

# LEGISLATIVE UPDATE

## Actions of the City Council for October 28, 2013

### Revised

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The following legislation was considered and acted upon by the City Council of the City of Falls Church. Copies of legislation are available from the City Clerk, Kathleen Buschow, 703-248-5014.

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#### Legislation

(TO13-18) ORDINANCE TO CREATE CHAPTER 35 “STORMWATER,” ARTICLE I “STORMWATER MANAGEMENT” OF THE FALLS CHURCH CITY CODE TO CLARIFY AND REORGANIZE EXISTING STORMWATER MANAGEMENT REGULATION; TO ADD NEW LANGUAGE REQUIRED BY THE STATE OF VIRGINIA (Cindy Mester, Interim Director of Public Works)

**Motion to DEFER (TO13-18) to November 25, 2013 PASSED on roll call vote, unanimously 5-0. (Mr. Peppe and Mayor Baroukh were absent)**

(TO13-21) ORDINANCE TO AMEND CHAPTER 48 “ZONING” TO REMOVE “ASSISTED LIVING” AS A BY RIGHT USE IN THE B-1, LIMITED BUSINESS ZONING DISTRICT AND REQUIRE A CONDITIONAL USE PERMIT APPROVED BY CITY COUNCIL (James Snyder, Director of Development Services) [referred to Planning Commission and other boards and commissions]

**Motion to adopt (TO13-21) PASSED on roll call vote, 4-1, with Mr. Duncan voting NO. (Ord. 1908) (Mr. Peppe and Mayor Baroukh were absent)**

(TO13-22) ORDINANCE TO AMEND CHAPTER 48 “ZONING” TO REQUIRE A 20-FOOT FRONT YARD SETBACK FOR COMMERCIAL ZONED PROPERTIES ON BROAD STREET AND WASHINGTON STREET (James Snyder, Director of Development Services) [referred to Planning Commission and other boards and commissions]

**Motion to adopt (TO13-22) PASSED on roll call vote AS AMENDED, unanimously 5-0. (Ord. 1909) (Mr. Peppe and Mayor Baroukh were absent)**

(TO13-27) ORDINANCE TO AMEND CHAPTER 48, “ZONING,” ARTICLE V, “SUPPLEMENTARY REGULATIONS,” DIVISION 1, “GENERALLY,” TO ADD SECTION 48-869, “MOBILE FOOD SERVICE.” (Nancy Vincent, Director of Housing and Human Development)

**Motion to approve (TO13-27) on first reading, schedule second reading and public hearing for December 9, 2013, and advertise the same according to law; PASSED on roll call vote, unanimously 5-0. (Mr. Peppe and Mayor Baroukh were absent)**

(TO13-28) ORDINANCE TO AMEND CHAPTER 15, “FEES,” ARTICLE I, “IN GENERAL,” TO ADD SECTION 15-2, “MOBILE FOOD SERVICE FEES.” Nancy Vincent, Director of Housing and Human Development)

**Motion to approve (TO13-28) on first reading, schedule second reading and public hearing for December 9, 2013, and advertise the same according to law; PASSED on roll call vote, unanimously 5-0. (Mr. Peppe and Mayor Baroukh were absent)**

(TO13-26) ORDINANCE TO AMEND CHAPTER 48 “ZONING,” SECTION 48-235 “PRINCIPAL USES PERMITTED BY RIGHT,” TO MAINTAIN PRINCIPAL USE STATUS OF WATER UTILITY INFRASTRUCTURE SUBJECT TO SALE (John Foster, City Attorney)

**Motion to approve (TO13-26) on 1<sup>st</sup> Reading, schedule second reading and public hearing for November 25; and advertise the same according to law; PASSED on roll call vote, unanimously 5-0. (Mr. Peppe and Mayor Baroukh were absent)**

(TR13-33) RESOLUTION ADOPTING THE CITY OF FALLS CHURCH BUS STOP MASTER PLAN (James Snyder, Director of Development Services)

**Motion to pass (TR13-33) PASSED on roll call vote, unanimously 5-0. (Res. 2013-31) (Mr. Peppe and Mayor Baroukh were absent)**

