

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
MARCH 9, 2010**

**AGENDA**

8:30	<b>Held</b>	Reception for Virginia Task Force 1 (VATF-1) Government Center Forum
8:30	<b>Held</b>	Intellectual Disability Services Annual Reception Conference Center Reception Area
9:15	<b>Done</b>	Resolution to Commend Virginia Task Force 1 (VATF-1) Board of Supervisors Auditorium
9:30	<b>Done</b>	Presentations
10:00	<b>Done</b>	Report on General Assembly Activities
10:15	<b>Done</b>	Items Presented by the County Executive

**ADMINISTRATIVE  
ITEMS**

1	<b>Approved</b>	Authorization to Advertise a Public Hearing to Consider the Adoption of Article 17.2, Chapter 4, of the Fairfax County Code to Establish Local Vehicle Registration License Fees for FY 2011
2	<b>Approved</b>	Extension of Review Periods for 2232 Review Applications (Lee, Mount Vernon, Providence, Springfield, and Sully Districts)
3	<b>Approved</b>	Authorization to Advertise a Public Hearing to Amend and Readopt Fairfax County Code Section 4-22-2 to Impose the Courthouse Facilities Fee on Civil Cases
4	<b>Approved</b>	Authorization to Advertise Publication of the FY 2011 Budget and Required Tax Rates
5	<b>Approved</b>	Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the FY 2010 Revised Budget Plan

**ACTION ITEMS**

1	<b>Approved</b>	Adoption of a Resolution Approving the Issuance by the Fairfax County Economic Development Authority of its Revenue Bonds for the Benefit of George Mason University Foundation, Inc.
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**FAIRFAX COUNTY  
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**INFORMATION ITEMS**

1	<b>Noted</b>	Request for Proposal for Food Service at the Herrity Building (Deli/Cafeteria) and Vending Services in all County Facilities
2	<b>Noted</b>	Consolidated Plan Certification for the Fairfax County Redevelopment and Housing Authority Public Housing and Housing Choice Voucher Five-Year Plan for Fiscal Years 2010-2014 and Annual Plan for Fiscal Year 2010
3	<b>Noted</b>	Contract Award – Lee District Park Family Recreation Area Treehouse (Lee District)
4	<b>Noted</b>	2009 Virginia Pollutant Discharge Elimination System Permit Annual Report for Fairfax County, Virginia
5	<b>Noted</b>	Contract Award – Enhanced Nutrient Removal – Moving Bed Biofilm Reactor (MBBR) and Related Modifications at Noman M. Cole, Jr., Pollution Control Plant (Mount Vernon District)
10:45	<b>Done</b>	Matters Presented by Board Members
11:35	<b>Done</b>	Closed Session

**PUBLIC HEARINGS**

3:00	<b>Approved</b>	Public Hearing on PCA 91-P-027 (JSH Enterprises, LLC) (Providence District)
3:00	<b>Approved</b>	Public Hearing on SE 2009-PR-021 (JSH Enterprises, LLC) (Providence District)
3:00	<b>Approved</b>	Public Hearing on SEA 95-S-038-02 (The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and His Successors in Office) (Springfield District)
3:30	<b>Approved</b>	Public Hearing on RZ 2009-DR-016 (Madison Building Associates LLC and Second Madison Building Associates LLC) (Dranesville District)
3:30	<b>Board deferred decision to 3/23/2010 at 4:00 p.m.</b>	Public Hearing on SE 2009-MA-015 (Ana L. Cornejo) (Mason District)
3:30	<b>Public hearing deferred to 3/23/2010 at 3:30 p.m.</b>	Public Hearing on SE 2009-LE-022 (BB&T (Successor in Interest to Mt. Vernon Nat'l Bank and Trust Co.)) (Lee District)

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**PUBLIC HEARINGS  
(continued)**

3:30	<b>Approved</b>	Public Hearing on RZ 2009-MA-011 (Westlawn Limited Partnership) (Mason District)
3:30	<b>Approved</b>	Public Hearing on SEA 95-M-039 (Westlawn Limited Partnership) (Mason District)
3:30	<b>Approved</b>	Public Hearing on RZ 2009-HM-014 (Reston Hospital Center LLC) (Hunter Mill District)
3:30	<b>Approved</b>	Public Hearing on PRC 2009-HM-014 (Reston Hospital Center LLC) (Hunter Mill District)
3:30	<b>Approved</b>	Public Hearing on PCA 89-C-025-05 (Reston Hospital Center LLC) (Hunter Mill District)
3:30	<b>Approved</b>	Public Hearing on DPA 89-C-025-04 (Reston Hospital Center LLC) (Hunter Mill District)
4:00	<b>Public hearing deferred to 3/23/2010 at 4:30 p.m.</b>	Public Hearing on SE 2009-DR-008 (Oakcrest School) (Dranesville District)
4:00	<b>Approved</b>	Public Hearing on Proposed Comprehensive Plan Amendment S09-CW-2CP Regarding Revisions to the Comprehensive Plan to Update Information on Heritage Resources
4:00	<b>Approved</b>	Public Hearing to Establish the Prosperity Heights Community Parking District (Providence District)
4:00	<b>Approved</b>	Public Hearing to Establish the Heritage Forest Community Parking District (Sully District)
4:00	<b>Approved</b>	Public Hearing to Consider an Ordinance Amending County Code Relating to Election Precincts (Hunter Mill, Mason and Providence Districts)



*Fairfax County, Virginia*  
**BOARD OF SUPERVISORS**  
**AGENDA**

**Tuesday**  
**March 9, 2010**

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9:15 a.m.

RESOLUTION to recognize Virginia Task Force 1 deployed to Haiti on behalf of the federal government to assist with the rescue of victims after the recent earthquake. Requested by Chairman Bulova.

WELCOME of Christopher Zimmerman as the new music director of the Fairfax Symphony Orchestra. Requested by Chairman Bulova.

PRESENTATIONS:

1. PROCLAMATION – To designate March 2010 as Intellectual and Developmental Disabilities Inclusion Month in Fairfax County. Requested by Chairman Bulova.
2. CERTIFICATE – To recognize Ann Wong for receiving the Milken Educator Award. Requested by Chairman Bulova and Supervisor Herrity.
3. CERTIFICATE – To recognize the Fairfax County Health Department, Medical Reserve Corps and appropriate representatives for the H1N1 vaccination clinics. Requested by Chairman Bulova.
4. RESOLUTION – To recognize Ellen Gallagher for her years of service to Fairfax County. Requested by Supervisor McKay.

— more —

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5. RESOLUTION – To recognize Lee Rau for his years of service as the Hunter Mill District representative to the Redevelopment and Housing Authority. Requested by Supervisor Hudgins.

STAFF:

Merni Fitzgerald, Director, Office of Public Affairs  
Bill Miller, Office of Public Affairs

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10:00 a.m.

Report on General Assembly Activities

ENCLOSED DOCUMENTS:

None. Materials to be distributed to the Board of Supervisors on March 9, 2010

PRESENTED BY:

Supervisor Jeff McKay, Chairman, Board of Supervisor's Legislative Committee  
Anthony H. Griffin, County Executive

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10:15 a.m.

Items Presented by the County Executive

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ADMINISTRATIVE – 1

Authorization to Advertise a Public Hearing to Consider the Adoption of Article 17.2, Chapter 4, of the Fairfax County Code to Establish Local Vehicle Registration License Fees for FY 2011

ISSUE:

Board authorization to advertise a public hearing to consider adopting Article 17.2, Chapter 4, of the Fairfax County Code in order to impose a Local Vehicle Registration License Fee.

RECOMMENDATION:

The County Executive recommends that the Board advertise a public hearing to consider the attached proposed ordinance adopting Article 17.2, Chapter 4, of the Fairfax County Code in order to impose a Local Vehicle Registration License Fee. Should the Board approve this fee, the County Executive further recommends that, as stated in the proposed ordinance, the fee be established without requiring the physical display of an actual decal on a vehicle's windshield.

TIMING:

Board action is requested on March 9, 2010, to provide sufficient time to advertise a public hearing on the proposed ordinance at 2:30 p.m. on Tuesday, April 6, 2010. If approved by the Board following that public hearing, the local vehicle registration license fee would become effective on and after July 1, 2010. The fee for tax year 2010 would be added, as applicable, to the personal property bills mailed during the summer of 2010.

