

OFFICIAL MINUTES OF THE REGULAR MEETING OF THE MANASSAS PARK GOVERNING BODY HELD ON TUESDAY, OCTOBER 1, 2019 AT 7:00PM AT MANASSAS PARK CITY HALL, ONE PARK CENTER COURT, MANASSAS PARK, VIRGINIA

Roll Call

Present

Jeanette Rishell, Mayor
Preston Banks, Vice Mayor
Hector Cendejas
Donald Shuemaker
Miriam Machado
Alanna Mensing
Haseeb Javed

Absent

None

Staff

Laszlo A. Palko, City Manager
Dean Crowhurst, City Attorney

1. Approval of Agenda:

MOTION: Councilmember Shuemaker moved to approve the agenda.

SECOND: Councilmember Machado

VOTE: Yes: Shuemaker, Cendejas, Banks, Javed, Machado, Mensing, Rishell

2. Moment of Silence/Pledge of Allegiance:

Vice Mayor Banks led the Pledge.

3. Public Comment Time:

Approximately 35 City of Manassas Park Residents were present to speak on the issue of parking tickets given to residents' vehicles parked in cul-de-sacs within the previous month.

Several references were made to Code of the City of Manassas Park Virginia § 24-48(a) (19) and § 24-49. These codes are listed below for reference;

Sec. 24-48. - General prohibitions.

(a) No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic-control device, in any of the following places:

(19) On the side of a street, unless parked parallel to and no farther than six (6) inches from the curb or shoulder, and facing in the same general direction as the flow of traffic.

Sec. 24-49. - Angle parking.

Notwithstanding any of the provisions of this chapter, the chief of police may, when in his discretion the public interest so requires, provide for angle parking on any street or portion thereof; provided, that such streets are marked so as to apprise an ordinarily observant person of such regulation.

Mayor Rishell asked this petition to be made part of formal record.

"Petition Parking in a Cul-de-sac

It has come to the attention of the Residents of Manassas Park that there is a Code of Ordinance [§] 24-48(a) (19). This code basically states that you must park parallel in Cul-de-sacs. This code has never been enforced due to the way the subdivision was developed in the fifty's. [W]e are asking that we the Residents be allowed to continue parking perpendicular."

This petition was signed by 68 Residents representing the following; Baker Street–2, Drake Court–9, Holden Drive–6, Jenkins Court–7, Kristy Drive–1, Lambert Drive–1, Mace Street–10, Meeker Court–9, Morton Court–3, Runyon Court–14, Yost Street–5 and 1 at an undisclosed location.

Mayor Rishell read the following statement with regards to the process for a Governing Body meeting:

"It is now Public Comment time and I understand that most folks are here to comment on the tickets received for parking cars perpendicular to the curb in your cul-de-sacs. I believe that we can have a respectful interchange of ideas and receive all comments in the spirit they were intended. We are all here to solve problems. I can tell you that all City staff work very hard and are very dedicated to the City and its residents.

Let me say a few words about process for those who may not be familiar with our process. The 7 of us on the Governing Body set policy and then we direct City Manager, who in turn directs staff to carry out that policy.

Some city processes in the past have not always been in compliance with law and regulation for various reasons, some perhaps because we were simply not aware. For example, the Governing Body must vote on the School Division budget by a specific date that is determined in state law, and we now do that consistently, and we will make certain that we continue to do that going forward. As we discover processes that need to be brought into compliance or perhaps changed, then we will support that.

Time and time again, I have mentioned to City Manager my perspective that this City must be in compliance with law and regulation, and I believe that all City staff are very likely also aware of my perspective about being in compliance with law and regulation.

I want to make clear that I take complete responsibility for the confusion, for the inconvenience and the frustration that residents have experienced over the parking issue. The buck stops with me. I believe it is one of the responsibilities of any Mayor in any City to try to anticipate issues developing in their jurisdiction. So I apologize for the lack of communication.

We all look forward to hearing your comments, and you will have our complete attention. Please stay for staff presentations that will be given next, during the Information Agenda Item.

Our commitment is to hear all comments from residents and staff. There is a Resolution on the agenda, which may be voted on as it is, or we may change that resolution prior to voting. We will do our best to find solutions.

When you come to the podium please state your name and address and please limit your remarks to 3 minutes. If there is a spokesperson for residents in each cul-de-sac, that individual may have 10 minutes for their remarks. City Attorney will be our timekeeper. Please speak directly into the microphone so that everyone here and the folks at home can hear everything.

I will forward my statement to our Acting City Clerk for inclusion in the formal written record. "

Resident Helen Cisler of 114 Runyon Court spoke on behalf of Runyon Court. Following are Resident Cisler's comments:

- No warning was given prior to being ticketed.
- Residents have been parking in this manner for over 50 years.
- Parking parallel has interrupted US Postal Service mail delivery.
- With regard to Fire Engines entering cul-de-sacs;
 - If cars are parked parallel the responders would not have access to sidewalks to houses, since steps would be blocked by parked cars.
 - Santa has been visiting the cul-de-sacs annually for years riding on a Fire Engine and has no trouble entering the cul-de-sacs.
- Residents have always caught the bus at the end of the street.
- Trash trucks don't seem to have an issue turning around within the cul-de-sac.
- The embankment to her house is so steep that there is no way a driveway could be built on the property (pictures were distributed to the Governing Body.) A neighboring driveway is so steep that only 4-wheel drive vehicles can get up it.

- When complying with parallel parking, and steps to houses are blocked;
 - This makes it a hazard for elderly and disabled persons to get to and from their houses
 - Fire department personnel would not be able to use the steps.
 - Trash cannot be taken to sidewalks and would not be picked up.
- Residents were not advised when Ordinance was voted on in 2011.
- No parking tickets were issued at the Recreation Center on Sunday (pictures were distributed to the Governing Body) where there were obvious violations.
- § 24-49 references the ability for the Chief of Police to make exceptions to parking requirements.

Resident Alan Dike of 72 Meeker Court spoke on behalf of Meeker Court. Following are Resident Dike's comments:

- Resident Dike was told to park perpendicular by realtor when he bought his house.
- Code § 24-49 ends with "provided, that such streets are marked so as to apprise an ordinarily observant person of such regulation", and to an observant person, if everyone is parked the same way it is assumed that would be the standard of parking, and would be within the statute.
- Enforcement should have come with some sort of verbal, written, email, signage, knocking on doors, or other method of communication prior to handing out citations. Going from zero enforcement to zero tolerance is rough and the cost he calculated for his street would be \$8,200.
- Some of the vehicles in the cul-de-sac (such as his 18' truck) would not allowed to legally park parallel since it would interrupt mail delivery and block other driveways and stairs.
- Blocking the stairs presents a hazard for disabled individuals walking downhill on the grass.
- Some children would need to disembark from vehicles on street side if cars were parallel parked since the hillside prevents anyone from disembarking from the passenger side of the vehicle. It would also be difficult to remove young children from their car seat.
- Paramedics would have issues getting to houses because of blocked driveways.
- In winter, when it is wet and icy, it would be dangerous to walk down embankments through the grass.
- There is now more traffic than ever in their court due to the lack of and reduced parking since this enforcement effort.

Resident Nathaniel Miernik of 208 Holden Drive spoke as an individual. Following are Resident Miernik's comments:

- Cul-de-sacs do not have a general flow of traffic, and cars go in either direction.
- Holden Drive has only one property with a driveway.
- If all residents parked parallel, and if in a state of emergency needed to get out of the cul-de-sac, only the car in front would be able to get out and the others would need to depart single file after the first car, which would cause a delay.
- Most residents have more than one car.
- Residents should have had a warning prior to being ticketed.

Resident David L. Phipps of 117 Yost Street spoke as an individual. Following are Resident D. Phipps' comments:

- In the tight radius of the cul-de-sac if one tire is 6 inches from the curb the other tire would be digging into the side of the curb damaging the tire and hubcaps.
- It is impossible to see the curb at night since there is no reflective paint on the curb line.

Resident Susan Phipps of 117 Yost Street spoke as an individual. Following are Resident S. Phipps' comments:

- Receiving this ticket, after living in their home for 47 years and raising their children there, has felt like a blow to the face.

