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City of Fairfax City Council Meeting, Tuesday, July 8, 2025

Date Tuesday, July 8, 2025
Place City Hall, City of Fairfax, Virginia
Length 3h 50m (video)

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- Agenda: https://fairfax.granicus.com/AgendaViewer.php?view_id=13&clip_id=4273
- Minutes: https://fairfax.granicus.com/MinutesViewer.php?view_id=13&clip_id=4273&doc_id=d784ce5b-5cf7-11f0-b7f5-005056a89546

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-12. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:18] if you are able and so choose i would like for us to have one moment of silence to acknowledge officer terry carroll who passed away this weekend after retiring as our animal control officer two months ago we hold his family in our thoughts and our prayers and also the victims of the texas flood those who are still missing those who survived their family their community i would

[00:00:58] like for us all to just take a moment and think about the families that need our support and our thoughts and our prayers as they navigate through this very very difficult time. If you are able and so choose please rise for the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with

[00:01:38] liberty and justice for all. So you may notice that our ranks are a little thin up here on the dais. So at this time, we are going to consider remote participation by Councilmember McQuillan pursuant to the Code of Virginia Section 2.2-3708.2. Is there a motion to approve the remote participation by Councilmember McQuillan? Councilmember Hardy-Chandler? I move to approve Councilmember McQuillan's request properly submitted in writing prior to tonight's meeting for remote participation subject to compliance with the requirements outlined in the City Council

[00:02:13] adopted policy and applicable law in all or portions of the city council regular meeting of july 8 2025 is there a second second a motion has been made and seconded a roll call vote council member hall

yes council member hardy chandler aye council member peterson council member bates aye motion passed unanimously we can move to adoption of the agenda is there a motion to approve the agenda council member hardy chandler i move to adopt the agenda as presented. Is there a second? Second. The motion has been made and seconded. A roll

[00:02:50] call vote. Councilmember Hall? Aye. Councilmember Hardy-Chandler? Aye. Councilmember Peterson? Aye. Councilmember Bates? Aye. Councilmember McQuillan? Aye. Motion passed unanimously. We will go on to initial general public comment. I only had one speaker sign up by 5 o'clock p.m. today, so I will call up Philip LaTassa to come up. I speak tonight representing the Friends of Accutane Creek. The long debate over the George Snyder Trail may be receding from this chamber, but for Accutane Creek, the demands to degrade and reduce its wooded buffers never recede.

[00:03:30] Later tonight, the Council will engage in a work session regarding the Pickett Connector Trail, planned to run through the forested floodplain of Hatmark Branch, one of the smaller tributaries of Accutane Creek. Upon either as long as the George Schneider Trail or as dramatic in its engineering, the Pickett Connector Trail would be outstanding in its redundancy.

[00:03:47] The connection it is supposed to provide between Thais Park and Route 50 is already in place within a literal stone's throw of the proposed new route. Abundant signage along the existing route already guides bicyclists and pedestrians to make the connection using the seven-foot-wide sidewalk on Pickett Road itself.

[00:04:06] Even today, the county is about to complete the last link of its Route 50 bike path, providing a second connection just to the east of Thais Park. Any advantages offered by building a third connection so near the other two are insufficient to justify the sacrifice of even one tree, the paving of even one square yard of streamside resource protection area, or the imposition of a new perpetual maintenance burden on the taxpayers of this city.

[00:04:32] In the work session tonight, the council will hear that the Pickett Connector Trail will have a low forest impact because Fairfax Water will eventually clear the route anyway for a future water main. That is not low impact. That is a double whammy. That is an example of the endless demands on our few remaining woodlands that I mentioned.

[00:04:52] That endless demand should motivate us to preserve rather than to pave even more. Our dwindling supply of forests and streams cannot provide a parallel transport system. We ask the city to make our streets safe for people instead of making our forests safe for pavement. We ask the city to forego the Pickett Connector Trail.

[00:05:10] Thank you. We can move to the consent agenda. Is there a motion to approve the consent agenda? Council Member Hardy-Chandler? I move adoption of a consent agenda for agenda item number 6A, consideration of the May 27, 2025 special meeting minutes.

[00:05:31] Agenda Item 6B, consideration of the May 27, 2025 regular meeting minutes. Agenda Item 6C, consideration of the June 3, 2025 special meeting minutes. Agenda Item 6D, consideration of the June 10, 2025 special meeting minutes.

[00:05:48] Agenda Item 6E, consideration of the June 10, 2025 regular meeting minutes. Agenda Item 6F, consideration of the June 17, 2025 special meeting minutes. Agenda Item 6G, consideration of the June 23rd, 2025 special meeting minutes.

[00:06:05] Agenda Item 6H, consideration of appointments to boards and commissions. Agenda Item 6I, introduction of an ordinance amending Chapter 54, Offenses and Miscellaneous Provisions, Article 1, General Section 5-4 of the City of Fairfax, Virginia, pertaining to the prohibition on the possession, carrying, or transportation of firearms, ammunition, or components or combination thereof in city buildings or facilities on public property or at permitted public events.

[00:06:39] I move to approve the Consent Agenda Items 6A through I and the motion accompanying the Consent Agenda Item as presented. Is there a second? Second. A motion has been made by Council Member Hardy Chandler and seconded by Council Member Bates.

[00:06:55] Are there any items council would like pulled for additional discussion? Council Member Peterson? Items H and I. Items 6H and 6I will be removed for discussion. Roll call vote on the consent agenda minus agenda items 6H and 6I.

[00:07:13] Council Member McQuillan? Aye. Council Member Bates? Aye. Council Member Peterson? Aye. Council Member Hardy-Chandler? Council Member Hall? Aye. Motion passed unanimously. We'll go to 6H.

[00:07:29] 6-H is just consideration of appointments to boards and commissions. So, Council Member Peterson? I would just ask that we read the appointments that have been made. Are you proposing to read the appointments?

[00:07:45] I'm happy to do that unless somebody else would like to do the honors. Let me just pull the motion up here. Yeah, so as long as Council Member Peterson reads the motion, someone seconds it, and then we can take the vote. Okay, yeah.

[00:08:00] As I understand it, we are moving to appoint the following applicants.

[00:08:17] the Board of Zoning Appeals and we are moving to reappoint Russell James for a five-year term extending through May 25, 2030. On the Commission for Women we are moving to appoint Amini Bonani for a remainder of a three-year term extending July 1, 2026. For the Commission on the Arts we are reappointing Yolanda Ortiz for a three-year term extending through June 11, 20, 28.

[00:08:48] And for the Environmental Sustainability Committee, we are moving to reappoint Gregory Farley for a three-year term extending through July 28, 20, 28. Is there a second on the motion? Second.

[00:09:04] A roll call vote? Council Member Hall? Aye. Council Member Hardy-Chandler? Aye. Council Member Peterson? Aye. Council Member Bates? Aye. Council Member McQuillan? Aye. Motion passed unanimously. We'll go on to 6-I.

[00:09:22] I'll take that one. Evening, Mayor and Council. This item is a follow-on to the June 24th work session that we just had on the topic of the firearms prohibitions within the city. As a reminder, the city has had regulations on the possession, carrying, or transportation of firearms in certain specified locations since 2021.

[00:09:43] The changes proposed in the attached ordinance would be to essentially align the city's regulations with those in Fairfax County by adding to the list of prohibited locations the areas of and surrounding city-permitted events and adjacent sidewalks, roads, and other rights-of-way, clarifying certain provisions pertaining to parks prohibitions, and increasing the penalty for violations from a Class 4 misdemeanor to a Class 1 misdemeanor.

[00:10:09] At the work session, there were some early discussions on possible exemptions, such as for concealed carry and perhaps some other revisions that council might like. This item this evening, for the benefit of the public as well, would be to simply introduce the ordinance and, as drafted, set the public hearing for July the 22nd.

[00:10:29] And with that, I'm happy to answer any questions. Councilmember Bates? Just to clarify, the introduction of this ordinance does not lock us into an all-or-nothing decision. we can further amend the ordinance at the public hearing date, is that correct?

[00:10:46] Correct. As long as the subject matter are the firearms prohibitions. So you can add exemptions, you can clarify language, you can even repeal the ordinance if that's the desire of the council. But this would allow for flexibility. This is not locked in stone.

[00:11:02] Yeah, thank you. Other discussion, Council Member Peterson? If you could remind us again the timing and the schedule for the further consideration of this. So as drafted and as we discussed in the work session, right now the public hearing is set for July 22nd.

[00:11:22] That's the motion that accompanies this item. Council can certainly set a different public hearing or it can, when July 22nd rolls around, it could continue the public hearing if desired. I know there was at least one council member that had mentioned the possibility of doing this in September, But we took the consensus as just simply putting it on the agenda and setting it for July 22nd.

[00:11:40] But that is not locked in stone, depending what you all do this evening and what you do the night of the public hearing. And at what point this evening would we make any decisions regarding the schedule and any updates to it? In about, I'm not being glib, in about a minute when somebody reads a motion or doesn't read a motion.

[00:11:56] The motion contains, so the purpose, the way we do ordinances, some of you knew, is we do the first meeting you introduce and you set the public hearing, and then the second meeting would be the public hearing and or council action. There's no requirement for action the night of the public hearing.

[00:12:13] There's also no requirement, there also is the ability to change the date of the public hearing the night that it's scheduled, if that's the will of the council. Thank you. So is there further discussion, Council Member Hall?

[00:12:29] Thank you. I think it's important, regardless of when the date is of the public hearing, that we have the chief of police present, would it potentially be possible to have a Virginia state police officer there to kind of discuss the concealed carry conversation about how that works? I mean, I don't know what we have the ability to do.

[00:12:53] i take the question that you're asking i i think the police chief and i can certainly answer that question i think we're familiar with concealed carry in in virginia uh before since there's clear desire to have some conversation on that we'll make sure that there's appropriate staff whether it's city staff or other other individuals present to answer those questions but i think the chief and i are able to answer those questions okay thank you this is a whole new world of conversations about things and so i'm just trying to educate myself as much as i can as obviously those around as well. So I appreciate the information. I, if I still have the floor,

[00:13:29] thank you. I do have to say, I, I don't love doing this on July 22nd because so many people are out of town. And actually council, sorry, council member McCullin and I actually spoke earlier about whether or not it would be possible maybe to have July be the recess month and August be the back to business month since kids are in school and all of that stuff. And, but that's a later conversation. But I do just want to suggest that maybe we consider a September meeting to discuss this when most more of our residents will be back in town and have the ability to be aware of it. I can make a motion if I need to. Yes. And Mayor, I would just, I think some of you are aware,

[00:14:07] I will not be here the first meeting in September. So I would suggest if there's a desire to the motion to reflect a September public hearing date, that it be the second meeting, which is the 2030th. oh there's a holiday in there so it'll be september the 30th would be the date if that's the will of whoever's making the motion okay um okay so did you want to make a motion yes i'd like to make a motion to delay the public hearing no council member uh the last page of the staff

[00:14:40] report since this was pulled off consent you have a longer read i move that the city council introduce the attached ordinance amending chapter 54 offenses and miscellaneous provisions article 1 general chapter 54-4 of the code of the city of fairfax virginia pertaining to a prohibition on the possession carrying or transportation of firearms ammunition or components or combination thereof in city buildings excuse me in city buildings or facilities on public property or at

[00:15:15] certain public events i move to waive the first reading of the ordinance and to set the public hearing for consideration of the ordinance for september 30th 2025. is there a second second a a motion's been made by council member hall and seconded by council member peterson a roll call vote council member hall aye council member hardy chandler hi council member peterson aye council member bates aye council member mcquillan aye motion passed unanimously we will move on to the second general public comment well excuse me council member peterson we i don't think

[00:15:55] had discussion around that motion and then prior to it. But I just want to note that Councilmember Hall suggested that we have representation by Chief of Police, State Police, and other qualified staff to be able to answer questions about concealed carry.

[00:16:17] And I would just like to say that I think there also are additional questions that will be important to raise that have to do with statistics around response rates and response times and things like that that are material to this issue.

[00:16:35] So I think we'd like to be sure that we have adequate representation to engage in Q&A around a series of those issues and would be happy to add a list or thoughts of what those issues might be in advance if it would be helpful. Mayor. Yes, Mr. Beckerman.

[00:16:52] So if I may suggest, we have... Apple time before September the 30th. If council members have questions, if they can just funnel them through me, and I will make sure we have answers available that evening as well as staff available to answer any questions that might come up. Thank you.

[00:17:09] Council Member Bates. Question. I know that according to the staff report, it was suggested that we incorporated a late effective date of July 1, 2026. Would you say that staff are still comfortable with that date with the new public hearing date in mind?

[00:17:29] So July 1st, 2026 is just a placeholder for discussion. We'll also be prepared to discuss, because we'll have more time between now and September 30th to look at some of the implications further of

expanding the prohibition and whether we need all that time, whether we need less, whether we need more.

[00:17:47] So again, we'll include that as question number two after the concealed carry already that's been submitted. Okay, thank you. Anything else before we move on? Okay. okay now we'll go to second general public comment i had two speakers sign up during the meeting after i call those two speakers if there's anybody else in the room that i'd like to speak they can

[00:18:11] come forward so i'll call the first speaker which is mary landis good evening thank you for allowing me to speak this evening um i'm here to speak about the sorry the proposed amendment or possible amendment to the noise ordinance um honestly i do not understand the reasoning behind having time restrictions written into the noise ordinance i find it to be completely arbitrary and quite

[00:18:50] frankly not equitable i don't know if it's based on an antiquated idea of a sleep schedule for a typical nine to five work today work day in today's society very few people actually work those hours i myself for my job get up at about 5 a.m so i like to be in bed by 10 that's just me others work at night others work on weekends some have small children with specific sleep needs and this does not even address those that are sick or have special needs. There's no one size fits all so the equitable answer is to remove the time restriction completely. Everyone should have the right to enjoy their home whether to be to sleep, relax, simply to have a peaceful dinner

[00:19:27] or whatever no matter the time of day without excessive noise. Therefore I'm asking you to please remove the time constraints on the noise ordinance and amend it to simply state that noise that is audible from inside the house with doors and windows closed at any hour is prohibited.

[00:19:43] Thank you. Our next speaker is Ross Landis. My wife and I did not write these together, but we're surprisingly similar. So the idea that you're only entitled to peace and quiet inside your own house at certain hours is pretty ridiculous to me, honestly. The noise ordinance needs to be corrected. I could go on and on with stories, anecdotes, times when there's been obvious

[00:20:20] noise. There's nothing the police will do. There's nothing they can do. About three weeks ago, My neighbor was playing loud thumping music, started in the afternoon, went on to the evening. My wife and I finally got in the car and drove to a parking lot because we were getting headaches and we wanted some peace and quiet.

[00:20:37] I had spoken to the police numerous times. They could not be more helpful. They could not be more courteous. They could not be more patient. But they have told me over and over again that there is nothing they can do with current ordinance. As the staff report states, and I'm going to state it again, you need to remove the time restrictions and you need to prohibit any such sound that is plainly audible in another person's residence with the doors and windows closed i probably couldn't have written it better myself thank you is there anybody else in the room that would like to speak under general public

[00:21:11] comment they can step forward hi my name is susan kyler i'll leave 9742 cardinal road fairfax i just have two brief hopefully brief comments tonight the first is a point of clarification about the 2014 advisory referendum mentioned in the June 24th work session.

[00:21:39] The referendum was a ballot question on the November 4th, 2014 ballot and not on the May election ballot. And the question was, do you support changing the length of the terms of office for city council members, the mayor, and members of the school board from the current two years to four years?

[00:21:57] 6,849 voters answered the question, which is comparable to what was going on in our 2024 November election. 4,604 voted no and 2,244 voted yes. In other words, 67.2% were no and 32.8% were yes.

[00:22:17] I pulled this from the Virginia elections database. The number of voters who answered the question is comparable to the number of voters who voted in the local election for November, this will get past November 2024. So that's my first comment.

[00:22:33] it's a clarification the second is about the picket connector it appears from the staff presentation that nothing has changed since the council voted to pause the project is the council so I have a few questions is the council going to direct staff to explore alternatives and provide the council with information on which to base a decision also if the project costs more than the anticipated anticipated does the city pay the difference if so that figure may be higher than the current \$700,000 you already spent, and it may be cheaper to cancel the

[00:23:10] project. The presentation talks about rescoring if the design changes with the smart scale funding. Doesn't the project need to be rescored anyway because the county has already built a connector, a stone's throw away? Anyway, these are the kinds of questions I wish you'd look at in terms of funding and timing. Thank you. Is there anybody else in the room that would like to speak? You can come forward, sir. Madam Mayor, members of the council.

[00:23:44] I speak in opposition to this proposed ordinance about further firearms restrictions. It's a bad idea. It was a bad idea before. We didn't have problems back when we had statewide preemption. Unfortunately, we lost that. And so Fairfax County did what they did.

[00:23:59] You want to follow suit. Not a good idea. Here's why. One, it won't stop the bad guys. It simply won't. They're going to violate such an ordinance in the first place. That's what criminals do. They break the law. Second, it will disarm the good guys and girls.

[00:24:20] My wife's thinking of getting a concealed handgun permit. She's a little thing. She's a lot smaller than I am. She would like to be able to protect herself against an assailant, say, my size. She can't do that with her bare hands, but she could with a gun.

[00:24:36] She should be able to carry that anywhere. I should be able to carry it anywhere, too. We face, especially those of us that are, say, in certain particular minority categories, like myself, I might face a Charlottesville-style racist. I might face a bunch of them carrying knives like my father did.

[00:24:54] I need to be able to defend myself just like my wife needs to be able to defend herself. So there was this notion of exempting concealed handgun permit holders. They're among the most law-abiding people in Virginia, really in the nation. That's why they get the permits.

[00:25:11] That's why they do that. They want to follow the law. So if you're really hell-bent on doing this, please, for the love of heaven, exempt CHP holders. But I would urge you to just repeal the darn thing in the first place.

[00:25:27] It doesn't do any good. Not really. It may sound good. Michael Bloomberg may like it. Note that Michael Bloomberg has an armed phalanx of bodyguards to protect him. Gee, hmm, think about that. So please, repeal this or exempt the good guys with permit holders.

[00:25:47] Is there anybody else in the room that would like to speak? They can come forward. I will now recess the regular meeting to go into a work session. We will stay in the council chambers for the work

session. Our first item is an update on the Pick a Trail project.

[00:26:06] I'll recognize Wendy Sanford, Transportation Director, to provide the staff presentation.

[00:26:27] Share it with Rachel. How do I do that? Do I do share or like that? I'm assuming it's that.

[00:26:53] Okay. Council Member McQuillan, can you see the presentation? Yes. Thank you. Are you seeing it in presentation mode? Yes. Okay. Great. Okay.

[00:27:13] Good evening, Mayor, members of City Council. The work session this evening is to discuss the picket trail, and I'd just like to introduce the team that's here with me this evening. We have David Summers, Director of Public Works, and Sunny Sarda, our Capital Projects Manager within the Transportation Division.

[00:27:34] I'm going to go through a series of slides, and I just want to note that this project in general is a collaborative effort between transportation and parks and recreation.

[00:27:51] This project initially started out as a PRAB-identified project. It was identified both as a safety issue and as an opportunity to improve both the connectivity between the city and the county to complete an off-road missing link of trail.

[00:28:07] On the next slide, I will show how this segment of trail fits into the larger network. The concern and the reason for this project was that the sidewalk that exists on Pickett was very narrow, but furthermore, that there was one missing link in an off-road network that already existed. And so what's shown on this slide right now is the network of off-road trails and where the picket trail exists within that network. So what you see here are all the

[00:28:43] yellow lines, the George Snyder Trail, the I-66 Trail, the Connector Trail, and then the Cross County Trail. And there is a missing link between the Cross County Trail and the Connector Trail. so in this area where you see this red line. And so that is the genesis of this project.

