

LEGISLATIVE UPDATE & SUMMARY MINUTES

Actions of the City Council for November 22, 2021

The following legislation was considered and acted upon by the City Council of the City of Falls Church. Copies of legislation are available from the City Clerk cityclerk@fallschurchva.gov or 703-248-5014.

Call to Order: Mayor Tarter called the meeting in Council Chambers to order at 7:30 p.m. followed by the Pledge of Allegiance.

Roll Call: Upon roll call, the following members were present: Mayor Tarter, Vice Mayor Connelly, Mr. Duncan, Ms. Hardi, Mr. Litkenhous, Ms. Schantz-Hiscott, and Mr. Snyder. Also present were Mr. Shields, Ms. McCoskrie, and Ms. Heath.

Proclamations and Special Presentations:

- Presentation of Commendation to Mr. Thomas Tate.
- 2022 General Assembly Legislative Briefing with Delegate Marcus Simon

Report of the City Manager

The following report was provided:

- Police Chief Mary Gavin provided an update on the Use of Force Review Committee recommendations.

Resolutions and first readings of ordinances

(TO21-17) ORDINANCE APPROVING DEED OF PARTIAL RELEASE OF RESTRICTIVE COVENANTS, DEED IMPOSING NEW RESTRICTIVE COVENANTS AND DEED TO VACATE EXISTING EASEMENT WHICH TRAVERSES THE CENTERLINE, FOR LOT(S) A AND B AS PART OF PROPERTY AT 405 NORTH VAN BUREN STREET RPC# 53-101-128, FALLS CHURCH, VIRGINIA, BY OWNER/APPLICANT STEPHEN HISCOTT **MOTION by Ms. Connelly, seconded by Mr. Duncan to grant first reading (TO21-17) schedule public hearing and second reading for December 13, 2021, and advertise the same according to law with a change to line 248 of the ordinance to read "WHEREAS, upon review of all the circumstances and the new restrictions in the proposed deed, Council finds that the revised restrictions will protect the public health safety and welfare, and will sufficiently preserve open space while allowing for reasonable use of the Property;" PASSED 6-0. (Ms. Hiscott recused herself.)**

(TR21-44) RESOLUTION TO APPROVE FY2022 FUNDING RECOMMENDATIONS FOR THE ARTS AND CULTURAL GRANTS AND VIRGINIA COMMISSION FOR THE ARTS (VCA) LOCAL CHALLENGE GRANT SUBMISSION **MOTION by Mr. Duncan, seconded by Ms. Hardi to adopt (TR21-44) PASSED 7-0. (Res. 2021-40)**

(TR21-40) RESOLUTION TO CONDITIONALLY ENDORSE THE FAIRFAX COUNTY FISCAL YEAR 2026-2027 APPLICATION FOR \$94.8 MILLION IN NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (NVTA) 70 PERCENT FUNDING FOR THE SEVEN

CORNERS RING ROAD IMPROVEMENTS PROJECT MOTION by Mr. Snyder, seconded by Mr. Duncan approval of (TR21-40) to read at line 256: “WHEREAS, the City supports the Fairfax County request for funding, but does not support the current concept plan” PASSED 7-0. (Res. 2021-41)

(TO21-15) ORDINANCE TO AMEND ORDINANCES 2026, 2027, 2032 AND 2034 REGARDING THE BUDGET OF EXPENDITURES AND REVENUES, APPROPRIATING FUNDS FOR FISCAL YEAR 2022 FOR THE GENERAL FUND, SCHOOL OPERATING FUND, AFFORDABLE HOUSING FUND, COMMUNITY DEVELOPMENT AUTHORITY FUND, AND THE CAPITAL IMPROVEMENT PROGRAM FUNDS

MOTION by Mr. Litkenhous to reallocate \$498,000 [for school HVAC upgrade] between sidewalks and one-time pay for city staff was WITHDRAWN.

MOTION by Mr. Litkenhous to amend [TO21-15] to bring in another \$200,000 in ARPA money to be added to one-time payments [to City staff] was WITHDRAWN.

MOTION by Ms. Hardi, seconded by Mr. Litkenhous to grant first reading to (TO21-15), schedule second reading and public hearing for December 13, 2021, and advertise the same according to law with two amendments: adding 100,000 from reserves towards sidewalks and adding \$200,000 from ARPA for premium pay was WITHDRAWN.

MOTION by Ms. Connelly, seconded by Mr. Snyder to grant first reading to (TO21-15), schedule second reading and public hearing for December 13, 2021, and advertise the same according to law with the following changes to the proposed ordinance: at line 390, strike \$1,500 one-time premium pay and replace it with \$1,000 one-time premium pay, and strike 1% increase in base salary and replace it with 2.5% increase in base salary; add an additional \$200,000 from ARPA to be distributed to employees in an equitable fashion related to work at the beginning of the pandemic; add \$100,000 to the sidewalk fund; and direct staff in addition to a salary compensation study to also include a staffing capacity study was AMENDED.