- Resident S. Phipps has difficulty parallel parking in their cul-de-sac without damaging the car tires.
- The Phipps feel this is wrong and are attending this meeting to explain their situation.

Resident Erik Walberg of 76 Meeker Court spoke as an individual. Following are Resident Walberg's comments:

- It is not feasible to park according to the parameters of the law and still have every resident fit their vehicles in the cul-de-sac.
- Due to the enforcement of parallel parking, Resident Walberg is currently parking up to a quarter of a mile away from home, which would be an issue for anyone who has children, is in a physically vulnerable condition, is sick or has a chronic illness, needs to check on or retrieve something from their car, or, is unloading groceries.
- The cul-de-sac does not have sidewalks, so when someone is walking to and from their car they are doing so on the street.
- Parallel parking is an issue in their cul-de-sac due to the extreme tightness of the curve and the length of each of the vehicles being parked.

Resident LaTasha Sanders of 76 Meeker Court spoke as an individual. Resident L. Sanders returned home from a stay in the hospital to find that the stairs leading to the house were blocked because cars were parallel parked. This created a hazardous condition since Resident L. Sanders is disabled. Following are other comments Resident L. Sanders provided:

- Concern for emergency situations where a paramedic might be expected to carry someone on a gurney while having to traverse a steep embankment due to stairs to the road being blocked by parallel parked cars.
- Residents were told that the proper way to park in the cul-de-sac was perpendicular to the curb when they moved in to their house.
- Writing tickets without prior communication is unfair.
- The law does not take into account the safety of disabled residents.

Resident Brittany Sanders of 76 Meeker Court spoke as an individual. Resident B. Sanders wanted to emphasize that when an ambulance was called to their home prior to the enforcement of parallel parking, the responders had no difficulty responding, transferring their patient, or turning around in the cul-de-sac.

Resident Thomas Rippingdale of 123 Yost Street spoke on behalf of Yost Street residents. Following are Resident Rippingdale's comments:

- Referencing the Virginia National Fire Protection Act of 2015, Appendix D, section 103, it says that a cul-de-sac needs to have a 96 foot radius to meet requirements. It is his believe the cul-de-sacs in Manassas Park are already non-compliant based on these parameters.
- If parallel parking is enforced the real estate tax base will crash because no one will want to buy a house that does not have adequate parking.
- Perpendicular parking has been done for many years without a problem and should be considered as creating precedence.
- Yost Court is compliant for major fire with the hydrants having adequate set offs. First responders that pull into the cul-de-sac become the command center. The issue of access for emergency vehicles seems questionable.
- Question the change in enforcement when no person or property has been damaged from parking perpendicular.
- Perhaps the cul-de-sacs need to be declared dead ends, with no turnarounds, which would give the residents leeway for parking since the space is not intended for traffic movement.
- There is no curb and the shoulder in Yost is not well defined. It would be difficult to determine 6" from the shoulder when it is not well defined.

Resident Terry Dickie of 103 Drake Court questioned if an event took place that prompted the decision to enforce the parking particular ordinance. Mayor Rishell responded that there was no single event, the Manassas Park General Body takes very seriously that the City needs to be in compliance with law and regulation, and once again apologized for the lack of communication prior to enforcement of law. Mayor Rishell then pointed out that this topic will be revisited during this meeting and encouraged Residents to stay for the presentation and discussion of a resolution on cul-de-sac parking. Resident Dickie requested an opportunity to ask questions during that time and Mayor Rishell responded that, as a strong supporter of first amendment rights, it would be allowed.

Resident George Ireland of 121 Yost Court spoke as an individual. Following are Resident Ireland's comments:

- After receiving a ticket for each of the two vehicles owned in the household Resident Ireland went to the police station and was told that his vehicles would need to turn around and place their tires no more than 6" from the curb. Resident Ireland understood that statement to mean that pulling up head first, perpendicular parked and no more than 6" from the curb would be suitable and advised his neighbors as such. On the following Tuesday five vehicles which were parked head in perpendicular were ticketed. He felt the police officer should have been clearer in explaining the law.
- Enforcing this law will be very costly for Residents as the resale value of a house where parking is not allowed will go down and for those who are able to put in a driveway the expense would be too costly.

Resident Nina Post of 74 Meeker Court spoke as an individual. Following are Resident Post's comments:

- When the house was purchased 27 years ago the previous owner and the realtor said that to keep parking orderly it needs to be perpendicular to the curb.
- When steps are blocked due to cars parking parallel it creates the following issues;
 - Creates a hazardous condition for Emergency Responders to get an injured or ill person in and out of the house.
 - It is difficult to walk up an embankment to gain access to their home and when snow hits it will be difficult to walk down without getting hurt.
 - Children are not able to use the steps when they leave to catch the school bus.
 - It is not possible to get the trash can to the road for pickup without moving a vehicle.
- Resident Post says that it takes two other people serving as lookouts to park comfortably without hitting anything.

Resident D. Phipps was allowed further comment:

- Getting out of the cul-de-sac is much easier to do backed up to the curb if there is snow on the ground.
- Children should be placed on the passenger side of the car so that the parent and the child are not disembarking in the flow of traffic, but it is very hard to remove children from the car seat when you are standing on the curb and there is an embankment.
- Resident D. Phipps ended by thanking Captain Winston for all that he is trying to do for the residents.

Resident Cisler was allowed further comments;

- Those who received parking tickets, due to there not being a warning, should not be expected to pay those fines.
- Going back to City decals is a great idea.

Resident Comments Unrelated to Cul-de-sac Parking

Resident Michael Rawley of 286 Manassas Drive disputed the assessment of the value of the vehicle listed on the personal property tax bill he received with a Commissioner of Revenue employee who said that it was being handled. When Resident Rawley came into the office to pay his water utility bill he was advised (for the first time) that there was a substantial credit on his account. Resident Rawley would like affirmation that someone

will look into this account and explain how they arrived at the assessed value amount, and why was there no previous notification of a credit on this account. City Manager said he would contact the Commissioner of Revenue and get back with the Mr. Rawley on this issue.

Resident Rippingdale said that paying by cash or check is an outdated form of currency and perhaps the City needs to negotiate with banking institution so that paying with debit card would be same as cash. Also, he requested the City please update the online payment system.

Mayor Rishell invited the residents to stay for the presentations and the Cul-de-sac Parking resolution next on the Agenda.

3a. Public Hearing: None

4. Informational Items:

4a. Cul-de-sac Parking:

Summary / Background: Laszlo Palko, City Manager

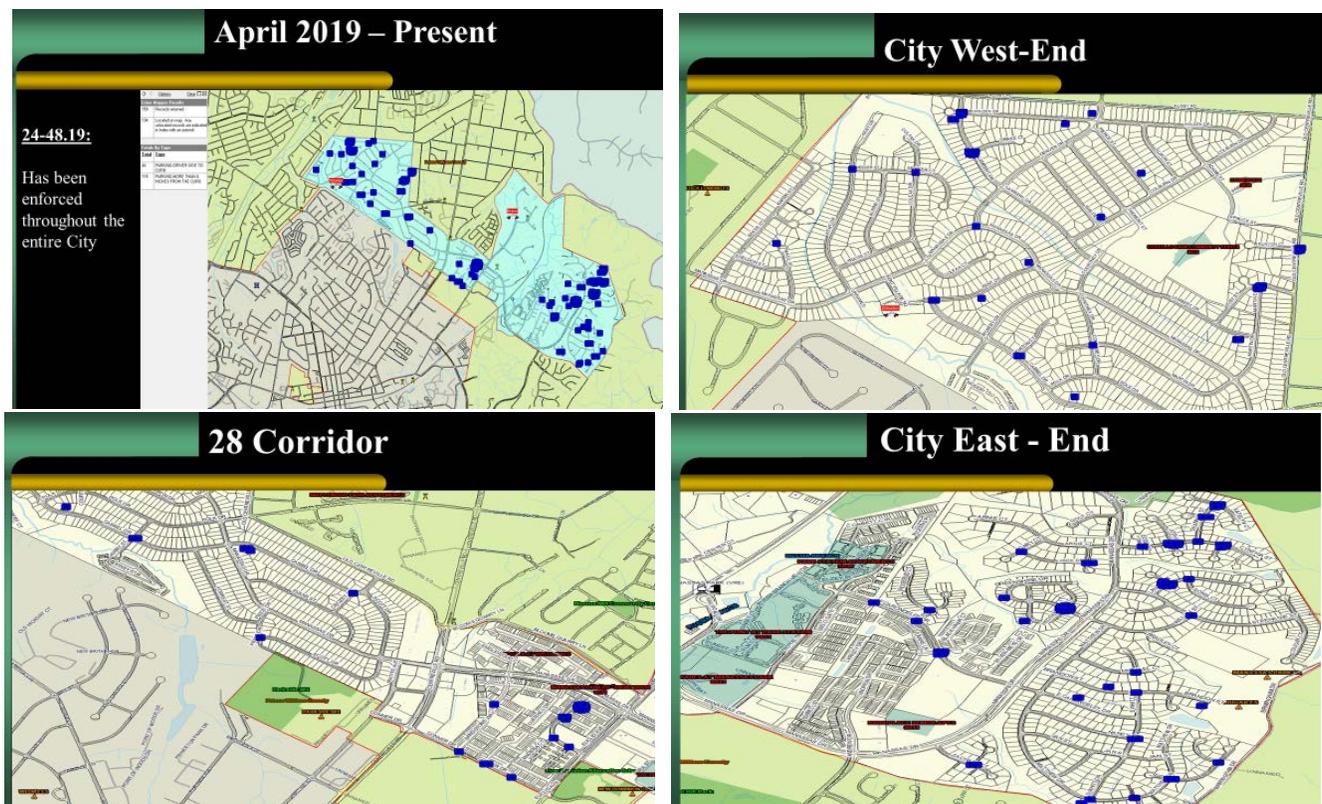
City Manager spoke to the following highlights in his presentation;

- The Manassas Park City Code § 24-48(a) (19) (parallel parking requirement) exists to enable emergency vehicle access to our residents to ensure their safety during emergency events (more on this later in the presentation).
- City Staff prioritizes the safety and well-being of our residents.
- Police consistently ensure that our city is among the safest in all Virginia.
- It is the job of all City Staff to enforce existing policies and laws established by the Governing Body and City Code.
- It is the job of City Staff to serve our residents and maintain a positive relationship with the community.
- Since 2018, there has been an increased call for parking enforcement. This resulted in two staff actions:
 - Community Development- CIP item in the FY 20 Budget for installation of No Parking Signs
 - Police & City Manager Officer- implementation of Tyler Incode Software to track, bill, and collect parking tickets- went live in March of 2019 (represents .06% of our General Fund Revenues- thus, not an initiative for the city to make money to deal with budget issues).
- Around Mid-September of 2019- resident complaints begin to come in to the Police Department and City Hall about the burden of the parallel parking law on cul-de-sacs due to lack of parking options.
- The City Manager and Police Chief evaluated the situation and determined that in hindsight, determining that in some cul-de-sacs residents lack parking options, the City should have: provided public messaging about the law, engaged with residents of cul-de-sacs to determine why they were violating the law, and issued warning citations; all prior to issuing full citations.
- Action: The City Manager and Police Chief determined that the City should shift to warning tickets until residents had time to engage with their elected representatives of the Governing Body to discuss the law. This shift to warning tickets occurred on September 23rd.
- Apology: City Manager apologizes, not for enforcing law, but for how enforcement of law was implemented- lack of communication, messaging, & warning tickets when in this instance it would have be productive to do so since it did not pertain to a criminal or moving vehicle violation and potential reasons for exemption exist.

Police Background: Police Chief Mario Lugo

Chief Lugo spoke to the following highlights in his presentation;

- July 1, 2018 – September 22, 2019: The Manassas Park Police has received 366 resident complaints regarding parking violations.
- Due to the increasing number of resident complaints to the Police Department and Governing Body, Law Enforcement increased proactive parking enforcement throughout the City (issuing over 1,500 tickets over the first few months)
- March 1, 2019 – June 30, 2019: 50 Violations issued for § 24-48(a)(19)
- July 1, 2019 – Today: 72 Violations issued for § 24-48(a) (19).
- Parking Enforcement: § 24-48
 - Blue highlights on the diagrams above represent areas where parking violations of City Code § 24-48(a) (19) were distributed since March 1, 2019.



Vice Mayor Banks asked if there was a reason why there weren't any highlights in the apartment complexes. Chief Lugo responded that there were no tickets given in that area. It was noted that the apartments have clearly designating lines for parking spaces so they would not have the same issues.

Why the Law Makes Sense: Calvin O'Dell, Community Development Director

Community Development Director started his presentation by pointing out that usually his role is to head up a planning review for a new sub-divisions and ensuring that they follow existing (new) regulations. The Director also heads up public works and there is a maintenance piece that will be explained later in his presentation.

When these cul-de-sacs were built around the 1950s they were probably quite normal and there were probably no regulations on the books that required developers of the sub-division to provide off street parking.

The Director then spoke to the following highlights in his presentation;

- Law
 - Code of Virginia § 46.2-889. Location of parked vehicles.
 - Park parallel to the curb in the direction of traffic flow
 - May be parked at an angle when approved (for highways under their jurisdiction) by:
 - Commonwealth Transportation Board
 - The Department (VDOT)
 - Or local authorities
 - It is unclear what standards would apply to allow angled parking.

The Community Development Director said that Staff is having difficulty finding instances where angle parking is in use and any guidance that would go along with its use.

- Fire Apparatus Access Code
 - Length of cul-de-sac (0 – 150 feet, curb return to curb return)
 - Lane – 20 feet (presumably clear)
 - Turnaround required – none
 - Length of cul-de-sac (151 – 500 feet, curb return to curb return)
 - Lane – 20 feet (presumably clear)
 - Turnaround required (96 feet, presumably clear)
 - Length of cul-de-sac (501 – 750 feet, curb return to curb return)
 - Lane – 26 feet (presumably clear)
 - Turnaround required (96 feet, presumably clear)
- APPENDIX A(1) - VDOT Complete Streets: Bicycle and Pedestrian Facility Guidelines, Bus Stop Design and Parking Guidelines
 - Parallel parking is the preferred arrangement for on-street parking
 - Perpendicular and angle parking along streets is normally prohibited. However, perpendicular and angle parking may be allowed on low-speed (25 mph and less), low volume collector and local streets with ground floor commercial uses, primarily those serving as main streets and local streets in Traditional Neighborhood Development (TND) or similar higher-density developments. It is unclear what standards would allow perpendicular / angular parking.
- Perpendicular Parking Advantages
 - Increased number of parking spaces
 - Easier to park, but not to pull out
- Perpendicular Parking Disadvantages
 - Reduced space to turn emergency vehicles & busses
 - Increased chance of accidents: all cars must back out; reduced visibility
 - Snow removal made more difficult



- Next steps for Community Development Department
 - Consult with VDOT on standards - What conditions would justify perpendicular parking in Cul-de-sacs?
 - Research risk of losing VDOT Road Maintenance Fund due to not following VDOT standards.
 - Consult with Fire Code officials on turnarounds required and other safety considerations (see next few slides).

Why the Law Makes Sense: Fire Chief James Soaper

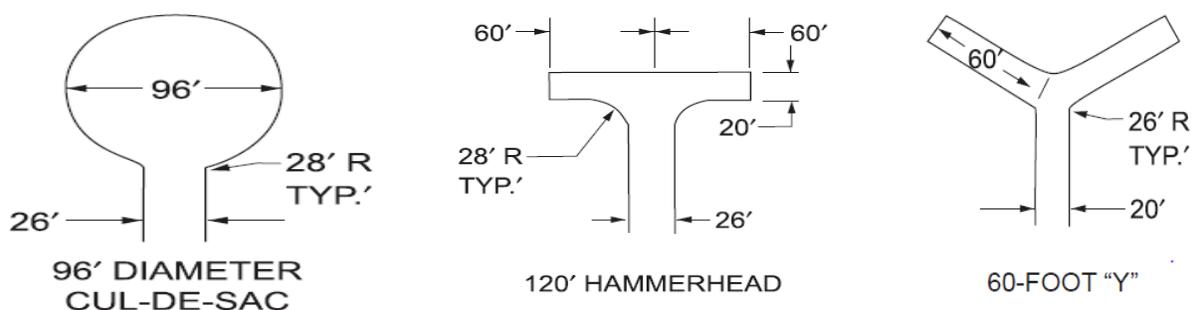
- Fire Department Access Summary
 - Access into the cul-de-sacs: angled parking hinders service delivery for Fire & EMS emergencies.
 - Service delivery is affected by the inability to take all the required responding units into the area.
 - For EMS calls the assisting Engine will either back in or stage on the main roadway (delays personnel).