BACKGROUND:

For years, Fairfax County imposed a local vehicle registration license fee and required the display of a decal pursuant to Virginia Code, § 46.2-752. As part of its FY 2007 budget actions, the Board abolished the requirement to display a vehicle decal and abolished the fee itself on April 3, 2006. The option to impose a fee without requiring the physical display of a decal was specifically authorized by the 2006 General Assembly. More specifically, Virginia Code § 46.2-752(G) now states that "nothing in this section shall be construed to require a county, city, or town to issue a decal or any other tangible evidence of a local license to be displayed on the licensed vehicle if the county's, city's, or town's ordinance does not require display of a decal or other

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evidence of payment.” For perspective, more than 100 other jurisdictions in Virginia currently impose a fee without actually requiring the display of a physical decal.

The Department of Tax Administration (DTA) and the Department of Information Technology (DIT) have confirmed that they are able to resume billing a local vehicle registration license fee on the FY 2011 personal property tax bills to be mailed during the summer of 2010, assuming the Board adopts the proposed ordinance. Since the former programming infrastructure is still in place, there are no programming costs as a result of this initiative, nor will there be any significant operational problems associated with implementing the proposed ordinance.

FISCAL IMPACT:

Virginia Code, § 46.2-752(A) authorizes the County to impose a local vehicle registration license fee at a rate not to exceed the state rate. State rates are \$33 for passenger vehicles of 4,000 pounds or less, and \$38 for heavier vehicles, motorcycle fees and taxi cab registration fees are limited to \$18 and \$23 respectively. At these maximum state rates, the FY 2011 revenue generated is estimated to be approximately \$27 million. If adopted, the new fees would go into effect as of July 1, 2010.

It should be noted that this additional revenue has been included in the FY 2011 Advertised Budget Plan.

ENCLOSED DOCUMENTS:

Attachment 1: Proposed Ordinance to Adopt Article 17.2, Chapter 4, Code of the County of Fairfax, Imposing a Local Vehicle Registration License Fee

STAFF:

Edward L. Long, Jr., Deputy County Executive  
Kevin C. Greenlief, Director, Department of Tax Administration  
Michael Long, Deputy County Attorney

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ADMINISTRATIVE – 2

Extension of Review Periods for 2232 Review Applications (Lee, Mount Vernon, Providence, Springfield, and Sully Districts)

ISSUE:

Extension of the review periods for specific 2232 Review applications to ensure compliance with the review requirements of *Section 15.2-2232* of the *Code of Virginia*.

RECOMMENDATION:

The County Executive recommends that the Board extend the review periods for the following applications: application 456A-L92-9-3 to May 9, 2010; applications FS-S09-180, FS-V09-184, and FS-V09-191 to May 10, 2010; applications FS-P09-127 and FSA-P08-108-1 to May 14, 2010; and FS-Y09-153 to May 21, 2010.

TIMING:

Board action is required on March 9, 2010, to extend the review periods of the applications noted above before their expirations.

BACKGROUND:

Subsection B of *Section 15.2-2232* of the *Code of Virginia* states: "Failure of the commission to act within sixty days of a submission, unless the time is extended by the governing body, shall be deemed approval." Subsection F states: "Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within ninety days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than sixty additional days."

The Board should extend the review periods for applications FS-P09-127, FS-Y09-153, FS-S09-180, FS-V09-184, FS-V09-191, 456A-L92-9-3, and FSA-P08-108-1, which were accepted for review by the Department of Planning and Zoning between December 10, 2009, and December 22, 2009. These applications are for telecommunications facilities, and thus are subject to the State Code provision that the Board may extend the time required for the Planning Commission to act on them by no more than sixty additional days.

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The review periods for the following applications should be extended:

- |               |                                                                                                                                    |
|---------------|------------------------------------------------------------------------------------------------------------------------------------|
| FS-P09-127    | Clearwire US LLC<br>Rooftop antennas<br>2600 Park Tower Drive<br>Providence District                                               |
| FS-Y09-153    | Clearwire US LLC<br>Rooftop antennas<br>14631 Lee Highway<br>Sully District                                                        |
| FS-S09-180    | T-Mobile Northeast LLC<br>Antenna colocation on existing monopole<br>4904 Mattie Moore Court<br>Springfield District               |
| FS-V09-184    | Cricket Communications<br>Antenna colocation on existing monopole (tree pole)<br>8616 Pohick Road<br>Mount Vernon District         |
| FS-V09-191    | New Cingular Wireless PCS, LLC<br>Antenna colocation on existing monopole (tree pole)<br>8616 Pohick Road<br>Mount Vernon District |
| 456A-L92-9-3  | Verizon Wireless<br>Replacement antennas<br>2970 Southgate Drive<br>Lee District                                                   |
| FSA-P08-108-1 | T-Mobile Northeast LLC<br>Replacement antennas<br>1800 Tysons Boulevard<br>Providence District                                     |

The need for the full time of these extensions may not be necessary, and is not intended to set a date for final action.

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FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:  
None

STAFF:  
Robert A. Stalzer, Deputy County Executive  
James P. Zook, Director, Department of Planning and Zoning (DPZ)  
David B. Marshall, Planning Division, DPZ  
David S. Jillson, Planning Division, DPZ

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ADMINISTRATIVE – 3

Authorization to Advertise a Public Hearing to Amend and Readopt Fairfax County Code Section 4-22-2 to Impose the Courthouse Facilities Fee on Civil Cases

ISSUE:

Board authorization to advertise a public hearing to amend Section 4-22-2 of the Fairfax County Code to impose the courthouse facilities fee on civil actions brought in the County courts. That fee now is imposed only on criminal and traffic cases.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing on the proposed ordinance amendment in Attachment 1.

TIMING:

Board action is requested March 9, 2010, to authorize advertisement of a public hearing on the proposed ordinance amendment to be held at 2:30 p.m. on April 6, 2010.

BACKGROUND:

For many years, Virginia Code § 42.1-70 has authorized the Board to impose a fee of up to \$4.00 on each civil action filed with the General District or Circuit Court to support a local law library. The Board adopted Fairfax County Code § 4-3-1 to impose such a fee, which is commonly called a civil writ tax or a civil action fee. These fees provide revenue to the County Law Library Fund, which supports the law library in the Courthouse. The law library is open to members of the public. In addition, Virginia Code § 17.1-281 also authorizes local governing bodies to impose a courthouse facility fee of up to \$2.00 to support courthouse construction, renovation, and maintenance, but until last summer Virginia Code § 17.1-281 provided an overall limit of a combined fee of \$4.00 on both fees. Because of that fee limitation, the \$2.00 courthouse facilities fee was not applied to civil cases.

The 2009 Virginia General Assembly amended Virginia Code § 17.1-281 to remove that overall cap of \$4.00, so that the County now may impose both the civil writ tax and the courthouse fee. Staff recommends that the Board take advantage of that change and amend Fairfax County Code Section 4-22-2 to provide that this fee is charged against all civil cases filed in the Circuit Court and the District Courts. With this change, civil litigants, who are the primary users of the courthouse, would be required to pay an

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additional fee of \$2.00 to support the maintenance of the County's court facilities. The staff recommends that this fee be imposed effective July 1, 2010, to coincide with the new County budget.

FISCAL IMPACT:

Expanding the courthouse fee to apply to civil cases would generate additional revenues estimated at \$96,000 per year. This revenue has not been included in the County FY 2011 Advertised Budget.

ENCLOSED DOCUMENT:

Attachment 1 – Proposed Ordinance Amendment to Section 4-22-2 of the Fairfax County Code

STAFF:

David Bobzien, County Attorney  
Michael Long, Deputy County Attorney  
Corinne N. Lockett, Assistant County Attorney

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ADMINISTRATIVE - 4

Authorization to Advertise Publication of the FY 2011 Budget and Required Tax Rates

ISSUE:

Board authorization to advertise the FY 2011 County budget and the tax rates that are proposed to support the FY 2011 budget. Advertising these rates will not prevent the Board from lowering any advertised tax rate, but higher tax rates could not be imposed without advertising such rates.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a brief synopsis of the FY 2011 Budget and a real estate tax rate for FY 2011 of \$1.12 per \$100 of assessed value. The County Executive's proposed budget is balanced based on the inclusion of a real estate tax rate of \$1.09 per \$100 of assessed value.

Advertising a real estate tax rate of \$1.12 per \$100 of assessed value gives the Board of Supervisors another revenue option to consider during their deliberations on the FY 2011 budget. Advertising an increase in the rate does not prevent the Board from lowering any advertised tax rate, but a higher tax rate can not be imposed without advertising the higher rate.

