

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
APRIL 26, 2011**

AGENDA

9:30	Done	Presentations
10:30		Board Adoption of the FY 2012 Budget
10:45	Approved	Board Decision on the Alternative Plans Submitted to the Board by the Advisory Citizens Committee and the Public to Reapportion the Election Districts of the Board of Supervisors
11:00	Done	Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
11:00	Done	Items Presented by the County Executive

ADMINISTRATIVE ITEMS

1	Approved	Designation of Plans Examiner Status Under the Expedited Land Development Review Program
2	Approved	Authorization to Advertise a Public Hearing to Expand the Amberwood Community Parking District (Hunter Mill District)
3	Approved	Approval of "Watch for Children" Signs as Part of the Residential Traffic Administration Program (Dranesville and Mason Districts)
4	Approved	Extension of Review Periods for 2232 Review Applications (Braddock, Hunter Mill, and Springfield Districts)
5	Approved	Streets into the Secondary System (Braddock, Dranesville, Mount Vernon, Providence, and Springfield Districts)
6	Approved	Authorization to Advertise Public Hearings on Adoption of a New County Soils Map and Proposed Amendments to Chapter 107 (Problem Soils) of the Code of the County of Fairfax and the Public Facilities Manual Re: New Soil Survey
7	Approved	Authorization to Advertise a Public Hearing on a Proposed Amendment to the Public Facilities Manual (PFM) RE: Editorial and Formatting Changes, Elimination of Metric System Units and Plates, and a PFM Reprint

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
APRIL 26, 2011**

ACTION ITEMS

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| 1 | Approved | Approval of the Virginia Railway Express (VRE) Operations Board FY 2012 Operating and Capital Budgets Resolution 9A-12-2010 to Amend the Master Agreement Related to Arlington and Alexandria's Subsidies |
| 2 | Approved | Designation of Virginia Department of Transportation FY 2012 Revenue Sharing Program Funds and Matching Fairfax County Funds (Springfield and Sully Districts) |
| 3 | Deferred | Endorsement of the Proposed <i>Fairfax County Fair Housing Analysis of Impediments Five-Year Fair Housing Planning Document (2011-2015)</i> (Proposed Local Plan) |
| 4 | Approved | Approval of the Disease Carrying Insects Program |
| 5 | Approved | Approval of the Proposed Consolidated Plan One-Year Action Plan for FY 2012 |
| 6 | Approved | Approval of Bond Resolution, Approval of Amendments to Mosaic District Community Development Authority — CDA Bylaws, and Endorsement of Special Assessment Report (Providence District) |

CONSIDERATION ITEMS

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| 1 | Deferred | Approval of Modifications to the Charter of the Fairfax County Oversight Committee on Drinking and Driving |
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INFORMATION ITEMS

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| 1 | Noted | Planning Commission Action on Application 2232-L11-1, T-Mobile Northeast L.L.C. (Lee District) |
| 2 | Noted | Contract Award – Stratton Woods Park Athletic Field Lighting, Site Lighting and Related Electrical Work (Hunter Mill District) |
| 3 | Noted | Planning Commission Action on Application 2232-D11-3, Metropolitan Washington Airports Authority in Conjunction with the Department of Rail and Public Transportation on Behalf of Washington Metropolitan Area Transit Authority (Dranesville District) |
| 4 | Noted | International Building Safety Month |

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
APRIL 26, 2011**

INFORMATION ITEMS

(continued)

5	Noted	Quarterly Status Report on the Board's Second Four-Year Transportation Program
6	Noted	Lake Fairfax Park - Stream Restoration Improvements (Hunter Mill District)
11:30	Done	Matters Presented by Board Members
12:20	Done	Closed Session

PUBLIC HEARINGS

3:30	Approved	Public Hearing on the Question of Adopting Amendments to Appendix P of the County Code Relating to the Mosaic District Community Development Authority (Providence District)
3:30	Approved	Public Hearing on SE 2010-LE-025 (Costco Wholesale Corporation) (Lee District)
3:30	Deferred to 5/10/11 for Board Decision	Public Hearing on SE 2009-MA-026 (Gossom Family Limited Partnership I, RLLLP) (Mason District)
3:30	Approved	Public Hearing on SEA 99-S-012-03 (Country Club Of Fairfax, Inc. and T-Mobile Northeast, LLC) (Springfield District)
3:30	Public hearing deferred to 5/24/11 at 3:30 p.m.	Public Hearing on RZ 2010-LE-013 (WPPI Springfield HS, LLC) (Lee District)
3:30	Approved	Public Hearing on RZ 2010-LE-009 (MR Lewin Park Capital, LLC) (Lee District)
4:00	Approved	Public Hearing on RZ 2009-BR-015 (College Town Associates, L.P.) (Braddock District)
4:00	Approved	Public Hearing on PCA C-083-02 (College Town Associates, L.P.) (Braddock District)
4:00	Approved	Public Hearing on SEA 87-A-086-02 (College Town Associates, L.P.) (Braddock District)
4:00	Approved	Public Hearing on Proposed Area Plans Review Nomination 09-III-1FC, Located South of Lee-Jackson Memorial Highway (Route 50), North of Interstate-66, and East of Legato Road (Springfield District)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
APRIL 26, 2011**

PUBLIC HEARINGS

(continued)

4:00	Approved w/amendment	Public Hearing for the Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts for Refuse/Recycling, and/or Vacuum Leaf Collection Service (Dranesville and Providence Districts)
4:00	Approved	Public Hearing on a Proposal to Prohibit Through Truck Traffic on Georgetown Pike (Eastern Section) and Balls Hill Road (Northern Section) as Part of the Residential Traffic Administration Program (Dranesville District)
4:00	Approved	Public Hearing on a Proposal to Prohibit Through Truck Traffic on Balls Hill Road (Southern Section) as Part of the Residential Traffic Administration Program (Dranesville District)
4:30	Approved	Public Hearing on a Proposal to Prohibit Through Truck Traffic on Franklin Street and Pickett Street as Part of the Residential Traffic Administration Program (Lee and Mount Vernon Districts)
4:30	Approved	Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 41.1, Animal Control and Care
5:00	No speakers	Public Comment from Fairfax County Citizens and Businesses on Issues of Concern



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Tuesday
April 26, 2011

9:30 a.m.

PRESENTATIONS

SPORTS/SCHOOLS:

- CERTIFICATE – To recognize the Robinson Secondary School wrestling team for winning the 2011 Virginia AAA State Championship. Requested by Supervisors Cook and Herryty.

DESIGNATIONS:

- PROCLAMATION – To designate April 2011 as Child Abuse Prevention Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate May 2011 as Foster Care and Foster Family Recognition Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate May 2011 as Older Americans Month in Fairfax County. Requested by Supervisor Herryty.
- PROCLAMATION – To designate May 2011 as Building Safety Month in Fairfax County. Requested by Supervisor Frey.
- PROCLAMATION – To designate May 6-12, 2011, as Nurses Week in Fairfax County. Requested by Chairman Bulova.

— more —

Board Agenda Item
April 26, 2011

- PROCLAMATION – To designate May 2011 as Asian/Pacific American Heritage Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate May 2011 as Lyme Disease Awareness Month in Fairfax County. Requested by Supervisor Herrity.

STAFF:

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

Board Agenda Item
April 26, 2011

10:30 a.m.

Board Adoption of the FY 2012 Budget Plan

ENCLOSED DOCUMENTS:

April 20, 2011 Memorandum to the Board of Supervisors from Anthony H. Griffin, County Executive, regarding adoption of the FY 2012 Budget Plan. Attachments to the memorandum include the following:

Attachment I – Board revenue and expenditure adjustments approved at the Budget Mark-up on April 12, 2011 and the Add-on package dated March 31, 2011

Attachment II - Resolution Adopting Tax Rates for FY 2012

Attachment III - FY 2012 Appropriation Resolution for County Agencies/Funds

Attachment IV - FY 2012 Appropriation Resolution for School Board Funds

Attachment V - FY 2012 Fiscal Planning Resolution

Attachment VI - FY 2012 General Fund Statement; FY 2012 General Fund Expenditures by Agency; FY 2012 Expenditures by Fund, Appropriated; and FY 2012 Expenditures by Fund, Non-Appropriated

STAFF:

Anthony H. Griffin, County Executive

Edward L. Long, Jr., Deputy County Executive

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

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County of Fairfax, Virginia

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DATE: April 19, 2011
TO: Board of Supervisors
FROM: Anthony H. Griffin
County Executive *AHG*
SUBJECT: Adoption of the FY 2012 Budget Plan

Attached for your review are the following documents:

1. Board revenue and expenditure adjustments approved at the Budget Mark-up on April 12, 2011 and the Add-on package dated March 31, 2011 (Attachment I);
2. Resolution Adopting Tax Rates for FY 2012 (Attachment II);
3. FY 2012 Appropriation Resolution for County Agencies/Funds (Attachment III);
4. FY 2012 Appropriation Resolution for School Board Funds (Attachment IV);
5. FY 2012 Fiscal Planning Resolution (Attachment V); and
6. FY 2012 General Fund Statement; FY 2012 General Fund Expenditures by Agency; FY 2012 Expenditures by Fund, Appropriated; and FY 2012 Expenditures by Fund, Non-Appropriated (Attachment VI).

The attachments noted above provide the official documentation of the adjustments made by the Board of Supervisors on April 12, 2011, associated with the markup of the FY 2012 budget. It should be noted that the Board took final action on the FY 2012-2016 Capital Improvement Program during budget mark-up on April 12.

The Real Estate Tax rate to be approved by the Board will decrease from \$1.09 per \$100 of assessed value to \$1.07 per \$100 of assessed value. The Personal Property Tax rate will remain at \$4.57 per \$100 of assessed value for most classes of personal property. The Personal Property Tax rate is reduced to \$0.01 per \$100 of assessed value for one vehicle for fully disabled veterans. This is in addition to the recent change in the Virginia Constitution which provided for a full Real Estate property tax exemption for veterans or their surviving spouse if the veteran had a 100 percent permanent and total disability related to military service. Coupled with a 2.34 percent increase in the average residential assessment, the resulting average Real Estate tax bill will be an increase of \$21.84 over the current fiscal year.

Approval of the FY 2012 Appropriation Resolutions, the FY 2012 Fiscal Planning Resolution, and the FY 2012 Resolution Adopting Tax Rates will result in a FY 2012 General Fund Disbursement level of \$3.38 billion, which is a decrease of \$24.6 million, or 0.72 percent, from

the *FY 2011 Revised Budget Plan* and an increase of \$69.36 million or 2.10 percent from the FY 2011 Adopted Budget Plan. The FY 2012 School transfer for operations totals \$1.61 billion. The FY 2012 transfer is increased \$500,000 from the FY 2011 Adopted level as a result of savings in the School-Age Child Care program that would be realized from the implementation of Full Day Kindergarten. In addition, \$163.47 million is transferred to School Debt Service. It should be noted that the Board of Supervisors maintained the increased bond sales amount for the Fairfax County Public Schools of \$155 million per year. The total County transfer to support School Operating and Debt Service is \$1.77 billion or 52.5 percent of total County Disbursements.

During their deliberations on the FY 2012 budget, the Board of Supervisors funded Advanced Life Support incumbent training in the Fire and Rescue Department to provide adequate levels of certified personnel to support minimum staffing requirements. In addition, as recommended by the Human Services Council, the Board provided an increase in funding to the Community Services Board for high school graduates with intellectual disabilities, as well as increased funding supporting the Medical Detoxification and the Diversion to Detoxification programs. These increases were primarily funded through balances identified for Board consideration in the FY 2012 Advertised Budget Plan and the *FY 2011 Third Quarter Review*, as well as funding identified by the Auditor to the Board. Funding was also provided for liability insurance for the Office of the Sheriff. Additionally, the Board deferred the Information Technology Communication Enhancement project and renovations to a fourth courtroom in the Jennings Building.

The net change in positions in FY 2012 is an increase of 39 positions from FY 2011. These new positions include 24 positions for the Community Services Board for Intensive Community Treatment teams and the Medical Detoxification and Diversion to Detoxification programs. Additionally, 12 positions will support the School Health Program in the Health Department and 3 positions are associated with the Lake Anne Facility expansion for the Reston Community Center.

In summary, the Board actions that are necessary are as follows:

- Adopt the Resolution which sets the FY 2012 tax rates for real and/or personal property, and for the local districts (community centers and sanitary districts) (Attachment II);
- Adopt the FY 2012 Appropriation Resolution for County Agencies and Funds (Attachment III);
- Adopt the FY 2012 Appropriation Resolution for School Board Funds (Attachment IV); and
- Adopt the FY 2012 Fiscal Planning Resolution (Attachment V).