MOTION by Mr. Snyder, seconded by Ms. Hardi [to amend the previous motion] that in addition to the 2.5% and the \$1000, that City Council moves to allocate a total of \$200,000 from a mixture of ARPA or the surplus to provide employees additional compensation above the 2.5%, the \$1000, and the \$1000 premium pay PASSED unanimously on voice vote.

MOTION [as amended] by Ms. Connelly, seconded by Mr. Snyder to grant first reading to (TO21-15), schedule second reading, and public hearing for December 13, 2021 and advertise the same according to law with the following changes to the proposed ordinance: at line 390, strike \$1,500 one-time premium pay and replace it with \$1,000 one-time premium pay, and strike 1% increase in base salary and replace it with 2.5% increase in base salary; add \$100,000 to the sidewalk fund; direct staff in addition to a salary compensation study to also include a staffing capacity study; and that in addition to the 2.5% and the \$1000, that City Council moves to allocate a total of \$200,000 from a mixture

of ARPA or the surplus to provide employees additional compensation above the 2.5%, the \$1000, and the \$1000 premium pay PASSED 7-0.

(TO21-16) ORDINANCE TO AMEND, REENACT, AND RECODIFY CHAPTER 42, ARTICLE V, OF THE CODE OF THE CITY OF FALLS CHURCH TO RECONSTITUTE THE PUBLIC UTILITIES COMMISSION MOTION by Mr. Duncan, seconded by Ms. Connelly to grant first reading (TO21-16) schedule public hearing and second reading for December 13, 2021, and advertise the same according to law PASSED 7-0.

(TR21-42) RESOLUTION OF THE CITY OF FALLS CHURCH CITY COUNCIL APPROVING THE CITY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST MCKESSON, CARDINAL HEALTH, AMERISOURCEBERGEN, JANSSEN, AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE CITY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S PARTICIPATION IN THE SETTLEMENTS MOTION by Ms. Schantz-Hiscott, seconded by Ms. Connelly to adopt (TR21-42) PASSED 7-0. (Res. 2021-42)

(TR21-43) RESOLUTION OF THE CITY OF FALLS CHURCH CITY COUNCIL APPROVING THE CITY'S PARTICIPATION IN THE VIRGINIA OPIOID ABATEMENT FUND AND SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING ("MOU") AND DIRECTING THE CITY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S PARTICIPATION IN THE MOU MOTION by Ms. Schantz-Hiscott, seconded by Mr. Litkenhous to adopt (TR21-43) PASSED 7-0. (Res. 2021-43)

Consent items

MOTION by Ms. Connelly, seconded by Mr. Litkenhous to approve the consent agenda PASSED 7-0.

APPOINTMENTS- APPROVED

Reappointment Request: James Coyle – Economic Development Authority - 12/01/21 – 11/30/25

Reappointment Request: Kristine Ward – Board of Zoning Appeals (alternate) - 01/01/22 – 12/31/25

Appointment: Elise Bengston – Chamber of Commerce Representative on the Arts and Humanities Council of Falls Church – (03/01/19) – 02/28/22 (Unexpired Term) & 03/01/22 – 02/28/25

AUTHORIZE THE PURCHASING AGENT, ON BEHALF OF THE CITY, TO AWARD UP TO \$860,000 IN A CONTRACT WITH ARDENT COMPANY, LLC FOR THE SOUTH WASHINGTON AND SOUTH MAPLE INTERSECTION IMPROVEMENTS PROJECT AUTHORIZED

AUTHORIZE THE PURCHASING AGENT, ON BEHALF OF THE CITY, TO AWARD A CONTRACT FOR THE PURCHASE OF TWO (2) "SWITCH N GO" PLATFORM TRUCKS, IN AN AMOUNT NOT TO EXCEED \$282,217 AUTHORIZED

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Items Removed from Consent

(TR21-41) RESOLUTION TO ENDORSE THE CITY OF FALLS CHURCH FISCAL YEAR 2026-2027 APPLICATION FOR \$22.5 MILLION IN NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (NVTA) 70 PERCENT FUNDING FOR THE NORTH WASHINGTON STREET MULTIMODAL TRANSPORTATION PROJECT OUT OF TRANSACTION PROJECTS “FALLS CHURCH MULTIMODAL IMPROVEMENTS”, TRANSACTION PROJECT ID #66 AND “FALLS CHURCH METRO STATION ACCESS”, TRANSACTION PROJECT ID# 334 **MOTION by Mr. Snyder, seconded by Ms. Schantz-Hiscott to adopt (TR21-41) PASSED 7-0. (Res. 2021-44)**

Adjournment

Upon proper motion, the meeting was adjourned at 12:28 a.m. on 11-23-21.

Legislation	Action
(TO21-17)	FCNP ad 12-2-21, 12-9-21
(TO21-15)	FCNP ad 12-2-21, 12-9-21
(TO21-16)	FCNP ad 12-2-21, 12-9-21
Res. 2021-40 (TR21-44)	Record
Res. 2021-41 (TR21-40)	Record
Res. 2021-42 (TR21-42)	Record
Res. 2021-43 (TR21-43)	Record
Res. 2021-44 (TR21-41)	Record
APPOINTMENTS	Record