It should be noted that the County Executive's proposed budget includes an increase of \$0.05 per \$100 of assessed value for the real estate tax rate. This amount is required to balance the FY 2011 budget as proposed. This rate will generate \$93.4 million in additional revenue with a real estate penny valued at \$18.67 million. As a result, the average tax per household would decrease \$48.55 from its FY 2010 tax payment level.

The Board should be aware that based on the assessed value of existing property there is no effective tax rate increase. Therefore in FY 2011 based on current assessments, a separate advertisement noting the effective tax rate is not required. As the Board will recall, a separate advertisement for the effective tax rate increase was not required from FY 1991-FY 1998 and in FY 2009-FY 2010 since the growth in property value was less than one percent. However, the growth in value exceeded one percent from FY 1999 through FY 2008 and separate advertisements for the effective tax rate increase were required during those years.

It should be noted that a separate board item is included in the March 9, 2010 Board package to authorize the advertisement of a public hearing to consider the implementation of a Vehicle Registration License Fee at a rate of \$33 for most vehicles.

In addition, on October 9, 2009, a petition was filed with the Clerk to the Board of Supervisors to create the Phase II Dulles Rail Transportation Improvement District. As

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required by Virginia Code § 33.1-431, the petition was signed by owners of more than 51 percent of the commercial and industrial property within the proposed Phase II District, measured by assessed value, that would be subject to a special tax pursuant to Virginia Code § 33.1-435. Pursuant to that statute, following a public hearing on December 7, 2009, the Board created the Phase II District on December 21, 2009. It should be noted that on November 10, 2009, the Town of Herndon approved the creation of the Phase II District.

Phase II of the Dulles Metrorail project will run from just west of Wiehle Avenue to Ashburn in eastern Loudoun County. This extension will serve Reston Town Center, Herndon, Dulles Airport, Route 606, and Ashburn. Commercial and industrial properties in the Phase II District, which lie near the project on either side of the right-of-way of the Dulles Airport Access and Toll Road within Fairfax County, will be taxed to help Fairfax County fund the County's share of the project. Consistent with the petition and the resolution adopted by the Board to create the Phase II District, a tax rate of \$0.05 per \$100 of assessed value is proposed for FY 2011 for commercial and industrial properties within the Phase II District. This tax rate is expected to yield approximately \$3.5 million in revenue for the fund. The petition also proposed annual increases of \$0.05 cents until the rate reaches \$0.20 cents per \$100 of assessed value in FY 2014. The rate will be held at \$0.20 until full revenue operations commence on Phase II, which is expected in late 2016. At that time, the rate may be set at the level necessary to support the District's debt obligations. For planning purposes the Phase II District may not enter into a financing agreement unless it is reasonably believed that it can be accomplished within the maximum rate established by the petition of \$0.25 per \$100 of assessed value.

In addition, the County Executive recommends that the Board authorize advertisement of a public hearing on the Advertised Capital Improvement Program for Fiscal Years 2011 - 2015 (With Future Fiscal Years to 2020).

Also included in the brief synopsis of the FY 2011 budget advertisement is information as it relates to the Personal Property Tax Relief Act (PPTRA) and the percentage of state "Car Tax" subsidy on qualifying personal property tax levy. On November 21, 2005, as part of Action Item 3, the Board of Supervisors adopted a resolution to implement the state "Car Tax" changes found in the Executive Amendments to the 2004 – 2006 Biennial Budget, specifically state Budget Item 503(E) of the Central Appropriations Act, in accordance with the requirements set forth in Virginia Code §§ 58.1-3524(C)(2) and 58.1-3912(E), as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503(E)(Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly.

Beginning in tax year 2006, the state "Car Tax" subsidy on qualifying vehicles was "capped" to a statewide total of \$950 million. Based on the final report from the state Auditor of Public Accounts, dated February 2006, Fairfax County's share of this \$950

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million was fixed at 22.2436 percent, or \$211,313,944.16. The annual subsidy is frozen at this amount and is factored into the FY 2011 Advertised Budget Plan.

Consistent with the November 21, 2005, Board resolution, the state "Car Tax" funding is estimated to provide a 100 percent subsidy of the levy for tax year 2008 for qualifying vehicles valued at \$1,000 or less. Furthermore, assuming the state "Car Tax" subsidy continues to be funded by the Commonwealth in 2010, this funding is estimated to provide a 70 percent subsidy of the tax year 2010 levy for all other qualifying vehicles on the value up to \$20,000.

It should be noted that included in the draft tax resolution to be advertised are the following recommendations regarding rates for FY 2011:

The following rate is included for the first time:

- ✓ Rail to Dulles Phase II Transportation Improvement District Levy at \$0.05/\$100 assessed value.

The following rates are not recommended to change:

- ✓ Reston Community Center at \$0.047/\$100 assessed value;
- ✓ Burgundy Village Community Center at \$0.02/\$100 assessed value;
- ✓ McLean Community Center at \$0.024/\$100 assessed value;
- ✓ Special service district for pest infestations at \$0.0010/\$100 assessed value.
- ✓ Leaf Collection Districts at \$0.015/\$100 assessed value;
- ✓ Refuse Collection Services assessment at \$345 per household unit.
- ✓ I-95 Landfill ash disposal fee at \$13.50 per ton
- ✓ Energy Resource Recovery Facility fee at \$31 per ton.
- ✓ Route 28 Taxing District Levy at \$0.18/\$100 assessed value;
- ✓ Rail to Dulles Phase I Transportation Improvement District Levy at \$0.22/\$100 assessed value.
- ✓ Commercial and Industrial Real Estate Tax for Transportation at \$0.11/\$100 assessed value; and
- ✓ EMS Transport Fee: (1) a service fee of \$400 for Basic Life Support transport (BLS), (2) \$500 for Advanced Life Support, level 1 transport (ALS1), (3) \$675 for Advanced Life Support, level 2 transport (ALS2), and (4) \$10.00 per mile for ground transport mileage.

The following rates are recommended to increase:

- ✓ Stormwater Service District Levy from \$0.010/\$100 assessed value to \$0.015/\$100 assessed value

Public hearings on the FY 2011 budget, the Advertised Capital Improvement Plan (CIP) and proposed tax rates for tax year 2010 will be held on April 6, 7, and 8, 2010. It should be noted that if the number of individuals wishing to speak warrants additional time, than the public hearings could be extended by recessing the Board meeting on April 8 to another date and time or by adding new public hearing dates.

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Please note that a separate item recommending Board authorization to advertise public hearings for sewer rate revision notices was included in the February 23, 2010, Board package. The sewer rate revision notices authorize the increase in the Sewer Service Charges from \$4.50 to \$5.27 per 1,000 gallons of water consumption, and the Sewer Availability Fees from \$7,310 to \$7,750 per new home being constructed, to become effective July 1, 2010. In addition, the base charge to sewer billings will continue to be billed quarterly in the amount of \$5.00 per bill totaling \$20.00 per year. These rate increases are consistent with the recommendations of the Department of Public Works and Environmental Services and the analysis included in the February 2009 Wastewater Revenue Sufficiency and Rate Analysis. A separate public hearing on sewer rate revisions will be held on Tuesday, April 6, 2010.

Finally, the Board of Supervisors should be aware that the *FY 2010 Third Quarter Review* was also forwarded to the Board for advertisement in today's package. Public hearings on the Third Quarter Review will be held on April 6, 7, and 8, 2010 in conjunction with the FY 2011 Budget, CIP and proposed tax rates for FY 2011.

TIMING:

Action must be taken on March 9, 2010, in order to provide adequate time to include the tax rate advertisements in the newspapers no later than the week ending March 19, 2010 to meet advertising legal requirements and ensure as broad a circulation as possible.

BACKGROUND:

Virginia Code § 15.2-2506 specifies the time frame within which the advertisements must be published. That section requires the publication of a brief synopsis of the budget at least seven days prior to the date set for public hearing.

Therefore, this item requests Board authorization to advertise the following items, during the weeks ending March 19 and 26, 2010.

