

**City of Alexandria
Meeting Minutes
City Council Legislative Meeting
Tuesday, November 28, 2017, 7:00 PM
Council Chambers**

Present: Mayor Allison Silberberg, Vice Mayor Justin M. Wilson, Members of Council:
Willie F. Bailey, Sr., John Taylor Chapman, Timothy B Lovain, Redella S. Pepper and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Jinks, City Manager; Mr. Banks, City Attorney; Ms. Anderson, Deputy City Attorney; Ms. Collins, Deputy City Manager; Ms. Triggs, Deputy City Manager; Mr. Lambert, Director Transportation and Environmental Services (T&ES); Mr. Routt, Director, Office of Management and Budget (OMB); Mr. Bernstein, Director, Department of Project Implementation; Mr. Fye, Acting Division Chief, T&ES; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Wicks, Budget Analyst, OMB; Mr. Browand, Division Chief, Recreation, Parks, and Cultural Activities; Mr. Coleman, Deputy Director, General Services; Mr. Cox, Division Chief, P&Z; Ms. Miliaras, Principal Planner, P&Z; Ms. Bryan, Information Technology Services; Police Captain Andreas; and Mr. Lloyd.

Recorded by: Gloria Sitton, City Clerk and Clerk of Council.

1. Calling the Roll.

Mayor Silberberg called the meeting to order and the City Clerk called the roll. All the members of Council were present.

2. Moment of Silence and Pledge of Allegiance

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

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

The Regular Meeting Minutes of October 24, 2017.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the regular meeting minutes of October 24, 2017. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

ORAL REPORTS FROM CITY COUNCIL ON BOARDS, COMMISSIONS AND COMMITTEES

COG Chesapeake Bay and Water Resources Policy Commission (Councilmember Lovain)

Councilmember Lovain reported that the Commission discussed connecting water quality in the local economy and received an address from the President of the Capitol Riverfront Bend. Councilmember Lovain also reported that there was discussion about difficulties with getting the National Park Service to improve Anacostia Park and other places in the region. Councilmember Lovain also noted that there was a presentation from Potomac River Fisheries Commission stating that they now have thriving oysters, crabs, rockfish and other fish in the environment, as well as a market for blue catfish. Councilmember Lovain also stated that there are three committees from COG have joined in a letter supporting the clean power plant, and there is an upcoming Environmental Protection Agency field hearing in West Virginia about the power plant repeal from the current Administration.

Visit Alexandria Board of Governors (Vice Mayor Wilson)

Vice Mayor Wilson reported that the Board reviewed the next fiscal year projections regarding major trends impacting tourism, and how those trends will impact the region and the City. Vice Mayor Wilson also reported that there was Visa credit card data shared with the Board to learn where visitors are coming from and the Board received data from 2016 showing that visitors paid 71% of the consumption taxes and 29% was paid by Alexandria residents. Vice Mayor Wilson noted that the data showed that 52% of the meals tax was paid by regional visitors, 20% was paid by destination visitors, and 31% was paid by residents of Alexandria.

City/Schools Subcommittee (Mayor Silberberg and Vice Mayor Wilson)

Mayor Silberberg reported that the Committee received projections for school enrollment, which indicated there will be growth by 18,000 students in the City over the next ten years.

Vice Mayor Wilson reported that the schools' projections were on target with previous projections from the last five years, with eleven years of continuous enrollment growth. Vice Mayor Wilson also stated that the Committee received updates on Early Education, Afterschool initiatives, and the work of the Joint Facilities Task Force.

Mayor Silberberg recognized Stephan Peterson, a student from West Potomac High School, present for his Citizenship Patch for Boys Scout.

Climate Energy and Environmental Policy Committee (CEEPC) (Councilwoman Pepper)

Councilwoman Pepper stated that CEEPC addressed authorization of the Chair joining other Chairs from Metropolitan Washington Air Quality Committee (MWAQC) and Chesapeake Bay Water Resources Committee to send a comment letter to the Environmental Protection Agency (EPA) and the State in opposition to the Federal Clean Power Plant closure. Councilwoman Pepper also reported that the Committee was presented with information about the creation of more Net Zero energy buildings. Also, Councilwoman Pepper reported that

there was a presentation which contained information from the Alexandria North Old Town Small Area Plan highlighting the Net Zero efforts and developing an Eco-District in the plan.

