

**City of Alexandria
Meeting Minutes
Tuesday, October 22, 2013
7:00 P.M.
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Gates, Deputy City Manager; Ms. Anderson, Assistant City Attorney; Police Captain Wemple; Ms. Smith, Director, Office of Management and Budget; Mr. Beaver, Office of Management and Budget; Mr. Caton, Legislative Director; Ms. Triggs, Director, Office of Finance; Ms. Coley, Office of Finance; Mr. Baier, Director, Transportation and Environmental Services; Mr. Maslanka, Transportation and Environmental Services; Ms. Poole, Transportation and Environmental Services; Ms. Sanders, Transportation and Environmental Services; Mr. Duvall, Transportation and Environmental Services; Mr. Baxter, Transportation and Environmental Services; Mr. Johnson, Transportation and Environmental Services; Ms. Reinfeld, Transportation and Environmental Services; Fire Chief Thiel; Mr. Castrilli, Office of Communications; Ms. Hamer, Director, Planning and Zoning; Ms. Eisher, Planning and Zoning; Ms. Willger, Planning and Zoning; Ms. McVary, Planning and Zoning; Mr. Chozick, Planning and Zoning; Mr. Catlett, Director, Office of Code Administration; Mr. Hunt, Office of Code Administration; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

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

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6:00 p.m. - Work Session with the Budget and Fiscal Affairs Advisory Committee

City Council held the work session.

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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.

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

The Regular Meeting Minutes of October 8, 2013.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously, City Council approved the regular meeting minutes of October 8, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

4. Presentation of a Proclamation Recognizing the Winners of the 2013 Ben Brenman Awards: Laura Trieschmann, Char McCargo Bah, Boyd Sipe and Champlain Stone.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Wilson and carried unanimously, City Council endorsed the proclamation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

5. Recognition of the City of Alexandria Being Named by the League of American Bicyclists as a Bicycle Friendly Community at the Silver Level.

City Council received the award given by the League of American Bicyclists as a Bicycle Friendly Community at the Silver Level.

6. Presentation of Community Awards Certificates for the Black History Mural Project at the Charles Houston Rec Center.

City Council presented Community Awards Certificates for the Black History Mural Project at the Charles Houston Rec Center.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (7-11)

(Resignations and Uncontested Appointments)

7. Receipt of the Following Resignations from Members of Boards, Commissions and

Committees:

- (a) Board of Zoning Appeals
Jennifer Lewis
- (b) Citizen Corps Council
Bill Purdy
- (c) Community Services Board
David Giammittorio

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/22/13, and is incorporated as part of this record by reference.)

8. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Commission on HIV/AIDS
2 Citizen Members
- (b) Commission on Persons with Disabilities
1 Citizen Member
- (c) Landlord-Tenant Relations Board
1 Minority Resident of the City Who is Not a Landlord or a Tenant

(A copy of the above uncontested appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 10/22/13, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

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

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 10/22/13, and is incorporated as part of this record by reference.)

10. Consideration of a Grant Application to the U.S. Department of Housing and Urban Development for Homeless Services Planning Costs.

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 10/22/13, and is incorporated as part of this record by reference.)

11. Consideration of a Grant Application For a Digital Architectural Field Survey of the Old and Historic Alexandria District.

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 10/22/13, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council adopted the consent calendar, with the removal of item #9, which was considered under separate motion, as follows:

7. City Council received the following resignations with regret: (a) Jennifer Lewis, Board of Zoning Appeals; (b) Bill Purdy, Citizen Corps Council; and (c) David Giammittorio, Community Services Board.

8. City Council made the following appointments to boards, commissions and committees: (a) appointed Doc McConnell as the one citizen member to the Commission on Persons with Disabilities; (b) reappointed Monique Robinson and appointed Charles Sumpter as the two citizen members to the Commission on HIV/AIDS; and (c) reappointed Monique Banks as the one minority resident of the City who is not a landlord or a tenant to the Landlord-Tenant Relations Board.

10. City Council: 1. authorized the annual submission of the collaborative grant application for the Continuum of Care funding, up to \$671,023, in response to the anticipated U.S. Department of Housing and Urban Development's Notice of Funding Availability. The expected grant due date is November 15, 2013; and 2. authorized the City Manager to execute all necessary documents.

