as to proposed changes. When the City Staff, City Council or a committee of the City Council has formulated the substance of a proposed material change, notice of the substance of the proposed change will be given Participants at least sixty (60) days before City Council votes on the proposal. This notice will contain a 'plain language' explanation of the substance of the proposed changes. Employees will have access to the Staff during such sixty (60) day period. If requested in writing by at least five (5) Participants, a meeting shall be held between the Staff and interested Participants at which time the Staff will explain the proposal and answer any questions. These questions and areas of concern must be submitted in writing by interested Participants at least five (5) days prior to the scheduled meeting. At least seven (7) days notice shall be given of the time and place of such meeting.
3. In addition to the foregoing, the City shall not hereafter adopt any amendment to this Plan (except where required by law or for tax qualification) which adversely effects benefits to Participants unless the City determines that such amendment includes offsetting benefit improvements of at least actuarially determined equal values. Provided, further that any disability formula benefit changes reflected in any amendment to this Plan shall not affect persons then retired on disability, except where required by law or for tax qualification.

Section B. Distribution at Termination

1. In the event this Plan is terminated, the Pension Fund shall be distributed among the Participants in a manner determined by the City precluding individual discrimination by the purchase of annuities or other equitable means of distribution, provided that if the balance in the Pension Fund exceeds the amount required to fully fund the benefits accrued to the date of termination for all Participants who are then active, retired of

disabled or for other payees who are then receiving benefits hereunder, any such excess shall be returned to the City.

2. In the event there is a termination or a complete discontinuance of contributions under the Plan within the meaning of Code Section 401(a), the rights of all affected Participants to benefits accrued to the date of termination shall be nonforfeitable and each Participant shall have a vesting percentage of 100%.

ARTICLE XIII

MISCELLANEOUS PROVISIONS

Section A. Miscellaneous Provisions

1. This Plan shall not be construed to give any Participant the right to be retained in the employ of the City, or to interfere with the right of the City to discharge such Participant at any time, nor shall it be deemed to give the City the right to require such Participant to remain in its employ, nor shall this Plan interfere with the City's right to terminate the Participant's employment with the City at any time.
2. It shall be impossible at any time prior to the satisfaction of all liabilities with respect to Participants and Beneficiaries for any part of the corpus or income to be used for, or diverted to purposes other than for the exclusive benefit of Participants and Beneficiaries.

Section B. Special Maximum Pension Benefit Provisions

1. Maximum Benefit and Contributions
 - (a) Notwithstanding any Plan provisions to the contrary, effective for Limitation Years beginning on or after January 1, 2008, to the extent necessary to prevent disqualification under Code Section 415, and subject to the remainder of this Section B, the maximum monthly benefit to which any Participant may be entitled in any Limitation Year with respect to his benefits under Article IV, V, or VI (hereafter referred to as the "maximum benefit") shall not exceed the defined benefit dollar limit (adjusted as provided in Section B.2), which limit shall be determined in accordance with the following:
 - (i) The Defined Benefit Dollar Limit shall be \$17,083, as adjusted for the Limitation Year under Code Section 415(d).
 - (ii) The Defined Benefit Dollar Limit as set forth above is the monthly amount payable in the form of a straight life annuity, beginning no earlier than age 62 (except as provided in Section B.2(b)(1)) and no later than age 65. In the case of a monthly amount payable in a form other than a straight life annuity, or beginning before age 62 or after age 65, the adjustments in Section B.2 shall apply.
 - (b) In addition to the foregoing, to the extent necessary to prevent disqualification under Code Section 415, and subject to the remainder of this Article XI, the maximum Annual Additions for any Limitation Year shall be equal to the lesser of:
 - (i) \$51,000, as adjusted as adjusted for the Limitation Year under Code Section 415(d); or
 - (ii) 100% of the Participant's Remuneration.

- (c) The dollar limits in this Section B.1 shall be adjusted, effective January 1 of each year, under Code Section 415(d) in such manner as the Secretary shall prescribe. A limit as adjusted under Section 415(d) shall apply to Limitation Years ending with or within the calendar year for which the adjustment applies but a Participant's benefits shall not reflect the adjusted limit prior to January 1 of that calendar year. To the extent that the monthly benefit payable to a Participant who has reached his Normal, Early, Postponed or Disability Retirement Date is limited by the application of this Section B.1, such limit shall be adjusted to reflect any subsequent adjustments made in accordance with Code Section 415(d), but the adjusted limit shall apply only to benefits payable on or after January 1 of the calendar year for which the adjustment applies.

2. Actuarial Adjustments Relating to Defined Benefit Dollar Limit

- (a) Adjustment for Benefit Payable in Form Other than Straight Life Annuity
 - (i) If a monthly benefit is payable in a form other than a straight life annuity, before applying the Defined Benefit Dollar Limit, the benefit shall be adjusted, in the manner described in Section B.2(a)(2) or (3); to the actuarially equivalent straight life annuity that begins at the same time. No actuarial adjustment to the benefit shall be made for (a) survivor benefits payable to a surviving spouse under a qualified joint and survivor annuity (as defined for purposes of Code Section 415) to the extent such benefits would not be payable if the Participant's benefit were paid in another form, (b) benefits that are not directly related to retirement benefits (such as a qualified disability benefit, preretirement incidental death benefits, and postretirement medical benefits), or (c) in the case of a form of benefit not subject to Code Section 417(e)(3), the inclusion of a feature under which a benefit increases automatically to the extent permitted to reflect cost of living adjustments and the increase, if any, in the defined benefit dollar limit under Code Section 415(d).
 - (ii) If the benefit of a Participant is paid in a form not subject to Code Section 417(e), the actuarially equivalent straight life annuity (without regard to cost-of-living adjustments described in Section B.1) is equal to the greater of (a) the annual amount of the straight life annuity (if any) payable to the Participant under the Plan commencing at the same time, or (b) the annual amount of the straight life annuity commencing at the same time that has the same actuarial present value as the Participant's form of benefit, computed using a 5% interest rate and the applicable mortality designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3).
 - (iii) If the benefit of a Participant is paid in a form subject to Code Section 417(e), the actuarially equivalent straight life annuity is equal to the greatest of: (a) the annual amount of the straight life annuity commencing at the annuity starting date that has the same actuarial present value as the

Participant's form of benefit, computed using the interest rate and mortality table (or other tabular factor) specified in the Plan for adjusting benefits in the same form, (b) the annual amount of the straight life annuity commencing at the time that has the same actuarial present value as the Participant's form of benefit, computed using a 5.5% interest rate assumption and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3), or (c) the annual amount of the straight life annuity commencing at the same time that has the same actuarial present value as the Participant's form of benefit, computed using the applicable interest rate and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3), divided by 1.05.

- (iv) For purposes of this Section B.2, whether a form of benefit is subject to Code Section 417(e) is determined without regard to the status of the Plan as a governmental plan as described in Code Section 414(d).

(b) Adjustment for Benefit Commencement before Age 62 or after Age 65

- (i) If the benefit of a Participant begins prior to age 62, the Defined Benefit Dollar Limit applicable to the Participant at such earlier age is an annual benefit payable in the form of a straight life annuity beginning at the earlier age that is the Actuarial Equivalent of the Defined Benefit Dollar Limit applicable to the Participant at age 62 (adjusted for participation of fewer than 10 years if applicable) computed using a 5% interest rate and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3). However, if the Plan provides an immediately commencing straight life annuity payable at both age 62 and the age of benefit commencement, the Defined Benefit Dollar Limit is the lesser of: (1) the limitation determined under the immediately preceding sentence, or (2) the Defined Benefit Dollar Limit (adjusted for participation of fewer than 10 years if applicable) multiplied by the ratio of the annual amount of the immediately commencing straight life annuity under the Plan at the age of benefit commencement to the annual amount of the immediately commencing straight life annuity under the Plan at age 62, both determined without applying the limitations of this section. The adjustment in this Section B.2(b)(1) shall not apply to a Participant with Credited Service of at least 15 years as an employee of the City police department or fire department within the meaning of Code Section 415(b)(2)(H). In addition, the adjustment in this Section B.2(b)(1) shall not apply as a result of benefits paid on account of Disability under Article VI or as a result of the death of a Participant under Article VII or Article VIII, Section A.
- (ii) If the benefit of a Participant begins after age 65, the Defined Benefit Dollar Limit applicable to the Participant at the later age is the annual benefit payable in the form of a straight life annuity beginning at the later

age that is actuarially equivalent to the Defined Benefit Dollar Limit applicable at age 65 (adjusted for participation of fewer than 10 years, if applicable) computed using a 5% interest rate assumption and the applicable mortality table designated by the Secretary of the Treasury from time to time pursuant to Code Section 417(e)(3). However, if the Plan provides an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement, the Defined Benefit Dollar Limit is the lesser of (1) the limitation determined under the immediately preceding sentence, or (2) the Defined Benefit Dollar Limit (adjusted for participation of less than 10 years if applicable) multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the Plan at the age of benefit commencement to the annual amount of the adjusted immediately commencing straight life annuity under the Plan at age 65, both determined without applying the limitations of this section. For this purpose, the adjusted immediately commencing straight life annuity under the Plan at the age of annuity starting date is the annual amount of such annuity payable to the Participant, computed disregarding the Participant's accruals after age 65 but including any actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under the Plan at age 65 is the annual amount of such annuity that would be payable under the Plan to a hypothetical participant who is age 65 and has the same accrued benefit as the Participant.