Attachments

**ATTACHMENT I
SUMMARY OF GENERAL FUND RECEIPTS**

Revenue adjustments for FY 2012 are recommended in the following categories discussed below. These adjustments reflect information received subsequent to the development of the FY 2012 Advertised Budget Plan and represent a net change of \$350,000. The additional revenue from Land Development Services Building and Inspection fees, Zoning fees, and Sales Tax is partially offset by a revenue decrease in Current Real Estate Taxes and the Restaurant State Health fee. Additionally, \$2.3 million has been held in reserve for other potential state funding reductions that could occur during FY 2012. In addition to the categories detailed below, \$3.9 million previously shown as a Transfer-in from Fund 090, Public School Operating, will be reflected as a recovered cost in General Fund revenue for no net impact. These funds will support school health functions provided by the County's Health Department.

Revenue categories that are sensitive to economic change may require further adjustments during FY 2012. Economic conditions and the impact on revenue categories will be closely monitored throughout the fiscal year.

REAL ESTATE TAX - CURRENT

FY 2011 Revised	FY 2012 Advertised	FY 2012 Revised	Increase/ (Decrease)	Percent Change
\$2,006,056,795	\$2,066,757,970	\$2,063,307,970	(\$3,450,000)	-0.17%

The FY 2012 revised estimate for Current Real Estate tax is \$2,063,307,970, a decrease of \$3,450,000 from the FY 2012 Advertised Budget Plan estimate. This decrease is based on the County's Department of Tax Administration estimate of the impact of the approved amendment to the Virginia Constitution, which provides for full property tax exemption for veterans or their surviving spouse if the veteran had a 100 percent permanent and total disability related to military service. This constitutional amendment appeared on the November 2, 2010 ballot in Virginia and was approved by voters. The enabling legislation was subsequently enacted by the General Assembly and is now awaiting the Governor's signature. The exemption is expected to be applicable to tax year 2011 (FY 2012 revenues).

LOCAL SALES TAX

FY 2011 Revised	FY 2012 Advertised	FY 2012 Revised	Increase/ (Decrease)	Percent Change
\$150,174,905	\$148,606,488	\$150,174,905	\$1,568,417	1.06%

The FY 2012 revised estimate for Local Sales tax is \$150,174,905, an increase of \$1,568,417, or 1.06 percent, over the FY 2012 Advertised Budget Plan estimate. This increase is consistent with adjustments made during the *FY 2011 Third Quarter Review* process to reflect higher than anticipated receipts. The FY 2012 estimate represents no change over the FY 2011 projected Sales Tax receipts based on the expectation that consumer spending will remain relatively stable over the two fiscal years. Sales tax receipts vary monthly and growth in this category has been uneven and extremely difficult to project.

PERMITS, FEES AND REGULATORY LICENSES

FY 2011 Revised	FY 2012 Advertised	FY 2012 Revised	Increase/ (Decrease)	Percent Change
\$29,888,461	\$27,921,065	\$30,152,648	\$2,231,583	7.99%

The FY 2012 revised estimate for Permits, Fees and Regulatory Licenses is \$30,152,648, an increase of \$2,231,583 over the FY 2012 Advertised Budget Plan estimate. Of this increase, \$2.0 million reflects an increase in revenue from fees charged by Land Development Services (LDS) for building permits and inspection services, which is consistent with an adjustment made during the *FY 2011 Third Quarter Review* process to reflect higher than anticipated receipts based on permitting activity year-to-date. Construction activity is expected to be fairly stable over the two fiscal years and as a result, the base adjustment reflects no increase over FY 2011 levels. In addition, an across-the-board increase in rates has been proposed for these fees in order to account for increased costs for providing these services based primarily on the complexity of the review process. The fee increase is projected to generate an additional \$560,000 in FY 2012 and assumes an average increase in most fees of 3.1 percent. The FY 2012 estimate for LDS fees is \$20,543,309, which represents an increase of 2.8 percent over FY 2011 receipts.

The Department of Planning and Zoning has also proposed a fee increases in FY 2012 for various zoning applications and compliance letters. This fee increase is projected to generate an additional \$73,160 in FY 2012, for a total of \$2,433,187. The FY 2012 level represents an increase of 3.1 percent over FY 2011.

The Planning Commission voted to recommend that the Board adopt the fee increases for building permits, inspection fees and zoning on March 2, 2011. If approved by the Board of Supervisors, the fee increases will be effective July 1, 2011.

Offsetting these increases is a reduction in revenue of \$0.4 million. During the 2011 General Assembly session, the annual food establishment fee charged by the Health Department was lowered from \$285 to the FY 2008 level of \$40. This action results in a revenue loss to the County of \$0.4 million.

REVENUE FROM THE COMMONWEALTH

The FY 2012 revised estimate for Revenue from the Commonwealth is \$90,612,431, which represents no change from the FY 2012 Advertised Budget Plan estimate. The FY 2012 Advertised Budget Plan included an anticipated loss in state revenue of \$10.6 million. This included approved reductions from the 2010 General Assembly and a \$3.0 million reserve for additional potential cuts. During the 2011 General Assembly session, additional reductions were made to programs such as the Child Care Assistance and Referral program and the Comprehensive Services Act, while funding was partially restored for HB 599 Law Enforcement and the Juvenile Community Crime Control Act. These changes resulted in a net reduction of \$8.3 million in state revenue categories, \$2.3 million less than anticipated. As recommended by the County Executive, this \$2.3 million has been held in reserve for potential reductions that could occur during FY 2012.

ATTACHMENT II

Summary of FY 2012 Consideration Items

#	Consideration Item	Requested By	Positions	Net Cost	
				Recurring	Non-Recurring
1.	Add funding to invest in supporting more non-profit acquisition or preservation of affordable housing.	Hudgins	0 / 0.0	\$2,000,000	\$0
2.	Implement a one cent vehicle tax rate for 100 percent disabled veterans.	McKay	0 / 0.0	\$100,000	\$0
3.	Maintain a reserve fund to address impacts resulting from federal and state funding cuts.	Hudgins/ Human Services Council	0 / 0.0	\$1,000,000	\$0
4.	Provide funding to continue the Homeless Youth Initiative operated by Alternative House.	Hudgins/ Human Services Council	0 / 0.0	\$130,000	\$0
5.	Continue Healthy Families program at current level, covering loss of state funding.	Hudgins/ Human Services Council	0 / 0.0	\$0 *	\$0
6.	Provide funding for Medical Detoxification capacity to meet service demand.	Hudgins/ Human Services Council	0 / 0.0	\$600,000	\$0
7.	Include funding to prevent institution of a waiting list for Home Based Care services.	Hudgins/ Human Services Council	0 / 0.0	\$0 *	\$0
8.	Ensure services for Individuals with Intellectual Disabilities graduating from high school.	Hudgins/ Human Services Council	0 / 0.0	\$1,000,000 **	\$0
9.	Maintain Diversion to Detoxification programming at current level.	Hudgins/ Human Services Council	0 / 0.0	\$275,000	\$0
Subtotal Recurring/Non-Recurring:			0 / 0.0	\$5,105,000	\$0

Total Consideration Items: 0/0.0 SYE Positions and Total Funding of \$5,105,000

* Included on the Human Service Council list of requests for the Board of Supervisors were the restoration of funding for the Healthy Families Program (\$100,000) and Home Based Care (\$800,000) based on cuts included in the FY 2012 State budget. These amounts are not included on the Consideration Items list, as no expenditure adjustments have been taken as a result of the loss of State revenue for Healthy Families and Home Based Care.

** See Budget Q&A identifying true cost.



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Human Services
Council

At-Large
Kevin H. Bell, *Chair*
Myra Herbert

Braddock District
Dr. Jennifer Anne
Bishop
Wendy Breseman

Dranesville District
Dr. Virginia P.
Norton
Kathleen Murphy

Hunter Mill District
Baba Freeman

Lee District
Robert L. Faherty
Richard Gonzalez

Mason District
Herbert James Smith
Stephanie Mensh

Mt. Vernon District
Col. Marion
Barnwell
John R. Byers

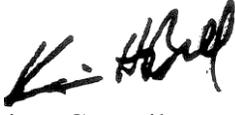
Providence District
Donna Fleming, *Vice
Chair*
Henry Wulf

Springfield District
Robert E. Gaudian
William Kogler

Sully District
Richard P. Berger
Carol A. Hawn

DATE: March 20, 2011

TO: Chairman and Members
Board of Supervisors

FROM: Kevin H. Bell, Chairman 
Fairfax County Human Services Council

SUBJECT: Recommendations Regarding the FY 2012 Advertised Budget Plan

The Human Services Council appreciates the opportunity to provide comment and guidance on the FY 2012 Advertised Budget Plan. The Council supports most of the County Executive's budget relating to human services because it balances the need to maintain Fairfax County's vital network of human services with the realities of significant fiscal restraints. Our differences with the County Executive's plan, discussed below, are relatively minor in the big picture. However, they reflect items that we think have the potential, if left untended, to have significant and costly consequences both in financial and human terms.

While it is true there are no service-level cuts to county-funded services proposed in the FY 2012 Advertised Budget Plan, there continues to be a steady increase in the number of children, families, and adults in need of housing and human service supports. In the preparation of this document, the Council was particularly concerned with the increasing number of individuals in need and the impacts of the probable federal and state funding cuts to both county services and the network of community partners.

The Human Services Council's comments are divided into four sections:

1. Support for Items Recommended in the Advertised Budget (Page 1)
2. Support of Critical Items Not Addressed in the Advertised Budget (Page 2)
3. Additional Items of Importance for the Board's Consideration (Page 4)
4. Commitment to the Viability of the County's Human Services System (Page 7)

1. Support for Items Recommended in the Advertised Budget

- **Consolidated Community Funding Pool.** General Fund support in the amount of \$8.97 million for the second year of a two-year funding cycle is an extremely wise investment, productively leveraging millions of non-county dollars to serve thousands of our community's residents with essential human services.
- **Additional Resources for the School Health Program.** Funding of \$3.8 million through the state will support 12 new Public Health Nurse positions to target schools with concentrations of high-risk students.
- **Contractual Adjustments for Human Services Programs.** This \$3.2 million for our community partners will enable these organizations to cope with the increasingly difficult needs in the community. Additional state revenue will partially offset this additional cost.
- **Comprehensive Services Act (CSA) Support.** State funding of \$1.8 million will permit the implementation of state changes to programs for at-risk children.
- **Child Care Assistance and Referral (CCAR) Program.** Additional funding of \$1.3 million, covered by increased state and federal revenues, enables the program to continue serving mandated children. CCAR assists families with child care costs based on income levels.
- **Self-Sufficiency Program.** Funding of \$1.2 million through the state will support the distribution of public assistance resources.

- **Intensive Community Treatment Teams.** Funding of \$1.1 million in the Fairfax-Falls Church Community Services Board (CSB) will provide for 20 Medicaid-funded positions to serve persons with serious mental illness and/or substance use disorders.
- **Emergency Support Reserve for Community Organizations.** In funding this \$1.0 million the County Executive recognizes the vital partnership the county government has with the nonprofit community in providing human services. Community organizations are in a precarious position. If they fail, our government’s costs and responsibilities will increase. This is an extremely prudent move.

2. Support of Critical Items Not Addressed in the Advertised Budget

SUMMARY OF RECOMMENDATIONS	AMOUNT
Maintain a reserve fund to address impacts resulting from federal and state funding cuts	\$1,000,000
Provide funding to continue the Homeless Youth Initiative operated by Alternative House	\$130,000
Provide services to residents who are most at risk:	
Continue Healthy Families program at current level, covering loss of state funding	\$100,000
Provide funding for Medical Detoxification capacity to meet service demand	\$600,000
Include funding to prevent institution of a waiting list for Home Based Care services	\$800,000
Ensure services for Individuals with Intellectual Disabilities graduating from high school	\$1,200,000
Maintain Diversion to Detoxification programming at current level	\$275,000
Total	\$4,105,000

◆ **Maintain a Reserve Fund to Address Impacts Resulting From Federal and State Funding Cuts**

The Human Services Council strongly endorses establishing a contingency fund of \$1.0 million so that we can manage our human services responsibilities properly during a time of great instability.

Rationale: Many issues are under consideration at the federal and state levels that could dramatically impact our current and future funding streams for critical human services programs. Fairfax County will realize a reduction in state funding of approximately \$9.2 million, more than one-third of which will affect our human services programs. The process of fundamentally transforming the county’s human services system to achieve more positive outcomes for our children, families, and communities requires working together with the state to provide an adequate investment in human services. If we do this, it will ultimately pay dividends for years to come; if not, we will pay the price many times over. While we recognize the financial limitations that led to the state decisions this year, we need to remind the state of its vital role and our priority list of human services.

The federal budget is of even greater concern. In particular, three programs stand as examples of the extreme vulnerability to proposed reductions in federal funding: the Community Development Block Grant (CDBG); Workforce Investment Act funding for Self-Sufficiency programs; and Affordable Child Care (Head Start and Child Care Development Block Grant.)