[00:29:02] This was identified by, again, the Parks and Recreation Department, and then this was put into reality using transportation funding. And so in terms of the timeline, it was, as I mentioned, identified by PRAB. It was then included in the 2017 Multimodal Plan, and then from there it went through the process of being included in the two-year program back in FY 18-19. I'm not including here the full timeline of the project. I'm including some of just the main touch points here. There was a funding application that was endorsed in 2018, and at that time, that is when

[00:29:38] the city also started conversations with Fairfax Water, and I will touch on that more in a couple of minutes. The public hearing for this project was held in January 2022. As I mentioned, the city applied for funding back in 2018 and was successful receiving smart-scale funding. The project is currently in the right-of-way acquisition stage and there's very little right-of-way at this point it's an easement between the city and the county again i'll speak to that in a minute i'm sorry fairfax water not the county the project includes construction of 1300 linear feet of paved asphalt trail and there are two bridges and i'll i'll show a schematic in a moment to explain where that

[00:30:17] where the bridges and um exist the total project costs of approximately five million dollars And we have smart scale funding in the amount of \$6.4 million. Again, this was received back in FY18. And approximately \$650,000 has been spent to date.

[00:30:34] And that has all been spent on preliminary engineering. So now in terms of an overview, I'm going to walk you through the design of the trail. It's on two slides. So what you're seeing first is the piece from Feist Park, which is on the left side of your screen.

[00:30:53] And Pickett Road is just going to minimize so that way. Is that showing up? Yeah. Okay. There we go. Perfect. So Thice Park is on the left side, but you can see it's actually the south. So we're moving here south to north.

[00:31:11] And so what you see here is the trail starts right at the connection with the Cross County Trail there. So you see it Thice Park. And then it moves, and it's mostly parallel to Pickett Road. You can see Pickett Road is labeled at the top of the slide.

[00:31:27] There is the first bridge. It crosses its 125 feet right in this location. The trail continues north and then again crosses the stream again with a shorter bridge of 50 feet. It continues north, and then I'm going to move to the next slide.

[00:31:46] And it picks up on the left-hand side of your screen where that last one left off. It continues running north, again, parallel to Pickett Road. It runs right along the side of the Fairfax Water Pump Station, which is noted there in the blue. And then it moves up and it connects to Fairfax Boulevard right here at the end.

[00:32:09] I'm going to spend a couple of minutes talking about the Fairfax Water Project because this is very important to understand the context and the discussion about the alignment. Fairfax Water is planning to install a new north-south water main, and this is shown in their out-year CIP.

[00:32:25] So the project is slated for approximately 10 years from now. We contacted them when we were first applying for this funding and looking at this project back in 2018 to let them know that this was an alignment we were looking at. And at that time, they said that they were planning to do a water line improvement in this area. And so we discussed our plans with them. And at that time, they then decided to look at the alignment for their water main. And so what you're seeing here is the Fairfax Water's plans for the water main overlaid on top of the city's plans for the trail. So what you see in green is the Fairfax

[00:33:02] water main alignment. And then what you see in red is the trail alignment. So you can see they overlap. And again, for this slide, the entire trail is shown on one screen. So you see Fairfax Boulevard to the north is shown on the right side of the screen, and then Feist Park all the way to the left just to orient you. And so you see that for the most part, they overlap. They start to diverge right in this area right here is where they start to separate. And then they overlap a little bit more, and then they separate again. And so where you're seeing them separate is where

[00:33:37] the bridges are. Fairfax Water's intention is to overlap only where there is asphalt trail so that when they're doing this project, they would be disturbing the parts where it's asphalt, not where there are bridges. So the city and Fairfax Water have been coordinating since 2018. And the plan has been to convey the easements needed for both projects now. And what Fairfax Water said was that at that time, that they were planning to utilize this area. There had not been an exact alignment, but when they saw our alignment, they said, this is what we will use as well. And when they realized

[00:34:16] that they could use our alignment, it would serve as a dual purpose and have to impact, they're trying to minimize the impact to this area. And so the tree removal that I'll discuss in a moment will really have a dual purpose in the sense that it'll serve two projects. And so now in terms of the forest impact, and

these slides were put together by the arborist on our consultant team and have been reviewed by the city's urban forester, Anna, that of the RPA acres, there's 0.8 acres of RPA disturbed. There are a total of 91 trees that would be removed by this project that is coming in first.

[00:34:56] What would be removed from the Fairfax Water Project, what overlaps, is 68 trees. And so that means there's a net of 23 trees that are being impacted from our project alone, from the city's project. Something to point out, and I've had a number of conversations with Anna Safford about the project, is that there are a high number of invasives in this area.

[00:35:20] And so one of the benefits of this project is the opportunity to remove the invasive species in this area. And Anna put this slide together, and she considers the impact of this project to be low due to the known future disturbance of this area, also due to the fact that there are a significant level of invasive species along Pickett Road and in this area, and that the project provides an opportunity to fund what otherwise would not be funded for invasive management. Also, Anna walked the site with our consultant and they shifted the

[00:36:00] alignment away from some high quality trees. So Anna has looked at this and has opined that the project gives an opportunity to do the invasive removal and that the trees that are being removed are generally a low impact. In terms of the replanting, we don't have the opportunity to replant as heartily as we would normally because of the water line going in. Due to the utilities, the water line going in and the steep slopes were somewhat limited in terms of where we can replant. The water line needs a 15-foot clear area, not only for when they come and construct,

[00:36:38] but also for their future maintenance. But there are tree plantings that can occur in other locations, and Anna has also reviewed that as well. In terms of next steps, as you know, the project has been paused um so there would be there needs to be council action to either continue the project cancel the project or modify the project and the options that we see are listed up here on the screen number one to continue with the project as is this would require council action to unpause the project and continue work number two would be to modify the alignment i'll discuss this in more detail on the next slide but this would require a vdot rescoring per smart scale

[00:37:18] guidelines, and the city would pay for the redesign. Or three, cancel the project and repay the, it's actually \$650 spent to date, not \$700. I apologize. In terms of the smart scale background, that is the flavor of funding that this project has on it. As I mentioned, this was submitted in FY18. It was one of 13 projects submitted in the Northern Virginia District. I'm sorry, It was 13 selected out of 39 in the Northern Virginia District.

[00:37:50] SmartScale is a statewide funding program. It provides 100% funding for our project. It is competitive funding. And so projects are submitted. As you see, 39 were submitted. And the list that's on the screen lists the 13 projects that were selected.

[00:38:06] And what is shown on the right-hand side is the scorecard. And this is just a little bit of SmartScale 101. one, but what it shows are the criteria that are used to evaluate smart scale projects. And so this is the scorecard for the Pickett Trail connector. And so this is, again, competitive funding. And so when there is a rescoring, what that means is if there are any changes to an approved project's scope of work or cost, the project needs to be rescored. So what they do is they go back and they reevaluate the project, and they are rescoring it against those projects that were submitted back in 18.

[00:38:44] So they're going back to the original list that was considered, so this list, and they're saying, would this project as redesigned or recost, does it have the same benefits on this scorecard that would enable it to still be one of the 13? That's what they're looking for.

[00:39:00] They have the 39, they draw the line, everything above the line is funded. And so what they're saying is, would this project, and they look at the criteria, the criteria since then have changed, but they go back and they use the criteria that were on the books then and they say, would this project still qualify? And if the answer is yes, then you go forward. It still requires CTB action. We have been through a rescoring for a smart scale project. It was for the University Drive extension. And I believe I've spoken about that project with you all before in terms of how a smart scale rescoring works.

[00:39:36] We had submitted that project as a direct connection between Fairfax Boulevard and Eaton Place. And when that project, when the funding came online and we had started design for that project, there was concern from residents south of Fairfax Boulevard about a direct channel of traffic coming from this connection. So the project was modified to include the design that is now in place with that dog leg. So the idea of putting in the roundabout. So it was the same scope of work in the sense that we were still connecting Fairfax Boulevard to Eaton Place, but because of the change in design and the change in cost the project needed to be rescored

[00:40:14] and in that case the city was successful and we went on to construct that project so just an example of how the rescoring works that process took approximately a year um and in terms of rescoring um the and this is straight from the smart scale technical guide which is available online the applicant is responsible for the additional cost attributable to the increase and scope. And one of the realignments that has been mentioned by Council Member Bates in particular is a west side realignment. And I have some slides to look at that. It would include a higher right

[00:40:49] of way cost that we believe would exceed the available funding. Questions, but I do have some slides that I just want to go through real quick just to show some context overhead of what we're talking about. This is looking down on Pickett Road. And what you see coming from here, this is on the west side this is the trail the that goes under the bridge and it comes out over here and right here um where I have put a dot this is where the picket trail would begin um and it would come up like this and then go this direction okay just for to get everyone oriented this is just another

[00:41:28] view this is flipped the other way um this just shows an aerial of picket road um and then I just wanted to show where it would connect this is looking at the west side but what i really wanted to show was where this project will connect and what you see right here in the top what's circled and then what's shown more zoomed in is that the connector trail which is on the east side and this is where the picket trail would connect that concludes my presentation i'd be happy to answer any questions and again mr summers and mr sarna are both here as well thank you questions for staff

[00:42:07] council member hardy chandler um so you described that this would go in first and then the water project would follow how long after the completion of the uh picket trail connect they have told us it's approximately 10 years out that they would be doing this it is included in their cip and they have said they need to do this and they will do this um so even though yes it's 10 years out they said this is a project that is on their on their priority list and it's a project that will put in a new water main that will actually serve the city of Fairfax. How many years after the completion

[00:42:44] of this trail, if it were completed? So if this trail were completed, it would probably be completed within the next, I would say, two to three years. And Fairfax Water is saying they would start their project in about 10 years. Again, that's what they've told me. Things change with their project, so I don't want to commit them to saying this, but that's what they have told me is approximately 10 years. Is there concern for how much would be invested in building the trail that would be then disrupted? I'm sorry. Yeah, no, you know where I'm going. Just in terms

[00:43:22] of having to, I asked them, I had another conversation with them just the other day about this. And I said, so you would be disrupting? And they said, yes, we would be disrupting where the asphalt portions are. That's why the alignment is shown in particular, not impacting the bridges but the asphalt work is much easier to to replace um and so and and what he my contact at fairfax water said was probably in about 10 years is exactly when this trail would need a repaving and so we would come in we would do our water line and we would put the trail back and and repave it so that cost would fall on them on them not on the city okay correct um the if i

[00:43:57] may follow up um did you hear the the questions asked earlier during the hearing period i did but if you could repeat them. Okay. I'm not going to repeat them exactly, but one was related to, I think, the need to potentially rescore anyway. Is that accurate or not? The project has been approved and is underway. There is, if it continues, there is no need for rescoring at this time. There's no trigger for rescoring. Okay. I feel like there was another question, but I wanted to give you an opportunity to address those as posed by the public. The rescoring would

[00:44:35] occur only if the city decided to change the alignment that would impact the cost or or any kind of significant deviation in the alignment could you speak to the approximate amount of a rescoring because that is added cost do we know approximately how much that might cost ballpark i don't it's a difficult question for me to answer i'm thinking about university drive extension and there wasn't a cost per se to the city it was that we continued to redesign and we had different options. And so we did incur those costs on the engineering side to look at the redesign.

[00:45:16] But we were generally an area that we had already surveyed and that we were already looking at. And so in this case, if we're looking at something that's a different location, it might be a different situation because we don't have the survey. We don't have the engineering information that we did have for university drive. So we would be incurring those costs to do that, to do any kind of engineering survey associated with a realignment that moves it from its current

[00:45:48] location. Thank you. That's helpful. Thank you. Council Member Hall. Thank you. So just right across the street from where this is proposed is the property yard, which I know is a bit of a flood zone there with the creek and everything else. Are there concerns about the flood zone that this sits in and washing away the asphalt or ongoing maintenance costs in order to maintain it in that way no that has not been discussed no not been discussed or is not a concern not a concern

[00:46:23] but i'll let david answer yeah uh one of the reasons why the asphalt is proposed is because the water will wash off now if we do have a flood there there will be some cleanup of branches and leaves and debris like we have all over the city if we if we have flood situation but for this particular project there's really no concern any additional concern than any other infrastructure we have in the city okay um and then do we have any concerns about the impervious surface as far as impacting flooding in addition changing the water flow adding more concerns back to the

[00:47:00] property yard or how that all fits in you know the relative change with the impervious surface is minimal okay and then it would be on the city to maintain that moving forward than the ongoing costs correct correct yeah typically the parks department maintains the city's trail system okay and do we know what roughly that would add to the annual operating budget in order to add on maintenance of this trail I would say for the first few years while the infrastructure is new first five to ten years it would be minimal cleanup of the parks crew after

[00:47:38] heavy rains or clean up such as that probably after 10 years you would see maybe an additional five thousand dollars a year for repairs to maybe some of the bridge planks or some of the infrastructure elements okay and would the bridges be wood or would they be metal what we'd like to do today is use either a composite like a fiberglass bridge because then we don't have to repaint it and it's a lot less maintenance. Okay and so I know that many areas of our wooded

[00:48:16] places tend to be spots for the homeless to live or set up encampments. I understand that we would probably need to clear this out initially in order to do the work. I also understand based upon the George Center Trail conversations that we don't typically plan to do any sort of ongoing um policing or traversing of the trails specifically so do we have any concerns that this would be a quietly used trail that might not always be accessible for residents or do we think

[00:48:52] that it would be used widely and we don't need to worry about people moving back in that's a difficult question for me to answer um but when this conversation came up about a year ago and looked at the trails um we had looked at we also had had a map of the encampment locations um and there are there were at that time and i believe still are encampments that are in fairfax county just so this project is in this on the city's property um and on fairfax water directly to the east is where there were homeless encampments previously um in on county property not on the

[00:49:30] city's property um i can't speak to what the usage would be but i will say that again this makes it This does connect to other off-street trails that are used pretty heavily, the cross-county trail. I don't have the usage numbers in front of me, but the cross-county trail is heavily used, and then this would connect up then towards metro, and so this does create a connection that does not exist today, so I do anticipate it would be used.

[00:49:55] I just don't know. I don't have usage numbers or forecasts. Okay, and people that wanted to currently do this same route, they would be using the sidewalk that's on the eastern side of picket road correct so what they have to do and i if i can pull the presentation back up it's one of the reasons i put these aerials in because i wanted to show sort of what the route is um if you're in the parking lot okay so can you see this let me put it into the okay so if you are on the cross county trail are you are you oriented this is vice park

[00:50:33] okay so if you are here on the cross county trail and you want to get up to this sidewalk the only way to get there well there's two ways to get there you can go through the tunnel under the bridge and you can come out here and you can come through the parking lot and then you can loop around to the sidewalk here or you can come through the parking lot and loop around to the sidewalk but it's through it's it's your those are the two ways but if you want to be on the east side of the road to connect to the other trail you would use the this sidewalk on the east side and the way to

[00:51:08] get there is through the parking lot right here. That's how people get there today, to that side of the street. Sort of the safest thing to do would be to go underneath here, through the tunnel, around, and

then up to the sidewalk here, go all the way up to Fairfax Boulevard, and then cross at the signal. That would be the safest thing to do so that you're not interacting with vehicles. Okay. And so then to put the trail potentially on the western side along the existing sidewalks, if that was the preferred method you said would be more costly, would have more right

[00:51:47] of way. Yeah. So the issue is there are a couple of things. So now I flipped it to look at the other side. So the other side is now on the top of your screen. So right here is the property yard and this is where it comes under. There still needs to be a way to cross this stream. Okay. So that would still involve either a bridge or some other way. There needs to be a way to get across this. Currently, the sidewalk on Pickett Road is very narrow. The sidewalk there is four or five feet. It is not a wide sidewalk on top of that bridge. And so it's either building a pedestrian

[00:52:23] bridge that connects on this side. So there's still the complication of a bridge. But the bigger issue in my opinion is in looking at this um is the right-of-way that is required alongside um farcroft foxcroft in this area so and i have a picture right here so this is showing this is gateway park right here where i'm pointing is gateway park and so what we're looking at here is the west side and you can see that there's a sidewalk and then there's a significant slope and this area is prone to significant flooding.

[00:52:56] There are flood issues here. And so in order to build some kind of wider sidewalk, which can be done, there would be a right-of-way acquisition. And currently our right-of-way costs for this project are zero. We're working with Fairfax Water and essentially just obtaining an easement from them, and we are also simultaneously giving them an easement for the water.

[00:53:17] But so there are right-of-way costs here, and as I mentioned, there's a complication of the bridge on the other side. And this is, again, showing you the narrow situation here. And this is getting closer. This is very close to the signal at Fairfax Boulevard.

[00:53:34] So this is the sidewalk, and then there's this grassy berm, and then the Foxcroft parking lot. And so to do something that would be able to be a shared use path to accommodate both bikes and walkers would require a fairly significant amount of right-of-way in that location.

[00:53:52] i just want to add one more complication is on that side of picket road underneath that grass is a columbia pipeline so if we had to cut back that berm that could be an issue with the location of the the gas line that columbia pipeline owns so there there is some utility complications in addition to what wendy said okay thank you and this is clearly outside of the scope of this work And correct me if I'm wrong, I think the plan is to redo that Nova Gateway facility at some point.

[00:54:29] Will there be any sort of bridge option that would be considered on that side inclusive of that project? That's a good question. I'm not as familiar with the plans. I do know that the Nova Parks has come to the city with some plans. I'm just not as familiar with the plans for that location. I can certainly find out. Okay, yeah.

[00:54:44] I'm just wanting to make sure if we're not doing something that's going to then be redundant or if it would be redundant, if there's a reason to have that redundancy. um right yeah okay i sorry one other question um you mentioned that the 650 000 repayment do we have any sort of written confirmation that that would need to be repaid if the project is canceled yes yes so that is in the project agreement so this is in the the project agreement with vdot and this is standard when when you cancel a project and this is

more chartered territory here um because this is federal funding and so this is more similar to the cmac funding that

[00:55:23] we had talked about before. So this is federal funding. Again, it was competitively sought. So there were 26 projects that did not receive this funding when we did. So if we were to cancel this project, this funding would need to be repaid to the Commonwealth. Okay. And one final question, then maybe I can, if I think of another one. Sorry, my mind just blanked for just a second.

[00:55:50] me one second um i forgot what my question was so i will share the floor thank you we can circle back around uh councilmember peterson thanks uh question about the the bridge that goes across acting creek i think the schematic shows that's 125 foot bridge is that right yes that is a a three-span pre-stressed concrete post-tension concrete slab being bridge built in the early

[00:56:23] 1980s the the bridge to be built no the the bridge on picket road okay but the bridge to be built did i read the yes you did 125 feet i'm getting to the 125 feet long and what is the method of construction for that i would defer to to mr sarna it should be uh there there are different

[00:56:56] options that we have. One would be to use the test parking lot and a crane to lift that over and set it. It could come in pieces and be assembled, like it could be one piece. If it's 125 feet long, it could be in two sections or three sections and set there. So there are some options. They have not all been pinned down right now. We're still in design. And thank you. I think I think I was actually, I should probably have said I was interested more in the design of it.

[00:57:30] Is this going to be a bridge that has one or more of the large concrete footings on either side of the bridge? Is it anchored with concrete? I believe that there'll be abutments on either side. And the width of the bridge?

[00:57:47] 14 feet, internal span. And the surface of the bridge itself? I'm not 100% sure, but I think it's intended to be, the decking is supposed to be concrete. Okay, so it'll have decking. And I'm just wondering, there is a bridge on Route 50, or at least parallel to Route 50, just past Barkley on the right, that is not 125 feet long, I don't think, but it sounds like it's similar construction.

[00:58:14] Is that the model here that we would be using for the bridge? I have seen that bridge. I would think it would be very similar because it serves a similar purpose. It's not intended for vehicles. It's intended for pedestrians and maybe maintenance vehicles, small vehicles, and intended as part of a trail, and probably the same manufacturer.