- For Fire calls unable to get two fire trucks into the cul-de-sac at the same time (Engine & Ladder Truck).
- Inability to turn around safely without causing damage to either personnel property or apparatus. 4 reported minor damage reports (2 in cul-de-sacs) have been done in 2019.
- Apparatus Specifications
 - Manassas Park Medic 509; length 23', height 9', width 8', width with doors open 13', weight 19,000 lbs.
 - Manassas Park Engine 509: length 33', height 10'4", width 8'5", width with doors open 15'5", weight 47,800 lbs.
 - Manassas City Tower 501: length 47'6", height 11'11", width 10'4" outside of mirrors, width with jacks extended 17'6", weight 77,500 lbs.
- Fire Apparatus Response
 - Fire Suppression Response Matrix
 - Dispatched Units for House Fire: 5 engines, 2 ladder trucks, 1 rescue, 2 medic units, and 2 battalion chiefs.
 - EMS Response Matrix
 - Dispatched Units for Cardiac Arrest (CPR) and Unconscious Patient: 2 engines, and 1 medic unit.
 - Dispatched Units for Sickness and Injuries: 1 medic unit, and 1 engine.



- Fire Apparatus Access Codes – History
 - April 12, 1949 - Virginia Fire Safety Regulations adopted as Virginia Fire Hazards Law
 - 1981 – Virginia Fire Hazards Law renamed to Virginia Public Building Safety Regulations. (VPBSR)
 - 1949 thru 1981 – VPBSR was the applicable maintenance code used during fire marshal inspections
 - 1986 – VPBSR was replaced with Code of Virginia 27-30 through 27-101- the Virginia Statewide Fire Prevention Code (VSFPC).
 - 2000 – The first version of VSFPC was published as an amended version of International Fire Code.
 - 2003 - First year the VSFPC was required to be enforced.
 - VSFPC is reviewed and updated every three years by committee overseen by the Department of House and Community Development (DHCD), the current edition being used is the 2015 edition.
- Fire Apparatus Access Roads
 - The Virginia Statewide Fire Prevention Code does not address vehicle parking requirements; it does address the minimum required travel lane for an approved fire access road.
 - Example: In a new development, the fire official would work with planning and zoning staff to determine the proper size of streets. This measurement would be based on parking requirements from planning and zoning, in conjunction with the 20' wide fire access requirement (i.e. 20' fire access road, plus 8' per parallel parking space = overall width or face of curb to face of curb.)

- VSFPC 503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.
- 1981 to 2000 – Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 18 feet.
- 2000 till current day - 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
 - o Exception: Fire apparatus access roads exclusively serving single family dwelling or townhouse developments that are fully sprinklered, as provided for in Sections R313.1 or R313.2 of the *International Residential Code*, shall have an unobstructed width of not less than 18 feet (5486 mm), exclusive of shoulders.
- D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.



- Fire Department Access Summary
 - Balancing Parking with Access in an Emergency situation? What is the priority? For Public Safety Officials, safety is our priority.
 - In an emergency situation every second counts and the need for a full effective response team matters greatly.

Cul-de-sac Parking – The Way Forward: Laszlo Palko, City Manager

- Balancing Parking and Public Safety
 - From a Public Safety perspective, the recommendation would be to not allow any parking on our cul-de-sacs unless they allowed for a clear 96 feet diameter (not counting vehicles parked parallel on the road).
 - From a Public Parking and Resident Satisfaction perspective, some parking should be permitted.
 - What is the Balance?
 - Below are staff's preference by order:
 - No parking on cul-de-sacs (public safety staff preference)
 - Parallel parking only (balanced compromise- existing law)
 - Striped angled parking for a handful of cul-de-sacs (balanced compromise- quasi existing law but not fleshed out in terms of guidelines- see next slide)
 - Angled/Perpendicular parking allowed on all (not recommended- no other jurisdiction permits)

Councilmember Javed asked if there were restrictions against parking in front of entrances to homes and if they could be identified in some way. City Attorney said it was a law and City Manager said they would be researching the best method to identify.

- Solution May Already Exist?
 - City Code § 24-49. - Angle parking. Needs to be modified to City Manager since it is a multi-departmental effort.

City manager explained that within the above Code “public interest” is not well defined, “marked” is a key word, and that this should not reference the “chief of police” as a decision maker, but that it should be “City Manager”. The Police Department is simply enforcing what is on the books, the concern for parking is coming from a fire safety and transportation standpoint. It would need to be a multi-agency determination with a set policy as to why there is a need for alternative parking options.

- Evaluating Cul-de-sacs
 - Total of 54 cul-de-sacs in the City:
 - 14 on the west side (two are relatively new and are marked “No Parking” – Moseby Dr. & Kirby St.)
 - 9 in the industrial portion of the City (Conner Center, and one at the end of Conner Drive)
 - 31 in the east side of the City
 - The City Manager and Fire Chief toured city cul-de-sacs on September 25th to evaluate Fire Department emergency access and available parking options to residents of cul-de-sacs. They determined that five out of the over 50 cul-de-sacs in the City (Meeker Ct., Jenkins Ct., Holden Ct., Yost Ct., and Runyon Ct.) lack sufficient parking options for residents due to lack of driveways and garages.
- As a result of this, City Staff crafted a Resolution that is on the agenda for tonight that seeks to accomplish the following:
 1. Ratify the actions of the City Manager in shifting to warning citations until the Governing Body had time to review the existing law.
 2. Provide a temporary exemption from enforcement for the five identified cul-de-sacs that have limited parking options.
 3. Provide time to evaluate a permanent solution for these cul-de-sacs.
 4. Pardon and refund all tickets issued for this violation since July 1, 2019, due to the lack of communication with residents prior to increased enforcement of this law.

Cul-de-sac Parking Presentations Questions

Resident Nathaniel Miernik asked what the process would be for those who have received tickets but have not paid them yet. City Manager said that it would be off the record and there would be no action needed.

Resident Alan Dike asked when the temporary exemption for parking will expire. City Manager responded that it would be a temporary moratorium on enforcement and that would be until a solution could come forward for consideration. Resident Dike then asked how the residents will be notified of the solution. City Manager said that it will be communicated via social media and posting on the City website. Mayor Rishell added that if needed members of the Governing Body will visit residents personally if it is felt that it is necessary.

Resident Thomas Rippingdale made a recommendation that Staff contact local automobile insurance companies for feedback in determining what is acceptable as they would have a lot of good information, and also suggested that a possible (albeit expensive) option might be to install reinforced rolled curves in order to give vehicles more access.

Resident LaTasha Sanders asked about residents having designated/reserved driving spaces assigned. City Attorney and City Manager will research this suggestion.

Resident Erik Walberg suggested the City might want to consider waiving permit fees and/or personal property taxes for those residents desiring to create off street parking where feasible.

City Attorney noted that any good ideas are welcome and encouraged residents to forward them to the Office of the General Body.

Councilmember Shuemaker pointed out that 76 Meeker Court has a situation where there is a driveway and the City developed a stormwater catch basin that prevents the resident from parking in the driveway. He noted that while we are looking at these situations we should look for areas where the City has created issues preventing residents from parking on their properties. City Manager agreed more research is needed.

Councilmember Machado referred to City Manager's item number 4 with regards to crafting a resolution, and asked for details regarding the refunding (would this be for the entire City). City Manager said that due to lack of communications Staff recommends applying this to all who were ticketed for this specific citation within the cul-de-sacs.

