

EXHIBIT NO. 1

3(b)
11-19-08

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, October 28, 2008 - - 7:00 p.m.

* * * * *

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

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Mr. Spera, Assistant City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Caton, Legislative Director; Mr. Castrilli, Communications Director, City Manager's Office; Ms. Harris, Communications Officer, City Manager's Office; Ms. Blackford, Communications Officer, City Manager's Office; Mr. Mason, Special Assistant to the City Manager; Police Captain Ogden; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Ms. Hamer, Director, Planning and Zoning; Ms. Triggs, Director, Finance Department; Mr. Johnson, Director, Office of Management and Budget; Ms. Taylor, Budget Analyst, Office of Management and Budget; Fire Chief Thiel; Mr. Catlett, Director, Code Enforcement; Ms. Collins, Assistant City Manager/Director, Human Services; Ms. Brown, Human Services; Ms. Niebauer, Director, Office of Human Rights; Mr. Trobridge, Deputy Director, Office of Information Technology; and Mr. Dodson, General Services.

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

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This City Council meeting was held at the School Board Administration Office, 2000 Beauregard Street.

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City Council held a work session at 5:30 p.m. to discuss the Landmark/Van Dorn Plan.

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OPENING

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.

Mayor Euille thanked the School Board and School Administration for allowing Council to conduct the meeting in their building tonight.

2. Moment of Silence and Pledge of Allegiance.

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

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

(a) The Regular Meeting Minutes of October 14, 2008.

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the regular meeting minutes of October 14, 2008. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

Mayor Euille recognized Scouts from troop 680 from St. Louis Catholic Church who were in the audience studying civics.

PROCLAMATIONS

4. Presentation of a Proclamation Declaring October as Lights on After School.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 10/2808, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

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

5. Presentation of a Proclamation Recognizing the Youth Voices for Unity - Bringing Students Together.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 10/2808, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

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

6. Presentation of a Proclamation Declaring November as Family Involvement Month.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 10/2808, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (7-13)

(Resignations and Uncontested Appointments)

7. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
- (a) Alexandria-Caen Sister City Committee
Jeff Whisenant
 - (b) Alexandria Citizen Corps Council

Walter Worrall

(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. 7 (a-b); 10/28/08, and is incorporated as part of this record by reference.)

8. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Early Childhood Commission
1 Member From the Alexandria Social Services Advisory Board (SSAB)
- (b) Alexandria Emergency Medical Services Council
1 Representative of the Alexandria Chapter of the American Red Cross

(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. 8 (a-b); 10/28/08, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

9. Consideration of an Application From the Court Service Unit For Grant Funds to Provide Parenting Skills Education For Minority and Immigrant Families Involved in the Juvenile Justice System.

(A copy of the City Manager's memorandum dated October 22, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 9; 10/28/08, and is incorporated as part of this record by reference.)

10. Consideration of the Monthly Financial Report For the Period Ending September 30, 2008.

(A copy of the City Manager's memorandum dated October 22, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 10; 10/28/08, and is incorporated as part of this record by reference.)

11. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated October 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 11; 10/28/08, 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 to Amend the City Purchasing Code to Implement General Assembly Changes to the Virginia Public Procurement Act.

(A copy of the City Manager's memorandum dated October 20, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 12; 10/28/08, and is incorporated as part of this record by reference.)

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Making Supplemental Appropriations For FY 2009.

(A copy of the City Manager's memorandum dated October 22, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 10/28/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 10/28/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 13; 10/28/08, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilmember Lovain, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the consent calendar, with the exception of docket item #13, which was considered under separate motion. The City Manager's recommendations were as follows:

7. City Council accepted the following resignations with regret: (a) Jeff Whisenant, Alexandria-Caen Sister City Committee; and (b) Walter Worrall, Alexandria Citizen Corps Council.

8. City Council made the following appointments: (a) appointed Alicia Hughes as the one Member From the Alexandria Social Services Advisory Board (SSAB) to the Alexandria Early Childhood Commission; and (b) reappointed Pamela Alesky as the one Representative of the Alexandria Chapter of the American Red Cross to the Alexandria Emergency Medical Services Council.