INOVA Hospital Alexandria (Councilman Bailey and Councilman Smedberg)

Councilman Bailey reported that a primary focus of the Board has been the increase of opioid use and this discussion has led to the creation of an Opioid Work Group to establish priorities for the community to address the growing issue. Councilman Bailey noted that the group will meet monthly to address the crisis from a prevention/treatment/OD response/diversion/enforcement perspective and he noted that the Work Group has created a high intensity drug trafficking area map to track data and trends regarding use and overdoses as reference tool. Councilman Bailey commended City Manager Jinks for ensuring adequate staffing for the program. Councilman Bailey reported that currently there is no waiting list for treatment in comparison to last year's waiting list of 30-40 people. Councilman Bailey noted that the work group would be a part of the regional opioid work group being convened by the State.

Councilman Smedberg reported that there was a new CEO for INOVA Alexandria, Jennifer McCarthy.

Washington Metropolitan Area Transit Authority (WMATA) (Councilman Smedberg)

Councilman Smedberg reported that the customer service committee received the Metro vital signs report that focused on 20 areas of concern. Councilman Smedberg described that the ridership numbers are not back to FY16 first quarter numbers due to the SafeTrack initiative and other factors, but he noted that there has been an uptick over the last couple of months for rail and bus usage with on time performance increasing as well. Councilman Smedberg also stated that peak rail stabilization due to several rail stations coming on line has improved, and customer off loads have gone down. Councilman Smedberg stated that committees were developed and he is vice chair for the business oversight committee, but there will be a four person group used for voting rather than the entire committee.

Virginia Railway Express (VRE) (Councilman Smedberg)

Councilman Smedberg reported that the Board passed the legislative agenda for the Fiscal Year 17-18 legislative session and sent the agenda to commissions for approval at the December meetings. Councilman Smedberg stated the committee received the report on the budget for FY19, which appears to be financially stable. Councilman Smedberg also stated that the committee is working with State and DRPT partners to review the budgets.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (4-9)

(Reports and Recommendations of the City Manager)

4. Consideration of Receipt of FY 2018 First Quarter Capital Projects Status Report Related to City Council Approved Capital Projects.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 11/28/17, and is incorporated as part of this record by reference.)

5. Consideration of the FY 2024 Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) Project Funding Request.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 11/28/17, and is incorporated as part of this record by reference.)

6. Consideration of the FY 2019 Transportation Demand Management Operations Grant and Required Local Funding Match.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 11/28/17, and is incorporated as part of this record by reference.)

7. Consideration of a Lease Amendment with Verizon Wireless to Upgrade Equipment at the Alexandria Courthouse Located at 520 King Street.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 11/28/17, and is incorporated as part of this record by reference.)

8. Consideration of a Lease Amendment with Verizon Wireless to Upgrade Equipment on the Torpedo Factory, the City Owned Building Located at 105 N. Union Street.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 11/28/17, and is incorporated as part of this record by reference.)

9. Receipt of Annual and Attendance Reports for Council-Appointed Boards, Commissions, and Committees for July 1, 2016 - June 30, 2017.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/28/17, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon the motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the consent calendar, with the exception of items #4, #7, #8, and #9, which were considered under separate motions. The City Manager recommendations were as follows:

5. City Council: (1) approved the FY 2024 transportation project request as listed in Attachment 1; and (2) authorized the City Manager to apply for these grants, and enter into

any necessary agreements with the Commonwealth of Virginia to accept any of these grants.

6. City Council: (1) approved the FY 2019 TDM Operations Grant; (2) authorized the City Manager to apply for the TDM grant and enter into any necessary agreements with the Commonwealth of Virginia to accept the grant; and (2) include funding for the required 20% local match in the FY 2019 Operating Budget.

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

4. Consideration of Receipt of FY 2018 First Quarter Capital Projects Status Report Related to City Council Approved Capital Projects.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 11/28/17, and is incorporated as part of this record by reference.)

Vice Mayor Wilson stated that he would like to keep the public updated on the upcoming capital projects and to keep the projects on track and on budget, highlighting the King Street Metro project, the transit corridor project and the Eisenhower Avenue widening project.

