

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Regular Meeting
Tuesday, March 22, 2011 - - 7:00 p.m.**

Present: Mayor William D. Euille, 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. Hartmann, City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Caton, Legislative Director; Ms. Boyd, City Manager's Office; Police Captain Ogden; Deputy Police Chief Corle; Mr. Baier, Director, Transportation and Environmental Services; Mr. Lerner, Deputy Director, Transportation and Environmental Services; Mr. Grover, Transportation and Environmental Services; Ms. Marks, Transportation and Environmental Services; Mr. Ortiz, Transportation and Environmental Services; Ms. Davis, Director, Office of Housing; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Ms. Buttar, Mental Health, Mental Retardation and Substance Abuse; Mr. McPike, Acting Director, General Services; Mr. Wannamaker, Deputy Director, General Services; Ms. Hamer, Director, Planning and Zoning; Ms. Collins, Assistant City Manager/Director, Office of Community and Human Services; Ms. Wright, Planning and Zoning; Mr. Castrilli, Communications Director; Mr. Gates, Assistant City Manager; Ms. Orr, Director, Human Resources; and Mr. Lloyd.

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

City Council held a work session at 5:30 p.m. on the Fort Ward Park Ad Hoc Committee Report with the Ad Hoc Committee, the Alexandria Archaeology Commission and the Historic Alexandria Resources Commission.

1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:
 - (a) The Special Public Hearing Meeting Minutes of March 7, 2011; and
 - (b) The Regular Meeting Minutes of March 8, 2011.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, City Council approved the special public hearing meeting minutes of March 7, 2011 and the regular meeting minutes of March 8, 2011. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

4. Recognition of the 2010 State PTA Reflections Art Contest Winners.

City Council recognized the winners of the 2010 State PTA reflections art contest.

PROCLAMATIONS

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-7)

(Resignations and Uncontested Appointments)

5. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
 - (a) Alexandria-Caen Sister City Committee
Cate Johnson
 - (b) Commission on Employment
David Svec
 - (c) Commission on Persons with Disabilities

Petra Osborne

- (d) Public Health Advisory Commission
Jerome Cordts

(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-d); 3/22/11, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Affordable Housing Advisory Committee
1 Financial Professional With Knowledge or Experience in the Field of Finance as it Relates to Residential Housing
- (b) Alexandria Caen Sister City Committee
1 Citizen Member
- (c) Budget and Fiscal Affairs Advisory Committee
1 Member Designated By the Alexandria Chamber of Commerce
- (d) Commission on HIV/AIDS
1 HIV/AIDS Services Organization Which Provides Services in the City to the Minority Community
- (e) Emergency Medical Services Council
1 Citizen Member
- (f) Historic Alexandria Resources Commission
1 Alexandria Historical Society Representative
- (g) Local Emergency Planning Commission
1 Representative of Community Groups
- (h) Park and Recreation Commission
2 Planning District III Representatives
- (i) Sister Cities Committee
1 Citizen Member

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 6 (a-i); 3/22/11, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

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

(A copy of the City Manager's memorandum dated March 14, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 3/22/11, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Hughes, 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) Cate Johnson, Alexandria-Caen Sister City Committee; (b) David Svec, Commission on Employment; (c) Petra Osborne, Commission on Persons with Disabilities; and (d) Jerome Cordts, Public Health Advisory Commission.

6. City Council made the following appointments: (a) appointed Michael Butler as the one financial professional with knowledge or experience in the field of finance as it relates to residential housing, to the Affordable Housing Advisory Committee; (b) reappointed Lora Jerakis as the one citizen member to the Alexandria-Caen Sister City Committee; (c) reappointed Jermaine Mincey as the one member designated by the Alexandria Chamber of Commerce to the Budget and Fiscal Affairs Advisory Committee; (d) reappointed Marcos Castillo as the one HIV/AIDS services organization which provides services in the City to the minority community to the Commission on HIV/AIDS; (e) appointed Anthony Barone as the one citizen member to the Emergency Medical Services Council; (f) appointed Talmage Day as the one Alexandria Historical Society representative to the Historic Alexandria Resources Commission; (g) appointed Carl Adcock as the one representative of community groups to the Local Emergency Planning Commission; (h) reappointed Rich Brune and appointed John Sullivan as the two planning district III representatives to the Park and Recreation Commission; and (i) appointed Shelu Patel as the one citizen member to the Sister Cities Committee.