11. City Council: 1. authorized the submission of the grant application to the National Center for Preservation Technology and Training, not to exceed \$40,000. This grant is due by November 19, 2013; and 2. authorized the City Manager to execute all the necessary documents that may be required.

The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

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

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 10/22/13, and is incorporated as part of this record by reference.)

Mr. Chozick, GIS Division Chief, Planning and Zoning, responded to questions of City Council regarding the GIS system that will be upgraded and the relationship with ACPS and what they are using.

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council authorized \$9,389,026 for capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Program Expenditure Summary. The voting was as follows: In favor, Mayor

Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

CONTESTED APPOINTMENTS

- 12.** Affordable Housing Advisory Committee
1 Representative of the City's Faith Community

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

NAME: ENDORSED BY:

Norman Weiss

(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. 12; 10/22/13, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council waived the residency requirement and appointed Norman Weiss as the one representative of the City's faith community to the Affordable Housing Advisory Committee. The voting was as follows:

Euille	-	Weiss
Silberberg	-	Weiss
Chapman	-	Weiss
Lovain	-	Weiss
Pepper	-	Weiss
Smedberg	-	Weiss
Wilson	-	Weiss

- 13.** Commission on HIV/AIDS
1 Citizen Member
(This item has been removed from the contested appointments)

- 14.** Waterfront Commission
1 Citizen Representative Who Resides East of Washington Street and North of King Street

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

NAME: ENDORSED BY:

Ann Horowitz
Stephen Thayer

(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. 14; 10/22/13, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Ann Horowitz as the one citizen representative who resides east of Washington Street and north of King Street to the Waterfront Commission. The voting was as follows:

Euille	-	Thayer
Silberberg	-	Horowitz
Chapman	-	Horowitz
Lovain	-	Thayer
Pepper	-	Horowitz
Smedberg	-	Horowitz
Wilson	-	Horowitz

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

15. Consideration of the Proposed City Legislative Package For The 2014 General Assembly Session.

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 10/22/13, and is incorporated as part of this record by reference.)

Mr. Caton, Legislative Director, made a presentation of the proposed Legislative Package and responded to questions of City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council: 1. received the proposals for the City's 2014 Legislative Package, as recommended by Council's Legislative Subcommittee and included in attachment 1, with the addition of allowing for a tax on plastic bags at grocery stores; 2. scheduled the legislative package proposals for public hearing on Saturday, November 16, 2013; 3. scheduled the proposed City Charter amendments for public hearing on Saturday, November 16, 2013; and 4. scheduled adoption of the legislative package for Tuesday, November 26, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

16. Consideration of Granting Conditional Approval of a Change in Use of the Property Located at 711 Wilkes Street in Order to Satisfy a Covenant to Which the Property is Currently Subjected.

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 10/22/13, and is incorporated as part of this record by reference.)

Ms. Anderson, Assistant City Attorney, made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council granted a conditional approval for the change of use, contingent upon Planning Commission approval of a development site plan

consistent with the concept plan dated August 23, 2013 and the Old and Historic Alexandria Board of Architectural Review approval of a Certificate of Appropriateness for the new construction. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

OTHER

17. Development Special Use Permit #2013-0012

923 King Street - King Building at 923

Consideration of a request for an extension of a previously approved development special use permit and site plan (DSUP2010-0002) to construct an addition for restaurant and apartment units; zoned KR/King St Retail. Applicant: Shoja-Maddahi Seyed Hossein

Planning Commission Action: Recommend Approval 7-0

(Deferred from September 21, 2013 City Council Public Hearing)

(A copy of the Planning Commission report dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 10/22/13, and is incorporated as part of this record by reference.)

Ms. Willger, Planning and Zoning, made a presentation of the staff report and she, along with Mr. Catlett, Director, Office of Code Administration, responded to questions of City Council.

WHEREUPON, a motion was made by Councilman Smedberg and seconded by Councilwoman Pepper, that City Council approve the Planning Commission recommendation, with an amendment to allow for a one year extension.

Mr. Mark Sweeden, construction manager, spoke of the contracts they have in place for the project and that they are moving forward on the construction.