- (iii) For purposes of this Section B.2(b), no adjustment shall be made to the Defined Benefit Dollar Limit to reflect the probability of a Participant's death between the annuity starting date and age 62, or between age 65 and the annuity starting date, as applicable, if benefits are not forfeited upon the death of the Participant prior to the annuity starting date. To the extent benefits are forfeited upon death before the annuity starting date, such an adjustment shall be made. For this purpose, no forfeiture shall be treated as occurring upon the Participant's death if the Plan does not charge Participants for providing a qualified preretirement survivor annuity (as defined for purposes of Code Section 415) upon the Participant's death.

3. Reduced Dollar Limit

If the Participant has fewer than 10 years of participation in the Plan (as determined under Code Section 415 and the regulations thereunder), the Defined Benefit Dollar Limit shall be multiplied by a fraction, the numerator of which is the number of years (or part thereof) of participation in the Plan and the denominator of which is 10. The adjustment in this Section B.3 shall not apply to benefits paid on account of Disability under Article VI or as a result of the death of a Participant under Article VIII.

4. Benefits Funded by After-Tax Employee Contributions

The Defined Benefit Dollar Limit shall not apply to the portion of a Participant's benefit (determined as of his annuity starting date) that is attributable to the Participant's contributions. The determination of the extent to which the Participant's benefit (determined as of his annuity starting date) attributable to the Participant's contributions shall be made under the rules of Code Section 411(c) (using the actuarial assumptions thereunder), applied as if the Plan were subject to such Section 411(c).

5. Other Reductions In Maximum Benefit and Contributions

In addition to the foregoing, the maximum benefit and contributions shall be reduced, and the rate of benefit accrual shall be frozen or reduced accordingly, to the extent necessary to prevent disqualification of the Plan under Code Section 415, with respect to any Participant who is also a participant in:

- (a) Any other tax-qualified retirement plan maintained by the City, including a defined benefit plan in which an individual medical benefit account (as described in Code Section 415(1)) has been established for the Participant;
- (b) Any welfare plan maintained by the City in which a separate account (as described in Code Section 419A(d)) has been established to provide post-retirement medical benefits for the Participant; and/or
- (c) Any retirement or welfare plan, as aforesaid, maintained by an affiliated or predecessor employer, as described in regulations under Code Section 415, or otherwise required to be taken into account under such regulations.

6. Miscellaneous

- (a) Multiple Annuity Starting Dates. If a Participant has distributions commencing at more than one annuity starting date (determined in accordance with Code Section 415 and the regulations thereunder), the benefits payable as of each such annuity starting date shall satisfy the limitations of this Section B as of each such date, actuarially adjusting for past and future distributions of benefits commencing at the other annuity starting dates.
- (b) Grandfathered Benefits. The application of the provisions of this section shall not cause the maximum permissible benefit for any Participant to be less than the Participant's Accrued Benefit under this Plan as of the end of the last Limitation Year beginning before July 1, 2007 under provisions of this Plan that were both adopted and in effect before April 5, 2007 and that satisfied the limitations under Code Section 415 as in effect as of the end of the last Limitation Year beginning before July 1, 2007.

- (c) Incorporation of Section 415 Limits. To the extent a Participant's benefit is subject to provisions of Code Section 415 which have not been set forth in the Plan, such provisions are hereby incorporated by reference into this Plan and for all purposes shall be deemed a part of the Plan.

IN WITNESS THEREOF, the City has caused this Plan to be executed this ____ day of _____, _____.

By: _____
Rashad M. Young, City Manager

EARLY RETIREMENT ADJUSTMENT FACTORS

Number of Years and Months from Retirement Date to Age 56

<u>Months</u>	Years:	0	1	2	3
0			94.0%	90.4%	86.8%
1		99.5%	93.7%	90.1%	86.5%
2		99.0%	93.4%	89.8%	86.2%
3		98.5%	93.1%	89.5%	85.9%
4		98.0%	92.8%	89.2%	85.6%
5		97.5%	92.5%	88.9%	85.3%
6		97.0%	92.2%	88.6%	85.0%
7		96.5%	91.9%	88.3%	84.7%
8		96.0%	91.6%	88.0%	84.4%
9		95.5%	91.3%	87.7%	84.1%
10		95.0%	91.0%	87.4%	83.8%
11		94.5%	90.7%	87.1%	83.5%

<u>Months</u>	Years:	4	5	6
0		83.2%	79.6%	76.0%
1		82.9%	79.3%	
2		82.6%	79.0%	
3		82.3%	78.7%	
4		82.0%	78.4%	
5		81.7%	78.1%	
6		81.4%	77.8%	
7		81.1%	77.5%	
8		80.8%	77.2%	
9		80.5%	76.9%	
10		80.2%	76.6%	
11		79.9%	76.3%	

Table B-1

YEARS CERTAIN ADJUSTMENT FACTORS

AGE*	5 CC	6 CC	10 CC	15 CC	20 CC
41	99.9%	99.8%	99.4%	98.6%	97.6%
42	99.8%	99.8%	99.3%	98.5%	97.3%
43	99.8%	99.7%	99.2%	98.3%	96.9%
44	99.8%	99.7%	99.1%	98.0%	96.6%
45	99.8%	99.6%	99.0%	97.8%	96.2%
46	99.7%	99.6%	98.9%	97.5%	95.8%
47	99.7%	99.5%	98.7%	97.2%	95.3%
48	99.6%	99.5%	98.6%	96.9%	94.8%
49	99.6%	99.4%	98.4%	96.6%	94.3%
50	99.5%	99.3%	98.2%	96.2%	93.7%
51	99.5%	99.3%	98.0%	95.9%	93.1%
52	99.4%	99.2%	97.8%	95.4%	92.4%
53	99.4%	99.1%	97.6%	94.9%	91.6%
54	99.3%	99.0%	97.3%	94.4%	90.8%
55	99.2%	98.9%	97.1%	93.8%	89.9%
56	99.1%	98.8%	96.7%	93.2%	88.9%
57	99.0%	98.6%	96.4%	92.5%	87.9%
58	98.9%	98.5%	96.0%	91.7%	86.7%
59	98.8%	98.3%	95.5%	90.8%	85.4%
60	98.6%	98.1%	95.0%	89.8%	84.1%
61	98.5%	97.8%	94.4%	88.7%	82.6%
62	98.3%	97.6%	93.7%	87.5%	81.1%
63	98.1%	97.3%	93.0%	86.2%	79.4%
64	97.8%	96.9%	92.1%	84.8%	77.7%
65	97.5%	96.5%	91.1%	83.3%	75.8%
66	97.2%	96.0%	90.1%	81.7%	73.9%
67	96.8%	95.5%	89.0%	80.0%	72.0%
68	96.3%	94.9%	87.8%	78.2%	69.9%
69	95.8%	94.2%	86.5%	76.3%	67.9%
70	95.3%	93.5%	85.1%	74.4%	65.8%
71	94.7%	92.7%	83.6%	72.4%	63.8%
72	94.1%	92.0%	82.1%	70.4%	61.7%
73	93.5%	91.1%	80.5%	68.4%	59.6%
74	92.8%	90.2%	78.7%	66.3%	57.5%
75	92.0%	89.1%	76.8%	64.1%	55.4%

*Age nearest birthday on Retirement Date, or on date Years Certain and Life option becomes effective, if later.

Factors for other ages will be determined in a manner consistent with the manner used in determining these factors.

71GAM, 6%
6/6-0/6
LA to NYC Option

Table B-2

SOCIAL SECURITY ADJUSTMENT FACTORS

Number of Years From Retirement Date to Social Security Commencement Date	Participant's Age Nearest Birthday on Social Security Commencement Date			
	62	63	64	65
10	41.0%	40.2%	39.4%	38.5%
9	44.5%	43.7%	42.9%	42.0%
8	48.3%	47.5%	46.7%	45.8%
7	52.6%	51.8%	51.0%	50.1%
6	57.3%	56.6%	55.8%	54.9%
5	62.6%	61.9%	61.1%	60.3%
4	68.4%	67.8%	67.1%	66.4%
3	75.0%	74.4%	73.9%	73.2%
2	82.4%	81.9%	81.5%	81.0%

If the number of years is not an integer, the percentage will be determined by a straight line interpolation between the percentage for the next higher integer and the percentage for the next lower integer.

Other factors will be determined in a manner consistent with the manner used in determining these factors.

71GAM, 6%
6/6-0/6
LA/MCRA to LA/MCRA
SS Option

Table B-2

APPENDIX 1

Gainful Employment Provisions Applicable to Disability Retirees at May 24, 1983 Making Affirmative Election to Return to Old Provisions

Article VI, Section F 5(a)

(a) is equal to the amount of earnings received from gainful employment in the preceding calendar year which is in excess of the greater of (i) or (ii)

(i) the Participant's Earnings received from the City in the 12-month period immediately preceding his disability,

(ii) the current average entry level Earnings for either a police officer or firefighter, whichever applies, and

(b) for a Participant disabled in accordance with Section C is the annual amount of periodic payments payable if any, under the Workmen's Compensation Act of the Commonwealth of Virginia.