In response to an inquiry about transit corridors and the location of the corridors, Mr. Lambert, Director, Transportation and Environmental Services, stated that transit corridor is budgeted to be on Duke Street at this time. There was a discussion about the possibility of considering Eisenhower Avenue as a high capacity transit corridor.

WHEREUPON, upon the motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council received the FY 2018 first quarter capital projects status report related to City Council approved capital projects. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

7. Consideration of a Lease Amendment with Verizon Wireless to Upgrade Equipment at the Alexandria Courthouse Located at 520 King Street.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 11/28/17, and is incorporated as part of this record by reference.)

WHEREUPON, upon the motion by Vice Mayor Wilson, seconded by Councilman Chapman and carried unanimously, City Council scheduled the recommendation for public hearing and consideration for adoption on December 16, 2017. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

8. Consideration of a Lease Amendment with Verizon Wireless to Upgrade Equipment on the Torpedo Factory, the City Owned Building Located at 105 N. Union Street.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 11/28/17, and is incorporated as part of this record by reference.)

WHEREUPON, upon the motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council scheduled the recommendation for public hearing and consideration for adoption on December 16, 2017. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

9. Receipt of Annual and Attendance Reports for Council-Appointed Boards, Commissions, and Committees for July 1, 2016 - June 30, 2017.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/28/17, and is incorporated as part of this record by reference.)

Ms. Sitton, City Clerk and Clerk of Council, responded to questions from Council about the process for vacating positions for members who did not fulfill the attendance requirement and about boards and commissions who did not submit attendance and annual reports.

WHEREUPON, upon the motion by Vice Mayor Wilson, seconded by Councilwoman Pepper City Council and carried unanimously, City Council received the reports from Council appointed boards, commissions, and committees for July 1, 2016 – June 30, 2017 and City Council vacated the positions of individual members who did not fulfill the 75% attendance requirement and requested the City Clerk to advertise those vacancies. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

10. Consideration of the City's Legislative Package for the 2018 General Assembly Session.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 11/28/17, and is incorporated as part of this record by reference.)

Mr. Caton, Acting Legislative Director, gave an overview of the Legislative Package for 2018 and responded to questions from Council about the information included in the package.

WHEREUPON, upon the motion by Councilman Smedberg, seconded by Councilman Bailey and carried unanimously City Council adopted the City's Legislative Package for the 2018 General Assembly Session: items A.1 through A.14, B.1 through B.3, C.1 through C.4, D.1 through D.5, E.1 through E.4, F.1 through F.10, G., and H. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

11. Consideration of the City of Alexandria's Proposed Program of Transportation Projects for Submission to the Northern Virginia Transportation Authority (NVTA) for 70 Percent Regional Transportation Funding for FY 2018 to FY 2023.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 11/28/17, and is incorporated as part of this record by reference.)

Mr. Fye, Division Chief, Transportation and Environmental Services, gave a presentation on the projects that are part of the application submission and he, along with Mr. Lambert, Director, Transportation and Environmental Services, responded to questions from Council about transportation projects throughout the City.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council: (1) authorized application to the Northern Virginia Transportation Authority (NVTA) for 70% NVTA funding of \$88,228,652 for the proposed projects; and (2) authorized the City Manager to submit the proposed projects to the NVTA and enter into any necessary agreements with NVTA to accept the funds. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

12. Oral Update on DASH Bus Replacement Initiative

Mr. Josh Baker, General Manager of DASH, updated City Council on DASH bus replacement initiative and responded to questions from Council about the replacement bus fleet and expansion programs.

13. Discussion of the Regulation of the Painting of Unpainted Masonry in the Old and Historic Alexandria District.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 11/28/17, and is incorporated as part of this record by reference.)

Ms. Miliaras, Principal Planner, Planning and Zoning, gave a presentation on the regulation of the painting of unpainted masonry in the historic districts and she, along with Mr. Cox, Division Chief, Planning and Zoning, responded to questions from Council about the regulations and practices throughout the country regarding unpainted masonry.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilwoman Pepper and carried 6-1, City Council tabled the discussion and did not request that the Board of Architectural Review Design Guidelines Subcommittee review and comment on whether the City's policy related to unpainted brick should be changed at this time. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, and Councilwoman Pepper; Opposed, Councilman Smedberg.

