

**CLIFTON TOWN COUNCIL MEETING
TUESDAY, JUNE 2, 2020, 7:30 PM
ELECTRONIC MEETING, VIA ZOOM**

Until further notice from the Mayor of Clifton, and in accordance with the Resolution of the Town Council regarding Remote Participation by Electronic Means Policy and the Town Council Continuity of Government Methods Authorizing Remote Participation by Electronic Means Without a Physical Quorum Being Present Pursuant to Virginia Law, the Town of Clifton Town Council is holding the Meeting noticed herein electronically for the purpose of continuity of government of the Town of Clifton.

The meeting will be conducted using Zoom teleconferencing audio and video service, and connection information will be provided to members of the public to afford the opportunity to citizens to witness the operation of the Town of Clifton government. Connection information is available from, and will be provided by, the Town Clerk.

Present: Mayor Bill Hollaway; Vice Mayor Steve Effros; Councilmember Regan McDonald; Councilmember Melissa Milne; Councilmember Darrell Poe.
Staff: Marilyn Barton, Town Treasurer; Amanda Christman, Town Clerk.
Absent: Councilmember Chase Hinderstein until 7:35 PM.

The Regular Meeting was called to order by Mayor Hollaway at 7:33 PM.

Order of Business:

1. Report of the Town Clerk:

a. Approval of the Minutes.

- **Councilmember Poe moved to approve the May 2020 Minutes with one correction, seconded by Mayor Hollaway. The motion was approved by roll-call: Hollaway: Aye; Poe: Aye; Effros: Aye; Milne: Aye; McDonald: Aye.**

2. Report of the Treasurer.

See attached Report.

- **Mayor Hollaway moved to approve the Treasurer's Report as presented, seconded by Councilmember Milne. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; Hinderstein: Aye; Poe: Aye.**
- **Mayor Hollaway moved to approve the Town Attorney's invoice in the amount of \$500, seconded by Councilmember Hinderstein. The motion was approved by roll-call: Effros: Aye; Hollaway: Aye; Milne: Aye; McDonald: Aye; Hinderstein: Aye; Poe: Aye.**

3. Citizen's Remarks.

Jim Chesley: Written remark presented by the Clerk: "When is the Town ever going to address the DAILY speeding on Main Street as it turns into Kincheloe Rd and Clifton Rd as it leaves School St. The speeding and the noise is beyond Excessive."

The Clerk will send various Council Meeting Minutes that address this issue to Mr. Chesley for his information. Mayor Hollaway added that he spoke with Mr. Chesley and informed him that local police will continue to monitor speeding in those locations.

4. Reports of Committees:

a. Planning Commission.

See attached report.

- **Mayor Hollaway moved to accept the recommendations of the Planning Commission to approve the Use Permit for Counseling for Creative Growth, for 192 net square feet of space to be used as a commercial/office use for counseling for Tuesday through Friday from 8AM to 5PM with the allocation of 1 parking space on the premises located at 12644 Chapel Road Suite 110, seconded by Vice Mayor Effros. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; Hinderstein: Aye; McDonald: Aye; Poe: Aye.**

- **Mayor Hollaway moved to accept the recommendations of the Planning Commission to approve the Use Permit for Market Wealth Management, LLC, for a total of 776 net square feet for a commercial/office use for financial advice for Monday –Saturday 8AM to 8PM with the allocation of 4 parking spaces on premises located at 12644 Chapel Road Suites 108, 109, 111 and 113, seconded by Councilmember Milne. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; Hinderstein: Aye; McDonald: Aye; Poe: Aye.**

b. Report of the Zoning Administrator:

i. 7184 Clifton Road – Update.

A site inspection was conducted with two ARB members to meet with the home builder on-site to inspect various elements of the project and discuss the status of the project. A letter memorializing the meeting and detailing the list of required remediations as discussed will be sent shortly and an update will be provided at the July meeting.

ii. 12752 Chapel Street – Update.

See attached second notice.

A second notice was mailed directly after the May Council Meeting however a response has not been received to this or any other communication that has been sent since January 2020. Michelle Stein reported that she called and received assurances that they would work to complete the process, but that was a week ago, without any communication since.

- **Vice Mayor Effros moved to approve the issuance of a Notice of Violation if nothing is submitted by the applicants on or before June 15, 2020, seconded by Councilmember Poe. Councilmember Hinderstein moved to modify Vice Mayor Effros's motion to add that the action be shelved for a month due to the COVID-19 pandemic and in order to allow more time for personal intervention by individual Council Members. The modified motion was**

seconded by Councilmember Poe and approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; Hinderstein: Aye; McDonald: Aye; Poe: Aye.

iii. 12727 Clifton Heights Lane - Update.

See attached second notice.

A second notice was mailed after the May Council meeting and the homeowner has contacted the Town about obtaining a Final Use Permit. Confirmation of attendance at the next Planning Commission is pending.

c. Architectural Review Board.

Councilmember McDonald reported that the ARB approved a Resolution Authorizing Electronic Meetings during the COVID-19 state of emergency. The following applications were then reviewed:

i. application for banners for the Clifton Presbyterian Church.

The ARB forwarded the application to the Town Council for consideration since the approval of banners is the purview of the Town Council. The requested duration to display the banners is for three years. Mayor Hollaway remarked that such a request would require a code change, and potentially be taken up with other future code change proposals.

ii. application for new fence at 7144 Main Street (Weaver House).

The ARB approved the application with the modification to use the same pattern as the railing on the front porch of the building.

iii. application for an addition to the existing structure at 7223 Dell Avenue (Rash residence).

The ARB approved the application which will also need to be reviewed by the Planning Commission.

d. Streetscape Project Committee – Update on Utility Relocation.

It was reported that based on previous conversations and written correspondence between the Town and the Northern Virginia Local Assistance Staff, VDOT has agreed with the preference of the Town to proceed with the design that removes the four (4) existing utility poles as part of the subject streetscape project and that the federal TAP funds can be used to reimburse the appropriate utility relocation costs.

Vice Mayor Effros expressed continued concerns regarding whether the Town currently has adequate federal funding even with 80/20 reimbursement eligibility, and whether or not the utilities have agreed to fund any part of the effort. The Clerk was directed to relay the concerns to the Special Projects Committee for consideration.

e. Board of Zoning Appeals Vacancy.

The Councilmembers were advised that there is a vacancy on the Board of Zoning Appeals and asked to assist in identifying potential candidates.

f. Haunted Trail Committee.

Councilmember Poe reported that the Committee has set July 1, 2020 as a deadline to make a decision about what type of event to be held given the current pandemic situation, but undoubtedly, an event of some kind will be held.

5. Unfinished Business:

a. Review and Approval of Budget for Fiscal Year 2020-2021

See attached FY2021 Budget Resolutions.

See attached Approved FY2021 Budget.

i. Haunted Trail Revenue Adjustment.

Councilmember Poe suggested reducing the projected revenue from \$45,000 to \$35,000 with projected expenses to remain unchanged.

ii. Flood Plain Park Maintenance.

Mayor Hollaway suggested adding a dedicated line item for maintenance of the Town-owned portion of the Flood Plain Park trail and allocating \$5,000 for that item.

iii. CARES Act Funding.

It was reported that \$51,433 was received from Fairfax County for CARES Act funding for COVID-19 and that, thus far, \$3,142 was expended for COVID-19 in FY2020, leaving a remainder of \$48,291 for FY2021.

• **Mayor Hollaway moved to adopt the Budget with the changes to the Haunted Trail Revenue, the Flood Plain Park maintenance, and the CARES Act funding, and adopt the three Resolutions adopting the FY2021 budget, adopting the FY2021 tax rates, motor vehicle registration and Use Permit fees, and authorizing appropriation and expenditure for release of FY2021 funds, seconded by Councilmember Poe. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; Hinderstein: Aye; McDonald: Aye; Poe: Aye.**

b. Fairfax County COVID-19 Small Business Grant Program – Update and Clifton Status.

The Council determined that the funds will be entered into the Budget as both additional revenue and in the same amount as an additional expense.

Vice Mayor Effros reported on the progress made in developing guidelines for the awarding of grants by Fairfax County. The Town has been advised to wait until the County awarded their grants and then structure the Towns program so that businesses who aren't selected for County grants can apply for Town grants. The application window for the County should occur within the next week, and the Town should encourage every business to monitor the County website so that they can apply within the designated time frame. Marilyn Barton meets with her Fairfax County counterparts every Monday afternoon and committed to notifying the Council when the County grant application is about to go live, so that the Clerk can publicize the information to the business community.

Laura Jane Cohen: replied that even the smallest businesses could benefit from the smallest grant awards. It's a shame to wait because smallest businesses can't compete on the County level. She hopes the Town develops a system that accounts for the smallest of businesses. Vice Mayor Effros responded that if the Town doesn't wait, then Clifton businesses will be disadvantaged for the bigger lottery grants from the County – also, the size of businesses doesn't matter because winners will be selected by random lottery as opposed to size. However, if a business doesn't qualify by County standards, which are consistent with federal CARE Act requirements, then a business may not be eligible for grants through the Town.

Alyson Pollard: requested that the Town Council hold a special meeting after Fairfax County has awarded their grant recipients so that business owners need not wait until the July 7th meeting. Vice Mayor Effros replied that he thought this would be possible. Mayor Hollaway added that the Town needs to evaluate what the rules will be in order to best serve the unique nature of the businesses in the Town of Clifton, prior to opening Town grants for applications.

The Council discussed assigning the Clerk to receive feedback from businesses and forward to the Council, as significant input will be needed. Vice Mayor Effros pointed out that the grant application will be ready to be released quickly, but the significant question remains:

which type of award would be preferable to a majority of businesses: pro rata (by number of employees or gross receipts, et cetera, or lottery for fixed amounts? Vice Mayor Effros reminded the Council that businesses are only eligible for grant funding if they are classified as restaurant/retail and have employees besides the owners.

Councilmember Milne requested that the Council schedule a special work session prior to the July Regular Meeting, and Mayor Hollaway added that it would be ideal to have grant funding selection criteria proposed by Vice Mayor Effros prior to then.

The Council set a work session for Tuesday, June 23, 2020 at 7:30 PM via Zoom and directed the Clerk to develop an agenda to address the Clifton COVID-19 CARES Act Grant Funding Program.

6.New Business:

a. Fairfax County Emergency Ordinance for COVID-19 to Allow Outdoor Restaurant Dining and Outdoor Fitness without Permit – Discuss Potential Clifton Adoption.

See attached proposed ordinance.

Councilmember Hinderstein advocated that anything the County allows, the Town should eschew aesthetic considerations and follow in suit, as long as it's temporary in nature.

Alyson Pollard: asked if businesses located outside the Town of Clifton can participate? Mayor Hollaway answered that no, only existing businesses in Town with valid Use Permits to do the exact type of business on the inside would now be permitted to do so outdoors.

Kathy Kalinowski: pointed out that if you look at the County ordinance, it doesn't allow use of grassy space, which the Town might want to allow. But it does allow sidewalk use, which we may not, given the volume of pedestrians we have.

Councilmember Milne interjected that businesses can only use up to 50% of the capacity that they are permitted to have inside.

Kathy Kalinowski: suggested that if you're going to use a parking space of a building owner, you should have their consent. You should allow use of grass rather than sidewalks (at least on Main Street). No outside entertainment or music should be allowed. Noise is an issue, but maybe not so much if people follow the rules. The Town needs to be clear about what's allowed and how much is allowed.

Michelle Stein: asked if the ordinance allows for non-adjacent use? For example, could yoga classes be held at the CBA Barn? Mayor Hollaway answered that the County ordinance, as written, would not allow non-adjacent use that's four or five blocks away from the business's official location. Maybe such a clause could be adopted if the non-adjacent property were not zoned Residential.

There being no further questions or comments from the community,

- **Mayor Hollaway move to approve the adoption of the uncodified emergency ordinance adopted by Fairfax County as modified in the following ways: 1) definition of outdoor dining: add at the end "or music of any type." (section c). 2. Section d.1.j.: delete "without adequate alternative pedestrian passage" 3. D.1.k.: in the first sentence, delete the word "sidewalks" and add at the end "or adjacent open space" at the end of the final sentence add: "or non-adjacent open space not zoned residential with the prior written permission of the property owner" with said ordinance to be effective beginning on June 5, 2020 and terminating after sixty days thereafter unless renewed by the**

Council, seconded by Vice Mayor Effros. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; Hinderstein: Aye; McDonald: Aye; Poe: Aye.

b. Back to Business in Clifton during COVID-19 – Status, Initiatives, Issues.

Specific issues were discussed under other items of the agenda. The Council reiterated that they are open for feedback regarding the needs of businesses in the community.

c. Clifton “Open For Business” during COVID-19 Temporary Signage and Banner.

Councilmember Hinderstein suggested that the Council be very careful with expenditures for measures such as temporary signage. Councilmember Poe wondered if such expenditures could be paid with CARES Act funding. Vice Mayor Effros believed that it should. The Council noted that they want to help businesses, but not get in their way, and hoped that a coalition of businesses would provide feedback on this proposal or something similar at the work session scheduled on June 23rd. Councilmember Milne interjected that businesses might prefer the cash as a grant versus an expenditure of temporary signage. It was concluded that the Council would not take any action unless positive feedback from the businesses is received.

d. Add “Please Ride Quietly” Signage at All Town Entrances to Address COVID-19-Related Increase in Vehicle Noise.

See attached signage examples.

Residents continue to report problems with unsafe speeding coming into Town and loud noises of high-performance cars and motorcycles that have increased during the pandemic. Mayor Hollaway noted that the Town’s options regarding route 645 (Clifton Road/Main Street) are limited as it is considered a highway, meaning that the speed limit cannot be set below 25 mph, which would be the Town’s preference.

Councilmember Milne estimated the cost for each sign might be about \$200, and a total of five would need to be purchased in order to post one at each main road entrance into the Town, and Regan McDonald committed to making the purchasing arrangements and coordinating with VDOT as necessary.