7. City Council authorized \$1,096,000 for capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary.

The voting was as follows:

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

CONTESTED APPOINTMENTS

- 8. Alexandria Gang Prevention Community Task Force
 - 1 Member From and Representing T.C. Williams High School
 - 1 Member From and Representing Alexandria City Middle Schools
 - 1 Citizen-at-large Member

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

| | |
|-----------------|--------------|
| NAME: | ENDORSED BY: |
| Fulton Vinson | |
| Arthur Williams | |
| James Copple | |

(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. 8; 3/22/11, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council waived the residency requirement and appointed Fulton Vinson as the one member from and representing T.C. Williams High School; waived the residency requirement and appointed Arthur Williams as the one member from and representing Alexandria City Middle Schools; and waived the residency requirement and appointed James Copple as the one citizen-at-large member to the Alexandria Gang Prevention Community Task Force. The voting was as follows:

| | | |
|----------|---|--------------------------|
| Euille | - | Vinson, Williams, Copple |
| Donley | - | Vinson, Williams, Copple |
| Fannon | - | Vinson, Williams, Copple |
| Hughes | - | Vinson, Williams |
| Krupicka | - | Vinson, Williams, Copple |
| Pepper | - | Vinson, Williams, Copple |
| Smedberg | - | Vinson, Williams, Copple |

- 9. Landlord-Tenant Relations Board
 - 1 Tenant Member

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

| | |
|---------------|--------------|
| NAME: | ENDORSED BY: |
| Kelly Merrill | |

Matthew Smith

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 3/22/11, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots were tallied with the following results: City Council appointed Kelly Merrill as the one tenant member to the Landlord-Tenant Relations Board. The voting was as follows:

| | | |
|----------|---|---------|
| Euille | - | Smith |
| Donley | - | Merrill |
| Fannon | - | Smith |
| Hughes | - | Merrill |
| Krupicka | - | Merrill |
| Pepper | - | Merrill |
| Smedberg | - | Merrill |

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

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

Mr. Grover, Transportation and Environmental Services, made a presentation of the report and he, along with Mr. Baier, Director, Transportation and Environmental Services responded to questions of City Council.

11. Presentation on the Alexandria Community Youth Mapping Project.

(A copy of the City Manager's memorandum dated March 10, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 3/22/11, and is incorporated as part of this record by reference.)

Mr. Allan Lomax, chair, Substance Abuse Prevention Coalition of Alexandria, presented the report and responded to questions of City Council.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council received the report and thanked the Substance Abuse Prevention Coalition of Alexandria (SAPCA) for their work on behalf of the City. The voting was as follows:

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

12. Consideration of Report on Disposition of City Real Estate at 716-718 N. Columbus Street, 401 E. Braddock Road, and 1505 Powhatan Street and Receipt of Update Report on City-owned Property Disposition.

(A copy of the City Manager's memorandum dated March 17, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 3/22/11, and is incorporated as part of this record by reference.)

Mr. Wannamaker, Deputy Director, General Services, made a presentation of the report and he, along with Mr. McPike, Acting Director, General Services, Ms. Wright, Planning and Zoning, and Ms. Davis, Director, Office of Housing, responded to questions of City Council.

WHEREUPON, upon motion by Councilman Fannon, seconded by Vice Mayor Donley and carried unanimously, City Council: 1. declared 716-718 North Columbus Street as surplus property and authorized the City Manager to seek offers of bids, or auction the property, as described in the City Real Estate Disposition Policy; 2. received notice that the City has received an unsolicited offer for 401 East Braddock Road and declared 401 East Braddock Road as surplus property; 3. authorized the City Manager to issue a request for proposal for 1505 Powhatan Street, following the process as described in the City Real Estate Disposition Policy; and 4. received updates on City-owned properties previously approved for disposition or under consideration for disposition; 509 North Saint Asaph Street, 511-515 Oronoco Street, 200 North Royal Street, 912, 916 and 920 King Street, and 116 South Henry Street.

Councilman Krupicka moved a friendly amendment on item #3 that it be contingent on additional Council discussion. The amendment was acceptable to the maker and seconder of the motion and is now considered part of the motion.