9. City Council: 1. Authorized the submission of a grant application to the Virginia Department of Juvenile Justice (due November 1, 2008) not to exceed \$20,000; and 2. authorized the City Manager to execute the necessary documents for the grant which would be effective on January 1, 2009.

10. City Council received the Monthly Financial Report for the period ending September 30, 2008.

11. City Council authorized the capital projects allocations and planned expenditures for the capital projects as determined in the capital improvement expenditure summary.

12. This item was deferred.

The voting was as follows:

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

13. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Making Supplemental Appropriations For FY 2009.

(A copy of the City Manager's memorandum dated October 22, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 13; 10/28/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 10/28/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 13; 10/28/08, and is incorporated as part of this record by reference.)

In response to questions by City Council regarding grant awards and the grants, City Manager Hartmann, Deputy City Manager Jinks, Budget Director Johnson and Budget Analyst Taylor, responded to City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council passed the proposed ordinance on first reading and scheduled it for public hearing, second reading and final passage on November 15, 2008. The voting was as follows:

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

CONTESTED APPOINTMENTS

14. Historic Alexandria Resources Commission
1 Member-at-Large

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

NAME: ENDORSED BY:

Faizan Mujeebuddin
Elizabeth Reno
Bernard Schulz

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 14; 10/28/08, 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 Bernard Schulz as the one member at large to the Historic Alexandria Resources Commission. The voting was as follows:

Euille	-	Schulz
Pepper	-	Schulz
Gaines	-	Schulz
Krupicka	-	Schulz
Lovain	-	Schulz
Smedberg	-	Schulz
Wilson	-	Schulz

15. Alexandria Waterfront Committee
1 Representative From the Old Town Business and Professional Association

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

NAME: ENDORSED BY:

Linda Hafer

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 15; 10/28/08, 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 Linda Hafer as the one representative from the Old Town Business and Professional Association to the Alexandria Waterfront Committee. The voting was as follows:

Euille	-	Hafer
Pepper	-	Hafer
Gaines	-	Hafer
Krupicka	-	Hafer
Lovain	-	Hafer
Smedberg	-	Hafer
Wilson	-	Hafer

Councilman Smedberg said it is incumbent upon the organization nominating the person to state why they are nominating a non-resident, and that is the point they were trying to get with this. In the future, it would be helpful to have, he said.

16. Alexandria Youth Policy Commission

- 1 Individual Who Has An Interest in Issues Affecting Youth in the City
- 1 Representative of A Non-Profit Agency Having An Interest in Youth Issues

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

NAME:

ENDORSED BY:

Chad Dickerson
Hector Huezo
Richard Romero

Michele Brandon

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 16; 10/28/08, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council appointed Chad Dickerson as the one representative of a non-profit agency having an interest in youth issues and waived the residency requirement and appointed Michele Brandon as the one individual who has an interest in issues affecting youth in the City to the Alexandria Youth Policy Commission. The voting was as follows:

Euille	-	Dickerson, Brandon
Pepper	-	Dickerson, Brandon
Gaines	-	Dickerson, Brandon
Krupicka	-	Huezo, Brandon

Lovain	-	Dickerson, Brandon
Smedberg	-	Huezo, Brandon
Wilson	-	Huezo, Brandon

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

17. Receipt of Proposed City Legislative Package For the 2009 General Assembly Session.

(A copy of the City Manager's memorandum dated October 22, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 17; 10/28/08, and is incorporated as part of this record by reference.)

Legislative Director Caton made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council: 1. received the proposals for the City's 2009 Legislative Package, with an amendment that it include in the legislative package the items outlined in a memo dated October 28, 2008 from Councilmen Krupicka, Smedberg and Wilson, relating to asking the General Assembly to grant Council additional authority as it relates to campaign disclosure requirements for campaign fundraising by members of Council, as well as the way developers or businesses bringing applications before the City, the obligation is on them to disclose the investors in their projects and how those investors may or may not relate to the Council and contributions to the Council; and a proposal to authorize City Council to set limits on the terms of members it appoints to City boards, committees, authorities, councils, task forces, work groups and commissions; 2. scheduled the legislative package proposals for public hearing on Saturday, November 15, 2008; and 3. scheduled adoption of the Legislative Package for Tuesday, November 25, 2008, following Council's work session with the General Assembly Delegation. The voting was as follows:

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

18. Receipt of Report on Proposed Changes in City Special Events Policies.

(A copy of the City Manager's memorandum dated October 23, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 18; 10/28/08, and is incorporated as part of this record by reference.)

