

CITY COUNCIL OF ALEXANDRIA, VIRGINIA**Regular Meeting****Tuesday, September 27, 2011 - - 7:00 p.m.**

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

Absent: None.

Also Present: Mr. Johnson, Acting City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Ms. Collins, Assistant City Manager for Community and Human Services; Mr. Castrilli, Communications Director, Office of Communications and Public Information; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Ms. Boyd, Special Assistant to the City Manager, City Manager's Office; Ms. Triggs, Acting Chief Financial Officer/Director, Finance; Ms. Davis, Director, Office of Housing; Ms. McIlvaine, Deputy Director, Office of Housing; Dr. Gilmore, Executive Director, Mental Health/Mental Retardation/Substance Abuse; Mr. Skrabak, Deputy Director, T&ES/Environmental Quality; Ms. Marks, Division Chief, T&ES; Mr. Maslanka, Division Chief, T&ES; Mr. Grover, BRAC Coordinator, T&ES; Mr. McPike, Director, General Services; Mr. Lambert, Deputy Director, T&ES; Mr. Mallamo, Director, Office of Historic Alexandria; Ms. Savukas, Division Chief, Information Technology Services (ITS); Mr. Trobridge, Director, ITS; Fire Chief Thiel; Deputy Police Chief Corle; Ms. Taylor, Acting Director, Office of Management and Budget (OMB); Mr. Braden, Budget Analyst, OMB; Mr. McClanahan, Budget Analyst, OMB; Ms. Chis, Executive Deputy Director, Department of Community and Human Services; Ms. Pippy, TeensWork Administrator, Center for Economic Support, Department of Community and Human Services; Mr. McKinney, Director for the Center for Economic Support, Department of Community and Human Services; Mr. Saenz, ITS; Mr. Martinez, ITS; Police Captain Ogden; and Mr. Lloyd.

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

City Council held a work session with the HIV/AIDS Task Force at 5:30 p.m. and

a work session with the Alexandria Archaeology Commission at 6:15 p.m in Council's work room.

1. Calling the Roll.

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

2. Recognition of Town Crier Benjamin Fiore-Walker.

City Council recognized the new Town Crier Benjamin Fiore-Walker and he recited a poem for the occasion.

3. Moment of Silence and Pledge of Allegiance.

City Council observed a moment of silence and recited the pledge of allegiance.

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

- (a) The Special Meeting Minutes of August 3, 2011;
- (b) The Special Meeting Minutes of September 9, 2011; and
- (c) The Regular Meeting Minutes of September 13, 2011.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council approved the special meeting minutes of August 3, 2011, the special meeting minutes of September 9, 2011 and the regular meeting minutes of September 13, 2011. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-8)

(Resignations and Uncontested Appointments)

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

- (a) Beautification Commission
Jill Chiarello
- (b) Commission on Persons with Disabilities
Nick Veloz
- (c) Human Rights Commission
Amy Millican

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 5 (a-c); 09/27/11, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Sister City Committee
1 Citizen Member
- (b) Alexandria Gang Prevention Community Task Force
1 Member From and Representing Private Schools in Alexandria
1 Member From and Representing T.C. Williams High School
- (c) Beautification Commission
1 Citizen Member
- (d) Community Criminal Justice Board
1 Business Community Representative Recommended by the
Alexandria Chamber of Commerce
- (e) Community Services Board
1 Citizen Member
- (f) Emergency Medical Services Council
1 Representative of the Federation of Civic Associations
- (g) George Washington Birthday Celebration Committee
1 Member Nominated by the American Legion
- (h) Human Rights Commission
1 Citizen Member

- (i) Potomac Yard Design Advisory Committee
1 Member Representing the Potomac West Area
- (j) Public Health Advisory Commission
1 Citizen Member Who Shall Not Be a Health Professional
- (k) Public Records Advisory Commission
1 Citizen Member

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 6 (a-k); 09/27/11, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 7. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated September 21, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 09/27/11, and is incorporated as part of this record by reference.)