- **Community Development Block Grant (CDBG):** This program provides a flexible source of funding for a wide variety of affordable housing and community development activities, and is a major source of funding for the Consolidated Community Funding Pool. Fairfax County receives nearly \$6.5 million in CDBG funding, of which \$2.01 million supports the Consolidated Community Funding Pool (CCFP). The least harmful proposal is the Obama Administration’s 7.5 percent reduction in CDBG funding,

which would mean a cut of about \$485,000 to the county. The most dire is from the House of Representatives, which has proposed reducing CDBG funding by 62 percent, a reduction of \$4.0 million to the county—including a reduction of \$1.3 million to the CCFP. What is at risk for the county are programs such as the Affordable Housing component of the Consolidated Community Funding Pool, homeownership programs and relocation services, home repair for the elderly and home improvement loan programs, and capital for new construction and rehabilitation.

- **Workforce Investment Act (WIA)**: A proposal to eliminate this program by the House of Representatives would reduce funding for the SkillsSource job resource centers by about \$2.5 million, or 70 percent of this activity's resources.
- **Affordable Child Care**: The House of Representatives has proposed reducing funding for Head Start by \$1.1 billion (15 percent), which could mean a reduction of \$1.1 million for Fairfax County. If approved, it will most likely result in expanding the current waiting list of 1,326 children for Head Start and Early Head Start programs.

The Human Services Council recognizes that it will be very difficult for the county to replicate services threatened by federal and state funding reductions. Fairfax County needs to balance carefully what it can do for our most at-risk populations against our own resources so that we maintain a thriving, viable community.

◆ **Provide Funding to Continue the Homeless Youth Initiative Operated by Alternative House**

The Human Services Council recommends providing funding of \$130,000 to continue the Homeless Youth Initiative for at-risk youth operated by Alternative House.

Rationale: Proven prevention strategies supporting our youth represent good public policy, are cost effective, and are a successful way to reverse many of the emerging trends the system faces today. The Homeless Youth Initiative—a partnership funded by Fairfax County Public Schools, Fairfax County, and ARRA stimulus funding—targets 16-21 year old students who are homeless and unaccompanied. The safe and stable transitional housing and host homes in the community enable these youths to complete high school. In addition to housing and community support, youth receive case management services, individual therapy, life skills education, tutoring, and assistance with emergency food and supplies. The \$130,000 would fund half of the cost of the program. Alternative House has committed to raise the remaining funds needed to cover the cost of sustaining another year of this program.

◆ **Provide Services to Residents Who Are Most at Risk**

The Human Services Council urges the Board to consider funding these activities which, if delayed or denied, can have very serious consequences for individuals and their families.

Rationale:

- **Healthy Families**: Provide additional funding of \$100,000 to continue the program at the current service level, and to cover loss of state funding. Unless the county provides additional funding support to cover this loss of state funds, the Healthy Families program will most likely eliminate two case workers who would provide home-based supports to approximately 60 first-time, at-risk families.
- **Medical Detoxification**: Provide funding of \$600,000 for Medical Detoxification capacity to meet service demand. Due to lack of capacity, the Fairfax-Falls Church Community Services Board (CSB) was unable to provide medical detoxification services last year to 52 percent of the people seeking this service. While the CSB completes an analysis of a potential conversion of some existing social detoxification beds into medical detoxification beds to serve 235 more individuals each year, this additional funding will provide the CSB with flexibility to purchase medical detoxification services through local hospitals.

- **Home Based Care: Include funding of \$800,000 to prevent institution of a waiting list for Home Based Care services.** Over the past two years, county funding for Home Based Care services has been reduced by almost \$1.7 million, resulting in tighter policies around service levels. Over this same period, state revenue is reduced by \$800,000, which will result in the institution of a waiting list for services if the county does not cover the state funding reduction. There is no other alternative for these older adults and adults with disabilities as they do not meet the criteria for Medicaid-funded services.
- **Individuals with Intellectual Disabilities Graduating from High School: Include funding of \$1.2 million to ensure services for individuals with intellectual disabilities graduating from high school.** This funding will provide services such as vocational training, employment supports, or day services for 83 of the June 2011 graduates. Without these services, we will isolate these young individuals, denying them the ability to participate and contribute to our community.
- **Diversion to Detoxification: Provide funding of \$275,000 to maintain programming for this program at the current level.** This program offers an alternative to arrest that preserves law enforcement resources and increases community safety by transporting intoxicated individuals to a safe place (detoxification program) and offering services that intervene in an individual’s addiction. To date in FY 2011, this program has served on average 71 individuals each month, for a total of 442 individuals since July. Funding for this service had been covered through a variety of sources (including federal stimulus funds) which are no longer available.

3. **Additional Items of Importance for the Board’s Consideration**

<u>SUMMARY OF RECOMMENDATIONS</u>
Strengthening the Human Services Safety Net and Our Nonprofit Partners: The Human Services Council recommends that the county continue its cost-effective investment with its nonprofit partners and consider providing additional financial assistance if possible.
Continuing the County’s Commitment to Affordable and Accessible Housing, and Preventing and Ending Homelessness: The Council feels strongly that without continuing forward with these crucial prevention initiatives, homelessness will spike throughout the Fairfax community and we will be that much further from achieving the important goal to end homelessness.
Worsening Metrics in Human Services: The Council points out recent trends that indicate the increasing fragility within the segments of our community least able to protect themselves. It is financially wise to address these matters as soon as possible because, in the long-run, prevention is considerably less costly than remediation.
Supporting the County Executive’s proposal to hold in reserve the \$30 million balance in the FY 2012 Advertised Budget: This prudent action will help prevent unexpected problems from developing into major crises.

◆ **Strengthening the Human Services Safety Net and Our Nonprofit Partners**

The Human Services Council strongly recommends that the county continue its cost-effective investment with its nonprofit partners and consider providing additional financial assistance if possible.

Rationale: The safety net of basic human services—directly provided county services and a vast network of cooperating nonprofits—is tenuous. The Human Services Council fears that the safety net is growing weaker at the very time when caseloads and service needs are increasing and waiting lists are growing. Of the testimony provided to the Council this year, perhaps this statement from Nonprofit NoVA (an affiliate of the Nonprofit Roundtable of Greater Washington that brings together 60 nonprofits and community partners) most appropriately describes the current state of the human services network:

“From the standpoint of human services, our message is clear. Times are still tough and needs continue to grow for those who are most dependent on government and nonprofit support. We have faced one of the worst national economic crises in decades. The needs of our community members for assistance with housing, food, jobs, training, and other assistance remain significant—reaching new highs in FY 2010 that have continued in FY 2011. The problems that led to the collapse of the housing and financial markets and its aftermath will be felt for years to come. Like the crisis that preceded it, recovery is not a one-year fix.”

The human services safety net protects the community as a whole by providing for the needs of individuals and families. Erosion of funding support at all levels creates unacceptable risks for the community. The nonprofit community is crucial in providing resources in the community and filling significant supply/demand service gaps. **Their work has a significant multiplier effect for county funding, in some cases leveraging as much as eight dollars for every county dollar.** Without them, county costs will increase significantly. As the demand for services skyrockets, we must ensure that our community’s basic health, safety, welfare, housing, and sustenance needs are sustained.

◆ **Continuing the County’s Commitment to Affordable and Accessible Housing, and Preventing and Ending Homelessness**

The Human Services Council recommends that the county continue its commitment to affordable and accessible housing, and initiatives to prevent and end homelessness.

Rationale: The Board of Supervisors itself recognized that housing is a fundamental component of all self-sufficient households. The Council strongly agrees with the Board that stabilizing families and neighborhoods is vital to the health of our community, directly affecting many human services programs and needs. With the Human Services Council’s endorsement last year, the Board of Supervisors adopted a **“Housing Blueprint”** to provide rental assistance, facilitate housing acquisition, reduce waiting lists for housing, and provide housing for those who are homeless, disabled, or have other special needs through the **“Bridging Affordability”** program.

Federal stimulus funds provided an important and timely resource this past year to prevent homelessness, stabilize families, and provide job training. The availability of these funds also showed how deep and important these needs are now: Fairfax County and its community partners distributed nearly all of the available funding for housing and employment assistance allocated for a two-year period in just the first year. This included \$2.5 million for Homeless Prevention and Rapid Re-Housing Program (HPRP) assistance, helping more than 900 individuals and families with services to prevent or end homelessness. Without these prevention resources, homelessness will spike throughout the Fairfax community and we will be that much further from achieving this important goal to end homelessness.

◆ **Worsening Metrics in Human Services**

The Human Services Council highlights for the Board’s attention recent trends that underline the increasing fragility within the segments of our community least able to protect themselves. It is financially wise to address these matters as soon as possible because, in the long run, prevention is considerably less costly than remediation.

Rationale: The distress signals evidenced in measures provided by the human services community continue to worsen despite modest improvement in the economy. Consider the following examples from our dialogue this year with Boards, Authorities, and Commissions, community organizations, and the county’s human services departments:

- **Public Assistance.** In FY 2008, the average monthly caseload of *public assistance clients* (i.e., Food Stamps, Temporary Assistance for Needy Families, and Medicaid) was nearly 52,000 per month; in FY 2010, this figure increased by 37 percent to 71,000 clients per month.
- **Job Searches.** In FY 2008, over 38,000 people visited the county’s *SkillSource centers* looking for help in finding a job; in FY 2010, just over 61,000 persons visited the centers—a 61percent increase in just two years.
- **Child Care.** Nearly 3,000 children are on a waiting list for *Child Care subsidies*. The median income of families receiving subsidized child care is just over \$25,000. The annual cost of private full-time child care can range from \$8,000 to \$13,000 per year.
- **Domestic Violence.** There is one *Domestic Violence* bed for every 31,000 people in the county—the worst ratio in Virginia. At this time, there is a 45-person waiting list for individual counseling for domestic violence victims.
- **Calls to Human Services Hotline.** More than 108,000 calls were made last year to the *Coordinated Services Planning Hotline*—more than 35,000 calls alone for help with housing, food, jobs, and other basic needs. Many of these were individuals calling for the first time.

◆ **Supporting the County Executive’s Proposal to Hold in Reserve the \$30 Million Balance in the FY2012 Advertised Budget**

The Human Services Council cautions that the distress signals at all levels of government and in the community reinforce the need to hold the \$30 million balance in the FY 2012 Advertised Budget in reserve.

Rationale: The substantial uncertainty created by sizable external financial threats will place a premium on both our adaptability and flexibility. The County Executive’s budget proposed an excellent way to maximize our dexterity in dealing with all these financial unknowns—an unallocated balance of \$30 million in a reserve fund. Holding the \$30 million balance in reserve is a very prudent action that will help prevent unexpected problems from developing into major crises.

4. Commitment to the Viability of the County's Human Services System

Fairfax County has long recognized that investments in critical human services programs can and do save public funds by minimizing the need for more costly services. This is not the time to abandon those essential investments, especially with the unfortunate reductions in state and federal funding. Also, the continued impact of economic distress on county services is worrisome, but the effect on our nonprofit community partners' capacity to meet residents' needs is even more so because their resources are not as deep and diverse as the county's. Government cannot be the sole source provider of services. We must look out for the nonprofit community, our crucial human services partners in leveraging community resources.

County agencies and community organizations continue to work together in new and innovative ways to meet the increasing needs of residents in our community. Indeed, cross-agency work and community involvement have become a way of operating within limited funding resources for many programs, not just within the human services agencies but also with other county agencies such as police, libraries, schools, transportation services, as well as nonprofit organizations, businesses, and the faith community. The Council is encouraged that the human services system is taking advantage of opportunities to involve the community and to collaborate with the county's diverse array of community organizations. By working together, community organizations and county staff are developing promising plans to strengthen the human services delivery system.

The Human Services Council also acknowledges the many strengths of the County's human services system, including the excellent work of the talented human services staff, and the strengths of Fairfax County's larger human services community. The county and the community have continued to work together in many ways to meet the needs of residents in our community.

The human services delivery network is highly interdependent. Unraveling one thread can create unintended, compounded, destructive failures elsewhere. The Human Services Council works to ensure that the county's actions recognize the highly tenuous and intertwined nature of the human services safety net.

The Human Services Council appreciates the thoughtful and considerate actions of the Board of Supervisors who we know work tirelessly with us on behalf of the best interests of the Fairfax County community.

