

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, October 11, 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. Johnson, Acting City Manager; Mr. Banks, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Ms. Snow, Assistant City Attorney; Police Captain Ogden; Police Captain Ray; Fire Chief Thiel; Mr. Lerner, Deputy Director, Transportation and Environmental Services; Ms. Marks, Transportation and Environmental Services; Ms. Baker, City Engineer, Transportation and Environmental Services; Mr. Lambert, Transportation and Environmental Services; Ms. Sanders, Transportation and Environmental Services; Ms. Boyd, Special Assistant to the City Manager, City Manager's Office; Ms. Triggs, Director, Finance Office; Mr. Clark, Assistant Director of Finance; Ms. Hamer, Director, Planning and Zoning; Mr. Routt, Office of Management and Budget; Mr. Trobridge, Director, Department of Information Technology; Mr. Castrilli, Director, Office of Communications; Ms. McLean, Department of Information Technology; and Mr. Lloyd.

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

City Council held a work session at 5:30 to discuss Human Services funding and to discuss Legislative issues.

1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:
 - (a) The Public Hearing Meeting Minutes of September 17, 2011; and
 - (b) The Regular Meeting Minutes of September 27, 2011.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilwoman Pepper and carried unanimously, City Council approved the public hearing meeting minutes of September 17, 2011 and the regular meeting minutes of September 27, 2011. The voting was as follows:

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

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

- 3.1 Recognition of Students from Polk Elementary School for Artwork at City Hall.

City Council recognized the former students from Polk Elementary for the artwork at City Hall.

PROCLAMATIONS

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (4-9)

(Resignations and Uncontested Appointments)

4. Receipt of the following resignations from Members of Boards, Commissions and Committees:
 - (a) Budget and Fiscal Affairs Advisory Committee
Holly Hemphill
 - (b) Citizen Corps Council
Amy Olson
 - (c) Commission for the Arts
Terrell Ambrose
 - (d) Traffic and Parking Board

E. Jon Sargeant

(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. 4 (a-d); 10/11/11, and is incorporated as part of this record by reference.)

5. Uncontested Appointments to Boards, Commissions and Committees:
- (a) Alexandria-Caen Sister City Committee
5 Citizen Members
 - (b) Alexandria-Gyumri Sister City Committee
1 Citizen Member
 - (c) Beautification Commission
1 Citizen Member
 - (d) Carr/Norfolk Southern (Carlyle) Design Review Board
1 Citizen Member
 - (e) Commission on Aging
1 Representative of Older Persons
 - (f) Commission on Employment
1 Representative From Such Organizations as Educational Agencies, Organized Labor, Rehabilitative Agencies, Community-Based Organizations, Economic Development Agencies and the Public Employment Service
 - (g) Commission on Persons with Disabilities
2 Citizen Members
 - (h) Community Criminal Justice Board
1 Citizen Member
 - (i) Environmental Policy Commission
2 Members From the Field of environmental sciences (e.g., Environmental/Sanitary Engineering, Ecology, Geology, Botany, Hydrology, Chemistry) or Who Have Alexandria Waterfront Expertise
 - (j) Historic Alexandria Resources Commission
1 Member at Large From Planning District II
 - (k) Public Health Advisory Commission
1 Representative of the Alexandria Community Services

Board, Nominated by the Board

- (l) Real Estate Assessment Review Board
1 Citizen Member Appointed by City Council

- (m) Waterfront Committee
1 Representative of the Pleasure Boat Lease Holders at
Alexandria Marina

(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. 5 (a-m); 10/11/11, and is incorporated as part of this record by reference.)

(Ordinances for Introduction)

- 6. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sections 3-2-353 and 3-2-354 To Add Code Sections Not Previously Included, To Clarify How a Parking Citation Can Be Contested, and To Provide a Deadline For Contesting a Citation.

(A copy of the City Manager's memorandum dated September 29, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 10/11/11, 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. 6; 10/11/11, 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. 3 of Item No. 6; 10/11/11, and is incorporated as part of this record by reference.)

- 7. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 5-7-58 of Article C, Chapter 7 of Title 5, Creating a Prohibition Against the Confinement of Animals in Unattended, Enclosed Vehicles.

(A copy of the City Manager's memorandum dated October 5, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/11/11, 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. 7; 10/11/11, 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. 3 of Item No. 7; 10/11/11, and is incorporated as part of this record by reference.)

8. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sections 5-7-31, 5-7-33.1, and 5-7-35 to Clarify the Definition of a Dog Running at Large.

(A copy of the City Manager's memorandum dated October 6, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 10/11/11, 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. 8; 10/11/11, 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. 3 of Item No. 8; 10/11/11, and is incorporated as part of this record by reference.)

9. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing the Tenant of the Property located at 608 Montgomery Street in the City of Alexandria, Virginia to Construct and Maintain an Encroachment For Outdoor Seating at That Location.

(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. 9; 10/11/11, 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. 9; 10/11/11, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Hughes and carried unanimously, City Council approved the consent calendar. The City Manager's recommendations were as follows:

4. City Council accepted the following resignations with regret: (a) Holly Hemphill, Budget and Fiscal Affairs Advisory Committee; (b) Amy Olson, Citizen Corps Council; (c) Terrell Ambrose, Commission for the Arts; and (d) E. Jon Sargeant, Traffic and Parking Board.

5. City Council made the following appointments to boards and commissions: (a) appointed Charles Mandolia, Kitty Montie, Jennifer O'Keefe and reappointed Jennifer Reading and Nicole Tousley as the five citizen members to the Alexandria-Caen Sister City Committee; (b) appointed Malvina Vartania as the one citizen member to the Alexandria-Gyumri Sister City Committee; (c) reappointed Cathleen Curtin as the one citizen member to the Beautification Commission; (d) reappointed Alvin Boone as the one citizen member to the Carr/Norfolk (Carlyle) Design Review Board; (e) reappointed Carol Downs as the one representative of older persons to the Commission on Aging; (f) waived the residency requirement and reappointed Amy Bell as the one representative from such organizations as educational agencies, organized labor, rehabilitative agencies, community-based organizations, economic development agencies and the public employment service to the Commission on Employment; (g) appointed Patrick Gaffney and reappointed Ruth Soto as the two citizen members to the Commission on Persons with Disabilities; (h) reappointed Adam Pearlman as the one citizen member to the Community Criminal Justice Board; (i) reappointed Rebecca Jablon and Philip Voorhees as the two members from the field of environmental sciences (e.g., environmental/sanitary engineering, ecology, geology, botany, hydrology, chemistry) or who have Alexandria waterfront expertise to the Environmental Policy Commission; (j) reappointed William Hendrickson as the one member at large from Planning District II to the Historic Alexandria Resources Commission; (k) reappointed Mary Ann Weber as the one representative of the Alexandria Community Services Board, nominated, by the board, to the Public Health Advisory Commission; (l) appointed Anne Rector as the one citizen member appointed by City Council to the Real Estate Assessment Review Board; and (m) reappointed Douglas Gosnell as the one representative of the pleasure boat lease holders at Alexandria Marina to the Waterfront Committee.

6. City Council introduced the ordinance, passed it on first reading and scheduled it for public hearing, second reading and final passage on Saturday, October 15, 2011.

7. City Council introduced the ordinance, passed it on first reading and scheduled it for public hearing, second reading and final passage on Saturday, November 12, 2011.

8. City Council introduced the ordinance, passed it on first reading and scheduled it for public hearing, second reading and final passage on Saturday, November 12, 2011.

9. City Council introduced the ordinance, passed it on first reading and scheduled it for public hearing, second reading and final passage on Saturday, October 15, 2011.

The voting was as follows:

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

CONTESTED APPOINTMENTS

10. Human Rights Commission
1 Citizen Member

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

NAME: ENDORSED BY

Claire Gregory
Monika Jones

(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; 10/11/11, 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 Monika Jones as the one citizen member to the Human Rights Commission. The voting was as follows:

Euille	-	Jones
Donley	-	Gregory
Fannon	-	Gregory
Hughes	-	Jones
Krupicka	-	Jones
Pepper	-	Jones
Smedberg	-	Gregory

11. Alexandria Redevelopment and Housing Authority
1 Citizen Member

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

NAME: ENDORSED BY

Karl Sandberg
Deanna Villanueva

(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; 10/11/11, 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 Karl Sandberg as the one citizen member to the Alexandria Redevelopment and Housing Authority. The voting was as follows:

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

12. Consideration of Monthly Financial Report For the Period Ending August 31, 2011. (**Staff Presentation**)

(A copy of the City Manager's memorandum dated October 6, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 10/11/11, and is incorporated as part of this record by reference.)

Ms. Triggs, Director, Office of Finance, made a presentation of the report and responded to questions of City Council.

Councilman Krupicka requested to establish some time, either during a work session or with AEDP to have a conversation about how the economy, the commercial/residential balance, and some of the trends they see happening lead to policy decisions by Council to be sure they are balancing the issues.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilman Smedberg and carried unanimously, City Council received the monthly financial report for the period ending August 31, 2011,

In response to comments made by Acting City Manager Johnson, there was a sense of City Council to affirm the City Managers recommendations to set aside the end of the year surplus in the manner he described.