Article VI, Section G 2

In order for a disability benefit to be paid to a Participant who is partially disabled in accordance with Sections C or D of this Article when such Participant is engaged in gainful employment, the Participant will be required to report his total earnings received during each calendar year when he is so gainfully employed and provide the City with such documents that will substantiate the earnings being reported including the following acceptable documents: 1. federal income tax return, or 2. notarized statement from a Certified Public Accountant stating that such earnings did not exceed the limitation set forth in F 5(a) above. These earnings shall include any salary, wages, commissions or fees, but excluding income from investments or savings for which the Participant is contributing neither time nor talent. It will be expected that these documents will be made available to the City by April 15, but, in the event of delay, consideration will be given to suspending payment of disability benefits after May 1.



Legislation Details (With Text)

File #: 14-2275 **Name:**
Type: Resolution **Status:** Agenda Ready
File created: 1/2/2014 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Consideration of Grant Application and Adoption of a Resolution for FY 2015 Funding for the Continuation of the Alexandria Transportation Demand Management Program. [ROLL-CALL VOTE]
Sponsors:
Indexes:
Code sections:
Attachments: [14-2275 Attachment 1 FY15 TDM Operations Grant](#)
[14-2275 Attachment 2 Resolution](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Consideration of Grant Application and Adoption of a Resolution for FY 2015 Funding for the Continuation of the Alexandria Transportation Demand Management Program. [ROLL-CALL VOTE]

ISSUE : Consideration of a grant application and resolution for FY 2015 funding for the continuation of the City of Alexandria Transportation Demand Management (TDM) Program, also known as Local Motion.

RECOMMENDATION: That City Council:

- (1) Adopt the attached resolution; and
- (2) Authorize the City Manager to:
 - (A) Submit a grant application and the resolution to the Virginia Department of Rail and Public Transportation (DRPT) for FY 2015 funding in the amount of \$241,022 which will be matched by \$60,255 of City funds, for a total program of \$301,277 for the continuation of the City's TDM services; and
 - (B) Approve the continuation of two full-time, grant-funded positions (Transit Specialist I and Transit Services Assistant I) to administer the ongoing TDM program. Continuation of these

- positions is contingent upon continuation of funding from DRPT or other non-City sources; and
- (C) Execute all necessary documents that may be required under this program.

BACKGROUND: TDM is the application of policies and strategies that attempt to change travel behavior (how, when and where people travel) in order to increase the efficiency of the City's transportation system. The City has operated a TDM program since 1981 and each year has applied for and received funds from the Commonwealth of Virginia. The City's program, called Local Motion, administers TDM based programs and is coordinated by the City's Transportation Planning Division in the Department of Transportation and Environmental Services (T&ES). The practice of TDM supports the City Council's 2010 Strategic Plan Goal 3: *A multimodal transportation network that supports sustainable land use and provides internal mobility and regional connectivity for Alexandrians* and several goals outlined in the 2008 Transportation Master Plan. TDM measures also directly benefit the environment by reducing CO² emissions, supporting the Eco-City Charter, improving public health, and creating stronger communities and a more prosperous and livable Alexandria.

DISCUSSION: Through the use of incentives, education, and marketing, TDM promotes more efficient use of the existing transportation systems by influencing the time, route or mode selected for a given trip. TDM strategies increase travel choices, offering the opportunity to choose how, when, and if travel will be by car or by some other mode, with the goal of managing demand with the transportation system. One aspect of providing high-quality transportation service is the provision of information about those services.

Alexandria's TDM program provides both encouragement and significant information about transportation services and options through its efforts which we believe has an impact on how and when people commute. Metropolitan Council of Government 2013 State of the Commute reports that Alexandrians have a drive alone rate of 62%, while the rest of the D.C. region is at 70%. Alexandrians use transit at 23% rate and the rest of the region is at 7%. Our bike and walk usage is at 4% and the region is at 2%. The one area for growth is with ridesharing (i.e. car and vanpooling). City residents only share for 5% of their trips while the rest of the region is at 17%.

In support of the City Manager's second Guiding Principle - *Executing against our strategy and ensuring accountability for our results* - Local Motion, as early as this fiscal year, will begin to use a performance measurement system to quantify the efficiency and effectiveness of its programs and services. The implementation of this new evaluation process will help Local Motion clearly report the value that TDM delivers for residents and all other stakeholders and will in turn aid Local Motion in both executing against its strategy and ensure accountability for results.

As a member of the Metropolitan Washington Council of Government (MWCOC), Local Motion will continue to market and promote the MWCOC programs and services which include the Ride Matching Database, Guaranteed Ride Home Program, and Pool Reward program.

A question was raised at the City Council meeting on September 24, 2013 regarding the future operations of the grant-funded Alexandria Transit Store (ATS). The Alexandria Transit Store is the face of Alexandria's Local Motion program. As more and more transit resources become available online and fare media can be purchased at local retail outlets, the ATS continues to evolve and leverage those resources to meet the needs of commuters and visitors to Alexandria. Each year the ATS sees over 2,000 visitors who make use of the wide range of services and resources for residents, employees and visitors.

Staff is developing recommendations for Council consideration and is looking at different models of operations including phasing out the current physical location across from the King Street Metro and looking at options

including: mobile transit store, smaller kiosks at Metro Stations and leveraging developer obligations to construct smaller commuter centers/transit stores with the Landmark redevelopment and North Potomac Yard.

The attached report provides details and data related to Local Motion programming over the last year and outlines achievements and measures of success as well as opportunities for growth and improved delivery of services.

FISCAL IMPACT: The City will need to fund a 20 percent match in the amount of to match the DRPT amount of in state funds, for a total program budget of. Funding for this grant for the current fiscal year, including the City match, was included in the City's FY 2014 Approved Budget. The FY 2015 match request will be an increase of over the current fiscal year. It is anticipated at this time that these City match funds will also be included in the FY 2015 proposed budget. If these match funds are not included in either the FY 2015 proposed or adopted budgets, then the City can withdraw (or otherwise amend) the grant application.

ATTACHMENTS:

Attachment 1: TDM Report

Attachment 2: Proposed Resolution

STAFF:

Mark Jinks, Deputy City Manager

Jerome Fletcher, Special Assistant to the City Manager

Richard Baier, P.E., LEED AP, Director, T&ES

Sandra Marks, Acting Deputy Director/Division Chief, Transportation Planning Division, T&ES

Antonio J. Baxter, Division Chief, Strategic Management Services, T&ES

Gabriel D. Ortiz, TDM Coordinator, T&ES

Sandra Marks, Acting Deputy Director/Division Chief, Transportation Planning Division, T&ES

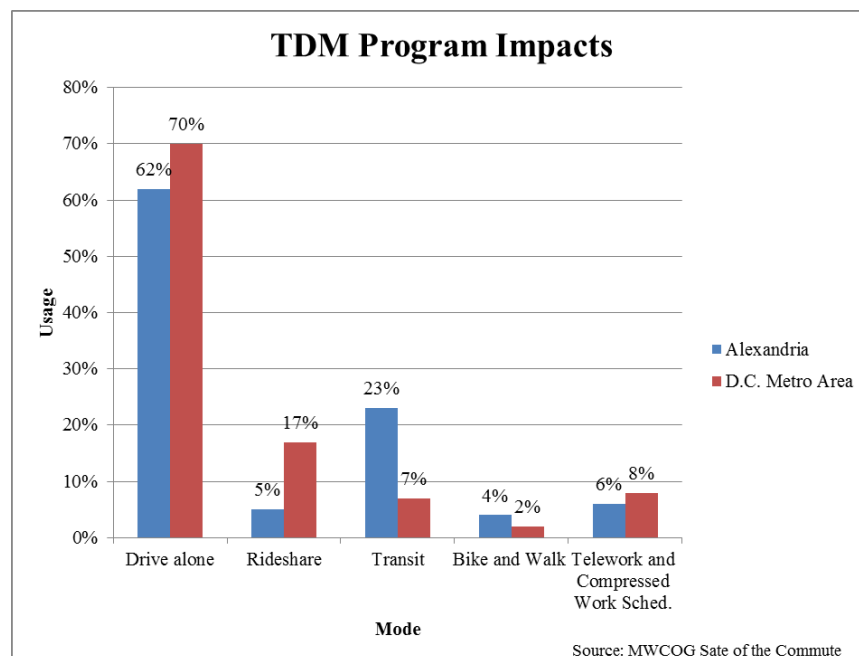
Megan Cummings, Transportation Planner, T&ES

FY 2013 Local Motion Program Review and Measures of Effectiveness of the TDM Program

January 9, 2014

Introduction

This report provides information on various measures of effectiveness that help quantify the benefits of the TDM program to the City, City Council, City residents, employers and employees. Since inception, the TDM Program, which is branded as Local Motion, continues to make progress reducing Single Occupancy Vehicles (SOV) from congested city streets. Alexandria residents report significantly higher alternative mode share usage when compared to the D.C. Metro area. The table below helps demonstrate how TDM strategies have helped the City maintain a lower drive alone commute rate when compared to the region. In addition it illustrates how the City's transit, bike and walk mode usage is also higher than the region. One area for growth is in the "rideshare" category which is typically comprised of carpooling and vanpooling.