ORDINANCES AND RESOLUTIONS

14. Consideration of Revised Order of Business of Council Meetings.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 11/28/17, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion Councilman Smedberg, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the revised resolution which (1) moves Oral Reports from the City Manager to earlier in the City Council meeting docket; and (2) formalizes a previous Council action moving Oral Reports from City Council on Boards and Commissions and Committees to earlier on the Council docket, as well as scheduling Executive Session just after Roll Call, as well as just before adjournment (if required). The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2798

WHEREAS, Resolution 4876, adopted May 17, 2014, revised and established rules of procedure, the order of business and a schedule for meetings of the City Council; and

WHEREAS, it is necessary and desirable to repeal Resolution No. 4876 to conform to the present practices of City Council and for other purposes;

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

Section 1. Schedule for Meetings and Official Events. That the following schedule for City Council meetings and other official events be, and the same hereby is, adopted and shall be supplemental and in addition to the provisions contained in The Code of the City of Alexandria, Virginia, 1981, as amended:

1. The City Council shall, except during the months of July and August, hold regular legislative meetings on the second and fourth Tuesdays in each month at **6:00** p.m.; provided, however, that when any such day shall fall on a legal holiday, the meeting shall be held on the next succeeding day; and, provided further, that there shall be no regular legislative meeting on the fourth Tuesday in December. The first legislative meeting will be reserved for the business meeting of City Council; the second legislative meeting will be reserved for the policy discussion and debate meeting of City Council.

2. The City Council shall, except during the months of July and August, hold regular public hearing meetings on the Saturday following the second Tuesday in each month at 9:30 a.m., provided, however, that when such day shall fall on or within three days of a legal holiday, the meeting may be held on the Saturday preceding the fourth Tuesday of the month.

3. Special meetings of the City Council, held in lieu of or in addition to regular meetings, may be held at any time as provided for in Sec. 2-1-43 of The Code of the City of Alexandria, Virginia, 1981, as amended.

4. At the first regular meeting in September of each year, City Council shall approve a calendar of City Council Meetings and other official events, including any neighborhood meetings that are planned, for the entire year from September through June, and may amend the calendar as deemed desirable.

Section 2. Order of Business for Regular, Public Hearing and Special Meetings. That the following Order of Business for City Council Meetings be, and the same hereby is, adopted pursuant to Section 2-1-47 of The Code of the City of Alexandria, Virginia 1981, as amended.

1. At the first legislative meeting (business) the order of business shall be as follows:

- (a) Calling the Roll
- (b) Executive Session (if required)
- (c) Moment of Silence and Pledge of Allegiance
- (d) Reading and Acting Upon the Minutes
- (e) Recognition of Youth
- (f) Proclamations
- (g) Oral Reports from City Council on Boards, Commissions and Committees
- (h) Oral Reports from the City Manager
- (i) Consent Calendar
 - 1. Resignations and Uncontested Appointments
 - 2. Reports and Recommendations of the City Manager
 - 3. Ordinances for Introduction and First Reading
- (j) Roll-Call Consent Calendar
 - 1. Ordinances and Resolutions
- (k) Contested Board Appointments
- (l) Oral Reports and Oral Presentations by Members of City Council
- (m) Executive Session (if required)
- (n) Adjournment

2. At the second legislative meeting (policy decisions/debate) the order of business shall be as follows:

- (a) Calling the Roll
- (b) Executive Session (if required)
- (c) Moment of Silence and Pledge of Allegiance
- (d) Reading and Acting Upon the Minutes
- (e) Oral Reports from City Council on Boards, Commissions and Committees
- (f) Oral Reports of the City Manager
- (g) Consent Calendar
 - 1. Reports and Recommendations of the City Manager
- (h) Roll-Call Consent Calendar
 - 1. Ordinances and Resolutions
- (i) Work Session

- (j) Reports and Recommendations of the City Manager for Discussion (Policy Items for Council Direction to Staff)
- (k) Oral Reports and Oral Presentations by Members of City Council
- (l) Adjournment

3. At regular public hearing meetings, the order of business shall be as follows:

- (a) Calling the roll
- (b) Public discussion period (30 minutes)
- (c) Action consent calendar
- (d) Public hearing on reports and recommendations of the city manager
- (e) Public hearing on reports of boards, commissions and committees
- (f) Public hearing, second reading and final passage of ordinances, and public hearing and adoption of resolutions
- (g) Deferral/withdrawal consent calendar
- (h) Other business
- (i) Executive sessions

3. At special meetings, the order of business shall conform to the order established for regular legislative or public hearing meetings, as appropriate, or shall be established in the notice of the meeting as provided by Sec. 2-1-43 of the Code of the City of Alexandria, Virginia, 1981, as amended.