[00:58:37] So I would think they'd be very close to a similar look. Okay. The Acton Creek at this particular location is a bit wider, I think, than the creek that is off of Route 50.

[00:58:53] In fact, it tends to split a bit in here, so I guess that would explain why this needs to be a 125-foot span, because we literally have a longer period of creek and floodplain to cross, is that? I believe you're correct. Okay. When this was done, I think I understand that this was either originated and or reviewed by PRAB.

[00:59:18] What about public outreach? Was there any specific outreach and involvement with neighbors in this area? over the alignment of the trail? When this project was initiated, it was managed from the Parks Department, and our former Parks Director, Kathy Salgado, led the outreach for this project.

[00:59:40] So she is no longer with the city. And so I do have some of her files, but I cannot speak specifically to what specific outreach she did. I know that there was a public hearing held. There was not a committee like for the George Snyder Trail for this project, and there are not as many adjacent neighbors, so I don't know if the outreach was as extensive.

[01:00:02] But again, I was not managing the project at that time, so I cannot speak directly to that. Okay. So the Western Street sidewalk, already there, already used, not going away.

[01:00:21] I guess a basic question is whether that was examined as an option and whether it was examined with public input around it. And I ask partly because if there is concern about safety for that, the question is, what is the plan to improve that safety?

[01:00:38] Because it sounds like that is going to remain in place and the safety issues with it are going to remain in place and still need attention. Is that fair? The issues are that the sidewalk is narrow. And so this is just a photo of what that sidewalk looks like. It's curb abutting right over that bridge.

[01:00:56] I wouldn't say that there are safety issues. I would say that it is not a comfortable situation. And if we're looking at a shared-use path, which is what this is intended as, as a trail, that this current sidewalk does not meet those guidelines. And again, the reason for the trail, the genesis of this, was that it was a missing link in an off-street network that accommodates both pedestrians and bicyclists.

[01:01:20] So if we're looking at it through that lens, we look at the sidewalk on the bridge and look at it as not being sufficient for that purpose. I wouldn't say that it is not a safe sidewalk. It is certainly a sidewalk and it exists and people use it but when we're talking about putting both bikes and pedestrians in that location um and and filling the gap in that multimodal network that is why the alignment that is shown was selected and this was discussed with city council it was um put there were work sessions held and then it was put into the city's two-year program and then brought before the city council for an endorsement of funding so there were opportunities

[01:01:58] um to re-examine the alignment but at that at that time um the choice was made to proceed with this project due to the reasons i just described and if we just hypothetically took away the lens of putting in place an off street trail then that would leave either the east or west side as an option and let me just ask again was there any uh significant attention given to an on-street option to see whether there was not and my understanding and looking at this from the beginning is that the intention for the project was for it to be an off-street connection to both

[01:02:37] the cross county trail and then to connect to the connector trail so there we did not do the engineering evaluation to look at um widening the sidewalk on the bridge okay thank you council Councilmember Hart-Chandler and Councilmember Hall.

[01:03:01] So the project is about \$5.1 million, and the funding is about \$6.4 million. Correct. So there is funding to account for increases in expenses or, because I'm thinking as things, you wait five minutes and things are more expensive, right?

[01:03:19] So is there the sense that the 6.4 would cover whatever inflation or resources that are needed to complete it within the three to four-year time period that you're looking at? That is correct. And the estimate that we have for the project at this time was just updated, and it is lower than when we had originally looked at this project, which is why we have some additional funding.

[01:03:45] So I do feel comfortable that this project would come in within the budget that we have. Thank you council member Hall. Thank you actually two questions. Um, if Fairfax Water were to pull out, is this something that you think that we would regret doing, taking out the extra trees that would not have been done? I mean, is this we're not dependent on them and they're not dependent on us to do this, but if they didn't, then we would have to essentially in 10 years, as you said, consider repaving anyway, so it's a good question, and in fact I asked our contact at Fairfax Water, I said, are you all definitely doing this project?

[01:04:23] And he said, we need to do this project. And he said, it's shown in our out-year CIP. He said that this main that does not exist today, this would be connecting to a water main on Fairfax Boulevard. He said it is necessary to improve the water service in the city of Fairfax.

[01:04:41] And he said he could not foresee not doing it. Now, you know, you and I both know that things change. But what he did say is that this is a project that Fairfax Water intends to do. And when I've been speaking to him now for, you know, almost 10 years about this project, and when we first talked about it, so their plans have never, he's never wavered in that they plan to do this water main installation.

[01:05:04] And what he is saying is that using the same alignment is mutually beneficial. And so they're looking at us and saying, you're using this alignment? It's within our benefit to do the same thing so that we don't have to take down additional trees. So I've been dealing with Fairfax Water for a long time, and when they have a project in their CIP, they do it.

[01:05:25] It's not unusual for them to defer it, because what happens is if there's a bad winter and there's a lot of water breaks, they reshuffle their priorities. But Mr. Cotton, who is the head of the design for Fairfax Water, this is a very important piece of infrastructure, and they are going to do this, whether we know if they're going to do it in 10 years or maybe they'll do it in 8 years, depending on if it deteriorates, or maybe they'll do it in 12 years.

[01:05:52] But they'll do it. Okay. Thank you. And my last question, and forgive me if I'm asking questions that are not in your realm, but I know we couldn't do turf fields at FACE because it was considered the RPA there and they didn't want the runoff and all of that.

[01:06:10] So I guess I'm just slightly confused that we could do work like this in an RPA and add in new structures and take out all the trees in what I think would otherwise be a protected area. Trails are permitted in the RPA because I know the same question came up for the George Snyder Trail.

[01:06:27] Right, with the recreation superseding the environmental, I'm paraphrasing very loosely, but it's... Sonny, do you have something to add? I was going to say the same thing, that floodplain and environmentally areas that are preserved have a recreational benefit, and trails and activities of this sort are encouraged in these areas, preferred in these areas.

[01:06:53] Taste Park may be a different situation with a synthetic turf field. I can speak to that. Oh, hi. Sorry, I was not going to mess with that. Yes. So one of the biggest reasons we did not do turf at Thais was that we couldn't insure it. So when the if the field were to become flooded and damaged it would be very it would be on the city to make those repairs so that was the biggest reason that we did not do turf. We also held the field to a certain size so that we wouldn't have to extend too far into the RPA with an athletic field, but the turf reasoning is really about ensuring the field okay. Thank you for

[01:07:31] That clarification, um, and one other question, there's no opportunity to leave, um, picket road to get onto the trail that would be added from picket, you'd have to go through the parking lot and loop around

or would there be an onset there's a good that's a good question and i should i should have mentioned that that in the in the um sorry council member mccullin am i still sharing my screen can you see i'm not let me show the screen can you show me i'm sorry

[01:08:03] okay there we go okay um at old picket road where the signal is there will be a connection to the trail okay sorry i'm having on the earlier slide so right here um on picket road it's hard to see

[01:08:42] here but there is a connection to the crosswalk and the signal at old picket so if you are on old picket on the sidewalk or crossing at that signal let's say coming from gateway park there are it's both a ramp that's following where my cursor is and then there are also stairs that will connect directly to the trail so there is a connection there is a proposed connection from the trail to to picket road other questions council member peterson the

[01:09:15] water main if the trail was not being constructed would they put asphalt on that Typically what they'll do is they'll restore to what was there.

[01:09:34] Right. So if there's no trail, then other than they might put some access, a little access road for them to get to it, they would restore what was there when they put in their water main. So if I understand the current condition of that area where the water main, the existing water main is and where the replacement would be?

[01:09:57] There is not a water main there today. There is no water main there. There is no water main. this is a new water main that would connect to fairfax boulevard okay uh well helpful to know but that area is in natural vegetation correct now right so it would they would restore to the degree possible with natural vegetation correct they likely would not replant trees because they would need to be able to access them and so that's what they've said to us as well to keep a 15 foot clear so that when they come in because the water main would be under the trail no i just figured and instead of getting up and coming up here, I'll just stand here.

[01:10:34] And that's correct. They would need access for maintenance, and so they would make sure it would be an area that would put it on the mow cycle and they would constantly mow it and keep it grassed. Thank you. Council Member Hardy-Chandler.

[01:10:51] So as I understand it, there is going to be a disturbance there, and we can, in 10 years, and we need to think long-term, That disturbance could include a trail, off-road trail, in addition to payment for invasive species mitigation, correct?

[01:11:11] That's included in this whole proposal, which is high in that area. Correct, and so, correct. Okay, so looking at it sort of holistically in terms of what we are getting from this partnership, there are other benefits as well that only fall under this funding or that would fall under this funding. Correct. So what would be possible is some replanting and invasive species removal, which is also a benefit to help the existing trees remain healthy. Would the installation

[01:11:50] of the water main by Fairfax County, if there were not a trail, include that mitigation or not? No. If Fairfax County were doing this project or Fairfax Water were doing this project on their own and the trail were not here, they might utilize a different alignment.

[01:12:10] But what they've told me is that it would impact trees. And so because of that, they are willing, they are happy to use the city's alignment so that they don't, that there isn't a double impact. But your

question was, would there be, they would not go in and do invasive species management.

[01:12:30] No, they would take the trees down or do the impact they need. They would restore the green area and keep themselves in easement. But they would not do invasive management, invasive species management, no. Right. And their maintenance trail would not be open to the public. It would be a maintenance access.

[01:12:46] It would just be a grassed area. It wouldn't be paved. No. No, not paved, but it would not be accessible either way. No. Thank you. Other questions? Council Member Peterson? So I gather one of the justifications for this is bike use and accommodating some anticipated demand for bike use.

[01:13:16] That's why we're proposing or have been developing a shared use path. Is that right? It's to connect to other multi-use trails. Do we have any study information on the estimated ridership demand?

[01:13:35] How many bikes are we talking about here? I don't. I can check to see if the cross-county trail, if Fairfax County has user numbers for that. I don't know what the daily ridership is on that trail. I will tell you that we are planning to install counters on George Snyder Trail, on this trail and any trails that we install going forward. We are planning to put in counters.

[01:13:59] I can certainly inquire as to if there are existing ridership numbers for this. I think it would be helpful. I'm familiar with the area and certainly the Akatank Trail headed from Blenheim Boulevard down to Theis and beyond is very heavily used. My own experience is that there's very little bike use that occurs between Route 50, Fairfax Boulevard, and the Akatank Trail. Now, maybe that would change by induced demand with putting this trail in place,

[01:14:35] but it would be good to clarify what the assumptions and expectations are around use, because it could be a situation where this is anticipating significant new use that does not currently exist and and otherwise may not exist in this area again given the situation that exists right now which it doesn't look i may be missing it but it doesn't look like it's used much for biking at all it is used very heavily by people who are on foot in my experience again i'm there pretty regularly and that is inclusive of the trail that is on the north side of fairfax boulevard that then goes to fairfax boulevard crosses over and then takes it from there you

[01:15:14] You either go to, you know, scout on the circle or you come across and go down, et cetera. But it's heavily used for foot traffic. The western sidewalk, which has bus stops on it, is also very heavily used by people on foot.

[01:15:30] So I think it would be helpful to get a sense of what those numbers, the estimated numbers, look like, what the current situation looks like, the baseline and what the expected new numbers are, and what's really driving that. Other questions?

[01:15:47] Council Member O'Quillan, you good? I'm good. Thank you very much. Council Member Bates? Thank you. So first off, in your opinion, based on the presentation, it looks like it would likely not be feasible to implement the western side alignment within the confines of the funding that's been granted.

[01:16:15] In my opinion, it would, the engineering has not been done. So there are a couple, I think that there are two significant hurdles. One is the cost, and I think that leads to the second hurdle, which would be the rescoring. So my suspicion is that what is required to put something on the west side would exceed

the budget that we have, mostly due to the engineering required to redo a plan and the right-of-way, which would be, I think, which it would be more than what it is now, and so it's not accounted for in our budget.

[01:16:52] And then because of the change in alignment and that increased cost, it would require a rescoring. And I'm not, I just don't know if it would rescore. If it exceeds the cost, so part of the scoring is about cost benefit. And so when you have a higher cost, and I don't know how the benefit would shake out because it's not as direct of a connection.

[01:17:15] But again, I can't answer these questions. It's difficult to know. But again, the scorecard is there. We can look at it. But again, it would be scored against the projects that were submitted at that time. So if the cost were to go up, I think that that makes a rescoring difficult, but I cannot give you a definitive answer.

[01:17:35] So in terms of the, so let's say that we wanted to try to put forward an alternative for rescoring, and then if that is not accepted, then go back to the original design. Would, so there, would there be a cost associated with that process of coming up with something and rescoring it within itself that we would have to foot the bill for?

[01:18:01] It would be, it would be coming up with an alternative concept that has consensus amongst the city council to present to VDOT for consideration of a rescoring. But it would have to be of sufficient detail so that we could come up with a cost estimate because when SmartScale reviews a plan, it's a, it's a, about a 15% engineered plan.

[01:18:23] It has to have enough information so that you can come up with a detailed cost estimate for them to, for, so it's more than just a sketch. There has to be the same level of work done when we do an application, and so a funding application, because that's essentially what we're doing.

[01:18:39] We're redoing a funding application for them to consider. So we would incur the cost of redesigning or resurveying, looking at all of the factors that we look at when we put together a plan, public input. a vote by the city council, and then bringing it to VDOT for the rescoring.

[01:18:57] Like I said, with University Drive Extension, it was a year-long process, and I would anticipate that this would be at least that long. Again, the design for University Drive Extension, that was an area we had already surveyed. We had already looked at everything.

[01:19:13] We were simply changing the way the road was designed within an area that we already had baseline information for. If we're talking about a west side alignment, this is all new location that we do not have any information about. So we would be starting essentially from scratch. So on our side alone, we're probably looking at a six to nine month process.

[01:19:34] When we were talking with VDOT, it took them a year to process their rescoring. It was an incredibly long process. So to be conservative, I would say we're looking at probably a minimum of 18 months to have an answer from VDOT on something that would be rescored. And if the answer is no, we're back here where we are.

[01:19:51] And at this point, we are very close to construction, and, again, that means higher costs. So I just want you to understand all of the risks that may exist if we go forward with a rescoring. And I'd just like to add, you know, looking at the west side, just looking at it, because of the gray drop, you're going to have retaining walls.

[01:20:14] So we'll have to give an estimate of how much the retaining walls would cost. We'd have to talk to Columbia Pipeline about relocating the gas line, if necessary, in order to make room for the trail. So all those things we would have to get surveyed and come up with a preliminary cost estimate.

[01:20:32] And just looking at it visually, it looks to me that the construction on the west side would exceed the construction on the east side, cost-wise. Yeah. So it would not be feasible to go through that whole process, the surveying, whatever design work is needed, just for the rescoring within this funding source. Is that right? We would have to foot the bill for that?

[01:20:57] Correct. So we would foot the bill to essentially start from scratch, and it would probably be in the realm of \$100,000. I am making that up, so do not quote me on this, but in that realm, to do some preliminary engineering work to understand the feasibility.

[01:21:13] of where the survey to understand where is the gas line? What are we looking at in terms of bridges? What are our options? What would be right of way? And so to come up with a plan that would be sufficient to submit to VDOT, we're looking at likely 100, 150.

[01:21:32] That's typically what I spend when we're putting together applications for projects. And so that's what I would estimate that this would cost to get to a level of information that you would be able to make a decision. And that would be on the city to do that. And you also mentioned the potential for increased costs after that delay.

[01:21:56] So is there a danger of potentially, you know, let's say that we go through that whole rescoring process and it's not accepted and then we go back to the original design, that the costs have at that point potentially increased dramatically, you know, to the point of still, again, not being feasible within the budget?

[01:22:15] So you would be back where we are. I can't speak to that. I don't know what the market's going to do. We do have some wiggle room in our budget, as we were just discussing, that the budget for this project is less than our funding amount, which is good. And so that's a good position to be in.

[01:22:32] But I can't speak to what would happen to prices. I mean, if they follow the same trend that they have been following, yes, they will increase. I don't know how much, though. Yeah. Yeah. All right. Thank you. So let me just follow up on that, too. Even if it were to be rescored and accepted for the western side, we still have to acquire right-of-way through Foxcroft, correct?

[01:22:53] That is correct. And we are making assumptions that Foxcroft is not going to have a problem with a shared use path on their wooded berm. Berms are very controversial in this city, as I recall. So even if it were to be accepted, you have to spend money on the right-of-way, you have to now do community outreach to Foxcroft to say, well, we had a trail that we're building over a water main that's not near a residential area, but now we've changed our mind and we're going to put it right next to your homes. So we have to start thinking in terms of why this was originally done this way, and even if this were to be rescored and accepted after 18 months,

[01:23:32] we don't necessarily have buy-in by putting it on the western side, which is why I think the eastern side, this location was chosen back when it was chosen. So these projects are very complicated they really are there's nothing simple about any of this you know i i think this this design was put here for a reason i love that that everyone has the opportunity to ask questions and we have all the engineers and

everyone to answer the questions but to wholesale up and try to change this to something else not only has unintended consequences that we're not prepared to deal with

[01:24:07] monetary or otherwise but i will point out that by the time this happens people on this council may be replaced by other people on this council who have different ideas and i'm going to keep bringing that home to everyone too is that there's not a lot that you can do in two years and so going through this whole exercise the additional expense the unknowns the community outreach the problem with berms and right-of-way acquisition and then somebody comes and all and there's there's people on this dais who are like yeah we don't want that we have to be practical these are long

[01:24:44] term projects. It takes a long time to design, get funding for, and build these things. And I would really ask all of us to think about the practicality and the feasibility of the investments that have been made so far and what we're looking for as far as timelines and actually getting these things constructed for the benefit of the community. I will also add having sat with the The Fairfax County Trails and Streams Committee, because they ask us every year to come and present to them about what we're doing in the city,

[01:25:19] that there's a lot of support for this Pickett Road connector because of the cross-county trail. This is something the county is like, it makes sense. They don't understand why we are having a discussion because for them it makes sense to have this really short connector connect these major trails that are well used.

[01:25:39] And so they're perplexed by what our discussions are. So keep in mind, yeah, we're an independent city, and we're 6.2 square miles, but we're right in the middle of a county. And they have also built things for the enjoyment of our residents and their residents.

[01:25:55] And connectivity is really key to making this work for the whole region. So I just want to, like, have my two cents worth before we go on. Are there other questions on this side? Council Member Hardy-Chandler. If we come under budget, can that budget, can the overage be used for maintenance or for other, it can only be used for the initial construction?

[01:26:19] Correct. Okay. Councilmember Bates and Councilmember Peterson. Yeah, and actually kind of a follow-up to that, the mayor's comments. As far as the long-term tree impact, it was mentioned that when they do the water line work, they would not be replanting all the trees because they need access to that project.

[01:26:50] Do they not replant anything when they do that, or is it like maybe just a certain percentage of what they take out, or is that known? They won't plant anything in their easements.

[01:27:05] They'll just put grass seed and straw and let the grass grow, and of course they'll need access to the water main. So the only scenario that I could see Fairfax Water planting a tree is if they needed to do some work on private property and had an agreement with the property owner that they would plant something.

[01:27:27] But typically when they do work in their easement, one, they don't want tree roots impacting the joints of the water line, and they want access so they'll typically just seed and straw yeah and it looks like the vast majority of the uh trees slated for removal here would overlap with that project so that's something i uh wasn't aware ever had neglected to consider so very good to know councilman peterson uh going back to the um examination of an alternative so i hear that the development and submission of

[01:28:05] something for actual rescoring is a protracted process. But I also wonder if there is some sort of preliminary and much lower cost, much more rapid determination of what that might look like.