FY13 in Review

This section focuses on two of the major initiatives for FY13, Employer Outreach and Grass Roots Marketing programs to reach employees and residents, respectively. The FY13 review also details the communications strategies that Local Motion employed, as well as other projects associated with Local Motion: the Alexandria Transit Store, Transportation Management Plans, Bicycle and Pedestrian Information and Programming, and the City Transit Benefit Program. Much of what the Local Motion program does is focused marketing and in FY13 many of the program's outreach efforts were greatly increased to promote the City's alternatives to driving alone.

Employer Outreach

Local Motion provides outreach services directly to employers in the City of Alexandria. In FY 13, Local Motion hired NeoNiche Strategies to help facilitate the employer outreach component of the Local Motion program. They assisted employers by providing the following services:

- Facilitated the Commuter Benefit Levels (see below)
- Assisted with implementation of Tax-Free Benefits
- Educated and marketed CommuterDirect.com for transit benefit implementation and bulk transit media purchases
- Conducted transportation survey that aligns with MWCOG's TERMS surveys
- Developed strategies to reduce the demand for parking
- Coordinated and attended client events for the promotion of TDM services
- Provided relocation assistance to companies and businesses moving into the City of Alexandria
- Disseminated transportation information
- Assisted in identifying nominees for Commuter Connections Employer Recognition Awards
- Created, published, and stored brochure and marketing material as necessary

Outreach Activity

To reach employees, the program maintains a database of over 400 employers within the City. These employers – CEOs, Human Resources, and other decision makers – were contacted frequently with transportation information and resources. Monthly newsletters covered topics of relevance such as how to form vanpools, how to establish an official telework policy and updates on transportation benefits.

The table below details outreach activity performed with employers in the City, showing increases from FY 12 to FY 13.

Activity	FY 2012	FY 2013
Contacts via Personal Contact	1,205	4,248
Contacts via Broadcast Contact	9,357	7,877
Sales Meetings / Site Visits	44	76
On-Site Events / Promotions	11	27

Employer Levels

Local Motion uses a system developed by MWCOG to categorize employers in its database by assigning them four different classification levels based on the amount of transportation benefits provided to their employees. Employers with a Level 4 designation provide the most transportation benefits for their employees and Level 1 employers provide the least.

The following table provides a description of the changes from the beginning to the end of the fiscal year, using the MWCOG level system.

MWCOG Levels	FY 2012	FY 2013	Change
Level 1 employers	52	115	121.2%
Level 2 employers	51	54	5.9%
Level 3 employers	92	118	28.3%
Level 4 employers	29	40	37.9%
Total Employers	224	327	46.0%
Level 1 employees	2,823	3,000	6.3%
Level 2 employees	3,001	2,775	-7.5%
Level 3 employees	14,550	17,092	17.5%
Level 4 employees	8,207	9,684	18.0%
Total Employees	28,581	32,551	13.9%

The Virginia Department of Transportation (VDOT) provides funding for employer outreach services and sets annual mandatory goals for increasing the City's number of Level 3 and 4 employees. Since the inception of these benchmarks, Local Motion has successfully accomplished all goals, including increasing Level 3 and 4 employers to the levels that VDOT has set.

Grass Roots Marketing

In May 2011, Local Motion began a grass roots marketing initiative to help build Local Motion brand awareness among residents and other untapped target markets traditionally not reached by the program, e.g. retail businesses. Local Motion worked with NeoNiche who provided staff and resources to ensure maximum outreach and exposure to these untapped markets. The grass roots program includes taking pledges from citizens at community events and farmers markets, establishing and interacting with local retail partners, and assisting with special events. In the last fiscal year Local Motion's grass roots efforts distributed over **50,000 brochures**.



Pledges

People engaged by Local Motion at events were asked to "pledge" to try other forms of transportation instead of driving alone and contact information was captured.

Last fiscal year a total of **2,905 pledges** were received by city residents.

Local Motion Partners

Small businesses and professional offices were engaged and asked to be Local Motion Partners. As a Partner, businesses agreed to place Local Motion branded countertop brochure/literature displays holding transportation and commuting information. There is no cost to be a Local Motion Partner. A list of all Partners can be found on the Local Motion website, with links to the business website and adjacent transit information to help you get to this place of business.

Currently Local Motion has **202 active partners** that get brochure displays replenished on a monthly basis. This is increase of **20** partners as of the previous fiscal year.

Customer Engagements

Customer engagements are an estimate of the number of people exposed to outreach at events, including people walking by (and not stopping, but seeing signage); people that stop by quickly to look over the table; stop by and pick up some collateral; stop by and chat with team members; stay and talk with team members for several minutes; those that engage for longer; and people who take collateral with them and share with others.

The total number of customer engagements for FY13 was **14,295, up from 8,925 in FY12.**

Events

An important aspect of our grass roots marketing campaign is setting up at various venues across the City and engaging residents, answering questions, and listening to suggestions and comments. Below are few noteworthy events Local Motion attended as part of our Grass Roots Marketing Campaign.

- Alexandria Birthday Celebration
- Armenian Festival
- Arts & Crafts Fair
- Bike to Work Day
- CaBi Launch
- Cambodian Day Festival
- Family Fall Festival
- Fitness First
- Food & Wine Festival
- Friendship Firehouse Festival
- Holiday Invitational
- INOVA Safety Fair
- Potomac Yard Green Living
- Whole Foods
- YMCA Open House

Libraries and Recreational Centers

In addition to the events above Local Motion also did regular outreach at the Charles Beatley Library (8 times), the Charles Houston Recreational Center (5 times) and the Art League (8 times).

Farmers Markets

Local Motion also had a presence at the Upper King St., Market Square, and West End Farmer's markets.

Communications

Website

Local Motion maintains a website at alexandriava.gov/LocalMotion that gives the brand an online presence while giving commuters another resource for obtaining information on transit, ridesharing, bicycling, walking, and other TDM strategies. Through aggressive marketing of the website Local Motion was able to increase all of its website statistics by an average of 91%.

<i>Stat</i>	<i>FY12</i>	<i>FY13</i>	<i>% Increase</i>
Observed Users (Returning Visitors)	2,672	4,757	78%
Estimated Visitors (Unique IP Addresses)	3,577	6,076	70%
Estimated number of visits (New Incoming Visitors)	5,207	8,833	70%
Pages (Unique Page Views)	14,922	37,797	153%
Hits (Number of times a page, image or file is viewed)	51,837	94,181	82%

Definitions

Observed Users: This counts the number of unique observation cookies seen in this period.

Estimated Visitors: Number of client hosts who came to visit the site (and who viewed at least one). This data refers to the number of different physical persons who had reached the site.

Estimated number of visits: A new visit is defined as each new incoming visitor (viewing or browsing a page) who was not connected to your site during last 60 minutes.

Pages: Number of times a page of the site is viewed (Sum for all visitors for all visits)

Hits: Number of client hosts (IP address) who came to visit the site (and who viewed at least one page). This data refers to the number of different physical persons who had reached the site. Number of times a page of the site is viewed (Sum for all visitors for all visits). This piece of data differs from "hits" in that it counts only HTML pages as oppose to images and other files. This piece of data differs from "hits" in that it counts only HTML pages as oppose to images and other files.

Facebook

Local Motion has an active Facebook page that is updated approximately three times a week. Tips, events, news alerts and stories from other Local Motion communications are included. Local Motion works with Communications and Public Information staff and T&ES to cross promote and stay consistent with the City communication and social media strategies. As of November 13, the Local Motion page had **271“likes”** which is up from 151 from the year before.

Newsletter

Local Motion published and distributed newsletters in September and April of last fiscal year. The newsletter was mailed to select zip codes around City Metro stations and it was distributed to City facilities (e.g. community centers, libraries) and handed out at events. Highlights of the newsletter include a calendar of upcoming commuter related events, updates of Capital Bikeshare, and other various City notices and accomplishments. In total **42,000** pieces were mailed out.

New Homeowner Mailing

In addition to the newsletter, since January of 2012 every month Local Motion has been mailing “welcome packets” to residents who recently purchased property in the City. The packets include a welcome letter from Local Motion, a trolley schedule, the DASH and Local Motion Ride Guides and an Alexandria Bikeways map to help them navigate the City. For FY13 Local Motion mailed out **875** packets, up from 749 in FY12.

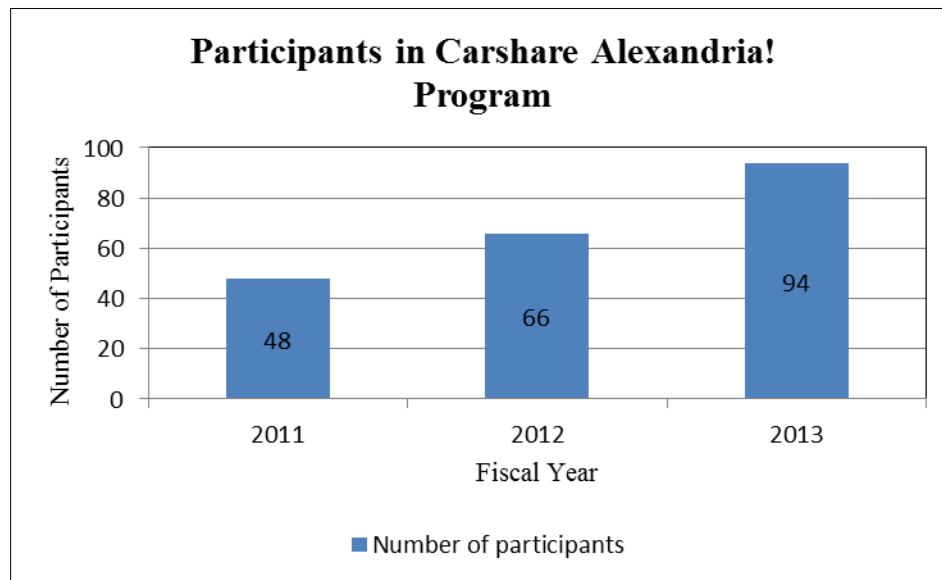


eNews

A major Local Motion program initiative is providing a monthly e-newsletter through the City’s eNews system. This e-newsletter provides residents and employees in the City with helpful updates, tips, and suggestions about transportation in the City as well as the region. As an added benefit, once residents are part of the eNews network they also receive vital emergency eNews alerts concerning life safety, fire, weather, and accidents involving utilities or roadways. This service was started in 2006 and continues to grow as we make every effort to increase subscribers through outreach events and promotions. At the end of FY13 the Local Motion eNews had approximately **3,608** subscribers.