The voting was as follows:

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

13. Consideration of Report on the Long-Range Transportation Demand Management Plan (TDM).

(A copy of the City Manager's memorandum dated March 15, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 3/22/11, and is incorporated as part of this record by reference.)

Mr. Baier, Transportation and Environmental Services, along with Ms. Marks, T&ES, explained the report and action needed.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilwoman Pepper and carried 6-0-1, City Council adopted the Long Range TDM Plan, including adopting as aspirational goals the recommendations contained in this Long Range TDM Plan. The voting was as follows:

| | | | |
|----------|----------|--------|---------|
| Krupicka | "aye" | Donley | "aye" |
| Pepper | "aye" | Fannon | "aye" |
| Euille | "aye" | Hughes | abstain |
| | 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) Vice Mayor Donley said the Council of Governments Transportation Planning Board took a few actions on the ramp at Seminary Road. The TPB agreed to do an air quality analysis on the ramp which is required prior to anything being officially approved as part of the transportation improvement program and they agreed to amend the 2011 constrained long-range plan to add this to the plan so that it could be considered, which is one more step in adding it to the transportation improvement program. Those studies will happen over the next 4-6 months and he anticipated they would come back before the TPB at COG in the Fall for final adoption. He said it signals that VDOT is serious about doing the necessary work and committing the dollars to make the transportation infrastructure investment in the Mark Center area.

(b) Vice Mayor Donley offered congratulations to Dan Shipp and his family who were recognized by the Alexandria crew boosters and the T.C. Williams crew team this weekend by having a boat/eight person shell named after him. Vice Mayor Donley said Dan has been associated with the crew boosters and T.C. Williams crew for about 15 years.

(c) Councilman Krupicka said he learned recently that the Arlandria Farmers Market has secured funding to get a wireless point of sale device, which will allow them to take credit and debit cards. It gives a lot more people access to those kind of payment options and makes it easier for the vendors. He said he would like to work with staff to explore how it could make that happen and it might turn into a budget memo request.

(d) Councilman Smedberg said he represents the Council on the VRE Operations Committee, and he noted that over the past several months, VRE ridership has slowly been trending up and they hit a milestone earlier this month of 20,000 riders.

(e) Councilwoman Hughes said the Jefferson Houston PTA had a celebrity BINGO as a fundraiser Saturday night and a number of Councilmembers were there. She congratulated them on a good fun-filled family event.

(f) Councilwoman Hughes congratulated the Alexandria Chapter of Zeta Phi Beta sorority on having a wonderful 25th year of service anniversary luncheon at the Army Navy Club. They have done a number of wonderful programs in the City and in the near future will be doing a Read Across America Day.

(g) Councilman Fannon said they have a lot of City employees that spend their whole careers giving to the community and to the City, and when one retires or leaves, there is a lot of institutional knowledge that goes along with that. He said he introduced Detective Tom Durkin, who retired with 34 years with the Police Department. He thanked Detective Jerkin for his service and wished him well in his retirement.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

14. Consideration of Resolution Reaffirming the City's Endorsement of an Independent Policy Board for the Alexandria Alcohol Safety Action Program.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated March 14, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 3/22/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried 7-0 by roll call vote, City Council adopted the resolution reaffirming the continuation of an independent policy board, appointed by Council, for the AASAP program. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2441

Reaffirming the City Of Alexandria's Endorsement of an Independent Policy Board for the Alexandria Alcohol Safety Action Program

WHEREAS, the Commonwealth of Virginia, in the interest of highway safety, has enacted laws to create programs for probation, education, and rehabilitation of persons convicted of driving motor vehicles under the influence of alcoholic beverages and other self-administered drugs, and these programs are known as Alcohol Safety Action Programs or ASAPs; and

WHEREAS, the local "Alexandria Alcohol Safety Action Program" has been serving the City of Alexandria, providing probation, education, and rehabilitation of persons charged in violation of Virginia Code Section 18.2-266, and providing other services approved by the Virginia Commission on VASAP; and

WHEREAS, Sections 18.2-271.1 and 18.2-271.2 of the Code of Virginia establish a Commission on VASAP; and direct the Commission to establish procedures for the operation of local ASAP Programs; and