Thank you.

rcm

cc: Human Services Council
Anthony H. Griffin, County Executive
Patricia Harrison, Deputy County Executive
Edward L. Long, Jr., Chief Financial Officer
Human Services Leadership Team
Susan W. Datta, Director, Department of Management and Budget

Adjustments to the FY 2012 Budget Proposal

	<u>Total Available</u>
Balance identified in <u>FY 2012 Advertised Budget Plan</u>	\$30,249,733
Balance identified in <i>FY 2011 Third Quarter</i>	\$4,722,358
Net Revenues identified at Add-On	\$350,000
Balances identified by the Auditor to the Board	\$4,040,000
Defer IT Communication Enhancement Project	\$2,000,000
Defer renovations to a fourth courtroom in the Jennings Building	<u>\$307,405</u>
Subtotal of Available Balances	\$41,669,496
Recommend Real Estate Tax Rate of \$1.07	(\$38,600,000)
Personal Property Tax Exemption for Disabled Veterans	(\$100,000)
Support for Full Day Kindergarten by providing Schools the \$500,000 savings from elimination of Kindergarten SACC which will no longer be necessary with Full Day Kindergarten in all County Schools	\$0
Direction to the County Executive to identify resources at year end for an across the board increase for County employees to be funded at Carryover.	\$0
ALS Incumbent School	(\$1,500,000)
Portion of funding for IDS Graduates	(\$637,500)
Portion of funding for Medical Detoxification and Diversion to Detoxification (including 4 positions)	(\$637,500)
Fund liability insurance for the Office of the Sheriff on recognizing that there are services provided outside of the Office's state mandate	(\$175,000)
4 Poster Program funded from Fund 116, Integrated Pest Management Program	\$0
Contributions for Herndon Visitors Center to be provided directly to the Town of Herndon for tourism-related uses	\$0
Managed Reserve Adjustments	<u>(\$19,496)</u>
Subtotal of Recommendations	(\$41,669,496)
Balance	\$0

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, April 26, 2011, at which a quorum was present and voting, the following resolution was adopted:

**RESOLUTION ADOPTING TAX RATES
FOR FAIRFAX COUNTY**

FISCAL YEAR 2012

BE IT RESOLVED that, pursuant to the provisions of Virginia Code § 58.1-3001, and after having first complied with the provisions of the Virginia Code §§ 15.2-2506 and 58.1-3321, the Board does hereby establish the tax levies for the fiscal budget year beginning July 1, 2011, and ending June 30, 2012, and calendar tax year beginning January 1, 2011 and ending December 31, 2011, as follows to wit:

COUNTY LEVIES

General provisions. The County property taxes are levied on each \$100.00 of assessed valuation of real estate and tangible personal property, excluding household furnishings, and including machinery and tools of mining, manufacturing, radio or television broadcasting, dairy, dry cleaning or laundry firms, and all personal property of research and development firms, in the County, including such property within the incorporated towns that are within the County. Except as otherwise stated herein, all such taxes are imposed generally pursuant with Virginia law on all taxable property throughout the County, including the incorporated towns therein, and the revenues derived from such levies shall be appropriated by the Board of Supervisors in accordance with Virginia law.

Real Estate*

On each \$100.00 of the assessed valuation of real estate and improvements on real estate in the County the tax rate shall be \$1.07

*Tax will be levied and collected in two semi-annual tax billings.

Commercial and Industrial Real Estate Tax for Transportation*

On each \$100.00 of assessed valuation of the taxable commercial and industrial real estate in the County the tax r

*Tax will be levied and collected in two semi-annual tax billings.

Personal Property

On each \$100.00 of assessed valuation of tangible personal property, including all property separately classified by Virginia Code § 58.1-3503, the tax rate shall be \$4.57

Except for the following:

Mobile Homes

On each \$100.00 of assessed valuation of mobile homes, as separately classified by Virginia Code § 58.1-3506(A)(10), the tax rate shall be \$1.07

Machinery and Tools

On each \$100.00 of assessed valuation of machinery and tools, as separately classified by Virginia Code § 58.1-3507, the tax rate shall be \$4.57

Research and Development

On each \$100.00 of assessed valuation of tangible personal property used or employed in a research and development business, as separately classified by Virginia Code § 58.1-3506(A)(7), the tax rate shall be \$4.57

Certain Personal Property of Homeowner Associations

On each \$100.00 of assessed valuation of furniture, office, and maintenance equipment, exclusive of motor vehicles, which are owned and used by an organization whose real property is assessed in accordance with Virginia Code § 58.1-3284.1 and which is used by that organization for the purpose of maintaining or using the open or common space within a residential development as classified by Virginia Code § 58.1-3506(A)(24), the tax rate shall be \$0.01

Van Pools - Privately Owned Vans

On each \$100.00 of assessed valuation of privately owned vans, as separately classified by Virginia Code § 58.1-3506(A)(13), the tax rate shall be \$0.01

Privately owned vans means vans with a seating capacity of seven to fifteen persons used exclusively pursuant to a ridesharing agreement as defined in Virginia Code § 46.2-1400, and which have been certified as such by the Director of the Department of Tax Administration.

Motor Vehicles Owned by Members of a
Volunteer Rescue Squad or Volunteer Fire Department

On each \$100.00 of assessed valuation of motor vehicles as separately classified by Virginia Code § 58.1-3506(A)(15), the tax rate shall be \$0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A) (15), shall be defined to mean one motor vehicle owned or leased by each member of a volunteer rescue squad or volunteer fire department which is regularly used by such members to respond to emergency calls and certified as such by the Chief or Head of the Volunteer Organization and the Department of Tax Administration.

Motor Vehicles Specially Equipped to Provide
Transportation for Physically Handicapped Individuals

On each \$100.00 of assessed valuation of motor vehicles as separately classified by Virginia Code § 58.1-3506(A)(14), the tax rate shall be..... \$0.01

Specially equipped means any vehicle which has been modified specifically for the purpose of transporting physically handicapped individuals and the vehicle is certified as such by the Director of the Department of Tax Administration.

Motor Vehicles Owned
By Certain Qualifying Elderly and Disabled Individuals

On each \$100.00 of assessed valuation of certain motor vehicles as classified by Virginia Code § 58.1-3506.1, the tax rate shall be \$0.01

Applies to one motor vehicle owned and used by certain elderly and disabled persons who qualify on the basis of income and net worth.

Motor Vehicles Owned
By Persons Who Have Been Appointed to Serve as Auxiliary Police Officers

On each \$100.00 of assessed valuation of motor vehicles as classified by Virginia Code § 58.1-3506(A)(20), the tax rate shall be \$0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A) (20), shall be defined to mean one motor vehicle owned or leased by an Auxiliary Police Officer to respond to auxiliary police duties, subject to certification as required by the provisions of the authorizing statute.

Motor Vehicles Owned
By Persons Who Have Been Appointed to Serve as Auxiliary Deputy Sheriffs

On each \$100.00 of assessed valuation of motor vehicles as classified by Virginia Code § 58.1-3506 (A)(32), the tax rate shall be \$0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A)(32), shall be defined to mean one motor vehicle owned or leased by an Auxiliary Deputy Sheriff to respond to auxiliary deputy sheriff duties, subject to certification as required by the provisions of the authorizing statute.

Aircraft and Flight Simulators

On each \$100.00 of assessed valuation of aircraft and flight simulators, as classified by Virginia Code § 58.1-3506(A)(2), (3), (4) and (5) the tax rate shall be \$0.01

Antique Motor Vehicles

On each \$100.00 of assessed valuation of antique motor vehicles, as separately classified by Virginia Code § 58.1-3506(A)(6), the tax rate shall be \$0.01

Antique motor vehicles or antique automobiles means every motor vehicle which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than twenty-five years ago and is owned solely as a collector's item.

Boats

On each \$100.00 of assessed valuation of boats and watercraft, as classified by Virginia Code § 58.1-3506(A)(1), (12), (28), (29), (35) and (36) the tax rate shall be \$0.01

Motor Vehicles Owned By Disabled Veterans

On each \$100.00 of assessed valuation of motor vehicles, as classified by Virginia Code § 58.1-3506(A)(19), the tax rate shall be \$0.01

Motor vehicles as classified by Virginia Code § 58.1-3506(A)(19) shall be defined to mean one motor vehicle owned and regularly used by qualified disabled veterans, subject to certification as required by the provisions of the authorizing statute.

SANITARY DISTRICT LEVIES*

Local District 1A Lee

(Burgundy Village Community Center)

On each \$100.00 of assessed valuation of real estate within the boundary of Local District 1A Lee in the County, the tax rate shall be \$0.02

Small District 1 Dranesville

(McLean Community Center)

On each \$100.00 of assessed valuation of real estate within the boundary of Small District 1 Dranesville in the County, the tax rate shall be \$0.023

Small District 5 Hunter Mill

(Reston Community Center)

On each \$100.00 of assessed valuation of real estate within the boundary of Small District 5 Hunter Mill in the County, the tax rate shall be \$0.047

*Tax will be levied and collected in two semi-annual tax billings.

Leaf Collection:

Small District 2 Braddock
Local District 1A11 Dranesville
Local District 1A21 Dranesville
Local District 1A22 Dranesville
Local District 1A61 Dranesville
Local District 1B1 Dranesville
Local District 1E Dranesville
Small District 3 Dranesville
Small District 7 Dranesville
Small District 8 Dranesville
Small District 10 Dranesville
Small District 12 Dranesville
Small District 15 Dranesville
Local District 1B Lee

Local District 1C Lee
Local District 1D Lee
Local District 1E Lee
Small District 1 Mason
Small District 1 Mason Transportation
Small District 2 Mason Transportation
Local District 1A Mason
Small District 2 Mason
Small District 4 Mason
Local District 7A Mason
Small District 9 Mason
Small District 10 Mason
Local District 1A Mount Vernon
Local District 1B Mount Vernon

**Resolution Adopting Tax Rates for Fairfax County
Fiscal Year 2012**

ATTACHMENT II

Leaf Collection (continued):

Local District 1C Mount Vernon
Local District 1D Mount Vernon
Local District 1E Mount Vernon
Small District 1 Providence
Small District 1 Providence Transportation

Small District 2 Providence
Small District 4 Providence
Small District 6 Providence
Small District 7 Providence
Small District 8 Providence

On each \$100.00 of assessed valuation of real estate within the boundaries of the above-
numerated Districts in the County, the tax rate shall be \$0.015

On any real estate which is deleted from a sanitary district effective July 1, 2011, as a result of
the contraction of such sanitary district, such real estate will be entitled to pro rata abatement from the
amount of the annual charge hereby established for leaf collection.

On any real estate, which is added to a sanitary district effective July 1, 2011, as a result of either
the creation or the enlargement of a sanitary district, such real estate will be charged a pro rata fee for the
annual charge hereby established for leaf collection.

Refuse Service:

Small District 2 Braddock
Small District 3 Braddock
Local District 5A Hunter Mill
Small District 2 Hunter Mill
Small District 3 Hunter Mill
Local District 1A1 Dranesville
Local District 1A11 Dranesville
Local District 1A12 Dranesville
Local District 1A2 Dranesville
Local District 1A3 Dranesville
Local District 1A4 Dranesville
Local District 1A5 Dranesville
Local District 1A6 Dranesville
Local District 1A21 Dranesville
Local District 1A22 Dranesville
Local District 1A61 Dranesville
Local District 1A8 Dranesville
Local District 1A9 Dranesville
Local District 1B Dranesville
Local District 1B1 Dranesville
Local District 1B2 Dranesville
Local District 1E Dranesville
Small District 1 Dranesville Transportation
Small District 3 Dranesville
Small District 4 Dranesville
Small District 6 Dranesville
Small District 7 Dranesville
Small District 8 Dranesville
Small District 9 Dranesville
Small District 10 Dranesville
Small District 11 Dranesville
Small District 12 Dranesville
Small District 13 Dranesville
Small District 14 Dranesville
Small District 15 Dranesville
Small District 1 Lee

Small District 1 Lee Transportation
Local District 1A Lee
Local District 1B Lee
Local District 1C Lee
Local District 1D Lee
Local District 1E Lee
Small District 2 Lee
Small District 3 Lee
Small District 4 Lee
Small District 1 Mason
Small District 1 Mason Transportation
Local District 1A Mason
Local District 1B Mason
Local District 1C Mason
Local District 1D Mason
Local District 1F Mason
Small District 2 Mason
Small District 3 Mason
Small District 4 Mason
Small District 5 Mason
Small District 6 Mason
Small District 7 Mason
Small District 8 Mason
Local District 7A Mason
Small District 9 Mason
Small District 10 Mason
Small District 11 Mason
Small District 1 Mount Vernon
Small District 1 Mount Vernon Transportation
Local District 1A Mount Vernon
Local District 1B Mount Vernon
Local District 1C Mount Vernon
Local District 1D Mount Vernon
Local District 1E Mount Vernon
Small District 2 Mount Vernon
Local District 2A Mount Vernon

Refuse Service (continued):

Local District 2B Mount Vernon
Small District 1 Providence
Small District 1 Providence Transportation
Local District 1A Providence
Local District 1B Providence
Small District 3 Providence
Small District 4 Providence
Small District 6 Providence

Small District 7 Providence
Small District 8 Providence
Small District 9 Providence
Small District 11 Providence
Small District 12 Providence
Small District 13 Providence
Small District 4 Springfield
Small District 6 Springfield

On each single-family dwelling and on each unit of two-family dwellings, excluding apartments (garden through high-rise), multi-family condominiums (garden through high-rise), and/or other multi-unit dwelling type buildings, existing or under construction January 1, 2011, within the boundaries of the above enumerated Districts, a base annual charge of \$345.00 for refuse collection service to be added to the regular real estate tax bill, and that annual charge shall be subject to penalty and interest charges and becoming a lien against the property if not paid, in the same manner as any other real estate tax.