Director of Recreation, Parks and Cultural Activities Kincannon responded to questions of City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council: 1. received the report; 2. referred the recommended proposed special event policies to the Park and Recreation Commission and requested that they provide City Council with their comments by the end of November, with the following notations: add the words "timely and" after the word "more" in the following sentence: "Staff will proceed with administering and budgeting events in a more transparent manner..."; and on page three, section A, Special Events Committee - Agency Representatives, to add Historic Alexandria; Council will have a public hearing docket item incorporating the Commission's comments for Council consideration at the December 9 legislative meeting; and 3. requested staff to proceed with the administrative recommendations on improving transparency of budget and managing special events. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

(a) Mayor Euille noted that the Presidential Election is next Tuesday, November 4 and he encouraged citizens to vote and noted that they could vote early.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Vice Mayor Pepper noted that on Saturday, as they were beginning the Retreat, they were informed that Bill Hurd, Sr. had died the day before. Mr. Hurd had been a long-time chair of the Alexandria Transit Company and had been a member of and chair of the Planning Commission for many years. She said Mr. Hurd had requested that there not be a funeral, but there will be a memorial service in the future.

(b) Councilman Gaines said that last week he presented a proclamation recognizing disability mentoring day at T.C. Williams High School, and he commended City staff, as it had over 30 staff members from various departments mentor a student during the day. He said it was an annual event and it was great to see staff step up to the plate.

(c) Councilman Gaines said he had the opportunity to participate in a panel in Williamsburg on transparency in government, which was sponsored by the American Council for Technology and it was their executive leadership conference, which had

senior management and leadership from federal, state and local governments, as well as from the private sector. He said it highlighted best practices in the area of transparency, the ways transparency can impact an organizations bottom line, the way it can shed light with respect to what consumers have available to digest and better understand. Ultimately, he said, one of the outcomes was how transparency and technology is changing the way governments operate, and the way it operates and does business. He thanked Deputy City Manager Jinks in helping him prepare remarks on what Alexandria is doing. The City is doing a lot of the right things when it comes to transparency.

(d) Councilmember Lovain said five members of Council were at the Virginia Municipal League conference in Norfolk last week and they had some interesting sessions and presentations on the State budget from the Governor and others. He noted that Alexandria received an Environmental Go-Green Award at that time. Councilmember Lovain said he served on an immigration panel. He said he appreciated the work of Legislative Director Caton and Director of Human Rights Niebauer to help him prepare for that.

(e) Councilmember Lovain said the weather held off pretty well for the Breast Cancer Awareness Walk on Saturday.

(f) Councilman Gaines said Joan Funn passed away, and Joan was a long-time educator in the schools and a fixture in a number of community groups and organizations.

Mayor Euille thanked Vice Mayor Pepper for standing in for him at the funeral for Ms. Funn this past week.

(g) Mayor Euille noted that Ms. Elsie Tucker Thomas died. He said Ms. Tucker Thomas was the sister of noted civil rights lawyer Samuel Tucker, who was instrumental in the 1939 Alexandria sit-in.

(h) Councilman Gaines noted that Councilman Wilson ran and finished the Marine Corps Marathon this past Sunday.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

19. Consideration of Proposed Resolution Requesting the Recently Appointed Regulator for Fannie Mae and Freddie Mac to Maintain a Charitable Giving Program as Part of Any Future Restructuring of These Organizations.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated October 22, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 19; 10/28/08, and is incorporated as part of this record by reference.)

Ms. Brown, with the Department of Human Services, responded to questions of City Council.