- A brief synopsis of the FY 2011 Budget , including information as it relates to the impact of the Personal Property Tax Relief Act (PPTRA) on the percentage of state "Car Tax" subsidy on qualifying personal property tax levy
- Proposed Tax Rates for tax year 2010
- Notice of public hearings on the Advertised Capital Improvement Program for Fiscal Years 2011 - 2015 (With Future Fiscal Years to 2020)

In order to meet these legal requirements and hold to the scheduled public hearing dates, the advertisements must be approved no later than March 9, 2010. This will permit the County to adhere to the following budget schedule:

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- Public Hearings on the FY 2011 Budget, the Advertised Capital Improvement Program for Fiscal Years 2011 - 2015 (With Future Fiscal Years to 2020) and proposed FY 2011 Tax Rates – April 6, 7, and 8, 2010.
- Public Hearings on the *FY 2010 Third Quarter Review* – April 6, 7, and 8, 2010.
- FY 2011 Budget Mark-up and Board Adoption of the *FY 2010 Third Quarter Review* - April 20, 2010.
- Board Adoption of Fiscal Plan, Tax Levies, and Appropriation Resolution – April 27, 2010.
- School transfer set (required by May 1 or 30 days after the State approves aid to schools).

In addition, it should be noted that during FY 2011 the allowable asset limits and income limits associated with the Real Estate Tax Relief Program for the Elderly and Disabled are maintained at the FY 2010 level. In FY 2011, the income limits of the Tax Relief program provide 100 percent exemption for elderly and disabled taxpayers with incomes up to \$52,000; 50 percent exemption for eligible applicants with income between \$52,001 and \$62,000; and 25 percent exemption if income is between \$62,001 and \$72,000. The allowable asset limit in FY 2011 is \$340,000 for all ranges of tax relief and that limit does not include the value of the residence of the applicant and one acre of land on which the residence is located. In addition, elderly and disabled tax relief benefits are eligible to be prorated based on the portion of the year an applicant is 65 or becomes disabled.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I - Brief Synopsis of the FY 2011 Budget

Attachment II - Draft Resolution Adopting Fairfax County Tax Rates for FY 2011

STAFF:

Anthony H. Griffin, County Executive

Edward L. Long, Jr., Deputy County Executive

Susan W. Datta, Director, Department of Management and Budget

Kevin Greenlief, Director, Department of Tax Administration

Leonard P. Wales, County Debt Manager

Michael Long, Deputy County Attorney

Corinne Lockett, Assistant County Attorney

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ADMINISTRATIVE - 5

Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the FY 2010 Revised Budget Plan

ISSUE:

Board approval of an advertisement for a public hearing to adjust the FY 2010 appropriation level. The advertisement encompasses both the County and the Schools' *FY 2010 Third Quarter Reviews*. Section 15.2-2507 of the Code of Virginia requires that a public hearing be held prior to Board action to amend the current appropriation level.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to publish the advertisement for a public hearing to be held on April 6, at 6:00 p.m. and April 7 and 8, 2010 at 3:00 p.m.

TIMING:

Board action is requested on March 9, 2010 to provide sufficient time to advertise the proposed public hearing on April 6, at 6:00 pm and April 7 and 8, 2010 at 3:00 p.m.

BACKGROUND:

As the *FY 2010 Third Quarter Review* includes proposed adjustments in appropriation greater than one percent of total expenditures, a public hearing is required prior to Board action. In addition, the Code of Virginia requires that a synopsis of proposed changes be included in the advertisement. Copies of these documents are being made available for citizen review at governmental centers, libraries, the Government Center, and on the County's Internet website.

The School Board funding adjustments included in the advertisement are based on staff's Third Quarter recommendations to the School Board, which is scheduled to take action on them on March 18, 2010. Should the School Board's final actions result in any changes to the funding adjustments shown in this advertisement, a separate advertisement and public hearing will have to be held.

FISCAL IMPACT:

The enclosed documents describe the fiscal impact of FY 2010 Third Quarter adjustments.

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ENCLOSED DOCUMENTS:

Attachment A - Proposed advertisement for public hearing

Attachment B - Memorandum to the Board of Supervisors dated March 9, 2010 from Anthony H. Griffin, County Executive, with attachments, transmitting the County's *FY 2010 Third Quarter Review* with appropriation resolutions and the Fairfax County Public Schools staff's recommendations on the *FY 2010 Third Quarter Review*. A memorandum transmitting final recommendations on the School Board's *FY 2010 Third Quarter Review* will be distributed separately to the Board.

STAFF:

Anthony H. Griffin, County Executive

Edward L. Long, Jr., Deputy County Executive

Susan W. Datta, Director, Department of Management and Budget

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March 9, 2010

ACTION - 1

Adoption of a Resolution Approving the Issuance by the Fairfax County Economic Development Authority of its Revenue Bonds for the Benefit of George Mason University Foundation, Inc.

ISSUE:

Board adoption of a resolution for the Fairfax County Economic Development Authority to issue revenue bonds up to \$38,000,000 for the benefit of George Mason University Foundation, Inc.

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached resolution.

TIMING:

Board action is requested on March 9, 2010.

BACKGROUND:

The Fairfax County Economic Development Authority has received a request from George Mason University Foundation, Inc. ("Foundation") to issue its revenue bonds in an amount not to exceed the sum of \$38,000,000. The purpose of the bonds will be to finance the acquisition and construction of new administrative and classroom facilities to be located at 4441 George Mason Boulevard, Fairfax County, Virginia 22030. The new facility will consist of a five-story office building which will have administrative offices, classrooms and limited retail space oriented to the campus, all of which will serve the George Mason University as well as benefit Fairfax County and the metropolitan area.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1 - Resolution of the Board of Supervisors  
Attachment 2 - Certificate of Public Hearing with supporting documents

STAFF:

Anthony H. Griffin, County Executive  
Gerald L. Gordon, Director, Fairfax County Economic Development Authority

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Board Agenda Item  
March 9, 2010

INFORMATION – 1

Request for Proposal for Food Service at the Herrity Building (Deli/Cafeteria) and Vending Services in all County Facilities

As directed by the Board of Supervisors and the Smart Services Task Force, the county has developed the core elements of a request for proposal (RFP) to provide food service at the Herrity Building and vending services in multiple County facilities. The RFP will require that selected vendor(s):

- Staff and operate a deli/cafeteria style food eatery in the Herrity Building;
- Furnish, install, maintain and repair vending machines in multiple County facilities;
- Provide a variety of quality prepared foods that are consistent with the approved food service industry standards for comparable “business and industry” dining facilities;
- Provide beverage and snack vending machines and snack products;
- Share program generated revenue with the County.

Unless otherwise directed by the Board of Supervisors, the Department of Purchasing and Supply Management will release a request for proposal with scope, background, and tasks substantially in the form of Attachment I in March 2010. The initial contract will be three years and provide for seven optional one-year renewals.

FISCAL IMPACT:

Revenues collected from vending machines sales and food services will be deposited in the County General Fund.

ENCLOSED DOCUMENTS:

Attachment A: Draft RFP scope, background, and tasks to be performed

STAFF:

Edward L. Long, Jr., Deputy County Executive  
Jose A. Comayagua, Jr., Director, Facilities Management Department  
Cathy A. Muse, Director, Department of Purchasing and Supply Management

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Board Agenda Item  
March 9, 2010

## INFORMATION - 2

### Consolidated Plan Certification for the Fairfax County Redevelopment and Housing Authority Public Housing and Housing Choice Voucher Five-Year Plan for Fiscal Years 2010-2014 and Annual Plan for Fiscal Year 2010

On March 4, 2010, the Fairfax County Redevelopment and Housing Authority (FCRHA) approved the submission of its Public Housing and Housing Choice Voucher Five-Year Plan for Fiscal Years (FY) 2010-2014 and Annual Plan for FY 2010 (FCHRA Fiscal Year 2011) to the U.S. Department of Housing and Urban Development (HUD). This plan update is required by the Quality Housing and Work Responsibility Act (QHWRA) of 1998, and submission to HUD is a requirement for receipt of federal Public Housing and Housing Choice Voucher funds. Certification that the plan is consistent with the Fairfax County Consolidated Plan is part of the required submission due to HUD by April 16, 2010. County policy requires that the Board be informed of Consolidated Plan certifications.

The Public Housing and Housing Choice Voucher Five-Year and Annual Plan articulates the FCRHA's mission for serving the housing needs of low-income and very low-income households, and the FCRHA's strategy for addressing those needs. The plan is presented in a HUD-mandated format, and has had extensive review by the FCRHA, the public, and the FCRHA's Resident Advisory Council (RAC), which represents Public Housing and Housing Choice Voucher participants. The Fairfax County Department of Housing and Community Development (HCD) received comments from the RAC on November 18, 2009; the RAC's comments and HCD's responses have been included in the Plan. The FCRHA made the plan available for public comment from November 2, 2009 through December 16, 2009. No comments were received during the public comment period or during the public hearing, which was held January 21, 2010.