Section 3. Rules of Procedure for Regular, Public Hearing and Special Meetings. That the following rules of procedure for regular legislative and public hearing, and special meetings of City Council be, and the same hereby are, adopted and shall be supplemental and in addition to the provisions contained in the Code of the City of Alexandria, Virginia, 1981, as amended:

1. All supporting reports, documents or material shall be delivered to each member of Council at least **48** hours in advance of the meeting. Supporting reports, documents or material may be delivered subsequently when exceptional circumstances so require.

2. All supporting reports, documents or material, other than material exempt from disclosure under the Freedom of Information Act, shall be made available to the public at the time such material is delivered to the members of council.

3. The public will normally not be recognized to speak on docket items at regular legislative meetings. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. (See also paragraph 7, below.) If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

4. One or more consent calendars, comprised of docket items deemed to be routine and housekeeping in the discretion of the City Council or City Manager, shall be

prepared for each meeting at the direction of the City Manager. Adoption or approval of all items on a consent calendar shall require but a single vote by City Council; except that upon the request of any member of the City Council any item on the consent calendar shall be voted upon separately; and, provided further, that upon the request of a member of the public, any item on a consent calendar for a public hearing meeting shall be heard and voted upon separately. A consent calendar shall not include ordinances docketed for public hearing, second reading and final passage, resolutions or other items requiring a roll-call vote by Council.

5. If the City Clerk, at least two days before the meeting, shall transmit to each member of the City Council, at the member's business or residence address, a copy of the minutes of such previous meeting for inspection, reading thereof before the City Council assembled may, unless a member otherwise requests, be dispensed with and such minutes so inspected may be acted upon without being read.

6. At all meetings the City Manager shall where reasonably possible arrange the docket so that items covering similar subject matter are grouped together.

7. The first 30 minutes of public hearing meetings will be open for public discussion on any subject not on the public hearing docket. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly significant reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply. Guidelines for the public discussion period shall be as follows:

(a) All speakers must complete a speaker request form and submit the completed form to the City Clerk by the time the item is called by the City Clerk.

(b) No speaker will be allowed more than three minutes, but that time may be extended by the Mayor or presiding member.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the Mayor may organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will be allowed to speak during the 30 minute public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order in which their request forms were received.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

8. Any speaker wishing to address Council shall register his or her intent to do so on a speaker request form filed with the City Clerk in advance of the time that the item about which the speaker wishes to speak is called on the docket, or in advance of the public discussion period. The speaker request form shall be substantially in the form attached hereto.

9. The order of speakers shall be determined by the Mayor or other presiding member of council.

10. A speaker shall limit his or her remarks to three minutes and shall speak only once on any docket item. The Mayor or presiding member may allow rebuttal for a total of no more than three minutes, and a proponent may also speak during the time allowed for rebuttal. The Mayor or presiding member may allow a speaker a brief extension of time to conclude the speaker's remarks. A speaker requiring more than three minutes for his or her presentation shall notify the City Clerk in writing before 5:00 p.m. of the day preceding the date of the meeting of the additional time required, together with the reasons. Council may, by consent of a majority of those present, grant additional time not to exceed fifteen minutes. A speaker shall be stopped if his or her comments become irrelevant or unnecessarily repetitious.

11. Speakers are encouraged to prepare and deliver to the City Clerk for distribution to the Council written statements of their positions.

12. The City Clerk shall arrange for a timekeeper to assure that each speaker stays within the allotted speaking time.

13. When voting on final passage of any ordinance, or on any resolution, the name of each member voting and how the member voted shall be recorded by the City Clerk.

Section 4. Miscellaneous provisions.

1. That the Schedule of Meetings, Order of Business and Rules of Procedures adopted by this resolution shall not be departed from, except upon the consent of the majority of the Council members present.

2. That the Schedule of Meetings, Order of Business and Rules of Procedure adopted by this resolution, unless otherwise required by law, shall be directory only, shall not have the force or effect of law, and a departure therefrom shall not be construed to invalidate any Council proceeding or decision.