[01:28:25] And I ask because it sounds as if there really hasn't been any examination beyond discussions like this and there was it's not clear there was public outreach it may be also that the outreach occurred i don't know the exact lineup of timing here during covid so that could have been a complicating factor but it seems like um sort of an obvious omission to that occurred to at least have some kind of a look at this to get a little bit better sense than have we have right now the other reason that that might be beneficial is if this western sidewalk continues to be used heavily

[01:29:04] and may be used even more heavily, and if it is, as you say, uncomfortable. There may be support in the community for doing something about that to make it more comfortable, and now would be an opportune time to ask the question of whether that might be a sensible thing to do, combined with some examination of what the ridership estimates really look like and how much biking is anticipated so it just sounds like there there's some questions that haven't quite gotten answered yet and without going the full distance to an 18-month resubmission effort i just wonder whether there's some additional information here that might give us a better sense of whether or

[01:29:40] not we want to try to explore any of these before we lock into what is going to be i gather a very long-term decision here there certainly can be a discussion with vdot if there is a consensus from the city council as to what we are discussing with vdot if i went to them and said are we rescoring that is it is clearly laid out in the vdot smart scale manual what is involved with a rescoring that's the information that i took for this presentation they would need a drawing so correct there would in terms of what what type of modification are we considering so there could certainly be a preliminary conversation to say this is an alternative that we're considering

[01:30:19] And then they would opine on that, but most likely the question they're going to say is, how much is it going to cost, and is it meeting the scope that you intended it to meet? And then they would go through that rescoring. But in order for that conversation to happen, I would need to have an understanding as to what is the will of this body in terms of an alternative.

[01:30:44] And in terms of what would be needed by VDOT, if I understand it correctly, Basically, at some very preliminary level, they need a map that indicates utilities and right-of-way for an alignment.

[01:31:00] So I would say step one would be just understanding the alignment. Okay. Because I'm not actually clear even from this conversation. Are we talking about a widening of the sidewalk on the east side of the bridge? Are we talking about an entirely new pedestrian bridge on the west? So I'm not sure exactly what the will of this group is if there is to go in terms of if we're taking an alternative, what that alternative even would be.

[01:31:22] And so we could do some very high-level look at what that would be before we would have a conversation with VDOT. But ultimately, for them to do a rescoring, they would need the same type of materials that we'd submitted for an application. I think a couple questions they'll have if we gave them a preliminary sketch is they're going to look at the topography and they're going to ask about retaining walls.

[01:31:45] They're going to look at the utilities and ask about utility location. and they're going to look at the floodplain and ask about impact on Foxcroft, and they're going to look at the right-of-way needed for

that will be needed from Foxcroft. So those are the type of questions they're going to be asking when we give them a preliminary sketch.

[01:32:09] Mr. Foster. Just from a process perspective, if council doesn't have any more questions, I'm certainly not, this is a work session, so we're not necessarily looking for council to take any action this evening.

[01:32:25] But I would just remind you that the current official council action is to not continue with working any more work on the trail as currently proposed. So until council takes some type of affirmative action to direct us to do something, whether it's to restart and continue on or to do something different, we are going to still be in this paused mode.

[01:32:47] And at some point, VDOT will be looking to us to ask us, what are we doing? It's been two and a half months, roughly, since you took the pause action. And so if there are other things, information that you're wanting that we can provide, we'll certainly do so.

[01:33:07] To Mr. Peterson's point, I think certainly the high-level look, you've gotten the answers from that perspective. And, you know, Mr. Summers is, you know, a PE, he's been doing, you know, bridge and road work for his whole career.

[01:33:27] And so certainly has the knowledge of what it takes, knowing what the right-of-way utilities, et cetera, on that western side. So without any actual drawings, we know that it's going to likely be more just because we can see what the impacts would be with that alternative alignment.

[01:33:44] But we can certainly look at it to get something further. But all I just wanted to reiterate is council, as a body, will need to take some type of affirmative action for us to stop the pause that we're currently in. So, again, not necessarily expecting you to do that this evening because you're just discussing this in a work session.

[01:34:05] But at some point in the future, we will need official council action. I agree, and I think we're all cognizant of the fact that we're down one council member. So council member Amos is not here. And so I think that we would be reluctant actually necessarily to direct staff at this time. Council member Hall.

[01:34:24] I just have, excuse me, one more question. The bridge itself that is on Pickett, that's roughly 50 years old or thereabouts. Will that need to be replaced at some point in the future? And would that provide an opportunity to add additional pedestrian safe zones?

[01:34:44] The bridge, we look at the bridge every year. We do have proposed in our CIP some improvements to the surface because there's been some wear to the surface. But the bridge overall is in sound condition. It's a pre-stressed box beam bridge.

[01:35:01] As far as widening the bridge for a pedestrian, that could be evaluated. There would need to be a feasibility to study to see if the impact on the grading, You could, because of the wing walls and the foundations to widen the bridge, it could actually be more disruptive to widen the highway bridge.

[01:35:22] And also, any time you widen the bridge and you tie in to an old bridge, there's a risk of causing some distress to the original section of the bridge. So I think you would need a pretty good feasibility and structural evaluation study just to see if it would be a good idea to widen the bridge.

[01:35:42] Okay. And I'm just trying to visualize it a little bit, too. If that were to make sense, and we would need to, I assume, take down some sort of trees on the eastern side that would presumably run

along Pickett there in order to be able to widen the bridge regardless? Yes. And there would need to be a hydraulic study for the floodplain, and you would be doing some excavation in the creek because the bridge crosses the creek.

[01:36:08] And you'd basically be widening or extending the opening of the bridge. And also, if I remember correctly, when we were looking at this alignment, there is a high-pressure gas line, I believe, that runs parallel to Pickett on the east side of the road, very close to that sidewalk. So there's a sidewalk, and then there's a guardrail, and then right on the other side, if I remember correctly, there's a high-pressure gas line in that area.

[01:36:30] That is correct. Okay. So there's some constraints there. So even if we could widen the bridge, we are constrained in what we can do adjacent to that sidewalk that is currently on Pickett. We did look at this because we walked out there, and because of the utilities there, we were constrained with widening the existing sidewalk on Pickett.

[01:36:50] There is a Washington gas transmission main, and so there are a lot of restrictions of what you can and cannot do while working over a transmission main. Okay, thank you. And this is why I'm an accountant that just asks some questions sometimes. Yeah, but I do remember that we did look at that because we, and this was a number of years ago, and so I apologize that I'd forgotten.

[01:37:09] We were walking and looking at the option of taking the project closer to Pickett, and because of that gas line, we could not get closer to the roadway there. And so we would have the same issue if we were widening the sidewalk in that we would not be able to widen further.

[01:37:25] And there's also a significant drop right after the sidewalk that goes down. okay any other questions at this time we are aware per our city manager that we do need to direct staff council member amos is not here council member mcquillan is remote so i think we need to look at coming together at a future meeting um in deciding the body deciding how they want to direct staff does that sound agreeable to everyone on the dais council member peterson

[01:38:03] alright with you alright so we've got all the information we will regroup and we have all of the members here together and we will get back without too much delay and direct staff on unpausing or doing something different with the Pickett Road Trail thank you very much thank you our next item is a presentation update on the plastic bag tax and FY 26 priorities I'm gonna recognize Melissa McDonald our environmental sustainability coordinator

[01:38:34] to provide the staff presentation everyone see this green okay okay good evening so for tonight's work session I'll be providing a presentation and

[01:39:14] overview of the disposable plastic bag tax program to date as well as solicit feedback and comments for a fiscal year 26 spending priorities the staff here with me tonight is director of Public Works David summer and our sustainability programs manager Stephanie Kupka here with me tonight as well. So to provide you with some background, the city of Fairfax enacted the disposable plastic bag tax January 1 of 2023.

[01:39:47] This enacts a five cent tax on disposable plastic bags used at point of sale for convenience stores, grocery stores, and drug stores. In the city of Fairfax, we have 36 businesses that are under those categories, though not every business enacts a disposable plastic bag tax such as Lidl, and Trader Joe's, which do not provide disposable plastic bag tax at point of sale.

[01:40:08] So programmed to date, we've received \$252,251 for total revenue, and we have spent \$144,316 to date. We've averaged about \$9,300 that we have seen a decline from when we first enacted the disposable plastic bag tax in fiscal year 24 to now. Our previous average in fiscal year 24 was 9.3, 9.3, sorry, 9,300 per month, and we are now seeing about 9,100 per month. So we are seeing a decline in the disposable plastic bag, disposable plastic bags purchased, or the tax that's imposed

[01:40:47] on them. But we have been seeing a pretty steady average around 9,300 per month, with some spikes in the holiday season for all the back-to-school shopping, as well as the holidays and all of that shopping. So with the disposable plastic bag tax, we are required under the ordinance to spend it in very specific ways. The four categories we are only allowed to use the revenue for are environmental cleanups, providing educational programs designed to reduce environmental waste, mitigating pollution and litter, as well as providing reusable bags. So some of the programs we've enacted to date under the state guidelines include distributing reusable bags, our biannual

[01:41:27] community cleanup programs supplementing the city jobs program as well as two public art pieces the draper drive mural as well as the recycled sculpture that's currently at the in the lobby here at city hall so to provide you some more details on these programs program to date we've distributed more than 20 000 reusable bags to residents and with our community partners many non-profits in the area including the lamb center facets rebuild together and some of our faith faith organizations have requested reusable bags for their programs which we have graciously provided for them and this everyone loves these reusable bags they've been very popular I've seen

[01:42:03] them all around the city and at grocery stores so it's it's wonderful to see that these bags are truly getting into the hands of residents and residents who are most impacted by this five cent tax on the disposable plastic bags similarly our community cleanup events are very popular community stewardship events we've held six cleanups programmed to date and have accumulated more than 5,000 volunteer hours in the city which has resulted more than 14,000 pounds of litter being removed from our parks our streams and our trails residents who participate in this may be able to earn stormwater utility credits for their work in helping to keep our city clean

[01:42:38] as well as students can earn volunteer hours for their work and dedication this past year we've also supported the city jobs program with sixty thousand dollars to supplement the cost of their program this resulted in 45 four-hour work days which were funded through the disposable plastic bag tax and the work of the city jobs program we've also seen about 1500 bags of litter being removed from our parks and streams and we've helped numerous individuals with a job in the city.

[01:43:08] So with that, our current financial summary program to date. As I mentioned previously, we've received \$252,251 revenue to date. We've spent about \$144,000 of it, which leaves us with a remaining \$107,934,000 of unallocated funding.

[01:43:30] We are restricted with how we use this funding per the state guidelines, so this money has kind of just been floating, waiting to be allocated. Staff are proposing to this council to use \$100,000 to offset the cost of the Trash and Recycling Cart CIP project, which is rolling out later this fall.

[01:43:48] So to give you a quick update on the Trash and Recycling Cart project, in September 64-gallon trash and recycling carts are being distributed to all households who receive curbside collection services. These carts are 64 gallons. They are wheeled, so they're easy to access to and from your driveway. They are

littered to prevent wind-blown litter, as well as prevent contamination from rain and snow events. And these carts will drastically increase worker safety and efficiency.

[01:44:15] So this project, the overall cost is \$1.3 million. We have received a grant from the recycling partnership of \$102,000 and with the proposed allocation of \$100,000 of the plastic bag tax revenue, the total cost or the remaining cost of the project would be a little less than \$1.1 million. And with the carts being distributed, there's a couple myriad of opportunities and refinements that we can look into once the carts are enacted. Such efficiencies that could be looked at and observed would be different collection methodologies, limitations on what is collected at the curb and how, container policies, alternative forms of collection, just to name a few. So there's

[01:44:53] lots of opportunities that could be, that the carts could provide if the city wanted to look in that direction. And staff will always continue to evaluate how we can make operational efficiencies improvements in our collection services. So looking ahead a little bit to fiscal year 26 and where we're at now. So we've seen an average monthly revenue of \$9,300. We are projecting in fiscal year 26 to have a little over \$110,000 in revenue. In fiscal year 26, our approved operating budget is \$50,000, which leaves us with the remaining unallocated projected revenue of \$61,600.

[01:45:29] With this unallocated revenue that we are anticipating to receive, we'll come back and do a work session around this time next year to get your feedback and priorities for how to spend this looking ahead to fiscal year 27. So with our operating budget of \$50,000, which was approved this year staff are going to continue to do the programs we have been doing which include the distribution of reusable bags funding our community cleanup events funding the city jobs program specifically for invasive removal events with the sprout grant being funding being pulled back the twenty thousand dollars will work specifically to do invasive removal workdays

[01:46:04] using the city jobs program as well as ongoing education and outreach and with that i know we throw a lot at you. I will take your questions, comments, feedback. Okay. Questions, comments, Council Member Peterson? The last time we were together, we addressed you as Melissa Panette.

[01:46:29] Correct. I believe we are now addressing you as Melissa McDonald. Correct. Are congratulations in order? Yes. Congratulations. Wonderful. Just a couple quick questions. One of the overriding goals here is not just cleanup, it's prevention. Do you have any sense of how much a dent you're making through this program and beyond that at reducing the amount of deposition of this kind of plastic, but beyond that deposition of other kinds of plastics? That data is really hard to

[01:47:06] get. So we have seen a reduction in the revenue from when we first enacted the disposable plastic bag tax in 2023 to now. It's been fairly consistent with some spikes and dips here and there. And it has decreased slightly, but in terms of, are you asking about how much litter is still in the environment?

[01:47:26] Yeah, how much less trash are people throwing out that finds its way into the system? That is information I don't have. We don't do any sort of litter counts or floatable counts. The best we can pull from is the nonprofit Clean Fairfax does count floatables in certain areas of Fairfax County.

[01:47:44] We can use their data as an estimate of how much litter we are seeing in the city. But it sounds like we're expecting that because we're reducing the number of bags that are used because people are paying a tax on them, that that's that many fewer bags that will end up as litter.

[01:48:09] Correct. So that's the base assumption here. Correct. Okay. And I guess the only other dimension of that is plastics at large are a big issue here. And this is a plastic bags tax. Is this program, or are you otherwise, trying to build awareness and incentives for people to reduce the amount of plastic they use that will find its way into the litter system?

[01:48:31] Yes. Through various mechanisms, we're constantly pushing out content for how to reduce and reuse waste, whether it be recycling, whether it be reducing the amount of single-use plastics you use. Reusable bags are one option. Reusable water bottles and tumblers are another. So we do constantly push out contents for how to reduce your waste as a household via newsletters, social media, sharing content.

[01:48:56] I hope that answered your question. Council Member Hardy Chandler. So kudos to you for this, not only the wedding personally, but the program. I think that what you're instituting is really helpful for our community in terms of the education, and I'm particular to the jobs program and all of that.

[01:49:23] The combination of the costs and the cute bags have discouraged me from using plastic bags. So at least there's reduction at my house. I can say that. Your question, though, tonight is about the allocation of those funds to offset the carts, correct?

[01:49:40] And so I'm curious to know, and I think I've heard some questions about, if you already have 64-gallon recycling and garbage carts, what would happen under those circumstances? Do those need to be replaced?

[01:49:57] Tell us a little bit more about that program, which appears to be the target of the feedback you're requesting tonight. Sure. So there's multiple options of what a resident can do with their existing trash and recycling containers. Of course, they can keep it. We currently provide 18-gallon recycling tubs.

[01:50:13] I personally have one upstairs that I use for glass that I am saving to take to the glass purple container. So residents can keep those by all means and use it for glass recycling, for electronic recycling for a box of donations to eventually take when it gets full as a storage container. So the 18-gallon bins, you know, I'm sure residents will find a use for them. The existing trash receptacles, whether they be 64-gallon or other sizes, we are offering a take-back recycling program. So if residents want to dispose of their existing trash or recycling containers, we are offering a take-back program for those where they will be recycled at our recycling facility,

[01:50:46] waste management out in Starling, Virginia, to be recycled and repurposed. And can you talk a little bit more about the recommendation to offset the costs for those as opposed to investing in your other excellent programs? We are constrained by what the state allows us to do. So there are certainly other areas that fit under those four requirements that we could allocate this funding to. And we're always open to hear feedback from council if you would rather go in a different direction. Stormwater projects will qualify because they are reducing litter and pollution, whether it be erosion and sediment control or actual litter, some stormwater projects may apply.

[01:51:25] I would just need to hear the feedback from you guys if you wanted to allocate around \$100,000 to a different program and just make sure it aligns with the state requirements. So it is an option to look at different projects. Okay, thank you. Council Member Hall.

[01:51:43] Thank you. Congrats to you. So if I did the math right, it's \$0.05 per plastic bag, correct? Correct. So we're talking about residents or people who shop in the city using 186,000 plastic bags per month?

[01:52:00] So there's a little bit of a caveat with the state ordinance. So it's \$0.05 per plastic bag. One cent goes back to the retailer who is imposing the tax, whether it be the grocery store, drugstore, convenience store. The \$0.04 would go back to the city minus a state administration percentage, and we do not know what that percentage is.

[01:52:21] so we are assuming it might be three and a half cents maybe that come back to us but that information is unknown exactly how much the state takes out for their administrative percentage okay so that would make then the total number of bags more less less less less okay well that's good so we're using less than 186,000 bags yeah so much for the accountant conversation um so i am open to using the 100,000 here i think my my one question that i don't know that we've still fully resolved and that's a little bit outside of this is i know that there's been

[01:52:55] some concerns from hoas and other neighborhoods that don't have the capacity to store something like this um are we still working through those situations and second question um none of our trucks are currently mounted in which it would the the drivers are still going to need to lift the cans and toss them into the um garbage truck itself even with the new things right now right Incorrect.

[01:53:24] So our current trucks, we have eight-ton rear loaders. So the rear loaders in the back, they currently kind of just get heaved hoe into the back of the trucks for trash and recycling. But the carts are equipped with the metal lift bar, and the trucks do have a lift gate. So the trucks will manually or hydraulically lift the trash and recycling carts into the back of the truck.

[01:53:43] Okay, so in theory, we will be helping our workers' backs, hopefully, by not having to lift as many containers on a daily basis. That's right. The worker will have to wheel the can to the truck, and then the truck will lift it.

[01:53:59] Okay. Is this going to save them time, add time, or is it time neutral? It's definitely going to save some back injuries and sick time when people get hurt. But I mean, as far as collection times? And I think once this gets rolling, I think it may help us reduce some overtime.

[01:54:18] I like that. Yeah, it'd be more efficient collection services for our workers. It could reduce staff time. I would anticipate the first month or two of the rollout for our workers just to get accustomed to it and then, you know, give them a couple weeks. These guys are fantastic individuals and they can do anything in all sorts of weather events.

[01:54:35] It would be more operationally efficient for using the liftgate of the trash recycling carts. Okay. Well, and just saving their backs and their arms and all of that is a great opportunity as well. So back to the HOAs and things. Yes. So I've talked with numerous HOAs.

[01:54:53] gone to visit a few of them at their meetings and i have scheduled to go to a few more um right now the way the project is is all single family households that receive trash recycling services will be getting the 64 gallon trash recycling carts okay thank you um council member mcquillen hi thank you mayor reed uh so my question is pretty similar um can you explain how these cans will increase worker safety and efficiency i understand you just kind of explained it but I've been waiting for a while to ask my questions.

[01:55:30] So I'd like a little bit more clarification and then also what residents can do if they don't want one of these cans or what alternatives or options they'll have at that point. Sure. So to touch upon the first part of that question of operational efficiencies and how we will do our collection services better.

[01:55:51] So as Mr. Summers has mentioned, current operations are the trash and recycling, all of our crew members on the back of the trucks. There's one driver, two in the back of the truck. So the two laborers in the back of the truck will go to each side of the household, walk over to the recycling bin, pick it up, walk it to the truck, and dump it in, put the 18-gallon bin or other can back.

[01:56:11] Similar for trash, if there's a trash bag inside of it, they'll sometimes lift the trash bag or not. They have to walk the trash can over and lift it, heap hoe it into the back of the truck, and put it back. And they do this down every residential street Monday through Friday. This is strenuous work in all sorts of weather conditions, and as we know, our trash and recycling guys are complete superheroes in what they do.