On any dwelling that is neither completed nor occupied by June 30, 2011, the owner thereof shall, upon application to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling, made prior to December 5, 2011, be entitled to relief in the amount of the pro-rata portion based on the service period of the base annual charge hereby established. The claimant must provide acceptable evidence that the dwelling was not occupied, nor generating waste to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling.

On any dwelling that is neither completed nor occupied by December 31, 2011, the owner thereof shall, upon application to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling, made prior to March 31, 2012, be entitled to relief in the amount of the pro-rata portion based on the service period of the base annual charge hereby established. The claimant must provide acceptable evidence that the dwelling was not occupied, nor generating waste to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling.

On any dwelling that is deleted from a sanitary district, as a result of the contraction of such sanitary district, the owner thereof will be entitled to relief in the amount of a pro rata portion of the base annual charge hereby established when service for refuse and recycling collection service is eliminated based on the service period.

On any dwelling that is added to a sanitary district, as a result of either the creation or the enlargement of a sanitary district or construction within the sanitary district, the owner thereof will be charged a pro rata portion of the base annual charge hereby established when service begins for refuse and recycling collection service based on the service period.

Water Service:

Small District One within Springfield District

On any lot within the district, an annual assessment of \$661 for thirty years commencing July 1, 1993. This annual assessment is for the purpose of providing water service to Clifton Forest, a group of homes located within the Lincoln-Lewis-Vannoy Conservation District.

Small District Three within Springfield District

On any lot within the district, an annual assessment of \$959 commencing January 1, 2003 and ending December 31, 2032. This annual assessment is for the purpose of providing water service to Colchester Road-Lewis Park, a group of 141 homes located within the Lincoln-Lewis-Vannoy

Conservation District.

TRANSPORTATION IMPROVEMENT DISTRICT LEVIES*

State Route 28 Transportation Improvement District

On each \$100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of State Route 28 Transportation Improvement District, as specified by Virginia Code § 15.2-4607, the tax rate shall be \$0.18

Phase I Dulles Rail Transportation Improvement District

On each \$100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of Phase I Dulles Rail Transportation Improvement District, as specified by Virginia Code § 33.1-435, the tax rate shall be \$0.22

Phase II Dulles Rail Transportation Improvement District

On each \$100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of Phase II Dulles Rail Transportation Improvement District, as specified by Virginia Code § 33.1-435, the tax rate shall be \$0.10

*Tax will be levied and collected in two semi-annual tax billings.

SPECIAL SERVICE DISTRICT FOR THE CONTROL OF PEST INFESTATIONS*

On each \$100.00 of assessed valuation of real estate within Fairfax County, but exclusive of the Lake Barcroft Water Improvement District, within the service district established by Appendix I of the Fairfax County Code, the tax rate shall be \$0.0010

*Tax will be levied and collected in two semi-annual tax billings.

SPECIAL SERVICE DISTRICT FOR STORMWATER MANAGEMENT*

On each \$100.00 of assessed valuation of real estate within Fairfax County, within the service district, the tax rate shall be \$0.015

*Tax will be levied and collected in two semi-annual tax billings.

SERVICE CHARGES FOR AMBULANCE TRANSPORT SERVICE

Pursuant to Fairfax County Code § 4-26-1, each person being transported by any emergency medical services vehicle that is operated or maintained by the County or for which a permit has been issued to the County by the Virginia Office of Emergency Medical Services will be charged (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 term "emergency medical services vehicle" has the definition specified in Virginia Code § 32.1-111.1.

**Resolution Adopting Tax Rates for Fairfax County
Fiscal Year 2012**

ATTACHMENT II

GIVEN under my hand this _____ day of April, 2011

By: _____
Nancy Vehrs
Clerk to the Board of Supervisors

APPROPRIATION RESOLUTION
For the Period of July 1, 2011 - June 30, 2012
Supported by the FY 2012 Fiscal Plan

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax County, Virginia on April 26, 2011, at which time a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that the following appropriations are hereby made for the twelve (12) month period ending June 30, 2012 and be it further resolved that no money shall be drawn from the Treasury of the County nor shall any obligations for the expenditure of money be incurred, except pursuant to this appropriation resolution, or pursuant to such supplemental appropriation as may be made by this Board.

Appropriate to:

Fund 001 - General Fund

AGENCY

01	Board of Supervisors	
	Personnel Services	\$4,305,437
	Operating Expenses	\$570,950
		<u>\$4,876,387</u>
02	Office of the County Executive	
	Personnel Services	\$5,237,295
	Operating Expenses	\$752,099
		<u>\$5,989,394</u>
04	Department of Cable and Consumer Services	
	Personnel Services	\$1,330,364
	Operating Expenses	\$3,479,369
	Recovered Costs	(\$3,110,987)
		<u>\$1,698,746</u>
06	Department of Finance	
	Personnel Services	\$4,235,428
	Operating Expenses	\$5,031,778
	Recovered Costs	(\$751,697)
		<u>\$8,515,509</u>
08	Facilities Management Department	
	Personnel Services	\$11,369,591
	Operating Expenses	\$49,400,257
	Recovered Costs	(\$10,535,922)
		<u>\$50,233,926</u>

Fund 001 - General Fund

AGENCY

11	Department of Human Resources	
	Personnel Services	\$5,797,573
	Operating Expenses	\$1,361,179
		<u>\$7,158,752</u>
12	Department of Purchasing and Supply Management	
	Personnel Services	\$3,401,901
	Operating Expenses	\$1,756,273
	Recovered Costs	(\$288,803)
		<u>\$4,869,371</u>
13	Office of Public Affairs	
	Personnel Services	\$1,187,206
	Operating Expenses	\$155,781
	Recovered Costs	(\$256,603)
		<u>\$1,086,384</u>
15	Office of Elections	
	Personnel Services	\$2,097,499
	Operating Expenses	\$918,537
		<u>\$3,016,036</u>
16	Economic Development Authority	
	Personnel Services	\$3,137,414
	Operating Expenses	\$3,908,092
		<u>\$7,045,506</u>
17	Office of the County Attorney	
	Personnel Services	\$6,006,103
	Operating Expenses	\$468,123
	Recovered Costs	(\$466,522)
		<u>\$6,007,704</u>
20	Department of Management and Budget	
	Personnel Services	\$2,520,989
	Operating Expenses	\$189,609
		<u>\$2,710,598</u>
25	Business Planning and Support	
	Personnel Services	\$1,072,562
	Operating Expenses	\$197,386
	Recovered Costs	(\$492,778)
		<u>\$777,170</u>

Fund 001 - General Fund

AGENCY

26	Office of Capital Facilities		
	Personnel Services	\$9,008,757	
	Operating Expenses	\$8,200,067	
	Recovered Costs	(\$6,349,278)	
			<u>\$10,859,546</u>
31	Land Development Services		
	Personnel Services	\$16,793,059	
	Operating Expenses	\$4,272,108	
	Recovered Costs	(\$84,877)	
			<u>\$20,980,290</u>
35	Department of Planning and Zoning		
	Personnel Services	\$8,576,926	
	Operating Expenses	\$694,486	
			<u>\$9,271,412</u>
36	Planning Commission		
	Personnel Services	\$454,791	
	Operating Expenses	\$209,863	
			<u>\$664,654</u>
37	Office of the Financial and Program Auditor		
	Personnel Services	\$298,061	
	Operating Expenses	\$32,166	
			<u>\$330,227</u>
38	Department of Housing and Community Development		
	Personnel Services	\$4,181,534	
	Operating Expenses	\$2,259,723	
	Recovered Costs	(\$512,500)	
			<u>\$5,928,757</u>
39	Office of Human Rights and Equity Programs		
	Personnel Services	\$1,414,525	
	Operating Expenses	\$120,045	
			<u>\$1,534,570</u>
40	Department of Transportation		
	Personnel Services	\$7,478,160	
	Operating Expenses	\$550,825	
	Recovered Costs	(\$1,251,341)	
			<u>\$6,777,644</u>

Fund 001 - General Fund

AGENCY

41	Civil Service Commission		
	Personnel Services	\$337,550	
	Operating Expenses	\$91,747	
			<u>\$429,297</u>
51	Fairfax County Park Authority		
	Personnel Services	\$20,682,559	
	Operating Expenses	\$4,689,283	
	Recovered Costs	(\$3,672,053)	
			<u>\$21,699,789</u>
52	Fairfax County Public Library		
	Personnel Services	\$19,884,843	
	Operating Expenses	\$6,151,068	
			<u>\$26,035,911</u>
57	Department of Tax Administration		
	Personnel Services	\$15,863,261	
	Operating Expenses	\$5,954,769	
			<u>\$21,818,030</u>
67	Department of Family Services		
	Personnel Services	\$79,315,179	
	Operating Expenses	\$110,275,132	
	Recovered Costs	(\$2,125,557)	
			<u>\$187,464,754</u>
68	Department of Administration for Human Services		
	Personnel Services	\$9,329,576	
	Operating Expenses	\$1,506,159	
	Recovered Costs	(\$64,143)	
			<u>\$10,771,592</u>
70	Department of Information Technology		
	Personnel Services	\$20,417,871	
	Operating Expenses	\$14,290,222	
	Recovered Costs	(\$6,791,873)	
			<u>\$27,916,220</u>
71	Health Department		
	Personnel Services	\$33,684,168	
	Operating Expenses	\$17,244,149	
			<u>\$50,928,317</u>

Fund 001 - General Fund

AGENCY

73	Office to Prevent and End Homelessness		
	Personnel Services	\$627,501	
	Operating Expenses	\$9,833,105	
			<u>\$10,460,606</u>
79	Department of Neighborhood and Community Services		
	Personnel Services	\$14,938,932	
	Operating Expenses	\$18,006,010	
	Recovered Costs	(\$7,010,081)	
			<u>\$25,934,861</u>
80	Circuit Court and Records		
	Personnel Services	\$8,034,599	
	Operating Expenses	\$1,998,576	
			<u>\$10,033,175</u>
81	Juvenile and Domestic Relations District Court		
	Personnel Services	\$18,233,464	
	Operating Expenses	\$1,929,903	
			<u>\$20,163,367</u>
82	Office of the Commonwealth's Attorney		
	Personnel Services	\$2,437,780	
	Operating Expenses	\$87,684	
			<u>\$2,525,464</u>
85	General District Court		
	Personnel Services	\$1,165,865	
	Operating Expenses	\$983,263	
			<u>\$2,149,128</u>
87	Unclassified Administrative Expenses		
	Operating Expenses	\$7,622,657	
	Recovered Costs	(\$166,030)	
			<u>\$7,456,627</u>
89	Employee Benefits		
	Operating Expenses	\$1,183,650	
	Fringe Benefits	\$262,890,861	
			<u>\$264,074,511</u>
90	Police Department		
	Personnel Services	\$136,053,611	
	Operating Expenses	\$25,257,642	
	Recovered Costs	(\$697,406)	
			<u>\$160,613,847</u>

Fund 001 - General Fund

AGENCY

91	Office of the Sheriff	
	Personnel Services	\$49,768,995
	Operating Expenses	\$9,557,197
		<hr/>
		\$59,326,192
92	Fire and Rescue Department	
	Personnel Services	\$137,822,180
	Operating Expenses	\$23,188,250
		<hr/>
		\$161,010,430
93	Office of Emergency Management	
	Personnel Services	\$1,180,060
	Operating Expenses	\$579,684
		<hr/>
		\$1,759,744
97	Department of Code Compliance	
	Personnel Services	\$2,995,837
	Operating Expenses	\$514,746
		<hr/>
		\$3,510,583

Fund 102 - Federal/State Grants

AGENCY

87	Unclassified Administrative Expenses	
	Grant Expenditures	\$67,818,214

FUND		
100	County Transit Systems	
	Operating Expenses	\$79,780,389
	Capital Equipment	\$18,220,000
		<u>\$98,000,389</u>
104	Information Technology	
	IT Projects	\$9,251,579
		<u>\$9,251,579</u>
105	Cable Communications	
	Personnel Services	\$4,951,569
	Operating Expenses	\$5,698,567
	Capital Equipment	\$300,000
		<u>\$10,950,136</u>
106	Fairfax-Falls Church Community Services Board	
	Personnel Services	\$90,474,968
	Operating Expenses	\$56,837,912
	Recovered Costs	(\$1,056,899)
		<u>\$146,255,981</u>
108	Leaf Collection	
	Operating Expenses	\$2,404,038
		<u>\$2,404,038</u>
109	Refuse Collection and Recycling Operations	
	Personnel Services	\$10,166,397
	Operating Expenses	\$9,455,653
	Recovered Costs	(\$843,332)
	Capital Equipment	\$1,359,600
	Capital Projects	\$100,000
		<u>\$20,238,318</u>
110	Refuse Disposal	
	Personnel Services	\$10,254,021
	Operating Expenses	\$39,002,450
	Recovered Costs	(\$688,840)
	Capital Equipment	\$2,677,000
		<u>\$51,244,631</u>
111	Reston Community Center	
	Personnel Services	\$4,583,446
	Operating Expenses	\$3,066,906
	Capital Projects	\$98,000
		<u>\$7,748,352</u>