3. That this resolution shall become effective on December 1, 2017.

Section 5. Repeal. That Resolution No. 4876, adopted May 17, 2014, relating to rules of procedure, orders of business and schedules for meetings of the City Council be, and the same hereby is, repealed effective December 1, 2017.

ORAL REPORTS AND ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

1. Mayor Silberberg encouraged residents to enroll in the Affordable Care Act before the December 15 deadline and she noted that the City has a navigator application to

assist with the enrollment process.

2. Mayor Silberberg reported that the Annual Scottish Christmas Walk sponsored by the Campagna Center will be held on Saturday, December 2. Mayor Silberberg noted that the Taste of Scotland will be held on Friday evening and the Christmas Walk will begin at 11 a.m. Saturday morning.

3. Mayor Silberberg reported that the Boat Parade of Lights will be held at 5 p.m. on Saturday and she thanked Visit Alexandria for their work on the event.

4. Mayor Silberberg noted that the Del Ray Tree Lighting will be held on Saturday, December 2, 2017.

5. Mayor Silberberg congratulated Lance Mallamo, Director of the Office of Historic Alexandria, on his retirement on November 30. Mayor Silberberg noted that Mr. Mallamo would be retiring after 10 years of services and highlighted some the contributions he has added to the City.

6. Mayor Silberberg reported that she would be participating as a panelist at a conference at Harvard University's Kennedy School of Government at their New Mayors School for the next few days.

7. Mayor Silberberg reported that the City would be having the Annual Employee Service and Recognition Ceremony tomorrow and she congratulated all the employees who will be recognized.

ORAL REPORT FROM THE CITY MANAGER

City Manager Jinks reported that the Fire Insurance Rating (ISO Ratings) used to set premiums has upgraded the City of Alexandria to a two rating, which may benefit homeowners with a drop in their insurance premiums. Mr. Jinks noted that the City's rating is now equal to Arlington and Montgomery counties. Mr. Jinks congratulated the following City employees on these accomplishments: (1) Jean Kelleher, Director of the Office of Human Rights completed her three year term as president of the International Association of Human Rights. During her tenure, she worked with the Canadian government to develop a Canadians with Disabilities Act; (2) Gregg Field, Director of Code Administration has been installed as the president of the Virginia Association of Code Officials and this appointment allows him to influence building codes and state law changes; and (3) Rana Abu-Ghazaleh, Project Manager, General Services has been elected to serve a three year term as the president of the International Planned Parenthood Federation, a major NGO providing services throughout the world.

OTHER

15. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated November 22, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 11/28/17, and is incorporated as part of this recorded by reference.)

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council received and approved the City Council schedule for November 2017 to June 2018. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

CLOSED MEETING

16. Consideration of a Closed Meeting for Consultation with Legal Counsel and Staff Regarding Actual or Probable Litigation.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council convened in closed executive session at 10:59 p.m., to discuss with legal counsel actual or probable litigation and specific legal matters requiring the provision of legal advice, pursuant to Section 2.2-3711(A)(7) and (8) of the Code of Virginia. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened the meeting at 11:05 p.m., The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened in closed executive session to discuss with legal counsel actual or probable litigation and specific legal matters requiring the provision of legal advice; specifically, the possible settlement of a workers' compensation claim and environmental litigation; pursuant to Section 2.2-3711(A)(7) and (8) of the Code of Virginia. The vote was as follows: In favor Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously City Council reconvened the meeting at 11:53 p.m. The vote was as follows: In favor Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the settlement of Delnice Molaski v. Alexandria City Sheriff and the City of Alexandria as recommended by the City Attorney in closed executive session. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg.

WHEREUPON, upon motion by Vice Mayor Wilson, seconded by Councilman

Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution regarding the closed executive session previously circulated to City Council. The vote was as follows: In favor Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2799

WHEREAS, the Alexandria City Council has this 28th day of November, 2017 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 CONSIDER, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the legislative meeting of November 28, 2017 at 11:55 p.m. The vote was as follows: In favor Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, councilman Chapman, Councilmember Lovain, councilwoman pepper, and Councilman Smedberg; Opposed, none.

APPROVED BY:

ALLISON SILBERBERG MAYOR

ATTEST:

GLORIA SITTON, CMC City Clerk