The voting on the motion was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

1. Councilman Wilson circulated a memo to Council regarding the City's broadband strategy. He said he and Councilwoman Pepper are the Council representatives to the Commission on Information Technology and have forwarded recommendations to change the composition, purpose and responsibilities of the Commission and those will be on the docket next month. Part of that strategy is to focus the Commission more broadly on developing a broadband strategy. Councilman Wilson noted what other cities are doing with their broadband strategies. He said they have an opportunity to try to shape a strategy that Council can execute. He said some of the things they need to focus on and concepts they need to look at is helping to attract broadband deployment and different ways to do conduit deployment, piggy-backing on significant infrastructure work, adopt a dig once policy, to modify City policies

on right-of-way access and to look at broadband asset reports. Councilman Wilson asked the City Manager to work with the IT Commission and come back with recommendations on how to bring forward a strategy for the City to adopt in the future.

2. Vice Mayor Silberberg offered condolences to the families and the community on the loss of former Councilwoman Lois Walker and former Vice Mayor Mel Bergheim.

3. Vice Mayor Silberberg said she spoke today at an event for the promotion of Street Smart and there were representatives from D.C., Maryland and Virginia at the event. She said bicyclists, pedestrians and drivers all share the road and they want everyone to be safe, and she noted that 70 percent of all pedestrian and bicycle crashes happen in the Fall. Vice Mayor Silberberg encouraged everyone to look, to walk in crosswalks and wait for the walk signals at intersections.

4. Vice Mayor Silberberg said that every month, she has a coffee/gathering, called Council in Your Corner, and folks share with her their concerns about the City. Vice Mayor Silberberg said she invites everyone to come and said this month's gathering will be at Union Street Pub from 10:00 a.m. to 12:00 noon.

5. Councilwoman Pepper said the City is participating in an annual nationwide prescription drug take-back day and there are three locations: The Alexandria Police Department on Wheeler Avenue, Del Ray Pharmacy on Mt. Vernon Avenue, and the First Baptist Church on King Street.

6. Councilmember Lovain thanked everyone who helped with the Scholarship Fund Telethon.

7. Councilmember Lovain said he was at the Rail Volution Conference in Seattle, where 1,400 people from 200 U.S. communities came to talk about building livable communities and transit. He said Seattle now has cars to go, which are the Zipcars that one can just take and drive away.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

ORAL REPORT FROM THE CITY MANAGER

City Manager Young noted that the School Board has requested a work session with City Council on the capital budget on Monday, November 25 and asked that it be added to the Council calendar at the end of the meeting if Council wants to have that discussion.

18. AlexStat Report
(This item has been removed from the docket)

19. Oral Updates for On-going Regional Transportation Studies: DRPT Route 1 Alternatives Analysis, NVTC Route 7 Alternatives Analysis, and NVRC Potomac River Commuter Ferry Study.

Mr. Baier, Director, Transportation and Environmental Services, along with Ms. Reinfeld, T&ES and Mr. Maslanka, T&ES, made a presentation of the report and responded to questions of City Council.

ORDINANCES AND RESOLUTIONS

20. Consideration of a Resolution to Amend the City of Alexandria Firefighters and Police Officers Pension Plan. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 10/22/13, and is incorporated as part of this record by reference.)

Ms. Triggs, Director, Office of Finance, made a presentation of the report and she, along with Mr. Muse, vice president, Black Professional Firefighters Association, Mr. Scott, president, Alexandria Firefighters, Inc. Local 2141, and Ms. Coley, Pension Division, Office of Finance, responded to questions of City Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously by roll-call vote, City Council adopted the resolution which amends the City of Alexandria Firefighters and Police Officers Pension Plan and restates the plan document to combine the 2009 plan document restatement and all the post-adoption amendments into one document. City Council accepted the combination of: 1. benefit changes; 2. modifications to the definitions, administration, and design of disability component of the retirement plan; 3. a memorandum of agreement; and 4. employer/employee cost sharing of increases in pension and disability costs as a non-cash substitute for the two percent increase in employee contributions rates proposed and adopted in the City's Fiscal Year 2014 budget. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2579

WHEREAS, the City of Alexandria maintains "The City of Alexandria Firefighters and Police Officers Pension Plan" (the "Plan"); and

WHEREAS, the City of Alexandria desires to adopt and incorporate certain amendments to the Plan as set forth in the Amendment attached hereto; and

WHEREAS, public notice of the proposed amendments as required pursuant to the terms of the Plan was made, plan participants were invited to meetings for public comment and no objections to the proposed amendments were raised;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA THAT the Alexandria City Council does hereby recognize, adopt, amend, approve and restate the Plan to incorporate the amendments attached hereto and incorporated fully herein by reference; and

BE IT FURTHER RESOLVED THAT this Resolution shall be effective immediately; provided however, that the amendments hereby approved shall be effective as stated in the Plan.