- 8. Consideration of an Application by the Department of Community and Human Services to the Virginia Foundation for Healthy Youth for a Grant to Support Tobacco Use Prevention.

(A copy of the City Manager's memorandum dated September 14, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 09/27/11, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council approved the consent calendar. The City Manager's recommendations were as follows:

- 5. City Council accepted the following resignations with regret: (a) Jill Chiarello, Beautification Commission; (b) Nick Veloz, Commission on Persons with Disabilities; and (c) Amy Millican, Human Rights Commission.

- 6. City Council made the following appointments to boards and commissions: (a) appointed Michelle Lore as the one citizen member to the Alexandria-Caen Sister City Committee; (b) appointed Erin O'Leary as the one member from and representing private schools in Alexandria and appointed Maria Muhtadi-Roach as the one member from and representing T.C. Williams High School to

the Alexandria Gang Prevention Community Task Force; (c) reappointed Marcy Giannunzio as the citizen member to the Beautification Commission; (d) waived the residency requirement and reappointed Ashley McNeff as the one business community representative recommended by the Alexandria Chamber of Commerce to the Community Criminal Justice Board; (e) appointed Eugene Stammeyer as the citizen member to the Community Services Board; (f) reappointed Converse West as the one representative of the Federation of Civic Associations to the Emergency Medical Services Council; (g) reappointed Paul Moffett as the one member nominated by the American Legion to the George Washington Birthday Celebration Committee; (h) appointed Catherine Fulton as the one citizen member to the Human Rights Commission; (i) reappointed Quynn Nguyen as the one member representing the Potomac West area to the Potomac Yard Design Advisory Committee; (j) reappointed Richard Merritt as the one citizen member who shall not be a health professional to the Public Health Advisory Commission; and (k) appointed Ellen Briscoe as the one citizen member to the Public Records Advisory Commission.

7. City Council authorized \$4,768,000 for the capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement (CIP) Expenditure Summary.

8. City Council: (1) approved the submission of a grant application to the Virginia Foundation for Healthy Youth (VFHY), in the amount of \$60,000 each year for three years for a total of \$180,000, due October 21, 2011; and (2) authorized the Acting City Manager to execute the necessary documents that may be required.

The voting was as follows:

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

CONTESTED APPOINTMENTS

9. Alexandria Gang Prevention Community Task Force
 1 Member From and Representing Alexandria City Middle Schools

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

NAME:	ENDORSED BY:
Patricia Williamson	Gregory Hutchings, Jr, ACPS

(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. 9; 09/27/11, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council waived the residency requirement and appointed Patricia Williamson as the one member from and representing Alexandria City Middle Schools to the Alexandria Gang Prevention Community Task Force. The voting was as follows:

Euille	-	Williamson
Donley	-	Williamson
Fannon	-	Williamson
Hughes	-	Williamson
Krupicka	-	Williamson
Pepper	-	Williamson
Smedberg	-	Williamson

10. Law Library Board
1 Citizen Member

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

NAME: ENDORSED BY:

David Chamowitz

(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. 10; 09/27/11, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council waived the residency requirement and appointed David Chamowitz as the one citizen member to the Law Library Board. The voting was as follows:

Euille	-	Chamowitz
Donley	-	Chamowitz
Fannon	-	Chamowitz
Hughes	-	Chamowitz
Krupicka	-	Chamowitz
Pepper	-	Chamowitz
Smedberg	-	Chamowitz

11. Northern Virginia Regional Park Authority
1 Citizen Member

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

NAME:

ENDORSED BY:

Scott Price
David Pritzker

Rosalind Bovey, NVRPA

(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. 11; 09/27/11, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed David Pritzker as the one citizen member to the Northern Virginia Regional Park Authority. The voting was as follows:

Euille	-	Price
Donley	-	Pritzker
Fannon	-	Pritzker
Hughes	-	Price
Krupicka	-	Price
Pepper	-	Pritzker
Smedberg	-	Pritzker

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

- 12. Oral Report on Base Realignment and Closure (BRAC-133) Project at Mark Center (**Staff Presentation**).