(TR13-29) RESOLUTION TO ADOPT THE SOUTH WASHINGTON STREET CORRIDOR SMALL AREA PLAN (AREA PLAN NUMBER 2) AS A GUIDING DOCUMENT IN DECISION MAKING FOR PLANNING, ZONING AND DEVELOPMENT REVIEW, CAPITAL IMPROVEMENTS, CITY REGULATIONS AND POLICIES, AND INCLUDED, BY REFERENCE, IN THE CITY’S COMPREHENSIVE PLAN. (James Snyder, Director of Development Services)

**Motion to adopt (TR13-29) PASSED on roll call vote, unanimously 5-0. (Res. 2013-31) (Mr. Peppe and Mayor Baroukh were absent)**

(TO13-29) ORDINANCE TO ADJUST THE BOUNDARY LINE OF THE CITY OF FALLS CHURCH WITH FAIRFAX COUNTY TO ANNEX AND INCORPORATE THIRTEEN PARCELS AND OTHER LAND INTO THE CITY AND TO ADOPT A VOLUNTARY SETTLEMENT AGREEMENT WITH FAIRFAX COUNTY. (John Foster, City Attorney)

**Motion to approve (TO13-29) on first reading, schedule second reading and public hearing for November 12, 2013, and advertise the same according to law; PASSED on roll call vote, unanimously 5-0. (Mr. Peppe and Mayor Baroukh were absent)**

### **Consent Calendar**

AUTHORIZE CITY MANAGER TO AWARD CONTRACT FOR UP TO \$450,000 TO FORT MYER CONSTRUCTION CORPORATION FOR BROAD & PENNSYLVANIA INTERSECTION IMPROVEMENTS (CINDY MESTER, INTERIM DIRECTOR OF PUBLIC WORKS)

CONSENT MOTION: MOVE to Authorize the City Manager to award a contract for up to \$450,000 to Fort Myer Construction Corporation for Broad & Pennsylvania Intersection Improvements

AUTHORIZE THE CITY MANAGER TO AMEND EACH OF THE CONTRACTS WITH INTEGRITY CONSTRUCTION SERVICES, LLC; COLOSSAL CONTRACTORS, INC.;

AND TITO CONTRACTORS, INC. TO EXPEND UP TO \$350,000 ANNUALLY FOR FACILITIES MODIFICATIONS (SUBJECT TO ANNUAL APPROPRIATION OF FUNDS BY CITY COUNCIL).

CONSENT MOTION: MOVE to authorize the City Manager to amend each of the contracts with Integrity Construction Services, LLC; Colossal Contractors, Inc., and Tito Contractors, Inc. to expend up to \$350,000 annually each for facilities modifications (subject to annual appropriation of funds by City Council).

AUTHORIZE CITY MANAGER TO AMEND THE CONTRACT WITH ALS OF NORTH CAROLINA FOR THE CLOSED LOOP TRAFFIC SIGNAL MANAGEMENT SYSTEM IN AN AMOUNT UP TO \$575,000

CONSENT MOTION: MOVE to Authorize the City Manager to Amend the Contract with ALS of North Carolina for the Closed Loop Traffic Signal Management System in an amount up to \$575,000

Appointments: Term Correction: Linda Neighborgall – Girls’ Home Advisory Board - 10/01/13 – 09/30/17

**MOTION to approve all the consent items PASSED on roll call vote, unanimously 5-0. (Mr. Peppe and Mayor Baroukh were absent)**

**Other Business**

**Approval of Minutes** – None.

**Closed Session** – None.

**Adjournment**

Upon proper motion and unanimous voice vote, the meeting was ADJOURNED at 9:52 p.m.

**Check List**

	<b>Legislation</b>	<b>Done</b>
Agendas-Notices-Legislative Updates	<b>Ord. 1908</b> <b>Ord. 1909</b> <b>Res. 2013-31</b> <b>Res. 2013-32</b>	
Update Code Book	<b>Ord. 1908</b> <b>Ord. 1909</b>	

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