[01:56:33] With the carts, they can be easily rolled from the curb to the back of the truck, attached to the lift gate, and the truck will do the work for them. So there's less manual lifting. They're not heave-hulling anything into the back of the truck, straining their backs, picking anything heavy up. The truck will be doing the most of the work, as well as the wheels on the trash and recycling carts will also be doing the bulk of the work.

[01:56:55] So I hope that touches upon the efficiency part of your question. Yes, so we're going from three employees who currently lift the cans up themselves and dump them into the truck. From three, it's going to go to no employees having to lift the cans because they can roll them, and it's going to be less employees per truck, correct?

[01:57:18] Well, right now, if somebody puts something out at the curb that's not in one of these containers, we still pick it up. So there will still be some lifting, but these containers won't need to be lifted. They can be attached to the truck. And just so you understand, it's not unusual for one of my refuse workers when they reach their mid-40s to basically have to retire because of back disk deterioration from working for 20 years on the back of a trash truck lifting trash cans.

[01:57:51] So this will be much better for our workers. I believe it'll help with the risk management, injuries, and health insurance costs. And like I mentioned before, I think once this program gets rolling, we may see some reductions in overtime needed because they really are in the groove with this.

[01:58:09] Excellent. Thank you. And then to touch upon the second part of your question about opting out, the way the project was written, there is no opt-out option for the trash and recycling carts. Every household that receives curbside collection services will be given a 64-gallon trash and recycling container.

[01:58:28] If an opt-out option is something the council is interested in, I would need that directive to implement that program. There would be some financial costs. We would have to give back some of the grant funding from the Recycling Partnership if we did an opt-out option based on their tiered grant funding. But the way the project was written, there is not currently an opt-out option for the trash and recycling containers that are coming this fall.

[01:58:51] Melissa, you have talked to other jurisdictions that have offered. Can you talk about that? Sure. So across the country, 64-gallon trash and recycling carts is pretty standard practice. In more rural locations, it's up to 96 gallons for trash and recycling, just based on frequency of collection.

[01:59:12] The City of Fairfax provides curbside collection services once a week for all single-family households. The 64-gallon containers were selected to increase recovery and incentivize recycling. We

have seen in our recycling an increase in cardboard and a decrease in every other material.

[01:59:28] It's lots of boxes, lots of Amazon packages, lots of those things you get delivered to your door. So we have seen an increase in mainly boxes that are taking up the bulk of recycling. So 64-gallon containers for recycling were specifically chosen to increase recycling behavior.

[01:59:45] And the lid, especially for recycling, will drastically help with any sort of weather events and wind. We see recyclables float all over the place. They are getting into storm drains. They are getting into people's yards. And our crew members will actually pick them up off the curb and pick up pieces of individual recycling from the streets on wind days and heavy weather events.

[02:00:06] So that's where the 64 gallons comes from. Across the country, every jurisdiction does their recycling and trash collection a little bit differently. For those who have implemented carts, there's many ways to do it, but the big one is, you know, everyone gets a trash and recycling cart and you're standardizing collection via the two provided containers.

[02:00:24] Or there's an opt-out option where the jurisdiction or locality will say, you know, try it out for two, three months, and if you still don't want it after this date, we'll come and take it back. But residents do have to try it out. And if an opt-out option is something this council is interested in, I would recommend giving them all to residents, let them have it for two, three months.

[02:00:44] We'll pick a date, and if they still don't want it, then we'll do a form and come take it back. Excellent. That's great to know that that's an option. Thank you. I do have one more question, but this is in pertaining to the bag tax. Okay, so in the staff analysis from July 2022, it showed that there would be a potential of disproportionately impacting low-income residents and large families.

[02:01:11] It was estimated \$18 to \$75 per year would be an added cost. has the city assessed whether reusable bag distribution and the outreach efforts that we've already put in have adequately targeted these groups? Is there analysis on it or data?

[02:01:28] No, but we have worked with countless community partners and faith-based organizations to get reusable bags into their programs, whether this be a food bank, a clothing drive, feminine hygiene products drive, the Toys for Tot initiatives, the Giving Tree at Sherwood. We have made it a dedicated effort to get these reusable bags in the hands of families and residents who are most impacted by the five cent tax on disposable plastic bags. Wonderful. Thank you. I appreciate you going over the list of the things that you guys have done and who you've, I'd actually like a little bit more detail about that. You don't have to provide it right now, but maybe in a

[02:02:07] follow-up, that would be great. Thank you so much. I appreciate your time. Thank you. Councilmember Hall. To your housekeeping point about the Amazon boxes, my husband and I, we live on a narrow street where there's no sidewalks um where is the most appropriate place to put your trash and recycling is it on your lawn if you don't have a sidewalk or a curb is it in the street and also where do you suggest people put their leaves on their yard or in the street uh that is two good questions so for curbside collection services um our our crew members are fantastic you could leave

[02:02:46] it in the middle of your driveway and they're still going to come and collect it um anywhere near the curb out of the way of mailboxes especially for mail delivery and ups deliveries outside of away from fire hydrants and any storm drains in case they do fall over and get into the storm drains obviously not blocking parked cars or street parking so really anywhere against the curb or slightly in your driveway

is fine on your lawn is also fine it wouldn't make a big difference to our crew members when they pick it up yeah i would say we would prefer if you put it in the right-of-way because in my 23 years I have incidences where if something's on private

[02:03:23] property like an old lawn share we don't know if it's just there or if it's trash so I would say try and keep it to the you know the edge of the pavement the curb between the sidewalk and the curb where the grass utility strip is because we know that's right-of-way and we know that once that trash is in the right-of-way we can get it and we don't have to be concerned. Okay so just a clarify the right-of-way for people putting trash out means it can still be on your own property that you think is your property but is technically next to the street but not in the street right and

[02:03:59] then when it comes to leaves if people put leaves in their own yard at the right-of-way at the end not in the road those will still be collected they do not need to be in the road where cars drive we would prefer people not to cover the sidewalk with leaves typically the right-of-way line is behind the back of the sidewalk so you have your the sidewalk if you have sidewalk the back of the sidewalk usually there's another foot that's the right-of-way if you don't have sidewalk a resident could estimate about five six feet from the edge of the pavement of the road is city right-of-way okay but the big picture there is we don't really need these things in the road we don't

[02:04:36] want them in the road we definitely don't want them near where a vehicle could hit them perfect thank you very much we will remind you all when it time still leave season. Other questions or comments? Council Member Bates. So regardless of the potential for an opt-out option, you know, cross that bridge and we come to it, would it be possible for someone to, you know, regardless of whether or not they opt out,

[02:05:11] you mentioned that they could keep their, you know, the currently used receptacles and that you all have to collect whatever is out there would they have the option of putting that out instead if they find that the uh yeah the newly issued ones are a bit difficult to use sure so currently we do not have any sort of container policy that says you can't put out more than a bunch of things on the curb we have seen countless things put on the curb mountains of stuff multiple trash containers um so currently residents can put out most things on the curb and

[02:05:49] will get collected um so if a resident throws a giant party and they have a bunch of trash they could put out a single trash can and multiple bags of trash they can put out 10 trash cans you know they could put out realistically if it's on the curb it will get collected um that's how our current operations run which is not very efficient and it's very costly um for our workers and just for the general disposal fees of trash and recycling so right the debris needs to be created by the occupants of the house we don't pick up contractor debris somebody hires somebody take

[02:06:26] a tree down they have to have that contractor take the tree debris away somebody hires a contractor to improve their kitchen or remodel their house they have to hire that they have to pay that contractor to take the debris away typically the way we enforce the ordinance because the ordinance is somewhat loose is that people who live in the house have to create that debris and that is what will pick up there like melissa said there really isn't a quantity limit which is something we may need to look at into the future just because the cost of disposal of trash is very high so it's

[02:07:05] something we'll look in the future but as far as enforcing and trying to limit people looking for loopholes with contractor debris the occupant of the home needs to create that waste for us to pick it up. I

also wanted to note that the residents' existing trash and recycling containers, if they have a larger cart, those could be put a sticker on it or put a marking on it and turn it into a

[02:07:41] yard waste container. As you know, you can't put yard waste in a plastic bag. So they could use those existing containers that they have and turn them into yard waste containers. So that's another use of their current trash and recycling containers yeah and with the the carts rolling out in september each resident will get the two carts and then each one will have a information packet which contains an updated service guide of our curbside collection services an updated recycling magnet as well as two yard waste only stickers to incentivize residents to transition their existing trash recycling receptacles into a yard waste receptacle and just to note the that packet

[02:08:19] we look to finalize at the end of this month so if the council is interested in providing an opting out option uh that we'd like to have a little flyer in there that that gives information on that so if it's possible to get some guidance on that tonight that would or you know by the end of the month that would be great okay other questions um again i think council member amos is not here but he's going to catch up on all of this i mean i've heard that people are interested

[02:08:52] and possibly an opt out but i think we also agree with your suggestion that people need to try it before they opt out of not having it because these were designed to be with the property correct i mean that this is not that we're giving the homeowner these carts we're providing carts that stay with the house no matter who moves in or who moves out and when it gets sold the carts stay with the property and so that's something for our residents to keep in mind is that this is for the it's for the efficient collection of solid waste but it's also something that's intended

[02:09:29] to be an amenity to your property provided by the city mr foster well thank you mayor just a couple of quick things first just to just hopefully get some clarity i think the ask or what or or i think the way we presented it we showed you the suggested spend of a hundred towards the carts if there are no objections. That's what we will do. It doesn't necessarily require a vote. I'm seeing head nods.

[02:09:57] I just want to make sure that nobody's objecting to the use of those bagged tax funds in that manner because it is a qualifying expense. Is that fair? That's what I'm taking from this discussion. I want to make sure that is in fact correct. Council Member McQuillan, do you agree with that? Yes, I do agree. Okay, thank you. It seems that we have consensus on that. So that's one thing we need to get answer the other thing I would just I would just say just in regards to and I know we sort of the presentations on the bag tax was sort of diverged into talking about just sort of general trash collection and all the things that surround it keep in mind while

[02:10:35] while we want to certainly be flexible and responsive to our citizens one of the one of the main reasons for doing this you know sort of uniformity but we're talking about you know worker safety efficiency etc if you have an opt-out you are working against the efficiency and the safety and all the things that that this program is trying to do so i'm not saying we couldn't do it or shouldn't do it but just remember those are that that's one of the reasons we're doing this the other thing i would just point out is that if you recall from the budget all of the

[02:11:10] budget discussions in our budget open house etc two cents of every tax dollar not real estate tax the combined aggregate tax dollars that we raise is what funds our curbside trash recycling program. So it is a robust program, but there is a cost involved.

[02:11:30] And so one of the things that we can look at, and we've started some preliminary investigation, is with these containers might provide the option of doing some automated collection. automated collection only requires one employee and that's the person who drives the truck because there's a mechanical arm that picks up the can and empties it as an example we don't know i mean that's very preliminary but that's something we can look at and see that be more efficient and potential savings in that regard certainly worker safety etc but if we if folks don't have these

[02:12:05] style carts and we're allowing them to put out bags or other random cans etc a program like that would not work so there are other things at play and one of the reasons we are moving towards the sort of uniformity of cans and - I think councilmember Hall asked the question about HOA's and we're certainly aware of that we actually I think have a meeting either next week or in the next couple of weeks to deal with a specific HOA that has reached out to us try and see what we can you know to talk about that and you know see we come up some solutions so I think it

[02:12:42] doesn't mean that we are so rigid there will be no exceptions and we can't have any any you know other than what is planned but before we sort of start talking about all kinds of opt outs and alternatives I just wanted to remind council that in doing so that then impacts sort of the improvements that this program is intended to bring to not only the staff but to the citizens so just I just wanted to mention that to you thank you wise counsel and can you just take a moment to talk about the Sprout grant you know I think our city

[02:13:21] does a great job at applying for all kinds of grants we get so much grant funding and a lot of times residents assume that every single thing we do comes out of general fund tax dollars because we don't exactly run a flag up saying this is paid for by grant money but having some of that money taken back has kind of impeded some of your efforts going forward to what extent so for i think what you're getting at is the um and correct me if i'm wrong the sprout grant which you knew uh which what you are aware of was funded through to help urban forestry basically start their program right their urban forest master plan as well as supplement the city jobs program to do invasive

[02:14:00] removal events i don't know all the specific details of the sprout grant but it was a big loss for the city when we when that funding got rolled back um so using the disposable plastic bag tax funds to helping to kind of reinvigorate those programs that were cut.

[02:14:16] Specifically, \$20,000 are being proposed in the fiscal year 2026 operating funds to basically allocate that to the city jobs program specifically for invasive removal workdays, which would just kind of help bridge that gap of the sprout funding that was lost and using the revenue that we currently have, and it meets the state guidelines of what we can spend it for.

[02:14:37] Well, kudos to the staff for figuring out ways to make it all work and reallocate the funds we have to support the programs that we care about that's an excellent example of bootstrapping our way through through our current fiscal environment um any other questions before we say thank you and good night all right thank you and good night our last work session items a discussion on the city's noise regulations i'll recognize brian lubkman city attorney to provide

[02:15:08] the staff presentation good evening again mayor and council um this is a follow-on to a discussion that we had with your predecessors, we've made some progress in the area of noise regulation since that time.

[02:15:32] Wanted to come back to you to have an opportunity for the new council to weigh in and react to any of the proposed changes that we're planning on bringing forward this fall. And so I will go through a series of slides here. I won't spend a lot of time on it.

[02:15:48] The staff report is pretty detailed. The starting point for the discussion is we do not have a huge noise problem in the city. Most jurisdictions do not have huge noise problems.

[02:16:04] What we do have are situations that are recurring. We do have particular situations that occur that are very disturbing for the residents who have them. And I was having some conversations outside the room with a couple of the residents who are here in the room.

[02:16:21] And I want to make it clear that we take these issues seriously. We try to resolve them as much as possible. Noise is a very difficult topic, a topic it's also very difficult to enforce. We live in a suburban, urban area. There's a lot of ambient noise, but there are particular situations that noise regulations try to address, and I will say that I have yet to find a jurisdiction in my experience that can address every situation.

[02:16:48] It's a balance. So the first slide that we'll go through, the purpose of the noise regulations, and some of this is there we go again as I noted the reality of certain types and levels of noise in daily life we don't live in the middle of a forest types of noises have evolved over the years as I noted here and as everyone can imagine historically many of these noise issues were industrial base and they were just fact of life fact of progress there's always been a desire to regulate certain noises, I actually did a little bit of research and I found noise regulations going back to

[02:17:26] Roman days, which is kind of interesting. I won't bore you with any of the details, but there were some specific noises that were attempted to be regulated, and so there's been an attempt to do that. As I noted already, noise regulations are an attempt to provide reasonable restrictions and prohibitions on certain noise-generating activities and sources.

[02:17:45] They vary widely among jurisdictions, even here in Northern Virginia, where you would think there's a lot of consistency. There's general consistency, but there's pretty good variation sort of on the obvious things like hours of prohibitions. And I know we had a speaker come up and say, you know, maybe we should get away from looking at hours.

[02:18:05] There are differences during different hours of the day as to what most people would consider to be acceptable levels of noise. It doesn't mean we ignore situations where noise becomes burdensome or onerous, but again, We're trying to strike that balance between not criminalizing ordinary activities to the point where individuals don't have the ability to enjoy their properties or to enjoy their lives, at the same time dealing with the most egregious situations.

[02:18:34] And again, as noted in the last point, there are differences in expectations as to what is acceptable, both in volume and types of noises. It's easy to say, and I put it in the slide, so it is easy to say. Some of this is due to some of the changes in work-life situations that have happened over time. Technology has made it more likely that people can work productively at home as opposed to going into a central work district. We've had some back and forth. Obviously, COVID changed some things. We have some things turning back the other way, a situation with the federal government. You see people that have been working at home are now going to the office,

[02:19:10] but there's some constancy in the types of situations that arise and the types of noises that jurisdictions want to try to regulate. So we'll go to the next slide. So a refresher, and this may be new for some of you. Obviously, I think everyone knows that there are noise regulations, but our situation has always been a little different than some of our surrounding jurisdictions, and I'll explain why here.

[02:19:32] So our noise regulations, and the reason I don't call it a noise ordinance, is we do not have a noise ordinance. We have a series of noise regulations that are located in two discrete sections of the city code. 3811 is the, you know, the prohibition section. Noises are prohibited depending on the noise, certain times, and certain days.

[02:19:52] There was a fairly major amendment most jurisdictions in Virginia amended back in January of, well, in 2010 or shortly thereafter, to reduce or eliminate subjectivity. There were, it was a response to a case involving a Virginia Beach noise ordinance. It was struck down by the Virginia Supreme Court.

[02:20:09] We had, and most jurisdictions had almost identical noise ordinances, there were references to noise that, And you can see the quote there, annoyed, disturbed, injured, or endangered, the comfort, repose, health, peace, or safety of others. Very hard to quantify and enforce.

[02:20:25] I think, actually, the case was correct. I think there was very little enforcement of noise violations, or there was selective enforcement. And as you know, in most things, especially related to zoning matters, selective enforcement is a problem.

[02:20:41] You need to be consistent. You need to try to apply regulations across the board. um so and and in 3811 which is where most of this resides the current prohibitions generally address prohibitive acts of noise and specific time limitations in certain categories and the major ones here use of vehicle horns and we'll talk about that in a second amplified music is the big one um uh noise uh music uh loudspeakers um animal noise and uh it's not only dogs although dogs tend to be the ones that generate the most complaints and uh uh there have been some attempts creative attempts in other jurisdictions to try to deal with this, but

[02:21:19] as I always say, animals will be animals, and especially if we're going to have domestic animals in our house, you have to put up with a certain level of noise. Loading or unloading of vehicles is a big one. I would say that's a fairly common one, especially recently in the city. Some of that is educational in the sense that new businesses locate, they may not be aware of the rules, or they hire contractors who are just trying to get the job done. They show up at times they may not be supposed to. They may not know. So we'll talk about that also in a little bit here. Construction noise, not a huge problem in the city, interestingly enough. We do not get a ton of complaints about construction noise. I think part of

[02:21:57] that is because our existing regulations, time prohibitions on construction noise, are fairly robust compared to many of our sister jurisdictions. And then trash collection, So we get some companies who come, and this is, again, we don't get complaints about the city trash pickups because we all abide by the rules in the city, but obviously there are private companies that come pick up trash for commercial and for multifamily.

[02:22:24] They don't always observe the hours. The other thing that is not necessarily covered in our ordinance, although I would argue it is, but we'll clarify that and we'll talk about that, are trash dumpsters, receptacles, the noises that are made when they're slammed on the ground, et cetera, et cetera.

[02:22:39] The other area of noise regulation city are in the city zoning ordinance, and those are essentially operational performance standards. So these are the things, certain levels of noise that are considered to be acceptable based on measurements, decibel levels and the like.

[02:22:55] They're applicable to all uses, buildings, and structures within the city at any time. Maximum permissible noise levels, this is what you'll commonly hear is a decibel meter, this magical device that folks tend to pull out and measure noise. And, you know, again, it's been around for years.

[02:23:13] I don't think the technology has advanced very much, but it is what it is, and we have that. Standards and requirements for measurement. And then most noise regulations, including the cities, have exemptions, as you would imagine, for emergency generators, emergency vehicles, utility repairs.

[02:23:32] There are types of noise that municipalities do not have the ability to control. they're governed by federal regulation an example would be trains going by I mean many of us we probably hear them here I know where I live just outside the city we hear the freight trains going by and three o'clock in the morning well you can't regulate that so those are the type of things you can't deal with and then a waiver process because you are going to have situations peculiar businesses peculiar situations where it might be appropriate for a municipality to grant a waiver. This might be, hey, we're going to have a project that's going to take three weeks.