Copies of the Plan are available through HCD upon request.

Unless directed otherwise by the Board, the County Executive will sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Public Housing and Housing Choice Voucher Five-Year Plan for Fiscal Years 2010-2014 and Annual Plan for Fiscal Year 2010 to be submitted to HUD.

Board Agenda Item  
March 9, 2010

ENCLOSED DOCUMENTS:

Attachment 1: Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan (HUD Form)

STAFF:

Patricia Harrison, Deputy County Executive

Paula C. Sampson, Director, Department of Housing and Community Development (HCD)

Mary A. Stevens, Deputy Director, HCD

Carol Erhard, Director, Rental Services Division, HCD

Vincent Rogers, Management Analyst, Rental Services Division, HCD

Board Agenda Item  
March 9, 2010

### INFORMATION - 3

#### Contract Award – Lee District Park Family Recreation Area Treehouse (Lee District)

Fourteen (14) sealed bids for construction of a treehouse in the Family Recreation Area at Lee District Park, in Project 475508, Park Development, in Fund 370, Park Authority Bond Construction, were received and opened on December 17, 2009, as detailed in Attachment 1.

This project is included in the FY 2010 – FY 2014 Adopted Capital Improvement Program.

The lowest responsive and responsible bidder is Sumter Contracting Corporation of Fairfax, Virginia. Their total bid of \$149,150 is \$80,850, or 35% below the Engineer's estimate of \$230,000, and \$11,850 below the next lowest bidder.

Based on their financial capability and construction experience, Sumter Contracting Corporation is considered to be a responsible contractor and holds an active Virginia Class A Contractor's license.

The Department of Tax Administration has verified that Sumter Contracting Corporation has the appropriate Fairfax County Business, Professional, and Occupational License (BPOL).

On February 24, 2010, the Fairfax County Park Authority Board approved the contract award.

Unless otherwise directed by the Board of Supervisors, the Park Authority will proceed to award this contract to Sumter Contracting Corporation in the amount of \$149,150.

#### FISCAL IMPACT:

Based on the post-bid update, funding in the amount of \$201,014 is necessary to award this contract and to fund the associated contingency, administrative costs and other project-related costs. Funds are currently appropriated in the amount of \$201,014 in Project 475508, Park Development, Fund 370, Park Authority Bond Construction to award this contract and to fund the associated contingency, administrative costs and other project-related costs.

Board Agenda Item  
March 9, 2010

ENCLOSED DOCUMENTS:

Attachment 1: Bid Results

Attachment 2: Lee District Park Family Recreation Area Plan

Attachment 3: Engineer's Estimate

STAFF:

Robert A. Stalzer, Deputy County Executive

John W. Dargle, Jr., Director, Fairfax County Park Authority

Board Agenda Item  
March 9, 2010

INFORMATION – 4

2009 Virginia Pollutant Discharge Elimination System Permit Annual Report for Fairfax County, Virginia

Fairfax County Department of Public Works and Environmental Services prepared the 2009 Virginia Pollutant Discharge Elimination System Permit Annual Report for submission to the Virginia Department of Conservation and Recreation (DCR) in compliance with Virginia Pollutant Discharge Elimination System (VPDES) Permit VA0088587, Part I, Section C.4. The annual report documents activities performed by the County between January 1, 2009, and December 31, 2009, to satisfy requirements of its VPDES permit to operate a municipal separate storm sewer system (MS4). The report is formatted to meet DCR's request for a concise summary of activities related to each permit requirement presented in the order in which they appear in the MS4 permit. The current permit was issued January 24, 2002, and expired January 24, 2007. The County is currently operating under an administrative continuance of the existing permit in anticipation of permit renewal later this year.

Unless otherwise directed by the Board of Supervisors, the County Executive will forward the "2009 VPDES Permit Annual Report" with attachments to DCR and to others as requested, and will publish it on the County's Web site.

FISCAL IMPACT:

No fiscal impact is associated with the submittal of this report to the Department of Conservation and Recreation.

ENCLOSED DOCUMENT:

Attachment 1: 2009 VPDES Permit Annual Report

STAFF:

Robert A. Stalzer, Deputy County Executive  
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)  
Howard J. Guba, Deputy Director, DPWES  
Randolph W. Bartlett, Deputy Director, DPWES

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INFORMATION - 5

Contract Award – Enhanced Nutrient Removal – Moving Bed Biofilm Reactor (MBBR) and Related Modifications at Noman M. Cole, Jr., Pollution Control Plant (Mount Vernon District)

A total of eight contractors were pre-qualified to bid on the project for the construction of the Enhanced Nutrient Removal (ENR) - MBBR and Related Modifications, Project N00323, Noman M. Cole, Jr., Pollution Control Plant, in Fund 408, Sewer Bond Construction, located at 9399 Richmond Highway, Lorton, Virginia. Five sealed bids were received and opened on Tuesday, February 16, 2010. This project will provide for the construction of a new MBBR facility, to include a Chemical Feed and Blower facility, improvements to the Activated Sludge Effluent Pump Station and the screenings building, and all related electrical, mechanical, instrumentation, and site work. The project will result in enhanced nitrogen removal from the Noman M. Cole, Jr., Pollution Control Plant effluent. This project is included in the FY 2010 – FY 2014 Adopted Capital Improvement Program (with Future Fiscal Years to 2019).

The implementation of the ENR – MBBR and Related Modifications project is required to comply with the State of Virginia regulations for nutrient dischargers to the Chesapeake Bay (9 VAC 25-40, 9 VAC 25-720, and 9 VAC 25-820). These regulations set specific limits on the amount of nitrogen and phosphorous that can be discharged from wastewater treatment plants including the Noman M. Cole, Jr., Pollution Control Plant. Upon completion of the ENR – MBBR and Related Modifications project, the Noman M. Cole, Jr., Pollution Control Plant will be capable of meeting the new nitrogen discharge limits on a sustained basis. Currently, the plant is capable of meeting the phosphorous discharge limits.

The lowest responsive and responsible bidder is Ulliman Schutte Construction, LLC. The firm's bid of \$34,667,000 is \$3,500,600 or 9% below the Engineer's Estimate of \$38,167,600. The second lowest bid of \$35,156,000 is \$489,000 or 1.4% above the low bid and the highest bid of \$40,788,000 is \$6,121,000 or 17.6% above the low bid.

Ulliman Schutte Construction, LLC has successfully performed work for other governmental jurisdictions (City of Alexandria, Virginia, and District of Columbia) and is considered a responsible contractor.

The Department of Tax Administration has verified that Ulliman Schutte Construction, LLC has the appropriate Fairfax County Business, Professional and Occupational License.

Board Agenda Item  
March 9, 2010

This bid may be withdrawn after April 3, 2010.

Unless otherwise directed by the Board of Supervisors, the Department of Public Works and Environmental Services will proceed to award this contract to Ulliman Schutte Construction, LLC in the amount of \$34,667,000.

FISCAL IMPACT:

Funding in the amount of \$40,600,000 is necessary to award this construction contract and to fund the associated contingencies and other project costs, contract administration, and inspection. Funding is currently available from the applicable projects in Fund 408, Sewer Bond Construction.

ENCLOSED DOCUMENTS:

Attachment 1 – Order of Bidders  
Attachment 2 – Vicinity Map

STAFF:

Robert A. Stalzer, Deputy County Executive  
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)  
Howard J. Guba, Deputy Director, DPWES

Board Agenda Item  
March 9, 2010

10:45 a.m.

