



MACHINE TRANSCRIPT • CORAGGIO CONSULTING

City of Fairfax City Council Meeting, Tuesday, November 18, 2025

Date Tuesday, November 18, 2025
Place City Hall, City of Fairfax, Virginia
Length 4h 23m (video)

- Official meeting video (city, Granicus): https://fairfax.granicus.com/MediaPlayer.php?view_id=13&clip_id=4400
- Agenda: https://fairfax.granicus.com/AgendaViewer.php?view_id=13&clip_id=4400
- Minutes: https://fairfax.granicus.com/MinutesViewer.php?view_id=13&clip_id=4400&doc_id=b6b22fbe-c55d-11f0-a7da-005056a89546

Machine transcript (speech-to-text) produced by Coraggio Consulting. Not an official county record. Names and numbers may be misspelled; check the video at the timestamp before quoting.

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.

[00:00:07] good evening i'm going to read a motion to conclude the closed meeting we had before the regular meeting at 6 55 p.m the city council concluded its closed meeting to discuss personnel matters i move that each of us certify that the best of each council member's knowledge one only public business matters lawfully exempted from the open meeting requirements in the virginia freedom virginia freedom of information act and two only public business matters identified in the motion convening the closed meeting were heard discussed or considered all council members in in favor of the certification motion please signify by voting aye aye those opposed the motion please vote nay the motion passes unanimously so i would like to call the regular

[00:00:46] meeting of november 18th 2025 to order thanks everyone for being here tonight and if you are able and so choose please rise and join us for the pledge of allegiance flag of the united states of America, to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all. I will now ask that the Fairfax City Economic Development Office and all

[00:01:21] interested parties, including the chamber, come down for our Fairfax City Holiday Small Business

[00:01:26] Month proclamation. The government of the city of Fairfax, Virginia, celebrates our local small

[00:02:04] businesses and the vital contributions they make to our economy and community. And whereas, according to the U.S. Small Business Administration's 2024 small business profile, there are approximately 34.8 million small businesses in the United States, representing 99.7 percent of all firms with paid employees, employing 45.9 percent of the nation's private sector workforce, and accounting for 61.1 percent of net new jobs created since 1995. And whereas studies show that

[00:02:38] roughly two-thirds of every dollar spent at a small business stays in the local economy supporting other local jobs and services. And whereas Fairfax City's small businesses ranging from boutiques and salons to restaurants, specialty shops, and professional services embody the entrepreneurial spirit and creativity of our residents, contributing to the city's vitality and unique character. And whereas Fairfax City Economic Development, the Central Fairfax Chamber of Commerce, and the Old Fairfax Business Association remain dedicated to strengthening our small business community and have partnered to present Fairfax City Holiday Small Business Month, a celebration

[00:03:18] encouraging residents and visitors to shop, dine, and experience all that Fairfax City small businesses have to offer. And whereas Fairfax City Holiday Small Business Month, taking place November 28th through December 22nd, 2025, invites the community to discover, support, and celebrate the many unique small businesses that make Fairfax City a vibrant destination. Now, therefore, I, Catherine Reed, Mayor of the City of Fairfax, do hereby proclaim November 28th through December 22nd, 2025, as Fairfax City Holiday Small Business Month, and encourage all residents and visitors to support

[00:03:58] local merchants, service providers, and entrepreneurs by shopping small, dining local, and celebrating the season with Fairfax City small businesses, investing directly in the vitality and prosperity of our community. And with that, take it away. I mean, you've already said so much.

[00:04:18] You've said it all. But I will echo the sentiments of the proclamation by saying that Fairfax City is very lucky to be the home base for many amazing small businesses. I fell in love with this city because of its small businesses. I'm proud to work for it because of its small businesses. This iteration of small business month is new this year. It'll be a month long.

[00:04:42] We're including restaurants, retailers, you can get spa services, so many things by participating this month. And it all kicks off with a buy one, get one, a 40% bonus card offer through economic development that will give you forty dollars for every 100 you spend and that's just more dollars that you can use to spend here locally with our retailers right now we have over 55 participating businesses so you can really give the gift of anything in Fairfax City visit shop ffx city to find the specials that businesses are offering all month long and we

[00:05:20] hope to see you there let's spread the holiday cheer by giving the gift of something local wonderful we're going to do a photo but I would like to say that ice cream is something you can eat 365 days a year and Woody's ice cream particularly is probably like the most special

[00:05:37] ice cream just putting that out there I will now ask Jamie Ergus our housing program manager mark light the chair of the housing and healthy communities advisory board and Amini Bonani to

[00:06:15] please come down for this next proclamation. Okay. Whereas for over 25 years, the National Coalition for the Homeless and National Student Campaign Against Hunger and Homelessness have sponsored National Hunger and Homelessness Awareness Week. And whereas the purpose of the

proclamation is to educate the public about the many reasons people experience hunger and homelessness and to encourage

[00:06:53] support for homeless assistance service providers, as well as community service opportunities for students and school service organizations. And whereas we continue to educate the public about the many contributing factors to pervasive hunger and homelessness in our own city and across the nation, acknowledging the importance of creating and preserving housing that residents can afford, as well as ensuring access to living wage jobs, reliable transportation, affordable child care, comprehensive health and mental health care, treatment for substance use disorders, and resources to overcome language barriers, and further recognizing the need to address the

[00:07:31] systemic and structural causes that perpetuate inequities and contribute to housing instability and poverty. And whereas there are many organizations committed to providing shelter, supportive services, meals, and essential supplies to individuals and families experiencing food insecurity and homelessness, including a place to stand, bright paths, facets, food for others, Food Justice DMV, NAACP Housing Committee, Pathway Homes, Salvation Army, Shelter House, the Lamb Center, and Wesley Housing.

[00:08:06] And whereas we are fortunate to have a network of nonprofits, government agencies, faith communities, and volunteer networks that work within our city to provide necessary services addressing hunger and homelessness for people of all ages and in many different circumstances.

[00:08:23] And whereas the City of Fairfax created a homelessness task force in 2023 to study the root causes of homelessness and to make recommendations to the City Council on how to address them, including the addition of staff capacity to address affordable housing and homelessness, as well as the establishment in July 2024 of the Housing and Healthy Communities Advisory Board, which we call HCAB.

[00:08:47] This permanent advisory board brings together both residents and professionals who are currently working within the city, providing services, programs, and housing to our community. They will be helping the council and staff to develop strategies, policies, practices, services, and budget allocations to support a healthy and thriving community for all who live and work here.

[00:09:09] Now, therefore, I, Catherine S. Reed, Mayor of the City of Fairfax, do hereby proclaim November 16-22, 2025, is National Hunger and Homelessness Awareness Week in the City of Fairfax, and encourage all of us to think about the ways in which we can contribute to the health of our community through volunteerism, outreach, and direct services.

[00:09:30] Too many around us are without adequate food, safe shelter, affordable housing, or the services they need to live their best lives. Let us commit to being the change we want to see. And with that, I will ask Amini Bonani to say a few words. There we go.

[00:09:50] Thank you, Mayor Reed, members of council, and our community partners for recognizing Hunger and Homelessness Awareness Week here in the city of Fairfax. As chair of the Homelessness Task Force, we're so honored to accept this proclamation for the third year in a row. It demonstrates that in Fairfax City, addressing hunger and homelessness isn't a moment.

[00:10:07] It's an ongoing commitment. Our affordable housing strategic plan reminds us why this work matters. Nearly half of renters in the city, including myself, and 20% of homeowners struggle to afford

housing. Essential workers earning under \$52,000 a year often cannot afford to live in the same community that they serve.

[00:10:26] 16% of renters expect that they may have to leave Fairfax within the next three years because of rising housing costs. When housing becomes unstable, hunger and homelessness rise with it. Nevertheless, we're making real progress. Just two weeks ago, the city broke ground on our first ever permanent supportive housing project, taking a transformational step towards long-term solutions.

[00:10:50] Awareness Week reminds us that behind every statistic is a neighbor, a senior choosing between groceries and medication, a student couch surfing to stay in school, or a family just one emergency away from losing their home. Our path forward is clear.

[00:11:07] The city's Affordable Housing Strategic Plan gives us real solutions that include preserving existing affordable housing, leveraging public land, strengthening tenant protections, and expanding community services. So today is more than just recognition. It's a call to action.

[00:11:23] A reminder that in Fairfax City, we take care of one another. So together, we can build a community where every resident has a safe, stable place to call home. Thank you. Thank you. I'm Mark Light.

[00:11:42] I'm currently the chair of the Housing and Healthy Communities Advisory Board. Susan LaCroix is the vice chair who's back here joining us tonight. I want to give you some data points because I think that the HCAB, as the mayor said, is the term that we go by, is very pleased to be able to be a part of this resolution.

[00:12:02] But I want to give you some data points because I think they're very important. There's a PIC count, which is a point-in-time count that's done every January. And for 2025, we are a part of the Fairfax County system, and there were 1,322 people that were homeless on January the 18th of 2025.

[00:12:23] 72 of those did not have a shelter in January. A very important thing that I found, though, is that overall 31% of that 1,322 are under the age of 18. Okay, 17% are over the age of 55.

[00:12:41] So almost half of the people that are homeless in that count last time are under 18 and over 55. And it's about split 50-50 between men and women. There's also often a perception that men are homeless more than women, but it's pretty even, so 46% to 54%.

[00:13:03] And 28% of the people that were homeless have jobs. Every day they go to a job, and yet they're homeless. And 50% of the people have income, but they just don't have an income to get housing.

[00:13:20] When we think about the homeless, we often think of what we see day in and day out. But one of the things that the school system does is track the homeless. And in school year 24-25, there were 1,806 students that experienced homelessness at some time during the year.

[00:13:39] That's a significant number. When we broke it down and we know that three schools that are located in Fairfax City, there were 61 students that experienced homelessness during that same time period. So this is real and this is here in our community.

[00:13:57] And then we think about hunger. And right now, in this current, or excuse me, last school year, there are 1,822 students in the four Fairfax City schools. There were either on free lunch or reduced-price lunches, and often that includes breakfast because there is that hunger issue out there.

[00:14:21] And Fairfax City has many, many partnerships. The mayor read a long list of organizations that are participating, and it's really about the partnerships, and it's about a system. And the city is doing everything that we can to see how we can reduce those numbers, how can we reduce hunger, How can we provide those services with the nonprofits, with the governmental agencies, public safety agencies, the county and the state?

[00:14:48] And so I think that we are working on a number of different projects and we'll be bringing those to city council very, very soon for review and discussion. So thank you for the proclamation. Foto.

[00:15:07] So our final proclamation, I'm going to ask that Old Glory DC team come on down.

[00:15:37] Come on down. do it do it all right come on everybody team old glory get used to hearing that because you're going to be hearing a lot more of that and i'm about to tell you why i'm about to tell you why here's the story whereas we come together to celebrate national rugby day november 25th as a tribute to the world's most dynamic and one of one of the world's most dynamic and inspiring sports honoring its legacy of teamwork respect and camaraderie and whereas rugby's origins

[00:16:15] trace back to 1823 at rugby school in England, where a young student, William Webb Ellis, famously defied convention by picking up the ball and running with it, an act that sparked the birth of a global sport. And whereas the first official rules of rugby were written in 1845, followed by the formation of the Rugby Football Union, the RFU, in 1871, setting the stage for rugby's rapid growth and expansion throughout the world. And whereas rugby's enduring spirit is reflected both on and off the field, where fierce competition gives way to mutual respect and friendship,

[00:16:52] exemplifying the true meaning of sportsmanship. And whereas National Rugby Day offers an opportunity to celebrate the sport's history, encourage participation, and recognize the sense of unity it fosters within communities worldwide. And whereas Old Glory DC, founded in 2018, is the first professional rugby team based in the Washington metropolitan area and has proudly competed in Major League Rugby since 2019. And whereas beginning with the 2026 Major League Rugby season, Old Glory D.C. will play all home matches at George Mason University in Fairfax,

[00:17:29] Virginia, marking an exciting new chapter for both the team and the community. And whereas Old Glory D.C. will partner with the city of Fairfax, its governments, residents, schools, retailers, and restaurants to share the benefits of professional rugby in the spirit of its fans throughout the area.

[00:17:47] Now, therefore, I, Catherine S. Reed, Mayor of the City of Fairfax, do hereby proclaim November 25th, 2025, as National Rugby Day in the City of Fairfax, and encourage the community to welcome the team and to embrace the spirit of rugby by celebrating values of teamwork, respect, and community, and the community that rugby represents.

[00:18:08] I will now turn it over to you. Good evening everyone. As someone who grew up just a couple miles south of here, has been around rugby for over 20 years, it really means a lot to me to bring old glory to this city. And we've been very excited and humbled by the immediate support that we've gotten from the city, its businesses, its elected officials.

[00:18:31] And we're very much looking forward to and excited for this upcoming season at George Mason. and we can't wait to celebrate this season with you by marching in the july 4th parade with the

[00:18:42] championship trophy so cheers all right at this time we will address actions out of the closed

[00:19:36] meeting is there a motion to approve the new city manager council member hardy chandler i move to appoint daniel c alexander as city manager of the city of fairfax effective as of january 5th 2026 on the terms and conditions discussed in closed meeting i further move that the city attorney be authorized to finalize an employment agreement with mr alexander incorporating the agreed upon terms and conditions and that the mayor be and hereby is authorized to execute the final employment agreement on behalf of the city is there a second second the motion has made

[00:20:14] and seconded a roll call vote council member amos aye council member hall aye council member hardy Chandler. Aye. Councilmember Peterson. Aye. Councilmember Bates. Aye. Councilmember McClellan. Aye. Motion passed unanimously. I would now like to invite our new city manager, Mr. Daniel Alexander, to the microphone to say a few words of greeting to his new city. Thank you very much, Mayor and Council. Humbly thankful for this opportunity. Look forward to advancing your vision as a council and your agenda for the city of Fairfax. To our community, I commit to being engaged

[00:20:48] and accessible listening and learning as we go and to our workforce i've already seen how dedicated and professional staff we have here so i look forward to supporting them and the work that they do every day thank you again for this great opportunity to serve look forward to working with all of you thank you very much thank you so much wait right there because we are going to get a a photo. Council members?

[00:21:59] All right. We will move on to the adoption of the agenda. Is there a motion to approve the agenda. Council Member Hart Chandler. I move to adopt the agenda as presented. Is there a second?

[00:22:29] Second. Motion's been made and seconded. A roll call vote. Council Member Amos. Aye. 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 will now go on to initial general public comment. I have four speakers who signed up by five o'clock p.m. today and I will

[00:22:54] call the first one up which will be kelly o'brien kelly o'brien 10213 sagar avenue good evening mayor reading council and city staff i am speaking tonight as a resident and parent and someone deeply invested in the long-term well-being of our community i want to express my strong support for moving forward with the willard sherwood health and community center this project is not simply a building it's an investment in our people our families our youth our seniors and

[00:23:32] our most vulnerable neighbors this project represents thoughtful community center planning a place where health, wellness, education, and a gathering space all intersect. It's a place where children can access after-school support, seniors can stay active, and families can connect with services that they need close to home.

[00:23:51] Projects like this don't just improve quality of life. They strengthen the social fabric that makes Fairfax City special. These are forward-looking investments that support equity, resilience, and community well-being. And the work to date, the studies, the site analysis, the partnership with Fairfax County, is grounded, responsible, and responsive to the needs that residents have voiced for years.

[00:24:15] I urge you to keep this project moving. I also want to share my concerns about discussions about allocating up to \$400,000 to study separating our schools from Fairfax County Public Schools. I

absolutely understand the desire for local control and the frustrations our communities be experienced with rising costs.

[00:24:34] But spending upwards of \$400,000 on a study right now feels premature and honestly not responsible. This isn't just a take-a-look study. This is opening the door to something enormous without a clear sense of whether it's legally possible, financially realistic, or even likely to improve anything for the kids currently in our schools.

[00:24:53] We haven't used all the tools that we have in our current partnership, and we haven't fully explored what accountability and advocacy can look like before jumping to a study that could lead nowhere and take resources away from things we know will help our community now. With capital costs rising, real infrastructure needs, and residents already feeling the pressure of taxes and inflation, we have to be smart about where we put our dollars.

[00:25:14] The Willard-Sherwood project is a clear, immediate investment in health, safety, and community. School separation study is not. This is about priorities, and for me, the priority should be projects that directly benefit residents and families and not speculative studies with uncertain outcomes.

[00:25:32] I respectfully ask council to keep moving forward with the Willard-Sherwood Health Center and hold off on the school separation study until we've exhausted all of our options and have a clearer understanding of what problem we're actually trying to solve. Thank you. Our next speaker is Michael DeMarco.

[00:25:47] Good evening, Mayor Reed, council, and staff. My name is Michael DeMarco, 10212 Scout Drive, Fairfax. I'd like to share a brief, realistic picture of what a typical day at the new Willard Sherwood Center could look like. In the morning, a young mother arrives with her baby for routine immunization and a nutrition consultation. She used to visit the old Joseph Willard Health Center, a 75-year-old outdated building with aging equipment.

[00:26:26] At the new center, she meets with a nurse, gets updated guidance on her child's nutrition, and leaves relieved that her family has access to modern public health so close to home. Another mother drops off her son at the little school, preschool based at Sherwood.

[00:26:42] The center now provides a dedicated and secure playground, meaning more outdoor time and a safer environment for the children who already rely on the program. Later that morning, a small group of the city's 1,500 active adult seniors arrives for their usual programs, the same people who have been gathering for years at the aging and unhealthy Green Acres building.

[00:27:08] Some come for exercise classes, others for activities, and many simply to see familiar faces. What's different now is the space, accessible rooms, safe floors, brighter lighting, and updated bathrooms that finally now include a family restroom facility that would allow caregivers to assist members. And with a gym on site, the ever-loved indoor pickleball can move there, freeing up Sherwood for more appropriate activities. Because the senior programs are part of a larger campus,

[00:27:44] it's easier now for older adults to stay after class and attend a health talk, a caregiving session or city services workshop, all without leaving the building. As the day winds down, Sherwood comes alive as a non-profit hosts an evening Medicare seminar. A teen robotics club meets in the multipurpose room, and the City of Fairfax Band performs a community concert in the main hall. None of this is flashy or

dramatic. It's simply the city's everyday life made easier, healthier, and more connected by having the right facility in the right place.

[00:28:21] Nothing in this picture is imaginary. These are the people who already rely on these spaces. All this project does is give them a modern, accessible, and efficient place to continue what they already do with dignity, with safety, and with better support. This is the real impact of the Willard Sherwood Center. Not extravagance, just an investment in the community for years to come that makes everyday life better for thousands of our neighbors. Thank you.