[02:24:08] We'll be generating a lot of noise. Here are the parameters under which it will happen. There's an application process. We don't get a lot of those, but there is a waiver process for that, sort of the one-off situations, for lack of a better term. We'll go to the next slide. So some specifics, and I'm going to focus on the ones that tend to come up the most. So this is the existing noise regulations, and I'll start with the 3811 ones. I won't read the code sections for each one, but sounding of vehicular or other horns or other audible signaling devices it is prohibited in the city there's no time restrictions on this to trigger horns or other audible signaling devices

[02:24:44] except as a danger warning emergency warning signal or for reasons of public safety this has come up in the context and this is another modern innovation we all have these key fobs on our cars to control our keys and to find our cars or they just generate the noise anyway we have had situations in the city with car dealerships and repair shops using the key fobs to make it easier to locate a vehicle on a lot the vast majority of our dealerships and repair shops i think do it sparingly or they they use the little signaling device as opposed to triggering the emergency

[02:25:23] thing that sounds the horde blaring we have a recurring issue with that we're attempting to work with the dealerships. We'll continue to work with the dealerships to both inform them, again, that we do have a law in the books relating to that, but also to try to educate and minimize those situations. It's almost impossible to eliminate, but we try to limit those.

[02:25:44] The largest complaint, as you can imagine, for noise within the city, and we call it the amplified sounds, music, speakers, and et cetera. The music that's blaring, people playing their their music loudspeakers music from parties as you can see it's currently prohibited between 11 p.m and 7 a.m and we'll talk a little bit about what we're suggesting to change that when plainly audible inside a dwelling unit house or apartment of another person at 50 feet or more from the device except by permitted except as permitted by the city or otherwise accepted so that is probably

[02:26:20] the number one complaint. And another reason it's the number one complaint is it tends to occur most often outside of normal business hours of the city. And I'll explain why that's an issue in a few minutes here. The next one is yelling, shouting. I've tried to figure out what hooting is. Whistling on public streets, prohibitive between 11 p.m. and 7 a.m. Animal noise we talked about. We don't need to address that right now. Well, I'll just mention this. It's noise that's It's plainly audible at least once a minute for ten consecutive minutes with no time restrictions.

[02:26:58] We've all heard of, and I'll keep using the dog example, I'm a dog lover, I have a dog at home, that that's great, that's great to have that regulation. The problem doesn't normally arise because a dog is barking at least once a minute for ten consecutive minutes.

[02:27:13] It's normally a shorter period of time. It's at certain times of the day where you really don't want to be hearing it, especially in the middle of the night. exhaust and mufflers, and I think council member Bates had asked some questions about that with the previous council, about noise suppression devices, folks modifying.

[02:27:31] We do have restrictions on that currently. We're also looking at modifying that to some extent. People intentionally disabling noise suppression devices is not so much of a problem as it might have been years ago, but it still occurs. And then people revving their engines, racing, those type of issues as well.

[02:27:50] every jurisdiction has that. So I'll just point that out for illustration. Next slide. Loading or unloading of vehicles. Currently, there's a prohibition on plainly audible noise in residential areas between 10 p.m. and 7 a.m. The standard is difficult to enforce, and we're suggesting, we're going to be suggesting some changes to that. Erecting, demolishing, that's the construction prohibition. This is what I was talking about earlier. So currently, before 7 a.m. and after 6 p.m. on weekdays you're not allowed to do any construction, erecting, demolishing, altering,

[02:28:25] or repairing any building. As I noted, we have remarkably few complaints about that. The hours change slightly on Saturdays, holidays, and of course, not of course, but our regulations provide any time on Sundays. And there's exceptions for emergency situations and the like.

[02:28:41] But again, we have very few complaints, at least my experience has been we have very few complaints on the construction noise side of it. And when we do get those type of complaints, they tend to get resolved quickly. Most of the time, it's folks who don't know what the regulations are. Collecting trash or refuse, that used to be more of a problem, as I noted in years past, that tends to have settled down a little bit. Other than the dumpster emptying or the dumpster, it's not so much the emptying of the dumpster, it's the noises made associated with that. It's banging it on the ground to loosen up additional trash and then lifting up again. But again, And before 7 a.m. or after 7 p.m., it is against the rules to collect trash or refuse within the city.

[02:29:22] Lawn mowing, use of garden equipment, it's limited to use between 8 a.m. and 8 p.m. daily. We are more restrictive than a number of our surrounding jurisdictions. We'll talk about gas-powered blowers in a few minutes, but we are more restrictive than most of our sister jurisdictions on this. We get the typical complaints, but it's, again, striking a balance between folks' needs to take care of their own yards, have companies do it, and making sure that it's not just a constant volume of noise.

[02:29:52] Next slide. We have some exemptions currently, as I mentioned earlier. We have emergency generators, noises. I'll say some of these exemptions are fairly general. One of the things we're going to be

proposing is putting some limitations on some of these.

[02:30:08] So I'll just go down the list first. It's emergency generators, noises from emergency vehicles. Obviously, we don't want an ambulance sound or a fire truck sound or a police sound to be considered a violation of our noise ordinance. Noise is associated with restoration of public services, so water, gas, sewer, electric, streets need to be cut up, construction needs to be done, needs to happen, can happen in the middle of the night.

[02:30:30] Folks want their power back, and I think they're less concerned about noise than they are about getting their power. back we talked about preemption nothing much to say there as with every jurisdiction regulation of non-commercial public speaking public assembly in any public space you know that's that's protected speech and and we do not limit that assuming again it's in a public space outdoor gathering shows entertainment events between 7 a.m. and 10 p.m. in accordance with a permit or school sponsorship we do occasionally get some complaints about school events. We actually get complaints about the city fireworks. I can't sleep. The fireworks

[02:31:08] are going off. But again, that's an example of maybe we don't want to overregulate things that most people enjoy. And then noises that are allowed through special use permits. And this historically has tended to be more the industrial type of uses. Someone gets a special use permit, the asphalt plant, as an example. I mean, obviously there's a reality as to the types noises that those that those uses generate waiver process I'll just briefly go over this again currently you can apply a city manager for exemption or partial exemption you see the criteria on the screen you know the basically the

[02:31:45] the detriment is outweighed by the benefit to the public interest and the exemption has to be posted conspicuously I did some checking I don't think we've had very many of these in the city I don't we may only have one current one that's out there to my knowledge so now to the number of complaints and types of issues. The complaint types of volume have been relatively constant over the years. I mean, there's some spikes at certain times of the years. You get more of the loud music party complaints when our wonderful university neighbor is in session, because you do have a lot of, a number of students that actually reside in homes within

[02:32:25] the city boundaries. Dogs barking, again, those are sporadic. We tend to get some repeat violators and eventually those those get resolved loud vehicles deliveries and unloading is another common one as I noted trash removal it's less than it than it used to be and then the miscellaneous ones with and I'll highlight pickleball pickleball has become a very hot topic in terms of noise especially for converted tennis courts and and otherwise because as I've been told many I do not play pickleball but what I have been told many times and I've seen it the noise of pickleball can be very grating to some people I'll just leave it at that. And we're not proposing to regulate pickleball, in case anybody's wondering.

[02:33:04] We don't need a room full of pickleball players here at the public hearing. The police non-emergency number handles the majority of the complaints, and we got some statistics. So there are 864 complaints. I do not know whether those are discrete situations or repeats. We'll have that information as we move forward between January 2023 and January 2025. The 12 citations is misleading. Those are ones that actually led to criminal citations. But as you can see, the vast majority get resolved or they're addressed through other manners. We'll move to the next one.

[02:33:43] Enforcement. So here are some bullet points. It's in the staff report, but I'll go over it quickly here. As always, and as with many things enforcement related in the city, the initial approach where

possible is always informal and educational. It's much easier to try to diffuse something often it's its lack of information doesn't mean there's no enforcement but it does mean that the attempt at first is to try to resolve things amicably and to try to make sure the situation doesn't persist an important point is that second one and this is not unique to the city there are there is limited staff to enforce and multiple departments so we have one

[02:34:19] zoning inspector for the city the zoning inspector works Brooke will tell me normal work hours. Occasionally, on a case-by-case basis, we can have zoning inspector work outside of hours if we know there's a situation that might arise. The police obviously handles everything off hours for the most part, again, unless we have that situation. And then code administration does certain types of enforcement as well. The third bullet point is equally important. The intermittent nature of many noise activities makes enforcement difficult. So as you can imagine by the time somebody calls the police or by some somebody calls

[02:34:55] zoning many of the complained about noise activities have abated or disappeared temporarily or you know otherwise have not become a problem and that makes enforcement difficult again not unique to the city but it's something that we take very very seriously in that regard many noise issues occur outside of regular business hours you see that there we have issues with as you imagine commercial next to residential we don't have much industrial but commercial next to residential is probably the biggest one we have certain areas where the residential dwellings are more densely located on top of each

[02:35:34] other etc it makes it very difficult for one-size-fits-all unintended consequences but it's a reality of our suburban situation ambient noise and so we have conversations I don't claim to be an expert on decibel measurements but But as you know, you step outside, unless you're really, really lucky, you step outside and you're always going to hear a certain amount of background noise.

[02:35:56] We live in an area that, you know, many times of the day is a lot noisier than probably more rural areas around the country. And so that makes it challenging because when you're measuring, there's an assumption for background noise. So even though you might think it's loud, it's not that far above ambient noise.

[02:36:14] So you just have to deal with that. So tweaks to the measurement standards is another thing that jurisdictions look at and we're looking at as well. Violations on the performance standards, the last one. So remember I noted at the beginning we have sort of the absolute prohibitions on noise and then we have the performance standards that are measured by decibel levers.

[02:36:34] So the ones that are currently located in the zoning ordinance, it's a zoning process to enforce. You should notice it's a violation. You issue tickets. If the person disputes it, you have a court date. go to court I'll say this unless any judges or walk are watching judges don't like seeing zoning cases they just don't and it's been a general rule since I started practicing law 30 years ago I I don't I don't I've never understood it I think folks for people who have noise situations that are troublesome this is quality of life stuff and again I mentioned I was talking to some of the

[02:37:10] residents here and we've gotten emails and we've had communications from some residents within the city as well if if you haven't had a recurring noise problem where you live consider yourself lucky because some of the ones that we've heard about most of us would not want to live in those situations and again we're trying to strike that delicate balance it doesn't mean we're not trying to find ways to help enforce but I understand there are situations that go on for months and months and months

and it's very very disturbing nobody wants to have to move because of a noise situation. That's not a reason we want people to leave the city. It's not a reason why

[02:37:46] any jurisdiction wants their residents to leave. We'll go to the next one then. So gas-powered leaf blowers. I'm not going to spend a lot of time on this. I know there's been some communication from interested parties, and I know there may be some individuals up here on the dais who have an interest in this. So you're probably aware, I shouldn't jump over the first one, which is city staff is not supportive at this time for various reasons, and I'll go into that a little bit. But But the city of Alexandria recently enacted an ordinance to prohibit gas-powered leaf blowers.

[02:38:20] There is a delayed effective date. The other issues with the city of Alexandria, they spent a significant period of time studying this. They got a lot of input from stakeholders. They got a lot of input from the industry. They have a delayed effective date, as I noted.

[02:38:35] And they also had, I would argue that they have a particular situation that made it easier for them to enact an ordinance. They did get an attorney general, Virginia attorney general opinion. Attorney general opinions in Virginia are not, they are essentially the opinion of another attorney.

[02:38:56] They're persuasive. They're not dispositive. So just a fact to keep in mind. The other thing that sort of lends to the fact that other jurisdictions haven't done this yet is there was, and our state senator actually introduced it, there was a recent General Assembly bill that would have specifically authorized localities to ban gas-powered leaf blowers, and it did not, actually it didn't advance.

[02:39:19] So there's going to be additional attempts to do it. The fact that there were attempts to do this I think is more indication of the fact that it's not clear under Virginia law. I think it is questionable under Virginia law. I think it's questionable that the city has the ability to do it.

[02:39:36] I'm not going to characterize what Alexandria has done. I think they believe they have the authority to do it, and I think their situation is somewhat different. Having said that, the city is looking at this issue. I noted the last bullet, and Mr. Summers has left, but there is, in public works, a transition plan to electric equipment and pilot project that was approved.

[02:39:58] The city is looking at the possibility of doing that. I think there's some funds to explore transitioning to electric equipment among city equipment and the like. What I have heard from public works staff is the technology just isn't quite there yet, number one.

[02:40:15] Number two, it's expensive. And so I mentioned Alexandria. They had a robust discussion during their budget process, and they included money in their budget to help with this transition. So I think on this point, we'll put a pin in this for the moment.

[02:40:30] I'll come back to the recommendations at the end. But I wanted you to have the information and sort of what our position is currently before we get to the recommendation later on in this presentation. So next steps. So as I noted, we absolutely are updating, simplifying, modernizing, and consolidating noise regulations.

[02:40:48] Ideally, we are going to put all of this in one section, and it's going to be out of the zoning ordinance, which will make Mr. Hardin very happy. It'll be more in the regular section of the city code. Clarifying and expanding definitions to avoid ambiguity, you would think terms such as plainly audible mean the same thing to everybody.

[02:41:06] They absolutely don't. In fact, I would imagine if I asked all of you sitting up there and Council Member McQuillan to define plainly audible, we might get six, seven different definitions. So we're going to clarify that. We're also looking to have a graduated system of enforcement.

[02:41:22] One of the complaints that we get and jurisdictions get generally is complaints come in, they're resolved, or someone gets a warning two months later, they get another warning because it's a new set of facts, a new noise situation. Two months later, it happens again.

[02:41:39] We're looking at having a graduated system of enforcement where every time if the situation occurs again and again and again, then the penalties are going to go up. We're also recognizing the continued limitations of staffing, hours and noise violations often occur, clarification of enforcement responsibilities.

[02:41:58] Again, there are very few people currently that have the ability under law to enforce noise violations. We're looking at perhaps expanding that somewhat if we can, understanding that a lot of it occurs after hours. I'll talk in a second as well about the possibility of residents being involved in enforcing these violations.

[02:42:17] And it's a little bit of a slippery slope, but it's something we're going to bring forward. And then the last thing, and we talked about this with the previous council, but we think it's critical. And the jurisdictions that have enacted changes to their noise regulations in recent years have done this, and I think it's very good. If any of you have ever looked at, for example, Fairfax County or Arlington's noise ordinances, there are matrices out there where residents can see it's up on their websites and it says, you know, if this happens, you call this number.

[02:42:43] This is a violation, call this number. Having clarity, having a central point of people going to reach out on noise issues is critical. So, again, how and when to make a noise complaint and a matrix for noise issues is what we will be bringing forward as well. So now, the specific recommended changes.

[02:43:02] So none of this is cast in stone, which is a reason we're having this discussion. But what we're planning on bringing forward is the amplified sounds and music provision prohibition. The common complaint that we get, one of the common complaints that we get, is that the prohibition starts too late.

[02:43:20] Jurisdictions are all over the place on this, so we're suggesting 9 p.m. or 10 p.m. on weekdays and 10 p.m. or 11 p.m. on weekends or holidays for that aspect of this. We don't have a preference either way. It basically ends up what you all want to do as a city council when we bring this forward.

[02:43:38] We'll be able to make changes. I think what we're going to propose is actually 9 p.m. on the weekdays and 10 p.m. on the weekends and the holidays, running to 8 a.m. the next day. The alternative is to remove time restrictions altogether, and you had one speaker come up and say that this evening. So remove time restrictions altogether and prohibit any such sound that is plainly audible in any other person's residence with the doors and windows closed. Now, that's a bright line standard. That's good, and that is certainly a clear restriction. We also get comments from people saying, well, I like to enjoy my

[02:44:14] backyard and I don't want to hear the noise. I don't like to have my windows closed and I hear the noise. So the other aspect of this would be maintaining some level of a decibel meter reading for situations or having the standard be audible over a property line. There's issues with that because, again, properties are not the same throughout the city, as you can imagine. We have houses that are separated

and we have houses that are right on top of each other. But we're going to Try some language to see if we can help resolve, you know, 90% of the situations.

[02:44:43] Change the provisions on yelling and shouting on public streets to commence at 10 p.m. That's just for some consistency since we'd be suggesting a reduction, an earlier start to the prohibition on general music noise. Animal noise, what we're going to be suggesting is very similar to what Fairfax County does.

[02:45:00] So different standards between 10 p.m. and 7 a.m. and between 7 a.m. and 10 p.m. So 10 p.m. and 7 a.m. essentially would be if it's audible within your house with the doors and windows closed, it's prohibited. We're not going to require that you wait until a dog barks for, you know, once a minute for 10 consecutive minutes at 3 in the morning before it's a violation.

[02:45:18] It's, you know, hopefully your neighbors would be able to control their animals. But if it's a recurring problem, we want a bright line rule for people to be able to follow on that. Next one. There we go. Loading or unloading of commercial vehicles.

[02:45:34] so i gave you what the standard was before so we would propose changing that to if it's plainly audible by persons in any residence with the doors and windows closed across property boundaries now this one's a little more of a bright line because again most of the loading unloading is occurring on a commercial remember i mentioned earlier about the commercial on top of residential so most of it's occurring from a commercial property across a line at a distance of 100 feet or more from the source of the noise and changing the hourly restriction to commence at 9 p.m daily instead of 10 so trying to help and this is coupled with what we have been doing which is uh trying to reach out to the businesses where this happens and seeing if it's just because they have a new

[02:46:11] delivery person etc trying to reduce those um trash provisions again as i noted to include specific references to dumpsters and other trash enclosures and maintain the current 7 a.m to 7 p.m limitation on allowable hours believe it or not our restrictions are more restrictive than most of the jurisdictions around us and although we do get some complaints we have relatively few complaints when it comes to trash. We do have the dumpster issue, which I've talked about already.

[02:46:37] And then this is interesting. So typically, we have not had anything that dealt with noise for generally about improper operating equipment. So we've all or many of us have had the situation where a neighbor has an air condition that's malfunctioning and but it's working. So their house is getting cool, but it's making a racket outside. So we'd be adding provisions against operating any mechanical equipment, so air conditioners, heat pumps, fans, swimming pool equipment on residential property that is not operating in accordance with specs, and in such a matter to create a noise disturbance measured by decibel levels across a property

[02:47:14] boundary. We don't have a lot of these. I think we need the ability to be able to regulate that, so we're going to clarify and include provisions on that as well. Additional recommendations, and this will be the last page of that, clarification of the administration and enforcement provisions, So we're going to try to have a single or close to a single point of contact and responsibility for administering the noise regulations, process for enforcement, and creating a presumption of responsible parties.

[02:47:45] So I'll give an example again of situations with the car dealers or car repair shops and the key fobs. In order to cite, you have to have a responsible party. So unless you're going to, you know, you usually

can't find the person who's doing it.

[02:48:02] You can cite the general manager if you have to, but it's a little questionable as to what the city's ability is to enforce on that. So we'll have a presumption. We're going to include a presumption that in the case of residential violations that if you can't tell who's exactly doing it, well, then, you know, the owner of the property is going to be responsible.

[02:48:19] If you have a tenant on the property and, you know, we can't get the tenant to deal with this, we're going to try to cite the owner of the property. We're going to try to find the tenant or whoever the occupant is of the property at that time. So we're trying to increase the ability to hold people responsible. Civil and criminal penalties, again, clarifying that.

[02:48:36] I mean, certain types of offenses merit criminal, especially repeat violations. And again, increasing the penalties for repeat violations. The ability for, I talked about this briefly, the ability for a warrant to be sworn out by the public. And I have the word limitations out there.

[02:48:52] So a couple of jurisdictions have tried this. It's sort of mixed results. But one of the complaints, as I noted, that we constantly get are the after-hours complaints or the noise has disappeared, but then it happens again. Because like it or not, there are individuals who know exactly what the regulations are.