Matters Presented by Board Members

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Board Agenda Item  
March 9, 2010

11:35 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
  - 1. *T-Mobile Northeast LLC v. Fairfax County, Virginia, and the Board of Supervisors of Fairfax County, Virginia*, Civil Action No. 1:10cv117 (E.D. Va.) (Dranesville District)
  - 2. *Christopher Wills v. Charles P. Rosenberg, Donna Marie Stephenson, John Robert Stone, Cindy Lundberg, Michael Feightner, Nathaniel McFadden, Reginald A. Johnson, Maurice Simmons, James Black, Mr. Hamed, Mr. Asib, and Hellen Fayeh*, Civil Action No. 1:09-cv-2558-RMU (D.D.C.)
  - 3. *Florinda Perez v. Fairfax County Department of Family Services*, Record No. 1644-09-4 (Va. Ct. App.)
  - 4. *Jermaine Ridgely v. Fairfax County Department of Family Services*, Record No. 2560-09-4 (Va. Ct. App.)
  - 5. *Board of Supervisors of Fairfax County, Virginia v. Satish Abrol, Kiran Abrol, Varinder Abrol, Suman Abrol, and Guaranty Residential Lending, Inc.*, Case No. CL-2000-0189010 (Fx. Co. Cir. Ct.) (Dranesville District)

6. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Edward L. Miller and Virginia P. Miller, Case No. CL-2008-0010203 (Fx. Co. Cir. Ct.) (Lee District)*
7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Kyu H. Choe, Case No. CL-2008-0014034 (Fx. Co. Cir. Ct.) (Lee District)*
8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Philip F. Herrick, Jr., Case No. CL-2009-0013424 (Fx. Co. Cir. Ct.) (Providence District)*
9. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Augusto L. Borda and Rosario Castillo, Case No. CL-2009-0013749 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team/BNV Case)*
10. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Daniel C. Robinson, Case No. CL-2009-0015917 (Fx. Co. Cir. Ct.) (Mount Vernon District) (Strike Team/BNV Case)*
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Arturo Castellon, Case No. CL-2008-0004426 (Fx. Co. Cir. Ct.) (Springfield District)*
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Juan Marquez and Angela Del Carmen Marquez, a.k.a. Angela D. C. Marquez, Case No. CL-2009-0010490 (Fx. Co. Cir. Ct.) (Lee District)*
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Thu Hong Dang and Tham Thu Dang, Case No. CL-2009-0014881 (Fx. Co. Cir. Ct.) (Mason District)*
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. James G. Miller, Trustee of the James G. Miller Living Trust, and Atlantic Construction Fabrics, Inc., Case No. CL-2009-0002430 (Fx. Co. Cir. Ct.) (Sully District)*
15. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Norman Mesewicz, Case No. CL-2007-0008884 (Fx. Co. Cir. Ct.) (Braddock District)*
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wayne F. Sandross and Lisa L. Sandross, Case No. CL-2009-0010923 (Fx. Co. Cir. Ct.) (Braddock District)*

17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tomas Perez*, Case No. CL-2009-0014660 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Shifflett, Sr., and Judith M. Shifflett*, Case No. CL-2009-0014727 (Fx. Co. Cir. Ct.) (Mount Vernon District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tony A. Hicks, RC Labor & Erocion Control, Inc., and Hicks Plumbing Services, LLC*, Case No. CL-2009-0013133 (Fx. Co. Cir. Ct.) (Springfield District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Elaine Ayers Schumacher, a/k/a Ellen Elaine Schumacher*, Case No. CL-2010-0001667 (Fx. Co. Cir. Ct.) (Mount Vernon District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Juan Jarjuri and Sofia Jarjuri*, Case No. CL-2010-0002310 (Fx. Co. Cir. Ct.) (Mason District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Joseph J. Dunn*, Case No. CL-2010-0002477 (Fx. Co. Cir. Ct.) (Lee District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mohammad A. Rad*, Case No. 10-0001808 (Fx. Co. Gen. Dist. Ct.) (Providence District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jacqueline Tillery*, Case No. 10-0001810 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Theia D. Trusselle*, Case No. 10-0001811 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Karen A. Hernandez and Keon De Roche*, Case No. 10-0001647 (Fx. Co. Gen. Dist. Ct.) (Lee District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tram K. Le and Phong Q. Le*, Case No. 10-0001645 (Fx. Co. Gen. Dist. Ct.) (Providence District)

28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ali Ahmed and Widad HamadInail*, Case No. 10-0001472 (Fx. Co. Gen. Dist. Ct.) (Sully District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Iglesia De Dios Pentecostal Esmirna, Inc.*, Case No. 10-0004099 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

Board Agenda Item  
March 9, 2010

3:00 p.m.

Public Hearing on PCA 91-P-027 (JSH Enterprises, LLC) to Amend the Proffers for RZ 91-P-027 Previously Approved for Commercial Development to Permit Construction of a Light Vehicle Service Establishment and Modifications of Minimum Lot Size and Lot Width Requirements and Associated Modifications to Proffers and Site Design with an Overall Floor Area Ratio of 0.27, Located on Approximately 20,901 Square Feet Zoned C-8 and HC, Providence District

and

Public Hearing on SE 2009-PR-021 (JSH Enterprises, LLC) to Permit a Light Vehicle Service Establishment and Modifications of Minimum Lot Size and Lot Width, Located on Approximately 20,901 Square Feet Zoned C-8 and HC, Providence District

The application property is located at 7800 Lee Highway, Tax Map 49-2 ((1)) 93.

**PLANNING COMMISSION RECOMMENDATION:**

On Thursday, January 28, 2010, the Planning Commission voted 8-0-1 (Commissioner Murphy abstaining; Commissioner Sargeant not present for the vote; Commissioners Hall and Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 91-P-027, subject to the execution of proffers consistent with those dated January 27, 2010;
- Approval of SE 2009-PR-021, subject to the Development Conditions dated January 27, 2010 and subject also to Board approval of PCA 91-P-027;
- Waiver of the requirements to construct a major paved trail along the site frontage on Route 29 (Lee Highway), in favor of the right-of-way dedication and the existing sidewalk shown on the GDP/SE Plat;
- Modification of the transitional screening and barrier requirements along the southern property line, in favor of the landscaping shown on the GDP/SE Plat; and
- Direct the Director of the Department of Public Works & Environmental Services to permit a deviation from the tree preservation target percentage, in favor of the proposed landscaping shown on the GDP/SE Plat and as proffered.

Board Agenda Item  
March 9, 2010

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)  
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

Board Agenda Item  
March 9, 2010

3:00 p.m.

Public Hearing on SEA 95-S-038-02 (The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and His Successors in Office) to Amend SE 95-S-038 Previously Approved for a Church with a Private School of General Education and Nursery School to Permit Building Additions, Site Modifications and Associated Modifications to Development Conditions with No Increase in Enrollment, Located on Approximately 10.18 Acres, Zoned R-1, Springfield District

The application property is located at 6398 Nativity Lane Tax Map 88-1 ((1)) 10.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 28, 2010, the Planning Commission voted 8-0-1 (Commissioner Litzenberger abstaining; Commissioner Sargeant not present for the vote; Commissioners Hall and Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SEA 95-S-038-02, subject to the Development Conditions dated January 27, 2010;
- Modification of the transitional screening requirements along the southern lot lines and a portion of the western lot lines, as conditioned;
- Waiver of the barrier requirements along the southern, western, and northern lot lines, as conditioned; and
- Waiver of the construction of frontage improvements along Old Keene Mill Road in favor of the right-of-way dedication, as shown on the SEA Plat and as conditioned.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)  
Suzianne Zottl, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item  
March 9, 2010

3:30 p.m.

Public Hearing on RZ 2009-DR-016 (Madison Building Associates LLC and Second Madison Building Associates LLC) to Rezone from C-6, CRD, HC and SC to PDC, CRD, HC and SC to Permit Mixed Use Development with an Overall Floor Area Ratio of 1.22, Located on Approximately 2.66 Acres, Dranesville District

The application property is located on the east side of Beverly Road, west side of Old Chain Bridge Road, approximately 100 feet south of its intersection with Fleetwood Road, Tax Map 30-2 ((4)) (D) 11B and 47A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, February 25, 2010, the Planning Commission voted unanimously (Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2009-DR-016, subject to the execution of proffers consistent with those dated February 17, 2010;
- Approval of the P-District variance, in accordance with the provisions of Par. 8 of Sect. 16-401 of the Zoning Ordinance, to allow the proposed secondary uses as proffered to exceed 25% of the proposed principal uses;
- Approval of a 20% reduction in required parking to permit 229 spaces instead of 286 spaces;
- Modification of the transitional screening requirement along the western property line in favor of the proposed landscaping, as shown on the CDP/FDP;
- Waiver of the barrier requirements along all property lines of parcel 47A and along the western property line of parcel 11B;
- Modification of the trail requirement along Old Chain Bridge Road, in favor of that shown on the CDP/FDP;
- Modification of the peripheral parking lot landscaping, in favor of that shown on the CDP/FDP; and
- Direct the Director of the Department of Public Works and Environmental Services to permit a deviation from the tree preservation target percentage, in favor of the proposed landscaping shown on the CDP/FDP.