Councilmember Mensing asked Chief Soaper if parallel parking blocking stairs causes a safety issue for responders. Chief Soaper said that no matter what the responders do what they can to perform their jobs safely, but that this is an ongoing issue with having steep slopes and stairs leading to the houses.

Councilmember Shuemaker was surprised to find out that there were at least 8 cul-de-sacs on the east side of the City with perpendicular parking, who have driveways and garages, so this is not just a west side of the City problem, it is a problem that is happening throughout the City.

Resident L. Sanders asked if there was some way that a ramp or some other means that would allow access to the driveway even though the stormwater catch basin is located nearby. Also, there is one household that has a retention wall on either side of his stairwell so that is the only way to get up to their house.

Mayor Rishell advised the residents that Staff will be performing a lot of research and they would gladly consider all recommendations and suggestions from residents.

5. Recognitions / Presentations: None

6. Consent Agenda: Minutes Approval: None

6a. Appointment of Social Services Advisory Board Member Patricia Rhodes

6b. Appointment to the Planning Commission: Chief John Evans

MOTION: Councilmember Shuemaker moved to approve Consent Agenda containing appointment of Patricia Rhodes to Social Services Advisory Board for a 4 year term (12/31/2023), and appointment of John Evans to the Planning Commission for a term ending December 31, 2022.

SECOND: Councilmember Banks

VOTE: Yes: Shuemaker, Cendejas, Banks, Javed, Machado, Mensing, Rishell

Mayor Rishell wished to thank these two individuals for their continued service to the City.

7. Unfinished Business: None

8. New Business

8a. Resolution 19-1000-2064: Cul-de-sac Parking

RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON ENFORCEMENT WITHIN DESIGNATED CUL-DE-SACS OF THE PARKING REQUIREMENT SET FORTH IN PARAGRAPH 24-48(A) (19) OF THE CODE OF THE CITY OF MANASSAS PARK VIRGINIA THAT VEHICLES MUST BE PARKED PARALLEL TO THE CURB OR SHOULDER ON THE SIDE OF A STREET AND FACING THE SAME GENERAL DIRECTION AS THE FLOW OF TRAFFIC AND ORDERING A REFUND OF PARKING FINES PAID FOR CITATIONS ISSUED FROM JULY 1, 2019 FOR VIOLATING SUCH PARALLEL PARKING REQUIREMENT IN CUL-DE-SACS

WHEREAS, between July 1, 2018 and September 22, 2019, the Manassas Park Police Department received 366 complaints from citizens about parking violations, 207 of which were received prior to April 2019; and

WHEREAS, during the same period, members of the Governing Body and the City Manager also received many citizen complaints about parking violations; and

WHEREAS, based on the large number of citizen complaints its members had received, in 2018 the Governing Body expressed its concerns about general parking enforcement to the City Manager and City Staff; and

WHEREAS, in response to the Governing Body's concerns, the City's Department of Community Development and Public Works began installing parking regulation signs throughout the City as part of the Capital Improvement Plan adopted in the Fiscal Year 2020 Budget; in addition, beginning in April 2019 the Police Department began proactive enforcement of all parking regulations; and

WHEREAS, in September 2019, the City Manager and the Chief of Police began receiving numerous complaints from citizens who had received parking citations for not parking parallel to the curb or shoulder in cul-de-sacs, as required by City Code § 24-48(a)(19); and

WHEREAS, in response to the complaints received from those who had received such parking citations, the City Manager and the Chief of Police evaluated the parking situation in cul-de-sacs throughout the City and determined that public outreach should have been provided before issuing citations for violations of the parallel parking requirement; and

WHEREAS, on September 23, 2019, the City Manager issued a moratorium that suspended the enforcement of the parallel parking requirement in cul-de-sacs, and police officers began issuing warnings for violations of the parallel parking requirement in cul-de-sacs, until such time as direction has been provided by the Governing Body; and

WHEREAS, the City Manager subsequently met with leadership from the Police Department, the Department of Fire and Rescue, the Department of Community Development and Public Works, the City Attorney, and the Mayor, to gain insight on the parking issues within cul-de-sacs; and

WHEREAS, on September 25, 2019, the City Manager and the Chief of Fire and Rescue determined that in five cul-de-sacs—Holden Court, Jenkins Court, Meeker Court, Runyon Court, and Yost Court (collectively, the "Five Cul-de-Sacs")—at least one of the residences does not have either a driveway or a garage, meaning that residents in the Five Cul-de-Sacs have limited parking options; and

WHEREAS, the City Manager, and the Chief of Police, after consultation with the City Attorney, have recommended to the Governing Body that it (i) ratify the moratorium issued by the City Manager, (ii) extend the moratorium for the Five Cul-de-Sacs until such time as the Governing Body has adopted a policy regarding enforcement of the parallel parking requirement within the Five Cul-de-Sacs based on recommendations from the City Manager and City Staff, and (iii) order the refund of parking fines that have been paid for violation of the parallel parking requirement in cul-de-sacs from July 1, 2019 through October 1, 2019 and the conversion of all parking citations issued since July 1, 2019 for violation of the parallel parking requirement in cul-de-sacs into warnings.

NOW, THEREFORE, BE IT RESOLVED THAT in consideration of the preceding recitals, which are hereby incorporated into this Resolution by reference, the Governing Body hereby:

- Ratifies the moratorium issued by the City Manager on September 23, 2019 that suspended enforcement of the parallel parking requirement in cul-de-sacs;
- Extends the moratorium on enforcement of the parallel parking requirement for the Five Cul-de-Sacs until such time as the Governing Body has adopted a policy regarding enforcement of the parallel parking requirement within the Five Cul-de-Sacs based on recommendations from the City Manager and City Staff;
- Orders the refund of parking fines that have been paid for violation of the parallel parking requirement in cul-de-sacs from July 1, 2019 through October 1, 2019 and the conversion of all parking citations issued since July 1, 2019 for violation of the parallel parking requirement in cul-de-sacs into warnings.

Resolution Discussion and Questions

Mayor Rishell asked the City Manager what time of day did Chief Soaper and City Manager visit the cul-de-sacs to research the situation. City Manager said they were out between 2:30 and 6pm. Mayor Rishell noted that during that time there would not be the time of day where there would be the maximum number of cars. City Manager said that the key consideration for parking was whether the houses had driveways. Mayor Rishell pointed out that the resolution does not include Drake, Martin, Colfax and Morton. City Attorney said that for the resolution they looked to see if there was any house that did not have a driveway or garage and those cul-de-sacs would not be included. Mayor Rishell noted that taking in just the consideration for driveways does not take into consideration the family size or the number of vehicles per residence. City Attorney said that would be a difficult factor to determine and would not just be specific to a cul-de-sac. These cul-de-sacs listed do not have other options for parking. Mayor Rishell said that if we include the five cul-de-sacs we should consider including all nine. City Attorney explained that for Staff purposes there is a safety issue and we don't want to encourage this method of parking, but we recognize that in these five specific cul-de-sacs something needs to be done because they do not have any other options. For those with driveways and garages they moved into their house knowing what the parking situation allowed, those in these cul-de-sacs moved in believing they could park perpendicular.

City Attorney said that Staff recommendation is not to make the moratorium for the entire City because we would be encouraging unsafe parking.

Mayor Rishell noted that it might be discovered that the other four cul-de-sacs need a solution, but they are not currently present or have petitioned. City Manager explained that while the code is unclear, residents still have the option to petition for an evaluation and that this is just the starting point until we have the full guidelines established.

Mayor Rishell pointed out that no criteria has been established yet. City Manager said they tried to limit the scope to driveways and garages because for those residents there is no option. City Attorney said that it may be that we come back and make a recommendation that any cul-de-sac can petition this.

Mayor Rishell asked if Staff was contemplating having every single cul-de-sac in the City be eligible to make an application for alternative parking. City Attorney clarified that anyone in the city is eligible according to the Code. City Attorney further clarified that for safety purposes Staff would prefer that no one park angled, but clearly something needed to be done for those with no other alternatives.