Mr. Grover, BRAC Coordinator, Transportation and Environmental Services (T&ES), gave a presentation of the ongoing activities surrounding the opening of the BRAC-133 Project at Mark Center. Mr. Grover, along with Mr. Baier, Director, T&ES, responded to questions from Council about the project and the proposed traffic improvements in the area, including ramp construction, transit services usage, daytime parking districts and HOT Lanes/Auxiliary Lanes.

Acting City Manager Johnson gave an update of the public safety aspects and emergency management preparations concerning the BRAC-133 facility.

Council requested that the information distributed tonight be updated and reposted on the City's website.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilwoman Hughes and carried unanimously, City Council received the report. The voting was as follows:

Pepper	"aye"	Donley	"aye"
Hughes	"aye"	Fannon	"aye"

Euille	"aye"	Krupicka	"aye"
	Smedberg	"aye"	

13. Consideration of the FY 2013-FY 2018 Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) Project Funding Requests.

(A copy of the City Manager's memorandum dated September 22, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 09/27/11, and is incorporated as part of this record by reference.)

Mr. Maslanka, Division Chief, T&ES, gave a presentation on the CMAQ and RSTP funding requests. Mr. Maslanka, Mr. Baier and Ms. Marks, Division Chief, T&ES responded to questions from Council about the proposed Bike Sharing program and the Braddock Road feasibility study that are part of the requests.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) approved the transportation projects listed on page 3 of the memorandum as those projects for which the City of Alexandria will request Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) grant funding totaling \$23.58 million from FY 2013 - FY 2018, noting that the Bike Sharing Initiative allocation will be contingent upon formal consideration and endorsement by City Council in October 2011; and (2) authorized the City Manager to apply for these grants, and gave the City Manager permission to enter into necessary agreements with the Commonwealth of Virginia to accept any of these grants. City Council also requested additional information on the Braddock Road Metro Multimodal Connections feasibility study and the goals that such a project hopes to achieve. The voting was as follows:

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

14. Consideration of Ratification of Submission of an Application to the Virginia Housing Development Authority (VHDA) for a Set-Aside Allocation of Funding Through the Community Homeownership Revitalization Program.

(A copy of the City Manager's memorandum dated September 20, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 09/27/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council ratified the submission of an application to Virginia Housing Development Authority (VDHA) for a total of \$900,000 in Community Homeownership Revitalization Program (CHRP) funding to

provide first-trust, low-interest, mortgage financing for eligible participants in the City Homeownership Assistance and Neighborhood Stabilization Programs. The voting was as follows:

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

15. Presentation on the City of Alexandria Jobs Program.

(A copy of the City Manager's memorandum dated September 23, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 09/27/11, and is incorporated as part of this record by reference.)

Mr. McKinney, Director, Center for Economic Support, Department of Community and Human Services (DCHS), gave a presentation on employment in the City and what DCHS and the JOBLink Division are doing to help City residents obtain employment. Mr. McKinney and Ms. Pippy, Youth Employment Program Administrator, responded to questions from Council.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council received the report. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

and

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille stated that it has been a year since he had an accident on the Braddock Metro platform and injured his knee.

(b) Councilman Smedberg reported that the Waterfront Committee held a public hearing about two weeks ago and the Citizens for an Alternative Alexandria

Waterfront submitted petition cards for the record.

(c) Councilman Smedberg requested an update on the wayfinding signage program from staff at the next Council meeting.

(d) Councilwoman Hughes reported that the Northern Virginia Black Chamber of Commerce held a candidates night at the Springfield Hilton last week.

(e) Councilwoman Hughes reported that the Northern Virginia Urban League Young Professionals Network will be holding a political action forum focusing on education, tentatively scheduled for October 12.