- **Councilmember McDonald moved to approve the payment of up to \$1,500 for five signs reading “Please ride quietly,” to be posted next to the corporate limit signs, seconded by Councilmember Poe. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; Hinderstein: Nay; McDonald: Aye; Poe: Aye.**

e. Proposal re: Adopting Additional Real Estate Property Tax for Town of Clifton.

See attached letter.

- **Councilmember Poe moved to table the item until the COVID-19 crisis has subsided, seconded by Vice Mayor Effros who amended the motion to include a forthcoming discussion of the Meals Tax. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: aye; Hinderstein: Aye; McDonald: Aye; Poe: Aye.**

f. Process for Clifton Fourth of July Parade and Picnic under COVID-19.

Michelle Stein interjected stated that the CBA has requested to close the park on July 4th and to organize the event. Councilmember Milne interjected that the event must conform with

current public health guidelines. Mayor Hollaway affirmed that the park is available as it is every year, though Ms. Stein cautioned that the event itself may be moved to the CBA Barn this year.

g. Clifton Museum and Visitor Center – Engaging Contractors to Obtain Detailed Estimates and Proposals for Work.

Mayor Hollaway indicated that the Committee has not yet provided a specific, detailed proposal of the scope of work and the associated costs. Jay Palau replied that he would like to obtain estimates and proposals for the work and is looking for the Councils' assent and assistance with the effort. In particular, he is looking for contractors who specialize in historical restoration. He requested that the Town submit a lease proposal for the building. Vice Mayor Effros responded that the project is not guaranteed and that support for the proposal is limited. A 100% scope of work and proposal write-up will be forthcoming.

h. Removal of Trees in Flood Plain Park.

Laura and Regan McDonald have volunteered to walk along the wooded section of the Town-owned section of the trail and evaluate the standing dead trees and determine if they are good for the environment or if they should be cut down due to safety reasons and to report back to the Council with their findings.

i. Fairfax County Community Development Block Grant and HOME Investment Partnerships Program Continued Participation - Update.

See attached Agreement.

The Council took no action to cancel the automatic renewal of the agreement to continue to participate in the County's CDBG and HOME programs, for the three-year period for FY 2021-2023, and so the agreement will be renewed.

7. Executive Session – Potential Green Space Acquisition.

The Executive Session was shelved until additional information is available to discuss.

8. Adjournment.

- **Vice Mayor Effros moved to adjourn, second by Councilmember Poe. The Council took this opportunity to thank outgoing Member Hinderstein for his many contributions to the Town including his unique, unvarnished viewpoint, personality and tremendous insight. Councilmember Hinderstein thanked the Council and toasted the Members with a raised glass over Zoom. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; McDonald: Aye; Poe: Aye; Hinderstein: Aye.**

The Meeting was adjourned at 11:23 PM.



Clifton Clerk <clerk@cliftonva.gov>

June 2, 2020 Town Council Meeting - Treasurer's Reports for fiscal year period ended May 31, 2020

1 message

Marilyn Lane Barton <clifton.treasurer@cox.net>

Mon, Jun 1, 2020 at 8:32 PM

To: "William R. Hollaway, Ph.D." <WHollaway77@gmail.com>, mcdonald.regan@gmail.com, Melissa Milne <Melissa.milne9@gmail.com>, Steve Effros <Steve@effros.com>, chasehinderstein@gmail.com, Darrell Poe <dpoe@cliftonva.gov>

Cc: "Barton, Marilyn" <mbarton@mycri.org>, Clifton Clerk <clerk@cliftonva.gov>

Hello Town Council Members,

Attached are the **Financial Reports for the fiscal year period ended May 31, 2020**. Please note that transactions received that affect the FY19 Final Financial Report were accrued to June 2019. The significant transactions are noted below, and on the P&L Summary by Fund Report.

The April Financial Reports include:

- The Summary of **Cash Balances Report as of May 31, 2020** reflects total funds of \$1,366,695. *See the detailed Cash Balance Report.*
- **Profit & Loss Summary by Fund** for period ended 05/31/2020. **Highlights of May transactions** are noted on this summary report. The main items for the month include:

NOTES & Highlights: Only major items are highlighted at the Town Council's request. For details refer to the P&L Detail Export tab.

1 **Federal COVID-19 Revenues:** Received \$51,433 in Federal COVID-19 funding allocation based upon the 2018 US Census and submitted as part of Fairfax County's application. Funding must be used for reimbursement for COVID-19 related costs incurred from March 1 - December 21, 2020. I have participated in two meetings with Fairfax County, Towns of Herndon & Vienna Finance Directors and other Fairfax Co. staff. These meetings were coordinated by Fairfax County to ensure consistent handling of the COVID-19 funds, expenditures and Federal reporting requirements.

2 **Interest Income:** United Bank posts interest earned on CDs on a quarterly basis.

3 **Taxes & Permits Revenue:** Highlights for May include ARB permits of \$260, BPOL receipts of \$876.93, Franchise Fees from Verizon & Cox of \$580.77, State Communications Sales Tax of \$410, Motor Vehicle Fees of \$69.33, and Sales Tax of 2861.11 for March, and Use Permits of \$225.

4 **Contractual Expenses:** Highlights for May include the C.H. Electric bill of \$307; Legal Fees of \$1,900, Web service \$400, Trash equipment purchases of 238, Grass mowing of \$750, Computer software renewals of \$210.

Supplemental Detail Reports are provided as follows:

- **Investment of maturing CD funds:** On May 8 2020 with the Mayor's approval and the Council's concurrence, four United Bank CDs were opened for \$100,000 each for the term of 7 months at the APR of .75%. The CDs will mature Dec. 8, 2020.
- **Profit & Loss Detail Export** Report for period ended 05/31/2020. This report provides the detailed accounts that are summarized on the P&L Summary by Fund Report.
- **Looking forward to June:**
- **FY2021 Town Budget Proposal:** The legal notice for a Town Council Public Hearing on the Proposed FY2021 Town Budget to be held on May 6, 2020 was advertised on April 23rd. With funding received from the Federal CARES Act covering allowable related expenses incurred from March 1, 2020 to December 31, 2020, the Town Council will need to consider the impact of this on the FY21 Proposed Budget prior to final approval.
- **COVID-19:** The Treasurer continues to participate in weekly meetings with Finance Directors from Fairfax County, the Towns of Vienna and Herndon, and other support staff. There will be a certification agreement form provided by Fairfax County to the Towns to certify the amount of funds distributed to the towns and the reporting and documentation requirements to be completed by December 2020. Some of the expenses that our town has incurred related to COVID-19 include Legal Services of 3.8 hours @ \$250 equaling \$950; \$100 for ZOOM application.
- **Roll Call Vote –** A roll call vote is needed to approve the May 2020 Invoice from Maureen Gilmore for legal services performed for 2 hours at \$250 per hour for a total of \$500. 1.4 hours of the invoice is allocated to COVID-19 expenses for \$350.

After your review of the reports, if you have any questions or concerns, please let me know. If there are additional supplemental schedules that you would like to see, just let me know. *Thank you.*

Sincerely,

Marilyn

Marilyn Barton

Treasurer

Town of Clifton

P.O. Box 309

Clifton, VA 20124-0309

Cell: 703-678-8607

2 attachments



2020 05 31 Financial Reports.xlsx
57K



Clifton Legal Fees May 2020.pdf
40K

ASSETS	5/31/2020	<u>Bank Rates Effective 4/30/2020</u>		<u>Negotiated Increases</u>	
		CD Term	Maturity Date	APR %	
Current Assets					
Checking/Savings					
John Marshall Bank CDs	315,946.32	1 yr	8/1/2020	2.17%	Down from 2.25% APR @ 7/31/18
C-.D. - United Bank - 2 7 mos CDs	216,823.82	7 mos	11/17/2020	0.75%	Down from 2.10% due to COVID-19 beginning 4/17/20
C.D. - United Bank 1	50,000.00	9 mos	12/4/2020	1.40%	Down from 2% due to COVID-19 @ 3/04/2020 J.Marshall Bank
C.D. - United Bank 2	50,000.00	9 mos	12/4/2020	1.40%	Down from 2% due to COVID-19 @ 3/04/2020 J.Marshall Bank
C.D. - United Bank 3	50,000.00	9 mos	12/4/2020	1.40%	Down from 2% due to COVID-19 @ 3/04/2020 J.Marshall Bank
C.D. - United Bank 4	50,000.00	9 mos	12/4/2020	1.40%	Down from 2% due to COVID-19 @ 3/04/2020 J.Marshall Bank
C.D. - United Bank - 4 7-month CDs	400,000.00	7 mos	12/8/2020	0.75%	Opened 5/8/2020
United Bank - Events Acct	100.00				
Checking-United Bank	124,094.52	in Bal \$2,500	"Chairman's Club"	0.10%	
Investments-LGIP	977.15				
Money Market Savings-United	104,346.29		8/30/2019	1.39%	Down from 1.589% @ 7/31/18
Security Deposit - United Bank	4,407.05				
Total Checking/Savings	1,366,695.15				

NOTES: The United Bank CDs accrue interest at the end of each quarter. With approval of the Mayor and concurrence by the Town Council, 4 U.B. CDs were opened for the term of 7 months at .75% APR.

Town of Clifton

Profit & Loss Budget Performance

May 2020

Operating Funds		May 20	Budget	Jul '19 - May 20	YTD Budget	Annual Budget
Income						
1	Federal CARES Act - COVID-19	0.00		51,433.00		
	State Funding	0.00	0.00	10,000.00	10,000.00	10,000.00
	Committees Fundraising	0.00	0.00	1,565.63	9,500.00	9,500.00
	Community Hall Revenues	0.00	500.00	3,850.61	5,500.00	6,000.00
	General Donations	0.00	0.00	0.00	0.00	0.00
	Haunted Trail Event	0.00	0.00	60,402.24	45,000.00	45,000.00
2	Interest Income	574.32	1,500.00	16,320.54	16,500.00	18,000.00
	PC - Reimbursements	0.00	0.00	0.00	0.00	0.00
	Pink House Rental	2,100.00	2,900.00	32,100.00	31,900.00	34,800.00
	S.R. - Litter Control Grant	0.00		814.00		
3	Tax and Permits Revenue	5,611.87	4,079.16	106,069.20	93,470.84	97,550.00
Total Income		8,286.19	8,979.16	282,555.22	211,870.84	220,850.00
Gross Profit		8,286.19	8,979.16	282,555.22	211,870.84	220,850.00
Expense						
	Citizens' Recognition Expense	0.00	83.33	0.00	916.67	1,000.00
	Bank Service Charges	0.00	0.00	64.28	0.00	0.00
	Commodities	210.28	323.34	1,769.26	3,656.66	3,980.00
4	Contractual	4,003.10	11,825.04	90,868.31	159,699.96	170,525.00
	Haunted Trail Expenses	0.00	0.00	17,045.06	15,000.00	15,000.00
	OTHER - TC approval req'd +\$500	0.00	625.00	0.00	6,875.00	7,500.00
	Other Expenses	0.00	625.00	0.00	6,875.00	7,500.00
	Payroll Expenses	5,000.00	5,395.25	58,825.00	61,347.75	66,743.00
	Reconciliation Discrepancies	0.00		0.00	0.00	0.00
Total Expense		9,213.38	18,876.96	168,571.91	254,371.04	272,248.00
Net Income		(927.19)	(9,897.80)	113,983.31	(42,500.20)	(51,398.00)
CIF FUNDS:						
CIF Income						
	CIF - Capital Improvements Fund	0.00	60,625.00	79,924.95	666,875.00	727,500.00
CIF Expenses						
	CIF Expenses	0.00	60,625.00	15,470.15	1,050,875.00	1,111,500.00
Net Income - CIF Funds		0.00	0.00	64,454.80	(384,000.00)	(384,000.00)
Consolidated Net Income		(927.19)	(9,897.80)	178,438.11	(426,500.20)	(435,398.00)

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- Interest Income:** United Bank posts interest earned on CDs on a quarterly basis.

Town of Clifton
Profit & Loss Budget Performance
May 2020

Operating Funds

May 20	Budget	Jul '19 - May 20	YTD Budget	Annual Budget
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Taxes & Permits Revenue: Highlights for May include ARB permits of \$260, BPOL receipts of \$876.93, Franchise Fees from Verizon & Cox of \$580.77, State Communications Sales Tax of \$410, Motor Vehicle Fees of \$69.33, and Sales Tax of 2861.11 for March, and Use Permits of \$225.

Contractual Expenses: Highlights for May include the C.H. Electric bill of \$307; Legal Fees of \$1,900, Web service \$400, Trash equipment purchases of 238, Grass mowing of \$750, Computer software renewals of \$210.