FUND

112	Energy Resource Recovery (ERR) Facility		
	Personnel Services	\$736,968	
	Operating Expenses	\$17,406,345	
			<u>\$18,143,313</u>
113	McLean Community Center		
	Personnel Services	\$2,561,062	
	Operating Expenses	\$2,390,795	
	Capital Equipment	\$52,500	
	Capital Projects	\$575,000	
			<u>\$5,579,357</u>
114	I-95 Refuse Disposal		
	Personnel Services	\$3,186,976	
	Operating Expenses	\$4,255,570	
	Capital Equipment	\$769,000	
			<u>\$8,211,546</u>
115	Burgundy Village Community Center		
	Personnel Services	\$18,419	
	Operating Expenses	\$25,646	
			<u>\$44,065</u>
116	Integrated Pest Management Program		
	Personnel Services	\$1,195,505	
	Operating Expenses	\$1,827,847	
			<u>\$3,023,352</u>
118	Consolidated Community Funding Pool		
	Operating Expenses	\$8,970,687	
			<u>\$8,970,687</u>
119	Contributory Fund		
	Operating Expenses	\$12,212,942	
			<u>\$12,212,942</u>
120	E-911 Fund		
	Personnel Services	\$20,879,510	
	Operating Expenses	\$11,736,777	
	IT Projects	\$4,629,000	
			<u>\$37,245,287</u>
121	Dulles Rail Phase I Transportation Improvement District		
	Bond Costs	\$25,000,000	
			<u>\$25,000,000</u>

FUND

122	Dulles Rail Phase II Transportation Improvement District	
	Bond Costs	\$500,000
		<u>\$500,000</u>
124	County & Regional Transportation Projects	
	Personnel Services	\$1,830,721
	Operating Expenses	\$1,756,871
	Capital Projects	\$18,952,936
		<u>\$22,540,528</u>
125	Stormwater Services	
	Personnel Services	\$11,321,084
	Operating Expenses	\$2,076,526
	Recovered Costs	(\$1,714,832)
	Capital Equipment	\$87,754
	Capital Projects	\$17,029,468
		<u>\$28,800,000</u>
141	Elderly Housing Programs	
	Personnel Services	\$1,048,665
	Operating Expenses	\$3,110,836
		<u>\$4,159,501</u>
142	Community Development Block Grant	
	Grant Expenditures	\$6,463,133
		<u>\$6,463,133</u>
143	Homeowner and Business Loan Programs	
	Operating Expenses	\$4,514,316
		<u>\$4,514,316</u>
144	Housing Trust Fund	
	Operating Expenses	\$348,814
		<u>\$348,814</u>
145	HOME Investment Partnerships Grant	
	Personnel Services	\$175,723
	Operating Expenses	\$2,516,889
		<u>\$2,692,612</u>
200/201	Consolidated Debt Service	
	Bond Costs	\$287,850,034
		<u>\$287,850,034</u>
303	County Construction	
	Capital Projects	\$16,723,869
		<u>\$16,723,869</u>

FUND

306	Northern Virginia Regional Park Authority		
	Capital Projects	\$3,000,000	
		<u>\$3,000,000</u>	
307	Pedestrian Walkway Improvements		
	Capital Projects	\$100,000	
		<u>\$100,000</u>	
309	Metro Operations & Construction		
	Operating Expenses	\$33,965,733	
		<u>\$33,965,733</u>	
312	Public Safety Construction		
	Capital Projects	\$442,595	
		<u>\$442,595</u>	
317	Capital Renewal Construction		
	Capital Projects	\$15,000,000	
		<u>\$15,000,000</u>	
319	The Penny for Affordable Housing Fund		
	Capital Projects	\$14,668,400	
		<u>\$14,668,400</u>	
340	Housing Assistance Program		
	Capital Projects	\$515,000	
		<u>\$515,000</u>	
401	Sewer Operation and Maintenance		
	Personnel Services	\$25,430,945	
	Operating Expenses	\$66,819,252	
	Recovered Costs	(\$687,567)	
	Capital Equipment	\$1,724,974	
		<u>\$93,287,604</u>	
402	Sewer Construction Improvements		
	Capital Projects	\$29,000,000	
		<u>\$29,000,000</u>	
403	Sewer Bond Parity Debt Service		
	Bond Costs	\$26,104,805	
		<u>\$26,104,805</u>	
407	Sewer Bond Subordinate Debt Service		
	Bond Costs	\$26,724,284	
		<u>\$26,724,284</u>	

FUND

501	County Insurance Fund		
	Personnel Services	\$1,271,533	
	Operating Expenses	\$20,881,143	
	Recovered Costs	(\$375,000)	
			<u>\$21,777,676</u>
503	Department of Vehicle Services		
	Personnel Services	\$19,275,270	
	Operating Expenses	\$41,601,478	
	Capital Equipment	\$8,521,553	
			<u>\$69,398,301</u>
504	Document Services Division		
	Personnel Services	\$816,364	
	Operating Expenses	\$3,734,423	
	Capital Equipment	\$1,500,000	
			<u>\$6,050,787</u>
505	Technology Infrastructure Services		
	Personnel Services	\$6,524,403	
	Operating Expenses	\$21,509,761	
	Capital Equipment	\$1,449,400	
			<u>\$29,483,564</u>
506	Health Benefits Fund		
	Personnel Services	\$129,254,454	
	Operating Expenses	\$588,852	
	Capital Equipment	\$10,000	
			<u>\$129,853,306</u>
600	Uniformed Employees Retirement Trust Fund		
	Personnel Services	\$408,318	
	Operating Expenses	\$79,241,777	
			<u>\$79,650,095</u>
601	Fairfax County Employees' Retirement Trust Fund		
	Personnel Services	\$1,905,483	
	Operating Expenses	\$218,918,351	
			<u>\$220,823,834</u>
602	Police Retirement Trust Fund		
	Personnel Services	\$408,318	
	Operating Expenses	\$61,308,224	
			<u>\$61,716,542</u>

FUND

603	OPEB Trust Fund	
	Personnel Services	\$7,073,388
	Operating Expenses	\$71,168
		<hr/>
		\$7,144,556
700	Route 28 Taxing District	
	Operating Expenses	\$9,765,406
		<hr/>
		\$9,765,406

GIVEN under my hand this _____ day of April, 2011

By: _____
Nancy Vehrs
Clerk to the Board of Supervisors

APPROPRIATION RESOLUTION
For the Period of July 1, 2011 - June 30, 2012
Supported by the FY 2012 Fiscal Plan

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax County, Virginia on April 26, 2011, at which time a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that the following appropriations are hereby made for the twelve (12) month period ending June 30, 2012 and be it further resolved that no money shall be drawn from the Treasury of the County nor shall any obligations for the expenditure of money be incurred, except pursuant to this appropriation resolution, or pursuant to such supplemental appropriation as may be made by this Board.

Appropriate to:

Schools

FUND

090	Public School Operating	
	Operating Expenditures	\$2,171,559,534
191	School Food & Nutrition Services	
	Operating Expenditures	\$87,846,533
192	School Grants & Self-Supporting	
	Operating Expenditures	\$63,625,695
193	School Adult & Community Education	
	Operating Expenditures	\$10,840,709
390	School Construction	
	Capital Projects	\$163,084,711
590	School Insurance Fund	
	Operating Expenditures	\$18,884,727
591	School Health & Flexible Benefits	
	Operating Expenditures	\$336,287,415
592	School Central Procurement	
	Operating Expenditures	\$14,000,000
691	Education Employees' Retirement	
	Operating Expenses	\$179,749,264
692	Public School OPEB Trust Fund	
	Operating Expenses	\$32,552,500

GIVEN under my hand this _____ day of April, 2011

By: _____
 Nancy Vehrs
 Clerk to the Board of Supervisors

FISCAL PLANNING RESOLUTION
Fiscal Year 2012

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax County, Virginia on April 26, 2011, at which time a quorum was present and voting, the following resolution was adopted:

For the Purposes of Fiscal Planning, the FY 2012 Budget Plan for the County of Fairfax, is hereby adopted as proposed with the following changes:

GENERAL FUND REQUIREMENTS AND RESOURCES

REQUIREMENTS:

Total Advertised General Fund Expenditures	\$1,236,754,914
Net Change to Advertised Expenditures	<u>(\$339,886)</u>
Approved General Fund Expenditures	\$1,236,415,028
Total Advertised Transfers from the General Fund	\$2,139,596,761
Net Change to Advertised Transfers Out	<u>\$1,467,595</u>
Approved Transfers from the General Fund	\$2,141,064,356
Advertised General Fund Total Requirements	\$3,376,351,675
Plus: Net Change in Expenditures	<u>(\$339,886)</u>
Plus: Net Change in Transfers Out	<u>\$1,467,595</u>
Approved General Fund Disbursements	\$3,377,479,384
Advertised General Fund Ending Balance	\$97,776,767
Net Change to Advertised Ending Balance	<u>(\$30,227,179)</u>
Approved General Fund Ending Balance	\$67,549,588
Approved General Fund Total Requirements	\$3,445,028,972

RESOURCES:

Advertised General Fund Beginning Balance	\$126,297,128
Net Change to Advertised General Fund Beginning Balance	<u>\$4,878,350</u>
Approved General Fund Beginning Balance	\$131,175,478
Total Advertised General Fund Receipts	\$3,340,353,056
Net Change to Advertised Receipts	<u>(\$33,400,605)</u>
Approved General Fund Receipts	\$3,306,952,451
Total Advertised General Fund Transfers into the General Fund	\$7,478,258
Net Change to Advertised Transfers In	<u>(\$577,215)</u>
Approved Transfers to the General Fund	\$6,901,043
Approved Total General Fund Resources	\$3,445,028,972

SUMMARY OF ALL FUNDS:

Total Advertised Expenditures	\$6,099,305,889
Net Change to Advertised Expenditures	<u>\$947,709</u>
Total Approved Funds	\$6,100,253,598
Total Advertised Estimated Resources	\$6,099,305,889
Net Change to Advertised Resources	<u>\$947,709</u>
Total Approved Estimated Resources	\$6,100,253,598

GIVEN under my hand this _____ day of April, 2011

By: _____
 Nancy Vehrs
 Clerk to the Board of Supervisors

FY 2012 ADOPTED FUND STATEMENT FUND 001, GENERAL FUND

	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) Over Revised
Beginning Balance ²	\$185,385,547	\$137,047,282	\$240,276,899	\$126,297,128	\$131,175,478	(\$109,101,421)	(45.41%)
Revenue							
Real Property Taxes	\$2,115,971,076	\$2,009,434,786	\$2,015,748,709	\$2,076,449,884	\$2,035,455,407	\$19,706,698	0.98%
Personal Property Taxes ³	296,171,622	287,310,921	288,011,049	306,273,967	306,818,444	18,807,395	6.53%
General Other Local Taxes	460,148,029	474,881,301	484,667,630	486,643,993	488,212,410	3,544,780	0.73%
Permit, Fees & Regulatory Licenses	28,665,677	27,719,593	29,888,461	27,921,065	30,152,648	264,187	0.88%
Fines & Forfeitures	14,942,650	16,868,801	16,868,801	16,868,801	16,868,801	0	0.00%
Revenue from Use of Money & Property	21,816,673	18,309,869	21,492,015	16,711,665	16,711,665	(4,780,350)	(22.24%)
Charges for Services	62,980,797	65,529,312	63,228,869	64,789,101	64,161,281	932,412	1.47%
Revenue from the Commonwealth ³	295,694,307	299,666,641	306,428,846	301,926,375	301,926,375	(4,502,471)	(1.47%)
Revenue from the Federal Government	48,278,483	29,747,606	35,372,285	34,566,131	34,566,131	(806,154)	(2.28%)
Recovered Costs/Other Revenue	5,940,194	8,035,781	8,193,764	8,202,074	12,079,289	3,885,525	47.42%
Total Revenue	\$3,350,609,508	\$3,237,504,611	\$3,269,900,429	\$3,340,353,056	\$3,306,952,451	\$37,052,022	1.13%
Transfers In							
090 Public School Operating	\$0	\$0	\$0	\$3,877,215	\$0	\$0	-
105 Cable Communications	2,011,708	2,729,399	2,729,399	3,601,043	6,901,043	4,171,644	152.84%
106 Fairfax-Falls Church Community Services Board	0	0	1,329,839	0	0	(1,329,839)	(100.00%)
311 County Bond Construction	500,000	0	0	0	0	0	-
312 Public Safety Construction	3,000,000	0	0	0	0	0	-
503 Department of Vehicle Services	2,000,000	4,000,000	4,000,000	0	0	(4,000,000)	(100.00%)
505 Technology Infrastructure Services	4,610,443	0	0	0	0	0	-
Total Transfers In	\$12,122,151	\$6,729,399	\$8,059,238	\$7,478,258	\$6,901,043	(\$1,158,195)	(14.37%)
Total Available	\$3,548,117,206	\$3,381,281,292	\$3,518,236,566	\$3,474,128,442	\$3,445,028,972	(\$73,207,594)	(2.08%)
Direct Expenditures							
Personnel Services	\$673,673,855	\$665,948,300	\$664,334,083	\$672,933,597	\$672,679,006	\$8,344,923	1.26%
Operating Expenses	327,820,172	339,317,773	386,259,904	345,298,612	345,473,612	(40,786,292)	(10.56%)
Recovered Costs	(42,620,871)	(45,283,240)	(44,388,600)	(44,628,451)	(44,628,451)	(239,851)	0.54%
Capital Equipment	792,415	0	544,552	0	0	(544,552)	(100.00%)
Fringe Benefits	201,770,116	233,626,678	250,526,366	263,151,156	262,890,861	12,364,495	4.94%
Total Direct Expenditures	\$1,161,435,687	\$1,193,609,511	\$1,257,276,305	\$1,236,754,914	\$1,236,415,028	(\$20,861,277)	(1.66%)