WHEREAS, on April 3, 1987, the Commission issued directives that all local ASAP programs would establish and implement an independent Policy Board, representative of localities served, to operate the program; and

WHEREAS, previously the City of Alexandria became part of the Alexandria Alcohol Safety Action Program, pursuant to Section 15.2-1300 of the Virginia Code;

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

That the City of Alexandria hereby reaffirms its position as the participating locality in the Alexandria ASAP, endorses the continuation of an independent Policy Board, and agrees to the following:

1. The Policy Board shall consist of nine members appointed by City Council for three-year terms. Members may include, but shall not be limited to, representatives of the judiciary, the bar, law enforcement, education, substance abuse treatment professionals and transportation safety experts.

2. A Chair, a Vice Chair and a Secretary shall be elected by the Policy Board in accordance with its by-laws. The Program's Director shall serve an ex-officio member without voting power.

3. The Policy Board shall supervise the Alexandria ASAP Director. The Director shall be responsible for implementing operational policies for the Alexandria ASAP, hiring and supervising additional staff for it, and controlling all revenues and expenditures in accordance with policies and procedures established by the Commission on VASAP.

4. All employees and the Director of the program shall be deemed at-will employees of the program and not employees of the City of Alexandria. The Director

shall be an at-will employee of the Policy Board and the Commission on VASAP.

5. The Alexandria ASAP shall be operated by the Policy Board and the Director in compliance with the Commission on VASAP's Policies and Procedures.

6. The program shall provide probation, education, prevention, and rehabilitative services to persons convicted of a violation of §18.2-266 of the Code of Virginia and referred to the program by a court of this jurisdiction, and such other services as may be authorized or required by the Code or the Commission on VASAP.

7. Each fiscal year, the Director shall prepare a budget and submit it for approval to the Alexandria Policy Board and the Commission on VASAP. In accordance with the requirement of §18.2-271.1 B of the Code of Virginia and the Commission on VASAP's Policy and Procedure Manual, the Commission on VASAP shall be responsible for funding any deficit occurring in the operation of the Alexandria ASAP.

8. The Director shall submit an annual report to the Policy Board and to the Commission on VASAP indicating the activities of Alexandria ASAP.

9. This agreement shall become effective upon its approval by Alexandria City Council and shall remain in effect until terminated by the City of Alexandria, the Alexandria Policy Board, or the Commission on VASAP. The agreement supersedes any previous resolution that was adopted for the Alexandria ASAP.

15. Consideration of Resolution Providing For A Six-month Extension of the City's Cable Television Franchise Agreement with Comcast of Virginia, Inc. From April 1, 2011 to September 30, 2011. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated March 9, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 3/22/11, and is incorporated as part of this record by reference.)

Ms. Boyd, Special Assistant to the City Manager, responded to questions of City Council regarding the franchise extension.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried 7-0 by roll call vote, City Council: 1. approved the request and adopted the resolution, which extends the expiration date of the cable television franchise agreement with Comcast of Virginia, Inc., from March 31, 2011 to September 30, 2011; and 2. extended the waiver of the requirement for a minimum of 10 hours of local origination programming that is produced by Comcast and intended for use in the City and is of specific local interest to the residents of the City until a new franchise agreement is executed. Comcast's temporary studio is located at its headend on Wheeler Avenue, a secure building, which makes it difficult for members of the public to access the facility. Council directed the City Manager to provide an update by the June

28, 2011 Council meeting on where negotiations stand and to have an executive session conversation on the matter much earlier than June 28. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2442

Resolution to extend the term of the cable television franchise held by Comcast of Virginia, Inc., until September 30, 2011, for the purpose of permitting the City of Alexandria and the Franchisee to complete renewal discussions

WHEREAS, on June 18, 1994, the City of Alexandria, Virginia (the "City"), granted a cable television franchise (the "Franchise") to Jones Intercable of Alexandria, Inc.; and

WHEREAS, in or about December 1999, Jones Intercable of Alexandria, transferred the Franchise to Comcast of Virginia, Inc., (the "Franchisee") who currently holds the Franchise; and

WHEREAS, the Franchise expired on June 17, 2009; and

WHEREAS, on June 9, 2009, by Resolution 2346, City Council approved the joint request of the City and Comcast to extend the franchise until December 31, 2009; and

