

EXHIBIT NO.

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4-14-12

[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.


**RESOLUTION NO. 2497**

**WHEREAS**, the Alexandria City Council has this 14th day of April 2012, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

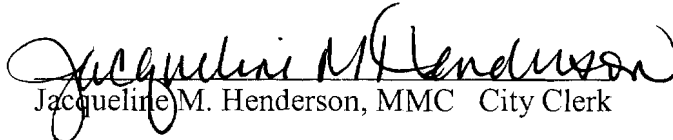
**WHEREAS**, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

**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.

Adopted: April 14, 2012

  
WILLIAM D. EULLE MAYOR

ATTEST:

  
Jacqueline M. Henderson, MMC City Clerk

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4-14-12

**Jackie Henderson**

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**From:** Deena and Joe de Montigny and Demshar <demontigny@comcast.net>  
**Sent:** Friday, April 13, 2012 10:13 PM  
**To:** William Euille; Frank Fannon; Kerry Donley; Alicia Hughes; Del Pepper; Paul Smedberg; Rose Boyd; Jackie Henderson; Rob Krupicka; Linda Owens; Elizabeth Jones  
**Subject:** COA Contact Us: Closed session of Council regarding BZA decision  
**Attachments:** ATT00002.txt

**COA Contact Us: Mayor, Vice Mayor, and Council Members**

**Time:** [Fri Apr 13, 2012 22:12:32] **Message ID:** [38490]

**Issue Type:** Mayor, Vice Mayor, and Council Members  
**First Name:** Deena and Joe  
**Last Name:** de Montigny and Demshar  
**Street Address:** 302 Prince Street  
**City:** Alexandria  
**State:** Virginia  
**Zip:** 22314  
**Phone:** 703-519-4534  
**Email Address:** [demontigny@comcast.net](mailto:demontigny@comcast.net)  
**Subject:** Closed session of Council regarding BZA decision  
To the Mayor, Vice Mayor and members of the Alexandria City Council,  
We respectfully ask all of you to consider the ideas presented below.  
The Waterfront Small Area Plan passed City Council and is now incorporated as part of the City's Master Plan. However, the text amendments to the zoning ordinance that coordinate with the plan may not be realized.

**Comments:**

The City has at least two courses of action they can pursue:  
The first is to take further efforts to enact the text amendments through additional rejections of the protest partition or via an appeal of the recent BZA ruling to a higher court.  
However, another course of action is to accept the findings of the BZA. Subsequent zoning changes to the

development sites within the Small Area Plan can be addressed on a project

by project basis as developers bring them forward. Each proposal can

undergo the public process and eventually reach City Council. If the

process is an open one, substantive public comments are taken into

consideration and the plan has merit it can and will be passed thereby

achieving the goals of the Small Area Plan. If the public is engaged,

and the plan stands on its own, we believe you can obtain a super majority

if necessary at the public hearing.

On the other hand if the City

pursues additional legal action, additional tax payer dollars will be

spent fighting your own citizens and the animosity and divisive diatribe

will continue. The consequences will be destructive. The City has the

opportunity to reduce the friction and to begin to mend some of the divides

within the City.

A core constituency of residents exist that may feel

disenfranchised and have lost trust in the process, but a conciliatory

gesture on behalf of the City can restore their belief in their ability to

express concerns and be heard. They will respond positively to an

effort on the City's part to deflate the current antagonism rampant on

both sides of these issues.

The Small Area Plan is in place and

avenues exist to accomplish the necessary zoning changes to realize the

intent of the Small Area Plan while diminishing the current controversy.

Going about traditional map change rezoning will be more difficult, but

will encourage better projects in order to ensure a super majority vote,

and will guarantee a more public process that will be less susceptible to

the criticisms of  
the past.

We hope you consider these comments before

you deliberate on this matter on Saturday.

With respect,  
Deena de

Montigny and Joe Demshar