Councilmember Banks expressed concern that residents would need to complain in order to be given the consideration for angled parking in their cul-de-sac. There is a concern that we are benefiting those who complain and not taking into consideration about those who aren't present or who haven't complained by petition yet. City Attorney stated that this would be a safety concern and from a liability standpoint for the City not highly recommended.

Mayor Rishell said that Drake, Martin Colfax, and Morton appear to be just as congested as the other five. City Attorney said there would be a method for them to request angled parking.

Mayor Rishell said that there may be considerations beyond the driveway issue that should be considered, and in this case just including these five without the other four mentioned would be a predetermination of what the final criteria will be. City Attorney said that objective criteria was used to determine the greatest problem areas. Mayor Rishell pointed out that the objective criteria was based on availability of driveways. City Attorney said that this is a temporary moratorium to determine how best to go forward and that the only other alternatives would be to have no moratorium or a blanket moratorium. City Attorney has reservations to a blanket moratorium due to safety concerns. Mayor Rishell said no moratorium would simply be not an option. City Attorney described this as a narrowly tailored way to take a very real problem and try to mitigate it as much as possible, without having the problem expand to the rest of the City. Objective criteria was used just to determine which ones should be included in the moratorium and it was narrowed just to these five cul-de-sacs due to lack of driveways or other options.

Councilmember Shuemaker said that he drove around at 10pm at night (which would have been almost full parking) and noticed that Morton has driveways at every single house and that is the difference between it and the ones we are talking about. The five we are talking about only two of the six houses in those cul-de-sacs have driveways. Three worst were Meeker, Runyon and Jenkins, and in his opinion they were not equally as bad as Morton, Colfax and Martin. Mayor Rishell said it would be like the difference between bad and severe. He agreed.

Councilmember Banks questioned what the criteria would be if we expand this resolution to the five cul-de-sacs plus the other four. It seems there is no clear determination and is his opinion that this resolution should include all cul-de-sacs. Councilmember Shuemaker said that a cul-de-sac with driveways and garages would then have permission to park perpendicular along with those without driveways and garages. City Manager pointed out that it would unnecessarily create a public safety risk.

Mayor Rishell asked if we were in a city-wide moratorium at this moment. City Manager responded that is correct, this is the step that was taken prior to going into depth with analysis of the issue, due to the amount of complaints received. Mayor Rishell then asked if there would be a city-wide education campaign prior to re-instating enforcement. City Manager responded yes, and clarified that the outcome of the resolution would determine when enforcement would be re-instated. If the resolution passes with only the five cul-de-sacs listed, as drafted, then enforcement for the rest of the city would begin immediately, with a city-wide education. City Manager will get back to the Governing Body with an answer as to how long the city-wide education will take place prior to re-enforcement.

Councilmember Mensing asked about the timeline for the exemption in the moratorium as currently described in the resolution. City Attorney responded most likely a few months.

Councilmember Cendejas asked if the City would be liable for allowing perpendicular parking which hinders response for emergencies. City Attorney responded that the situation just described concerns all of us greatly, and he does not currently have an answer regarding liability and if enacting this would cause the City to be seen as being grossly negligent. City Attorney will research more thoroughly and get back with the Governing Body with an answer.

Councilmember Cendejas asked if there could be a demo of the difficulties emergency vehicles have accessing cul-de-sacs to educate the residents. City Manager will look into this.

City Manager said that the fact that the five cul-de-sacs do not have parking options is also taken into consideration along with the access of emergency vehicles. Councilmember Shuemaker said this is a city-wide issue east and west and Councilmember Banks agreed that parking is an issue throughout the entire city. It was pointed out that the five cul-de-sacs have a very unique issue in that the cul-de-sacs are so small and do not have driveways or garages (or any way to build such) for most homeowners. City Manager did agree that there is a larger parking issue within the City that should be taken into consideration separate from this current issue.

Mayor Rishell polled the Governing Body to get a sense of what way they would prefer to see done.

Councilmember Javed said that tickets should be refunded, and a temporary moratorium should be done until a solution is developed, thus he supports the resolution, with the five cul-de-sacs as presented.

Councilmember Mensing also supports the resolution to include the refund and the five cul-de-sacs as presented. Councilmember Mensing lives in the cul-de-sac of Bradley Court and doesn't believe cul-de-sacs such as hers have the same issue as the five listed.

Councilmember Cendejas also supports the resolution listing the five cul-de-sacs and would like to point out that the residents of the west side are valued communities even though they may not get the same focus of attention as the east side.

Councilmember Machado requested clarification on the mention of the refund, asking if it would be just for the tickets given to those in the five cul-de-sacs or for everyone. City Attorney responded that it would be for everyone. Councilmember Machado also mentioned that if anyone one in the City feels that this move is adversely affecting their parking or that do not understand why they are being ticketed to please email the City Staff and let them know the situation. Councilmember Machado supports the resolution.

Councilmember Banks supports the resolution and believes it should represent all cul-de-sacs, as he has driven to all the cul-de-sacs and with an exception of a very few, most are using perpendicular parking.

Councilmember Shuemaker supports the resolution but points out that available parking is a bigger picture that the City will need to face shortly, advising all residents to make sure they have their parking decals and display them properly after Oct 7th.

Mayor Rishell also supports the resolution with the observation that in her opinion it should be all cul-de-sacs on the western side of the City, but it will not stop her from voting yes on this resolution. Mayor Rishell would like to see this be a bit more inclusive because we need to account for people who have several cars in their household and who may have relatives visiting, entertaining, etc., saying this issue is a lot more complex then what is on the surface and it's not just about who doesn't have driveways

STAFF RECOMMENDATION: That the Governing Body adopts the above resolution pertaining to cul-de-sac parking in the City.

MOTION: Councilmember Shuemaker moved to adopt the above resolution pertaining to cul-de-sac parking.

SECOND: Councilmember Machado

VOTE: Yes: Shuemaker, Cendejas, Banks, Javed, Machado, Mensing, Rishell

Resident Helen Cisler requested Staff to educate residents regarding the need for registering a vehicle that would be parking within the City for 30 days or more. She was not previously aware that a care worker for an elderly resident would need to purchase a decal.

Mayor Rishell thanked the residents for their interest in coming to the meeting and welcomed them to stay for the rest of the meeting if they would like.

8b. PARKS & REC – PATRON ENGAGEMENT SURVEY RESULTS; Jason Shriner, Marketing Manager

In 2017, the Department of Parks and Recreation launched its first Patron Engagement Survey based on the national survey ran by the National Recreation and Parks Association (NRPA). In its third year, the response rate has grown from 45 participants in 2017 to 196 in 2019. In this comprehensive survey, participants are asked when, how, where, and why they interact with the City of Manassas Park, Department of Parks and Recreation. The information collected includes motivations for purchasing memberships, motivations for visiting Parks and Recreation, safety concerns, activities performed, and barriers to programs and recreation. This massive project ran entirely by the Marketing Division from start-to-finish provides the Department with valuable insights for the entire Department and the City on par with market research compiled by marketing firms.

To view the full survey results please visit:

<http://www.manassasparkcommunitycenter.com/wpcontent/uploads/2019/07/2018-Survey-Analysis-Booklet.pdf>

Councilmember Shuemaker requested the cutoffs for the income brackets. Marketing Manager responded 1st Bracket is \$35,000 or less, 2nd is \$35,000-\$75,000, 3rd is \$75,000 to \$150,000 and 4th is above \$150,000. When asked if the income brackets were evenly distributed marketing Manager said the 2nd and 3rd are about even and the 1st and 4th are about the same.

Councilmember Shuemaker asked about specifics with regard to safety in the parking lot. Marketing Manager said that specifics were not mentioned and that it was left to the survey takers interpretation.

Councilmember Shuemaker had a question about how age groups were defined and Marketing Manager said that in the next survey he is going to recommend using birth years instead of the terms Millennials, Gen X, Boomers, etc.

Councilmember Machado wondered what the preferences are for usage within the aquatics programs. Marketing Manager said that preferences were not broken down to that extent, it just revealed that the pool is a strong motivator for membership and for visitors.

Councilmember Banks wondered how Blooms Park usage will be included into the survey. Marketing Manager said that one of the issues they have in the survey is reaching all of the people who use offerings in Manassas Park. Parks and Recreation are continually looking for new and creative ways to reach more people who would take the survey, possibly setting up at grocery stores or perhaps establishing focus groups.