Carshare Alexandria!

The Carshare Alexandria! program reimburses residents for their first year membership and application fee for the use of any carshare service in the City (currently Zipcar has 19 cars in the City and Hertz has two in the Carlyle development). The program is fully funded by the City’s Local Motion program and is estimated at about \$85 per participant.

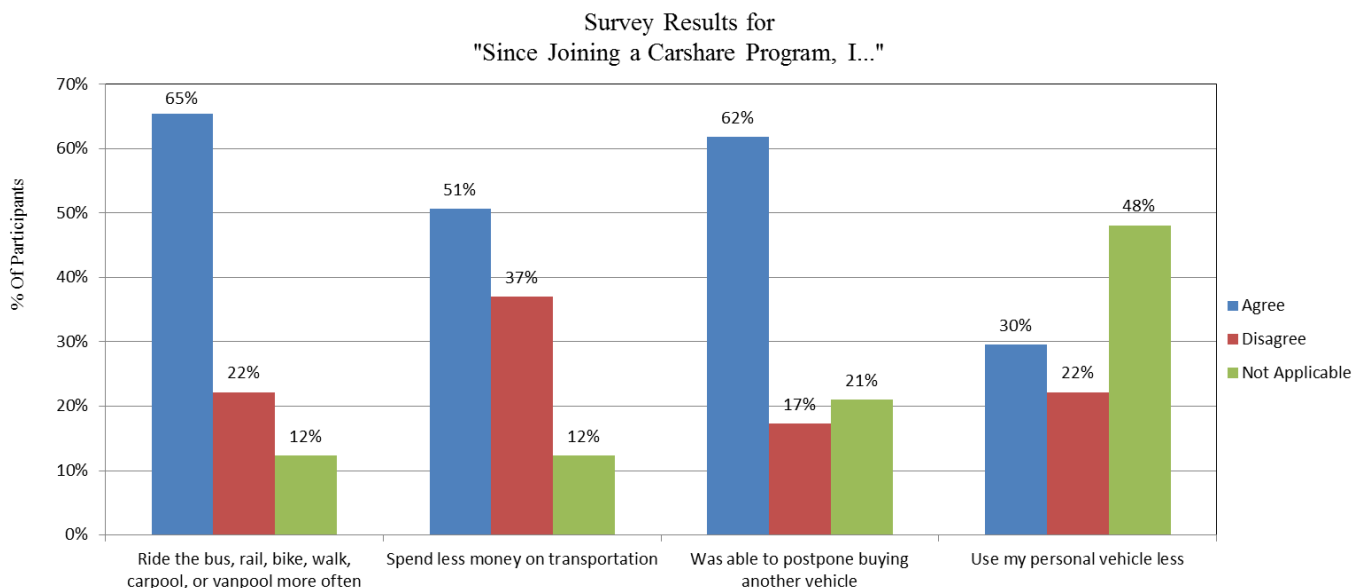


Transportation Cooperative Research Program (TCRP) Report 108 indicates that carsharing often decreases both vehicle ownership and vehicles miles traveled (VMT) while increasing the use of alternative modes. In FY12 nine months after signing up, Local Motion surveyed program participants to track behavior changes.

In response to the question, “If the City had not reimbursed your carshare membership fees, would you have joined a carshare program?” 40% said “No” and 61% responded “Yes”. Over 68% responded that they would renew their annual membership when the current one expired. Most importantly, the survey showed that the number of participants that owned two-cars decreased from 21.7% to 7.1% after joining Carshare Alexandria!

The survey showed that two-car ownership decreased from 118.5% to 12.3% after carshare

The table below shows that the vast majority of program participants used alternatives to cars, spent less money on transportation, postponed buying another vehicle and used their current vehicle much less after joining the program.



Alexandria Transit Store

The primary purpose of the Alexandria Transit Store (ATS) is to provide residents, employees and visitors a convenient destination for all their local and regional transportation needs. Patrons are able to purchase fare media for almost every transit system in the area, pick up transportation information and schedules, and get answers to any transportation related questions. Information is provided for non-transit options such as biking resources, maps, Commuter Connections programs such as Guaranteed Ride Home and Ridesharing, and Local Motion products.

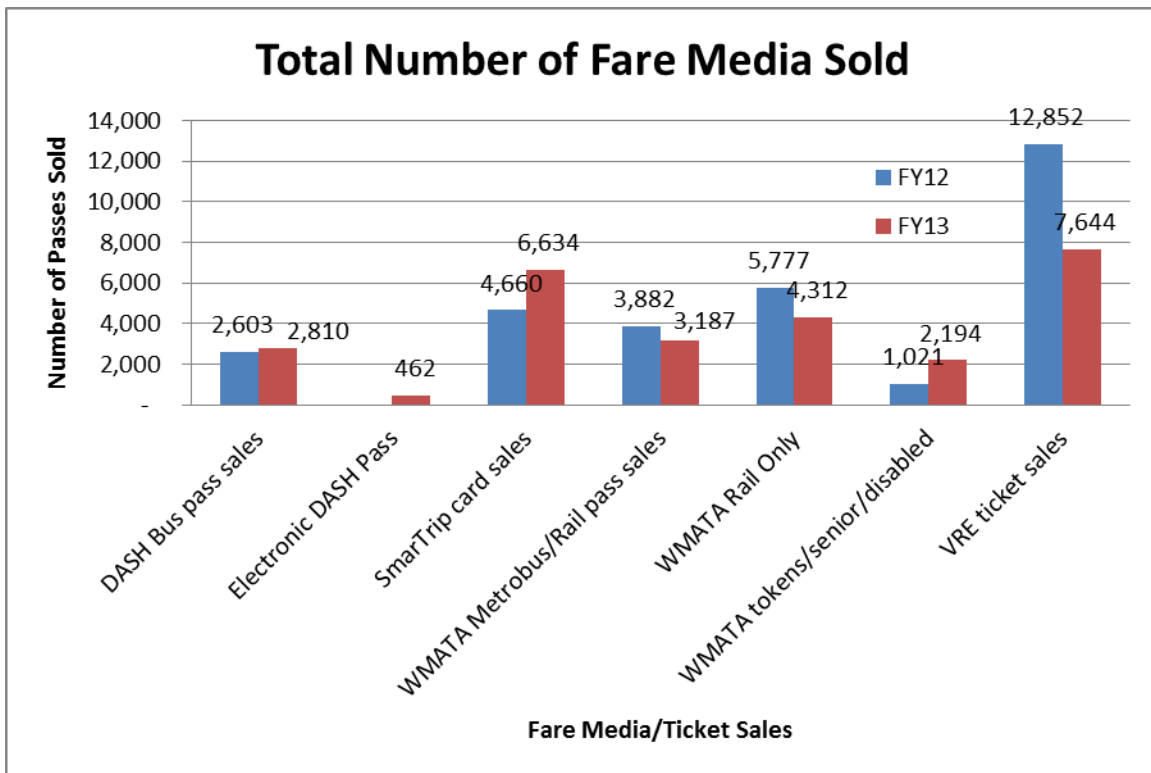


Located directly across from the King Street Metro Station the ATS is open from 7:00 am to 7:00 pm, Monday through Friday. Transit Store operations are 100% supported by a Regional Surface Transportation Program (RSTP) grant that is allocated by the Department of Rail and Public Transportation (DRPT) and managed by Local Motion. DASH is contracted to manage the day-to-day operations of the Transit Store.

Additionally the physical retail space for the ATS underwent a redecoration to its interior. The first since the store was opened several years ago.