WHEREAS, on December 9, 2009, by Resolution 2374, City Council approved the joint request of the City and Comcast to extend the Franchise until October 30, 2010; and

WHEREAS, on October 26, 2010, by Resolution 2421, City Council approved the joint request of the City and Comcast to extend the Franchise until September 30, 2011; and

WHEREAS, the City and the Franchisee are continuing to be engaged in active discussions concerning the renewal of the Franchise and those discussions have not been completed; and

WHEREAS, by Resolution 2421, City Council granted Comcast a waiver of the Franchise's requirement that Comcast provide a minimum of ten (10) hours of local

origination programming that is produced by Comcast and intended for use in the City and is of specific local interest to the residents of the City; and

WHEREAS, Comcast has requested an extension of the waiver until a new franchise agreement has been executed because Comcast's temporary studio is located at its headend on Wheeler Avenue in the City, which is a secure facility which restricts access by members of the public; and

WHEREAS, the City wishes to extend the term of the Franchise to allow time for the parties to complete negotiations; and

WHEREAS, the Franchisee has provided its consent to the proposed extension of the Franchise, in the form of the attached letter; and

WHEREAS, the City and the Franchisee both desire to reserve their respective rights under state and federal law, including, without limitation, 47 U.S.C. § 546.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Alexandria, Virginia:

1. That the term of the Franchise is hereby extended until September 30, 2011; and
2. The extension of waiver of requirement of local origination programming is granted until a franchise agreement is executed; and
2. That this Resolution shall be effective immediately upon passage.

OTHER

16. Receipt of Report on the City Council Process for City Manager Selection.

(A copy of the memorandum dated March 15, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 3/22/11, and is incorporated as part of this record by reference.)

Mayor Euille and Councilman Smedberg explained the process for the City Manager selection and the steps involved in the process and asked Council to forward vacation dates for June-August.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Hughes and carried unanimously, City Council approved the process for the recruitment and selection of the new City Manager as discussed in the staff report. The voting was as follows:

Smedberg "aye" Donley "aye"

| | | | |
|--------|--------|----------|-------|
| Hughes | "aye" | Fannon | "aye" |
| Euille | "aye" | Krupicka | "aye" |
| | Pepper | "aye" | |

17. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated March 17, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 3/22/11, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council: 1. confirmed that there will be a budget work session with the School Board at George Washington Middle School on March 30 at 7:00 p.m. as discussed at the March 14 joint budget work session with the School Board; 2. scheduled a special executive session at 7:30 p.m. in the Council Workroom on Tuesday, April 5 to discuss personnel matters related to the recruitment and selection of a new city manager; 3. scheduled a work session with the Alexandria HIV/AIDS Task Force in the City Council workroom at 5:30 p.m. before Council's Tuesday, June 28 legislative meeting; and 4. noted that the following events that have been added to the Council Calendar since the last legislative meeting: the annual City employee recognition program on Tuesday, April 21 from 2:00 p.m. to 5:00 p.m. at the George Washington Masonic Memorial; the City employee health fair on Wednesday, May 11 from 9:00 a.m. to 2:00 p.m. at the Lee Center; and the Commission for the Arts annual grantee and artists recognition reception on Monday, May 23 at 7:00 p.m. in the City Hall Room 2000. The voting was as follows:

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

EXECUTIVE SESSION

18. Consideration of a Closed Meeting For the Purpose of Consulting With Legal Counsel Regarding Pending Litigation and to Discuss Personnel Matters.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Smedberg and carried unanimously, City Council convened in closed executive session at 9:39 p.m., pursuant to Sections 2.2-3711(A)(1) and (7) of the *Code of Virginia*, for the purpose of discussion and consideration of the appointment of a specific appointee of City Council and consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation 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 10:00 p.m., and noted that the closed executive session, pursuant to Section 2.2.-3711(A)(1) be recessed until April 5, 2011 at 7:30 p.m. in the City Council workroom and then to April 12, 2011 in the City Council Chambers at 7:00 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 7-0 by roll call vote, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2443

WHEREAS, the Alexandria City Council has this 22nd day of March 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 March 22, 2011 at 10:01 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, MMC
City Clerk and Clerk of Council