Councilmember Banks asked about utilization of the computer lab. Marketing Manager said that the lab was not specifically in the survey but his observation is that it does get used on the weekends. Director Jay Swisher added that the volume fluctuates throughout the week.

Councilmember Shuemaker asked if the usage of the free pass that is offered on the back of the Governing Body business cards is being tracked. Marketing Manager answered that it is in fact being tracked.

Councilmember Javed asked how often the recreation center has promotions. Marketing Manager answered that the reduced rates on programs mostly ties in with the All Access Passport memberships (40% off on those 5 particular areas) and they do offer deals for some programs but not a lot of response has been seen for these.

Councilmember Machado inquired about childcare being offered while parents are using the recreation center. Marketing Manager said that Kids Korner is offered in the morning and in the evening and on Saturday as well. Kids Korner is \$5 per hour for non-members and is included as a part of membership for a maximum of 2 hours.

8c. COMMUNITY DEVELOPMENT: CONNER DRIVE FUNDING; Calvin O'Dell, Community Development Director

Community Development Director informed Governing Body that the estimate for funding for Conner Drive has gone up, explaining that VDOT has seen a large number of Northern Virginia projects having a massive increase (sometimes 50% above) to previous estimates. This bid was compared with prices that were coming up in the region and we modified the estimate to be sure that when we get to January and put the bid on the street that we are not underfunded. The end result is that we will be about \$650,000 underfunded if we do everything we originally intended for this project.

There is an existing portion of Connor drive between Euclid and Route 28 that we had really hoped to mill and pave, which would be an add-on to the April 2019 estimate.

Note there is a massive jump from \$25,000 to \$125,000 of mobilization cost and this may be because their estimate includes Northern Virginia issues of getting dump trucks and vehicles to high traffic areas that we just don't have here in Manassas Park.

We also are carrying a massive contingency on this project because we were looking at out-year funding and we haven't toned it down too much (only by 5%). There is a 20% contingency on this project. So unfortunately, in order to really be prepared for this project we should anticipate an additional \$625,000 tacked to construction.

We have NVTA 30% funds available to cover this overage and that's what is displayed in front of you. Even with the Russia Branch application that we just submitted today, and the massively expensive COBRA replacement coming down the pike, we are still not jeopardizing our NVTA 30% fund.

STAFF RECOMMENDATION: Staff recommends that the Governing Body authorize the allocation of an additional \$650K from the City's NVTA 30% Transportation fund to the Conner Drive Extension project, a change which will be reflected in the mid-year budget amendment.

MOTION: Councilmember Shuemaker moved that the Governing Body adopt the Staff Recommendation.

SECOND: Councilmember Cendejas

VOTE: Yes: Shuemaker, Cendejas, Banks, Javed, Machado, Mensing, Rishell

8d. RESOLUTION 19-1000-2065: SUPPORT FOR NVTA FINDING OF RT. 28 BYPASS & WIDENING

This is an application for construction funding in FY24 and FY25. The project is still in the environmental analysis phase and will most likely trickle into an environmental impact stage once the environmental assessment is over. The project has been re-named they are looking at both widening 28 and doing the bypass. Mayor Rishell noted that the Governing Body has done previous resolutions for the NVTA. Director sees no reason not to support this Prince William County application.

Vice Mayor Banks made mention that the City will not incur any costs in passing this resolution. Mayor Banks clarified that this will be done under NVTA funding and Prince William County is administering the project. They are looking for a resolution of support from all of the affected localities.

A RESOLUTION SUPPORTING PRINCE WILLIAM COUNTY'S APPLICATION FOR THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY'S FISCAL YEAR 2024-2025 SIX YEAR PROGRAM UPDATE AND FOR THE FUNDING OF: TRANSACTION TITLE-CONSTRUCT ROUTE 28 CORRIDOR ROADWAY IMPROVEMENTS (TRANSACTION ID. 350),

WHEREAS, on April 3, 2013, the General Assembly and Governor approved a new transportation funding bill (HB2313) with all taxes and fees imposed by the General Assembly; and

WHEREAS, the legislation established a dedicated, sustainable funding stream for transportation in Northern Virginia and allows the Northern Virginia Transportation Authority (NVTA) to begin fulfilling its mission to address regional transportation challenges. HB2313 separated these funds into "70% Regional Revenue", which is allocated through a competitive application process by NVTA for regional transportation projects; and "30% Local Distribution Revenue", which is distributed to jurisdictions for local and eligible transportation objectives; and

WHEREAS, TransAction is the multimodal transportation master plan for Northern Virginia. It is a long range plan addressing regional transportation needs through 2040. The Plan focuses on eleven major travel corridors in Northern Virginia, and identifies over 350 candidate regional projects for future transportation investments to improve travel throughout the region. TransAction is not bound to any budget, and proposes more projects than can realistically be funded. The results of TransAction are used to inform NVTA's Six Year Program for capital funding, guiding decisions about which transportation improvements NVTA should prioritize for investment; and

WHEREAS, NVTA will allocate approximately \$400 million in regional (70%) funding in FY2024-2025; and

WHEREAS, the "Call for Regional Transportation Projects" was posted on July 1, 2019, with a deadline of September 27, 2019; and

WHEREAS, the City of Manassas Park desires to support continued analysis, design, and construction of a regionally beneficial solution to the congestion issues on Route 28.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Manassas Park, Virginia support's Prince William County's application for inclusion of the following project and amount in the Northern Virginia Transportation Authority's Six Year Program update, thereby supporting the funding of this project with NVTA 70% regional transportation funds in fiscal years FY2020-FY2025:

Project Title: Construct Route 28 Roadway Improvements: Bypass and Widening (City of Manassas to Fairfax County)

TransAction Title: Construct Route 28 Corridor Roadway Improvements

TransAction ID: 350

Requested Amount: \$50,000,000

STAFF RECOMMENDATION: Approve Resolution supporting inclusion of the Construct Route 28 Roadway Improvements: Bypass and Widening (City of Manassas to Fairfax County) into the Northern Virginia Transportation Authority's Six Year Project Plan, and support the funding application for fiscal years 2024-2025 to help advance the construction phase of the project.

MOTION: Councilmember Machado moved to approve Resolution.

SECOND: Councilmember Shuemaker

VOTE: Yes: Shuemaker, Cendejas, Banks, Javed, Machado, Mensing, Rishell

8e. PUBLIC PRIVATE PARTNERSHIP CONSULTING SUPPORT: CITY MANAGER & CITY ATTORNEY

City Attorney explained that we have previously used Public-Private Transportation Act (PPTA) and Public-Private Education Facilities and Infrastructure Act (PPEA), which are the two different State public-private partnership vehicles for the City's use. We might want to have a PPTA or PPEA consultant available in case we ever do get any of these sort of proposals again.

We have had twice in the past, once with HDR Architects, who helped us with the Community Center, which really wasn't a PPTA project but we did it more of a design build, so we didn't need them that much. But then we had Arcadis as our consultant for quite some time. That agreement has expired and it wasn't renewed since we did not see anything on the horizon indicating we needed one.

Currently it looks like we might actually need a consultant due to the possibility of a submission of a PPTA project in the City. Arcadis has an interest and we have met with them and they have since submitted a proposal which we believe could be done as agreement through the City's small procurement process.

No action is needed tonight but would like to know if there is interest so that we could bring something back to you in the form of an agreement. Arcadis is actually a nationwide company and the Public-Private Partnership component I think is a very specialized portion of this firm.

Mayor Rishell said that the last time that we voted on a PPEA from Arcadis they broke down their charges according to task, Task 1- Solicitation and Analysis, 2- Space Programming Comprehensive Agreement PPEA Detailed Solicitation and Analysis and 3- Compressive Agreement Negotiations, the total being quite expensive. She questioned how we should anticipate determining charges next time. City Attorney replied that under the PPEA/PPTA there are various ways that they can charge. Arcadis would not be coming forward with a proposal for a public private partnership, but they would just be our consultants/experts that we can use as needed and we don't have to use them at all. If we do decide to use them they will come up with a proposal based on specific task proposal that tells how much it is going to cost. City Attorney believes ideally the proposer of any PPEA projects will pay for the service. It is not anticipated that there will be a lot of the PPEA projects.