[00:28:49] our next speaker is doug cox oh good evening doug cox fairy drive fairfax virginia on the clock yeah i didn't know people were talking willard sherwood but i'll just say next time you guys want to do a 55 56 million dollar project maybe bring it to the voters for referendum or something like that because you got two in the pipeline with the fire station and willard sherwood that said

[00:29:24] long ago i was looking at bicycling in the city what the official policy is and man as i start going down that rabbit hole, I'm just absolutely bewildered by the number of plans that we have in this city. Most of these weren't around 15 years ago, which is probably why my taxes were a lot lower 15 years ago. Not sure why we have these, but let's run through some. Comprehensive plan, that's been around forever. Citywide safety action plan, pedestrian master plan, Old Town Fairfax circulation study, bicycle transportation plan, multimodal transportation plan, Old Town Fairfax

[00:30:00] small area plan north facts camp washington fairfax circle small area plans parks and recreation master plan a couple parks van dyke westmoreland pat rodeo master plans q transit development plan green building policy climate energy action plan electric vehicle readiness plan there's another 110k we won't give back urban forest master plan probably ignore all the trees we've been cutting down lately um comprehensive improvement plan solid waste management plan. It just goes on and on and on and on. And if you were to look to see what's the

[00:30:38] bicycle plan, you tell me where I'm looking. Multimodal, small area plans, bicycle plan. It's all over the place. Comprehensive plan. How about streamlining? Start consolidating these things because every plan comes with someone who's the subject matter expert, someone who's updating it, someone who's tracking it, someone who's probably putting in a budget proposal so they and get money for whatever the heck's in these plans let's start reducing bring the taxes down if you want to be friendly to small business get rid of the meals tax for gosh sake that was

[00:31:14] supposed to be temporary and you expended it to what 2040 or something like that stop with the lip service and actually do something about it and the kick in the tail about these plans as we just saw this past month comprehensive plan a few of you sitting up there we're on board calling it a lost opportunity for what was being proposed down at the Safeway Shopping Center. 315 units. Look, it wasn't on 8.75 acres of land. That's the whole thing. It was in a little corner of it. The

[00:31:45] building area, 3.85 acres of land. 315 units. That's almost 82 units per acre. And three of you were like, man, I can't believe we missed that opportunity when it wasn't supposed to be win 24 units per acre per the comprehensive plan either follow the plans or get rid of them our next speaker is judy frazier hi good evening council and mayor i'm not speaking about the

[00:32:22] george snyder trail tonight i have a request of you that as you go into budget season and making the remaining financial decisions of your terms is that you think about what we need to have versus what

is nice to have it's critical that you put that lens on and be very very critical about your decisions in that regard i have a story of a three-part story sort of a budget christmas story i guess past present future um kind of quotidian but um maybe it will make sense to you the brick

[00:33:01] sidewalks we have in this city sidewalks weren't always brick they used to be concrete somebody had a nice idea about turning them into brick it would be prettier 30 or so years ago that was all the rage we went whole hog we bricked up the whole old town and we have been paying for that brick ever since if you are aware we are constantly replacing repairing that brick sidewalk that was a very nice decision at the time won't it be pretty but we have been paying for those bricks over and over again not to say the concrete wouldn't need repairs but you know what i mean

[00:33:41] when you drive through and see a whole block of north street torn up this morning present day landscaping out front city hall you've heard it spoken about before that was supposed to be a very small landscape refresh and some repair to railing some spalling concrete it turned into a massive more than one half million dollar project nice to have but do we need it no it's a very

[00:34:14] expensive project and we our staff is ill-equipped to take care of a thousand plus native plants and it's not to say that they're they it's not on staff i don't mean to say that we need to equip them to take care of this project they are good people work hard every day but they can't just be toss these new projects and expect there's no instruction book on taking care of native plants that they have in their hands. They need the training, they need the time, they need the support to make that project work. Future Project George Snyder Trail, I'm talking about it, started as a

[00:34:51] \$250,000 natural trail, a woodland trail, \$250,000 scoped out when it was first created. It is now \$25 million of infrastructure. That is 100 times what the city initially committed to paying for that project.

[00:35:10] That's like, if you get 100,000 people on there, that's still \$250 per person. It's ridiculous. So please consider need to have versus nice to have. Thank you. That was our last speaker. Okie dokie.

[00:35:29] We'll go and move on to the consent agenda. Is there a motion to approve the consent agenda, Councilmember Hardy Chandler? I move adoption of a consent agenda for agenda item number 6A, consideration of the October 23rd, 2025 special meeting minutes. Agenda item number 6B, consideration of the October 28th, 2025 special meeting minutes.

[00:35:50] Agenda item number 6C, consideration of the October 28th, 2025 regular meeting minutes. Agenda item number 6D, consideration of the November 4th, 2025 special meeting minutes. Agenda item number 6E, consideration of updates to the FY 2027 financial policies and city budget guidelines.

[00:36:12] Agenda item number 6F, consideration of a resolution to approve the city's submission to the Northern Virginia Transportation Authority for \$1 million in FY 27 through 32 regional surface transportation program, RSTP funding.

[00:36:27] Agenda item number 6G, consideration of a reappropriation resolution related to school CIP projects for Providence Elementary School, ES, vestibule and electrical program build out at Fairfax High School.

[00:36:45] In addition, approval for a 0.5 FTE addition to the school's superintendent position. I move to approve the Consent Agenda Items No. 6A through G and the motion accompanying the Consent Agenda Item as printed. Is there a second? There's a second.

[00:37:02] However, I am going to ask for one item to be pulled out. All right. And which item? E. E. 6E. The motion's been made by Council Member Hardy-Chandler and seconded by Council Member Peterson. Item 6E will be removed for discussion.

[00:37:20] A roll call vote on the agenda minus Agenda Item 6E. Council Member McQuillan? Aye. Council Member Bates? Aye. Council Member Peterson? Aye. Council Member Hardy-Chandler? Aye. Council Member Hall?

[00:37:35] Aye. Council Member Amos? Aye. Motion passed unanimously. So we'll go to 6E, which is a consideration of updates to the FY 2027 financial policies and council budget guidelines. I'm going to recognize J.C. Martinez, the chief financial officer for the staff report. Good afternoon, Mayor and Council. As reviewed and discussed at the October 28th City Council work session, the City Council initially enacted a comprehensive set of financial policies in April of 2000 to establish a policy framework for fiscal decision-making and strengthening the city's financial management.

[00:38:09] These policies are reviewed annually as part of the upcoming fiscal year's budget development process. On the staff report, we have proposed changes that are highlighted, deletions are shown with strikethroughs, and additions are double underlined. Additionally, staff were requesting direction with the FY27 budget through a series of suggested budget guidelines.

[00:38:32] There was also more discussion about this and other items during our budget retreat. Was it last Friday, last Saturday, maybe two Saturdays ago? Happy to answer any questions. Councilmember Peterson. I'm a little hoarse, forgive me. Just one question that came from the budget retreat, which has to do with the debt ceiling, which I believe is currently nine and the proposal is to expand that to 14. Is that correct?

[00:39:01] That is correct. Our current annual debt service to expenditures is currently limited at 9%. We were requesting an increase up to 14% of those annual expenditures. The reason I ask is as I recall from the presentation the now possibility of a one-cent sales tax to support school construction reduces the amount of debt that the city potentially would be facing and need to create a ceiling for. And as I, I don't have the graph in front of me, but as I recollect, it looked

[00:39:40] like a 14% ceiling was not necessary under the scenario that a one-cent sales tax would be passed for schools. I may have been misreading that, but I'd be interested in getting some clarification on that sure so you're referring to a graph that was displayed at the budget retreat as a potential scenario to your point making the assumption that the 1% sales tax specifically associated for school site Pete CIP passes there may not be a need to raise it all the way up to 14th I think when I showed that graph I

[00:40:18] showed our current debt expenditures I think I called it the CIP sandwich and And that graph was actually just the two buns, not to the meat in the middle, the schools. And that would show our current associated debt that we currently have in all proposed, not appropriated or approved by council yet, but all proposed CIP for the next five years, and we would be at or slightly below that 14% threshold.

[00:40:45] Clarify, that would be without the school construction? Correct. Associated to the two elementary schools and the high school roof. Again, that is an assumption that has not been realized, but yes. So if that is financed through the sales tax, we still would need the 14% ceiling to accommodate the remaining CIP projects?

[00:41:10] Potentially, that would be the upper limit. And then additionally, as I noted at the budget retreat and I think at other work sessions and council meetings, currently our 9% debt amount is extremely conservative. I think I shared with council previously anything below 15% is still considered conservative.

[00:41:32] Our financial consultants at Davenport have also stated that in my discussions with the rating agencies, S&P and Moody's, they have also noted that anything below 15% is a very conservative percentage for a triple, a double, triple rated, I'm sorry, a double, yeah, triple A rated locality as we are.

[00:41:54] My concern would be that if I understand it correctly, the capital stack, the capital project stack includes a number of decisions that have yet to be made in terms of whether or not the council would move forward with them. And it is one thing to create the fiscal space through a debt ceiling to enable that, but it's another thing to determine that it's either affordable or preferable in terms of public policy and budget to do that.

[00:42:21] And we haven't really gone through that process yet, and it's a very big capital stack, as I recall. So my question would be whether this is premature, whether we need to put the ceiling up now, or whether we should wait and get a little further down the pike before we determine how much of a debt ceiling increase we need.

[00:42:39] I would just be interested in some background on that. Sure. So it is ultimately up to council to make that decision. As I stated in the staff report, we review this on an annual basis. so we bring this to council about this time as per those guidelines when we make this suggestion or revision proposal this would be the first time in probably 20 10 to 15 years that that rate has increased as i also noted previously when the city became triple a rated by both moody's and snp in 2009 and 2010 respectively we were in excess of our current

[00:43:19] rate of nine percent as well and we still were able to get to those uh most coveted ratings by those uh by moody's and s p so this is a just proactive step that we would be wanting to take we have had these conversations with the rating agencies about a year ago this time and they said this was a policy again they also re-emphasized the conservative amount that we're currently at at nine percent and going up to potentially 15 which we're not uh is still considered very

[00:43:52] conservative for again a double triple a rated locality i guess i would just say that it at least from my standpoint i'd certainly be open to hearing what other members of the council say an increase in the debt ceiling should not be read as um an approval of or an intention to approve the capital improvement projects that would be enabled by that ceiling that's a that's

[00:44:25] a separate matter entirely i would say absolutely in the analogy i would give you is credit cards issue a maximum i would hope that people don't always max out their credit cards that would not be my intent with city funds as i'm sure it's not the intent of council either to maximize our credit limit or that potential again it is just in my mind prudent practice for us to go ahead and review and posture in the correct method.

[00:44:53] So if we do have to pull debt and the 1% sales tax option does not come through, then we are in the position to act accordingly. Council Member Bates? I think another analogy would be when we set the maximum tax rate, or will be earlier next year, that's likewise not a commitment to set that as our actual real estate property tax rate, but rather an upper limit.

[00:45:25] Other comments? Council Member Hall? Thank you. I shared a lot of the concerns that you had asked at the previous meeting. So thank you for answering them then and also for reminding us now. I do share concerns over increasing it. I do recognize that just because you say you can go up to 14% doesn't mean you're going to, but I do think that it's an example of a trend in a certain direction. And much like the maximum tax rate, I think people look at that and they freak out. And so I think when information

[00:46:00] is dispersed regarding decisions that might be made tonight. The narrative is very important as to why, the how, the expectation, and it's not just a blank check. So I understand that. I think all of us up here understand that too, but my hope is that people at home understand that as well.

[00:46:21] And I know we did have conversations about whether or not this was conservative, because it does feel like a big jump from 9 to 14. But as you indicated, Mr. Martinez, anything under 15 is considered very conservative and then on the flip side of it i don't have it right in front of me but the the other number that we raised also was very much within low conservative ranges if i recall the there was another percentage correct so you're discussing or mentioning the outstanding debt to assess valuation that recommendation according to what we're suggesting is increasing that from

[00:46:55] three to four percent which is still a conservative number according to the rating agencies as well okay thank you and I think if if I'm able to direct or make a request is that when we send out the notes from this meeting if we can include that little chart that you had provided before that talked about what was conservative and where we were within with regard to giving information so that it's a little bit more visually informative yeah we can add an attachment to this agenda item thank you very much any other council member mcquillan i agree

[00:47:32] with all of that and i think it's really important that we do include that information as we outreach to the community because i know that i i share with you that i had a lot of constituents who are very confused about the advertising tax rate versus the adopted so we want to make sure that we're very clear and concise regarding what we're doing and why we're doing it so thank you very much for going over that with us appreciate that any other discussion okay seeing none um council member hardy chandler do we have a motion i move to adopt the proposed edits to the financial policy

[00:48:07] and the suggested budget guidelines to be used in the in the preparation of the fiscal year 2027 budget is there a second second okay there has been a motion and a second can we have a roll call vote. Council Member McQuillan? Aye. Council Member Bates? Aye. Council Member Peterson? Aye.

[00:48:25] Council Member Hardy-Chandler? Aye. Council Member Hall? Aye. Council Member Amos? Aye. Motion passed unanimously. We'll go on to 7A, which is appointments to boards, commissions, and advisory committees. So it's just a consideration of appointments to boards and commissions and advisory committees. From the staff report, I'll just give the briefing that the City Council conducted interviews on November 13th for the city's boards and commission vacancies council held discussions during closed session regarding the appointments and reappointments to the boards

[00:48:54] and commissions it's my staff report is there any discussion on this motion okay questions no questions okay then is there is there a motion council member Hardy Chandler I move to appoint the following applicants.

[00:49:20] Board of Architecture, appoint James Feather as Planning Commission Representative, extending through January 31st. Commission for the Arts, reappoint Melissa Grove for a three-year term,

extending through December 10th. Environmental Sustainability Committee, reappoint Rusty Russell for a three-year term, extending through December 13th.

[00:49:41] Appoint M. Patrick Zook for a remainder of a three-year term, extending through January 28th, 2028. Fairfax Alcohol Safety Action Program Local Policy Board appoint Diane Lim for a three-year term extending through November 18th, 2028.

[00:49:58] Fairfax County History Commission reappoint David Meyer for a three-year term extending through December 31st, 2028. Fairfax Juvenile and Domestic Relations District Court Citizens Advisory Board reappoint Deborah DeFalco for a two-year term extending through January 14th, 2028.

[00:50:16] Grievance Board, pardon me? Oh, call it. Okay. Grievance panel board, Colin Ivory for the three-year term extending through November 18, 2028.

[00:50:35] History, Historic Fairfax City, Inc. reappoint William Page Johnson for three-year terms extending through December 31, 2030. Planning Commission reappoint Kristen Lockhart for a four-year term extending through December 21, 2029. Is there a second?

[00:50:52] Second. Motion's been made by Council Member Hardy-Chandler and seconded by Council Member Peterson. Is there any discussion on this motion? Seeing none, a roll call vote. Council Member McQuillan? Aye. Council Member Bates? Aye. Council Member Peterson? Aye. Council Member Hardy-Chandler?

[00:51:08] Aye. Council Member Hall? Aye. Council Member Amos? Aye. Motion passed unanimously. We will now go to public hearings. We have three public hearings tonight. Our first one is a public hearing and council action on a request from Zandra slash Great Eats Hospitality LLC applicant by Old Town Fairfax Ventures Joshua Alexander agent for consideration of a special use permit SUP pursuant to city code section 110-6.7 to allow a dancing and entertainment area in an existing restaurant on the premises identified as 3950 University Drive Suite 210

[00:51:47] and more particularly described as tax map 57-2-43-B2 - two zero - I'm going to recognize Savannah Newburn from the Berkeley Group's senior planner to provide staff presentation

[00:52:16] Evening Council and Savannah Newburn and I'll be presenting a special use permit this evening This application is for an entertainment area within an existing restaurant McKenzie's tunes and tonics the proposed entertainment area is approximately 80 square feet It's intended that customers will enjoy live music while seated and dining, and that it would typically occur on these nights, Wednesdays, Fridays, and Saturdays from 8 to 10 p.m.

[00:52:54] The subject property is in a commercial condo building that was constructed in 2007 at 3950 Fairfax Boulevard, and the property is zoned commercial retail.

[00:53:09] This is an overview of the floor plan. The arrow points to the proposed entertainment area within the existing restaurant, and the total floor area of the unit is 2,500 square feet.

[00:53:27] In the future land use plan, the site is designated as an activity center. This designation encourages mixed-use development, of which the commercial condo building is full of, and this use is not directly addressed, but certainly included with this place type in terms of consistency with the zoning ordinance staff recommends approval we find it consistent with the comprehensive plan compliant with all applicable requirements of the zoning ordinance not

[00:54:04] a detriment to the health or safety and having no negative impact on public welfare property and or improvements in the neighborhood so these are the conditions standard conditions that the staff recommends consistency with the application non-transferable special use permit and a requirement to obtain any and all necessary local state and federal permits as required that concludes my presentation and the applicant is

[00:54:35] here as well i will open the public hearing ms shinaberry has this public hearing been properly advertised yes it has okay does the applicant have a presentation they would like to share okay i will ask this i will ask the clerk to call speakers forward i had one person sign up prior to the meeting and I will call that speaker up, which is Kelly O'Brien. Good evening

[00:55:11] again, Kelly O'Brien, 10213 Sager Avenue. I'm here tonight to speak in strong support of the special use permit for McKenzie's. McKenzie's already shown that it's not just another business in Fairfax. It's part of the community of our part of our community fabric. Josh is engaged with their neighbors. He works closely with city staff, demonstrates a real commitment to the city and how to do things the right way. They've been transparent, responsive, made adjustments. This is exactly the kind of applicant and business that we want to support here in the city. I want to acknowledge also the reality of getting to this point for a lot of our small businesses, and I

[00:55:48] would like and encourage staff to look at ways to make this more of a regulatory thing and not go through this process and spend the dollars and come to meetings like this, spending time for council as well. Updating our zoning code would not only help remove barriers for exactly this kind of community-serving business, but also save time for council and staff. So I urge you to approve McKinsey's special use permit because they've earned it, because they're an asset to the community, but also hope this application serves as a reminder that we can make our code more efficient, more predictable, and more welcoming to future applicants like this. Thank you. Is

[00:56:23] there anybody else in the room that would like to speak on this agenda item? You can come forward. Ma'am, if you want to stand on the side, you can do that if you want to. Okay. I don't have notes.

[00:56:41] My name is Chef Nick. I've run a non-profit called the Colonel's Kitchen, and we use culinary arts and food business to assist our wounded warriors, disabled veterans, and disabled first responders. Why is that important? Josh has embraced our veteran and first responder community.

[00:57:00] He's opened up his restaurant, held a few fundraisers for our organization. I highly recommend approval of this, as it will also provide an opportunity for our veterans and first responders, especially those that were disabled or injured, to now experience something other than culinary arts now they could go into music and art which is both therapeutic for our veterans especially when they're getting over their injuries so i encourage you all looking at you all in the eyes

[00:57:36] to endorse this because i think it'll be best for the veterans and first responders but more importantly for the community that serves them thank you for your time next speaker can come forward good evening mayor council and staff my name is kate fogarty atkison 10 632 springman Drive. I'm a longtime, over 30-year resident of Fairfax. I also am a small business owner here in Fairfax. I'm a partner at Kearney, Freeman, Fogarty, and Joshi Law Firm. We occupy the fifth

[00:58:15] floor of 4085 Chainbridge Road. Who knows what's going to happen there within the next couple of years, but we're there for the duration at least. I am here to support Josh Alexander and Zandra's

application for a special use permit to add live music and a dance floor to his establishment, McKenzie's Tunes and Tonics. And I can tell you that I think it would be a great addition to this community, having lost a wonderful place to go and listen to live music and dance recently. I think that McKenzie's is an ideal spot to reactivate that part of our community, to add a space for

[00:58:51] our neighbors and friends to gather and enjoy our time together. And so I would also support Josh has always been a contributing member of the city of Fairfax for over 25 years and has shown his commitment to not only providing a fun venue, but also contributing to all aspects of city living here.

[00:59:11] I've been involved in many, many projects. So I certainly support Josh and McKenzie's as a small business here, as I think we should do for many others. I mean, who doesn't like to dance, right? I mean, it's a great spot. It's not going to bother any residents. There's plenty of parking, and so I think it would be a great addition to our space downtown here.

[00:59:31] So please approve that for the sake of all of our fun-loving citizens. And also thank you for the new playground at Pat Rodeo Park. It's a great space now. Thank you. Is there anybody else in the room that would like to speak on this agenda item?

[00:59:50] Good evening. I'll keep it very brief, but my name is Jenna Sands. I'm a Fairfax City resident at 3899 Rust Hill Place. I'm also a former city business owner. I'm also a current Fairfax County employee, and I spend 24 hours in the city of Fairfax every single day.

[01:00:10] I would tell you that Mr. Alexander's business is a vibrant part of our community. We are lucky to have it. I fully endorse and support his application, and I hope you do too. It is wonderful to see our business owners looking to grow and bring more to the city when they have the capacity and the interest.