The voting was as follows:

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

13. Consideration of a Proposal to Conduct a Bikeshare Program in Alexandria.

(Staff Presentation)

(A copy of the City Manager's memorandum dated October 5, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 10/11/11, and is incorporated as part of this record by reference.)

Deputy Director of Transportation and Environmental Services Lerner, along with Ms. Sanders, bike and pedestrian coordinator, T&ES, made a presentation of the report, and they, along with Ms. Marks, T&ES, and Mr. Moskowitz, Capital Bikeshare Program Manager, District Department of Transportation, and Mr. Gilliland, general manager, Capital Bikeshare, responded to questions of City Council.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Donley and carried unanimously, City Council authorized the City to join the Regional Capital Bikeshare network utilizing federal CMAQ/RSTP grant funds, beginning implementation with six bikeshare stations with 54 bikes as a pilot program, and expanding when additional grand funding becomes available as discussed in the memorandum. The voting was as follows:

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

The following two items were heard together:

14. Receipt of Report on the Proposed Renewal of the City's Cable Television Franchise and the Fiber Use Agreement Between the City of Alexandria and Comcast of Virginia, Inc. and Setting the Public Hearing on These Documents for Saturday, October 15 and Council Consideration on Tuesday, October 25.
(Staff Presentation)

(A copy of the City Manager's memorandum dated October 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 10/11/11, and is incorporated as part of this record by reference.)

15. Introduction and First Reading. Consideration. Passage on First Reading of an of an Ordinance to Amend and Reordain the City's Cable Communications Code Chapter 3 (Alexandria Cable Communications Code) of Title 9 (Licensing and Regulation) of the Code of the City of Alexandria, Virginia 1981, as Amended, to Comply With Changes in Federal and State Law.

(A copy of the City Attorney's memorandum dated October 3, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 10/11/11, 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. 15; 10/11/11, 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. 3 of Item No. 15; 10/11/11, and is incorporated as part of this record by reference.)

Ms. Boyd, Special Assistant to the City Manager, made a presentation of the report and she, along with Ms. Snow, Assistant City Attorney, responded to questions of City Council. Also in attendance were Mr. Jacobs, Comcast VP of Franchising for the region, and Ms. Schuller with Comcast.

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council: 1. received the report and set the public hearing on the proposed five-year cable television franchise, and fiber use agreements for Saturday, October 15, 2011. The voting was as follows:

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

WHEREUPON, upon motion by Vice Mayor Donley, seconded by Councilwoman Pepper and carried unanimously, City Council introduced the ordinance, passed it on first reading and scheduled it for public hearing, second reading and final passage on Saturday, October 15, 2011. 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) Councilman Krupicka said he mentioned in June and subsequent to then

the fact that termination of the traffic calming program during the recession has led to increased neighborhood complaints and concerns about speeding traffic on residential streets. Staff provided a memo to Council last week and he highlighted that it talks about the cost of reinstating the traffic calming program, they have a long way to go between now and budget adoption and a lot of economic uncertainty to work through between now and then as well. He said he would be looking for and advocating for ways to implement or reinstate part of the traffic calming program.

(b) Councilman Krupicka said they have been contacted by commercial retailers in Old Town about Black Friday and whether the City would do a parking waiver or respite on Black Friday, and the City Manager indicated it may be possible. He asked if they have confirmed that they will be able to do that.

Acting City Manager Johnson said yes, he has authorized free parking in the City lots on Friday and the suspension of parking meter fees for that day.

(c) Councilwoman Pepper said this weekend was a special weekend for Ben Brenman Park and the West End. They had an art and wine festival October 8-9 and it was quite successful. There were a number of participants and it was a wonderful event. She recognized West End Productions.

(d) Councilwoman Pepper said Council went to the Virginia Municipal League recently and it was very nice. She said one of the sessions she attended was the paperless community.

(e) Vice Mayor Donley said congratulations go to Inova Hospital and the opening of their new breast imaging center on Beauregard. He said that last Monday, Secretary of Human Services Kathleen Sebelius was there, along with the Vice President's wife Jill Biden, and special guest Jennifer Aniston. He said the facility is quite impressive.

(f) Vice Mayor Donley congratulated the Chamber of Commerce and the businesses that were nominated for the business of the year awards. They had a very successful dinner last Thursday and a lot of Alexandria businesses were showcased and a number received awards.

(g) Vice Mayor Donley said he and the Mayor were at the DASH Express ribbon cutting today at BRAC-133, and it promises to be a positive transit alternative which gives them additional service in the West End and helps get cars off the road. The BRAC task force that he chaired came up with the idea, and they want to thank the task force and the West End Citizens and the Washington Headquarters Service for working together to come up with what will be a step in the right direction to help alleviate many of the traffic congestion associated by BRAC.