(f) Councilwoman Hughes stated that at the last meeting there was a discussion about the Government Reform Commission and a letter has been sent to the Governor about local government aid to the state. Councilwoman Hughes stated that the Task Force on Local Government Mandates has been established and she will serve as a liaison to the task force and she would present any information to the task force for those with concerns.

(g) Councilwoman Hughes reported that a prayer vigil was held on Sunday at the Charles Houston Recreation Center for Lenny Harris, the Alexandria activist who has been missing since last Wednesday. Councilwoman Hughes also asked that if anyone has any information about Mr. Harris' whereabouts or the person of interest in this matter, please contact the Alexandria Police Department.

(h) Councilwoman Pepper announced that on October 15, Senior Citizens Law Day will be held 9 a.m., at First Baptist Church.

ORAL REPORT FROM THE CITY MANAGER

Acting City Manager Johnson gave Council a preview of upcoming budget work sessions prior to Council guidance for the FY2013 budget.

ORDINANCES AND RESOLUTIONS

16. Introduction and First Reading. Consideration. Passage on First Reading and Second Reading of an Ordinance to Adopt Supplement Number 55 of the Zoning Ordinance.

(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; 09/27/11, 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;

09/27/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Hughes and carried unanimously by roll-call vote, City Council passed the ordinance to adopt Supplement Number 55 of the Zoning Ordinance. The voting was as follows:

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

The ordinance reads as follows:

ORDINANCE NO. 4737

AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 55," are hereby adopted as and shall constitute "The Fifty-Fifth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Fifty-Fifth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between November 13, 2010 and June 28, 2011, inclusive, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between November 13, 2010 and June 28, 2011, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Fifty-Fifth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia,

1992"; nor shall it affect any ordinance adopted after June 28, 2011.

Section 4. That one complete set of pages comprising "The Fifty-Fifth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," 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 pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

OTHER

17. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated September 21, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 09/27/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council: (1) scheduled a work session at 5:30 p.m. before Council's Wednesday, November 9 legislative meeting to discuss the Department of Recreation, Parks and Cultural Activities City-wide Needs Assessment and the Aquatics Master Plan; and noted that there will be a dedication ceremony for new sponsored bricks and columns at King Street Gardens Park at 8:15 a.m. before Council's Saturday, October 15 public hearing meeting. Council also has been invited to attend the opening of the Senior Citizens Law Day Program at 9 a.m. at First Baptist Church on King Street on October 15. Council noted that the work session on October 25 with the Homeless Services Coordinating Council will be replaced with a work session with the Planning and Zoning Department to discuss their work plan. Council also noted that on October 20 at 7 p.m., there will be a Community Emergency Management Forum held in the West End, location to be announced; and on December 1 at INOVA Alexandria there will be a program with HIV/AIDS Task Force (to be placed on an upcoming calendar). The voting was as follows:

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

Councilman Fannon noted that he would be absent from the October 18 budget

work session because of prior work commitments.

Councilwoman Hughes noted that she would be out of town from October 6-10 attending a fellowship program.

Mayor Euille noted that the Virginia Municipal League (VML) will be holding its Annual Conference in Henrico County (Richmond), Virginia, October 2-4 and members of Council and City staff will be in attendance.

EXECUTIVE SESSION

18. Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding Potential and Pending Litigation.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council convened in closed executive session at 9:00 p.m., pursuant to Section 2.2-3711(a)(3) of the *Code of Virginia*, for the purpose of consultation with counsel and briefing by staff pertaining to actual or probable litigation, whereas such consultation in open meeting would adversely affect the negotiating and litigating posture of the public body, and for the consultation regarding specific legal matters requiring the provision of legal advice. The voting was as follows:

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

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council reconvened the meeting at 9:45 p.m. The voting was as follows:

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

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

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

The resolution reads as follows:

RESOLUTION NO. 2473

WHEREAS, the Alexandria City Council has this 27th day of September 2011, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the regular meeting of September 27, 2011 at 9:47 p.m. The voting was follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria A. Sitton, CMC Deputy City Clerk