Town of Clifton
Profit & Loss Budget Performance
May 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									May 20	Budget	Jul '19 - May 20	YTD Budget	Annual Budget
3			Income										
4				Federal CARES Act - COVID-19				0.00			51,433.00		
5				State Funding									
6				Fire Program Funds				0.00	0.00		10,000.00	10,000.00	10,000.00
7				State Funding - Other				0.00	0.00		0.00	0.00	0.00
8				Total State Funding				0.00	0.00		10,000.00	10,000.00	10,000.00
9				CIF - Capital Improvements Fund									
10				Grants									
11				Federal									
12				ISTEA-Clifton Streetscape				0.00	12,125.00		0.00	133,375.00	145,500.00
13				Total Federal				0.00	12,125.00		0.00	133,375.00	145,500.00
14				VDOT- MAP21 Streetscape Phase 2				0.00	48,500.00		79,924.95	533,500.00	582,000.00
15				Total Grants				0.00	60,625.00		79,924.95	666,875.00	727,500.00
16				Total CIF - Capital Improvements Fund				0.00	60,625.00		79,924.95	666,875.00	727,500.00
17				Committees Fundraising									
18				Homes Tour Income				0.00	0.00		0.00	6,000.00	6,000.00
19				Clifton Business Coalition									
20				CBC Wreath Contest				0.00			0.00	0.00	0.00
21				Total Clifton Business Coalition				0.00			0.00	0.00	0.00
22				Council of the Arts									
23				Clifton Film Festival				0.00	0.00		1,315.63	3,500.00	3,500.00
24				Community Arts Programs-CGT inc				0.00			0.00	0.00	0.00
25				Total Council of the Arts				0.00	0.00		1,315.63	3,500.00	3,500.00
26				Parks Committee									
27				Park Rental				0.00	0.00		250.00	0.00	0.00
28				Total Parks Committee				0.00	0.00		250.00	0.00	0.00
29				Total Committees Fundraising				0.00	0.00		1,565.63	9,500.00	9,500.00
30				Community Hall Revenues									
31				Community Hall Rentals				0.00	500.00		3,850.61	5,500.00	6,000.00
32				Total Community Hall Revenues				0.00	500.00		3,850.61	5,500.00	6,000.00
33				General Donations				0.00	0.00		0.00	0.00	0.00
34				Haunted Trail Event				0.00	0.00		60,402.24	45,000.00	45,000.00
35				Interest Income				574.32	1,500.00		16,320.54	16,500.00	18,000.00
36				PC - Reimbursements				0.00	0.00		0.00	0.00	0.00
37				Pink House Rental				2,100.00	2,900.00		32,100.00	31,900.00	34,800.00
38				S.R. - Litter Control Grant				0.00			814.00		
39				Tax and Permits Revenue									
40				VA - Car Rental Distribution				57.92	20.83		4,191.09	229.17	250.00
41				ARB Permits				260.00	41.67		820.00	458.33	500.00
42				BPOL tax				876.93	0.00		55,713.27	40,000.00	40,000.00
43				BZA Fee				0.00	0.00		250.00	0.00	0.00
44				Cigarette Tax				191.34	175.00		2,010.89	1,925.00	2,100.00
45				Communications Sales Tax -Va				409.78	433.33		4,444.83	4,766.67	5,200.00
46				Franchise Fees - Cox & Verizon				580.77	291.67		3,179.37	3,208.33	3,500.00
47				Motor Vehicle Tags				69.33	0.00		7,465.95	7,000.00	7,000.00
48				Railroad Tax				0.00			1,596.79	1,600.00	1,600.00
49				Sales Tax				2,861.11	2,958.33		24,193.90	32,541.67	35,500.00
50				Use Permits				225.00	58.33		1,100.00	641.67	700.00
51				Utility Consumption Tax				79.69	100.00		1,103.11	1,100.00	1,200.00

Town of Clifton
Profit & Loss Budget Performance
May 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									May 20	Budget	Jul '19 - May 20	YTD Budget	Annual Budget
52								Total Tax and Permits Revenue	5,611.87	4,079.16	106,069.20	93,470.84	97,550.00
53								Total Income	8,286.19	69,604.16	362,480.17	878,745.84	948,350.00
54								Gross Profit	8,286.19	69,604.16	362,480.17	878,745.84	948,350.00
55								Expense					
56								Citizens' Recognition Expense	0.00	83.33	0.00	916.67	1,000.00
57								Bank Service Charges	0.00	0.00	64.28	0.00	0.00
58								CIF Expenses					
59								Engineering /Design - Sidewalks	0.00		0.00	3,000.00	3,000.00
60								Caboose Renovation	0.00		0.00	1,000.00	1,000.00
61								CIF - Land Purchase	0.00		0.00	300,000.00	300,000.00
62								Clifton Creek Park - Trails	0.00		0.00	20,000.00	20,000.00
63								RR Siding Parking Facility	0.00		0.00	10,000.00	10,000.00
64								Special Projects Committee					
65								Dev. of Streetscape Phase 2	0.00	60,625.00	15,470.15	666,875.00	727,500.00
66								Total Special Projects Committee	0.00	60,625.00	15,470.15	666,875.00	727,500.00
67								Storage Facility	0.00		0.00	50,000.00	50,000.00
68								Total CIF Expenses	0.00	60,625.00	15,470.15	1,050,875.00	1,111,500.00
69								Commodities					
70								Office Equipment	0.00	41.67	0.00	458.33	500.00
71								Computer Supplies	210.28	106.67	1,271.54	1,173.33	1,280.00
72								Copies	0.00	16.67	38.52	183.33	200.00
73								License Plates	0.00		40.30	100.00	100.00
74								Miscellaneous	0.00		0.00	0.00	0.00
75								Miscellaneous - Commodities	0.00	25.00	0.00	275.00	300.00
76								Office Supplies	0.00	83.33	0.00	916.67	1,000.00
77								Postage and Delivery	0.00	50.00	418.90	550.00	600.00
78								Total Commodities	210.28	323.34	1,769.26	3,656.66	3,980.00
79								Contractual					
80								Fire Program	0.00	0.00	10,000.00	10,000.00	10,000.00
81								Caboose Expenses					
82								Caboose Equipment	0.00	41.67	0.00	458.33	500.00
83								Caboose Maintenance	0.00	125.00	0.00	1,375.00	1,500.00
84								Total Caboose Expenses	0.00	166.67	0.00	1,833.33	2,000.00
85								Community Hall Expenses					
86								C.H.-Cleaning	31.55	166.67	660.69	1,833.33	2,000.00
87								C.H.-Equipment & Supplies	0.00	62.50	381.29	687.50	750.00
88								C.H.-General Maintenance	0.00	366.67	0.00	4,033.33	4,400.00
89								C.H.-Management Fee	0.00	125.00	0.00	1,375.00	1,500.00
90								C.H. - Electric	306.73	666.67	4,844.54	7,333.33	8,000.00
91								C.H. Floors	0.00		0.00	0.00	0.00
92								CH-Equip Replacement & Hall Ref	0.00		0.00	0.00	0.00
93								C.H. Interior Improvements	0.00	166.67	0.00	1,833.33	2,000.00
94								Total Community Hall Expenses	338.28	1,554.18	5,886.52	17,095.82	18,650.00
95								Dues and Subscriptions					
96								Conference Attendance	0.00	41.67	0.00	458.33	500.00
97								Va. Municipal League	0.00		408.00	600.00	600.00
98								Dues and Subscriptions - Other	0.00	83.33	0.00	916.67	1,000.00
99								Total Dues and Subscriptions	0.00	125.00	408.00	1,975.00	2,100.00
100								Insurance	0.00		5,817.00	7,000.00	7,000.00

Town of Clifton
Profit & Loss Budget Performance
May 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									May 20	Budget	Jul '19 - May 20	YTD Budget	Annual Budget
101								Legal Advertising	0.00	166.67	960.00	1,833.33	2,000.00
102								Mayoral Reimbursement	0.00	41.67	0.00	458.33	500.00
103								Miscellaneous	0.00	208.33	0.00	2,291.67	2,500.00
104								Professional Fees					
105								Accounting	0.00		7,110.86	7,500.00	7,500.00
106								Legal Fees	1,900.00	2,500.00	12,075.00	27,500.00	30,000.00
107								Total Professional Fees	1,900.00	2,500.00	19,185.86	35,000.00	37,500.00
108								Rent					
109								Ayre Square Rental	0.00		1,248.31	1,500.00	1,500.00
110								Railroad Siding Rental	0.00		1,807.97	1,750.00	1,750.00
111								Total Rent	0.00		3,056.28	3,250.00	3,250.00
112								Town Assoc of Northern Va Event	0.00	50.00	0.00	550.00	600.00
113								Town Facilities					
114								Ayre Square Maintenance	0.00	41.67	0.00	458.33	500.00
115								Pink House Expenses					
116								Pink House Maintenance	0.00	416.67	4,986.24	4,583.33	5,000.00
117								Pink House Repairs	0.00		0.00	0.00	0.00
118								Total Pink House Expenses	0.00	416.67	4,986.24	4,583.33	5,000.00
119								R.R. Siding/Caboose Maint.	0.00		3,575.00		
120								Town Handyman - 1099 vendor	0.00	500.00	0.00	5,500.00	6,000.00
121								Total Town Facilities	0.00	958.34	8,561.24	10,541.66	11,500.00
122								Town Government					
123								Architectural Review Board	0.00	25.00	0.00	275.00	300.00
124								Beautification Comm.					
125								Banner Replacement	0.00		0.00	500.00	500.00
126								Christmas Tree Lighting Event	0.00		1,500.00	1,000.00	1,000.00
127								Flower Receptacles	0.00		332.43	800.00	800.00
128								Railroad Siding Boxes-plantings	0.00		0.00	1,000.00	1,000.00
129								Total Beautification Comm.	0.00		1,832.43	3,300.00	3,300.00
130								BZA	0.00	583.33	15,798.00	6,416.67	7,000.00
131								Planning Commission					
132								Consulting-Capital/Town & Zng	0.00	416.67	0.00	4,583.33	5,000.00
133								General Admin Costs	0.00	25.00	0.00	275.00	300.00
134								General Consulting	0.00	666.67	102.50	7,333.33	8,000.00
135								PC Hearings, Ads and copies	0.00	41.67	0.00	458.33	500.00
136								Total Planning Commission	0.00	1,150.01	102.50	12,649.99	13,800.00
137								Town Committees Expense					
138								Communication Committee					
139								Town email system	0.00		0.00	0.00	0.00
140								Web Server Maint & Domain Subsc	400.00	50.00	1,413.73	550.00	600.00
141								Web site updating & config	0.00	41.67	0.00	458.33	500.00
142								Communication Committee - Other	0.00	83.33	0.00	916.67	1,000.00
143								Total Communication Committee	400.00	175.00	1,413.73	1,925.00	2,100.00
144								Council for the Arts Committee					
145								Clifton Film Festival Exp	0.00	0.00	0.00	2,000.00	2,000.00
146								Council for the Arts Committee - Other	0.00		0.00	200.00	200.00
147								Total Council for the Arts Committee	0.00	0.00	0.00	2,200.00	2,200.00
148								Environmental Comm					
149								Environmental Event Expense	0.00	50.00	0.00	550.00	600.00

Town of Clifton
Profit & Loss Budget Performance
May 2020

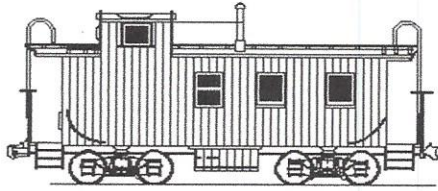
	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									May 20	Budget	Jul '19 - May 20	YTD Budget	Annual Budget
150								Environmental Comm - Other	0.00		969.00	0.00	0.00
151								Total Environmental Comm	0.00	50.00	969.00	550.00	600.00
152								Historic Preservation Comm Exp					
153								Historic Town Documents exp	0.00	20.83	0.00	229.17	250.00
154								Historic Events	0.00		0.00	500.00	500.00
155								Town Museum	0.00	83.33	0.00	916.67	1,000.00
156								Historic Preservation Comm Exp - Other	0.00	41.67	0.00	458.33	500.00
157								Total Historic Preservation Comm Exp	0.00	145.83	0.00	2,104.17	2,250.00
158								Homes Tour Committee	0.00		0.00	4,500.00	4,500.00
159								Sunshine Committe					
160								Easter Egg Hunt Expense	0.00	0.00	0.00	250.00	250.00
161								Welcome Baskets & Sympathy	174.98		174.98	0.00	0.00
162								Total Sunshine Committe	174.98	0.00	174.98	250.00	250.00
163								Town Parks Committee Exp					
164								Landscape/Ground Maint expense	0.00	770.83	3,925.00	8,479.17	9,250.00
165								Fall Zone Mulching	0.00	250.00	0.00	2,750.00	3,000.00
166								Parks Mgt Fee	0.00	0.00	62.50	25.00	25.00
167								Playground Equip. Maintenance	0.00	166.67	2,250.00	1,833.33	2,000.00
168								Tree Trimming & Replacement	0.00	416.67	1,550.00	4,583.33	5,000.00
169								Total Town Parks Committee Exp	0.00	1,604.17	7,787.50	17,670.83	19,275.00
170								Traffic, Parking & Safety Comm	0.00		0.00	500.00	500.00
171								Total Town Committees Expense	574.98	1,975.00	10,345.21	29,700.00	31,675.00
172								Total Town Government	574.98	3,733.34	28,078.14	52,341.66	56,075.00
173								Town Services					
174								Recepticle Trash Maintenance	237.58		237.58		
175								Elections	0.00	1,000.00	0.00	1,000.00	1,000.00
176								Grass Mowing	750.00	504.17	3,450.00	5,545.83	6,050.00
177								Town Park Lawn Maintenance	0.00	416.67	750.00	4,583.33	5,000.00
178								Trash Collection	118.13	308.33	3,506.34	3,391.67	3,700.00
179								Utilities					
180								Gas and Electric	84.13	91.67	902.45	1,008.33	1,100.00
181								Utilities - Other	0.00		68.90		
182								Total Utilities	84.13	91.67	971.35	1,008.33	1,100.00
183								Total Town Services	1,189.84	2,320.84	8,915.27	15,529.16	16,850.00
184								Total Contractual	4,003.10	11,825.04	90,868.31	159,699.96	170,525.00
185								Haunted Trail Expenses	0.00	0.00	17,045.06	15,000.00	15,000.00
186								OTHER - TC approval req'd +\$500	0.00	625.00	0.00	6,875.00	7,500.00
187								Other Expenses	0.00	625.00	0.00	6,875.00	7,500.00
188								Payroll Expenses					
189								Gross Wages					
190								Assistant Project Manager	333.34	333.34	3,666.74	3,666.66	4,000.00
191								Town Clerk (Administrative)	1,166.66	1,166.66	12,833.26	12,833.34	14,000.00
192								Town Clerk - Records Review	1,000.00	1,000.00	11,000.00	11,000.00	12,000.00
193								Town Treasurer	2,000.00	2,000.00	22,000.00	22,000.00	24,000.00
194								Zoning Clerk	500.00	500.00	5,500.00	5,500.00	6,000.00
195								Employee Incentives	0.00		0.00	2,000.00	2,000.00
196								Total Gross Wages	5,000.00	5,000.00	55,000.00	57,000.00	62,000.00
197								Payroll Taxes					
198								FICA	0.00	0.00	3,100.00	0.00	0.00