(h) Councilman Fannon said that this Friday night, the Alexandria Rotary Club is having its fourth annual Taste for Giving, which will be at the Torpedo Factory from

7:00 to 10:00 p.m. and it will have about 15 Alexandria restaurants. It is \$75 a ticket and all the money raised is given back to the community to Alexandria charities. Last year it raised over \$20,000.

(i) Councilman Smedberg reminded Council that there was a lot of attention when the GenOn Corporation announced it was going to close the Mirant Plant, but he wanted to make sure everyone saw the announcement that came out that the plant was actually given approval by the GRID, saying the Plant was not necessary and could shut down. It is not the final approval, but it is the key approval it needed to make sure that happens.

(j) Councilman Smedberg said on the DASH bus ribbon cutting, it would be helpful in the future to accommodate those who cannot leave mid-afternoon to have events in the morning or later afternoon.

(k) Councilwoman Hughes acknowledged that Dr. Tammie Mann, the new president/CEO of the Campagna Center was in the Chambers earlier in the evening.

(l) Councilwoman Hughes said she enjoyed the Virginia Municipal League conference and in one of her last sessions, she came across a program she wanted to get a sense of Council about, and it was the National League of Cities prescription discount card program, and there are currently seven jurisdictions in Virginia taking part of it. She asked that it be docketed for consideration at its next legislative session and asked for a sense of Council.

Deputy City Manager Evans said this had previously come to City Council and it was looked into.

Acting City Manager Johnson said they would re-present what it worked on before for Council's information.

(m) Councilwoman Hughes said on the Local Government Mandates Task Force that has been established, she is the Governor's liaison to the Government Reform Commission and the first meeting is scheduled for November 7 in Richmond at 1:00 p.m. She said she will share everything with Council. She said she hoped they could get input from the City about mandate measures that they believe could be stricken off the books.

ORAL REPORT FROM THE CITY MANAGER

Ms. Baker, City Engineer, Transportation and Environmental Services, and Mr. Lambert, Deputy Director/Operations, T&ES, gave a report on the situation at Holmes Run with the sewage leakage and responded to questions of City Council.

Acting City Manager Johnson said he was planning to request of City Council approximately \$1.6 million to improve their emergency response capabilities using a

portion of the surplus funds from 2011. Previously he had promised to give Council details on it. He asked that Council allow him an additional two weeks to develop the proposal and he will bring it back on October 25. Shortly thereafter, Council will have a budget work session on November 1 on public safety and it will see how the \$1.6 million fits with other requests and needs in the public safety area. Later in November it will have a supplemental appropriation ordinance where they will ask to release the funds.

Acting City Manager Johnson reported back on steps taken to review the City's systems of checks and balances - internal controls - to prevent the type of alleged embezzlements that came to light in August. He spoke about the report completed by the Office of Internal Audit.

16. Discussion of a Draft Resolution Increasing the Fee for Removing a Boot from a Vehicle from \$75 to \$120. **(Staff Presentation)**

(A copy of the City Manager's memorandum dated October 5, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 10/11/11, and is incorporated as part of this record by reference.)

Ms. Triggs, Director of Finance, made a report on the item and responded to questions of City Council.

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried unanimously, City Council accepted the report, with the understanding that Finance will get further input from the City Attorney's Office prior to bringing it to Council for adoption. The voting was as follows:

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

OTHER

17. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated October 7, 2011, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 10/11/11, and is incorporated as part of this record by reference.)

Mayor Euille said he may not be present at the beginning of the October 25 City Council meeting, as he will be coming back from a trip but will arrive after the start of the meeting.

Councilman Smedberg said he may miss the November 12 public hearing because of a work conference.

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

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

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 Vice Mayor Donley and carried unanimously, City Council convened in closed executive session at 9:54 p.m., pursuant to Section 2.2-3711(a)(3) of the *Code of Virginia*, for the purpose of consultation with legal counsel and briefing by staff pertaining to actual or probable litigation where such consultation in open meeting would adversely affect the negotiating and litigating posture of the public body, and for consultation regarding specific legal matters requiring the provision of legal advice. The voting was as follows:

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

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Councilman Krupicka and carried 6-0, City Council reconvened the meeting at 11:14 p.m. The voting was as follows:

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

WHEREUPON, upon motion by Councilwoman Hughes, seconded by Vice Mayor Donley and carried 6-0 by roll-call vote, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

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

The resolution reads as follows:

RESOLUTION NO. 2474

WHEREAS, the Alexandria City Council has this 11th day of October 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 Vice Mayor Donley, seconded by Councilman Krupicka and carried 6-0, City Council adjourned the regular meeting of October 11, 2011 at 11:15 p.m. The voting was as follows:

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

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council