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council adopted the resolution requesting the Regulator for Fannie Mae and Freddie Mac to maintain a charitable giving program as part of any future restructuring of the organization, with a notation in the seventh whereas to note that the Washington Metropolitan Council of Governments Board already did endorse a resolution supporting continued charitable giving by Fannie Mae and Freddie Mac, and in that whereas, it should read: "supporting the continued giving of Fannie Mae and Freddie Mac." The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2300

WHEREAS, Fannie Mae and Freddie Mac are two of the largest business organizations in the National Capital Region, employing thousands of workers and contributing to the overall vitality of the area economy; and

WHEREAS, Fannie Mae and Freddie Mac are among the top two charitable givers in this region, and have specifically donated approximately \$700,000 to City of Alexandria non-profits in 2007 and directly or indirectly assisted thousands of at-risk families and individuals; and

WHEREAS, federal regulators placed both Fannie Mae and Freddie Mac into conservatorship in September 2008 to restructure the organizations and stabilize the housing finance markets; and

WHEREAS, the Federal Housing Finance Agency is the lead regulator during the period of conservatorship and it has pledged to review the charitable efforts of Fannie Mae and Freddie Mac as part of its oversight responsibilities; and

WHEREAS, the City of Alexandria, Virginia recognizes and values the programs and services of its nonprofit partners, and through the Alexandria Fund for Human Services also invests local dollars in their work; and

WHEREAS, given the very difficult financial conditions facing the National Capital Region at present and in the foreseeable future, it is unlikely that area local governments or other businesses or foundations would be able to quickly make up the difference in philanthropy, should Fannie Mae and Freddie Mac cease their charitable support of area non-profits and vulnerable families; and

WHEREAS, at its September 25, 2008 meeting, the Human Services Policy Committee agreed to ask the Washington Metropolitan Council of Government (COG) Board to endorse a resolution, supporting the continued charitable giving of Fannie Mae and Freddie Mac, which was passed at the Board's October meeting; and

WHEREAS, COG has encouraged local elected officials to adopt similar positions or statements for communication to federal regulators and Members of Congress;

NOW, THEREFORE, BE IT RESOLVED THAT The Alexandria City Council:

1. Recognizes the critical role that local nonprofits play in meeting human service needs of the City's most vulnerable populations; and asks federal regulators to maintain a charitable giving program as part of any restructuring of the business operations of Fannie Mae and Freddie Mac.
2. Copies of this resolution shall be transmitted to the Federal Housing Finance Agency, the National Capital Region Congressional Delegation, relevant Congressional Committees, and the Board Chairs of Fannie Mae and Freddie Mac.

OTHER

20. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated October 23, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked as Exhibit No. 1 of Item No. 20; 10/28/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council: 1. deferred scheduling the public forum on green buildings; 2. scheduled the annual work session on the Wayfinding Program at 5:30 p.m. before the Tuesday, January 27 legislative meeting; 3. scheduled the annual work session with the Alexandria Convention and Visitors Association and a separate discussion with the Alexandria Economic Development Partnership at 5:30 p.m. before Council's Tuesday, March 24 legislative meeting in the Council work room; and 4. received the revised calendar which includes the Annual Tree Lighting Ceremony at 7:00 p.m. on Friday, November 28 at Market Square. The voting was as follows:

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

EXECUTIVE SESSION

21. Consideration of Convening An Executive Session Closed to the Public To Discuss a Personnel Matter related to the Selection of an Independent Reviewer of Staff Action Re: Ethanol Plant.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, at 8:40 p.m., City Council convened in Executive Session, pursuant to Section 2.2-3711(A)(1) of the *Code of Virginia*, for the purpose of discussing the appointment of the new city attorney, and pursuant to that Section and Section 2.2-3711(A)(29) for the purpose of discussing the selection of a consultant for the Norfolk Southern Ethanol Inquiry. The voting was as follows:

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

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, at 9:13 p.m., City Council reconvened the meeting. The voting was as follows:

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

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, City Council moved to authorize the City to negotiate a contract with Steven Jansen and David LaBahn to conduct the independent review regarding the Norfolk Southern Ethanol Transloading Facility, in accordance with the terms discussed in executive session. The voting was as follows:

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

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted

the resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2301

WHEREAS, the Alexandria City Council has this 28th day of October 2008, 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 Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, the City Council meeting of October 28, 2008, was adjourned at 9:15 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, CMC, City Clerk