Town of Clifton
Profit & Loss Budget Performance
May 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2									May 20	Budget	Jul '19 - May 20	YTD Budget	Annual Budget
199								Medicare	0.00	0.00	725.00	0.00	0.00
200								Payroll Taxes - Other	0.00	395.25	0.00	4,347.75	4,743.00
201								Total Payroll Taxes	0.00	395.25	3,825.00	4,347.75	4,743.00
202								Total Payroll Expenses	5,000.00	5,395.25	58,825.00	61,347.75	66,743.00
203								Reconciliation Discrepancies	0.00		0.00	0.00	0.00
204								Total Expense	9,213.38	79,501.96	184,042.06	1,305,246.04	1,383,748.00
205								Net Income	(927.19)	(9,897.80)	178,438.11	(426,500.20)	(435,398.00)

PLANNING COMMISSION Report for May 26, 2020
Electronic Meeting Via Zoom: Present: Kathy Kalinowski, Michelle Stein, Mac Arnold, Terry Winkowski, Susan Yantis; Absent: Patrick Pline, Melissa Milne Amanda Christman, Clerk

1. The Planning Commission reviewed the Use Permit Application from Counseling for Creative Growth at 12644 Chapel Road, Suite 110, for 192 net square feet of space to be used as a commercial/office use for counseling for Tuesday through Friday from 8AM to 5PM with the allocation of 1 parking space on the premises and recommends the same for approval.
2. The Planning Commission reviewed the Use Permit application from Market Wealth Management, LLC at 12644 Chapel Rd, Suites 108, 109, 111 and 113 for a total of 776 net square feet for a commercial/office use for financial advice for Monday –Saturday 8AM to 8PM with the allocation of 4 parking spaces on premises and recommends the same for approval.
3. As a result of the two foregoing recommendations, an updated parking tabulation form was prepared indicating that of the 63 available parking spaces at 12644 Chapel Road (Clifton House) all 63 are presently allocated.
4. The Planning Commission also discussed the steps necessary to be done by the owner of the new home built at 7184 Clifton Road to obtain a final use permit; and the need for final use permit applications to be received from the owners of 12752 Chapel Street (the Harringtons) for the constructions of their shed and garage as well as proof of filing of a consolidated plat of their two lots which had previously been approved; and a final use permit application to be received from the owners (the Henckens) of 12727 Clifton Heights Lane for their construction project.
5. The Planning Commission also discussed the need for new use permit applications to be received from Anthony Reid and Wheelhouse Yoga located at 12644 Clifton Road (Clifton House) due to the expansion of their spaces.



Town of Clifton, Virginia
P.O. Box 309
Clifton, VA 20124

May 8, 2020

VIA CERTIFIED US MAIL,
RETURN RECEIPT REQUESTED

Mona & Mark Harrington
12752 Chapel Street
Clifton, VA 20124

SECOND NOTICE RE: FINAL USE PERMIT REQUIRED

Dear Mona & Mark Harrington:

On January 9, 2020, a letter was sent via regular mail and also by email to you requesting that you submit the documentation that is required in order to approve and issue a Final Use Permit for the construction of a detached garage and shed on your property.

The requirements for obtaining a Final Use Permit are governed by Section 9-10(d) of the Town Code and are listed as conditions on the Preliminary Use Permit that was issued to you, namely:

The following minimum requirements must be met prior to preliminary issuance of a Residential or Non-Residential Use Permit:

- A. Compliance with the zoning district regulations;
- B. Provision of adequate parking;
- C. Issuance of an ARB Certificate of Appropriateness (or a waiver from the Chairman of the ARB);
- D. For any use that will result in a land disturbing activity that will exceed an area of 2,500 square feet, submission of a plan of development as described in the Town's Chesapeake Bay Preservation Ordinance; and
- E. Compliance with such other provisions as may be deemed reasonable and necessary by the Town Council to fulfill the purpose and intent of the Zoning Ordinance of the Town of Clifton and the Historic Overlay District.

2. The following minimum requirements must be met prior to final issuance of a Residential or Non-Residential Use Permit:

- A. Completion of the work or change, covered by the preliminary issuance of the Residential or Non-Residential Use Permit, in compliance with the minimum requirements set forth in paragraph 1. of this subsection and such other requirements as may be set forth in the Residential or Non-Residential Use Permit; and
- B. If applicable, issuance of and compliance with (as evidenced by passage of all final inspections) a Fairfax County Building Permit.

The procedure for obtaining a Final Use Permit is governed by Section 9-10(e) of the Town Code, namely:

1. Within a reasonable time after receipt by the Town Clerk of the materials required to be submitted under subsection C. of this section, the Planning Commission shall review the Residential or Non-Residential Use Permit Application and shall recommend to the Town Council the approval or denial of the preliminary issuance of a Residential or Non-Residential Use Permit thereon.
2. Within a reasonable time after the Planning Commission making its recommendation for the approval or denial of the preliminary issuance of a Residential or Non-Residential Use Permit, the Town Council shall approve or deny the preliminary issuance of the Residential or Non-Residential Use Permit
3. Within a reasonable time after receipt by the Town Clerk of written notice of the completion of the work or change, covered by the preliminary issuance of the Residential or Non-Residential Use Permit, and, if applicable, compliance CHAPTER 9 ZONING 80 with (as evidenced by passage of all final inspections) a Fairfax County Building Permit, the Planning Commission shall recommend to the Town Council the approval of the final issuance of the Residential or Non-Residential Use Permit, unless it should appear to the Planning Commission that the occupancy or use is not in compliance with the standards set out in subsection D. of this section.
4. Within a reasonable time after the Planning Commission making its recommendation for the approval or denial of the final issuance of a Residential or Non-Residential Use Permit, the Town Council shall approve or deny the final issuance of the Residential or Non-Residential Use Permit.
5. Neither the Planning Commission nor the Town Council is required to take any action provided for under this subsection until the applicant complies with the provisions of subsection f. of this section.

The Planning Commission must review the required documentation as set forth in the "Specific Restrictions" section of the Preliminary Use Permit dated April 4, 2017. The documentation should be submitted to me at clerk@cliftonva.gov and Kathy Kalinowski at khk@baberkal.com on or before June 15, 2020. Oversize documents such as final approved plans can be delivered in hard-copy format according to the filing instructions for Use Permits, which can be found on the Town website at <http://cliftonva.gov/towncouncil/applications/>.

Failure to submit the documentation could result in fines and other legal action as set forth in Section 9-25(a) of the Town Code, to wit:

Any person, whether owner, lessee, principal, agent, employee, or otherwise, who violates any of the provisions of this Ordinance, or permits any such violation, or fails to

comply with any of the requirements hereof, or who erects any building or uses any building or uses any land in violation of any detailed statement or plan submitted by him and approved under the provisions of this Ordinance, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of up to One Thousand Dollars (\$1,000.00). Each day that a violation continues shall be deemed a separate offense.

Should you have any questions about the requirements or the procedure, please do not hesitate to contact me or Kathy at the email addresses provided above. To review the Town Code, please visit our website at <http://cliftonva.gov/towncouncil/legislation/>

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alexma', is positioned above the typed name.

Amanda Christman, Clerk
Town of Clifton, Virginia

Cc: Kathy Kalinowski, Chair, Planning Commission

U.S. Postal Service™
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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☒ Return Receipt (hardcopy) \$ 6.95
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

MONA & MARK HARRINGTON

Street and Apt. No., or PO Box No.

12752 CHAPEL ST

City, State, ZIP+4®

CLIFTON VA 20124

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



7017 3040 0000 9309 1808

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MONA & MARK HARRINGTON
12752 CHAPEL ST
CLIFTON VA 20124



9590 9402 3419 7227 5532 20

2. Article Number (Transfer from service label)

7017 3040 0000 9309 1808

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

607019

☐ Agent

☐ Addressee

B. Received by (Printed Name)

mona

C. Date of Delivery

8/19

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Registered Mail
- ☐ Registered Mail Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

ALERT: DUE TO LIMITED TRANSPORTATION AVAILABILITY AS A RESULT OF NATIONWIDE CO...



FAQs >

Track Another Package +

Tracking Number: 70173040000093091808

Remove X

Your item was delivered to an individual at the address at 3:12 pm on May 9, 2020 in CLIFTON, VA 20124.

Delivered

May 9, 2020 at 3:12 pm
Delivered, Left with Individual
CLIFTON, VA 20124

Get Updates

Feedback

Text & Email Updates	
Tracking History	
<div>May 9, 2020, 3:12 pm</div> <div>Delivered, Left with Individual</div> <div>CLIFTON, VA 20124</div> <div>Your item was delivered to an individual at the address at 3:12 pm on May 9, 2020 in CLIFTON, VA 20124.</div>	
<div>May 9, 2020, 7:48 am</div> <div>Out for Delivery</div> <div>CLIFTON, VA 20124</div>	

May 9, 2020, 7:37 am
Arrived at Unit
CENTREVILLE, VA 20120

May 8, 2020, 2:50 pm
USPS in possession of item
CLIFTON, VA 20124

Product Information



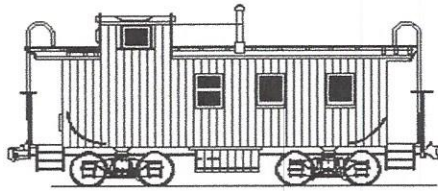
See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback



Town of Clifton, Virginia
P.O. Box 309
Clifton, VA 20124

May 8, 2020

VIA CERTIFIED US MAIL,
RETURN RECEIPT REQUESTED

Amanda & Eric Hencken
12727 Clifton Heights Lane
Clifton, VA 20124

SECOND NOTICE RE: FINAL USE PERMIT REQUIRED

Dear Amanda & Eric Hencken:

On January 9, 2020, a letter was sent via regular mail to you requesting that you submit the documentation that is required in order to approve and issue a Final Use Permit for the construction of an addition to the existing structure on your property.

The requirements for obtaining a Final Use Permit are governed by Section 9-10(d) of the Town Code, namely:

The following minimum requirements must be met prior to preliminary issuance of a Residential or Non-Residential Use Permit:

- A. Compliance with the zoning district regulations;
- B. Provision of adequate parking;
- C. Issuance of an ARB Certificate of Appropriateness (or a waiver from the Chairman of the ARB);
- D. For any use that will result in a land disturbing activity that will exceed an area of 2,500 square feet, submission of a plan of development as described in the Town's Chesapeake Bay Preservation Ordinance; and
- E. Compliance with such other provisions as may be deemed reasonable and necessary by the Town Council to fulfill the purpose and intent of the Zoning Ordinance of the Town of Clifton and the Historic Overlay District.

2. The following minimum requirements must be met prior to final issuance of a Residential or Non-Residential Use Permit:

- A. Completion of the work or change, covered by the preliminary issuance of the Residential or Non-Residential Use Permit, in compliance with the minimum requirements set forth in paragraph 1. of this subsection and such other requirements as may be set forth in the Residential or Non-Residential Use Permit; and
- B. If applicable, issuance of and compliance with (as evidenced by passage of all final inspections) a Fairfax County Building Permit.

The procedure for obtaining a Final Use Permit is governed by Section 9-10(e) of the Town Code, namely:

1. Within a reasonable time after receipt by the Town Clerk of the materials required to be submitted under subsection C. of this section, the Planning Commission shall review the Residential or Non-Residential Use Permit Application and shall recommend to the Town Council the approval or denial of the preliminary issuance of a Residential or Non-Residential Use Permit thereon.
2. Within a reasonable time after the Planning Commission making its recommendation for the approval or denial of the preliminary issuance of a Residential or Non-Residential Use Permit, the Town Council shall approve or deny the preliminary issuance of the Residential or Non-Residential Use Permit
3. Within a reasonable time after receipt by the Town Clerk of written notice of the completion of the work or change, covered by the preliminary issuance of the Residential or Non-Residential Use Permit, and, if applicable, compliance CHAPTER 9 ZONING 80 with (as evidenced by passage of all final inspections) a Fairfax County Building Permit, the Planning Commission shall recommend to the Town Council the approval of the final issuance of the Residential or Non-Residential Use Permit, unless it should appear to the Planning Commission that the occupancy or use is not in compliance with the standards set out in subsection D. of this section.
4. Within a reasonable time after the Planning Commission making its recommendation for the approval or denial of the final issuance of a Residential or Non-Residential Use Permit, the Town Council shall approve or deny the final issuance of the Residential or Non-Residential Use Permit.
5. Neither the Planning Commission nor the Town Council is required to take any action provided for under this subsection until the applicant complies with the provisions of subsection f. of this section.

The Planning Commission must review the required documentation as set forth in the Town Code sections listed above, with respect to the Preliminary Use Permit dated April 5, 2016 that was issued to you. The documentation should be submitted to me at clerk@cliftonva.gov and Kathy Kalinowski at khk@baberkal.com on or before June 15, 2020. Oversize documents such as final approved plans can be delivered in hard-copy format according to the filing instructions for Use Permits, which can be found on the Town website at <http://cliftonva.gov/towncouncil/applications/>.

Failure to submit the documentation could result in fines and other legal action as set forth in Section 9-25(a) of the Town Code, to wit:

Any person, whether owner, lessee, principal, agent, employee, or otherwise, who violates any of the provisions of this Ordinance, or permits any such violation, or fails to comply with any of the requirements hereof, or who erects any building or uses any building or uses any land in violation of any detailed statement or plan submitted by him and approved under the provisions of this Ordinance, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of up to One Thousand Dollars (\$1,000.00). Each day that a violation continues shall be deemed a separate offense.

Should you have any questions about the requirements or the procedure, please do not hesitate to contact me or Kathy at the email addresses provided above. To review the Town Code, please visit our website at <http://cliftonva.gov/towncouncil/legislation/>

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alexman', with a large, stylized flourish at the end.