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The Planning Commission also voted unanimously (Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting) to approve FDP 2009-DR-016, subject to Board approval of RZ 2009-DR-016 and the associated Conceptual Development Plan and subject also to the Development Conditions dated February 18, 2010, with the deletion of Conditions 1 and 3.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)  
Brenda Cho, Staff Coordinator, Zoning Evaluation Division, DPZ

Board Agenda Item  
March 9, 2010

3:30 p.m.

Public Hearing on SE 2009-MA-015 (Ana L. Cornejo) to Permit a Waiver of the Minimum Lot Width Requirement, Located on Approximately 2.17 Acres Zoned R-2, Mason District

The application property is located at 4921 Backlick Road and 4954 Sunset Lane, Tax Map 71-3 ((1)) 24A and 71-4 ((1)) 20.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, February 4, 2010, the Planning Commission voted 7-0-1 (Commissioner Flanagan abstaining; Commissioner Sargeant not present for the vote; Commissioners Alcorn, Hall, and Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2009-MA-015, subject to the Development Conditions dated January 5, 2010;
- Direct the Director of the Department of Public Works & Environmental Services (DPWES) to waive the minimum pavement width for pipestem driveways as shown in Plate 11-7 of the Public Facilities Manual;
- Direct the Director of DPWES to waive Sect. 2-0103.2 of the Public Facilities Manual; and
- Waive the sidewalk and trail requirement along Backlick Road in favor of County Project Number 4YP201-PB025.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)  
Suzianne Zottl, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item  
March 9, 2010

3:30 p.m.

Public Hearing on SE 2009-LE-022 (BB&T (Successor in Interest to Mt. Vernon Nat'l Bank and Trust Co.)) to Permit a Drive-In Financial Institution in a Highway Corridor Overlay District and Modifications and Waivers in a Commercial Revitalization District, Located on Approximately 42,500 Square Feet Zoned C-6, CRD and HC, Lee District

**Public hearing on SE 2009-LE-022 (BB&T (Successor in Interest to Mt. Vernon Nat'l Bank and Trust Co.)) is to be deferred to 3/23/2010 at 3:30 p.m.**

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Board Agenda Item  
March 9, 2010

3:30 p.m.

Public Hearing on RZ 2009-MA-011 (Westlawn Limited Partnership) to Rezone from C-6 and C-8 and HC to C-6 and HC to Permit Commercial Development with an Overall Floor Area Ratio of 0.32, Located on Approximately 8.36 Acres, Mason District

and

Public Hearing on SEA 95-M-039 (Westlawn Limited Partnership) to Amend SE 95-M-039 Previously Approved for a Vehicle Sales, Rental and Ancillary Service Establishment to Permit an Increase in Land Area, Site Modifications, Modifications of Conditions, and Vehicle Sales Rental and Ancillary Service Establishment, Drive-In Financial Institutions, Drive-Through Pharmacy and an Increase in Building Height From 40 ft. up to a Maximum of 50 feet, Located on Approximately 8.36 Acres Zoned C-6 and HC, Mason District

The application property is located in the southwest quadrant of the intersection of Arlington Boulevard and Annandale Road at 3008, 3030 and 3040 Annandale Rd and 6715 Arlington Boulevard, Tax Map 50-4 ((1)) 6 and 7; 50-4 ((17)) H and H1.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on February 25, 2010 and the Commission deferred decision to Wednesday, March 3, 2010. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)  
Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item  
March 9, 2010

3:30 p.m.

Public Hearing on RZ 2009-HM-014 (Reston Hospital Center LLC) to Rezone from I-5 and C-3 to PRC to Permit Mixed Use Development (Including Office and Medical Care Facilities) with an Overall Floor Area Ratio of .70, Located on Approximately 31.65 Acres, Hunter Mill District

and

Public Hearing on PRC 2009-HM-014 (Reston Hospital Center LLC) to Approve the PRC Plan Associated with RZ 2009-HM-014 to Permit Mixed Use Development (Including Office and Medical Care Facilities), Located on Approximately 31.65 Acres Zoned PRC, Hunter Mill District

and

Public Hearing on PCA 89-C-025-05 (Reston Hospital Center LLC) to Amend the Proffers for RZ 89-C-025 Previously Approved for Mixed Use Development to Permit the Deletion of Land Area and Associated Modifications to Site Design, Located on Approximately 9.33 Acres Zoned PRC, Hunter Mill District

and

Public Hearing on DPA 89-C-025-04 (Reston Hospital Center LLC) to Permit the 4th Amendment of the Development Plan for RZ 89-C-025 to Permit Mixed Use Development (Including Office and Medical Care Facility) with an Overall Floor Area Ratio of .70 and Associated Modifications to Site Design, Located on Approximately 9.33 Acres Zoned PRC, Hunter Mill District

The application property is located in the northeast quadrant of the intersection of the Fairfax County Parkway and New Dominion Parkway and on the west side of Town Center Parkway.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission is scheduled to rehear these applications on Wednesday, March 3, 2010. The Commission's recommendations will be forwarded to the Board of Supervisors subsequent to that date.

**ENCLOSED DOCUMENTS:**

None. Staff Report previously furnished.

Board Agenda Item  
March 9, 2010

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)  
Brenda Cho, Staff Coordinator, Zoning Evaluation Division, DPZ

Board Agenda Item  
March 9, 2010

4:00 p.m.

Public Hearing on SE 2009-DR-008 (Oakcrest School) to Permit a Private School of General Education with a Total Daily Enrollment of 450 Students Located on Approximately 23.0 Acres Zoned R-E, Dranesville District

The application property is located on the south side of Crowell Road approximately 1,200 feet east of its intersection with Hunter Mill Road and north of Dulles Toll Road, Tax Map 18-4 ((1)) 26C; 18-4 ((8)) A and 4.

**Public hearing on SE 2009-DR-008 (Oakcrest School) is to be deferred to 3/23/2010 at 4:30 p.m.**

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Board Agenda Item  
March 9, 2010

4:00 p.m.

Public Hearing on Proposed Comprehensive Plan Amendment S09-CW-2CP Regarding Revisions to the Comprehensive Plan to Update Information on Heritage Resources

ISSUE:

Plan Amendment S09-CW-2CP proposes amending the Area Plan volumes of the Comprehensive Plan to add new information on 15 new properties added to the County's Inventory of Historic Sites and to revise information on heritage resources in text and figures that is currently out of date. The proposed plan amendment would update information in the County's Inventory of Historic Sites tables and maps, revise text where new research has uncovered more accurate information on sites, and revise the language in the Heritage Resources sections of the Dulles Suburban Center and Fairfax Center special planning areas to reflect the language in the Heritage Resources sections of the Planning Districts.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, February 4, 2010, the Planning Commission voted unanimously (Commissioners Alcorn, Hall, and Harsel absent from the meeting) to recommend that the Board of Supervisors adopt Plan Amendment S09-CW-2CP, as set forth in the staff report dated January 14, 2010.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the Planning Commission recommendation for Plan Amendment S09-CW-2CP. The recommendation would update the Comprehensive Plan to provide the most accurate and current information on the County's heritage resources.

TIMING:

Planning Commission public hearing – February 4, 2010  
Board of Supervisors public hearing – March 9, 2010

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BACKGROUND:

On December 7, 2009, the Board of Supervisors endorsed the establishment of an annual process to update the County's Inventory of Historic Sites in the Comprehensive Plan, as recommended by the History Commission. On this date the board also authorized the proposed 2009 county-wide heritage resources plan amendment at the request of the History Commission. In the 2009 calendar year 15 properties have been added to the Inventory of Historic Sites, which is maintained by the History Commission. New research has uncovered more accurate information on other sites. Additionally, editorial changes are necessary to correct factual information.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I – Staff Report for OTPA Item S09-CW-2CP

Attachment II – Planning Commission Verbatim and Recommendation

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Fred R. Selden, Director, Planning Division (PD), DPZ

Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ

Linda Cornish Blank, Historic Preservation Planner, Policy and Plan Development Branch, PD, DPZ

Laurie Turkawski, Historian I, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
March 9, 2010

4:00 p.m.

Public Hearing to Establish the Prosperity Heights Community Parking District  
(Providence District)

ISSUE:

Public hearing to consider a proposed amendment to Appendix M of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to establish the Prosperity Heights Community Parking District (CPD).

RECOMMENDATION:

The County Executive recommends that the Board adopt the amendment to the Fairfax County Code shown in Attachment I to establish the Prosperity Heights CPD in accordance with existing CPD restrictions.

TIMING:

The public hearing was authorized on February 9, 2010, for March 9, 2010, at 4:00 p.m.