[01:00:29] I hope that the board makes this process easier for other city business owners. and it makes this process seamless for josh thanks so much is there anybody else in the room that would like to speak i will close the public hearing council are there any questions of staff or the applicant council member peterson maybe a historical question and that is how does the level and the opportunity of dance and entertainment today compare historically to

[01:01:04] what it has been in old town or in the city in general would say that uh particularly from the the 70s and 80s, there were a number of establishments in Old Town, and that spread through the city.

[01:01:21] A lot of the motels had lobbies and restaurant bar areas that had this, and there were a number of restaurants along Fairfax Boulevard that also had dancing and entertainment. Off the top of my head right now, I can only think of three. It's PJ's, Skadoo's, Old Shabin, and Fire Station, three that have approvals.

[01:01:37] And is there any reason we wouldn't want to see and to encourage the growth in these kinds of establishments? I would say, you know, having went through a number of these reviews myself over the last two decades, it's rare that they're an issue where they are.

[01:01:57] It's usually related to fire occupancy of very large establishments and making sure they're following their operational plans. there have been issues in the past with very large very busy establishments that are acting more like theaters versus restaurants that just have this ancillary activity there are no issues from a fire policing zoning standpoint with this type of application any other questions council member hall thank you not specifically about this special abuse permit but if we could get a

[01:02:32] briefing at some point on what the process is why the process is lengthy and what could be done to help alleviate it i do understand this has taken a very long time i would never claim to know any of the specifics or logistics on it but i think information for us would be really helpful of course thank you any other comments or questions here of council member hardy chandler not a question but a quick comment i heard all of the comments about not only being a strong business but being a partner in the community i've witnessed that personally i've gone to city events and it's been sponsored or supported or attended or some kind of engagement by McKinsey's

[01:03:11] and so in addition to the words the actions are there I have no doubt that this request will not only contribute to your business but with a mind to the rippling effect to other business throughout the area so I appreciate not only this application but the intent behind it so thank you councilmember member McQuillan. I also want to look into how we can make this process much more efficient moving

[01:03:44] forward. Live music is an economic driver. It brings people into our city. It creates a lively and vibrant atmosphere. It's a place people want to visit and so I love these kind of these kind of special exceptions and requests and I am grateful to fully support this. Thank you.

[01:04:08] Okay, so before I ask for a motion, I will just say thanks to everyone who came out to support Mr. Alexander and McKenzie's tunes and tonics. You know, we have a lot of people who show up when there's something to be opposed to, and it's a testament to the community that he has created, that people have come out to be here today to say they want us to support it.

[01:04:33] I mean, that's the kind of community that I see every day, and I just want to say I value it, And I believe that Mr. Alexander values it also. And with that, I will ask if there is a motion, Council Member Herdy Chandler. I move that the City Council approve the request of Great Eats Hospitality LLC for a special use permit to allow a live entertainment area in an existing restaurant pursuant to City Code Section 6.7 on the premises known as 3950 University Drive, Suite 210,

[01:05:05] and more particularly described as Tax Map Parcel 57-2-43-B2-202 with the following conditions. One, the proposed use shall be consistent with the application and statement of justification received with the application.

[01:05:23] Two, the special use permit shall be non-transferable. Three, the applicant shall obtain all necessary local, state, and or federal permits prior to any construction on site. Is there a second? Second.

[01:05:38] A motion has been made by Council Member Hardy-Chandler and seconded by Council Member Peterson. Is there any discussion on the motion? Seeing none, a roll call vote. Council Member Amos? Aye. Council Member Hall? Aye. Council Member Hardy-Chandler? Aye. Council Member Peterson? Aye. Council Member Bates?

[01:05:54] Aye. Council Member McQuillan? Aye. Motion passed unanimously. We will go on to the second public hearing, which is a public hearing and council action on an ordinance authorizing and approving a deed of easement between the city of fairfax and fairfax county water authority for the installation construction operation maintenance and repair of one or more water mains and appurtenance i hope i said that right there too on certain real property

[01:06:21] owned by the city and having tax map number 48-4-01-000-C and 48-4-01-003. I'm going to recognize Brian Lockeman, the city attorney, to provide the staff report.

[01:06:40] Good evening, again, Mayor and Council. Very brief staff report. The staff report included in the agenda item contains most of the detail that's necessary. I have the Public Works Director here this evening who has a map, which may be a little hard to read up on the screen, but you do have it in your packets. What this is is a request by Fairfax County, Fairfax Water, for a deed of easement to allow for a project in the future to construct a new transmission main connecting existing water mains in Arlington Boulevard near Fairfax Circle up to the Lindhurst tank in the city.

[01:07:16] This, as noted in staff report, this is in Fairfax Water's CIP. The funding may be several years away, but in conjunction with other improvements, this would improve service to and accommodate and anticipate demand growth within the central and eastern area of Fairfax Water's, what they call Fairfax Water's second high pressure zone, which includes much of the city.

[01:07:37] And as noted, it's anticipated to be constructed during the end of Fairfax Water's current 10-year CIP. Discussion of granting this deed of easement arose in connection with the city's request for a separate easement associated with the Pickett Trail project, which we have discussed previously.

[01:07:53] Fairfax Water had requested that the city grant this easement now as consideration for approving and executing the city's easement. And as we noted when discussion was had about the trail project, there has been significant coordination and collaboration between city staff and Fairfax Water staff to ensure that there's no conflict with the city's pedestrian bridge and the city's proposed conservation easement.

[01:08:14] But, again, to reiterate, the underlying purpose of this easement and Fairfax Waters project would be to improve redundancy as well as water pressure going forward. Mr. Summers may have additional words, but I think generally staff recommends this as a project that would certainly serve the public interest.

[01:08:33] And we're happy to answer any questions after Mr. Summers adds any comments. All I would like to add is that the easement the city is trying to acquire for the trail is very similar to what Fairfax Water is requesting for their water line.

[01:08:50] So that's why it was so important for us to coordinate where our easement was in conjunction to where their easement was. So they're both next to each other, and they're both similar amount of area. Okay.

[01:09:06] Well, are there any questions of staff? Okay. I will open the public hearing. mission a berry has this public hearing been properly advertised it has no one signed up prior to the meeting to speak is there anybody in the room that would like to speak on this agenda item don't everybody rush okay well seeing none i will close the public hearing is there a motion council member hardy chandler i move that the city council enact the ordinance as presented authorizing and approving a deed of easement with fairfax county water authority for transmission of

[01:09:43] water main installation construction operation maintenance and repair on certain real property owned by the city and having city map numbers 48-4-01-000-C and 48-4-01-003 is there a second second a motion has been made by council member hardy chandler and seconded by council member peterson is there any discussion on the motion Seeing none, a roll call vote.

[01:10:15] Council Member McQuillan? Aye. Council Member Bates? Aye. Council Member Peterson? Aye. Council Member Hardy-Chandler? Aye. Council Member Hall? Aye. Council Member Amos? Aye. Motion

passed unanimously. We will go on to the last public hearing tonight, which is a public hearing on the proposed City of Fairfax 2026 legislative program.

[01:10:33] There is no council action to this item. I'm going to recognize Melanie Zipp, the acting city manager, to provide the staff presentation. Thank you, Melissa. Good evening, Mayor and Council. Um, as she said, as Melissa said, uh, there is no council action tonight.

[01:10:52] We're just looking for feedback from the public on any changes or additions, uh, that they would like added to our legislative program, and then hopefully, um, get some concurrence from council on priority order of items for the one page that goes with our program.

[01:11:13] Oh, okay. So to start off, um, you can go to the next slide. We are halfway through our legislative cycle, the beginning of our legislative cycle. We're on November 18th, our public hearing. December 1st is when all draft legislation needs to be pre-filed.

[01:11:32] I will get to it in a later slide, but our charter amendments have gone down to the Department of Legislative Services to be incorporated and prepared for action by the General Assembly. December 2nd is a proposed work session if needed I will ask you once I get through all of these slides if you feel necessary to have a work session on December 2nd we certainly can and then December 10th is when we will ask for council consideration of our 2026 program next slide

[01:12:08] these are our city of Fairfax delegation again senator Saddam Salim is our 37 district senator and delegate David Boliva is our 11th district house delegate next slide these are our regional and state program partners VML is one of our biggest partners Fairfax County is also one of our biggest partners we have a lot of contracts with Fairfax County so anytime we have alignment with our program and a

[01:12:45] contractor duties that Fairfax County does for us we mirror their legislative language obviously city council and school board all of our boards and commissions and then our regional partner partners and we have in every department associations that our department heads or staff are members of and will share their programs with me to also incorporate so on to the new slides we are looking for a council consensus tonight on a couple pieces of

[01:13:22] new language the 1% sales tax originally this was just part of our priority one pager and what I'm proposing is new language that says adopt legislation allowing any county or city to adopt to adopt an extra 1% local sales and use tax dedicated to public school capital projects with the provision that already issued bonds loans that were approved by referendum for a school project that's underway or finished

[01:13:59] the new one percent could be used to pay the debt service on those bonds and loans this was to make sure that we had the look back so that we could pay for debt that has already been issued and then in this language there was a section about this being done through a referendum in conversation with some council members it was thought that there may be an opportunity for that referendum to go away so I've removed that from our language if you would like that added back in we certainly

[01:14:34] can do that that is that is that one the next one is the funding for invasive species removal This is actually added under a new section called tree and forest conservation.

[01:14:51] And if you go to the middle of this little short paragraph, it says expand program funding allowances for tree establishment care and invasive vegetation management. There is a Virginia Trees for

Clean Water funding grant program, and that's what we're asking them to expand that program to include invasive removal.

[01:15:16] That came from the Northern Virginia Waste Management Board, that language did. Next slide. There was conversation about data centers. The previous languages there was very minimal.

[01:15:33] The two points that were brought up in the work session were dealing with high-energy use facilities. So I pulled language from the 2025 General Assembly bill for, the bill number was SB 1449, and this is language directly out of that, adopt data centers, high-energy use facilities, siting legislation requiring a site assessment that would examine impacts, on things like water resources, agriculture, land, parks,

[01:16:10] registered historic sites, forest land on the site or immediately adjacent. Also requiring the utility that plans to serve the facility to provide a reporting on any new generation units needed to serve the facility, newer existing substations used to support the facility, and the level of transmission voltage required for the facility.

[01:16:37] And then the other request was information on integrated resource plans. This language came from SB 1021, and it's Adopt Utility Integrated Resource Plans, IRPs, reform legislation to amend the law governing electric utilities, long-term integrated resource plans, IRPs, extending the planning horizon for IRPs from 15 years to 20 years, increase the emphasis on demand response, storage, competitive procurement, and provide a mechanism for more stakeholder input.

[01:17:18] And then finally, there was a question about medical cannabis use and taxation of that. Currently, the state does not collect an excise tax on medical cannabis use.

[01:17:33] There is the 5.3% sales tax that is collected on all uses. However, it's not an excise tax because there is the consideration that this is for prescription use. I have added language under local authority, which is at the beginning of the plan, stating that local taxing authority of retail sales of cannabis and cannabis-related products in the minimum amount of 2.5%.

[01:18:09] And this came from last year's House Bill 2485. So the next two slides are related to what staff would recommend being your priority items for your one-pager.

[01:18:29] I'm not going to read through all of these. Just a reminder that the charter amendments were sent in. So staff would recommend that that be priority number one. on your one pager these are the next following are priorities that we had last year still very valid priorities k-12 funding the one percent sales tax for schools affordable housing next slide anti-rent gouging stormwater local assistance funding state aid for local hb 599 and unfunded

[01:19:07] mandates. And I know I went really fast, but what we staff are looking for are council's list of priorities in priority order, if you would like to put them in priority order, or if you want them alphabetical. Yeah. And next slide is just our calendar again for the legislative program, which starts january 14th so if we want to go back to previous yep that is all i have i'm here

[01:19:46] to answer any questions and take any priority items okay is there are the questions council member hall thank you for this um the specific on slide five i started to type up a whole thing and then i just figured we would discuss it tonight so it was easier um is this wording that came directly from somewhere it just doesn't flow in some areas i don't know if it should be rewritten or if this is from

something else specifically which one uh sorry the one under uh the 1% sales tax portion like you said adopt legislation allowing any county or city and then you added

[01:20:24] the word to adopt up to so i just wasn't sure if this was pulled from somewhere and we needed to modify it or if this was it wasn't copy and pasted it was typed out so i probably just missed okay the two okay uh i won't go into other suggestions for grammatical things that would be my suggestions but i think it's good enough again okay i think the intent is there and that was the important part i just want to make sure it wasn't from something specific um i think that was really all of my questions we can come back to um if other people have questions when we talk priorities order thank you other comments council member amos uh my only comment on priority order

[01:21:04] is probably going to be the one percent sales tax and the charter amendments i think the rest could probably be pretty free-flowing but i think those are probably top two council member mcquillen i would say uh k-12 funding should be number one before one percent sales tax that's the only correction i would make council member peterson just clarification the items that are on slides five and six are these open for addition based on council action tonight to be added to 2025

[01:21:40] five priorities or are these do these have a different status because i don't see them on the priorities on slide nine they are um not i did not list them on the priorities if you the priorities that i have listed are what we had last year that didn't go through council can wipe that out and start over with a new list we can add to that list we're we're We're getting close to going over our one page, but if you wanted to add these to your priority list, that's totally council prerogative.

[01:22:18] I would be in favor. Well, I'd certainly be interested in the thoughts of other council members, but for missing items and considering adding them, particularly the data center reform issue. And my note on that would be first to thank you for adding it, and second, it's a year old, basically, and I think there may have been some fine tuning or there will be possibly in the next couple weeks and would be very open to including the results of that fine tuning that's underway if we do decide to add this but i certainly would be in favor of adding it

[01:22:50] it just just so you're clear it is in the program right now it just wouldn't it's just not on the one page priority i just want to make sure that that was clear and you're asking to add it to the one page priority well if there's room that's what i thought i just wanted to make sure that where we're clear. Any other questions? Well, Council Member Hardy-Chandler. Since the whole one-pager consists of priorities, what's the practical benefit of putting them in priority

[01:23:25] order? Is there some emphasis that goes to the higher priority ones as a result? If there isn't consensus around the exact order? It's really just the messaging. So when I send it, I will let them know that they're in priority order if if you choose not to put them in priority order that's totally fine um i just won't message that out i will just say these are the council's priorities

[01:23:58] for fy26 okay thank you councilmember hole thank you i'm just wondering do we have to have the charter amendments on there as a recommended priority since those were already set separately or do we need to let them know that that is a priority since we already went through that process Or is that wasting space on our priority list?

[01:24:17] I can condense them probably because I do have a whole page of what they are. Your priority page is really what you want the legislators to understand as these are the things we need you to pass.

[01:24:38] The charter amendments have gone down to legislative services. That doesn't mean that they have passed or that they are going to pass. So I wouldn't recommend taking them off the priority list, but I can see what I can do to condense it down.

[01:24:57] I mean, you clearly know more about this than I do. I was just wondering. For space. Well, for space, but also the other ones, it seems like we're not asking for K-12 funding specifically for city students.

[01:25:13] We're supporting that for Northern Virginia, for the Commonwealth, for FCPS, and same with many of these other things. So it seemed to me like because that was so specific to the city, it almost didn't need to be a priority, but I could see it needing to be the priority because it's the city as opposed to the other items.

[01:25:33] So it just seems like a weird system, I guess. I will defer to you since you've clearly been doing this much longer than I have, but I was just curious. I certainly can take it out of the priority list and put it in my narrative that, you know, the council has already approved this for all of our charter amendments, including with the charter amendments, we have this list of priorities.

[01:26:03] It's really just messaging one way or another. I can make it work if they're not in the priority list. I'll just add it to my email narrative. Council Member Hardy-Chandler. But to your point, that is the one that is specific to us.

[01:26:20] So I think I would be in favor of the initial recommendation that you made. Keep it on the list as first. That's ours. And the other ones are regional and those following after. That makes more sense to me. Other comments?

[01:26:38] Councilmember Bates? Yeah, I would agree with Councilmember Hardy Chandler on keeping them as is. The only comment I would make about the 1% is that K-12 funding is something we always advocate for.

[01:26:54] I mean, there are some things that we always advocate for. Our schools are underfunded. They have been since 2008. The 1% sales tax is something that we really need to raise up and highlight, I think, because if we can't get all the rest of these things, we really, really need that to happen.

[01:27:11] And the thing about one-pagers, and when you go down to the General Assembly and when you go and you meet with legislators and you leave behind your one-pager, you know, their legislative assistants are the ones who take those one-pagers and try to calculate. I mean, they actually keep track of the people who come to the offices, people who make phone calls, all the emails they receive, and they keep tallies around certain bills about how many people they heard from, because this is how legislators understand what the mandate is.

[01:27:40] So it seems to me, if we're going to lock arms with the rest of the Commonwealth of Virginia on anything, it needs to be the 1% sales tax, and that throughout the legislative session, we should be talking about it, whether we're talking about it in person, being down there, or whether we're just talking about it here on the dais.

[01:27:56] This is something that is incredibly important to the future of our budget and our city to get this. So that's what I would say about whether you put them in priority order. What legislative, you know, or the policy people in the offices of the senators and the delegates, they're keeping track of which bills have the most support.

[01:28:21] So I think we need to be real clear in our one-pager what our things really are. Like, these are the things we really, really want to have because they're central to the city, would be my feedback. If I can make a recommendation, the two items on the bottom, the HB 599 and unfunded mandates, are two things we've had on our legislative program for forever.

[01:28:47] HB 599 has been in forever, and we have an entire two pages, I think, about unfunded mandates and local authority, that kind of stuff. If you were looking for some to take off the one pager I would probably recommend those two because they're very well hb 599 is not very um general but the unfunded mandate is very general it is and I think that vml and some of the other partners these are the things they hit very hard and they've got their own lobbyists they are down there for the entire session you know hammering

[01:29:24] things that are on their agenda and unfunded mandates I think is one of the core items for vml So, I mean, we don't have to do all of that. I mean, I think we need to prioritize the things that are city-specific, like things that really are going to impact what is going to happen here, that we are relying on the General Assembly to deliver something, a policy, money, something for the city, would be my feedback.

[01:29:48] Yeah, Councilmember Hall. thank you um one one thing that we talked about last week that I don't see on here is and I think you mentioned it in your email to us but the ability of localities to consider taxation on their own income taxation kind of like other counties do and when councilmember McCullin I went to the public public school leaders network breakfast the other day I think I might be butchering that but we went to a thing on Friday um and that was one of the things that they really

[01:30:20] talked about was the fact that real estate taxes are simply how localities fund themselves and that there has got to be another better way to try to capture contributions from others rather than just property owners. So I was disappointed to see that that wasn't on here and I was hoping you could answer that. Yeah I appreciate you bringing that up. The other item that I don't have in here is the real estate the real estate one the income tax there are a list of bills and what I had what

[01:30:59] I was proposing was income tax reform I really need some guidance from council on what you want as far as income tax reform so that I can narrow it down to a certain bill I did not realize there were so many bills last year on income tax um as it relates to the uh real estate tax there were no bills that I could find on real estate tax uh what was it progressive um income

[01:31:35] income income progressive real estate tax reform something like that um what I would say to council is we do have our tax relief program and our rent relief program within both of those programs there is a disqualifying factor list and one of the first items on that that disqualifies somebody

[01:32:07] from getting tax relief or rent relief is if they are receiving any other kind of welfare benefits which kind of makes me question why we wouldn't.

[01:32:24] So all that to say we have other avenues that we can get to if the council wish to make amendments to those programs. Okay, if I can continue. Sure. Thank you. I think that the ability of localities to work out other taxes on their own under the Dillon law, Dillon rule, whatever, would be a priority.

[01:32:51] I think it allows Loudon to do what they want, Fairfax County to do what they want, the city to do what we want. Again, just like Montgomery County does, I think it's 3.2. Where my parents live, it's like

2.8 in Maryland. They have these different options. And I think that that's really critical because, again, the only way we have as a city of generating revenue really is real estate taxes.

[01:33:12] So I would think that's a priority. And then I would say that I would favor the 1% sales tax above the K-12 funding for the reasons that the mayor had stated. I'm fine with the rest of the order. I would like to see the cannabis part on there.