Amanda Christman, Clerk
Town of Clifton, Virginia

Cc: Kathy Kalinowski, Chair, Planning Commission

7017 3040 0000 9309 1815

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy) \$

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

AMANDA & ERIC HENCKEN

Street and Apt. No., or PO Box No.

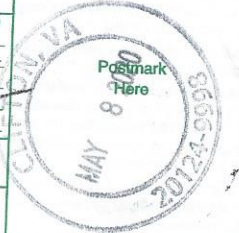
12727 CLIFTON HEIGHTS LANE

City, State, ZIP+4[®]

CLIFTON VA 20124

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



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AMANDA & ERIC HENCKEN
12727 CLIFTON HEIGHTS LN
CLIFTON VA 20124



9590 9402 3419 7227 5532 13

2. Article Number (Transfer from service label)

7017 3040 0000 9309 1815

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

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C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail[®]

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Registered Mail Restricted Delivery

0)

☐ Priority Mail Express[®]

☐ Registered MailTM

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature ConfirmationTM

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

ALERT: DUE TO LIMITED TRANSPORTATION AVAILABILITY AS A RESULT OF NATIONWIDE CO...



FAQs >

Track Another Package +

Tracking Number: 70173040000093091815

Remove X

Your item was delivered to an individual at the address at 3:28 pm on May 9, 2020 in CLIFTON, VA 20124.

 **Delivered**

May 9, 2020 at 3:28 pm
Delivered, Left with Individual
CLIFTON, VA 20124

Feedback

Text & Email Updates



Tracking History



May 9, 2020, 3:28 pm

Delivered, Left with Individual
CLIFTON, VA 20124

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May 8, 2020, 2:50 pm
USPS in possession of item
CLIFTON, VA 20124

Product Information



Postal Product: First-Class Mail®	Features: Certified Mail™	See tracking for related item: 9590940234197227553213 (/go/TrackConfirmAction?tLabels=9590940234197227553213)
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See Less ^

Feedback

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

**TOWN OF CLIFTON
FAIRFAX COUNTY, VIRGINIA**

PRESENTED: June 2, 2020

ADOPTED: June 2, 2020

A RESOLUTION: ADOPTING THE FY2021 BUDGET

WHEREAS, The Clifton Town Council duly advertised its proposed FY 2021 Budget with taxes, motor vehicle registration, Use Permit and other fees on April 22, 2020; and

WHEREAS, On May 6, 2020, the Clifton Town Council held a Public Hearing on its proposed FY 2021 Budget, taxes, motor vehicle registration, Use Permit and other fees.

NOW THEREFORE, Be it resolved, that pursuant to Code of Virginia of 1950, as amended, § 15.2- 2503, the Clifton Town Council hereby adopts its Budget for FY2021, as attached to this Resolution.

ADOPTED THIS 2ND DAY OF JUNE 2020.



William R. Hollaway, Mayor

Recorded Vote:

Motion by: *HOLLAWAY*
Seconded by: *POE*

Yeas: *6*

Nays: *0*

Abstentions: *0*

Absent for Vote: *0*

ATTEST:



Amanda Christman, Town Clerk

**TOWN OF CLIFTON
FAIRFAX COUNTY, VIRGINIA**

PRESENTED: June 2, 2020

ADOPTED: June 2, 2020

A RESOLUTION: ADOPTING THE FY2021 TAX RATES, MOTOR VEHICLE REGISTRATION AND USE PERMIT FEES.

WHEREAS, The Clifton Town Council duly advertised its proposed FY2021 Budget with taxes, motor vehicle registration, Use Permit and other fees on April 22, 2020; and

WHEREAS, The proposed Budget contains taxes for communications sales, railroads, utility consumption, business licenses, cigarettes, meals, motor vehicle registration, Use Permit and other fees; and

WHEREAS, On May 6, 2020, the Clifton Town Council held a Public Hearing on its proposed FY2021 Budget, taxes, motor vehicle registration, Use Permit and other fees.

NOW THEREFORE, Be it resolved that pursuant to Code of Virginia of 1950, as amended, § 15.2-2503, and §§ 15.2-2108.1:1, -2286, §§ 58.1-662, -648, -2607, 2900, -3703, -3830, -3840, and § 46.2-752, the Clifton Town Council hereby adopts the taxes, motor vehicle registration, Use Permit and other fees contained in its FY2021 Budget, as attached to this Resolution.

ADOPTED THIS 2ND DAY OF JUNE 2020.



William R. Hollaway, Mayor

Recorded Vote:

Motion by: *HOLLAWAY*
Seconded by: *PDE*

Yeas: *6*

Nays: *0*

Abstentions: *0*

Absent for Vote: *0*

ATTEST:



Amanda Christman, Town Clerk

**TOWN OF CLIFTON
FAIRFAX COUNTY, VIRGINIA**

PRESENTED: June 2, 2020

ADOPTED: June 2, 2020


**A RESOLUTION: AUTHORIZING APPROPRIATION AND EXPENDITURE FOR
RELEASE OF FY2021 FUNDS**

WHEREAS, Pursuant to Code of Virginia of 1950, as amended, § 15.2-2506, the governing body must appropriate money prior to the Town of Clifton obligating revenue for contemplated expenditures; and

WHEREAS, The Clifton Town Council has adopted the FY2021 Budget.

NOW THEREFORE, Be it resolved, that the Clifton Town Council hereby approves an annual appropriation for the release of FY2021 funds.

ADOPTED THIS 2ND DAY OF JUNE 2020.



William R. Hollaway, Mayor

Recorded Vote:

Motion by: *HOLLAWAY*

Seconded by: *PDE*


Yeas: *6*

Nays: *0*

Abstentions: *0*

Absent for Vote: *0*

ATTEST:



Amanda Christman, Town Clerk

TOWN OF CLIFTON, VIRGINIA		Proposed FY2021 Budget for May 6, 2020	
TOWN OF CLIFTON - Proposed Income/Expense Budget		Town Council Public Hearing	
		FY21 06	
REVENUES:			
Taxes & Permits Revenues:			
ARB Permits	500.00		
BPOL	40,000.00		
BZA Fees	0.00		
Va Communications Sales Tax	4,800.00		
Va Car Rental Distribution	2,200.00		
Cox & Verizon PEG Franchise Revenue & State Communication Sales and Use Tax	3,500.00		
Motor Vehicle Tags	7,000.00		
No. Va. Cigarette Tax	2,500.00		
Railroad Tax	1,600.00		
Sales Tax	32,000.00		
Meals Tax	0.00		
Use Permits	700.00		
Utility Consumption Tax	1,200.00		
TOTAL TAXES & PERMITS:			96,000.00
Town Facilities Rentals:			
Community Hall	5,000.00		
Pink House	32,000.00		
TOTAL FACILITIES RENTALS:			37,000.00
Other Revenues:			
Clifton Arts Council			
Clifton Film Festival	1,500.00		
Total Clifton Arts Council			1,500.00
Environmental Comiittee			
Environmental Event	0.00		
Total Environmental Committee			0.00
Haunted Trail Event			
Historic Preservation Committee			
Historic Events in Town	0.00		
Total Historic Preservation Committee			0.00
HOMES TOUR COMMITTEE			
Homes Tour	0.00		
TOTAL HOMES TOUR COMMITTEE			0.00
Interest Income	12,000.00		12,000.00
Town Parks Committee			
Property Rental-Park/Square/Gazebo	0.00		
Total Town Parks Committee			0.00
Clifton Business Committee			
Celebrate Clifton Gala	0.00		
Total Clifton Business Committee			0.00
Federal CARES Act - COVID-19 - Grant through Fairfax County	48,291.00		48,291.00
Fire Program State Grant- FCFD	10,000.00		10,000.00
Litter Control Grant	800.00		800.00
Other income (Donations)	0.00		0.00
TOTAL OTHER REVENUE:			107,591.00
TOTAL REVENUES:			240,591.00

TOWN OF CLIFTON, VIRGINIA		Proposed FY2021 Budget for May 6, 2020 Town Council Public Hearing FY21 06	
TOWN OF CLIFTON - Proposed Income/Expense Budget			
EXPENSES:			
Payroll Expenses:			
Town Clerk Salary	14,000.00		
Zoning Clerk Salary	6,000.00		
ADDED by TC Aug 2016 FY17: Assistant Project Manager-Streetscape	4,000.00		
Town Clerk- Records Review Salary	12,000.00		
Town Treasurer Salary	24,000.00		
Payroll Taxes	4,743.00		
Employee Incentives	2,000.00		
TOTAL PAYROLL EXPENSES:			66,743.00
CONTRACTUAL EXPENSES:			
Insurance	6,000.00		6,000.00
Town Government:			
COVID-19 Expenses	48,291.00		48,291.00
ARB	300.00		300.00
Board of Zoning Appeals			
BZA - Seminars	0.00		
BZA - Legal fees - see line 94	0.00		
TOTAL BZA			0.00
Planning Commission (TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)			
Consulting & Related expenses for Town Plan, Capital Plan, Zoning Ordinances	5,000.00		
Advertising for Public Hearings for Use Permits	500.00		
General Consulting	8,000.00		
General Admin/Education	300.00		
Total Planning Commission			13,800.00
TOTAL GOVERNMENT:			68,391.00
Professional Fees:			
Accounting - Year Audit Review	7,500.00		
Legal Fees	30,000.00		
TOTAL PROFESSIONAL FEES:			37,500.00
Town Facilities:			
Town Handyman - 1099 vendor for maintenance services	6,000.00		6,000.00
Ayre Square Rent	1,500.00		1,500.00
Ayre Square Maintenance	1,500.00		1,500.00
Caboose Expenses:			
Equipment	500.00		
Maintenance	1,500.00		
Total Caboose Expenses:			2,000.00
Railroad Siding Rent	1,825.00		1,825.00
Subtotal - Facilities:			12,825.00
Town Meeting Hall Expenses: (TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)			
Cleaning	2,400.00		
Electric	6,500.00		
Supplies	750.00		
General Maintenance - including floors	4,400.00		
Mgt Fee (25% of Community Hall Rentals)	1,250.00		
Interior Improvements - Over \$500 requires TC approval	1,000.00		

TOWN OF CLIFTON, VIRGINIA	Proposed FY2021 Budget for May 6, 2020 Town Council Public Hearing FY21 06	
TOWN OF CLIFTON - Proposed Income/Expense Budget		
TOTAL MEETING HALL EXPENSES		16,300.00

TOWN OF CLIFTON, VIRGINIA		Proposed FY2021 Budget for May 6, 2020 Town Council Public Hearing FY21 06	
TOWN OF CLIFTON - Proposed Income/Expense Budget			
Pink House Expenses: <i>(TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)</i>			
Maintenance & Repairs	10,000.00		
Total Pink House Expenses:		10,000.00	
TOTAL TOWN FACILITIES:		39,125.00	
Town Services:			
Town Elections	0.00		
Town Park Lawn Maintenance	5,000.00		
Grass Mowing	6,050.00		
Trash Collections	5,334.00		
NEW: Flood Plain Park Trail Maintenance	5,000.00		
Fire Program State Grant Expense - passthrough to FCFD	10,000.00		
TOTAL TOWN SERVICES:		31,384.00	
Utilities:			
Utilities - Electric (RR Siding,Gazebo & Ayre Sq. & street lights)	1,300.00		
TOTAL UTILITIES:		1,300.00	
Dues & Subscriptions:			
Conference Attendance	500.00		
Other Dues & Subscriptions & Training	500.00		
Va Municipal League	450.00		
TOTAL DUES & SUBSCRIPTIONS:		1,450.00	
Other Contractual Expenses:			
Beautification Committee			
Flowers/Barrels & Flag Pole planter-Ayre Square	800.00		
Christmas Tree Lighting	1,000.00		
Banner Replacement	500.00		
Railroad Siding Boxes - North & South Sides	750.00		
Total Beautification Committee		3,050.00	
Citizen Recognition Fund	750.00		750.00
Communication Committee <i>(TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)</i>			
Web Server Annual Maintenance with Domain Subscriptions	1,100.00		
Web Site Updating & Configuration	500.00		
Total Communication Committee		1,600.00	
Clifton Arts Council <i>(TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)</i>			
<i>Clifton Halloween Night</i>	200.00		
Clifton Film Festival	1,000.00		
Total Clifton Arts Council		1,200.00	
Committee on the Environment			
Town Clean Up	150.00		
Camp Fire Event	250.00		
Environmental Events	200.00		
NEW: Wildlife preservation - Mark K equipment	500.00		
Total Environmental Committee		1,100.00	
Haunted Trail Event	17,000.00		17,000.00
Historic Preservation Committee			
Historic Events in Town	500.00		
Oral History Proj	500.00		
Town Museum	1,000.00		
Historic Town Documents	500.00		
Total Historic Preservation Committee		2,500.00	

TOWN OF CLIFTON, VIRGINIA		Proposed FY2021 Budget for May 6, 2020 Town Council Public Hearing FY21 06	
TOWN OF CLIFTON - Proposed Income/Expense Budget			
Homes Tour Committee (TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)			
Homes Tour	0.00		
Total Homes Tour Committee		0.00	
Legal Advertising	2,000.00		2,000.00
Mayoral Reimbursement	500.00		500.00
Town Association of Northern Virginia Event	600.00		600.00
Miscellaneous Contractual Expenses (TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)	2,500.00		2,500.00
Park Committee Expense			
Town Parks Committee (TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)			
Landscape/Ground Maintenance - Includes Playground, Ayre Square, 8 acre Park & Triangle Maintenance	7,500.00		
Gazebo Garden Refurbishment	0.00		
Tree Trimming and Replacement Planting - playground, Ayre Sq & Chapel St	5,000.00		
Playground Equipment Maintenance	3,000.00		
Fall Zone Mulching	3,000.00		
Mgt Fee (25% of Property Rentals)	25.00		
Total Town Parks Committee		18,525.00	
Traffic, Parking and Safety Committee	500.00		500.00
Welcoming & Sunshine Committee			
Welcome Baskets & Expressions of Sympathy	0.00		
Spring Egg Hunt	250.00		
Total Welcoming & Sunshine Committee		250.00	
MISC - Emergency Repairs - new line item	7,500.00		
MISC Other (TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)	7,500.00		15,000.00
Bank Fees			
Clifton Business Committee			
Celebrate Clifton Gala	0.00		
Commercial District Directional Signage	0.00		
Total Clifton Business Committee		0.00	
TOTAL OTHER CONTRACTUAL:		67,075.00	
Commodities:			
Computer Supplies - Hardware & Software	1,580.00		
Copies	200.00		
License Plates	100.00		
Miscellaneous Commodities - office services	300.00		
Office Supplies	1,000.00		
Office Equipment	500.00		
Postage & Delivery	600.00		
Miscellaneous- (TOWN COUNCIL APPROVAL REQUIRED FOR OVER \$500- EXPENSE)	0.00		
TOTAL COMMODITIES:		4,280.00	
TOTAL EXPENSES:		317,248.00	
NET INCOME (LOSS):		(76,657.00)	
Allocation of Prior Year Funds to Offset Budgeted Deficit:	76,657.00	0.00	