ATTACHMENT VI

FY 2012 ADOPTED FUND STATEMENT FUND 001, GENERAL FUND

	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) Over Revised
Transfers Out							
002 Revenue Stabilization	\$16,213,768	\$0	\$0	\$0	\$0	\$0	-
090 Public School Operating	1,626,600,722	1,610,334,722	1,611,590,477	1,610,334,722	1,610,834,722	(755,755)	(0.05%)
100 County Transit Systems	21,562,367	31,992,047	31,992,047	34,455,482	34,455,482	2,463,435	7.70%
102 Federal/State Grant Fund	2,962,420	2,914,001	2,914,001	4,250,852	4,250,852	1,336,851	45.88%
103 Aging Grants & Programs	4,252,824	3,913,560	2,961,489	0	0	(2,961,489)	(100.00%)
104 Information Technology	13,430,258	3,225,349	19,025,349	5,281,579	5,281,579	(13,743,770)	(72.24%)
106 Fairfax-Falls Church Community Services Board	93,615,029	93,337,947	93,127,107	94,450,326	95,725,326	2,598,219	2.79%
112 Energy Resource Recovery (ERR) Facility	1,722,908	0	1,745,506	0	0	(1,745,506)	(100.00%)
118 Consolidated Community Funding Pool	8,970,687	8,970,687	8,970,687	8,970,687	8,970,687	0	0.00%
119 Contributory Fund	12,935,440	12,038,305	12,038,305	12,162,942	12,162,942	124,637	1.04%
120 E-911 Fund	10,823,062	14,058,303	14,058,303	14,058,303	14,058,303	0	0.00%
125 Stormwater Services	362,967	0	0	0	0	0	-
141 Elderly Housing Programs	2,033,225	1,989,225	1,989,225	1,989,225	1,989,225	0	0.00%
200 County Debt Service	110,931,895	121,874,490	121,660,143	119,373,864	119,373,864	(2,286,279)	(1.88%)
201 School Debt Service	163,767,929	160,709,026	160,208,882	163,470,564	163,470,564	3,261,682	2.04%
303 County Construction	12,109,784	12,062,406	12,392,861	14,919,369	14,919,369	2,526,508	20.39%
307 Sidewalk Construction	0	0	0	100,000	100,000	100,000	-
309 Metro Operations & Construction	7,409,851	7,409,851	7,409,851	11,298,296	11,298,296	3,888,445	52.48%
312 Public Safety Construction	800,000	0	0	550,000	242,595	242,595	-
317 Capital Renewal Construction	7,470,000	3,000,000	3,000,000	0	0	(3,000,000)	(100.00%)
340 Housing Assistance Program	515,000	515,000	515,000	515,000	515,000	0	0.00%
501 County Insurance	15,616,251	13,866,251	22,887,317	21,017,317	21,017,317	(1,870,000)	(8.17%)
504 Document Services Division	2,398,233	2,398,233	2,398,233	2,398,233	2,398,233	0	0.00%
603 OPEB Trust Fund	9,900,000	9,900,000	13,900,000	20,000,000	20,000,000	6,100,000	43.88%
Total Transfers Out	\$2,146,404,620	\$2,114,509,403	\$2,144,784,783	\$2,139,596,761	\$2,141,064,356	(\$3,720,427)	(0.17%)
Total Disbursements	\$3,307,840,307	\$3,308,118,914	\$3,402,061,088	\$3,376,351,675	\$3,377,479,384	(\$24,581,704)	(0.72%)
Total Ending Balance	\$240,276,899	\$73,162,378	\$116,175,478	\$97,776,767	\$67,549,588	(\$48,625,890)	(41.86%)
Less:							
Managed Reserve	\$68,006,885	\$66,162,378	\$68,041,222	\$67,527,034	\$67,549,588	(\$491,634)	(0.72%)
FY 2009 Audit Adjustments ⁴	728,086					0	-
Balances held in reserve for FY 2011 ⁵	12,429,680					0	-
Additional balances held in reserve for FY 2011 ⁶	542,445					0	-

ATTACHMENT VI

FY 2012 ADOPTED FUND STATEMENT

FUND 001, GENERAL FUND

	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) Over Revised
FY 2010 Third Quarter Reductions ⁷	35,340,186					0	-
Retirement Reserve ⁸	20,000,000					0	-
Reserve for State Cuts ⁹		7,000,000				0	-
Reserve for FY 2011/FY 2012 ¹⁰			23,953,143			(23,953,143)	(100.00%)
FY 2010 Audit Adjustments ¹¹			2,539,239			(2,539,239)	(100.00%)
Additional FY 2011 Revenue ¹²			7,339,516			(7,339,516)	(100.00%)
FY 2011 Third Quarter Reductions ¹³			9,580,000			(9,580,000)	(100.00%)
Reserve for Board Consideration ¹⁴			4,722,358			(4,722,358)	(100.00%)
Reserve for Board Consideration ¹⁵				30,249,733		0	-
Total Available	\$103,229,617	\$0	\$0	\$0	\$0	\$0	-

¹ The FY 2011 Revised Budget Plan reflects the actions taken by the Board of Supervisors on April 12, 2011 on the FY 2011 Third Quarter Review. Subsequent out-of-cycle adjustments will be reflected in the FY 2012 Adopted Budget Plan volumes.

² The FY 2012 Beginning Balance includes \$15,000,000 set aside in reserve in Agency 89, Employee Benefits, at the FY 2010 Carryover Review for anticipated increases in the FY 2012 employer contribution rates for Retirement.

³ Personal Property Taxes of \$211,313,944 that are reimbursed by the Commonwealth as a result of the Personal Property Tax Relief Act of 1998 are included in the Revenue from the Commonwealth category in accordance with guidelines from the State Auditor of Public Accounts.

⁴ As a result of FY 2009 audit adjustments, an amount of \$728,086 was available to be held in reserve in FY 2010 and was utilized to balance the FY 2011 budget.

⁵ As part of the FY 2009 Carryover Review, \$12,429,680 was identified to be held in reserve for FY 2011 requirements. It should be noted that this reserve was utilized to balance the FY 2011 budget.

⁶ As part of the FY 2010 Third Quarter Review, an additional amount of \$542,445 was set aside and held in reserve for FY 2011 requirements. This balance was the result of decreased Managed Reserve requirements attributable to reductions taken as part of the FY 2010 Third Quarter Review. This reserve was utilized to balance the FY 2011 budget.

⁷ As part of the FY 2010 Third Quarter Review, \$35,340,186 in reductions were taken and set aside in reserve for FY 2011 requirements. This amount was assumed in the beginning balance for the FY 2011 Adopted Budget Plan and was utilized to balance the FY 2011 budget.

⁸ As part of the FY 2009 Carryover Review, \$20,000,000 was set aside in reserve in Agency 89, Employee Benefits, for anticipated increases in the FY 2011 employer contribution rates for Retirement. This amount was assumed in the beginning balance for the FY 2011 Adopted Budget Plan and was utilized to balance the FY 2011 budget.

⁹ An amount of \$7,000,000 was set aside in reserve as part of the FY 2011 Adopted Budget Plan to offset potential reductions in state revenue beyond those accommodated within FY 2011 revenue estimates. As part of the FY 2010 Carryover Review, \$1,255,755 of this reserve was utilized to fund the Priority Schools Initiative for the Fairfax County Public Schools. The remaining balance was reallocated to a reserve for FY 2011 critical requirements or to address the projected FY 2012 shortfall.

¹⁰ As part of the FY 2010 Carryover Review, \$23,953,143 was identified to be held in reserve for critical requirements in FY 2011 or to address the projected budget shortfall in FY 2012. It should be noted that this reserve has been utilized to balance the FY 2012 budget.

¹¹ As a result of FY 2010 audit adjustments, an amount of \$2,539,239 was available to be held in reserve in FY 2011 and has been utilized to balance the FY 2012 budget.

¹² Based on revised revenue estimates as of fall 2010, an amount of \$7,339,516 was available to be held in reserve in FY 2011 and has been utilized to balance the FY 2012 budget.

¹³ As part of the FY 2011 Third Quarter Review, \$9,580,000 in reductions were taken and set aside in reserve. This amount has been utilized to balance the FY 2012 budget.

¹⁴ As part of the FY 2011 Third Quarter Review, a balance of \$4,722,358 was held in reserve for Board of Supervisors' consideration for the FY 2011 Third Quarter Review, the development of the FY 2012 budget, or future year requirements. As part of their budget deliberations, the Board utilized this amount in order to balance the FY 2012 budget.

¹⁵ As part of the FY 2012 Advertised Budget Plan, a balance of \$30,349,733 was held in reserve for Board of Supervisors' consideration in the development of the FY 2012 budget. As part of their budget deliberations, the Board utilized this amount in order to balance the FY 2012 budget.