[02:49:09] They know when the police are coming, they turn it down. Five minutes later, they turn it up. I know that residents don't necessarily want to be in a position where they go and swear out a warrant for a violation. But it should be a tool in the toolbox for egregious situations and where the city is unable to enforce for whatever reason.

[02:49:29] I've told people this before. There are nuisance laws in Virginia. Separate from the noise regulations, you have the general right to quiet enjoyment of your property. And if a nuisance is being created or your neighbor is doing something, you know, we don't recommend that, but it's always available.

[02:49:44] But this would clarify in the noise situation that you might have that option. Exceptions and exemptions, again, clarifying and updating the exceptions to reflect sort of the modern state of what those would be. Updating the waiver process, clarifying what it would require to get a waiver from the noise ordinance.

[02:50:03] And then lastly, as I mentioned, and very importantly, the public education component that I detailed a few minutes ago. So with that, I know I have room there for questions and comments. Our current thinking is we'll be bringing this back this fall. They're getting some of the language out of the zoning ordinance will require planning commission and a zoning text amendment.

[02:50:25] But the plan would be to get this before you again this fall for consideration so that we can have it in place before too long. And making these changes, these are the first ones since 2010, at least with respect to the prohibitions. I think our plan going forward is to revisit these on a much more frequent basis.

[02:50:42] We're not going to wait another 15 years to do noise ordinance. And then we constantly examine best practices from other jurisdictions and we'll continue to move forward with whatever council would like us to do. But with that, I'm happy to answer any questions, take any comments. To the extent

that I cannot answer questions or if you have additional questions that we should consider or be able to respond to before we bring this forward again, we will certainly do that.

[02:51:08] And as with the previous matter on firearms, if you all have specific questions that you don't necessarily want to do in a public meeting, if you'll direct those to me, I will be sure to answer those. So with that, happy to answer any questions. Council Member McQuillan. Thank you. Do we have a plan to track the complaints and the results over time so that we can measure if these regulations are working? So I know zoning tracks complaints that come in through them. I know the police department keep fairly detailed statistics. I don't know if those are published, but we can certainly get that information and share that with the council. We

[02:51:47] we do track all uh reports of violations that come in on a number of areas including noise so we can certainly get that information and share that with the council thank you I also just wanted to make a comment and say that I am in support of the transition plan and the graduated system of enforcement I think that's key in the education component as well to the public so thank you other questions council member Peterson can you stay say again um what the plan is if anything on

[02:52:26] leaf blowers so the current plan on leaf blowers is we're going to do the pilot program to see about transitioning on city equipment and see where that goes we're going to monitor and see how the Alexandria thing shakes out um I have some thoughts on that um and have an additional discussion with you all on that once we have a little more information. It's only been a few months since we heard that Alexandria was actually going to be doing this. And as I noted, they spent significant time looking at this and had stakeholders. So I would suspect we're going to have a broader discussion on gas-powered leaf blowers. I think many of our sister jurisdictions are as well.

[02:53:06] But as of right now, the only jurisdiction that's proceeding is Alexandria. And do you know if the findings from their stakeholder exercise and analysis are available easily available so I do know having just not just in preparation for this meeting I do know that on the city's website and if you pull up the ordinance and I can get the date but if you just search for the noise ordinance revisions they have a very detailed staff report um they had several meetings on this but they have a very detailed staff report and they have information on the website and we can certainly share it but uh you know say to the public anybody who's interested

[02:53:40] in this issue uh check out what what Alexandria has done and you know the arguments pro and con on this issue. And helpful to hear and know, but I think part of what you provided in your presentation was some recognition that there is a perspective by staff that the electronic equipment quote unquote isn't quite there yet. I think this is an area that's both technology and market sensitive because it's changing in some cases pretty quickly. So what may not have

[02:54:17] work very recently might work in the not too distant future here so it'd be good to just know specifically what the holdback is in terms of assumptions around that yes I mean some of the I will share some of the comments that we received is especially on the commercial side the batteries are heavy they don't last very long this is not like the the electric blowers you have in your house at least in the commercial setting and they are expensive absolutely agree technology is changing everything is modernizing the other comment that that

[02:54:49] I know I've heard not from city staff but in other jurisdictions is regulating gas-powered leaf blowers through noise ordinances may not be the best way there are there may be other alternatives there

are environmental laws that can be pursued for dealing with these as well we are we are curious to see what the General Assembly is going to continue to pursue on this as you can imagine this is more of a northern Virginia Richmond tidewater issue than it is in a lot of the rural areas of the Commonwealth because in a lot of the rural areas of Commonwealth the idea of regulating gas

[02:55:25] power blowers is anathema I mean it likely won't happen unless they're ordered to do so so with that I don't want to say staff as opposed to this staff we are looking at this question I think there are some issues legally with doing it that doesn't mean we can't do it it just means we need to look at this more and alexandria had the advantage of months and months of looking at this issue we don't want to jump into something where we're not clear that we can do it it doesn't mean we're putting it on the back burner we understand it's important great and just to note i mean there are commercial as well as consumer-based market segments and equipment for each that's different

[02:56:01] so not all leaf blowers are created equal so you can correct and there are electric leaf blowers that are almost as loud as gas gas powered leaf blowers believe it or not um another question or On the time neutral approach to noise regulation, do I understand correctly that you will be coming back with something that offers an option for that, which I gather would include the provision that you can't hear it when you're inside the house with your doors closed, but also some sort of a decibel based provision for people who are outside?

[02:56:38] Is that something that we will see in some developed form and consider, be able to consider later? absolutely so this is all coming back to you we we cannot implement any of this without amendments to the city code and to the city zoning ordinance earlier in the presentation when I mentioned about the possibilities you know the time restrictions on and again we're talking primarily about the music and and those type of violations because there's other types of noises that it doesn't make sense to absolutely prohibit because they don't occur in that in that context but I the way I currently am pushing this forward is not eliminating a decibel

[02:57:13] component because that all that also can always be a tool the goal of these changes is to allow for multiple avenues for dealing with issues as opposed to saying we have a bright line rule but if somebody falls outside it we don't have any enforcement ability so that's what we'll be bringing forward uh this fall one last and we're certainly i'm sorry we're certainly happy to bring this again with a developed ordinance and a work session but i would suggest we can also do it by introducing what we're going to introduce and then if need be pivot to a work session but that way we won't take another six months or longer to implement the changes. Thank you the last question

[02:57:50] is cars yes and noise from however you described it it sounds like the muffler has been messed with right is that covered under this or is this separately regulated? So we currently have fairly good prohibitions on vehicle noise muffler you're smiling as I'm saying that so I'm guessing there There may be a particular situation you have or have seen.

[02:58:13] Well, you know, Fairfax Boulevard is known to sound like a racetrack, sort of a drag racing strip, even from long distances. And so it always makes me wonder what we do and don't allow and what we do and don't enforce. I'm just curious. And that's fair. You know, again, it's another one of those problems, right?

[02:58:31] A lot of times by the time someone comes to try to enforce that noise, the vehicle in question is 30 miles away just because of the way it is. And we also have the canyon effect on parts of Fairfax

Boulevard. But, yes, I understand. But there is a requirement that folks keep their vehicles in good working order in terms of noise suppression systems.

[02:58:48] And absolutely, I know that there are tons of vehicles out there that violate that every day because we see the modified vehicles all the time on the roads. And there was a, excuse me, just to also add, there was the issue where the state hamstrung the police because you could not pull someone over strictly for a noise violation.

[02:59:09] they had to be another issue and so that was hamstringing efforts and so the state has sort of reversed and so now I think we do have more of an ability to do that we're in the recent past that's that's been an issue correct councilmember Hardy Chandler than councilmember Hall so the word that I heard over and over again in your presentation is clarity so I think that is always a good thing I'm looking forward to the modifications that you

[02:59:44] bring with regard to the leaf blowers with the pilot of city equipment is there a timeline that the city is looking at for a possible for that pilot period leading up to it and an estimated completion or a look at their findings so So I was looking around the room to see if Mr. Summers was still here or Ms. Kupka or I'm sorry, what's her last name now?

[03:00:15] Melissa? McDonald. McDonald. I'm sorry. It's going to take me a while to get used to that. And unfortunately, they're not here. I do not have that information. I know that it's an approved pilot. I will get that information and make sure it's circulated. But it will be included in what we come back with related to gas power leaf blowers.

[03:00:31] Thank you. Council Member Hall. Thank you. Lots of same questions here. So thank you for asking those. I, too, am very excited to hear about the pilot program and the potential hopeful transition to electric equipment and how that might work cost-wise and everything else.

[03:00:49] Do you know when the city of Alexandria, when that's delayed to the effective date offhand? I believe it's over a year, but I don't have the exact date in front of me. Okay. Yeah. So I'm also, the car alarms, I think, are really a problem.

[03:01:05] I think, you know, we have a lot of residential, I'm sorry, we have a lot of commercial that's built into residential areas. And I understand that that presents challenges, you know, with pain deliveries in 3 a.m. or with car alarms on a Sunday afternoon.

[03:01:22] As the gentleman said when he spoke up before, I mean, we were on the phone for about 20 minutes. And in the first eight minutes of that phone call, there were three different car alarms that went off, which, again, hearing them through the phone was pretty excessive. I can't imagine being at his house and hearing that. um so i am not that i want to find people or cite or cite them but if we go after the home or if we go after the owner of the property that trickle down is going to be pretty quick i think you know if you can actually find someone that you are holding responsible for that rather than like oh we didn't see the guy who did it um and again education and that practice of not you know seeing

[03:02:00] oh is the car on this lot or is it across the street you know they're going to have to come with a better system for that. So I'm looking forward to hearing that. I am a family that tends to go to bed a little bit later. So a 9 p.m. end time. Sometimes my kids are not actually home from school at that point in time when it comes to sports and things. So not that I expect them to run and yell or hoot down the street, but I

do think that we're also not the family that likes to get up at 7 or 8 a.m. So there's both sides of that. And I think that time restrictions are

[03:02:34] important, but I also think that if we can do them in conjunction with other preventative measures to try to make sure that people are as happy as they can be in their homes is good. I also do recognize that, you know, what I might hear in my house with somewhat newer windows, they're not brand new anymore, would also vary with someone else that has original wood windows in their house that, you know, there's varying levels of things here. So I think we do need to be mindful of them, but also recognize what a reasonable person would understand, right?

[03:03:06] You know, if your neighbor is having the loudspeaker out and they're holding a church service in their front side yard that is your front yard, that's not going to make you real happy, especially, you know, one time would be okay. If that continues, that's obviously going to be an issue. You know, you have one graduation party, that's fine.

[03:03:23] But if you live on a block with a bunch of Mason students, and I was a college kid, so I get it, that are having parties, that's a very different life and a quality of life issue for you versus what someone else in the neighborhood or the city is dealing with. So I think if we can try to keep those things in mind, as you've said, that that's a really important thing. It's not going to be a one size fits all. And I hate to be the location that fines everybody. But when you hit people in their wallets and their pocketbooks, to borrow Anthony's 80s phrase, I think that does really start to make people change their behavior. That is correct. The one thing I will note is one

[03:03:59] One of the areas, unfortunately, while we can do civil penalties, the state puts limitations on how much we can fine people, which is why we want to keep the criminal side of it as well. Good old Dylan and his rules. Yes. So I think that that's pretty much covered all this stuff that I had.

[03:04:17] I will say cars can be a nuisance, but like you said, I mean, we kind of live on the 66 side of things, so we hear them going through there. And by the time you think about it, you register it, it's over. It's not happening all night long. So I think if there's a recurring vehicle that's doing those things, it's a little bit easier to address.

[03:04:37] But if you're just hearing it pass through, what I will say is sound machines work really well. We put them out at our house because I know we have a neighbor who likes to mow his lawn pretty early. So nobody wants to live in a white noise box, but they can go a long way, I think, towards helping both inside and outside your house.

[03:04:56] But thank you for taking a look at this. I think it's really important again quality of life for some people is really really critical especially when they're dealing with not so nice neighbors so thank you other questions councilmember Bates thank you so I'm definitely as of now in support of everything that you're suggesting here and also I do still believe that we need to move away from gas power leaf flow

[03:05:30] or citywide and so i hope that we will continue to explore that uh with regard to the uh alternative you know the two different alternatives for loud music etc you um so the choice would be between moving the time at which that provision becomes effective to an earlier time and then uh just banning everything audible within someone else's, you know, house or on their property or what have

[03:06:08] you, whatever we come up with. Are there concerns with doing that, with doing away with the time restrictions versus just moving the times earlier? Well, again, and I've mentioned it several times,

you're trying to strike a balance, right? So I think the worst possible situation would be for all of a sudden a larger, let's say a large, proportion of the population all of a sudden being in violation of something that they've been doing all the time in the middle of the day

[03:06:42] because, you know, they live close to their neighbor. I mean, we all want our neighbors to be considerate, but we also understand that people have different expectations as to what quiet means and what they should be able to enjoy on their properties. And there are egregious situations, but what we don't want to create is a situation where we're getting a multitude of phone calls for violations that have all of a sudden been created. So we don't want to dial too far in the other direction, but there are essentially two alternatives. We would probably

[03:07:21] suggest making the hours start a little earlier and see how that works. We also understand that that's not going to stop certain individuals who are violating. So we're not talking, even if we do that we're not talking about getting rid of the possibility of a decibel meter I also mentioned we're also not talking about the possibility of if it's done after hours having residents be able to swear out a warrant and go swear out a warrant and and in for and deal with these situations the staffing situation the due respect to the city manager I mean I I don't see and your most jurisdictions in fact I haven't found a jurisdiction that actively staffs after

[03:08:00] business hours for things like noise violations other than through their police departments and maybe on calls occasionally. And for the number of violations that occur, it's probably not cost effective. So what we're trying to do is reduce the repeat situations. We're trying to handle the most egregious circumstances that arise. But the two options that I gave you, that ends up being just a preference of the council as to how you want to proceed. And as I noted, none of this is going to be set in stone. Some of this may be, we try these changes and we come back after a year,

[03:08:33] we see how it goes and we tweak them. Right. So in terms of, are there right now any restrictions on loud music, et cetera, during the day outside of those times when that restriction kicks in?

[03:08:53] Well, we have performance standards. So again, there's decibel levels, but yeah, I mean, it's difficult it's difficult so having again this goes to what I said having more plain standards makes sense uh tweaking the provisions makes sense how far we go in that is a discussion point but we have we'll have some recommendations that we'll bring forward okay yeah so is I mean something else that kind of occurs to me as sort of maybe a middle ground is looking at moving the

[03:09:27] times earlier for that current restriction scheme, and then maybe having somewhat more stringent standards during the day outside of when that restriction kicks in for loud music, but at any rate, yeah, you know, look forward to seeing what you all come back to us with.

[03:09:48] Okay. Councilmember Hardy Chandler? Going very quickly and briefly back to the leaf floors, I hope that since it's before the pilot. And I know you can't answer this question, but I want to convey consideration that one of the metrics in terms of the success of the pilot be the health of the workers who are using the leaf floors, not only in terms of the weight, but also in terms of gases or, you know, whatever. So the health factor, in addition to some of the concrete things like cost. The second

[03:10:26] thing is I'm on the fence or, you know, kind of split with regard to specific times. I think our lifestyle has changed with more at-home work at different times a day. As I have mentioned repeatedly, I come from Las Vegas, which is 24 hours anyway. So there is really no sense in making, you know, kind of

time restrictions. But I also think, again, just generally as a result of how things have evolved with remote working and accepting the hall families sleep habits just

[03:11:04] things in terms of lifestyle have changed so I wonder if respecting the the the comments that were made and during the public comment period how arbitrary those hours are in these current times versus our past lifestyle of you know you get up and you go to work during so-called business hours. So just consideration of those lifestyle changes and just the evolution of where we are.

[03:11:35] And then finally, just emphasizing a little bit of, you know, instructing that balance, common sense versus enforcement. I mean, I recognize that those are very, very real things. What you're setting out to do is challenging because of that. I wonder, leaning more toward the educational side if separate from the regulations that the city just considers sort of a noise pollution kind of campaign that's not necessarily the technical wording I understand that and that's not necessarily defined by decibels but when we talk about being just

[03:12:13] neighborly with one another I think maybe just thinking of that along with the other pollutants that we're trying to work against, that we think about that in terms of our quality of life. I recognize that is not a regulation test that you're undertaking, but just putting that out there as something to complement the regulations because ultimately we have to live with one another.

[03:12:37] So thank you. Other questions, comments? Well, I would just say I think this has been thoroughly considered. I also agree about escalating in some manner the problem folks as you pointed out this is not a pervasive issue for the whole city but it's a terrible issue for a small group of people who can't seem to figure out how to solve this problem in their own homes and so something needs to be

[03:13:14] done as you said you know it's impacting people's quality of life we don't want people to feel like they have to move out of the city because there's not a suite of tools in order to try to solve a problem with a person. And you always run into a problem when you're trying to create general laws to solve a problem of a few people. And that's in any organization, anybody who's ever worked anywhere where you create policies because you have a few problem people and now the policy is the burden on everyone. And I don't think we necessarily want to do that. We want to figure out

[03:13:49] what tools we can use to solve these intransigent problems that can't seem to be resolved in any other way. But I do agree with Council Member Hardy Chandler that we need to remind people that, you know, we all have to live together in some sort of campaign to let people know that it shouldn't require a noise ordinance. It should be us letting people know when we've got a graduation party or when we're doing a major renovation on a Saturday morning where there's going to be a tractor in you know the yard over the fence it doesn't take that much simply to be

[03:14:24] neighborly and to tell people i've got something that's going to make noise and i want you to know ahead of time because that goes a long way to people being more tolerant if you've taken the extra step to say this is the situation the circumstances and i hope you'll understand because then you're offering to be understanding in return you know it's just just being neighborly But I agree that this is a great start and that I look forward in the fall coming back and seeing this just a bit more refined.

[03:14:56] And with that, we will now move on. And I believe this means I will now reconvene the regular meeting. I think we punt this over to our city manager. Thank you, Mayor.

[03:15:14] So next item is our new process that we are starting in terms of agenda, future agenda items. So you'll see the item 13 future meeting topics. So we have always done a future count of future topics list that's on the website and so forth, but you've been provided a copy.

[03:15:39] It was in the materials. I think there's a printed copy at your seat. So specifically for the next regular council meeting on July 22nd, you will see on the on the list what is currently proposed for that meeting one item on consent which would be the old town hall contract award then we have uh what was originally listed four public hearings not to skip to number four that was the public hearing that you instead of for July 22nd you have a major motion to move to

[03:16:14] September 30th so that was net will now so that will get changed although the futures list will get updated so there'll be three public hearings all of them are community community development the first two are land use cases that have been that have been working through the process and so these are time-bound that we require this is the time for us to hold them the first is on this is what I think is

[03:16:50] called the referred to as the Davies property we've you've had presentations on that before the second one is the combined courthouse which is where the Safeway is on Blenheim those two are up for public hearing and and potential action and then the third public hearing is for the zoning text amendments that we've also you've also had a work session on as well so those are

[03:17:20] public hearings that are scheduled and then the other piece items not required a public hearing that were also just have been discussed in work session is your updated resolution on rules and procedures we discussed at your retreat and we'll have those changes as well as the policies and procedures regarding filling the vacancies and actions for appointed boards and commissions, which was also discussed at your last work session.

[03:17:57] So those are the items for July 22nd. Are there questions or comments about any of those? Council Member Peterson? Council Member Hall? Council Member Peterson?

[03:18:13] Well, thank you. And I think it is helpful and look forward to this being repeated. A couple things First, the agenda items for the next meeting are well-developed, but thereafter they're pretty thin, and in fact they slope off.

[03:18:36] So one thing that I would observe here is that any opportunity that the council has to suggest a set of longer term priorities that could be mapped into agenda items might be helpful.

[03:18:55] It gets to maybe a discussion we haven't quite completed yet, which is what are some of those issues that we'd like to see raised and be sure they're on the agenda in the future. So I suppose, given that we have this framework, we could suggest those at any point when we raise this future list.