TOWN OF CLIFTON, VIRGINIA	
TOWN OF CLIFTON - Proposed Income/Expense Budget	Proposed FY2021 Budget for May 6, 2020 Town Council Public Hearing FY21 06
Town of Clifton	
CAPITAL IMPROVEMENTS/GRANT INCOME	
REVENUE/COST STATEMENT	
REVENUES:	
FEDERAL GRANTS	
Federal Trans. Project -ISTEA- Clifton Streetscape (100% MATCH GRANT)	0.00
VDOT TA -Main Street Improvements (80% - 20% MATCH GRANT)	442,800.00
TOTAL VDOT TA - MAIN ST IMPROVEMENTS	442,800.00
	0.00
TOTAL REVENUES:	442,800.00
COSTS:	
Streetscape 2A - Design	58,000.00
VDOT TA -Main Street Improvements (80% - 20% MATCH GRANT)	0.00
Streetscape 2A - Contruction	877,775.00
Total Main Street - Special Projects Committee	935,775.00
TOTAL SPECIAL PROJECTS COMMITTEE:	935,775.00
NET REVENUES/(COST)	(492,975.00)
Allocation of Prior Year Funds to Offset Streetscape Budgeted Deficit:	492,975.00
Preliminary engineering and design for new sidewalk	3,000.00
Purchase of Green Space	300,000.00
Clifton Creek Park - Trails	20,000.00
Public Parking Improvements	10,000.00
Caboose renovation	0.00
Museum Visitor Center & Town Office & Storage Facility	80,000.00
TOTAL CAPITAL PROJECTS from Allocation of Town Equity Funds	413,000.00
NET REVENUES/(COST)	(413,000.00)
Allocation of Prior Year Funds to Offset Capital Projects Budget Deficit:	413,000.00
TOTAL COSTS	1,348,775.00
NET REVENUES/(COST)	(905,975.00)
OVERALL Allocation of Town Equity Dollars to Fund Capital Projects	905,975.00

**AN EMERGENCY UNCODIFIED ORDINANCE TO PROVIDE A METHOD TO
ASSURE CONTINUITY IN THE TOWN OF CLIFTON GOVERNMENT DURING THE
NOVEL CORONAVIRUS DISEASE 2019 (COVID-19) EMERGENCY BY
TEMPORARILY APPROVING OUTDOOR DINING AND OUTDOOR FITNESS AND
EXERCISE ACTIVITIES SUBJECT TO CERTAIN CONDITIONS, THEREBY
SUSPENDING ANY REQUIREMENT FOR INDIVIDUALIZED APPROVALS OF
SUCH ACTIVITIES**

AN EMERGENCY UNCODIFIED ORDINANCE to provide a method to assure continuity in the Town of Clifton government during the COVID-19 Emergency, as authorized by Virginia Code §§ 15.2-1413 and -1427, by temporarily approving outdoor dining and outdoor fitness and exercise activities subject to certain conditions, thereby temporarily suspending the need for individualized approvals for such activities.

Be it ordained by the Town Council of the Town of Clifton:

1. That the following uncodified ordinance is hereby adopted:

A. Purpose of the Ordinance.

This ordinance is intended to provide a method to assure continuity in the Town of Clifton government during the COVID-19 emergency. The Town of Clifton government comprises not only the Town Council, but also Town commissions and deliberative bodies that fulfill essential government functions and provide essential government services within the locality. These provisions are intended to sustain the Town's economy and ensure the continued ability of Town agencies and deliberative bodies to carry out their functions during this emergency without compromising public safety.

This ordinance is being adopted in response to the COVID-19 outbreak. The World Health Organization declared COVID-19 a global pandemic on March 11, 2020. On March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a National Emergency beginning March 1, 2020. On March 12, 2020, Governor Ralph Northam issued a Declaration of a State of Emergency due to Novel Coronavirus (COVID-19). The Governor declared the emergency "to continue to prepare and coordinate our response to the potential spread of COVID-19, a communicable disease of public health threat" and he found that "[t]he anticipated effects of COVID-19 constitute a disaster as described in § 44-146.16 of the Code of Virginia." The Governor's Declaration of a State of Emergency remains in effect until June 10, 2020, unless sooner amended or rescinded. Effective March 16, 2020, Governor Northam and the State Health Commissioner jointly issued an Order declaring a state public health emergency. On April 2, 2020, Mayor William Hollaway declared a local state of emergency due to the potential spread of COVID-19, which was confirmed by the Town Council. The local Declaration of Emergency remains in effect until the Mayor and Town Council take appropriate action to end the

declared emergency.

The Public Health Emergency Order issued jointly by the Governor and the State Health Commissioner effective March 16, 2020, consistent with all other expert opinions, observes that COVID-19 spreads from person to person, transmitted via respiratory droplets, and can be spread from an infected person who does not have symptoms to another person. The Order states that no vaccine or known treatment options exist at this time.

On March 23, 2020, the Governor issued Executive Order 53, which ordered all public and private schools closed for the remainder of the 2019–20 school year and imposed temporary restrictions on restaurants, recreational entertainment, public and private gatherings, and non-essential retail businesses. By virtue of amendments on April 15 and May 4, 2020, the restrictions on restaurants and non-essential businesses remained in effect until May 14, 2020. On March 30, 2020, the Governor issued Executive Order 55, which ordered all individuals in Virginia to remain at their places of residence until June 10, 2020, except as set forth in that order and Executive Order 53.

On May 8, 2020, the Governor issued Executive Order 61, introducing Phase One in the state's strategy to ease some of the temporary restrictions instituted in Second Amended Executive Order 53 and Executive Order 55 (orders referred to collectively as Phase Zero). On May 12, 2020, the Governor issued Executive Order 62 extending Phase Zero for Northern Virginia through May 28, 2020. That order was amended on May 14, 2020, to extend Phase Zero for other jurisdictions.

As part of Phase One, restaurants are permitted to reopen to the extent they have seating in outdoor spaces with limited capacity and adequate spacing. Phase One also allows fitness and exercise facilities to reopen for outdoor activities only. The Governor's executive orders have provided additional procedural and regulatory discretion to the Virginia Alcoholic Beverage Control Authority, which has issued guidance for outdoor dining in Topic 16.

With the impending expiration of Phase Zero in Northern Virginia, the Town needs to be prepared for Phase One. Under current Town ordinances and regulations, business owners would typically be required to pursue a range of applications to allow outdoor dining and outdoor fitness and exercise activities. In the midst of the COVID-19 emergency, the cost and time to meet such requirements would compound the stress on economically challenged businesses, hinder the opportunity presented by Phase One to revitalize the Town's economy, and likely result in a continued de facto closure of such businesses. At the same time, processing and deciding such a multitude of applications on an urgent basis would be virtually impossible for the Town government and would consume extraordinary amounts of time and attention on the part of the Town's staff and its deliberative bodies, at a time when they are also strained by the emergency. These factors, separately and collectively, threaten the Town's continuity in government.

The Town Council desires to reduce these COVID-19 emergency impacts to business owners, to the communities those businesses serve and who wish to support them, and to Town government. To that end, this emergency ordinance automatically approves outdoor dining and outdoor fitness and exercise activities that meet certain conditions, including those established by the Governor in Phase One.

A similar Emergency Ordinance adopted by the Board of Supervisors of Fairfax County states that “It is not the intent of [Fairfax County’s] emergency ordinance to infringe on the ability of any town—Clifton, Herndon, or Vienna—to provide a method to assure continuity in its own government. For that reason, the ordinance will not apply in any of those towns unless and until the town’s governing body, by ordinance, decides to be subject to this emergency ordinance.”

The version of the emergency ordinance contained herein has been reviewed, revised and adopted by the Town Council of Clifton only for the sake of the Town of Clifton’s continuity of governance for the time period specified.

B. Virginia Statutory Authority for the Ordinance.

Virginia Code § 15.2-1413 authorizes localities to adopt an ordinance to “provide a method to assure continuity in its government, in the event of an enemy attack or other disaster,” “[n]otwithstanding any contrary provision of law, general or special.” The Governor’s Declaration of a State of Emergency found that “[t]he anticipated effects of COVID-19 constitute a disaster as described in § 44-146.16 of the Code of Virginia.”

The Virginia Attorney General has defined “continuity in government” as coordinated efforts undertaken to assure the continuation of local government’s essential functions during an emergency.

Virginia Code § 15.2-1427 authorizes counties to adopt emergency ordinances without prior notice; however, no such ordinance may be enforced for more than 60 days unless readopted in conformity with the provisions of the Virginia Code.

C. Definitions.

“Continuity in Town of Clifton government” includes, without limitation, those actions, and the coordination of actions, that are necessary to assure the continuation of the Town’s essential functions and services. By way of example and not limitation, such necessary actions include those related to (1) the Town’s finances, such as the public hearings and adoption of the FY 2021 budget, tax rate, and utilities fees; appropriations of funds; and funding requests; (2) contracts that need Council action; (3) applications, appeals, or other requests that are subject to mandatory or directory time frames for action; (4) satisfying due process or other constitutional requirements; (5) public safety; and (6) measures that help sustain the Town’s economy.

“Emergency” means the outbreak of the respiratory illness referred to as the novel coronavirus or COVID-19, as described in the Governor’s Declaration of a State of

Emergency and the local Declaration of Emergency, and the spread and effects of COVID-19, which constitute a disaster as defined in Virginia Code § 44-146.16.

“Outdoor dining” means delivery, takeout, and outdoor dining and beverage services operated by any restaurant, as defined in this ordinance. The term does not include outdoor entertainment or music of any type.

“Restaurant” includes any restaurant, dining establishment, food court, brewery, microbrewery, distillery, winery, or tasting room.

“Fitness and exercise activities” means fitness and exercise activities conducted by any fitness center, gymnasium, recreation center, sports facility, or exercise facility.

D. Expansion of Outdoor Dining and Outdoor Fitness and Exercise Activities.

1. The Town Council hereby approves, on an emergency basis and without the need for any individualized determinations, the expanded use of outdoor space for outdoor dining and for fitness and exercise activities, all subject to the following conditions:

a. This emergency approval is valid only for establishments located in zoning districts where they are already approved to operate by right, by a proffer condition, by special exception, by special permit, or by other development approval. No further administrative approval, proffer condition amendment, special exception amendment, special permit amendment, or any other development approval is required as long as the outdoor activity complies with all of the terms and conditions of this emergency ordinance. Further, no temporary special permit or other zoning permit is required to close one or more private streets for the purpose of allowing outdoor dining or outdoor fitness and exercise activities. To qualify under this emergency ordinance, an establishment must have a valid Non-Residential Use Permit/Certificate of Occupancy and, in the case of outdoor dining, a Food Establishment Permit.

b. This emergency approval automatically expires upon the earlier of (1) repeal or expiration of this emergency ordinance, or (2) sixty (60) days after June 5, 2020 unless this emergency approval is extended by resolution of the Town Council.

c. Occupancy of the outdoor dining area(s) for any single establishment may not exceed 50% of the lowest occupancy load specified on the establishment’s Non-residential Use Permit/Certificate of Occupancy or Maximum Occupancy Certificate. For any outdoor dining area(s) serving multiple establishments, total seating must be no more than 50% of the total combined lowest occupancy loads for all the establishments.

d. Seating area(s) must be accessible for disabled patrons.

e. Any area used for outdoor dining or for fitness and exercise

activities must be clearly delineated by cordon, marking or other means.

f. A permit from the Office of the Fire Marshal is required for any tent or tent area (aggregate area of multiple tents separated by less than 12 feet) that is larger than 900 square feet. The normal fee for such a permit is hereby waived for any establishment applying under this ordinance. A single, temporary tent no larger than 900 square feet does not require a permit.

g. Any tent must (1) be flame-resistant with appropriate labeling affixed to the tent material, (2) remain open on all sides, (3) be located at least 20 feet from any building, and (4) be securely anchored to prevent collapse or uplift during inclement weather.

h. No cooking or open flame is permitted under any tent unless approved by the Office of the Fire Marshal.

i. All tables, chairs, umbrellas, tents, lighting, and other accessories must be removable and maintained in good visual appearance and condition. The outdoor area must be kept free of trash and debris, and any trash containers must be removed or appropriately stored at the end of each business day.

j. No outdoor dining area, outdoor fitness and exercise area, or associated equipment or activity may obstruct a fire lane or fire equipment, such as fire hydrants and fire department connections; any building entrance or exit or any other area marked or designated for life safety of ADA accessibility; or pedestrian passage on any pedestrian walkway, trail, or right-of-way, or sidewalk. Street access must be maintained for fire department vehicular response.

k. Any outdoor dining area must be located entirely on impervious surfaces, such as existing patios, or paved parking spaces or adjacent open space. No additional physical alteration—including, for example, addition or enlargement of any deck or paved surface—may be made to the site to accommodate outdoor dining or fitness and exercise. Outdoor fitness and exercise activities are allowed on impervious surfaces and on adjacent open space as appropriate or non-adjacent open space not zoned residential with the prior written permission of the property owner.

l. Adequate onsite parking must be maintained for onsite users. This emergency ordinance does not permit any reduction in the number or location of parking spaces designated for individuals with disabilities.

m. No additional business sign or advertisement is permitted except as permitted under Article 12 (Signs) of the Zoning Ordinance.

n. Before using any outdoor area for outdoor dining or for fitness and exercise activities under this emergency ordinance, each establishment is responsible for ensuring that it has the necessary right to do so under this ordinance and that it has permission from the property owner. Each property owner is also responsible for

ensuring that no such use occurs on the owner's property without permission.

o. The use must comply with all other requirements of any executive order of the Governor (including but not limited to requirements for social distancing, use of face coverings, and cleaning and disinfection); any rules promulgated by the Virginia Alcoholic Beverage Control Authority (including but not limited to Topic 16); and any other applicable code or ordinance.