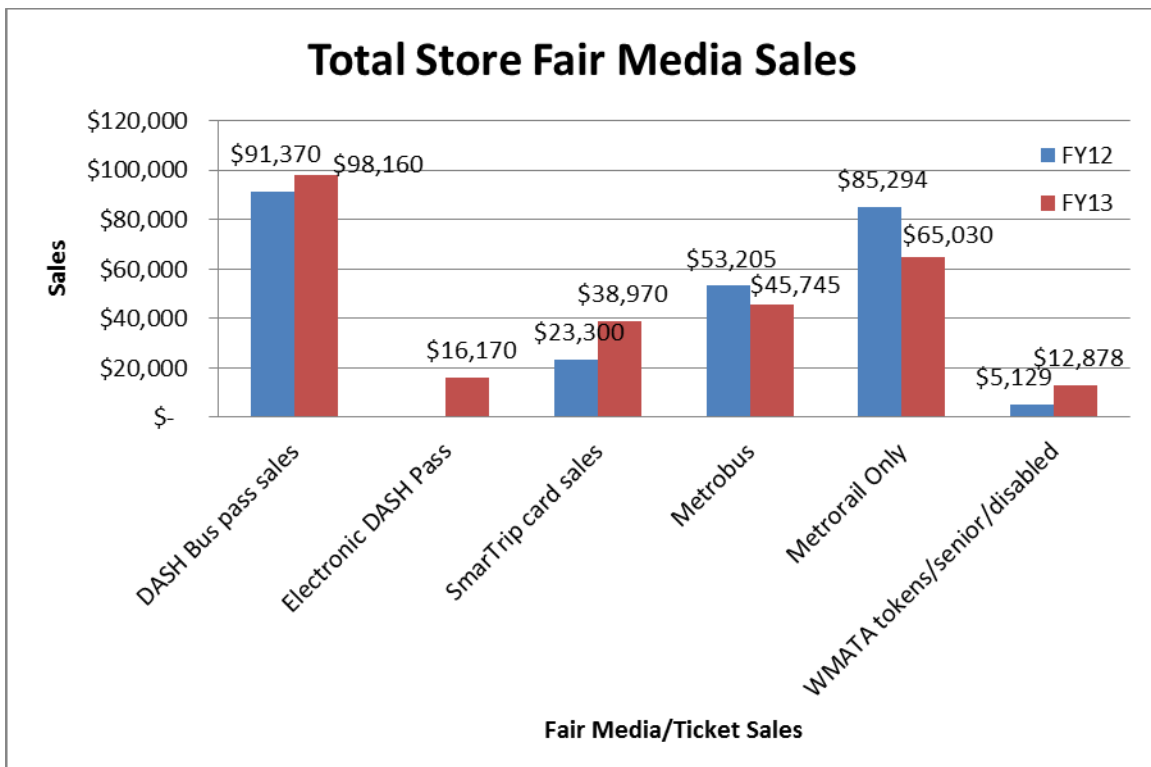
Sales by Volume

The following chart shows the number of fare media passes sold in FY13, organized by type of pass. **The ATS sold 34,947 transit passes in FY 12.** The majority of sales were for VRE Tickets (of total volume), and WMATA passes, which includes Metrobus passes, rail only passes, tokens, and senior passes, accounted for approximately 41 % of the passes sold in FY13.



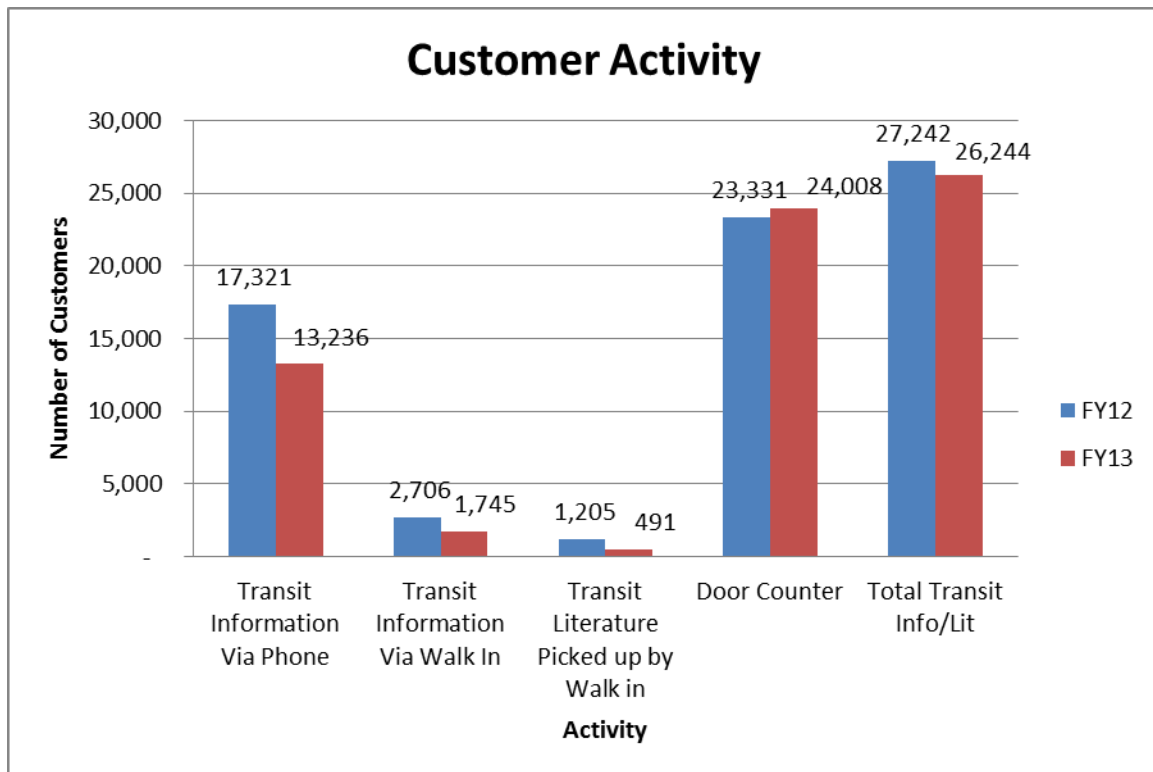
Sales by Dollar Amount

The following chart shows the sales for FY12 categorized by type of pass. **The Alexandria Transit Store sold over \$1,079,329 in transit passes.** The majority of sales were for VRE Tickets which accounted for 72% of total sales.



Transit Store Customer Activity

Transit Store activity is measured by number of contacts with customers either on the phone or in person. This information has been collected for FY12 and has proven to be a valuable tool for evaluating ATS activity.



Transportation Management Plans (TMPs)

The Transportation Management Plans (TMPs) are part of the City of Alexandria Zoning Ordinance, *Article XI, Section 11-700 – Transportation Management Special Use Permits*. This ordinance was enacted by City Council on May 16, 1987 to offset the traffic impact of new developments. The ordinance requires that projects of a certain size submit a special use permit application which must include a traffic impact analysis and a transportation management plan. The TDM Program has worked closely with the City's TMP to help ensure goals are met and the impact these developments have on the City's transportation infrastructure is mitigated.

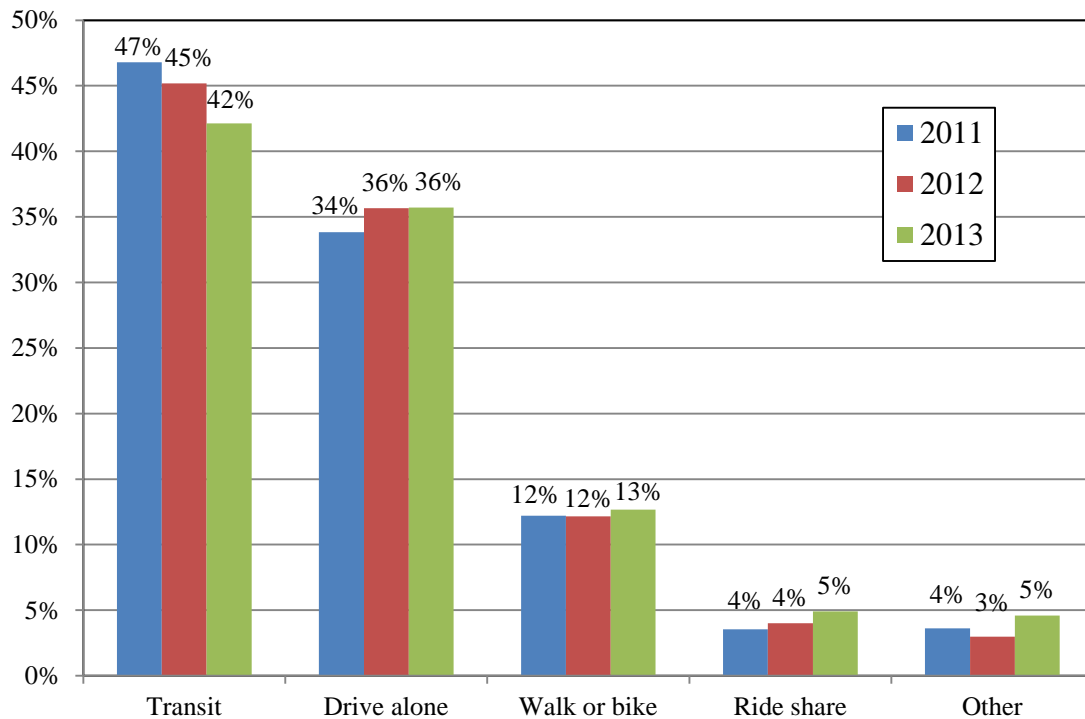
Of the active TMPs in the City, almost all are in compliance with their special use permit. Compliance means providing an Annual Report that details information about site-specific TDM programs, submitting a Semi-annual TMP Fund Report which documents payments and expenditures throughout the year, and distributing surveys provided by the City.

Mode Share Reported for all TMPs

The charts below describe the different modes of transportation reported by residents and employees that live and work in a TMP in 2011, 2012, and 2013.

