

LEGISLATIVE UPDATE
Actions of the City Council for April 22, 2013
Revised 5-3-13

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, Kathleen Buschow, 703-248-5014.

Legislation

Second Reading of Ordinances.

(1) (A) **(TO13-07, Option 2)** ORDINANCE FIXING AND DETERMINING THE BUDGET OF EXPENDITURES AND REVENUES, APPROPRIATING FUNDS FOR THE FISCAL YEAR 2014: GENERAL FUND; SCHOOL OPERATING FUND; SCHOOL COMMUNITY SERVICE FUND; AND SCHOOL FOOD SERVICE FUND; WATER FUND, SEWER FUND, AND ENTERPRISE FUND; AND AFFORDABLE HOUSING FUND (*Wyatt Shields, City Manager*)

NOT CONSIDERED

(B) **(TO13-07, Option2b.)** ORDINANCE FIXING AND DETERMINING THE BUDGET OF EXPENDITURES AND REVENUES, APPROPRIATING FUNDS FOR THE FISCAL YEAR 2014: GENERAL FUND; SCHOOL OPERATING FUND; SCHOOL COMMUNITY SERVICE FUND; AND SCHOOL FOOD SERVICE FUND; WATER FUND, SEWER FUND, AND ENTERPRISE FUND; AND AFFORDABLE HOUSING FUND (*Wyatt Shields, City Manager*)

NOT CONSIDERED

(C) **(TO13-07, Option 3)** ORDINANCE FIXING AND DETERMINING THE BUDGET OF EXPENDITURES AND REVENUES, APPROPRIATING FUNDS FOR THE FISCAL YEAR 2014: GENERAL FUND; SCHOOL OPERATING FUND; SCHOOL COMMUNITY SERVICE FUND; AND SCHOOL FOOD SERVICE FUND; WATER FUND, SEWER FUND, AND ENTERPRISE FUND; AND AFFORDABLE HOUSING FUND (*Wyatt Shields, City Manager*)

Withdrawn by Mr. Duncan. NOT CONSIDERED

(D) **(TO13-07, Option 4)** ORDINANCE FIXING AND DETERMINING THE BUDGET OF EXPENDITURES AND REVENUES, APPROPRIATING FUNDS FOR THE FISCAL YEAR 2014: GENERAL FUND; SCHOOL OPERATING FUND; SCHOOL COMMUNITY SERVICE FUND; AND SCHOOL FOOD SERVICE FUND; WATER FUND, SEWER FUND, AND ENTERPRISE FUND; AND AFFORDABLE HOUSING FUND (*Wyatt Shields, City Manager*)

FAILED on roll call vote 2-5, with Messrs. Duncan, Peppe, Snyder, Tarter, and Baroukh voting NO.

(E) **(TO13-07, Option 2 Modified)** ORDINANCE FIXING AND DETERMINING THE BUDGET OF EXPENDITURES AND REVENUES, APPROPRIATING FUNDS FOR THE FISCAL YEAR 2014: GENERAL FUND; SCHOOL OPERATING FUND; SCHOOL COMMUNITY SERVICE FUND; AND SCHOOL FOOD SERVICE FUND; WATER FUND, SEWER FUND, AND ENTERPRISE FUND; AND AFFORDABLE HOUSING FUND (*Wyatt Shields, City Manager*)

PASSED on roll call vote 5-2, with Ms. Barry and Mr. Kaylin voting NO. (Ord. 1891)

(2) **(TO13-09)** ORDINANCE TO CREATE ARTICLE VII, "STORMWATER," UNDER CHAPTER 42, "UTILITIES," OF THE FALLS CHURCH CITY CODE TO ESTABLISH A STORMWATER UTILITY (*William Hicks, Public Works Director*)

PASSED on roll call vote, unanimously 7-0. (Ord. 1892)

(3) **(TO13-08)** ORDINANCE FIXING AND DETERMINING THE FY2014-FY2018 CAPITAL IMPROVEMENTS PROGRAM BUDGET AND APPROPRIATING EXPENDITURE AND REVENUE FUNDS FOR THE FISCAL YEAR 2014 (*Cindy Mester, Assistant City Manager*)

PASSED on roll call vote, unanimously 7-0. (Ord. 1893)