2. No establishment may operate under this emergency ordinance unless it fully complies with the ordinance and with all other applicable requirements as referenced in paragraph 1(o). Any establishment that fails to fully comply may be subject to criminal and/or civil enforcement, including injunctive relief.

E. Scope of Application.

A similar Emergency Ordinance adopted by the Board of Supervisors of Fairfax County states that "It is not the intent of [Fairfax County's] emergency ordinance to infringe on the ability of any town—Clifton, Herndon, or Vienna—to provide a method to assure continuity in its own government. For that reason, the ordinance will not apply in any of those towns unless and until the town's governing body, by ordinance, decides to be subject to this emergency ordinance.

The version of the emergency ordinance contained herein has been reviewed, revised and adopted by the Town Council of Clifton only for the sake of the Town of Clifton's continuity of governance for the time period specified.

F. Supersession of Inconsistent Requirements.

The provisions of this Ordinance apply notwithstanding any contrary provision of law, general or special, as authorized in Virginia Code § 15.2-1413.

1. That this ordinance was adopted by the Town Council on June 2, 2020 and will become effective on June 5, 2020.

2. That this ordinance is being adopted on an emergency basis as allowed by Virginia Code § 15.2-1427(F), and may be enforced for no more than 60 days from the date of adoption, unless the Council readopts this ordinance in conformity with all applicable provisions of state law and following the procedures established in this ordinance.

3. That the Clerk for the Town Council will schedule a public hearing for August 4, 2020, at which the Council will consider readopting this ordinance or a similar ordinance that assures continuity in the Town of Clifton government during the COVID-19 pandemic. Any such ordinance will be limited in its effect to a period not exceeding six months after the emergency and will provide for a method for the resumption of normal governmental authority by the end of the six-month period. The Clerk will publish descriptive notice of the Council's intention to propose the ordinance

for passage once a week for two successive weeks in accordance with Virginia Code §§ 15.2-1427 and -2204.

4. That the sections, subsections, paragraphs, sentences, clauses, phrases, and words of this ordinance are severable. If any section, subsection, paragraph, sentence, clause, phrase, or word is declared unconstitutional or otherwise invalid by the lawful judgment or decree of any court of competent jurisdiction, its unconstitutionality or invalidity shall not affect the validity of any of the remaining sections, subsections, paragraphs, sentences, clauses, phrases, and words of this ordinance, since the same would have been enacted by the Town Council without and irrespective of any unconstitutional or otherwise invalid section, subsection, paragraph, sentence, clause, phrase or word being included.

GIVEN under my hand this second day of June 2020.



Amanda L. Christman
Town Clerk
Clifton, Virginia

**PLEASE
RIDE
QUIETLY**

SPEED
LIMIT
25



**PLEASE
RIDE
QUIETLY**

WELCOME TO
FAYETTEVILLE

PLEASE
RIDE QUIETLY



Clifton Clerk <clerk@cliftonva.gov>

Letter from Marilyn Stoney re: Real Estate Tax

Marilyn Stoney <marilyndstoney@verizon.net>

Fri, May 15, 2020 at 12:52 PM

To: William Hollaway <whollaway77@gmail.com>, steve@effros.com, chasehinderstein@gmail.com, mcdonald.regan@gmail.com, mmilne@cliftonva.gov, dpoe@cliftonva.gov

Cc: clerk@cliftonva.gov

Dear Town Council,

I've sent you the following letter by mail and provide this advance soft copy for your consideration.

Sincerely,
Marilyn Stoney



RE Tax in Town.docx
102K

12847 Redbird Rdg.
Clifton, VA 20124
May 15, 2020

Town Council
Town of Clifton
P.O. Box 309
Clifton, VA 20124

Dear Town Council,

Several years ago, as co-chair of the Finance Committee, I suggested the committee look at all possible revenue sources, including a modest real estate tax on Town properties. The Council representative at that time was hostile to moving forward if we were to even consider RE taxes. Without having the freedom to explore all possibilities, I resigned and, sadly, the committee disbanded shortly thereafter.

Over the years I have watched the Town increase revenue streams by further taxing local businesses and their patrons. Town residents, apart from contributing through purchases at local establishments and BPOL, do not have to contribute equitably and across the board for any Town services.

Considering the meltdown of Town revenues due to having all our eggs in one basket, never a good financial position, I now request the Town Council seriously explore a Town Real Estate Tax, as allowed under Virginia Law. A modest Town RE tax would allow the lights to stay on and the grass to be mowed, no matter what happens to the state economy. A RE tax is a progressive tax, based on estimated home values, that fluctuates with the RE market/local economy. It is a tax that can be written with thresholds to protect low-income owners.

A RE tax would be in line with what other towns in northern Virginia, and across the state, have approved. It is a solid move to ensure the Town always has a baseline revenue stream when the economy goes south, as it has during this pandemic.

Thank you for considering this request to explore a real estate tax for the Town. If I can be of service, e.g. researching tax amounts in other towns or developing a proposal, please call on me.

Sincerely submitted,

Marilyn Stoney
(703) 818-7112

FIRST AMENDMENT TO COOPERATION AGREEMENT

This **FIRST AMENDMENT TO COOPERATION AGREEMENT** (the "First Amendment") is entered into on the 29th day of June, 2017, by the County of Fairfax, Virginia (the "County"), the Fairfax County Redevelopment and Housing Authority (the "FCRHA") and the Town of Clifton, Virginia (the "Town").

RECITALS

- R-1.** The County has qualified as a Community Development Block Grant Entitlement Urban County under the provisions of Title I of the United States Housing and Community Development Act of 1974, as determined by the United States Department of Housing and Urban Development ("HUD").
- R-2.** As an Urban County, the County is authorized to undertake community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing, in its incorporated and unincorporated areas within the County upon entering into appropriate cooperation agreements.
- R-3.** The Town is an incorporated part of the County.
- R-4.** The County, the FCRHA, and the Town (the "Parties") entered into a Cooperation Agreement dated June 6, 1994 (the "Agreement").
- R-5.** The Cooperation Agreement had an initial term of the County's three-year urban qualification period, federal fiscal years 1994-1996, with automatic renewals for successive three-year qualification periods unless the County or the Town elected to no longer participate.
- R-6.** In the Urban County Qualification Notice for federal fiscal years 2018-2020, CPD-17-03, issued by HUD on April 12, 2017 (the "HUD Notice"), the County was notified that as part of its renewal, a new provision was required to be included in the Cooperation Agreement, and that such provision could be added by amendment.
- R-7.** In order to comply with the HUD Notice, the Parties are entering into this First Amendment to add the newly required provision to the Cooperation Agreement.

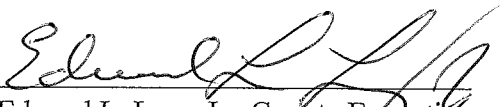
In consideration of the covenants and promises in this First Amendment, the Parties agree as follows:

1. The following new Section 24 is added to the Cooperation Agreement:

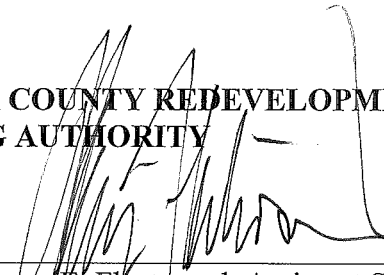
24. The Town may not sell, trade or otherwise transfer all or any portion of CDBG funds received under the Agreement to another metropolitan city, urban county, unit of general local government, Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits, or non-Federal considerations, but must use such funds for activities eligible under Title I of the Act.

2. Except for the addition of Section 24, all other terms and conditions of the Agreement remain in full force and effect.


COUNTY OF FAIRFAX, VIRGINIA

By: 
Edward L. Long Jr., County Executive

**FAIRFAX COUNTY REDEVELOPMENT AND
HOUSING AUTHORITY**

By: 
Thomas E. Fleetwood, Assistant Secretary

TOWN OF CLIFTON, VIRGINIA

By:  6/28/2017
William R. Holloway
Mayor, Town of Clifton, Virginia

file
1153.01

COUNTY OF FAIRFAX, VIRGINIA
FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY AND
THE TOWN OF CLIFTON
COOPERATION AGREEMENT

This agreement ("Agreement"), is made as of the 14 day of July, 1993, by and between the Fairfax County Board of Supervisors ("COUNTY"), the Fairfax County Redevelopment and Housing Authority ("AUTHORITY"), and the Town of Clifton, Virginia ("TOWN").

W I T N E S S E T H :

WHEREAS, the COUNTY has been determined by the United States Department of Housing and Urban Development ("HUD") to possess the essential powers necessary to qualify as a Community Development Block Grant ("CDBG") Entitlement Urban County under the provisions of Title I of the United States Housing and Community Development Act of 1974, Public Law 93-383, as amended (collectively, together with the regulations promulgated thereunder and codified at 24 CFR, the "ACT"); and

WHEREAS, such powers authorize the COUNTY to undertake community development and housing assistance activities in its incorporated and unincorporated areas within the COUNTY provided that fully executed cooperation agreements have been submitted to HUD; and

WHEREAS, the ACT provides for units of local governments such as the TOWN, not otherwise eligible for entitlement funds thereunder, to enter into cooperation agreements with urban counties to undertake essential community development and housing assistance activities in the TOWN, mutually agreed to by the COUNTY and the TOWN and thereby become considered a part of the urban county; and

WHEREAS, the TOWN does not qualify for entitlement funds under the provisions of the ACT; and

WHEREAS, the TOWN is an incorporated part of the COUNTY; and

WHEREAS, the COUNTY has applied for or intends to apply for entitlement funds under the ACT and the HOME Investment Partnerships Program, 24 CFR Part 92 ("HOME"); and

WHEREAS, the COUNTY has an approved Comprehensive Housing Affordability Strategy ("CHAS"); and

WHEREAS, the AUTHORITY possesses essential community development and housing assistance powers pursuant to Title 36 of

the 1950 Code of Virginia, as amended ("Code") which powers are required by the ACT; and

WHEREAS, the COUNTY is party to a cooperation agreement dated May 14, 1973, with the AUTHORITY and thereby also possesses such essential powers; and

WHEREAS, Section 36-23 of the Code enables the AUTHORITY to enter into a cooperation agreement after public hearing and adoption of a resolution by the governing body of the TOWN, here the Clifton Town Council ("COUNCIL") declaring the need for the COUNTY and the AUTHORITY to exercise its powers within the TOWN; and

WHEREAS, Section 15.1-21 of the Code allows political subdivisions of the Commonwealth of Virginia to enter into agreements providing for joint exercise of powers; and

WHEREAS, the COUNTY, the AUTHORITY and the TOWN desire to enter into an agreement to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, by entering into such a cooperation agreement with a qualified urban county, the TOWN will become eligible to be included with the COUNTY in the COUNTY's application for its entitlement funds under the ACT and HOME; and

WHEREAS, residents of the TOWN do not qualify to receive rehabilitation loans or grant funds from HUD pursuant to the provisions of Section 312 of Title III of the United States Housing Act of 1964 (42 U.S.C.A. 1452b) or Section 115 of Title I of the United States Housing Act of 1949 (42 U.S.C.A. 1466) or the Rental Rehabilitation Program (24 CFR 511) (collectively, all of the foregoing as amended, together with the rules and regulations applicable thereto are referred to collectively as the "Housing Acts"); and

WHEREAS, all three parties wish to make available rehabilitation loans or grant funds to eligible residents of the TOWN; and

WHEREAS, the COUNTY, the AUTHORITY, and the TOWN, pursuant to approval of the COUNTY on June 28, 1993, a Resolution of the AUTHORITY adopted July 8, 1993, and a Resolution of the COUNCIL adopted May 16, 1993, are authorized to enter into a cooperation agreement, consistent with Federal, State, and local requirements, to undertake community development and housing assistance activities in order to provide for the joint exercise of the community development powers of the COUNTY and AUTHORITY within the TOWN.

NOW, THEREFORE, in consideration of the mutual covenants and promises hereinafter set forth, the parties agree that:

1. The population, as defined by the ACT, of the TOWN shall be included with the population of the COUNTY for the purpose of applying for entitlement funds under the ACT.

2. Subject to approval of the application by HUD, the COUNTY has final responsibility for selecting projects to be undertaken and filing community development plans and final statements annually.

3. This Agreement covers both CDBG and HOME programs (24 CFR Part 92).

4. The TOWN shall annually submit to the COUNTY, at a time prescribed by the COUNTY, eligible project proposals to benefit low and moderate income persons for consideration for funding by the AUTHORITY and the COUNTY. The COUNTY shall have the responsibility for formulating the annual community development plan and program and shall make applications for same under the ACT. Any applications by the TOWN for community development funds for activities or projects for the TOWN must be specifically approved by the COUNCIL before submission to the COUNTY for consideration and if approved by the COUNTY will be included in the COUNTY's annual application and final statement to HUD.

5. The TOWN shall comply with applicable provisions of the COUNTY's community development and housing assistance plans, but no activity or project shall be established or undertaken within the TOWN without the approval of the COUNCIL.