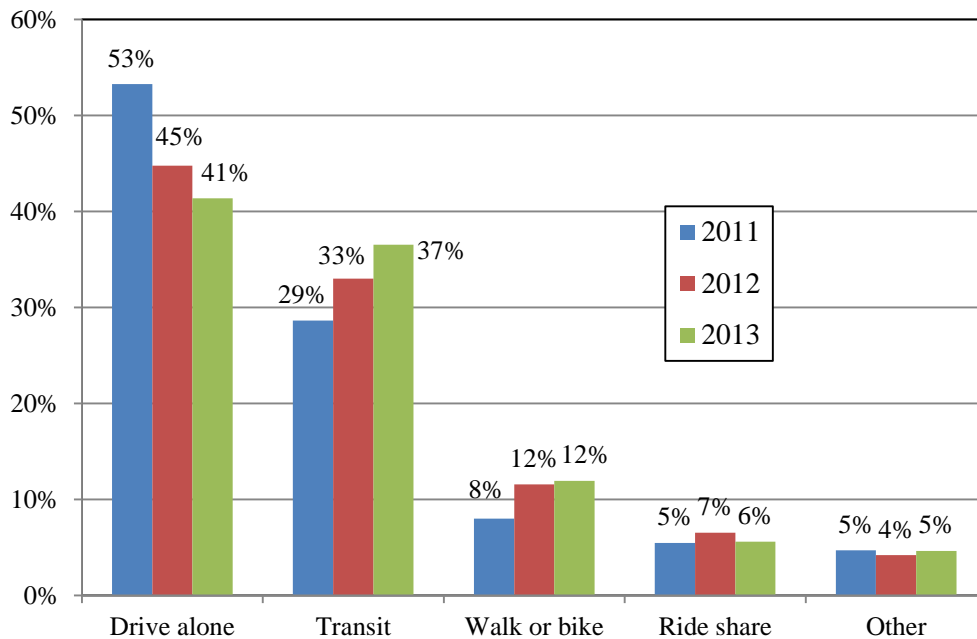
2011, 2012 and 2013 Residential

TMP Survey Mode Split Results



According to the survey, the transit mode split for commuting has decreased from 2011 to 2013 for residents who live in a TMP, but the percent of residents who commute with other non-drive alone options has increased. Also of note from the survey, approximately 15.7% of residents do not commute to work because the respondents work at home exclusively, are retired or do not work, up from 13% last year. Furthermore, of the residents at TMP properties, approximately 7.7% do not own cars, up slightly from the previous year.

2011, 2012, and 2013 Employee TMP Survey Mode Split Results



The percentage of employees that work in TMPs and drive alone decreased from 2011 to 2012, from 53% to 45%.

Bike and Pedestrian Information and Programming

Walking and bicycling are fundamental to the character and livability of Alexandria. City residents and visitors have walked along the streets of Old Town for more than 350 years. Today, the King Street and Mount Vernon Avenue commercial areas thrive on pedestrian traffic. People access public transit, parks, neighborhood trails, and community centers throughout the City by walking and bicycling; students walk and bicycle to schools in all neighborhoods. The City was designated as a silver-level Bicycle Friendly Community from the League of American of Bicyclists in 2013 and a Silver Level Walk Friendly Community designation from the UNC Highway Safety Research Center's Pedestrian and Bicycle Information Center in FY 13.

Through efforts of our Bike and Pedestrian Coordinators and Local Motion, the City has earned a bronze-level Bicycle Friendly Community from the League of American of Bicyclists and a Silver Level Walk Friendly Community designation in 2011.

Complete Streets Projects

In early FY13, The City of Alexandria adopted a Complete Streets Policy to ensure our transportation network and infrastructure is designed to ensure safe, convenient travel for all users. We recognize that the users of our transportation system include pedestrians, bicyclists, riders and drivers of public transportation, in addition to motor vehicle drivers.

Streets must be comprehensively designed to provide safe transport for all users, including the needs of children, older adults, and people with disabilities.

Here is a listing of projects completed under Complete Streets:

- Van Dorn & Kenmore Avenue Sidewalk
- Pedestrian safety improvements at the crossing of Four Mile Road and Mt Vernon Avenue
- Stop signs with new crosswalks along Monticello Avenue
- New crosswalks with rapid flashing beacons at three new locations
- Approval for the installation of a HAWK signal on Eisenhower Avenue
- Over five lane miles of Bicycle lanes, including the following streets:
 - Janneys Lane
 - Quantrell Avenue
 - West Taylor Run
 - North Chambliss Street
 - Stulz Road
 - Commonwealth Avenue
- Eight lane miles of shared bicycle lanes
- Installation of a bike box at Commonwealth Ave and Mt Vernon Ave
- Columbus Avenue Sidewalks
- 60 stand- alone bike parking spaces
- 50 bike parking spaces in new bike corrals
- Over 100 new crosswalks



Capital Bikeshare

- 8 bike share stations installed in Old Town in September 2012
- 8 additional stations to be installed in Del Ray and Carlyle in the Winter of 2014

Shared Use Paths

- Pedestrian and Bicycle Crossing over Holmes Run at Chambliss Crossing, link Alexandria and Fairfax County trail networks
- Mount Vernon Trail resurfacing completed between Canal Center Parkway and E. Abingdon Drive
- Holmes Run Trail resurfacing between Beauregard Street and I-395
- Ben Brenman Park trail connector to Holmes Run Trail

Education and Awareness

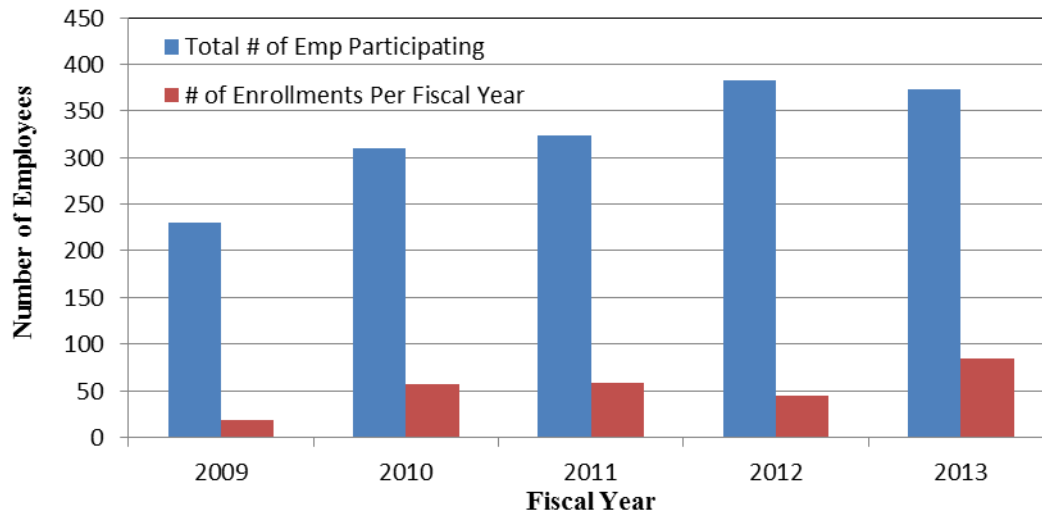
- Bike to Work Day - the City saw a 9% increase in registrations
- Over 10 bike safety courses offered in Alexandria, provided by WABA in partnership with the City of Alexandria
- 12,126 bike maps distributed
- 77 bike lights were distributed through the City's annual "Got Lights?" event. This year the event was held at the Braddock Road Metrorail station, and Velocity Bicycle Co-op provided free on-site bike maintenance

- Council adopted changes to the bicycle section of the City Code, which, with exception to the helmet section had not been updated since 1963.
- The spring 2013 Street Smart Campaign involved five enforcement events held at problem intersections, with 106 warnings given, over 500 safety flyers distributed, and over one hundred DASH bus drivers received pedestrian and bicycle safety trainings.
- On, October 24, a local Street Smart Safety Zone was held in front of the King Street Metro Station, a high traffic commuter area. This event highlighted educational safety tips, outreach, and promotion for people commuting into and out of Alexandria. The Street Smart campaign encourages drivers, pedestrians, and cyclists to exercise caution and look out for each other
- On October 22, a press conference and kickoff of the fall Street Smart campaign was held to raise awareness and reduce pedestrian/cyclist injuries and fatalities in the region.

City Transit Benefit

The City and Local Motion provides a transit benefit to its employees to a maximum value of \$75 per month. Local Motion administers this program for the City which has over 300 participants and a budget of over \$100,000. The implementation of this program has prompted many City employees to sign up for the benefit. Local Motion staff also conducts presentations at all new employee orientations that cover both the transit benefit program and transportation alternatives available in and around City Hall.

City/School Employees Enrolled in Transit Benefit Program



King Street Trolley

The Old Town Trolley is a service that is marketed and supported by the TDM program through all of its communication channels. While touristic in nature, during the evening peak hours the Trolley serves as a shuttle for workers from the waterfront and surrounding areas to King Street metro.

For FY13 the Trolley averaged **64,905** (48,563 in FY12, 34% increase) riders per month for a total of **778,861** (528,761 in FY12, 47% increase) total passengers.