[01:33:30] And my one other comment that I just find interesting is it sounds like those in Richmond really keep track of who calls, who shows up, who writes letters, and they're ticking away on things.

[01:33:46] As a council member, I tend to actually do the same thing here when we're hearing from people on supporting a trail or not supporting a trail or supporting guns or not supporting firearms. And I think it's just interesting that that is encouraged in one area, but it's not necessarily encouraged in another.

[01:34:04] So it was just something I was talking about with Council Member Amos over here that I thought was interesting. So thank you. Council Member Amos. I just wanted to also echo what Council Member Peterson brought up. I know that one of the sticking points for me was the utility.

[01:34:21] So I appreciate you going out and getting the information on the utility integrated resource plan. We're going to see a lot more difficult circumstances as these things grow, energy requirements expand, and we experience more brownouts.

[01:34:36] But also due to, and I won't go into utility monopolies because that's a whole other discussion, but we're going to see a lot of price gouging at the utility level, and that's going to detrimentally affect low income and renters. So I think that's going to become more of a priority moving forward, and I think it's good for us to get early on the ball on that.

[01:34:56] Council Member McQuillan? I'm okay with 1% sales tax being number one. My thought on K-12 funding was basically what Council Member Hall had mentioned.

[01:35:11] We attended the Public School Leaders Network meeting by the George Mason University Schar School, And the JLARC study has shown that K-12 funding has been really not there. It's just not there.

[01:35:27] And as we know, a large majority of our budget goes to funding our school tuition. And we recognize that it continues to increase in cost. So that was my thought process, is that's going to be an operational cost moving forward forever, most likely.

[01:35:46] So I'm fine with putting it at number one, but I just understand that 1% sales tax will be for school construction only. K-12 is a funding element that we're going to have to deal with from here on out. So that was my thought process. Thank you. Council Member Amos.

[01:36:03] And just to quickly add on that, what we see frequently to your point about the income tax, I know that multiple localities have tried to figure out different ways of taxation that doesn't solely rely on real estate. Fairfax County has had that discussion multiple times. same for k-12 funding especially with the jlark study but this is also an opportunity to to see what this new version of this legislature and the governor will accomplish as well so i'm going to be curious on what they have in the pipeline moving forward to okay any other

[01:36:37] discussion or comment uh councilmember bates um i think that in terms of the priorities list having the one percent sales tax as our kind of main taxation point for this session makes sense since

that's kind of our first priority as far as what to include in the program otherwise I think that we already do have something in there about just generally being allowing more

[01:37:11] flexibility on taxation is that right yeah it's yeah to be able to diversify our revenues to reflect a 21st century economy the whole thing says virginia's outdated and regressive tax structure which requires those with lower income to pay a greater share of their income to taxes must be reformed to ensure core services are funded with sustainable revenue streams and provide localities with the ability for revenue diversification that reflects a 21st century

[01:37:43] economy. Yeah. Yeah. Yeah. I mean, my thought was initially if you wanted to add something additionally, that's, you know, specific to a certain, you know, whether that's allowing for the real estate tax rate itself to be income based or a separate income tax. But understanding, of course, that there, I don't think there's anything proposed right now for this session to that effect, but perhaps to kind of, you know, get the gears turning for the next session.

[01:38:19] But anyway, the 1% sales tax definitely, I think, is the top priority in terms of taxation for this session. Otherwise, HB 599, that's the one about honoring the state's commitment to local police funding.

[01:38:39] Is that right? Correct. Or lift the moratorium on annexation. I do understand that that's been in there for a long time, and nothing has really happened on that. Um, but I think that if there's a year when we want to keep that in there, it would be this year because we have a governor coming in who is a former federal law enforcement officer herself.

[01:39:03] Um, so I think that I'd want to keep that in there. Um, just, you know, um, given that I think this is really a meaningful year in terms of that, um, and just kind of see what happens there. Um, and in general, I think it's just, you know, nice, um, uh, you know, definitely helpful to make sure that in Richmond, I understand where our priorities lie in terms of making sure that our police, local police up here are well-funded.

[01:39:40] And then in terms of the other priorities, I'm kind of in agreement with the others that I don't have a real strong preference below the K-12 funding and 1% sales tax.

[01:40:01] And I do, you know, I am leaning more toward the 1% sales tax being first as well, I think, because that is something that's going to have, I think, a massive effect on our budget and on our, you know, long-term standing in terms of making sure that we can continue making other investments in our capital infrastructure here.

[01:40:25] And that's all I have for now. Thanks. Any other questions or comments? Okay. So at this point, we can open the public hearing. Ms. Shinneberry, has this public hearing been properly advertised? Yes, it has.

[01:40:41] No one signed up prior to the meeting. Is there anybody in the room that would like to speak on this agenda item? Well, all right. I will close the public hearing. There is no council action tonight. The City Council will take action to consider the City of Fairfax 2026 legislative program on December 9, 2025.

[01:41:04] One quick question. Yes. Do we need a work session on September, December 2nd, or just go straight to consideration? December 9th, is there, if we don't think we need a work session, if there's any specific, I'm assuming that people can email you.

[01:41:27] Absolutely. Email you with suggested grammatical or anything like that. Just send it to Ms. Zip. Okay. Thank you. We will move on to second general public comment. Is there anybody in the room that would like to make a general public comment at this time?

[01:41:48] Good evening, Mayor and Council. My name is Jim Feather, 4411 George Mason Boulevard. And as you know, I'm chair of the Planning Commission and now the Planning Commission rep to the bar.

[01:42:04] I want to commend the city clerk's office, city attorney, boards and committee, staff liaisons, for developing the handbook for boards, commissions, and advisory committees that you'll be discussing in a work session tonight. High-performing organizations always make it clear what the expectations are for roles, responsibilities, commitments, participation, and so forth.

[01:42:29] For some time, I've been interested and concerned about this for our committees. One of my other volunteer activities is on a leadership development committee in a 35,000-member professional organization. So it's what good organizations do is make it clear what you're expecting for your key players and your leaders.

[01:42:49] What's proposed is an excellent document. The way I read it is it's proposed that the folks who are appointed to commissions, committees, boards will receive a copy of this after their appointment to make it very clear and have them sign an acknowledgement.

[01:43:06] I would recommend you provide this to applicants before you get to that point. Telling them afterwards what the expectations are is maybe a little bit late to the game. I've taken it upon myself with the agreement of staff and applicants to reach out to folks who've expressed interest in the Planning Commission to have a conversation with them from my perspective of what the expectations are, what the basis for what the Planning Commission is, what really all is required.

[01:43:38] Believe it or not, I've had conversations with people that thought all that was required was participating in two meetings a month, and that is hardly what the Planning Commission and any board or commission is about. So to go through the process as to what all we discussed, development projects, the comprehensive plan, stewardship against the objectives in the comprehensive plan, capital improvement program, the zoning ordinance, getting people familiar with all the things that we do, and providing the links to the documents, I think has been very beneficial.

[01:44:10] I haven't had one person turn me down for this sort of voluntary conversation. I would encourage you, besides providing the general guidelines that you're proposing to discuss tonight to applicants, is that you would strongly encourage them, if not require, that they speak to the board or committee chair or a member to get the full scope of what they could be getting into.

[01:44:35] So I fully support the intentions of the work. I think it's a great document. It's a great starting point. I think a couple other ideas that you may want to consider are the ones I've just presented. And at some point, I'd be happy to have further conversations about this as you wish.

[01:44:53] Thank you. Is there anybody else in the room that would like to speak under general public comment? All right. We will move along to items not requiring a public hearing. We only have one item, which is a consideration of contract modification for the Andes Drive pump station mainlining to increase the contract value by \$349,904.

[01:45:18] I'm going to recognize Patty Innocenti, our procurement manager, first. Thank you. And joining me here is Patrick Remsen from the Stormwater Utility Program. The agenda item in front of you tonight is consideration of a contract modification for an east drive pump station mainlining project we brought the contract award to the council on November 12, 2024 for an estimated award of \$834,892 dollars subsequent to the work commencing

[01:45:58] There was additional restoration work that's needed and I'm going to let Patrick talk about the details because this is his area of expertise to the infrastructure replacement or infrastructure inside the wet well as detailed in the staff report in January of this year a comprehensive evaluation of the sewer pump station at Andes Drive was completed. The assessment identified multiple components that require prioritized rehab and public works staff met with the contractor during a site visit and shared the report.

[01:46:36] Staff inquired if this type of work was something that the existing contractor would be able to complete, and upon review of the assessment, the contractor recommended adding the work to the existing contract and offered to keep the new work under the same mobilization.

[01:46:53] For the second change order, the additional excavations. The additional cost for excavation and pipe replacement as part of the forced main rehab is due to inaccurate historical data available at the time of the project bid. Once construction began, we were able to access a piece of the pipe and fully survey the location of that pipe.

[01:47:14] We determined that there were several more bins than we had expected, and it required additional excavation and pipe replacement. Where bins were close together, we had to replace a whole section of pipe.

[01:47:32] Both of these change orders, these works are required to maintain our sanitary sewer infrastructure, and the proposed approach is an efficient and cost-effective means of completing the task. The original bid from last September for this project was lower than expected, and the existing funds appropriated in the capital budget for sewer force mainlining will cover both change orders.

[01:47:57] Thank you for the presentation. Are there any questions for staff? Councilmember Amos. Not a question, just a comment. I saw the pictures. That's that's gross so yeah thank you for what you're doing want to keep toilets flushing good goal any in Councilmember Hall I just want to confirm that there's no additional expectation of funds beyond this to be able to complete the project we think this is one and done yes ma'am okay

[01:48:30] Thank you any other questions or comments okay seeing none is there a motion Councilmember Hardy Chandler I move that the City Council approve a contract modification for the Andes Drive pump station main lining to increase the contract value by \$349,904.

[01:48:55] Is there a second? Second. The motion has been made by Council Member Hardy-Chandler and seconded by Council Member Peterson. Is there any discussion on the motion? Seeing none, a roll call vote. Council Member McQuillan? Aye. Council Member Bates? Aye. Council Member Peterson? Aye. Council Member Hardy-Chandler? Aye. Council Member Hall? Council member Amos? Aye. Motion passed unanimously all right I will now recess the

[01:49:20] regular meeting to go into the work session but we will stay right here in council chambers we're

[01:56:38] back to our work session here in the chamber ms shinneberry hey our first item is a presentation and discussion on the draft fy 2027 through 2031 capital improvement program i'm going to recognize Melanie Zipp or acting city manager to provide staff presentation good evening again mayor and council I'm pleased to present the FY 27 to 31 capital improvement program the draft 27 31 capital improvement program can be found on the budget page on the city's website if you just type CIP in the search menu the first link to pop to pop up will be the budget page and you can

[01:57:17] access it right there as you're aware all CIP projects must support the city's adopted vision goals and comprehensive plan next slide this is the calendar of the cip touch points through adoption a couple of dates of note the cfo and i presented the draft plan to the planning commission on november 10th planning commission receives the presentation prior to the city council because state code requires that the planning commission shall consider a locality's capital improvement program and provide a recommendation to the City Council on

[01:57:53] November 18th today you are getting your presentation in first look then between today and the end of January the Planning Commission's and the City Council each will have the option of additional conversations around the proposed CIP projects January 26 is when the Planning Commission will hold a public hearing and provide recommendations to the city council february 3rd is when you meet as a group with the planning commission and they will present their recommendations to you and then on

[01:58:29] february 24th that is when the city manager will present the fy 27 proposed budget which will include the recommended cip next slide when you compare this year's cip with previous years you'll see a slightly different layout we're only adding projects that are true capital projects in this year's cip in this year's cip if you look at the red section infrastructure repair and maintenance

[01:59:03] those projects are oh sorry in the maintenance in the infrastructure repair and maintenance section we are no longer adding new projects to that section those are projects that are not necessarily cip and you will you will see later in the slides that the funding for this section has disappeared and has been moved back to the operating budget the green section the technology infrastructure

[01:59:38] has been reduced to only true capital projects which we'll get to momentarily but basically all software updates and maintenance have been removed from the CIP and put back into operating budget. The orange section, which is vehicle and equipment replacement, will remain. Finance works really closely with our fleet manager, Lee Hall, to schedule out replacements to fit in the CIP funding schedule. And because these are true assets that fit within the guidelines of what a CIP

[02:00:10] is, it will remain in the capital improvement program. Next slide. So those key guidelines for qualifying capital projects are as follows. The project leads to a capital asset creation or significant improvement in current assets. The project has a useful life of five years or more.

[02:00:33] The project costs exceeds \$50,000. It's a one-time expenditure. It's a major infrastructure or capital development. Or the project requires long-term financing. Next slide. This is an example of a project page. Each project, when it's submitted by staff, has to reference the comp plan timeline, all funding sources available, and corresponding dollar estimates, the estimated project timeline, corresponding council goals, goal or goals, and the responsible department

[02:01:12] or departments. Under the funding sources, I'd like to point out that the ARPA funding is still listed because we have projects that are still using ARPA funds. We're not receiving any additional funds,

and all funding needs to be spent by December 31, 2026, and we're on track to meet that deadline. Next slide. These are examples of the types of questions that are asked when the CIP budget team meets with departments to go over their CIP requests. We ask about project urgency,

[02:01:51] readiness phasing and physical planning such as are we responding to state and federal mandates is the project compatible with the implementation of other proposed projects can the project be phased out in out years what will the impacts to the operating budget be and when will that take effect who will benefit from this project based on location number of people demographics and can projects be co-located or combined next slide when departments set out to create a cip project they

[02:02:28] go through this workflow the departments begin with assessing the need for a capital project by asking the questions from the previous slide they develop the project page and decide which projects are a priority and then submit their project requests during preliminary evaluation department heads meet with the budget team to justify their requests then between november in early february the city manager the budget team the planning commission and the city council review the existing requests set priorities and get acquainted with the projects this year on may

[02:03:05] 5th the city council will adopt its budget to include the cip then on january 1st 2026 the projects that are projected to start in fy 27 can begin they go through the process of development acquisition design bidding and construction or ordering which boxes are ticked in this section depends on the type and the complexity of the project next slide so why do we project out five years the cfo and the finance team work hard to level out the total dollars needed through the

[02:03:44] five years of this of the proposed cip within each project and across all projects to ensure We're not top-heavy one year over another, and if we are, we have an explanation as to why. This is why it's so important to ask those questions in the evaluation portion of the building, the evaluation portion of building the CIP regarding phasing projects, priorities, where additional funding can come from, and when it will arrive.

[02:04:14] The total CIP request for FY27-31 program is \$636.7 million, almost \$449 million of that comes from the general fund.

[02:04:31] The reason for the increase over the FY26-30 adopted CIP is the two projects related to the school bond referendum, which are the elementary school renovations and a new roof for the high school. Because of this, you'll notice that in FY26 CIP, there were 136 projects funded, and in FY27, there are only 36 projects requested.

[02:04:59] Sorry, 63 projects requested. Staff are very cognizant about the situation the city is in with these high-ticket projects and really scaled back to only the necessities. Next slide. This is a summary of all CIP project dollars based on project areas.

[02:05:20] You'll notice infrastructure repair and maintenance has been zeroed out for future funding as it moves back into the operating budget. Technology infrastructure funding has been significantly reduced because we removed the software maintenance and are only keeping true technology assets in the CIP going forward.

[02:05:40] Some of the assets listed for this upcoming year are replacements to our physical data centers and our servers for our permanent and backup.

[02:05:57] servers. Looking at vehicle and equipment replacement fund, you'll see a drop in FY27 and then an increase that tapers off in out years. This is because Mr. Hall is reevaluating every piece of rolling stock. If its useful life is up based on industry standards, but the mileage is low, he'll stretch the use out a year or two. The jump in FY28 is due to the purchase of six Q buses, which you'll see later in the slides, and some fire apparatus that needs to be ordered.

[02:06:35] Right now, we're seeing an 18-month lag on buses and a three- to five-year wait on fire apparatus. Next slide. Looking at new projects for FY27, there are only seven.

[02:06:52] As stated earlier, this is because staff is aware of the financial situation we're in with the school bond. other large ticket CIP projects we will get to shortly and the rising cost of school tuition and they really focused on projects of necessity. Next slide. These are the six projects that live within the small area planning districts. There are currently none in the pipeline for Fairfax Circle Planning District and if we just go around the horn and starting with Fern Street

[02:07:28] That is a project that is funded by federal and CNI dollars, and it has a FY26 construction date. Germantown Road and Route 29 improvements has a construction date of FY26.

[02:07:46] That is also CNI funding, NVTa 70% funding, and revenue-sharing funding. The Germantown Road Corridor improvements are NVTa 70% funding, and that has a FY26 construction date. At the top, the North Fax East West Road is NVTa 70% funding. It has a projected start of construction between 2030 and 2032. And South Street Extension is smart scale funding with a

[02:08:24] construction of a construction date of 2028. At the bottom fire station three building is general fund funded and the funding is in will be in place by FY29. The goal was completion in the fall of 27 but we are still evaluating with council the idea of a PPEA and how to move forward on that project next slide the next three projects are highlighted because of the amount of discussion

[02:09:02] and the large price tags that they have fire station three there are a couple highlights about this project project funding began in fy24 and to date half has been appropriated and the next half will come over the next three years this building is actually older than fire station 33 was when we replaced that one however we did not own this building until last year when the volunteers signed it over to the city the city acquired the property next door that was owned by george mason university foundation last year and the building that building will be vacant after

[02:09:41] december 15 of this year as i stated on the previous slide this project was to begin construction in fy 27 however staff and council are still deliberating on the potential for a ppea and how that could help defray some of the costs next slide van dyke master plan is the next one community outreach began on the van dyke master plan back in 2018 and it was put into the cip in fy21 it was delayed and pushed for several years with the time lapse the parks and recreation director would like to

[02:10:20] redo the community engagement and coordinate this project along with the blenheim boulevard project and willard sherwood to ensure that we don't have three large construction projects happening at the same time and making sure that the van dyke master plan master plan complements the new willard sherwood facility expansion last year this project was proposed to begin funding in fy27 however for all the reasons stated previously the phasing of the funding has been pushed to fy28 next slide

[02:10:52] the next uh large project is the city's property yard this has been on the books as needing improvements for many years there is frequent flooding on the site and property damage is not

uncommon one-third of all city employees work at or out of the property yard and majority of the site is within the floodplain when weather is expected employees have to build in time in their day to move assets from the yard to other locations of higher ground. You will notice that

[02:11:29] the previous estimate was \$65 million. However, those were very rough numbers. And with the project manager refining the project, the price tag has more than doubled to \$155 million. This is due to two different scenarios that could occur. If the property yard stays in its current location, the city would have to pull it out of the floodplain, which would include acquiring some of the neighboring properties and constructing a large flood wall. If the property yard were split between two locations, there would be site prep and other logistics and possible duplication of

[02:12:08] some services, such as fueling stations, that would need to occur. There is no funding request for FY27. That will begin in FY28 for feasibility design and engineering. Next slide. The last project or last slide is vehicle and equipment replacement as i said earlier the city is due to purchase six q buses in fy27 q buses are deemed obsolete by the fta after 12 years which would be

[02:12:43] fy27 as they were purchased in fy15 if you remember i stated earlier the wait time for buses is now 18 months approximately unlike with fire apparatus the department of rail and public transit drpt doesn't allow the city to pre-order buses we must wait until we reach useful life which means our maintenance bill goes up for that year that we're waiting on our current fleet the bill goes up on our current fleet for 12 to 18 months while we're waiting for the new ones to

[02:13:16] arrive this is not ideal as we have 12 buses currently and run eight per day which leaves four spare buses to rotate in any time a bus needs to come out of service it's not ideal but is what we're working with so the requested funding appears in FY 27 to be ordered and received in early FY 29. Next slide. This is just another look at our calendar and with that I would like to thank staff for their conservative number of requests this year and for the budget and

[02:13:52] finance team for their work in realigning of the CIP. Thank you for your time and staff is here to answer any questions thank you so much for the presentation do we have questions councilmember Amos thank you the great presentation and appreciate the the scaling back considering the context that's coming up questions specifically one for Van Dyke Park so does the park have a life expectancy or is it just related to certain equipment I know that the general plan has been

[02:14:25] set in motion I also know flag that you said it would need to be revisited what is the plan for revisiting this and also what is the urgency related to Van Dyke Park I know for example the fitness equipment is dilapidated but then there are some there are some more actively used spots like with the tennis court and the pickleball court that seem to be in decent condition I don't frequent it myself so I don't want to speak on behalf of the pickleball or

[02:14:54] tennis community they're very active so what are we looking like there yeah I guess to so I understand the importance of the city it's our premier park in terms of urgency for this type of redesign revisiting which will have what does that look like and what is a expected timeline if we were to revisit this to look at the plan so that was just one of the recommendations i saw in the

[02:15:24] presentation so we have um pushed out the funding to fy28 um i'm just gonna see if i could find it really quick. So we have funding starting in FY28 for feasibility, planning, design, and engineering,

[02:16:02] and then construction in FY29. Like I said, this is a plan that has been on the books for several years it started in FY 21 if council chose to push this out further was there an inciting reason for this plan outside of potential economic opportunities I imagine related to the park is it just are there conditional

[02:16:41] issues or anything of urgency and maybe this is more of a answer later and talk to Ms. Summerfield. Yeah, this would be, she can answer this better than I can. I don't necessarily think there's an urgency. Go ahead. I will defer to the CFO.