6. The COUNTY, the AUTHORITY, and the TOWN agree to cooperate in undertaking, or assist in undertaking, community development and housing assistance activities, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing, including housing and community development assistance in accordance with Title 36, Section 36-1 through 36-55.6, inclusive, of the Code, but nothing contained herein precludes cooperation in other community development and housing assistance activities in accordance with Virginia law and the ACT as specified in the community development and housing assistance plans and project applications.

7. Unless otherwise provided herein, this Agreement shall in no way prohibit the TOWN from applying separately for any other funds made available under the ACT or any other Federal or State legislation, unless otherwise provided by State or Federal law; provided, however, the TOWN understands and agrees that it (1) may not apply for grants under the Small Cities or State CDBG

Programs from appropriations for fiscal years during the period in which it is participating in the urban county's CDBG program, and (2) may not participate in a HOME consortium except through the urban county, regardless of whether the urban county receives a HOME formula allocation.

8. The TOWN and the COUNTY assure and hereby certify to each other that they will comply with the requirements of the Act, however, this in no way is meant to constitute a complete compilation of all duties imposed upon the parties by law or administrative ruling or to narrow the standards which the parties must follow.

9. For projects executed hereunder, the COUNTY, the AUTHORITY, and the TOWN shall be responsible and take all actions necessary to assure compliance with the COUNTY's certification required by: (1) Sections 104(a)(6), 104(b), 104(g), 104(h), 109 and 110 of Title I of the Act; (2) Title VI of the Civil Rights Act of 1964, P.L. 88-352; (3) the Fair Housing Act 42 U.S.C. §3601, et seq (4) Title VIII of the Civil Rights Act of 1968, P.L. 90-284; (5) Section 3 of the Housing and Urban Development Act of 1968, as amended; (6) Presidential Executive Orders 11246 and 11063; (7) the relocation requirements of Title II and the acquisition requirements of Title III of the U.S. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; (8) applicable requirements of Federal Management Circular A-87; (9) the Americans with Disabilities Act of 1990; and (10) any other applicable law, rule, regulation or order. The TOWN hereby agrees to comply with all of the above laws, rules, regulations, and orders.

10. The Agreement prohibits the TOWN from applying for or accepting any urban county funds in or in support of the TOWN that do not affirmatively further fair housing within its own jurisdiction or that impede the COUNTY's actions to comply with its fair housing certifications.

11. The TOWN has adopted and is enforcing (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

12. In accordance with 24 CFR 570.501(b), the COUNTY, the AUTHORITY, and the TOWN agree that the TOWN is subject to the same requirements as are applicable to subrecipients and that CDBG and HOME funds will be used in accordance with all program requirements. A written agreement, as set forth in 24 CFR 570.503 and 24 CFR 92.504, shall be executed before disbursing

any CDBG or HOME funds. This Agreement shall remain in effect during any period that the TOWN has control over CDBG or HOME funds, including Program Income, as defined in paragraph 18 hereof.

13. The COUNTY is hereby authorized by the TOWN to process and submit applications of TOWN residents and/or property owners for rehabilitation loan or grant funds for single family dwellings and multi-family dwellings from HUD pursuant to the provisions of the Housing Acts.

14. Subject to the approval of the applications for rehabilitation funds by the Secretary of HUD, or the designee thereof, the AUTHORITY is hereby authorized by the TOWN and the COUNTY to disburse rehabilitation funds to residents and/or property owners of the TOWN and to administer a rehabilitation grant and loan program for single family dwellings and multi-family dwellings in the TOWN in accordance with all applicable provisions of the Code, the Housing Acts, the Housing Act of 1937, as amended, and any other applicable Federal or State laws, rules, and regulations.

15. The administrator responsible for administering any joint or cooperative undertaking under this Agreement shall be the chairperson of the AUTHORITY or such chairperson's designee.

16. This Agreement may be amended from time to time by written agreement of all parties hereto in compliance with Federal, State, and local laws, rules and regulations. If there is a revision of the ACT, including any regulations with respect thereto, which would make this Agreement out of compliance with the ACT, all parties agree to review this Agreement and, to the extent required or permitted by HUD, renegotiate those items necessary to bring the Agreement into compliance with the ACT.

17. The COUNTY falls under the HUD "exception rule" criteria for activities that benefit low and moderate income residents of an area and such rule may be used in determining what areas of the TOWN are eligible to benefit under the "exception rule". Determinations will be made in accordance with 24 CFR 570.208.

18. The TOWN shall notify the COUNTY of and maintain full and complete records, which records will be made available to the COUNTY, on any and all income generated by the expenditure of CDBG and HOME funds received by the TOWN ("Program Income"). Program Income is defined by HUD in 24 CFR 570.500 (Subpart J). Program Income shall be recorded and disposed of in accordance with 24 CFR 570.504 and 24 CFR 92.503. Any such Program Income must be paid to the COUNTY, or at the COUNTY's discretion, may be retained by the TOWN for use in eligible CDBG or HOME activities in accordance with CDBG and HOME regulations as may then apply.

In the event of the termination of this Agreement or change in status of the TOWN, any Program Income on hand or that is received subsequent to the close-out, termination of this Agreement or change in status of the TOWN shall be paid to the COUNTY. The COUNTY shall be responsible for monitoring and reporting to HUD on the use of any such Program Income either by the TOWN or the COUNTY. The TOWN shall provide the COUNTY with written reports on an annual basis, or more frequently if required by the COUNTY, on Program Income and its uses. It is the responsibility of the TOWN to obtain from the COUNTY or its designee prior determination as to whether or not income arising directly or indirectly from use of CDBG or HOME funds, or the performance thereof, constitutes Program Income. The TOWN is responsible to the COUNTY for the repayment of any and all amounts determined by the COUNTY or its designee to be Program Income, unless otherwise approved in writing by the COUNTY. No disbursements of program income shall be made by the TOWN unless approved by the COUNTY.

19. The TOWN shall notify the COUNTY in writing in a timely manner of any modification or change in the use of real property acquired or improved by the TOWN in whole or in part using CDBG or HOME funds from that planned at the time of acquisition or improvement, including disposition. The TOWN shall reimburse the COUNTY in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG or HOME funds) of property acquired or improved with CDBG or HOME funds that is sold or transferred for a use which does not qualify under CDBG or HOME regulations. Any Program Income generated from the disposition or transfer of real property prior to the termination of the Cooperation Agreement or change of status in the TOWN must be paid to the COUNTY or, at the COUNTY's discretion, may be retained by the TOWN for use in eligible CDBG or HOME activities.

20. The parties agree that this Agreement is not assignable in whole or in part without prior written mutual agreement.

21. All published material, written reports, news releases, public statements, stationery, brochures, signage or other medium disseminating information developed for projects approved for funding through this Agreement must be originally developed material unless otherwise specifically provided in this Agreement, be dated and contain the following statements for the medium listed below:

1. For stationery developed for a project:

"Provided through the Fairfax County Community Development Program."

2. For all other published material, written reports, public

statements, news releases, brochures, and signage:

"Provided through the Fairfax County Community Development Program, the Fairfax County Redevelopment and Housing, and the U.S. Department of Housing and Urban Development."

When material, not originally developed, is included in a report or publication, it shall have the source identified. This identification may be in the body of the publication, public statement, or report or included as a footnote. This provision is applicable when the written material is in a verbatim or extensive paraphrase format.

22. This Agreement shall be effective on October 1, 1993 upon execution by all parties and shall remain in effect until all CDBG and HOME funds received by the parties with respect to the COUNTY's three year urban qualification period (federal FY1994-1996) are expended and the funded activities with respect thereto have been completed. During such period neither the COUNTY, the AUTHORITY, or the TOWN shall have the right of termination or withdrawal. This Agreement will be automatically renewed for successive three-year qualification periods, including such time as it may be necessary for the parties to expend all funds received and complete all funded activities with respect to such qualification periods, unless any one of the parties hereto provides written notice to the other parties that it elects not to participate in a new qualification period, with a copy of such notice sent to the applicable HUD field office. Such notice must be received no later than 45 days prior to the commencement of the applicable qualification period. By the date specified in HUD's next urban county qualification notice, the COUNTY will notify the TOWN in writing of its right to make such election with a copy sent to the HUD field office. Failure by either party to adopt an amendment to this Agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice as issued by HUD applicable for a subsequent three-year urban county qualification period and to submit the amendment to HUD, will void the automatic renewal of this Agreement for such qualification period.

23. All communications and notices given pursuant to this Agreement shall be made by hand, recognized overnight courier service or first class U.S. mail, postage prepaid to the parties and addresses set forth below:

William J. Leidinger, County Executive/or successor
County of Fairfax
12000 Government Center Parkway, Suite 552
Fairfax, Virginia 22035

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Robert Sheehan, Chairman/or successor
Fairfax County Redevelopment and Housing Authority
3700 Pender Drive, Suite 300
Fairfax, Virginia 22030

James C. Chesley, Mayor/or successor
Town of Clifton
P.O. Box 309
Clifton, Virginia 22024

With a copy to:

Alan M. Weiss, Assistant County Attorney
Fairfax County Attorney's Office
2000 Government Center Parkway, Suite 549
Fairfax, Virginia 22035-0064

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

COUNTY OF FAIRFAX, VIRGINIA

BY: William J. Leidinger
William J. Leidinger
County Executive

Attest: Nancy Vekro
Clerk, Board of Supervisors

FAIRFAX COUNTY REDEVELOPMENT AND
HOUSING AUTHORITY

BY: Robert Sheehan
Robert Sheehan, Chairman
Fairfax County Redevelopment and
Housing Authority

Attest: [Signature]
Asst. Secretary, Fairfax County Redevelopment
and Housing Authority

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TOWN OF CLIFTON, VIRGINIA

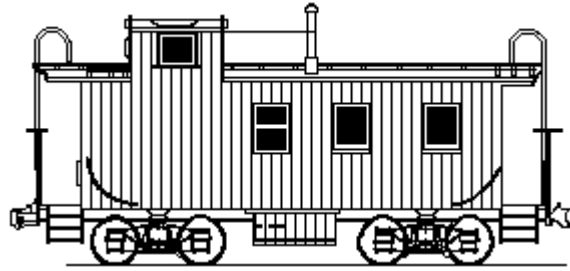
BY:

James C. Chesley
James C. Chesley, Mayor
Town of Clifton, Virginia

Attest:

Lisa Bryner
Clerk, Town of Clifton, Virginia

CLIFTON.JCB



**CLIFTON TOWN COUNCIL MEETING
TUESDAY, JUNE 2, 2020, 7:30 PM
ELECTRONIC MEETING BY ZOOM
12641 CHAPEL ROAD
CLIFTON, VA 20124**

Until further notice from the Mayor of Clifton, and in accordance with the Resolution of the Town Council regarding Remote Participation by Electronic Means Policy and the Town Council Continuity of Government Methods Authorizing Remote Participation by Electronic Means Without a Physical Quorum Being Present Pursuant to Virginia Law, the Town of Clifton Town Council is holding the Meeting noticed herein electronically for the purpose of continuity of government of the Town of Clifton.

The meeting will be conducted using Zoom teleconferencing audio and video service, and connection information will be provided to members of the public to afford the opportunity to citizens to witness the operation of the Town of Clifton government. Connection information is available from, and will be provided by the Town Clerk.

Order of Business:

1. Report of the Town Clerk:
 - a. Approval of the Minutes (previous meetings and work sessions).
2. Report of the Treasurer.
3. Citizen's Remarks - Suggestions or complaints of citizens and taxpayers, and other persons authorized by the Mayor to address the Council.

Each person wishing to address the Council shall, when recognized by the Mayor:

 - (i) Give their name and address;
 - (ii) Direct their remarks to the Council and not to other citizens present;
 - (iii) Be limited to one period of not over five (5) minutes, unless granted additional time by unanimous consent of the Council.

Priority shall be given to persons who have signified to the Clerk their desire to address the Council.
4. Reports of Committees:
 - a. Planning Commission.
 - b. Report of the Zoning Administrator:
 - i. 7184 Clifton Road - Update;
 - ii. 12752 Chapel Street - Update;
 - iii. 12727 Clifton Heights Lane - Update.
 - c. Architectural Review Board.
 - d. Streetscape Project Committee – Update on Utility Relocation;
 - e. Other Committees;
 - f. Board of Zoning Appeals Vacancy.
5. Unfinished Business:
 - a. Review and Approval of Budget for Fiscal Year 2020-2021
 - i. Haunted Trail Revenue Adjustment;

- ii. Flood Plain Park Maintenance.
- b. Fairfax County COVID-19 Small Business Grant Program – Update and Clifton Status.
- 6. New Business:
 - a. Fairfax County Emergency Ordinance for COVID-19 to Allow Outdoor Restaurant Dining and Outdoor Fitness without Permit – Discuss Potential Clifton Adoption;
 - b. Back to Business in Clifton during COVID-19 – Status, Initiatives, Issues;
 - c. Clifton “Open For Business” during COVID-19 Temporary Signage and Banner;
 - d. Add “Please Ride Quietly” Signage at All Town Entrances to Address COVID-19-Related Increase in Vehicle Noise;
 - e. Proposal re: Adopting Additional Real Estate Property Tax for Town of Clifton;
 - f. Process for Clifton Fourth of July Parade and Picnic under COVID-19;
 - g. Clifton Museum and Visitor Center – Engaging Contractors to Obtain Detailed Estimates and Proposals for Work;
 - h. Removal of Trees in Flood Plain Park;
 - i. Fairfax County Community Development Block Grant and HOME Investment Partnerships Program Continued Participation - Update.
- 7. Executive Session – Potential Green Space Acquisition.
- 8. Adjournment.

If anyone attending the Town Council meeting needs a sign language interpreter, or any other type of special accommodation or auxiliary aid, please contact the Town Clerk at cliftonclerkva@gmail.com. A request should be made at least five (5) days in advance of the meeting to provide sufficient time to make the necessary arrangements. These services are available at no charge to an individual with a demonstrated need for such services.