Regional Partnerships

As increased vehicular traffic is not an isolated challenge, Local Motion continues to coordinate with local and regional partners for education, resources, and programs. Local Motion is involved with Metropolitan Washington Council of Government's (MWCOC) Commuter Connection Program, Virginia Department of Rail and Public Transportation and other regional groups promoting alternatives to driving alone.

The Local Motion program is an active member of MWCOC's TDM network of transportation organizations, Commuter Connections. This network offers several programs and services that are promoted by Local Motion through all of its communication channels. The Rideshare database provided by Commuter Connections is our primary tool for matching riders for carpools and vanpools. Guaranteed Ride Home Program is funded by Commuter Connections and is a vital regional service that gives commuters peace of mind and assurance that they will have a ride home in an emergency.

In FY12 **102** Local Motion customers sign up for the Guaranteed Ride Home program and **169** signed up for the Rideshare database. Out of those **169** commuters received **98** "matches" in the database with similar commutes.

RESOLUTION NO. _____

WHEREAS, in accordance with Virginia Department of Rail and Public Transportation allocation procedures, it is necessary that a request by City Council resolution be made in order that the Virginia Department of Rail and Public Transportation fund a transportation demand management program in the City of Alexandria and to fund a public transportation intern;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City Manager is authorized, for and on behalf of the City of Alexandria, hereafter referred to as the PUBLIC BODY, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as the DEPARTMENT, for a grant of financial assistance in the amount of \$241,022 to defray the costs borne by the PUBLIC BODY for continuation of the ALEXANDRIA TRANSPORTATION DEMAND MANAGEMENT PROGRAM and to accept from the DEPARTMENT grants in such amounts as may be awarded, and to authorize the City Manager to furnish the DEPARTMENT grants in such amounts as may be awarded, and to authorize the City Manager to furnish to the DEPARTMENT such documents and other information as may be required for processing the grant request. The City Council certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia.

BE IT FURTHER RESOLVED, that the PUBLIC BODY will provide funds in the amount of \$60,255, which will be used as a 20 percent match to the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the PUBLIC BODY may be subject to audit by the DEPARTMENT and by the State Auditor of Public Accounts, and that funds granted to the PUBLIC BODY for defraying the expenses of the PUBLIC BODY shall be used only for such purposes as authorized in the Code of Virginia.

Accounts and those funds granted to the PUBLIC BODY for defraying the expenses of the PUBLIC BODY shall be used only for such purposes as authorized in the Code of Virginia.

ADOPTED: _____
DATE

WILLIAM D. EUILLE MAYOR

ATTEST:

JACQUELINE M. HENDERSON CITY CLERK



Legislation Details (With Text)

File #: 14-2289 **Name:**
Type: **Status:** Agenda Ready
File created: 1/3/2014 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Consideration of City Council Schedule.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2289 Council Calendar January 2014 to June2014.pdf](#)
[14-2289 Fiscal2015BudgetCalendar CityCouncil.pdf](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 8, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Consideration of City Council Schedule.

ISSUE: City Council Schedule

RECOMMENDATION: That City Council:

1. Receive the revised Council Calendar (Attachment 1) which includes:
 - 2014 Alexandria Earth Day, which is scheduled for Saturday, April 26 from 10 a.m. to 2 p.m. at Ben Brenman Park.
 - Joint Worksession with Arlington County Board to discuss Route 1 Corridor transit projects and the Four Mile Run project is scheduled for Wednesday, January 29 at 7:00 p.m. The meeting will be held at the T&ES and RPCA Maintenance & Operations Building, 2900 Business Center Drive.
2. Approve the calendar.

DISCUSSION: The Fiscal Year 2015 Budget Calendar (Attachment 2).

ATTACHMENTS:

Attachment 1: Council Calendar January 2014 - June 2014

Attachment 2: Fiscal 2015 Budget Calendar

STAFF:

Jerome Fletcher, Special Assistant to the City Manager

City Council Schedule

as of 1/6/14

Attachment 1

January

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1 HOLIDAY New Year's Day	2	3	4
5	6	7	8	9	10	11
12	13	14 5:30 P.M. – Work Session on Interdepartmental Work Program (Planning & Zoning), Council Workroom 7 P.M. – City Council First Legislative, Meeting, Council Chambers	15	16	17	18
19	20 HOLIDAY Martin Luther King Day	21	22	23	24	25 9:30 A.M. – City Council Public Hearing, Council Chambers
26	27	28 5:30 P.M. – Work Session on AlexRenew Enterprise (ASA), Council Workroom 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	29 7 P.M. – Joint Worksession w/ Arlington County Board, 2900 Business Center Drive	30	31	

2014

City Council Schedule

as of 1/6/14

Attachment 1

February

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11 7 P.M. – City Council First Legislative, Meeting, Council Chambers	12	13	14	15
16	17 HOLIDAY Presidents' Day	18	19	20	21	22 9:30 A.M. – City Council Public Hearing, Council Chambers
23	24	25 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	26	27	28	
						2014

City Council Schedule

as of 1/6/14

Attachment 1

March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11 5:30 P.M. – 30th Anniversary Reception for DASH/ATC, Vola Lawson Lobby 7 P.M. – City Council First Legislative, Meeting, Council Chambers	12	13	14	15 9:30 A.M. – City Council Public Hearing, Council Chambers
16	17	18	19	20	21	22
23	24	25 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	26	27	28	29
30	31					

2014

City Council Schedule

as of 1/6/14

Attachment 1

April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8 7 P.M. – City Council First Legislative, Meeting, Council Chambers	9	10	11	12 9:30 A.M. – City Council Public Hearing, Council Chambers
13	14	15	16	17	18 Good Friday	19
20 Easter	21	22 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	23	24	25	26 10 A.M. – 2 P.M. – Earth Day, Ben Brenman Park
27	28	29	30			

City Council Schedule

as of 1/6/14

Attachment 1

May

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9	10
11	12	13 7 P.M. – City Council First Legislative, Meeting, Council Chambers	14	15	16	17 9:30 A.M. – City Council Public Hearing, Council Chambers
18	19	20	21	22	23	24
25	26 HOLIDAY Memorial Day	27 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	28	29	30	31
						2014

City Council Schedule

as of 1/6/14

Attachment 1

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9	10 7 P.M. – City Council First Legislative, Meeting, Council Chambers	11	12	13	14 9:30 A.M. – City Council Public Hearing, Council Chambers
15	16	17	18	19	20	21
22	23	24 5:30 P.M. – ACPD Annual Awards Ceremony, Vola Lawson 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	25	26	27	28
29	30					

2014

Fiscal 2015 Budget Development City Council Milestones

February		
Tuesday, February 25	Legislative Meeting	City Council Legislative Meeting: City Manager Proposes Budget <u>and</u> Introduction and First Reading of Ordinance to Establish Real Estate and Personal Property Tax Rate (Maximum/Effective)
Thursday, February 27	Advertisement	Advertisement goes out for Budget Public Hearing on March 10 (OMB is responsible for placing this ad)
March		
Monday, March 10	Public Hearing	City Council <i>Special</i> Public Hearing: Fiscal 2015 Budget
TBD	Work Sessions	Budget Work Sessions (Dates TBD)
Tuesday, March 11	Legislative Meeting	City Council Legislative Meeting: Passage of First Reading of Ordinance to Establish Real Estate and Personal Property Tax Rate (Maximum or Effective)
Thursday, March 13	Advertisement	Advertisement goes out for <i>April 12</i> public hearing of Ordinance to Establish Real Estate and Personal Property Tax Rate (Maximum/Effective)
April		
Saturday, April 12	Public Hearing	City Council Public Hearing: Second Reading of Ordinance to Establish Real Estate and Personal Property Tax Rate (Maximum/Effective)
Monday, April 21	Legislative Meeting	City Council Work Session: Prelim add/delete
Monday, April 28	Legislative Meeting	City Council Work Session: Final add/delete
May		
Thursday, May 1	Special City Council Meeting	<i>Special</i> City Council Meeting: Budget Adoption; Second Reading and public hearing on Final Passage of Ordinance to Establish Real Estate and Personal Property Tax Rate (Maximum or Effective)
Tuesday, May 13	Legislative Meeting	City Council Legislative Meeting: Introduction and first reading of other tax rate/fee change resolutions (if applicable)
Saturday, May 17	Public Hearing	City Council Public Hearing: Other tax rate/fee change resolutions (if applicable)
Tuesday, May 27	Legislative Meeting	City Council Legislative Meeting: Second reading and adoption of tax rate/fee change resolutions (if applicable)
Tuesday, June 10	Legislative Meeting	City Council Legislative Meeting: Introduction and first reading of Fiscal 2015 Budget Appropriation Ordinance and Fiscal 2014 Supplemental Appropriation
Saturday, June 14	Public Hearing	City Council Public Hearing: Second reading and adoption of Fiscal 2015 Budget Appropriation Ordinance and Fiscal 2014 Supplemental Appropriation



Legislation Details (With Text)

File #: 14-2324 **Name:** closed mtg
Type: **Status:** Agenda Ready
File created: 1/8/2014 **In control:** City Council Legislative Meeting
On agenda: 1/14/2014 **Final action:**
Title: Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2324_exec session motion.pdf](#)

Date	Ver.	Action By	Action	Result
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Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

[RESOLUTION NO. ____]

WHEREAS, the Alexandria City Council has on the date of this resolution recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, § 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.