[02:17:00] In discussions with Director Summerfield, it's my understanding that this park was done in the 1960s and has not had any significant renovations or remodels since. There have been some updates, as you mentioned, with Pickleball to what the manager was stating back in 2018 there was community outreach there was a discussion and a concept done based off of the outreach but because COVID hit we've sort of delayed that implementation we're trying to bring it back to the CIP but again as the manager stated sort of in 28-29

[02:17:39] time frame it's my understanding that PRAB also supports that timeline and discussions with director summerfield as well but no real life expectancy other than the last time there was any significant development on the site was when it was originally done in the 60s and this this is separate from van dyke park going over to the cuba side of things and this is more of a general knowledge question and this could be answered at a later time but i'm assuming that we're on

[02:18:17] the prowl for alternative sources of funding transportation partnerships potentially i know we kind of discussed advertising briefly um is there is it possible to elaborate on more on that tonight or is it better to discuss it later probably better to get answers from um our transportation director but i will say any opportunity that she has to get additional funding especially for transit she's looking for it um and for a clarifying question just to make sure I have it right because George Mason they provide funding for the for

[02:18:55] some of the use of it but they it would not chime in for like for example the replacement portion of it or am I misunderstanding that it's operating correct yeah correct yeah George Mason University provides annual funding for Q we reached in a revised agreement with them a couple of years ago there is an escalation clause built in about three three and a half percent per year currently we're looking at about nine hundred and fifty thousand dollars per year that they contribute towards that yeah we just get an annual fee from them they're not going to help

[02:19:30] pay for buses and the other thing about the advertising we've looked into wrapping the buses wrapping the bus shelters it's something that we could do we talked about that years ago with the previous council and they didn't really want the buses to look like a giant pepsi can or something like that so they decided against it but of course economic was different back then and i think we last time we discussed it i think they said that the overall revenue would still be marginal anyway so it wouldn't even really be that beneficial because we're a closed system within

[02:20:03] the city of fairfax yeah other comments council member hall thank you um i wanted to go to the public safety slide um number 12. so if i wrote down the notes correctly um you had indicated that the fire station was now moved to general fund fiscal year 2029 is that correct i think that

[02:20:35] is correct is that correct so i can't remember off the top of my head so what we did in conjunction with the fire chief was um lessen the request for 27 and push more out on the on the out years

and the reason for that is what the manager was stating is initially the intent was for it to be constructed in 27 that's not going to happen there's still a lot of more discussion we're only at 30 percent design right now additionally we're

[02:21:13] still having ongoing discussions about trying to incorporate a PPEA so trying to appropriate a larger amount in the coming year really doesn't make sense so we pushed some of those funding out to when we would really need it specifically when and if we do break construction okay and to answer sorry to answer yes Yes, FY29 is the last year for funding to be allocated.

[02:21:39] Okay, but that doesn't mean that any loans, any bonds would be taken before that time. It's, again, just the wish list, Amazon wish list is what the CIP kind of looks like. Correct. Okay, and then you had indicated, if I wrote down it correctly, that the George Mason building is going to be vacant as of December 2025?

[02:21:56] Yeah, December 15th. Okay, so recognizing that there's going to be now an open building from December 2025 through 29, thereabouts. Have we given any consideration to what could be done with that building in the interim as far as things that could be rented in there, space that we could use, relocation of other things that we are currently using or have space for, or taking on a landlord position or renting back to George Mason and they don't move out?

[02:22:32] in December or? Right now we're using the parking area, kind of working with the contractors and moving vehicles for the current Theis Park construction project. And there was talk about using the parking areas for future projects for contractors or whatever. As far as the building is concerned. All Public Works is doing is going to make sure it's secure. We have not

[02:23:07] been told that it's going to be, any decision has been made on renting it out or anything. How many square feet and floors is that? It just seems like a total lost asset if we don't try to use it in the meantime and potentially generate some revenue from it, I would think could be something to consider it's it's definitely something we can discuss um yeah it has been mentioned to economic development also about possible use of that but no decision has been made but it has been discussed about what to do with that space okay i i personally i would think

[02:23:43] that that would be an expedited conversation so that we could start maybe recognizing some sort of return on that investment in the short term um uh i know we a majority of us had a tour of the fire station, both number 33 and three the other day. And then Councilmember McQuillan and I met with President Imran Salik to discuss a little bit more detail and a lot of other questions.

[02:24:10] And one of the things that came up was the sleeping conditions, the sleep hygiene, and some of the things that are going on at station 33. And I know you and I discussed this the other day. It also came to my attention and others during the meeting that there's a very large bingo space that has previously been used in that area so i recognize that we're looking into ppea options and trying to understand that and see what could be good there but in conjunction with the conversations about a new fire station i also strongly would suggest if council is on board with

[02:24:46] having conversations about how we can in the short term solve the more pressing needs that it seems the firefighters are experiencing, which is potentially some sewer backups when it comes to laundry, the sleep hygiene, and the fact that when the fire alarm goes off, it wakes up everybody, as opposed to being able to manage that a little bit differently.

[02:25:08] As I said, it looked like there was some extra space there that could be considered for maybe moving around their gym area to a taller ceiling, to not be on the apparatus floor. So these are all things that we have not collectively discussed, but individually discussed in smaller conversations so um would certainly like to be open to having a larger conversation about that um again sooner rather than later so that we can prioritize the health safety and welfare of the firefighters that are working out of there so thank you council member

[02:25:42] hardy chandler i thought a couple of uh comments or observations and then a question the first thing i want to highlight is uh slides or slide seven and eight because i want to commend you on the fact that there's a lot of intention that goes into the proposal of these CIP projects and the fact that there are, first of all, criteria defining CIP, but more than that, a process of evaluation questions to determine which projects to move forward and how to move forward.

[02:26:18] I really appreciate that for the education of all of us because I think there's a misunderstanding that some of our projects are simply for the purpose of spending money, which is not the case. It's for the betterment of the city. So I really appreciated sort of the background information that you provided around the intentionality of these CIP projects. So thank you all for all of that because that part matters as much as the projects do. The five-year timeline, I think the other comment I wanted to make around that is certainly in these

[02:26:56] times there is more i would say it seems like there's more volatility in terms of estimations and and the things that could come up and certainly as has been discussed in prior meetings the further you look out the more blurry those estimations get um so i i think we all have to be kind of alert to the fact that um some of these projections just as the years go by it gets more and more unpredictable, and in these times, it seems like the volatility is more extreme,

[02:27:32] and that's going to come up for multiple projects. I do have a question about the Q bus, and there was the mention of the fact that new buses cannot be ordered until they hit maturity, and then it takes 18 months, and then you have the cost of maintenance.

[02:27:49] What is the rationale behind waiting until maturity, since it's so clearly defined as 12 years in order to place the order. I know this rule has frustrated Wendy. It's just a DRPT requirement that the buses have to reach a certain point before you can even order them, and once you order them, it takes 18 months to get them, but DRPT will not let you, you know, they contribute to the

[02:28:24] purchase of these buses. They will not let you order them until they reach that threshold. Is there a rationale behind why that's the case to understand? No, we made them very aware of that 18-month maintenance cost, but it's just the way it is right now. And what is, do we have a sense of what that cost is going to be potentially for these six buses for maintenance for another year and a half? You know, our fleet guys are pretty good with keeping things running. Some of the buses

[02:28:57] are unpredictable it could be anywhere from um let's see it could be anywhere from 20 000 a year to 70 000 a year depending on what we have to do so 18 months you know significant that is significant um and then finally i just want to piggyback on what councilmember hall was saying specifically about the fire stations but just in general again zooming out more macro view

[02:29:28] about we we hear a lot about the CIP projects but I think that there is this is sort of a case of how do we look at interim things across the board and is there some way to engage EDA or other

community partners so that well ahead of time because I am concerned about the things that you can put into place as as early as possible how we deal with these interim projects or interim uses across the board

[02:30:05] is there an approach to that that is in the works as we look at how we rethink cip the interim plan before the plan you know what i'm asking i don't know if i completely understand the question council member so the example that uh council member hall gave is how could as we're thinking about, for example, the fire station, how could spaces be used differently to address more immediate needs?

[02:30:40] I think that's a great question, but I think it's a question that we should apply to plans across the board. And I'm just wondering, as we look at how decisions are made through that graph, through the evolution of projects, is there a space to insert how we evaluate the interim before a plan a CIP project is rolled out does that make sense it doesn't so I'm using her comment just as an example of can we take a policy perspective to the interim pieces sure and I would say it's

[02:31:18] probably two parts so life and safety features of critical need would probably be addressed and then additionally any significant capital renovations that are of immediate need would also come to mind. A good example is actually what was approved earlier today. That was also presented to Council via schools regarding the vestibules. That is a life and safety need.

[02:31:45] The plan still is to go ahead and renovate those two elementary schools, but Council approved a reappropriation to go ahead and incorporate that feature now prior to the renovations with the understanding that those renovations will also be included as a part of the renovation. So that in my mind is the plan before the actual renovation as well so anything again life safety critical and or anything else that would need significant immediate need would be something that would be making the cip i think we're pretty aware of these interim things i know with the

[02:32:22] barker property on main street as soon as we we know we knew it was available it's being used for several different temporary uses, like storing a tree nursery or using it for parks department storage or things like that. And I know with the building we were talking about next to the fire station, back when Chris Bruno was here, we brought it up to him about, you know, we weren't sure how long was going to be empty, but we brought it up to him that there might be a period of time.

[02:32:54] I know he was a little concerned about finding a lessee for a small amount of time, but we were aware of it. It wasn't like it just, you know, we missed it. You know, I don't think we have a policy, but I think staff is pretty good at seeing when something's available, taking use for it, especially when it comes to staging for construction vehicles and parking for our projects.

[02:33:17] Because one thing we don't have a lot of is for contractors and staff to park for construction projects. so that's like one of the first things we you know we use these parking areas for thank you great to hear appreciate that other questions comments councilman peterson hi thanks for doing this and again apologies for being a little hoarse here we go back i think it's slide four where there's some criteria for consideration there you go project evaluation questions

[02:33:53] to what extent is staff capacity a factor in any of this obviously it takes a lot of staff time and effort to manage cip projects and i didn't see that per se on the list here but maybe it's embedded somewhere how is that handled staff capacity um i guess i would probably say that

[02:34:25] if we don't have the capacity it's not coming forward is that a formal criteria and such that when we receive projects, we know that they've cleared that hurdle, or is it not managed that way? Staff

capacity today is really, in public works at least, is to administer projects. Back when I started with the city 24 years ago, we actually had a position for a draftsman, and we had so few projects that we were able to do some work in-house, put the plans together and do

[02:35:03] things like that. But because of the number of projects that we have and the complexity of the project and all the compliance requirements and all the hoops we have to jump through for the money, really my staff administers projects. They usually have 50 projects at one time.

[02:35:23] Some of them are in design. Some of them are studies. Some of them are managing the contractor in the field. Some of them are working with residents. So right now, that's what our capacity is, is to administer projects. If the number of projects reduced drastically, and depending on what those projects are, depending on how large they were, for instance, a project like, you know, Blenheim Boulevard is such a big project, that's going to take several staff just to manage the construction. But if we had a lot less projects and they were smaller, I think we would have more

[02:36:00] capacity to do more without third party. Because I think that's what you're getting at, right? Is third parties being used? Well, not entirely. I mean, I'm sensitive to staffing constraints in terms of being able to administer projects, as you say. And part of it is how many, but also part of it's how big they are and how complex they are and you know you can get stretched then and the more that's added the harder you get stretched then and so i'm just curious to know how that's taken into consideration in terms of it's not unusual councilman peterson for for my

[02:36:35] my my project management staff to come to me every few weeks to reprioritize and see you know what has to be done now what is on a timeline what has uh we have to spend the money now or we have to get it done before the weather changes, or it's a safety issue.

[02:36:54] We're constantly reprioritizing because it's hard to keep all the projects moving at the same pace at once. When we make project CIP approvals, they have a timeline, et cetera, and then we not only put them in budget, but we appropriate, and there's an expectation in terms of implementation.

[02:37:17] What I'm hearing is that there's a second stage of reprioritization of those potentially. What is the procedure for, in the cases where things are being reprioritized, for the council to be notified that that's something under consideration? Well, one of the things would be with our monthly updates that we send out on our project status.

[02:37:42] I mean, we try to keep all the projects moving, but certain projects will take longer than others if they're not as critical. For example, you could name the LED conversion project in Old Town. You know, that probably could have been done quicker if there weren't all these other projects that had to get done.

[02:38:01] So, you know, we try and update the city manager. And, of course, finance knows because we're spending the money. And if the money's not being spent, they'll ask us. And then we send, I know each of my divisions send a project, a monthly project update sheet, which says what phase the project's in.

[02:38:21] I don't think we've ever really dropped the ball that much that the project was grossly, the timeline was grossly delayed. We've been fortunate. And like you know, I have several retirees that work for me as temps.

[02:38:40] For instance, Chief Wilson, who used to work here, is retired, and he works for me as a temp, and he's overseeing the Old Town Hall project. So, you know, when it becomes an issue, I try and get somebody in, even on a temp basis, to help keep these projects moving.

[02:39:00] Okay. Well, fair enough. It sounds like there's a feasibility issue here, though, that the council should be made aware of when we're being asked to approve these projects, to understand the risks that are involved because of staffing constraints, because it sounds like there are delays at a minimum, possibly more than delays.

[02:39:22] And that is a variance from the approvals that are made through appropriation. And so because there's a risk of those variances taking place, it would be, I think, good to build on the front end a more clear understanding of the staff limitations and constraints and the impact that has on the feasibility of the timelines and the administration of the projects.

[02:39:50] Yeah, and I think one thing the budget team does is when they reach out to Public Works about the budget, they usually ask us to prioritize the projects because typically they can't all be funded. So we usually do prioritize what projects need to get done. And as far as Public Works is concerned, we're looking at safety and compliance.

[02:40:09] Public safety and compliance is our top priority projects. Okay, well, we'll maybe look forward to more on that. second question on this list or maybe it's the sixth slide there is a listing here of types or categories one more slide one more no i think somehow or another there is a listing of the kinds of things that are in the cip and i've got it well we lost it so many dang slides ah it's on

[02:40:48] slide four at least i've got it on slide four which is one below this one there we go this may be something that falls under item number one and that is planning projects and so is it my understanding that a planning project will be designated as a capital improvement project if it leads to capital asset creation or improvement so if you do a climate action plan an energy plan

[02:41:25] etc that's considered a capital improvement because it's leading potentially to infrastructure development how is that handled exactly so the plan on itself would not be considered a capital asset there is no asset per gas be definition or even gap of a creation of an of a asset a tangible asset now in conjunction to that plan if it leads to some other tangible fixed amount then we would

[02:42:01] be able to go ahead and capitalize that but just a plan on its own could not be capitalized even if it's a plan for instance for infrastructure development if it's the two-part and it leads to the formation or recognition of a capital asset under the gas beer gap definition, then yes, we would be able to capitalize a portion of the plan. But the plan itself, no.

[02:42:31] So I think in the budget and in appropriations last year, I can't recall how many things fell into this category, but I recall there were two climate action plans that were in the capital improvement uh budget have they since been uh relocated so that they're not in cip any longer how is that handled sure great question council member and our budget directors here in case i misspeak but the intent was to basically not go back in time leave those in the current approved

[02:43:06] cip as they were adopted in fy26 as the budget director gave a presentation to council on the reconciliation and an update on this policy going forward for 27 that's where the corrections are being made as those funds are being expended in fy26 and going back they will fall off that plan okay uh good

good to know and then just to be clear on maybe another point that's involved here those would be examples but certainly not the only of what i would call open planning processes

[02:43:46] where it remains to be determined what the recommendations and what the implementation actions will be by virtue of their scope. They're designed to identify investments in infrastructure, technology practices, et cetera, but that's based on a decision-making process, which is being funded by the planning process itself.

[02:44:09] But there is, without a guarantee, there is an expectation that recommendations will come out of that that will lead to subsequent implementation and subsequent spending to support that. And that's the point of doing plans. I'm guessing, but I'd just like maybe some verification here, that we are not disqualifying planning projects from moving forward that are open in that manner. In other words, they're not wired for a particular thing. They're not at the end stage where we're just doing some final stage design work. It's a much more open front-end

[02:44:44] process is that fair absolutely so the information that's listed here on the screen or on the slide is not all-encompassing and is also not rock solid in the sense that we can adapt and make an interpretation based on council with our auditor as well if the project were to so an example if it does not exceed 50,000 but it is a significant improvement to a current asset and greatly extends its life, that may fall under a definition of a capital asset. A good example

[02:45:22] that we'll sort of discuss of what would not fall is if you paint a building, and it's pretty expensive to paint a new building, such as maybe Old Town Hall, \$50,000, \$60,000 is what the cost would be. That, the painting itself, is not a capital asset. It does not greatly extend the life of that. But other functions, such as new windows, new HVAC, those systems would greatly extend the life of that capital asset and then itself would become something that could be capitalized. And my last question, thank you, is in terms of disclosure at a line item level,

[02:46:02] is there a cutoff below which CIP expenditures are bundled in some category rather than line itemed so that when we see things are we seeing things that are only above a certain light item level or are we seeing everything so a good example would be in one of those construction projects you would have design feasibility engineering and construction all bundled in that

[02:46:35] proposed cip number what you will not see is in like technology and infrastructure where previously we've had \$40,000, \$60,000 as a request. That \$40,000, \$60,000 was \$2,000 worth of X number of PCs. Together, yes, they do equal a large amount, but individually, they're below our threshold. So we took them out. They would not be capitalized at that point. But if we're buying software, a one-time expenditure of \$150,000, \$200,000, that would be capitalized.

[02:47:12] Well, just to clarify, so sometimes the way this is structured is through a third-party contract, for instance, planning contracts that by virtue of scope are designed for infrastructure, that they can include other things.

[02:47:28] Is there a cutoff there in terms of what comes to council and what we consider of \$50,000 or something, or is that not the case? That would not be the case. Again, the majority of, if not all, the CIPs that are currently listed are a combination of all costs, specifically for construction, engineering, feasibility. All that is listed as one. We would be allowed to capitalize all of that. If I'm understanding you correctly, hopefully I'm answering that as well.

[02:48:03] Well, if there's a contract for \$40,000 to plan the development of something that is a capital improvement project, is that something that we will see listed? Not if it's just an individual item.

[02:48:18] No, not associated to any other part of the CIP project. That would fall under operating as a one-time item that doesn't benefit a capital tangible item. And where is that, just a reminder, in the budget?