BACKGROUND:

Fairfax County Code Section 82-5B-2 authorizes the Board to establish a CPD for the purpose of prohibiting or restricting the parking of watercraft; boat trailers; motor homes; camping trailers and any other trailer or semi-trailer; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4 on the streets in the CPD.

No such CPD shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such CPD for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip or (iv) restricted vehicles that are temporarily parked on a public street within any such CPD for use by federal, state, or local public agencies to provide services.

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Pursuant to Fairfax County Code Section 82-5B-3, the Board may establish a CPD if: (1) the Board receives a petition requesting such an establishment and such petition contains the names and signatures of petitioners who represent at least 60 percent of the addresses within the proposed CPD, and represent more than 50 percent of the eligible addresses on each block of the proposed CPD, (2) the proposed CPD includes an area in which 75 percent of each block within the proposed CPD is zoned, planned or developed as a residential area, (3) the Board receives an application fee of \$10 for each petitioning property address in the proposed CPD, and (4) the proposed CPD must contain the lesser of (i) a minimum of five block faces or (ii) any number of blocks that front a minimum of 2,000 linear feet of street as measured by the centerline of each street within the CPD.

Staff has verified that the requirements for a petition-based CPD have been satisfied.

The parking prohibition identified above for the Prosperity Heights CPD is proposed to be in effect seven days per week, 24 hours per day.

FISCAL IMPACT:

The cost of sign installation is estimated at \$450 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:

Attachment I: Amendment to the Fairfax County Code, Appendix M (CPD Restrictions)  
Attachment II: Area Map of Proposed Prosperity Heights CPD

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)  
Selby Thannikary, Chief, Traffic Operations Section, FCDOT  
Maria Turner, Sr. Transportation Planner, FCDOT  
Janet Nguyen, Transportation Planner, FCDOT

Board Agenda Item  
March 9, 2010

4:00 p.m.

Public Hearing to Establish the Heritage Forest Community Parking District (Sully District)

ISSUE:

Public hearing to consider a proposed amendment to Appendix M of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to establish the Heritage Forest Community Parking District (CPD).

RECOMMENDATION:

The County Executive recommends that the Board adopt the amendment to the Fairfax County Code shown in Attachment I to establish the Heritage Forest CPD in accordance with existing CPD restrictions.

TIMING:

The public hearing was authorized on February 9, 2010, for March 9, 2010, at 4:00 p.m.

BACKGROUND:

Fairfax County Code Section 82-5B-2 authorizes the Board to establish a CPD for the purpose of prohibiting or restricting the parking of watercraft; boat trailers; motor homes; camping trailers and any other trailer or semi-trailer; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4 on the streets in the CPD.

No such CPD shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such CPD for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip or (iv) restricted vehicles that are temporarily parked on a public street within any such CPD for use by federal, state, or local public agencies to provide services.

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Pursuant to Fairfax County Code Section 82-5B-3, the Board may establish a CPD if: (1) the Board receives a petition requesting such an establishment and such petition contains the names and signatures of petitioners who represent at least 60 percent of the addresses within the proposed CPD, and represent more than 50 percent of the eligible addresses on each block of the proposed CPD, (2) the proposed CPD includes an area in which 75 percent of each block within the proposed CPD is zoned, planned or developed as a residential area, (3) the Board receives an application fee of \$10 for each petitioning property address in the proposed CPD, and (4) the proposed CPD must contain the lesser of (i) a minimum of five block faces or (ii) any number of blocks that front a minimum of 2,000 linear feet of street as measured by the centerline of each street within the CPD.

Staff has verified that the requirements for a petition-based CPD have been satisfied.

The parking prohibition identified above for the Heritage Forest CPD is proposed to be in effect seven days per week, 24 hours per day.

FISCAL IMPACT:

The cost of sign installation is estimated at \$550 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:

Attachment I: Amendment to the Fairfax County Code, Appendix M (CPD Restrictions)  
Attachment II: Area Map of Proposed Heritage Forest CPD

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)  
Selby Thannikary, Chief, Traffic Operations Section, FCDOT  
Maria Turner, Sr. Transportation Planner, FCDOT  
Janet Nguyen, Transportation Planner, FCDOT

Board Agenda Item  
March 9, 2010

4:00 p.m.

Public Hearing to Consider an Ordinance Amending County Code Relating to Election Precincts (Hunter Mill, Mason and Providence Districts)

ISSUE:

An ordinance that proposes to amend Chapter 7 of the Fairfax County Code to (1) move the polling place for Coppermine precinct and rename the precinct; (2) temporarily move the polling place for Masonville precinct; (3) move the polling place for Skyline precinct; and (4) temporarily move the polling place for Greenway precinct.

RECOMMENDATION:

The County Executive recommends adoption of the proposed ordinance.

TIMING:

The Board authorized this public hearing on February 23, 2010. Board action on March 9, 2010, at 4:00 p.m. is necessary to provide sufficient time to complete the federal preclearance process in advance of the 2010 primary and general elections.

BACKGROUND:

Virginia Code permits the governing body of each county and city to establish by ordinance as many precincts as it deems necessary with one polling place for each precinct. The Board of Supervisors is authorized to change polling place locations subject to the requirements of Virginia Code Sections 24.2-310 and 24.2-310.1. All registered voters who are affected by a change in their polling place will be mailed a new Virginia Voter Information Card following federal preclearance of the proposed changes.

(1) In Hunter Mill District, staff recommends moving the polling place for Coppermine precinct from the McNair Elementary School located at 2499 Thomas Jefferson Drive, Herndon, to the new Lutie Lewis Coates Elementary School located at 2480 River Birch Road, Herndon. Currently, Coppermine and McNair precincts vote at the same location. This proposed change will reduce the congestion at McNair Elementary School and provide a convenient and easily accessible public facility for the voters in this precinct. Additionally, staff recommends changing the name of the precinct from "Coppermine" to "Coates" to be consistent with the name of the school.

(2) In Mason District, staff recommends temporarily moving the polling place for the Masonville precinct from the Lacey Center located at 3705 Crest Drive, Annandale, to the Westminster School located at 3819 Gallows Road, Annandale. The Lacey Center is being

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demolished and reconstructed beginning in the summer of 2010. The new building is expected to be completed by the summer of 2012. The Westminster School has kindly offered the use of their facility as a temporary polling place while the Lacey Center is under construction.

(3) In Mason District, staff recommends permanently moving the polling place for the Skyline precinct from the Skyline Sport and Health Club located at 5115 Leesburg Pike, Falls Church, to the National Association of Power Engineers, located in the Bank of America Building at 5707 Seminary Road, Falls Church. Shortly before the November 2009 General Election, the Skyline Sport and Health Club notified the Electoral Board that a portion of their facility was being leased to another organization and that there would be insufficient space for a polling place following the November 2, 2009, General Election. After an extensive search in the Skyline area, the Office of Elections was able to reach an agreement with the National Association of Power Engineers to use their training facility for a polling place.

Since the Fairfax County Circuit Court ordered a Special Election to be held on March 2, 2010, to fill the vacant School Board seat in Mason District, and since the Board of Supervisors' schedule did not allow sufficient time to advertise and hold a public hearing prior to the March 2 Special Election, the Electoral Board voted on February 1 to temporarily move the polling place to the National Association of Power Engineers training facility under the emergency provision as outlined in Va. Code § 24.2-310 (D). On February 9, the State Board of Elections approved this emergency change which was then submitted to the U.S. Department of Justice for preclearance pursuant to Section 5 of the Voting Rights Act.

(4) In Providence District, staff recommends temporarily moving the polling place for the Greenway precinct from the Devonshire Administrative Center located at 2831 Graham Road, Falls Church, to the Timber Lane Elementary School located at 2737 West Street, Falls Church. The Devonshire Administrative Center is being demolished and reconstructed beginning in the summer of 2010. The new building, which will become the new Graham Road Elementary School, is expected to be completed by the summer of 2012.

FISCAL IMPACT:

Insignificant. Funding for polling place change notifications is provided in the agency's FY 2010 Adopted Budget.

ENCLOSED DOCUMENTS:

Attachment 1 - Virginia Code Pertaining to Election Precincts and Polling Places

Attachment 2 - Summary of Proposed Changes

Attachment 3 – Maps and Descriptions of Proposed Polling Place Changes

Attachment 4 - Proposed Ordinance

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STAFF:

Edgardo Cortés, General Registrar  
Michael Long, Deputy County Attorney

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