Councilmember Javed asked if there was a retainer fee and City Attorney responded no that we would just use them as needed.

Councilmember Shuemaker wanted clarification on if there was the capacity internally to do this. City Attorney responded that a comprehensive agreement has a lot of moving parts and it's not the same as a simple agreement where we issue an RFP and we get a proposal and we draft an agreement. Arcadis would bring a level of expertise and experience that we just don't currently have

City Manager said that we will give them our requirements and they will review what the developers are actually doing to make sure that they are following our requirements by performing professional oversight. That is something that we don't have internal capabilities to really track in detail. Another big one too is the financial appraisal of the transaction.

Mayor Rishell verified that no action was expected for this meeting.

9. City Manager Report: Laszlo Palko, City Manager

City Staff will be making the following presentations:

- (1) Community Development Update: Calvin O'Dell
- (2) Finance FY19 Budget Review: Laszlo Palko
- (3) Debt Refunding #1 Results: Laszlo Palko

Community Development Yearly Review: Calvin O'Dell, Director

Community Development Director spoke to the following charts pertaining to financial updates.

Development Services Revenues

Description	FY2017	FY2018	FY2019
Zoning & Subdivision Permits	\$ 2,400.00	\$ 850.00	\$ 10,247.50
Building Permits	\$ 253,933.13	\$ 92,560.38	\$ 87,450.60
Site Plan Development Permit	\$ 9,864.00	\$ 5,439.20	\$ 1,200.00
Sign Permits	\$ 900.00	\$ 500.00	\$ 1,633.36
Certificate of Occupancy	\$ 1,050.00	\$ 400.00	\$ 4,125.00
Dumpster/Storage Container Permit	\$ 50.00	\$ 50.00	\$ -
Conditional Use Permit	\$ 150.00	\$ -	\$ 2,005.00
Home Occupation Permits	\$ 5,200.00	\$ 4,750.00	\$ 3,950.00
Board of Zoning Appeal Application	\$ -	\$ 300.00	\$ -
Ticket Fees for Bldg/Zoning Viol	\$ -	\$ -	\$ -
Site Plan Review	\$ 3,000.00	\$ -	\$ 6,302.00
Total:	\$ 276,547.13	\$ 104,849.58	\$ 116,913.46

Director noted that we are getting a lot of zoning and subdivision permits in but we are not getting very much in the way of site plan development permits. Certificate of occupancy is up due to a lot of people asking for occupancy for businesses. We did see an uptake in revenue in conditional use permits with quite a few applications brought forward. Home occupation permits has fallen off somewhat, perhaps due to an uptake in enforcement in FY16 and FY17. We are working on implementing a single ticketing system and using handheld software so that we can be more efficient with this. One thing I will say is that it is a good thing to see site plan reviews going up that means that there is development in the pipeline, so we are not stale on the development side.

Development Services Statistics

Description	FY18	FY19
Site Plans Submitted	3	3
Site Plans Approved	4	3
C.U.P.s Submitted	1	2
C.U.P.s Approved	0	3
Rezoning Submissions	0	1
Zoning Text Amendments	1	3
Code Enforcement Complaints	149*	351
Construction Permits Issued	347	387
Home Occupation Permits Issued	83	65

Director noted that under code enforcement complaints there was a time when they did not have a code enforcer so everyone on staff was pitching in and not recording them as well.

Public Works Statistics

Item	FY18	FY19
Paving (LF)	4,195	2,939
Paving Expenditure	\$196,539.01	\$233,279.73
Total Transportation MOE	\$378,263.18	\$378,901.17
Sewer Lateral Stoppages	75	44
Sewer Main Stoppages	2	2
Sewer Lining (LF)	8271	2522
Water Breaks	19	20
Water Purchase (\$)	\$1.12M	\$1.39M
Water Purchase (Gallons)	515,395,000	502,257,000

Director noted that some paving was deferred from this year to last year so there should be an uptick in FY20. The paving expenditure went up and the Director is going to look into this further. They did fewer linear feet, but they may have done wider sections to cause this to be more expensive. Sewer lateral stoppages has gone down due to a new policy in that public works will only respond the first time there is a clog but will have homeowners call a plumber if it happens again and they will need to show that it is on the City's side.

Director made mention of the Route 28 Corridor Environmental Assessment meeting to be held at Yorkshire Elementary School Oct. 9 at 6:30pm. Several of the Governing Body members will be attending so Mayor Rishell requested that this be advertised to avoid any FOIA issues.

Finance FY19 Unaudited Budget Actuals Review:

Surplus for FY19 may be shifted to capital expenditure projects in FY20. Should be over \$1M for surplus. Most savings was due to coming under budget versus revenues, however the efforts on collections has benefited us on the revenues. When the City Manager comes back with the audited numbers in December he will have better numbers on what the surplus is and the recommendation for the surplus.

Director said that all-in-all budget reviews are looking great. Mayor Rishell asked the City Manager to express to Pon Yusuf, Finance Director and her staff the Governing Body's appreciation for all the hard work they have been putting into the budget preparations and review.

Debt Refunding #1 Results:

Debt Refunding plan #1 involved refinancing Series 2007B, 2008 and 2016 series debt and projected saving a total of \$1.7M over the life of the loan and just over \$1.6M from FY20-22. Actions on this closed about a week ago and actuals will be a saving \$2.2M over the life of the loan. Nearly \$500,000 more than planned due to lower interest rates.

Before going into closed session Mayor Rishell made it a point to thank Chief Lugo, Chief Soaper and Calvin O'Dell for the presentation on parallel parking that was given earlier tonight.

Mayor Rishell also thanked everyone for the Preparedness Fair held last Saturday which was a multiple department effort and came off great.

10. Closed Session: 11:08 PM

STAFF RECOMMENDATION: The City Attorney recommends that the Governing Body go into closed meeting for four matters:

- (i) The first two matters involve consultation with the City Attorney regarding two specific legal matters that require the provision of legal advice by the City Attorney, pursuant to paragraph 8 of Subsection 2.2-3711A of the Code of Virginia.
- (ii) The third matter involves (i) discussion and consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City, (ii) discussion of a prospective business where no previous announcement has been made of the business' interest in locating in the City, and (iii) consultation with the City Attorney regarding a specific legal matter that requires the provision of legal advice by the City Attorney, pursuant to paragraphs 3, 5, and 8 of Subsection 2.2-3711A of the Code of Virginia.
- (iii) The fourth matter involves (i) discussion of the performance and salary of the City Manager, and (ii) discussion of an amendment to the terms and scope of the City Manager's employment agreement, pursuant to paragraphs 1 and 29 of Subsection 2.2-3711A of the Code of Virginia.

MOTION: Councilmember Shuemaker moved to accept the recommendation of City Attorney that the Governing Body go into closed meeting.

SECOND: Councilmember Cendejas

VOTE: Yes: Shuemaker, Cendejas, Machado, Banks, Javed, Mensing, Rishell

11. Return to Open Session: 12:02 AM:

MOTION: Councilmember Shuemaker

SECOND: Councilmember Machado

VOTE: Yes: Shuemaker, Cendejas, Banks, Javed, Machado, Mensing, Rishell

12. Certification & Action out of Closed Meeting if Necessary:

MOTION: Councilmember Shuemaker moved the following Certification:

WHEREAS, the Governing Body of the City of Manassas Park has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this public body that such closed meeting was conducted in conformity with Virginia law,

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Manassas Park hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the meeting by the public body.

SECOND: Councilmember Machado

VOTE: Yes: Shuemaker, Cendejas, Banks, Machado, Mensing, Javed, Rishell

13. Adjournment 12:03 AM:

MOTION: Councilmember Shuemaker

SECOND: Councilmember Machado

VOTE: Yes: Shuemaker, Cendejas, Banks, Javed, Machado, Mensing, Rishell

Approved November 6, 2019

Jeanette Rishell, Mayor

Keith Nguyen, Acting City Clerk