[02:48:37] That would be under operating on the department side, under probably contract services. Okay, great. Thank you. Sure. Council Member McQuillan. Thank you. Are the projects evaluated by economic impact?

[02:48:54] I don't think that is one of the structures. A lot of the requests that are listed on here are for the benefit of governmental activities, such as the property yard public safety it's a little difficult to associate an economic benefit tied to the fire station the police station even schools per se there are no economic benefit as and we're not building a retail center or anything like that if I'm understanding your question well

[02:49:31] job creation local business activity things like that usually can be understood to increase depending on the asset that we're discussing or the project that we're you know discussing understood and and i don't know if there's any direct evaluation process with that to your point i would think like thighs park redeveloping those little league fields there's an indirect benefit there as well hopefully people would stay and have some meals within the city additionally potentially van dyke park as the central park within the city if that were get if that were to

[02:50:11] be redeveloped there may be more activity within that area that would lead to potential additional revenues whether that's meals tax or sales tax as well yeah i was thinking also taking it in consideration that some of these projects require some additional um connections of roadways or walkways that you know allow you know what i'm saying so i was just curious if that was something that's evaluated by our ED, our Economic Development Department, or if not, if we've ever considered that, adding that into the process, and if so, where that would occur.

[02:50:47] I think that's a great suggestion, and it's something we can take in consideration and discuss with the manager and economic development as well. Thank you. I was just curious. Council Member Peterson. Well, I appreciate very much the question and want to build on it and maybe clarify, because in addition to the economic development benefits, job creation, et cetera, at a more direct level in terms of return on investment and benefits that are associated with an investment, I would think that you could value services and assets that are created by these investments.

[02:51:24] And that goes into a straight up cost-benefit analysis and return on investment calculation, value safety services, et cetera, value assets that are created, and they have or they can certainly be given a value to do that.

[02:51:39] Is that something we might also look into so that could be a part of what everybody is able to see on these investments as some method of establishing a stack of benefits and then a return on investment for that? I think that's something that we can investigate and definitely take under consideration as well.

[02:52:00] as we develop and fine-tune the CIP as well. Great. Thank you. Any other questions or comments? Okay. Do you feel like you have adequate direction from the dais?

[02:52:22] Yes. For right now, yes. There will be other opportunities to discuss the CIP more. This was just to present it. You guys can take it home, absorb it. Okay. Okay.

[02:52:38] That sounds like a plan. Ms. Shinneberry? Our next item is a discussion on the board's commissions and advisory committee statement of economic interest filing bylaws and handbook. I'm going to recognize Brian Lovekman, our city attorney, first to provide the staff report.

[02:52:56] Thanks again, Mayor and Council, and we will move through these final two work session items hopefully quickly. They're primarily designed for input from you all. The first is the discussion on the board's commissions and advisory committee's statement of economic interest filing bylaws and handbook.

[02:53:14] But we had received at least one or two questions from you, primarily Councilmember Peterson and perhaps others about conflicts of interest, I mean the obvious side of it are elected and appointed members of the larger boards and trusted staff as the term is used in the city code and in the state code.

[02:53:38] But there had been some questions raised about the possibility of either -- well, first of identifying which of the boards and commissions have similar requirements and whether that should be expanded and the pros and cons of that so the first part of this item has to do with the required disclosures conflict of interest and this is set forth the requirements under state law and the enabling authority under state law is the state local government conflict of interest Act which has quite a number of requirements but one of the provisions

[02:54:11] says that governing bodies can designate persons who occupy such positions of trust appointed by the governing bodies or employed by governing bodies as may be designated by ordinance to file conflict of interest forms, and those are mandated by the state.

[02:54:28] In the city code, we have Section 277 and 278. 277 identifies the persons within the city subject to the scope of the division. We identified that there are some updates that need to be made just because of changes to code provisions So we will be bringing forward amendments to those provisions anyway But just wanted to briefly go over section 277 and it is in your packet and it's A very long single sentence that I did not write and I will not take credit for that, but it's quite long But obviously the mayor members of City Council is required that's required under state code anyway

[02:55:04] And then the Planning Commission, the School Board, Board of Zoning Appeals, Real Estate Assessor, Board of Architectural Review, City Manager, City Attorney, Commissioner of the Revenue, Treasurer, all department heads, and their deputies. And then there's a long list of positions that are identified there.

[02:55:20] Obviously, there's an update because we now have a Chief Financial Officer position. Some of the titles have changed. One of the suggestions that we are making, we will be making, is to remove the requirement that deputies of the various departments are required to submit these forms.

[02:55:39] Obviously, the department heads, we understand the requirement for that. The filling out forms is an onerous requirement. It is, well, you all fill out these forms. And while we know that the forms speak to general categories and not specific assets, it is time-consuming for individuals to fill out those forms.

[02:55:59] So we will be recommending that deputies in the various departments not be required to fill out. However, that's not a firm request. If the council wants to continue to require that, that's certainly within the council's purview. The other question is, so right now we have the Planning Commission, the Board of Zoning Appeals, And the board of architectural review as boards and commissions that are required to file these forms in the enabling authority the language provides that non-salaried citizen members of local boards commissions and councils as may be designated by the governing body shall file As a condition for assuming office a disclosure form and then annual renewals

[02:56:38] We do not include virtually any of the other Well, we don't include any of the other boards and commissions of the city I did go back and do a little checking as to the history for some of these requirements and I think correctly the decision was made early on by councils that given that it's difficult enough to get folks to staff many of these boards and commissions especially when they're doing it on a volunteer basis to have a requirement essentially that they disclose elements of their financial situation it was deemed to be onerous I did a survey of other jurisdictions around there are with almost no exceptions requirements for boards below

[02:57:18] the ones that I listed Planning Commission Board of Architecture review different jurisdictions some require some don't and boards of zoning appeals there's no requirements anywhere that we could find that citizen boards at a lower level and I don't mean to imply lower and in the terms of less importance but just lower in the in the sense of where you would deem that there would be conflicts of interest required that they disclose you note in the separate the second part of this will be the just if you all have any questions about the the handbook that the city clerk developed in consultation with

[02:57:54] liaisons and with me that we have general statements about the fact that individuals do need to be cognizant of and identify any potential situations where matters that come before them or matters that they might be asked to opine on or provide input on that they certainly be cognizant of potential or actual conflicts in my opinion it's less of an issue with most of these boards of commissions because they're not decision-making they're advisory ultimately others are making decisions so again entirely up to you all as a council whether you want to expand the scope of individuals that are required

[02:58:32] to report but with the caution that's developed out of years of experience that the city has had that it may make it more difficult to fill positions on these boards and commissions if you do impose those. So before we get to the handbook, I just wanted to stop on that and see if you all had any reaction to the suggestion that we remove deputies from having to submit the forms.

[02:58:56] And again, I don't think anyone has a strong feeling one way or the other, but we are trying to simplify the process as much as possible. and if there are any other suggestions just on the issue of who needs to file those forms on an annual basis. Council Member McQuillan? How many deputies do we have? Well for most of the probably I don't have a roster but I but you know again what you would imagine you have a

[02:59:21] well maybe the clerk can. Well we have assistant directors and deputies like deputy chief of fire and police so uh the number i would say like four five it's very low well and some assistants are included in here as deputies and and vice versa so again we're not trying to reinvent the wheel we're just trying to make the process a little more simple but if there's no if there's no desire to change it we can certainly leave it the way it is we haven't received complaints we're just

[03:00:00] you know making suggestions to simplify the paperwork council member hardy chandler and i think council member bates my question is if there are implications if those deputies have to step into the lead position on an interim basis if there are any perceived consequences to that otherwise i would be in support of it being as and that is probably the best and only argument for

[03:00:34] for keeping those in um it doesn't happen often um but um you know we have others who step into interim roles that are not the deputy or an assistant um but i understand the point on that so again we're just offering this as a since we're going to be making changes to this provision um you know i would support not but yeah just want to make sure pros and cons are considered councilmember bates yeah i'm in agreement on that um and actually that was going to be another

[03:01:12] point that um yeah you know first off we don't um you might have somebody who um is not a deputy stepping into an interim director role but also um by my account it sounds like we don't have a deputy for every single department um so you know it's i think there is a perhaps a bit of an inequity there in terms of um who would be required to file and who would not um and it sounds like about, you know, if there are only four or five, then half of them are made

[03:01:49] up of the deputy police and fire chiefs, which, you know, I think that they would be, you know, a lot further down in terms of concern over conflict of interest than, say, not to single anybody out, but just in terms of the missions of the departments, economic development or community development and planning, in terms of just having more direct interactions and relationships with local businesses and developers and whatnot.

[03:02:24] So, yeah, it just doesn't really make sense to me to require that of the deputies. And, you know, and then on the other hand, if we did continue to do that, you know, it's kind of like how far down are we going to go?

[03:02:39] Are we going to start requiring, you know, like anybody in any kind of management position to do it? It's just somewhat arbitrary to me. The department heads themselves are the ones who are the ranking members of the staff in terms of their respective special, you know, specializations, you know, in terms of subject matter.

[03:03:06] So I think that everybody else within their department, within their specialization, answers to them. And they're ultimately the ones who, through the city manager, advise us and act on our behalf.

[03:03:22] So if we have them do it, I don't think there's any need for anybody else to do it. Other questions, comments? Councilman Peterson? This is actually on a separate topic on conflicts of interest and not on the disclosure, so I'll wait for this to be cleared.

[03:03:39] Councilmember Hall. Thank you. If someone were to step into the role, would they only then be required to complete the form if they are sitting in that role as of January 15th?

[03:03:54] Or would they have to fill out the disclosure before taking on that deputy role if they were being the interim? Or does it not happen at all that way? It does not typically, someone steps in on an interim basis or an acting basis, that does not impose a requirement upon them simply by serving in that role.

[03:04:14] The other thing I just want to note, and if we keep in mind what these forms do and what they don't do, they're a snapshot as of December 31st of the previous year. It's not an ongoing requirement

during the course of the year. It's done once per year.

[03:04:30] It's general categories. Respectfully, I don't think they really identify conflicts. It's a list. They sit in folders. They very, very rarely get looked at. To me, the larger protection by the state and local government conflict of interest act has to do with prohibited conduct and personal interest in transactions.

[03:04:54] The ongoing requirements that actually apply to all officers and employees of any governmental agency. Whether you file the forms or not, there are obligations imposed upon employees of municipalities, governments, agencies to self-monitor, to report, to recuse, to do any one of a number of things.

[03:05:18] And there are contracts that cannot be awarded. There are transactions that cannot be entered into. You all sitting up there in other bodies have obligations with respect to disclosure and recusal or disclosure and participation but identification. And those are the protections.

[03:05:34] Just a personal view, I don't think the forms accomplish much, but it is a nice little check-the-box of general categories. I mean, we always joke that what they show is sort of the categories of investments that people have. And I don't know how else to describe it.

[03:05:52] The only reason we're suggesting simplifying the list of officers or employees that are required to do this is just because, again, as people note, some departments have deputies, some don't. Some departments have assistants that serve essentially as a deputy, but they're not called a deputy.

[03:06:10] So we're not requiring – we do identify some, but we're not requiring everybody who would be sort of the number two to disclose. Yeah. No, I'm okay with your suggestion. My only other comment on here is under the procedures for disclosure, under item D, it just refers to he as a member.

[03:06:32] There were a couple of he's in there. Is it possible to change that or is that code? So you've gotten into one of the problems with city codes and municipal codes generally, which were always drafted with the masculine tone. We do have a provision in our city code that says when he is used, it means she, et cetera, et cetera.

[03:06:49] at some point when we recodify the city code generally we will go to i mean frankly i'm a big fan of not using he she essentially just use the position title or the name of of the position yeah um i just didn't know if we were doing this if we would take that one part understood i as we do changes we may we may just go ahead and do it that's a good suggestion thank you anything before we move on to councilmember peterson's question councilmember peterson so uh on the

[03:07:21] conflict of interest summary, I guess, is what we have here. Just if you could clarify one thing, if I read it correctly, it says that somebody should disclose a personal interest prior to a vote. But what about after the vote? In situations where following a vote, then they actually engage in something that was enabled by the vote that took place. How is that handled? So those would

[03:07:56] be case-by-case analyses because they're very fact-specific. You know, there's a, obviously, well, the state and local government conflict of interest act imposes upon the individual, not the jurisdiction, not the agency, the obligation to self-regulate. So if, and I'll just use you as an example, if you vote on something and then all of a sudden, maybe I shouldn't use an example, but you vote on something and then immediately after, you know, There's a financial windfall or there's a contract that gets awarded.

[03:08:30] Ordinarily, that wouldn't mandate a reporting requirement. I would assume that that conflict would be identified and disclosed before the vote because, obviously, if someone's getting a contract after a vote, that means that there was a personal interest potentially in the transaction before the vote occurred.

[03:08:47] So it's fact-based. It's specific. The penalties speak to personal interest in a transaction in a matter before the body. If a vote has occurred, the matter is no longer before the body. It still doesn't mean you may not have to or you should not disclose. It still doesn't mean that there may not be an issue.

[03:09:03] But by definition, those need to be very specific situations that are analyzed one by one. Okay, that's great. But there's a procedure. It's a non-answer to your question. No, but if I understand correctly, what it says is there is a procedure, which is if something comes up, there's a mechanism by which that can be examined.

[03:09:22] Absolutely. Yeah. Absolutely. I will say the conflict of interest laws, they have evolved over the years, much as FOIA has evolved over the years. But they, again, the system in Virginia, as in many states, is it still relies ultimately on the honesty, integrity, and self-analysis of the individuals that are in the positions.

[03:09:48] We do not do financial analyses of individuals within city government. It would be impossible to do. My other questions are unrelated to that. I have some others about other areas.

[03:10:09] Would you, I know you, I'm sorry, Mayor. I know you said you had some other questions on this, but were they related to the handbook or, okay. We don't have a presentation on the handbook. You all have seen it. If you have any questions and comments, we're happy to, the clerk will be happy to take them down and we'll update them before there's final consideration.

[03:10:28] Council Member Peterson. Well, I didn't see anything in here about a rule against sleeping through meetings. Not just kidding you. i chaired a committee i didn't know my microphone was on apologies actually what i first off thank thank you so much is this the first time we've had this kind of handbook yes um i did check other jurisdictions around i can tell you um so alexandria false church middleburg

[03:11:03] percival warrenton and waynesboro does have handbooks but no other virginia jurisdictions have so so yeah this is a first time creation for the clerk's office to do a handbook for board commission and advisory committees we just figured it'd be a nice to have like a streamlined process and even kind of outlines like a lot of information for someone who's considering mine you know to apply to a vacancy because i mean we have information like some people don't know board of zoning you might have to get you know court you know an oath of

[03:11:39] office to be like appointed to that position um also like so i our office me and the deputy city clerk we worked with the city attorney and then also mr hardin to work on this and then um because there was a lot of things like mr hardin brought up uh a lot of the boards you know they don't know they don't have like a great weather cancellation policy so we just you know we relay like what we do for council and then you know just adding information like you know depending on school you know closures you know city closures and such and then also too with the acknowledgement sheet

[03:12:13] we were hoping maybe that might cover like the conflict of interest for the you know as the city attorney put the lower boards so that way we have that signed form that they acknowledge that they're

going to follow the handbook and such and then we would have that sign when they are appointed and reappointed well i think it's great to be involved in the race to the top and so congratulations for doing that and i think this is really an essential thing and having not only served on a committee but chaired one for a while this is i think very important i'm absolutely with uh chair feathers on

[03:12:48] this this is something that's important um i i have a question here that is well one thing that i didn't see is voting procedures and this they may be a little different between advisory uh committees And then you used the term decisional, but there's another form of committee, commission, board, whatever, that is an implementing arm of the city.

[03:13:13] But for advisory, citizen advisory committees, my experience and my understanding is the way that that works is that at the beginning of each meeting, the body, the committee, is asked to vote on the agenda for the meeting.

[03:13:33] and I that again that that's my experience and it's my understanding I just want to check and see whether that's a shared understanding of how these committees operate in terms of their voting procedures on agendas to my knowledge yes I have not done a survey of every single one but that would be my understanding what the correct process should be right and you know again the clerk noted we've assembled the bylaws from the goal through all of this the other reason this has been a good process to go through all of this is

[03:14:07] attempting to standardize bylaws across the various boards and commissions to the extent we can there's some statutory state statutory requirements that make them differ but we're trying to standardize we're trying to make things uniform makes it a lot easier to monitor a lot easier to manage and totally in agreement and i think this is one of the areas that really can and should be standardized but thank you for clarifying that that's the correct procedure that being said i think a modification of one thing in here would reflect that which is

[03:14:45] in terms of how agendas are set the language currently says that the chair and the liaison staff liaison develop collaborate to develop an agenda i think actually the the real process is they develop a proposed agenda and that proposed agenda goes to the body for a vote because the body has the authority to set that agenda that's a nuance and that's absolutely a correct statement and we'll update that maybe a nuance for those of you who have not chaired one of these committees but for those who have it's it's an issue that is uh that benefits from clarity um and that i think

[03:15:24] actually gets to a slightly larger point which is the question mark of whether advisory committees are independent and so as I understand it for those committees and this is something that would be laid out in bylaws the city has the power of formation the establishment of bylaws it has the power of appointment and the power of coordination and support but the committees the independent the advisory committees are otherwise self-determined and independent in terms of setting an agenda and then going through procedures to vote, et cetera. But they do that in a way that's fully coordinated

[03:16:04] with staff. That is kind of an operational thing, but I just want to check that because in terms of the decision-making that goes on, it actually in some of these areas makes a difference. And I think it would be good for that to be clear in the bylaws. And I'm not sure whether there's sample language you can draw upon to do that but that's a point that i think would be very helpful to establish if it's not already we'll look at that yeah and then uh maybe things have changed but last time i checked there uh was at least one committee and maybe more that actually didn't

[03:16:41] have bylaws or rather what they had instead of bylaws was um operating procedures that had been developed by staff in the absence of bylaws because somebody had to do something to figure out how the railroad ran right so I'm taking it from this that where there are gaps like that we're going to try to fill them with guidance here that would be standardized and that that would go through an adoption procedure of the bylaws and I'm not sure how that works whether the committees themselves have to adopt bylaws but I think that would be helpful to clear up because again folks have kind of been feeling their way forward just a little bit as the clerk noted in the staff report I think there's only one committee currently

[03:17:21] that is still developing bylaws. So developing and having bylaws is different from having standard and uniform bylaws, but there's only one that has not set bylaws. I would love to identify it, but I don't know which one it is. So we will make sure that everyone has bylaws by the time we're done with this process.

[03:17:38] It would be great. And just know that there are times when things have been referred to as bylaws, but actually what happened was in the absence of them, a staff liaison said, well, we've got to have something, so let's draft up some operating procedures here. and they were declared subsequently to be bylaws, but that may not actually be the bylaw process.

[03:17:56] Right, and the related issue is we have had situations where it is clear that certain boards and commissions are not operating in accordance with their bylaws, so that's being reinforced as well, so all of the above. Great, and then a really tiny point that I think I know the answer to, but we just asked for an amendment to the charter to compensate people who serve on boards and commissions, And there was some language in here about not receiving compensation, and I'm gathering those are not in conflict.

[03:18:28] That's correct. I think that's a different type of – that's not compensation for the city for serving on the Board of Commission. That's being compensated otherwise. Like if you volunteered – like let's say you volunteer for a parks and recreation event, but you're getting paid for it, that compensation you would not be allowed to do.