[03:19:12] That would be my question. So, yes. So I was going to get to the other ones. I wanted to focus on the immediate meeting first, but your question is fine. So that would, after we, my plan was, and I didn't really say that up front because we're doing this new, but the plan would be, or my process would be, we would talk about specifically the next meeting because that's the next agenda that would be, you know, going out for consideration.

[03:19:39] And then after we discuss that, then it would be just a brief review of the next few meetings. And then, of course, if there were other specific items that you wanted to be considered, presumably most of those would more than likely start with a work session, but not necessarily.

[03:19:57] But, I mean, again, so we would program that accordingly. And as I mentioned, this list is very always fluid. So, again, you know, that's why we intentionally put a date and a time at the top because when this was printed so you would know.

[03:20:17] And then because if things were come up, like if we had a presentation we were planning to do and say we had a consultant, the consultant was ill and couldn't come, we had to pull it, move it, or whatever, There will always be things like that that we will move around as needed.

[03:20:35] Well, thank you. And so for the July 22 agenda items, you mentioned things being fluid. I think the experience has been that the agenda gets firmed up on a Wednesday for the following week.

[03:20:56] And given that it's Tuesday now, this would tomorrow go into a meeting and be firmed up. it sounds like it's possible things would be added to the agenda in that meeting and that we would get a chance to see an update for that after. Yes, so what we will do is, so what the plan is, is that in most, I will say, in most cases there could be exceptions, but the general rule that we were putting in place is that on Monday, a week prior to your meeting, so this meeting on July 22nd,

[03:21:33] Monday a week prior is July 14th, that's this coming Monday, we would send you what the draft agenda as it's being, you know, so which will should mirror this futures list fairly closely, but it may or may not be. The other thing you're not going to see, we're not going to put like approval of minutes and things like that. That's just stuff that's going to be on there.

[03:21:57] And as we discussed at your retreat, we will tell you what's going to be included, a staff report a presentation etc those will not be distributed with the draft agenda because those will not be ready but you will ask to see what you could expect to be with it that would also be on that document and then what the agreement was or what we said how we sort of outlined it was council would have 24 hours so basically on Tuesday we'd want to hear back from you any comments or concerns and then we could address those but then once that's done and we post the

[03:22:33] agenda when which we try and post on wednesdays but sometimes it's on thursday again depending on the supporting documentation that needs to be pulled together then if you wanted to amend the agenda then the process to do that would be at the meeting on the agenda item that says approval of the agenda, that's when you would make a motion to amend the agenda to add or delete something at that time if that was your desire.

[03:23:04] So if a majority of council in the 24-hour period of review in the agenda wants to make a modification, is that something that we can do? Yes, that's what that period is for, yes. And then yet that evening we will also be looking at the futures list to discuss the agenda.

[03:23:22] Is that right? because on Monday you generate something, you send it out, you want to hear back from us Tuesday, but then Tuesday evening, as we're doing tonight, we will talk about it. Remember, that's a week prior, not the day before. That's a week prior. So the review of the futures list will always be at the meeting, which is what we're doing right now.

[03:23:43] And so if we want to add things or there's topics you want to discuss, we can pencil them in. Part of it is, for example, you may say, hey, can we do this at the next meeting? And we might say, sure, that we can do that.

[03:24:00] Or it might be, you know what, that's going to take a fair amount of staff work. We need extra time, so you need to push it two meetings down or three meetings down. Not that we won't do it, but it just depends on what it is that you're asking. And my final quick question, because I know others have questions, is on July 22, items not requiring a public hearing, I presume we will receive copies of the resolutions for review in advance in case there are any catches we might make.

[03:24:29] They're always in your packet when you get those on the Wednesday. You will, as I restate that, when you get what I'm calling the draft agenda to review a week prior, you're just going to have the list of items.

[03:24:47] When the agenda is posted, all the supporting documentation will be there. Right. Thank you. In this particular case, and it could be repetitive, if we have comments on those, it could be anything that goes up, but in this case, two resolutions.

[03:25:04] Are we going to be able to provide those comments prior to the time we get together? So let me add a comment to that. We always want – it is always staff's preference to know in advance where possible if you have questions, comments, requests for information related to agenda items before the meeting so that we can be prepared at the meeting to have a robust discussion.

[03:25:39] So if that answers your question, that's – it is much better for those to come in advance than to – we always try to – we do not want to sit here and say we can't answer that question. We'll have to get back to you especially if it's something that we could have answered by doing a little bit of work before the meeting so we do encourage questions we do encourage comments the one caveat I'd like to give the city managers on removing items from agendas if once you get the list there are certain items that are going to be on there because they've been advertised or they have to be there so if we push back that's the reason we're pushing back on those type of the

[03:26:12] Mandatory items. Yeah, thank you councilmember Hall. Thank you. Um, just a general Question I guess and I spoke about this with a councilman Peterson earlier Might there be an opportunity in some meeting every maybe the first of the month or something just to kind of highlight some of the open Boards and commissions that we have I know we talked before about like maybe putting that on a screen If we were transitioning from room to room But maybe we could just read some of the openings Just as a reminder, people that are watching that might not go to the website or something like along those lines.

[03:26:50] Yeah, we could do that. Either we could do that at the work session or the first regular meeting of the month. Okay, wherever people might think it might be most beneficial. It's another opportunity to remind people that we're looking for new faces. Thank you. Other questions or comments?

[03:27:07] Councilmember Hardy-Chandler? Just a quick comment. Thank you so much for trying to do what we asked you to do in terms of this process. I think we have multiple exposures in this process to upcoming information and to Council Members Hall example, an opportunity to suggest for upcoming things has always been available to us.

[03:27:38] And this is another way to offer opportunities to get things on future work sessions or agendas. So, we have exposure to the futures list, which we can contribute to, and we will have ahead of time, way ahead of time exposure to the main points that are going to be on upcoming agendas with opportunity for feedback, which has always been the case.

[03:28:05] So, I appreciate your attempt to reinforce those multiple opportunities to contribute, and it's on us, then, to give you the information. Other questions or comments on this?

[03:28:22] Okay, so on the 22nd, I've gone for next. So then council is on recess, and then you see we've got a few things lined up for September. So that's certainly in advance and, you know, fairly far in advance.

[03:28:42] Again, so like, for example, the September 2nd work session, that's what we expect to talk about. If there's other things you want to potentially add, you just need to let us know. On the 9th, there's a public hearing, so that's one of the ones that's time-bound with the process because that is a land-use application, so just letting you know that.

[03:29:06] And then, yes, there are a lot of blanks in the dates after that because we haven't projected that far out. But if you have certain things, I know we will be, for example, we'll be doing financial reviews, The CFO will be doing each quarter, so those will get added.

[03:29:27] So there will be some things, there will be more things to be added than what I would just sort of say, sort of our regular process that we do. They don't show up here on here yet, but they will show up as we get closer to those times. So the only other thing I would mention going back to the 22nd is it is not, I just want to, it's not listed here.

[03:29:52] We will likely need to have a closed meeting, and we'd like to do it before the meeting on the 22nd at 6 o'clock for a personnel matter. It has to do with a concurrence issue, but I don't know for certain that we'll be ready.

[03:30:10] But the expectations will be ready, and if there's no objection, if everything comes together, we will have that on the agenda for 6 o'clock. Council Member Peterson.

[03:30:26] And on that, it, from my standpoint, would be helpful if we do that to have background information in advance. Certainly, but it will be contingent and it will be, I say, last minute.

[03:30:43] It's whether we can get all the things squared away before that meeting. Got it. So general comment and then something specific. The general comment is, I don't know if there is a procedure for touching base with boards and commissions to see whether they believe there are action items that we should be considering.

[03:31:05] But to give you an example of one, for instance, that comes from the Environmental Sustainability Committee, at some point, and I think this fall is the operative time, there's an interest in council doing a work session and then possibly some consideration of a green revolving fund and that would be an example of something that would come out of a board and commission as a priority for our consideration so i'd like to raise that specifically i don't know uh their thoughts on timing around that but the general thing is just it if the boards and commissions are doing their

[03:31:41] job in terms of building a bridge between the public and the city council they should be able to offer us thoughts on things and we should just have a process by which we touch base with them um we we can i mean i think all of the boards and commissions have staff liaisons so we'll we'll task the staff folks to make sure that there if there's something that's coming up then that we're aware and can put this put it on there for your consideration council member maquillen

[03:32:13] i just uh wanted to point out that before we make any um decisions regarding the july 22nd and the ability to meet prior to our meeting that we are still missing council member amos so let's make sure

that we first consider if he's able to attend before we definitely lock in something on that time thank you excellent point about council member amos um other questions or comments at this time

[03:32:46] okay we're we're all good with this excellent so we will now go to manager report out so just one item and the mayor mentioned this earlier at the beginning of the meeting as you know our recently retired animal control officer terry carroll passed away and to say that he was beloved by uh certainly the community and his staff is probably an understatement i certainly can't speak

[03:33:21] to it personally because i didn't know terry um you know just with my short tenure here but i i did have a uh a really great conversation with him at his retirement several of you were there and then just hearing the stories um that people shared um it just was a very apparent of the the impact um that he had um during his tenure here so i know that our folks and police are and not just police certainly police because that's who he worked close with but also just others in the community certainly mourning his passing but I wanted to just let folks know the details of his services

[03:33:59] the visitation will be this coming Monday July the 14th from 6 to 8 p.m. and then the funeral will be Tuesday July 15th at 10 a.m. both of those are at the Pierce Funeral Home in Manassas which is on Center Street and so if you know Manassas it's right in the central part of town across the street from the All Saints Catholic Church so if you know where All Saints is Pierce is right across the street and so that's on Monday and Tuesday he's actually going to be buried here in the city cemetery and there'll be reception afterwards all that on Tuesday

[03:34:39] at fire station number three so just ask that you keep our folks that certainly worked with Terry, you know, in your thoughts and prayers as well as his family and friends, because this was, you know, we just had, you know, such a nice celebration, and then that was just literally such a short time ago, so I know it's hitting folks fairly hard, and so again, I didn't have the pleasure of getting to know him very well, but just my short interaction

[03:35:14] with them and then the um the comments and stuff at the at his reception certainly gave a great indication of of the impact that he had and the people's lives that he affected so i'm just wishing uh everyone well as they're dealing dealing with their grief and i did want to make sure that i shared those details with council thank you we'll start with council comments councilmember whole thank you um i just want to extend my condolences to terry um terry's family friends

[03:35:50] acquaintances all of the people that came across him unfortunately i was not able to be at his retirement uh ceremony and i won't be able to be there next week but i have very fond memories of him directing traffic um and helping out with the kids crossings at elementary school my kids are now going to be in ninth and eleventh grade so he's been around a long time here and he's helped me find many a dog or rescue a dog or take a dog home so um it's a huge loss for our community as well as his family and so i'm very very sorry about that um i do want to extend a huge thank you to our parks and rec department our police our fire our public works and every other employee

[03:36:29] and contractor and volunteer in the city for an unbelievable july 4th celebration it was amazing from the very minute it began to the minute that it ended um it was completely top-notch the fireworks were spectacular being back at the high school was great um the parade was spectacular everything was just it was perfect even to the weather so you know thank you mr foster for bringing that one in for us um it was it was just unbelievable and i i'm sure i'm missing a ton of people but thank you to everybody that was any small or large part of this it was really really

[03:37:02] unbelievable. I do also want to wish a happy birthday to our assistant superintendent, Dan Phillips, one of my absolute favorite people in the entire world. I wish you all the best on your day, and I hope you're not at home watching this, but I will make sure you know it. One thing I forgot to ask before when Mr. Summers was here was about a bridge or water sensors and high ground notifications as we're inspecting our bridges and things like that. I did see Montgomery County has a pilot program I think they're running on some of their bridges with the intention of obviously not having a disaster like Texas had but some sort of notification system that tracks

[03:37:41] where the water level is rather than our workers having to go out and look at each bridge and see you know the flood levels and things if there's any opportunity to consider water sensors I don't know I'm looking at you specifically but if that we could kind of look into that and see if there's an opportunity there. So I think that was all of my notes and thank you. Councilmember Hardy-Chandler. Well, I definitely want to build on the gratitude for the 4th of July experience. It was a blast. It was well run. I want to add to Councilmember Hall's list

[03:38:18] to acknowledge the Chamber of Commerce that hosted the opening reception. Certainly the independent state committee that did a lot of work and hosted the lunch as well as as mentioned parks and rec fire police volunteers even the parade participants the entrance and i also want to give a shout out to downrange they are such a wonderful band they were there for the fireworks but everyone contributed contributed to the kind of community experience and spirit that i think

[03:38:55] really makes us special as a city the second thing i want to highlight is just to give a little moment of thanks to certainly all of our wonderful staff but specifically to leslie who is going to be she's our human resources direct human services director and she is going to be speaking in my absence to the human services policy committee about the village in the city program and really all of the wonderful work that i repeatedly say that they're doing but sharing that

[03:39:32] with others across the region so thank you leslie for stepping in and for sharing that really vital information with that particular committee now i also want to give a nod to council member amos who isn't here but has spearheaded some opportunities for us to simply get to know each other as people I think that is truly important.

[03:39:52] I think that enriches what we do as council members just to understand each other a little bit better as human beings, and I hope that that continues, and I hope we continue to grow closer together, not only as a council, but as a group that's here to truly serve together.

[03:40:12] Thank you. Councilmember Peterson? Well, I think we owe a little bit of thanks on the 4th of July also to Mother Nature. for giving us such an incredible day, and it really was.

[03:40:27] The weather was just as good as it could have been, I think. Unfortunately, she came back at us tonight and knocked out a little bit of power with the storm, and I wanted to thank John O'Neill for a note he sent just a little while ago. Over in my neighborhood, a tree came down, took wires down.

[03:40:44] The whole neighborhood is out of power, and I know folks in that area, and many of them are without power, are not able to watch as normal. But if any of their friends are watching, you can pass on the news from Fire Chief O'Neill that the power is expected to be back on at about 1 o'clock tonight.

[03:41:07] So we'll cross our fingers and hope that's the case. And obviously this is part of the new normal we live in now with all these extreme events that take place. A couple of other quick things. I wanted to do

a quick report back from a note that I raised earlier about the bus rapid transit issue and an action plan that has been under development, one of the action plans under development by the Northern Virginia Transportation Authority and the policy committee that I'm a part of took a vote on that.

[03:41:39] It approved the action plan but amended it to put the conclusions and recommendations in draft because of concerns that virtually all of the members of the committee had about a combination of technical issues and other public policy and perspective issues that deserve further consideration.

[03:41:59] So more to come on that. But again, the action plan as a framework was approved, but the conclusions and recommendations were put into a draft format for further development and consideration. I also wanted to pass on that while this is not a city of Fairfax issue per se, it does affect residents.

[03:42:19] The Transportation Planning Board has been involved in the I-495 Southside Express Lane proposal and has been soliciting public comments and holding a series of public hearings. So for residents who use the Beltway and are concerned about that, there have been a number of hearings to invite public comment.

[03:42:40] And many of them have come to me. So I just wanted to let folks kind of know what that is looking and feeling like. The official comments that have come in on that proposal to put express lanes in, according to TPB, have run about, I think the official count was 35 in favor and 7 against.

[03:43:00] But the personal emails sent to me and other members on the committee have been different. I got about 80 in opposition. I guess the point to take away from this is your personal contacts with all of the members of these committees are really very important because we relay them back to the parent organizations that also do things collectively, and the combination of that tells a different story than just one piece of that information alone.

[03:43:29] So please continue to reach out and know that all of us who do this will be making sure that information is relayed back to others. Also wanted to follow up on Council Member Hall's suggestion about us letting folks know where we have board and commission and committee openings.

[03:43:49] And I understand we have two openings now with the Environmental Sustainability Committee, and I'm guessing those will be posted if they have not already been posted. Is that right? So the vacancy shows on the city website for serving under boards and commissions, and then in the August city scene, they'll be advertised in there as well.

[03:44:09] okay and for folks who haven't yet gone to that website i'm guessing it's easy to find but you have any quick guidance on how to get there well i know we're in transition of a new website i don't know the exact date i know sometime this month but i know if you go under the government tab under city clerk i'm gonna try to do this visually in my head if you go into the city clerk side uh there is a subsection for city like boards and commissions if you click on there it'll take you you to the city website page that shows all the different boards and their information roster and it'll show different vacancies as well and there's a red button that says apply that you'll have to

[03:44:45] hit to do an application thank you and then my final note is just appreciate everybody here providing additional time for us to consider the the gun issue that will will come up later and and to just acknowledge and for all who are watching that i received as i think everybody did quite a few emails i think my last count was about 200 and i wanted to acknowledge that you know those are important i have

received them and i recognize this is a complex issue and it's going to take some study and so i certainly will be looking forward to using the available time to

[03:45:23] gather and share and discuss meaningful information to help us make the best decisions we can here in the city thank you councilmember Bates I just want to echo councilmember Hall's comments about the 4th of July festivities thank you to all our staff for all their hard work and also want to express my deepest condolences for the loss of Terry Carroll to the department and and his family in the community I'd only ever met him once at his retirement party but I you know have family and

[03:46:01] close friend of the family who have interacted with him and even worked with him as a volunteer. And I know that he was a very, very compassionate and dedicated public servant. And I know that he'll be missed dearly and was really a big part of the department in the community. Thank you.

[03:46:27] Council Member McQuillan. Yes, thank you. I would like to take a moment to thank all the residents who have reached out regarding the Pickett Road Connector Trail and the gun ordinance. As Council Member Peterson has mentioned, we did receive a lot of email and outreach from the public, so we appreciate you taking the time to speak up.

[03:46:53] I would also like to express my appreciation to the city staff, Parks and Recreation, Old Town Business Association, Fairfax Central Chamber of Commerce, all the volunteers and everyone who helped make our Independence Day celebration a success.

[03:47:10] It's just a phenomenal event. I look forward to it every year. It's a strong reflection of the pride and the unity we have here in our community. I also want to acknowledge and recognize the recent passing of Officer Carroll. In addition to being a dedicated animal control officer, he also served as a crossing guard and was my family's favorite crossing guard.

[03:47:34] My children, I always looked forward to his big smile, and every morning he was very friendly, and we will miss him a lot. So thank you. All right. Thank all of you. I would just like to address the information that was given to us this evening on a referendum that took place in 2014 on four-year terms. And it's interesting because it was brought forward by a resident who spent two and a half years telling us that we shouldn't pay any attention to the votes and the input over the last 10 years on the George Snyder Trail. While it's interesting that we did in fact have a vote on four-year terms over a decade ago,

[03:48:13] The fact of the matter is, the 15,000 voters who live in Fairfax City in 2025, this is not necessarily impactful. I will again point out that a supermajority of cities in the Commonwealth of Virginia, that's 35 out of 38, have staggered four-year terms.

[03:48:34] So do many towns. Whether this city does or does not want that, if it is not the will of this body to address that, then it's not the will of the body to address that. But I will continue to say that there is a reason that so many jurisdictions in the Commonwealth of Virginia have opted for this.

[03:48:54] And I do believe that the citizens of this city should have a say in it. And if not a say in it, then it should be addressed by this council. But that is for the majority of this council to decide. I also want to thank Parks and Recreation for the wonderful Fourth of July celebration.

[03:49:14] It is so sad about Officer Carroll. I was at his retirement. But I would also just like to close this meeting by saying every single day we run into people and we do not know their struggles. That's our neighbors.

[03:49:30] That's people we work with who have family members that are struggling with terminal illnesses. We don't know the burdens that other people carry until we hear of someone passing away. But every day we run into people whose family members are struggling.

[03:49:49] And I hope that we all are very kind and we have open and kind ears to hear when people want to share with us the struggles that they're having. And so with that, I'm going to adjourn this meeting and take us into a closed meeting at this time.



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