(4) **(TO13-06)** ORDINANCE SETTING THE RATE OF TAX LEVY ON REAL ESTATE, PERSONAL PROPERTY, MACHINERY AND TOOLS AND ALL OTHER PROPERTY SEGREGATED BY LAW FOR LOCAL TAXATION IN THE CITY OF FALLS CHURCH VIRGINIA FOR THE TAX YEAR 2013 (*Wyatt Shields, City Manager*)

PASSED on roll call vote, unanimously 7-0, as amended [tax rate of \$1.305]. (Ord. 1894)

(5) **(TO13-05)** ORDINANCE TO AMEND CHAPTER 42, "UTILITIES," TO REVISE SEWER RATES AND FEES AS OF JULY 1, 2013 (*Brenda Creel, Public Utilities Director*)

PASSED on roll call vote, unanimously 7-0. (Ord. 1895)

(6) **(TO13-10)** ORDINANCE TO AMEND CHAPTER 28, "MISCELLANEOUS OFFENSES," ARTICLE VII, "WEAPONS," OF THE FALLS CHURCH CITY CODE BY THE ADDITION OF SECTION 28-202, DISCHARGE OF PNEUMATIC GUNS IN CERTAIN PLACES PROHIBITED; EXCEPTIONS (*Mary Gavin, Police Chief*)

PASSED on roll call vote, unanimously 7-0. (Ord. 1896)

Resolutions and First Readings of Ordinances

(1) **(TR13-12)** RESOLUTION TO APPROVE THE PLAN OF FINANCING AND THE ISSUANCE OF BONDS BY THE CITY OF FALLS CHURCH ECONOMIC DEVELOPMENT AUTHORITY FOR THE BENEFIT OF EASTER SEALS GREATER WASHINGTON-BALTIMORE, INC. (*Richard LaCondre, CFO and Director of Finance*)

PASSED on roll call vote, unanimously 7-0. (Res. 2013-10)

(2) **(TR13-13)** RESOLUTION TO (1) APPROVE A VOLUNTARY BOUNDARY ADJUSTMENT AGREEMENT (“AGREEMENT”) AND MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE CITY OF FALLS CHURCH, VIRGINIA AND FAIRFAX COUNTY; AND (2) REQUEST THAT THE COMMISSION ON LOCAL GOVERNMENT REVIEW AND PROVIDE A FAVORABLE RECOMMENDATION ON THE AGREEMENT AND NOTICE OF VOLUNTARY SETTLEMENT AGREEMENT. (*John E. Foster, City Attorney*)

PASSED on roll call vote, unanimously 7-0. (Res. 2013-11)

Consent Calendar

○ *Appointments*

1) Appointments

a) New Candidate: Elizabeth Hanson – Retirement Board – 5/1/12 – 4/30/15
(Unexpired Term)

b) Reappointment: Larry Little – Retirement Board – 5/1/13 – 4/30/16

c) Reappointment: Dennis Szymanski – Tree Commission – 4/1/13 – 3/31/16

d) Reappointment: Robert Donaldson – Tree Commission – 4/1/13 – 3/31/16

2) The City Council is requested to make the recommendation that the City Attorney submit a Praecipe and Order to the Arlington County Circuit Court requesting the appointment of the following candidates to the City's Board of Equalization: Mr. James Craig for the unexpired term of February 1, 2013 - January 31, 2016; Mr. Brian LeBlanc for the unexpired term of February 1, 2012 - January 31, 2015; Mr. John Nixon for the unexpired term of February 1, 2012 - January 31, 2015; and Mr. Paul Handly for the unexpired term of February 1, 2011 - January 31, 2014.

CONSENT MOTION PASSED on roll call vote, unanimously 7-0.

Other Business -- None.

Approval of Minutes -- None.

Closed Session -- None.

Adjournment

Upon proper motion and unanimous voice vote, the meeting was ADJOURNED at 10:12 p.m.

Check List

	Legislation	Done
Agendas-Notices-Legislative Updates	Ord. 1891 Ord. 1892 Ord. 1893 Ord. 1894 Ord. 1895 Ord. 1896 Res. 2013-10 Res. 2013-11	
Update Code Book	Ord. 1892 Ord. 1895 Ord. 1896	

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