[03:18:46] Is that a conflict of interest? Not a conflict of interest. It's not a good look. yeah so it's allowed even though it's correct not optically correct acceptable okay all right well so that's good to know on those points but I do support some cleanup on all of these points to kind of fill these gaps and bring the consistency and what-have-you and then to clarify the status of the advisory committees in terms of their independent roles and that's again

[03:19:22] different a little bit from those boards commissions etc that have an actual city function that's designated it would be good just for those to be clear and not blurred so much as with the discussion you had on the cip on the last item you know assuming you all are amenable if anyone has comments or suggestions gentle comments and suggestions if maybe you could send them to the clerk and we'll incorporate them into what we hope will be the final version brought forward thank you council member mccullin will this also be made available to the public on our website or

[03:19:59] on our advertisements for board and commissions yes i would like to put on the board commission website like on the page you know so that way they can access it fantastic i would love that would it also be possible to maybe include an encouragement some words of encouragement to reach out to the chair as well to get to know a little bit more i'm just taking some public feedback into yeah um i know we have it set up in grant i guess when someone applies saying like you know thank you for your

application so maybe we could put some verbiage in there like please um reach out to our office we can give them the information of the chair so that way they can have the contact information to reach out i think that would be fantastic thank you i appreciate that

[03:20:39] council member hall thank you uh great job it was really really well done it wasn't all me i would like to acknowledge too the staff liaisons supports and commissions well everyone that participated it was it looks like a very good final product or mostly final product um i think we just need to have a standard policy in the city do we capitalize the city or do we not when we did our that's we learned during our city manager search that it should not be it

[03:21:13] should be a small c i i got i was told today that i'm an old man in my view of capitalizing i like capitalize things. Maybe you're just wearing the new logo from the high school where it says the city on it and then it is capitalized. But apparently there's a new AP style or whatever we're calling, so I'll just give up.

[03:21:32] So I'm going to go through the rest of my life being E.E. Cummings, for those of you who don't know that. Everything will be lowercase from now on. Okay. But I also did want to thank Chair Feather for coming in and talking. And I do think, in addition to what Councilmember Quillen said, I think it's a good idea to encourage people in this document also to go to boards and commission meetings of the people that they're interested in Pursuing. Thank you. You're welcome councilmember Peterson. Well on that point, uh, I I very much agree. I think there's in

[03:22:08] my and our experience with the board and commission appointment process a little bit of unevenness in terms of staff liaisons and even chairs being asked to provide feedback on candidates or asked to be actively involved in the outreach process.

[03:22:33] I know some who say that they've never been involved, never been asked, and I know others who do. So it would be good to bring some consistency to that so nobody's left out unless everybody's left out. Yep, we'll take that in consideration. Thank you.

[03:22:51] Mayor, I do have, if we're done with that, I do have one point of personal privilege and sort of advocating for one board in particular. The city is in desperate need of someone to serve on the Board of Zoning Appeals. That's required by law. We do not want the circuit court to simply appoint someone who could perhaps be a non-city resident to one of our boards.

[03:23:13] So for any members of the public that are watching at 10.30 on Tuesday evening or for you all, if you know individuals who might be interested in serving on the Board of Zoning Appeals, it's a recommendation to the circuit court, But we need to have a full board, and it's been very difficult to fill.

[03:23:29] So just as one board that has a vacancy, we really would like to fill that one. Okay. Duly noted that we desperately need to fill that. Excellent work done on this. I do think that we, this council, has expended a great deal of time and energy and invested in doing a better job, getting better at appointing people to boards and commissions.

[03:23:54] So, I mean, anything we can do to provide clarity, to let people know what the expectations are up front, to encourage them to attend meetings and to seek out the chair, all of this is excellent. And I do think that the more comfortable people feel that they know what is required, not everyone feels like they're qualified to be on a board or commission.

[03:24:16] So the more that we can set expectations and let people know, if you live here and you're a resident, you should explore whether or not the thing you're interested in is an opportunity to give back to your community and let's try to make it inviting and not intimidating.

[03:24:32] And I do think setting expectations is a really important way of doing that. So if we are finished with this, we can move on to the next item. Our last work session item is a discussion regarding the revised City Council rules and procedures.

[03:24:47] I'm going to recognize Brian Lubkman, our city attorney, to provide the staff presentation. So very briefly, again, this is a topic that you all have discussed previously. As you're aware, at the start of every council term, council adopts its rules of procedure.

[03:25:04] And most recently, that was done on January 28th. There were some requests from individual council members that some changes be explored to the rules of procedure. The document before you is the version that has what staff believes are the changes that have been requested.

[03:25:20] And I'll just go through them very briefly. There's some typographical, grammatical that I won't go through, but primarily on page four, section three, we added city council's powers and mayor's role. And just by way of background, there was a request to include the provisions from the charter that relate to the city council's role and power.

[03:25:41] And so we've included them here. So that language, all the language that's underlined comes from the charter. So that's the first part in sub A there. The other sort of substantive change is in 3C, which talks about the development of the agenda.

[03:25:57] And you see the language that has been added there. That was the language in some form, and you all may discuss that. There was consensus of the council that that was a process that was acceptable moving forward. So we included that. And that's really, in terms of major changes, that's really it.

[03:26:17] But we're happy to entertain any additional changes if there's a desire by the council to bring this forward. for consideration. We'll put it on an agenda for adopting these amended rules of procedure, but that's the extent of the staff presentation. Just for clarification for those watching at home or who are interested, what is the role of rules and procedures vis-a-vis the charter?

[03:26:40] Why do they exist? Well, the rules of procedure, so the charter has sort of bright line rules as to sort of the powers and sort of the conduct. The charter can be considered sort of the constitution of the city for lack of a lack of a better better analogy rules of procedures are the day-to-day implementation of many things that occur in a modern government where you have a chief executive you have a mayor and a council with differing roles so that's why the rules contain you know things like Robert's rules of order for example isn't talked about in the charter and there's many other items in here about zoning ordinances emergency ordinances

[03:27:19] We do have emergency ordinances in the charter, city council appointees, relationship with the city attorney, tasking of staff, anyone of a number of sort of day-to-day implementation and procedural items that have been adopted by the council.

[03:27:34] The one thing I will also say, and I have recommended this in the past, we haven't gotten to this point, there are some jurisdictions are moving toward not having rules of procedure done by each elected body as they get elected but rather codifying them into their city town or county code which also means

that they they sit there and they're always there you don't have to have you don't have to reenact them every time if if councils there's no requirement that new rules of procedure councils are continuing bodies so if a council chooses never to amend or or enact new rules of procedure the ones from previous councils just remain in effect that's another

[03:28:14] thing to consider. We do it because we think it's important for elected bodies as they take office to actually look and decide and consider, if nothing else, reinforcing the rules and procedures that have been done previously. But there's nothing magical about this. And so we're happy to entertain any changes or suggestions. So in your tenure, which is significant, have the rules and procedures changed significantly or from one council to another?

[03:28:42] Well, I will say in the 20 years that I've been city attorney, they've certainly evolved. I mean, I think they were certainly a little more disjointed previously. I mean, we've tried to update language. We've tried to make the processes a little more understandable. But, I mean, you're still dealing with a document here that's 10 pages long.

[03:29:00] You know, so I don't know if anyone considers that efficient or effective. It's a good document to look at. I think, practically speaking, the processes work the way they're sort of outlined in this document. but yes I mean there have been changes there have been changes that are non substantive there are changes that are I would argue many of these changes that are in here you know dropping in things that are in the charter that's fine it doesn't change anything I mean the charter controls anyway but it does have language here then you know to the point about the powers it does drop in the language that that that talks about council powers where we have some clarification on you know the mayor's role that had traditionally been in there

[03:29:37] so again i'm agnostic on it i don't know if it adds anything subtracts anything but it certainly clarifies language so with the when the next council is elected and they also have the opportunity to then go and basically rework the rules and procedures yes every council does under our under our the way we do it every incoming council has the ability to go and retool rules and procedures absolutely councils also have as i noted a few minutes ago councils also have the ability to decide that they want to get away from having separate rules of procedure like this and just codifying them in the city code so that they're

[03:30:16] there you know forever and or until the city code is amended by ordinance questions or comments on rules and procedures councilmember Bates yeah we last discussed this I think a few months ago or so but I don't yeah I've come to not believe that the majority of the changes pertaining to the roles of the city council and

[03:30:49] mayor are necessary or they're not duplicative of frankly the you know the charter in one case but you know I think that it it doesn't seem that it would make a huge difference anyway one way or another you know there are certainly some other more mechanical changes such as adding city before council in a few cases. But, you know, those are just my thoughts. Other comments? Councilmember

[03:31:27] Hall. Thank you. I got two separate emails from residents and I just wanted to pass along their suggestions. The first one was you could include the specific votes that the mayor can break a tie on versus can't. It may also be helpful to spell out how council can modify the agenda versus a motion or a majority vote. And then the other one said that you should spell out when the council can overrule the chair. It's in there, but needs strengthening. I don't know exactly where those

[03:32:07] items appear in here, but I kind of thought that they had already discussed that, but I just wanted to give them to you as the legal person. It does. I made a comment a few minutes ago about how this document is 10 pages long. I understand the comment about overruling and other, we have Robert's Rules of Order. And we, if we put, if we were to put in every circumstance, there are different requirements on votes, there's different requirements on majorities, et cetera. On that, I respectfully suggest we just leave it. It's Robert's Rules. We, we deal with those situations

[03:32:43] as they arise. Totally fine with me. I just, other people had bothered to read them, so I felt I should bother to share their thoughts on it. That's fair. And as far as, as far as, as far as breaking the tie again, um, that is, uh, not found in the charter that comes from the constitution of Virginia. Um, that is a function of the fact, and folks hate when I say this, but, uh, some jurisdictions have what's known as a strong mayor. Some jurisdictions have a weak mayor, respectfully married, um, uh, where a mayor is either part of the governing body or not. In our case, the mayor is not a part of the governing body.

[03:33:19] So the Constitution of Virginia says on certain matters, the mayor cannot break the tie, and those matters are appropriations over \$500, borrowing money, or levying taxes. So, for example, we've talked about this during budget. The mayor can break the tie on the budget. The mayor cannot break the tie on the tax rate that corresponds to that budget.

[03:33:38] So there's those type of situations that arise. And just to be clear, what's not really specific in here that is different from my role with the last dais is that I have no role in hiring the city manager except to sign the resolution, that I do not have a role in boards or commissions either.

[03:34:01] So just to be clear, those things are not spelled out here, but there is a difference in the role I have now versus the role I had with the previous council. And I don't think people are aware of the fact that I am not part of these processes.

[03:34:19] So I just want to be clear that this language does not necessarily transmit how the role of the mayor has changed with this particular council. So I just want to be absolutely transparent and clear about the duties I no longer have under these rules of procedures.

[03:34:39] Any other comments, questions on this? Councilmember Peterson? Well, and I actually am surprised to hear that because I've heard alternate views of that from members of prior councils, but maybe that's a follow-up item.

[03:34:57] I think I have maybe a big-picture question about the original drafting and the on-the-way drafting of the rules. Was there originally or has there been along the way a point at which the rules were drafted by going through the charter systematically and treating the rules as an implementation document and then saying, okay, 0.1, 0.2, 0.3 systematically, here's how we implement each of these provisions,

[03:35:34] and thereby creating a document that's comprehensive and systematic? No. The method for creating the rules, and they predate me originally, the method, the creation of the rules and procedures, as I noted at the beginning, were a recognition that if we simply relied on the charter. A lot of the day-to-day activities, functions, functioning of government, functioning of the relationship among those of you on the dais and interaction with staff, there would be nothing addressing that. And the example I gave was things like tasking of

[03:36:12] staff, tasking of the city attorney, relation with boards and commissions, those type of issues. Many of those are not covered by the charter at all. So the original purpose, I think, of this document, and

I think I'm being fair in saying this, was to cover aspects that were not clear in the charter. Because again, the charter is the constitution. It doesn't anticipate every action that needs to be taken by a government where you have a chief executive. So I don't think I would recommend, I don't know if it would be a good exercise to take the charter and go

[03:36:48] on this item, here's how it is implemented. I think that would result in a document that's fairly unwieldy although i don't know what your opinion is of a 10-page document to begin with well i guess part of the reason i ask is that the document that we have has underlined in it some additions but there have been changes along the way we started with a document the beginning of january i think there was another one i don't know when it was we're two or three versions down

[03:37:21] the road now and it's not just a matter of what's been added it's also a matter of what's not in it and i'm not entirely sure um that the current document we have has you know been adequately reviewed reviewed just to say is there anything in the in the charter here that really is missing that ought to be in here or that dropped out since the january draft because part of what's going on is we're not just adding things i think some things may have dropped out or been modified so it'd be good to well i i will tell you my drafting convention is i show additions as

[03:38:01] underlines and deletions as strikethroughs. If you don't see a strikethrough, nothing's been deleted. The starting point on this is the January 28th adopted document. And then there was a document after that. We did, I think, a retreat or discussion. Maybe it was April, something like that. Was that the same document in that discussion? Same document. This document reflects the notes that came out of that meeting and the consensus that I took from that meeting. And then there was another meeting when was it july or some such um i thought the sequence was that we just that

[03:38:38] was when we started sort of pushing this from meeting to meeting um i don't recall there was a substantive discussion i'll go back and check but i don't recall that there was any other substantive discussion from since the retreat well there was a retreat at blenheim and another one maybe it was the one that was here we had one here in the work session room okay i think that was the july one june okay all right nothing since then it's been pushed since then just simply waiting for input and time given the length of the agendas okay and then so um one of the the

[03:39:14] items that um i think was a topic of discussion this kind of goes back to prior question here in a discussion of boards and commissions is how agendas get set and you mentioned robert's rules of order but am i correct that the agenda for the council meetings is set by a majority vote of the council you have an item on your well there's two ways that the agendas now are being set and frankly one of them has come out of discussions that the council has had so you have the discussion

[03:39:47] of future items which is a new with this council item that's on every agenda and we'll be doing it a little shortly here on the agenda, where council can see which items, because again, there are items that have to be placed on agendas given timing and the functioning of the government.

[03:40:06] It's unwieldy to consider convening the council to set agendas. I think we would have meeting after meeting after meeting doing that. So the agendas are set by staff. I think there's some misconception as to what happens in the meeting with the mayor. Those are staff-suggested agendas.

[03:40:24] we add and subtract we send that then to the council for review and and you have seen that that's the process we've talked about here that you all had reached consensus on that you would get before

it was finally published to get a copy of the agenda and an opportunity for 24 hours to weigh in on items that should be subtracted or added if you want to suggest what is added but the ultimate control over the agenda is at every meeting when you make your motion to approve the agenda traditionally that had been a formality i think with this council as we've seen there have been occasions where items have been added and subtracted and that's how the process should work

[03:41:00] so that's the control that the city council has over the agenda so by two two two means okay but that's uh uh it takes four votes at that stage for the agenda to go forward yes with the mayor can break the tie but yes it takes four four votes to approve the agenda well that's two different scenarios that's either a three vote or a four vote which is it approving the agenda is a ordinary matter the mayor can break the tie if they were if there were to be a tie on the motion to approve an agenda or to amend an agenda item the mayor may break the tie on that that's an

[03:41:36] ordinary item that's not one that uh the mayor is prohibited on from voting on so the council really doesn't set the agenda well the council does but if the council is tied we don't want the agenda we don't there not to be an agenda how's that it's confusing fair I would argue that the I would argue that our structure introduces some confusion into voting processes and we could take that up with the individuals who set the city up as a city councilmember Hardy Chandler I feel like these might be two

[03:42:15] separate things about the voting on the agenda versus setting the agenda this document this version this draft reflects my recollection of prior conversations of wanting to have access to the draft agenda ahead of time for input that's reflected in here thank you for the work to do that and it's certainly our responsibility to follow up with that since we asked for it I think what you're explaining in terms of modifications to the agenda on the meeting day those are another those are other procedures so I think there is

[03:42:47] ample opportunity to contribute to the content of the agenda before and before the meeting and at the beginning of the meeting to to this body's credit agenda setting has gone from what i think traditionally was you see it when the when it's posted for the public and you see those items when it's posted for the public to now a more collab some may disagree but a collaborative process where you have multiple opportunities to weigh in on items that either are showing on

[03:43:22] future agendas or that you would like to show on future agendas or that you would like removed from future agendas. And we hope, because we are reflecting what we believe was the consensus that's developed out of this, that you all feel that you now have opportunities to weigh in on the agenda. But we are not recommending, we've never recommended, and I hope you all would agree, we don't think it would function if the actual setting of agendas before they got to the point where they were even distributed and published required a meeting of council i would argue we would grind to a halt as a government if we did that another aspect of this too that i will bring

[03:44:01] up is adding things to the agenda on the night of the meeting that have not been advertised so when the agenda is amended and like the person running the meeting has not been notified that something's going to be added to the agenda is problematic, as it was when we voted to cancel the Country Club Hills Connector, which was added to the agenda. It had not been previously published, and we took a vote on it. Senator Adam Eben is introducing a bill for a second time to prohibit that in legislative bodies, that you cannot introduce something the night of

[03:44:39] and take a vote on it that night. You can add it to the agenda, but you cannot vote on it when there's not been public notice so i'm just saying as far as setting the agenda and letting everyone know ahead of time what's on the agenda there have been instances where things have been added the night of where i did not know they were going to be added and i don't think that's a very good way of conducting the business of the city either that's fair that's fair um we on the staff so very rarely there are emergency situations that develop there are last minute things that develop

[03:45:17] and we try not to do it but we will add I mean obviously you all have to vote to approve but if something comes up this time sensitive that we just didn't know about and if there's no special advertising requirement you know such as opportunities to obtain funding at the last minute or a requirement you know you know cog or someone is asking for a quick consensus on something we we will add those to the agenda we try to avoid that I think the bill that's being proposed is you know it could be positive I think it may have an unintended consequence of of eliminating the possibility to do something where there's a requirement to act quickly well the VML because VML talked about

[03:45:57] this it and they have a carve out for emergency things and things that where where it is identified that waiting would be detrimental so it's not a hard and fast what they're trying to do is to make sure that things are not thrown on the agenda the night of where the public has no notice and no opportunity so so vml is actually supporting that in its modified form with the carve out for emergencies but that is something that you know if it gets out of subcommittee it will likely you know be something considered in the General Assembly this

[03:46:33] year well and there's the last thing I'll say and I'm sorry I'm doing too much talking there's certainly nothing ever to prohibit a council at any meeting from saying, by vote, we want to add X to the next agenda, right? I mean, you all have that power.

[03:46:50] Council comments, somebody can make a motion to do something like that if you want. Now, there may be special advertising requirements for something. If you want something done that's a land use case or you want a rezoning or something, we certainly can't do that. But again, I think from staff's perspective, I think the takeaway is the process is a lot more iterative than it had been in the past.

[03:47:13] And hopefully you all agree that you have opportunities to weigh in on the agenda. Understanding that there is a need for the business of government to proceed and not have meeting after meeting to do sort of the, respectfully, the routine aspects of setting agendas.

[03:47:30] Council Member Peterson. Well, just to clarify, so it is within the authority of the council, as it's reviewing and approving an agenda at the beginning of the meeting, to propose changes to the agenda.

[03:47:46] Is that not the case? Under current law, absolutely. Again, assuming there's no special advertising requirement to something that's being added, but you can certainly delete. I mean, again, the motion is there for a reason. It is not designed to be a rubber stamp.

[03:48:03] Often it is, but it's an opportunity to add, subtract, modify. Okay. I think it's covered under Robert's rules. But past agendas and getting into acting on resolutions, motions, et cetera, council members can propose amendments that have not been previously identified.

[03:48:34] To resolutions and ordinances? Well, no. A vote on, well, you could have a vote on a budget item. You could have a vote on, you know, some sort of an action here that we're taking.

[03:48:49] And we go through a regular vote. There's an amendment process, right? Yes. I mean, there's exceptions, right? So appropriations resolutions, for example, if a number is on an appropriation, that's a maximum. You can't go above it. You can certainly go below.

[03:49:05] On ordinances, you can vote to change language in ordinances provided it doesn't change the substantive meaning of that ordinance. So you can't introduce something completely new to an ordinance. You can't bifurcate an ordinance. You'd have to re-advertise. Resolutions, you can generally make changes to fairly freely.