21. Consideration of a Resolution Authorizing the Establishment by the Alexandria Sanitation Authority (Alexandria Renew Enterprises) of a Trust for Expenses Relating to Other Post-Employment Benefits. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 10/22/13, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution to authorize the establishment of an OPEB Trust by Alexandria Renew Enterprises. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2580

Authorizing the Establishment by the Alexandria Sanitation Authority d/b/a Alexandria Renew Enterprises of a Trust for Expenses Relating to Other Post-Employment Benefits

WHEREAS, the Alexandria Sanitation Authority d/b/a Alexandria Renew Enterprises (the Authority) is a political subdivision of the Commonwealth of Virginia whose members are appointed by the Alexandria City Council; and

WHEREAS, in connection with the employment of the officers and other employees needed to carry out the functions of the Authority, the Authority has established certain plans to provide post-employment benefits other than pensions (OPEB), as defined in Section 15.2-1545 of the Virginia Code, to individuals who have terminated their service to the Authority and to the beneficiaries of such individuals; and

WHEREAS, the Authority desires to establish an OPEB trust under the provisions of Government Accounting Standards Board (GASB) 45 in order to fund its OPEB liabilities; and WHEREAS, Section 15.2-1544 of the Code of Virginia of 1950, as amended, requires the local governing body to authorize the establishment of such trusts.

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

1. The City Council hereby authorizes the Authority to establish an OPEB trust under the provisions of GASB 45.

22. Consideration of a Resolution For a Competitive Grant Application to the Virginia Department of Transportation for FY 15 Revenue Sharing Program Funding. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 10/22/13,

and is incorporated as part of this record by reference.)

Mr. Baier, Director, Transportation and Environmental Services, along with Mr. Duvall, T&ES, Mr. Baxter, T&ES Mr. Johnson, T&ES, and Mr. Beaver, Office of Management and Budget, made a presentation of the report and responded to questions of City Council.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously by roll-call vote, City Council: 1. adopted the resolution to apply for a FY 2015 Revenue Sharing Program funding allocation from the Virginia Department of Transportation for the Citywide street reconstruction and resurfacing of major roads. The grant application is due November 1, 2013; and 2. authorized the City Manager to submit the resolution and enter into any agreements with the State that may be required to receive these funds should the requested allocation be approved. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2581

WHEREAS, the City Council of the City of Alexandria desires to submit an application for an allocation of funds of \$1,875,000 through the Virginia Department of Transportation Fiscal Year 2015 Revenue Sharing Program; and

WHEREAS, \$1,875,000 of these funds are requested to fund the reconstruction and rehabilitation of streets Citywide.

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

That the City Council of Alexandria, Virginia:

1. Endorses this application for an allocation of \$1,875,000 through the Virginia Department of Transportation Revenue Sharing Program.
2. Gants authority for the City Manager to execute project administration agreements for any approved revenue sharing projects.

OTHER

23. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated October 16, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 10/22/13, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council: 1. received the revised Council Calendar which includes: A special public hearing on the Waterfront Implementation Plan, which is scheduled for Tuesday, November 19, 2013, at 6:00 p.m., in the Council Chambers; the

second annual Santa Aboard the King Street Trolley event will begin at 9:00 a.m. on Saturday, December 14, 2013, at Market Square; a reception for the 30th anniversary of DASH/ATC, which will be held on Tuesday, March 11, 2014 at 5:30 p.m. in the Vola Lawson Lobby; and the Alexandria Commission on Persons with Disabilities Annual Awards Ceremony and Reception is scheduled for Tuesday, June 24, 2014 at 5:30 p.m., in the Vola Lawson Lobby; and 2. approved the calendar. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

24. Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 9:20 p.m., City Council convened in closed executive session to consult with legal counsel regarding a pending legal matter pursuant to Section 2.2-3711(a)(7) of the *Code of Virginia*. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 10:46 p.m., City Council reconvened the meeting. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution pertaining the Executive Session. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2582

WHEREAS, the Alexandria City Council has this 22nd day of October 2013, 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.

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THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, the regular meeting of October 22, 2013, was adjourned at 10:47 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council