



City of Fredericksburg, Virginia

## City Council

# AGENDA

Council Chambers

715 Princess Anne Street

Fredericksburg, Virginia 22401

**Tuesday, June 14, 2016**

**6:30 p.m.**

**Suite, Room 218**

Hon. Mary Katherine Greenlaw, Mayor  
Hon. William C. Withers, Jr., Vice-Mayor, Ward Two  
Hon. Kerry P. Devine, At-Large  
Hon. Matthew J. Kelly, At-Large  
Hon. Bradford C. Ellis, Ward One  
Hon. Timothy P. Duffy, Ph.D., Ward Three  
Hon. Charlie L. Frye, Jr., Ward Four

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1. **Call To Order**

2. **Closed Session**

- A. To Convene In Closed Session For Consultation With Legal Counsel And Briefings By Staff Members Or Consultants Under Code Of Virginia 2.2-3711(A)(7) Pertaining To NBB, LLC V. City Council, CL15-0787, And City Council V. Architectural Review Board And NBB, LLC, CL15-0820, Where Such Consultation Or Briefing In An Open Meeting Would Adversely Affect The Negotiating Or Litigating Posture Of The City Council.

Documents: [CLOSED MEETING.PDF](#)

- B. Resolution 16-\_\_\_, Approving Certification Of Closed Meeting

3. **Adjournment**



## Motion for Closed Meeting Under The Virginia Freedom Of Information Act

I move that the City Council convene a closed meeting under the Virginia Freedom of Information Act in order to discuss:

- Personnel** specific City officers, appointees, or employees, for the purpose of considering such person's assignment, appointment, promotion, performance, demotion, salary, disciplining, or resignation, under Virginia Code §2.2-3711(A)(1)\_\_\_\_\_.
  
- Real Property**
  - Acquisition of real property for a public purpose, \_\_\_\_\_, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City Council, under Virginia Code §2.2-3711(A)(3)  
**OR**
  - Disposition of publicly held real property for the purpose of discussing \_\_\_\_\_ where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City Council, under Virginia Code §2.2-3711(A)(3)
  
- Prospective Business**
  - Prospective business or industry, **OR**
  - Expansion of an existing business or industry for the purpose of discussing \_\_\_\_\_ where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community, under Virginia Code §2.2-3711(A)(5)
  
- Legal Matters**
  - Actual litigation specifically to convene in closed session for consultation with legal counsel and briefings by staff members or consultants under Code of Virginia 2.2-3711(A)(7) pertaining to NBB, LLC v. City Council, CL15-0787, and City Council v. Architectural Review Board and NBB, LLC, CL15-0820, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the City Council, OR
  - Probable litigation with legal counsel, staff, or consultants, where (1) litigation has been specifically threatened or on which the Council or its counsel has a reasonable basis to believe will be commenced by or against a known party, and (2) such consultation in open session would adversely affect the negotiating or litigating posture of the City Council, **OR**
  - Legal matters, specifically to discuss \_\_\_\_\_ with counsel where such matters require the provision of legal advice, under Virginia Code §2.2-3711 (A)(7)

**Other** Closed Session Under Code of VA §2.2-3711(A)(--), \_\_\_\_\_

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**June 14, 2016  
Regular Session  
Resolution No. 16-\_\_**

**MOTION:**

**SECOND:**

**RE: CERTIFICATION OF CLOSED MEETING**

**ACTION: APPROVED: Ayes: 0; Nays: 0**

**WHEREAS**, the City Council of the City of Fredericksburg has this day adjourned into Closed Meeting in accordance with a formal vote of the Council, and in accordance with the provisions of the Virginia Freedom of Information Act; and

**WHEREAS**, the Freedom of Information Act requires the Council to reconvene in open session and to certify that such Closed Meeting was conducted in conformity with the law;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fredericksburg does hereby certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discuss in the Closed Meeting to which this certification applies, and (ii) only such public business matter as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed or considered by the Council.

-Adjourned into Closed Meeting at \_\_\_\_\_ p.m.

-Adjourned out from Closed Meeting at \_\_\_\_\_ p.m.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

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***Clerk's Certificate***

*I, Tonya B. Lacey the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16-\_\_ duly adopted the City Council meeting held June 14, 2016 at which a quorum was present and voted.*

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***Tonya B. Lacey, CMC  
Clerk of Council***