[03:49:25] motions you can change freely all right so the resolutions and motions you can have amendments you can also do substitute motions absolutely okay all right so that's routine as a part of absolutely happens all the time yeah and but that is not spelled out in the rules per se because that falls under Robert's rules of order correct right correct okay so let's just bring it back to these particular changes which is what we're here to discuss the rules and procedures edits modifications have been made by Mr. Lubkerman. Everyone's had an opportunity to review them.

[03:50:02] If this is something that the council wants to move forward with without changes, is that a consensus? Oh, I'm sorry. I didn't mean to interrupt, but if you are going to adopt amended rules, we would suggest we put it on for the 9th and take a formal action. All right. Council Member Peterson? My notes indicate that we had discussion around, and I thought agreement on item 3c which is adding a comma and two words and council to the consultation process in what line

[03:50:39] i'm sorry line c well there i'm sorry there's first line excuse item c first line and cons well in consultation with the city manager i mean anywhere in there you could throw in a comma and city council um you know it's an interesting point because the the the mayor doesn't prepare

[03:51:17] the agenda the staff prepares the agenda and meets with the mayor to go over the agenda so I understand the point I don't think it changes anything to add city council just query what that looks like well is that a is that an email to council members saying but that's a discussion we've already had in terms of the method it's just establishes that there should be and is expected to be some sort of consultation and that could happen by more than one version I would

[03:51:48] note also that I think there was an addition on a separate but similar issue which is scheduling of additional meetings where per se language was added quote-unquote in consultation with the city council so to be parallel it would seem to me we would do the same thing on the consultation on the agenda so the the consultation that occurs on the agenda I would think is the the version that goes to the city council before it's finalized it it may or may not be the point is that, generally speaking, what the addition of that would indicate

[03:52:28] is that there should be some form of consultation, that the council should be included in some fashion in the consultation on the agenda. I'm open to suggestions. Because the council is a body of six people.

[03:52:46] It's not one or two people on the council. It's the body of six. So if you want a consultation with the council, there has to be a mechanism, a platform, or some procedure for consulting with six people. So when you say the council, are you talking about the council as a body acting as a body, or are you really saying in consultation with council members, because that's different?

[03:53:11] Well, there's language in here already that says in consultation with the council about scheduling additional meetings, and that hasn't been spelled out per se here, but there's some additional ways that that can be done. and probably is done so the consultation on setting meetings though has more importance because that involves your individual schedules for being available for items on the agenda are of importance to council members also that is that so it just seems to me to be this is a kind of an innocent point here the council can and should be included in consultation in some manner whether

[03:53:45] it's two by two one by one whether it's sending out a futures whatever the case may be it is a simple thing to say the council I take your point and I would suggest that that is occurring now by having the discussion on the futures lists having you know ample opportunities to weigh in I think the change of the language probably makes no significant difference I don't see any reason why it can't be added I would like to suggest that it be added because it can only help it's not going to hurt correct you you are not though as I understand it suggesting a change in what has seem to be working recently as a process for the agendas that's a separate

[03:54:23] matter if we want to fine-tune that process we can certainly do but but this just establishes that there is a process okay I'm happy to include that language if the council would like them okay the silence is deafening isn't it I will include it in the draft I think it'll be fine I think it's all fine I think we just change it and add it and figure it out on somehow on the other end okay if

[03:55:02] If we've done with this, no, Councilman. Oh, I'm sorry. I was going to say, did you want me to bring this back on the 9th, but I'll wait. Yeah, Councilman Brates. Yeah, on that note, and, you know, this might be less rules and procedures and more for a potential code of conduct, but I do, you know, and I do think that the future agenda meeting or future agendas meeting at the end is preferable to what else has happened.

[03:55:37] I mean, I don't think that there should be surprises on the dais in terms of the agenda. And, you know, and I do understand, of course, that sometimes things do come up last minute that, you know, that staff has as well.

[03:55:54] But if there is, you know, if it is something that is not, you know, an emergency or last minute item, then, you know, I don't think that that should be something that is a last minute surprise. And I do want to add that, and I do personally try not to rely on hearsay, but rather my personal firsthand experience when I differ from my colleagues up here.

[03:56:23] But I was on the previous council myself, and my recollection is that appointments and whatnot did go a bit differently. And, you know, and perhaps not everyone felt that way, but my sense was that the mayor was more involved in the discussions at any rate in terms of those appointments.

[03:56:52] But, you know, in terms of the rules and procedures and anything else you want to put in there, I, you know, again, I don't think that the additions in terms of the roles of the city council and mayor are necessary.

[03:57:10] But, you know, if that's consensus, I'm not going to die on that hill. But I don't think that we need to add anything, you know, beyond that in terms of that conversation. Well put.

[03:57:26] No one wants to die on this hill. Mr. Lubkerman, anything further that you need from us? December 9th. Yes. With the additional change we talked about this evening, and I'll circulate in advance if anyone has any additional, and then we can put this one behind us.

[03:57:42] That seems like there's consensus for that. So with that, I will now reconvene the meeting. And first on the list in the reconvene meeting, I believe, is future meeting topics, Ms. Shinaberry. So we'll go over December 2nd and December 9.

[03:58:02] For December 2nd work session, we have a presentation and update from the Housing and Healthy Communities Advisory Board, And then an update on the urban forest master plan project. And we will remove the legislative program from that agenda.

[03:58:22] As of right now, that's all we have from staff for that agenda. Good. Questions and comments on future meeting topics? Council Member Amos and then Council Member Hall.

[03:58:39] I only have one question, and maybe it's just because it'll come up later. For February 10th, I just didn't see anything underneath that. there for is there a reason we just okay okay so Wow keep it as I'm cool don't make any vacation plans I see that we are scheduled to discuss on January 6th

[03:59:12] fire station number three concept design presentation with council support could we try to include improvements to the current station in that interim phase at that time? Or is that too soon to be able to come up with some ideas? Or is that a different conversation that needs to be had before we can have a conversation? So January 6th is a placeholder for Fire Station

[03:59:46] three. Okay. Um, because we had a conversation, uh, with a company who could help us with a PPEA process. Um, they were not going to, they were not going to get us information until the end of January. Okay. So this might get my other question at the same time too. So yeah, this might actually get pushed down until we get that PPEA information. So it may get pushed to February. Okay. Well,

[04:00:20] rather than pushing the other, could we maybe work with President Salik and others that need to be discussed to try to figure out what we could do in the interim for some of the things that we discussed before, the sleep hygiene and all that? We could engage with Chief O'Neill. It's his department. Yeah. And how we can. Okay. Yeah. We had just given some ideas to President Salik. So my other one on here that I didn't see is the Willard Sherwood when will that be brought around

[04:00:52] for us I know we had received some information on from Mr. Harden on costs to other considerations things like that I had a lot of questions about that and I was hoping for a opportunity to be able to delve into that a little bit further December 2nd looks open so following the council

[04:01:27] land use approval on October 14th. The project moved into solicitations for bids from subcontractors, so a guaranteed maximum price can be prepared. And so that's where we are at this moment.

[04:01:50] We're anticipating in January receiving that guaranteed maximum price. So we'd anticipated the next time coming back to city council would be when we had that updated cost information so we could go through that with the council review final plans but once we have that i don't quote me because i'm trying to remember there's an off-ramp potential but it's like 14 or 30 days or something after that max bid comes in for the maximum price thing okay so then maybe i'll take

[04:02:26] my questions offline and just send them all to you but when you had provided us with information on proposed costs for tear down and rebuild of green acres or and then I had asked some questions about like what were those specific breakdowns of costs and my understanding is that we were

operating or staff was operating off of the FCA that the school board had done which would bring green acres up to specs as far as what it would be to become a school again which would potentially

[04:02:59] be different so i'm not trying to um you know kick the can further i'm just trying to understand is this the best choice i recognize there were feasibility studies done there were all these other things done that were over the years there was outreach and i like the project i don't like the project now given current financial um constrictions restrictions constrictions whatever the word is at the moment um but it seems to me like we're just kind of like this is like another

[04:03:34] george schneider trail where it's just we're just hoping that the timeline runs out where a decision has to be made and people are rushed into something and it's not a happy kumbaya moment for a lot of people it's more of a feeling forced decision making process understood um at this point what what we're trying to deliver is what is that final cost so that to to your to your point so it's very clear as to what that is because we've provided estimates now for you know a couple of years at

[04:04:12] this point but but to have you know a very clear this is the final cost is that cost within the 56 million dollars that's been allocated in the cip or not and um are and are there any other factors at that point for the council to consider so the council can make a decision we could certainly have lead-up conversation to that, and there can be a work session and a separate consideration. But just in terms of kind of where we are in the process, that is what

[04:04:52] we were thinking made sense. But if you have questions about the estimates on some of those other scenarios that were prepared, we can certainly respond to that. Maybe if you've got those maybe the the best thing is to send them we can respond and it looks like we need to have a work session to talk through any of that we're certainly happy to do a work session whenever we're just you know we're trying to be um careful in in the use of everybody's time and provide you with the next set of information right and i certainly don't want death by meeting or

[04:05:29] death by work session by any means but i also feel like there has been enough concern over where we are on this financially with looking at what we're doing with all these other areas, looking at the CIP and the fact that we would need to go out for bond in February or March or whatever it is to start doing some of these things.

[04:05:53] So I think it's a hard conversation to have without knowing more information, without knowing what our proposed tax rate is going to be, without seeing the city manager's budget. I mean, there's all these different buckets that are filling up very, very quickly.

[04:06:12] So to me, there's merit in it, but I guess I can start with sending my questions and then we can go from there and see if others have questions as well. We can certainly respond on that to the council as a whole.

[04:06:29] And then if it looks like we need to have a conversation, we certainly do. What I would anticipate is that the next question will be, okay, well, then what's the number for the actual project? And so that's why we were trying to get to that.

[04:06:44] Yeah, and I can see the merit in that, too. I think the other big question is what, kind of like I asked, what will become of the George Mason building if we don't do anything for the next couple of years on the fire station? What will become of the Green Acres building if we aren't using it in another two years?

[04:07:04] I mean, have there been thoughts on where that would go, what that would look like? Because I think decommissioning a building is a big deal without knowing a future plan for it or having an idea of how it will be utilized.

[04:07:20] And I think that that is a concern for especially the residents who live right there, but also for others in the city who have been closely following this. So I know I'm kind of pivoting and going in different directions here, but that's how my brain works. That's okay, and we can certainly respond to that.

[04:07:39] There were some general recommendations made when the Green Acres Task Force met, you know, now 10 years ago on what the future at Green Acres might be. I believe there was some feasibility study activities that happened within the last few years, but I would want to confirm that for you.

[04:08:05] But I think as you're aware, as council is aware, the future of Green Acres is certainly guided by the covenant that the school board has on Green Acres.

[04:08:21] And so that would kind of be, you know, decision point discussion one as to whether or not that covenant, the school board intends to keep it there. Is there discussion about it moving somewhere else? there's been informal conversations about that over the years but certainly for anything to move forward you know formally that would need to be addressed but we can we can follow up on that in more detail if that's if that's an item okay thank you sure any other comments uh councilmember

[04:08:53] bates uh not a huge deal but um uh i recall that there was um uh we had tentatively had it on the future agendas list a while back but um a potential leasing agreement for the uh you know the gas lamps over on breckenridge lane um i know that's uh um you know something that the community there is uh um has been invested in and um and i understand you know certainly it's uh kind of

[04:09:29] unprecedented and kind of new territory there so certainly understand it's a complex issue but any updates on when that might so and it may be my fault for not having updated we received a request from the HOA to hold they decided we had conversations with the HOA about what a license agreement might look like and there are some financial considerations on the part of the HOA they asked if they could have time to take it to their entire membership I think their annual meeting is at some point during the remainder of November it hasn't already occurred so as of right

[04:10:07] now we're on hold we'll wait to hear back from the hoa if they still like us to proceed with a negative staff recommendation for council consideration we'll certainly bring it forward we're not we're not holding it up the the hoa asked us to hold all right yeah thanks that's very helpful council member peterson on december 9 what does it mean for an introduction of an appropriation resolution for the george snyder trail to be on consent that that is um the

[04:10:39] additional concessionaire funding ctb meets on december 10th so this is just preemptively put on there so that once if they approve the funding then it can come forward in january and under what does it mean to come under consent it's just the introduction of the appropriation resolution All appropriation resolutions are a two-meeting or three-meeting sometimes if we have a work session on it.

[04:11:15] But it gets introduced on consent. All appropriation resolutions get introduced on consent. And then it gets put on a public hearing at the next regular meeting. So this is not the consent agenda? This is on the consent agenda, yes.

[04:11:34] I understand that, but I'm just not seeing other things showing up on consent that are being teed up. so that seemed a little different to me we don't show every we don't know every consent agenda item at this date i mean i think we have an idea of some of the ones that are coming yeah and there actually are a few that are not on the future list but on are on the tentative agenda um one is an ordinance amending chapter 102 utilities pertaining to wastewater lateral repair and

[04:12:11] replacement charges and connections to public utilities another introduction of an ordinance for the loose leaf supplement of the city code which is done annually another one is the introduction of an ordinance amending the chapter 38 environment related to the noise regulations that's it so all introductions of ordinances or appropriation resolutions go on consent and then the next regular meeting they become a public hearing and i do have one other that'll

[04:12:48] be on the anticipated list we had talked in the past about an ordinance dealing with regulating passing of stopped school buses similar to what the county had done we're working through the mechanics of that but that will be appearing on a future agenda assuming the council agrees but we'll show it at some point we just haven't gotten to the point of designating a date and that's an example of items that are just kind of floating in the ether that we'll we'll put on a futures list as soon as we have an idea actually i i think we talked earlier about in february

[04:13:26] february 10 because it looks like we're not booked the chief pedrozo would come back and talk to us about the follow-up on the gun resolutions it's um on the work session for february 3rd oh there it is item number four is that it great thank you anything else on the futures list well all right then we'll go to the manager's report out and as if do you have

[04:14:01] something for us the only reminder to the public um next thursday is thanksgiving if you didn't know um but really it's to let you know that there's no trash pickup on thursday trash pickup for thursday will be thursday and for i mean trash pickup for thursday and friday will be on friday november 28th that's all i have okay great uh we'll start with council member mccullough thank you just a few things i want to share with the community tonight we have the privilege of welcoming Dan Alexander as our new city manager. I want to proudly acknowledge the commitment,

[04:14:39] professionalism, and teamwork this council demonstrated throughout the extensive search process. Selecting the right leader for our city is one of the most consequential responsibilities we have, and I'm grateful for the unity and the diligence that brought us to this moment.

[04:14:55] I'd also like to thank our interim city manager, Melanie Zipp, for her hard work during this interim period. Also, congratulations to our city police department for earning their Kalea accreditation, a national benchmark of excellence in policing. This recognition reflects their years of work, training, and dedication to transparency, accountability, and community-centered service.

[04:15:18] I'm also excited to welcome the professional rugby team, Old Glory DC, to Fairfax City. I've already purchased my season tickets. I'm looking forward to a great rugby season. I don't know anything about rugby, so it's going to be very exciting and new to me, for me. Finally, I want to take a moment to recognize that November is Military Family Appreciation Month. As someone who grew up in a Marine Corps family and moved around the world as a military child, I know firsthand the sacrifices these families make, the long separations, the constant transitions, and the friendships formed and left behind at every duty station.

[04:15:57] To the military families who serve here and call Fairfax City home, thank you. Your strength and resilience are felt throughout our community. I also want to wish everyone a safe and wonderful Thanksgiving. Thank you. Councilmember Bates. I just want to welcome Mr. Alexander as our new city manager.

[04:16:19] I'm very excited for him, and we've heard great things, And I believe he'll be an excellent city manager. And, you know, he has very extensive public service experience, but also very extensive experience in law enforcement.

[04:16:38] And I think that'll be a very valuable addition to city leadership. Thank you. Oh, and a happy Thanksgiving to everybody. Councilmember Peterson. Well, I also want to congratulate and welcome Dan Alexander.

[04:16:55] We are all truly looking forward to working with him. I'd like to echo the remarks of Councilmember McQuillan and Bates, but particularly underscore what Councilmember McQuillan said, which is this was a long process.

[04:17:13] The council has worked very, very hard, and I know it is frustrating to the public not to be able to have the transparency that they would like to have on personnel matters. it's one of those areas of confidentiality that we accept in our duties as elected officials and it causes frustration i know because people don't know what is happening and what isn't happening and the search process by its nature is oftentimes a long one but i do want to assure everybody that this council worked very very hard very very systematically and very collegially

[04:17:50] through that entire process, and we're just delighted with the way it has transpired, and we're absolutely looking forward to the opportunity for the community to meet Mr. Alexander. He has extensive experience working with the community at different levels, and that certainly factored in significantly to our decision in terms of his experience and his ability to reach out and work with the community, so we're very pleased about that.

[04:18:17] The other thing I would just say is there is always much to be thankful for on Thanksgiving, and this has been a difficult year. I think it will continue to be a difficult year for many people, and while we do have a lot to be thankful for and to count our blessings, the truth is also that holidays are often a particularly acute point in time for people who are in need in whatever way, whether it's the stress of instability and dislocation or other things.

[04:18:51] I say this partly. My wife is an ordained minister and does pastoral care work and crisis intervention, et cetera, and the holidays are peak times for all of this. What I would say is reach out to people for the holiday.

[04:19:10] Don't take it for granted. Anybody and everybody needs to know that you care about them, And it's the time of year when we all need to stick together and help each other out and never take anything for granted. And more than ever, the holidays is a time to do that. So open your doors if you would.

[04:19:28] Thank you. Councilmember Hardy-Chandler. I'd just like to wish everyone a happy Thanksgiving. Councilmember Hall. At the risk of being redundant, I would also like to welcome Jan Alexander. Very excited. As Councilmember McCullen said, it was a very long process.

[04:19:46] We've worked very hard, and we are very excited to what's to come in January. I would like to invite everybody to cheer on our, excuse me, our Fabrics High School football team at our next playoff game, Friday night at 7 p.m. at West Springfield.

[04:20:03] Come and cheer on your Lions. Leaves, as everyone knows, these are in the roads, on the sidewalks, in your way. So I am asking if we can put something else in the city scene, but just a reminder that if you leave them on your yard in the right of way, our excellent public work staff will come and take them away.

[04:20:26] You don't need to put them in the road. You don't need to block the sidewalk. There are certainly ways you can put your leaves out there that are not going to impede traffic and make kids that are walking to school or biking to school have to be further in the road. So please be considerate of that. We'd like to wish everyone a happy Thanksgiving.

[04:20:43] and also remind you to still feel like it's Thanksgiving on Thursday if you do go shopping on Friday. Try to still treat people like you are thankful and appreciative of all that they've done for you the day before. And I do also want to welcome back our government employees to the roads. It's been busier for sure. Glad to see everyone back at work. Have a little more patience.

[04:21:04] I now have a 16-year-old driver out there for a week and a half, so thank you. Councilmember Amos? I'll echo everyone's sentiments on welcoming Dan Alexander to the city. Looking forward to working with him. Also echoing the welcomes for Old Glory.

[04:21:23] Rugby is close. Oh, yeah. Oh, yeah. And they have a networking event tomorrow. I think it's close enough for football for me to enjoy, so I'll go for it. Happy Thanksgiving to everyone. I will be leaving in about three and a half hours to Roanoke for the Governor's Housing Conference.

[04:21:38] So fun updates. I will keep you all posted on that. two other things i just wanted to highlight just because i got a couple questions about them hypothermia prevention will be coming back so just keep an eye out for that for those who may need those services check in with facets they'll be moving around different churches including my church we typically host in january february time frame and also for i've gotten some questions about grass enforcement grass enforcement does not happen during this season so during winter typically they kind of expect the grass to die down so sorry so happy Thanksgiving all right

[04:22:15] well thank you to the staff that made presentations tonight thank you to Jennifer Rose who stays till the bitter bitter bitter end I'm looking forward to the small business holiday month this year happy Thanksgiving and welcome to Mr. Dan Alexander we will see him in January and with that I am adjourning at 1122 p.m. on Tuesday.