FY 2012 ADOPTED SUMMARY GENERAL FUND DIRECT EXPENDITURES

# Agency Title	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) Over Revised
Legislative-Executive Functions / Central Services							
01 Board of Supervisors	\$4,474,636	\$4,876,387	\$4,876,387	\$4,876,387	\$4,876,387	\$0	0.00%
02 Office of the County Executive	5,795,101	5,789,394	5,858,651	5,989,394	5,989,394	130,743	2.23%
04 Department of Cable and Consumer Services	1,160,620	997,077	1,101,165	910,290	910,290	(190,875)	(17.33%)
06 Department of Finance	8,498,101	8,515,509	9,070,259	8,515,509	8,515,509	(554,750)	(6.12%)
11 Department of Human Resources	6,439,081	6,983,752	7,382,252	7,158,752	7,158,752	(223,500)	(3.03%)
12 Department of Purchasing and Supply Management	4,996,947	4,889,371	4,941,157	4,869,371	4,869,371	(71,786)	(1.45%)
13 Office of Public Affairs	1,253,812	1,154,174	1,252,262	1,086,384	1,086,384	(165,878)	(13.25%)
15 Office of Elections	2,403,372	2,596,036	2,997,986	3,016,036	3,016,036	18,050	0.60%
17 Office of the County Attorney	5,939,736	5,976,026	6,180,469	6,007,704	6,007,704	(172,765)	(2.80%)
20 Department of Management and Budget	2,795,595	2,720,598	2,792,807	2,710,598	2,710,598	(82,209)	(2.94%)
37 Office of the Financial and Program Auditor	145,001	330,227	332,320	330,227	330,227	(2,093)	(0.63%)
41 Civil Service Commission	361,061	529,297	429,297	429,297	429,297	0	0.00%
57 Department of Tax Administration	21,848,539	21,673,030	22,088,489	21,818,030	21,818,030	(270,459)	(1.22%)
70 Department of Information Technology	25,882,692	26,497,804	30,177,907	27,916,220	27,916,220	(2,261,687)	(7.49%)
Total Legislative-Executive Functions / Central Services	\$91,994,294	\$93,528,682	\$99,481,408	\$95,634,199	\$95,634,199	(\$3,847,209)	(3.87%)
Judicial Administration							
80 Circuit Court and Records	\$9,855,991	\$10,033,175	\$10,434,277	\$10,033,175	\$10,033,175	(\$401,102)	(3.84%)
82 Office of the Commonwealth's Attorney	2,535,239	2,545,464	2,525,464	2,525,464	2,525,464	0	0.00%
85 General District Court	2,322,902	2,029,128	2,234,811	2,149,128	2,149,128	(85,683)	(3.83%)
91 Office of the Sheriff	16,462,844	17,133,905	17,312,127	16,699,471	16,874,471	(437,656)	(2.53%)
Total Judicial Administration	\$31,176,976	\$31,741,672	\$32,506,679	\$31,407,238	\$31,582,238	(\$924,441)	(2.84%)
Public Safety							
04 Department of Cable and Consumer Services	\$928,660	\$790,919	\$788,499	\$788,456	\$788,456	(\$43)	(0.01%)
31 Land Development Services	8,569,181	9,193,297	9,364,671	8,356,264	8,356,264	(1,008,407)	(10.77%)
81 Juvenile and Domestic Relations District Court	20,313,862	20,343,367	20,748,500	20,163,367	20,163,367	(585,133)	(2.82%)
90 Police Department	164,661,587	161,513,847	164,058,926	160,613,847	160,613,847	(3,445,079)	(2.10%)
91 Office of the Sheriff	41,470,229	43,517,287	42,705,445	42,451,721	42,451,721	(253,724)	(0.59%)
92 Fire and Rescue Department	164,278,014	160,510,430	165,191,947	159,510,430	161,010,430	(4,181,517)	(2.53%)
93 Office of Emergency Management	1,538,552	1,649,744	2,292,254	1,759,744	1,759,744	(532,510)	(23.23%)
97 Department of Code Compliance ²	0	0	3,500,252	3,510,583	3,510,583	10,331	0.30%
Total Public Safety	\$401,760,085	\$397,518,891	\$408,650,494	\$397,154,412	\$398,654,412	(\$9,996,082)	(2.45%)
Public Works							
08 Facilities Management Department	\$46,994,914	\$50,445,185	\$51,439,985	\$50,233,926	\$50,233,926	(\$1,206,059)	(2.34%)
25 Business Planning and Support	329,616	350,199	350,199	777,170	777,170	426,971	121.92%
26 Office of Capital Facilities	10,423,284	10,713,365	11,031,724	10,859,546	10,859,546	(172,178)	(1.56%)
87 Unclassified Administrative Expenses	4,288,745	3,765,867	4,292,725	3,681,627	3,681,627	(611,098)	(14.24%)
Total Public Works	\$62,036,559	\$65,274,616	\$67,114,633	\$65,552,269	\$65,552,269	(\$1,562,364)	(2.33%)

ATTACHMENT VI

FY 2012 ADOPTED SUMMARY GENERAL FUND DIRECT EXPENDITURES

# Agency Title	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) Over Revised
Health and Welfare							
67 Department of Family Services	\$190,234,135	\$176,884,039	\$192,968,722	\$189,219,345	\$187,464,754	(\$5,503,968)	(2.85%)
68 Department of Administration for Human Services	10,665,601	10,421,592	10,921,764	10,771,592	10,771,592	(150,172)	(1.37%)
69 Department of Systems Management for Human Services ³	5,471,136	0	0	0	0	0	-
71 Health Department ²	46,577,027	48,289,031	50,415,739	50,928,317	50,928,317	512,578	1.02%
73 Office to Prevent and End Homelessness	314,291	9,582,532	10,237,842	10,460,606	10,460,606	222,764	2.18%
79 Department of Neighborhood and Community Services ³	0	24,973,524	26,261,030	25,934,861	25,934,861	(326,169)	(1.24%)
Total Health and Welfare	\$253,262,190	\$270,150,718	\$290,805,097	\$287,314,721	\$285,560,130	(\$5,244,967)	(1.80%)
Parks, Recreation and Libraries							
50 Department of Community and Recreation Services ³	\$18,718,036	\$0	\$0	\$0	\$0	\$0	-
51 Fairfax County Park Authority	23,103,572	21,621,388	22,112,220	21,699,789	21,699,789	(412,431)	(1.87%)
52 Fairfax County Public Library	27,910,295	26,035,911	27,276,291	26,035,911	26,035,911	(1,240,380)	(4.55%)
Total Parks, Recreation and Libraries	\$69,731,903	\$47,657,299	\$49,388,511	\$47,735,700	\$47,735,700	(\$1,652,811)	(3.35%)
Community Development							
16 Economic Development Authority	\$6,797,502	\$6,795,506	\$6,795,506	\$7,045,506	\$7,045,506	\$250,000	3.68%
31 Land Development Services ²	13,494,972	14,922,619	12,491,538	12,624,026	12,624,026	132,488	1.06%
35 Department of Planning and Zoning ²	10,710,814	10,326,041	9,561,621	9,271,412	9,271,412	(290,209)	(3.04%)
36 Planning Commission	707,150	664,654	664,654	664,654	664,654	0	0.00%
38 Department of Housing and Community Development	6,585,966	5,928,757	6,030,760	5,928,757	5,928,757	(102,003)	(1.69%)
39 Office of Human Rights and Equity Programs	1,615,648	1,544,570	1,534,570	1,534,570	1,534,570	0	0.00%
40 Department of Transportation	7,650,965	6,734,842	10,416,178	6,777,644	6,777,644	(3,638,534)	(34.93%)
Total Community Development	\$47,563,017	\$46,916,989	\$47,494,827	\$43,846,569	\$43,846,569	(\$3,648,258)	(7.68%)
Nondepartmental							
87 Unclassified Administrative Expenses	\$1,027,489	\$6,015,760	\$8,354,044	\$3,775,000	\$3,775,000	(\$4,579,044)	(54.81%)
89 Employee Benefits	202,883,174	234,804,884	253,480,612	264,334,806	264,074,511	10,593,899	4.18%
Total Nondepartmental	\$203,910,663	\$240,820,644	\$261,834,656	\$268,109,806	\$267,849,511	\$6,014,855	2.30%
Total General Fund Direct Expenditures	\$1,161,435,687	\$1,193,609,511	\$1,257,276,305	\$1,236,754,914	\$1,236,415,028	(\$20,861,277)	(1.66%)

¹ The FY 2011 Revised Budget Plan reflects the actions taken by the Board of Supervisors on April 12, 2011 on the FY 2011 Third Quarter Review. Subsequent out-of-cycle adjustments will be reflected in the FY 2012 Adopted Budget Plan volumes.

² As part of the FY 2011 Adopted Budget Plan, the Board of Supervisors approved the creation of the Department of Code Compliance to create an adaptable, accountable, multi-code enforcement organization that responds effectively towards building and sustaining communities. Included in the FY 2010 Carryover Review was the reallocation of funding to this new agency from the Code Enforcement Strike Team, primarily budgeted in Land Development Services; the majority of the Zoning Enforcement function in the Department of Planning and Zoning; and partial funding from the Environmental Health Division of the Health Department.

³ As part of the FY 2011 Adopted Budget Plan, all activity in Agency 50, Community and Recreation Services, and Agency 69, Systems Management for Human Services, was moved to Agency 79, Department of Neighborhood and Community Services, as part of a major consolidation initiative to maximize operational efficiencies, redesign access and delivery of services, and strengthen neighborhood and community capacity.

**FY 2012 ADOPTED EXPENDITURES BY FUND
SUMMARY OF APPROPRIATED FUNDS**

Fund Type/Fund	FY 2010 Estimate	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) Over Revised
GOVERNMENTAL FUNDS								
G00 General Fund Group								
001 General Fund	\$1,253,939,653	\$1,161,435,687	\$1,193,609,511	\$1,257,276,305	\$1,236,754,914	\$1,236,415,028	(\$20,861,277)	(1.66%)
Total General Fund Group	\$1,253,939,653	\$1,161,435,687	\$1,193,609,511	\$1,257,276,305	\$1,236,754,914	\$1,236,415,028	(\$20,861,277)	(1.66%)
G10 Special Revenue Funds								
090 Public School Operating ²	\$2,206,246,417	\$2,062,741,349	\$2,153,563,115	\$2,248,251,991	\$2,171,059,534	\$2,171,559,534	(\$76,692,457)	(3.41%)
100 County Transit Systems	98,837,662	67,845,129	81,849,311	101,406,721	98,000,389	98,000,389	(3,406,332)	(3.36%)
102 Federal/State Grant Fund	144,228,345	63,324,919	62,960,909	200,527,310	67,818,214	67,818,214	(132,709,096)	(66.18%)
103 Aging Grants & Programs	11,193,849	7,105,406	7,824,306	10,847,744	0	0	(10,847,744)	(100.00%)
104 Information Technology	57,984,875	20,946,887	5,467,349	59,284,918	11,251,579	9,251,579	(50,033,339)	(84.39%)
105 Cable Communications	15,295,646	8,411,542	9,887,220	16,384,504	10,950,136	10,950,136	(5,434,368)	(33.17%)
106 Fairfax-Falls Church Community Services Board	150,959,539	138,875,521	140,558,420	153,586,823	144,980,981	146,255,981	(7,330,842)	(4.77%)
108 Leaf Collection	2,434,340	2,183,025	2,300,780	2,300,780	2,404,038	2,404,038	103,258	4.49%
109 Refuse Collection and Recycling Operations	23,285,876	19,638,378	19,277,682	20,908,316	20,238,318	20,238,318	(669,998)	(3.20%)
110 Refuse Disposal	66,501,528	49,518,214	55,397,092	61,407,069	51,244,631	51,244,631	(10,162,438)	(16.55%)
111 Reston Community Center	8,519,985	6,973,608	8,006,141	9,850,107	7,748,352	7,748,352	(2,101,755)	(21.34%)
112 Energy Resource Recovery (ERR) Facility	38,071,370	37,501,930	31,975,909	33,779,516	16,443,313	18,143,313	(15,636,203)	(46.29%)
113 McLean Community Center	5,703,976	4,380,058	5,308,040	5,968,797	5,579,357	5,579,357	(389,440)	(6.52%)
114 I-95 Refuse Disposal	24,233,518	8,783,864	8,586,108	23,540,506	8,211,546	8,211,546	(15,328,960)	(65.12%)
115 Burgundy Village Community Center	45,333	25,518	44,065	44,065	44,065	44,065	0	0.00%
116 Integrated Pest Management Program	3,246,904	2,176,637	2,903,352	3,282,472	2,903,352	3,023,352	(259,120)	(7.89%)
118 Consolidated Community Funding Pool	9,266,423	9,082,779	8,970,687	9,154,331	8,970,687	8,970,687	(183,644)	(2.01%)
119 Contributory Fund	12,935,440	12,854,128	12,038,305	12,038,305	12,212,942	12,212,942	174,637	1.45%
120 E-911 Fund	44,831,136	32,620,514	37,245,287	47,068,932	37,245,287	37,245,287	(9,823,645)	(20.87%)
121 Dulles Rail Phase I Transportation Improvement District	52,350,000	22,491,341	13,350,000	66,000,000	25,000,000	25,000,000	(41,000,000)	(62.12%)
122 Dulles Rail Phase II Transportation Improvement District ³	0	0	500,000	500,000	500,000	500,000	0	0.00%
124 County & Regional Transportation Projects	132,170,111	21,793,172	27,598,338	142,589,301	22,540,528	22,540,528	(120,048,773)	(84.19%)
125 Stormwater Services	15,937,967	11,989,666	28,000,000	31,869,191	28,800,000	28,800,000	(3,069,191)	(9.63%)
141 Elderly Housing Programs	4,546,796	3,536,038	4,186,706	5,201,767	4,159,501	4,159,501	(1,042,266)	(20.04%)
142 Community Development Block Grant	17,887,472	7,576,868	5,982,304	17,122,933	6,463,133	6,463,133	(10,659,800)	(62.25%)
143 Homeowner and Business Loan Programs	8,832,635	5,358,888	3,883,825	8,629,710	4,514,316	4,514,316	(4,115,394)	(47.69%)
144 Housing Trust Fund	6,331,697	2,177,035	840,000	4,235,632	348,814	348,814	(3,886,818)	(91.76%)
145 HOME Investment Partnerships Grant	7,585,726	1,252,918	2,707,657	9,069,673	2,692,612	2,692,612	(6,377,061)	(70.31%)
191 School Food & Nutrition Services	79,679,668	67,366,590	83,017,202	87,778,280	87,846,533	87,846,533	68,253	0.08%
192 School Grants & Self-Supporting	100,745,088	69,688,989	70,894,825	96,567,320	63,625,695	63,625,695	(32,941,625)	(34.11%)
193 School Adult & Community Education	11,927,771	9,654,485	10,952,394	11,469,416	10,840,709	10,840,709	(628,707)	(5.48%)
Total Special Revenue Funds	\$3,361,817,093	\$2,777,875,396	\$2,906,077,329	\$3,500,666,430	\$2,934,638,562	\$2,936,233,562	(\$564,432,868)	(16.12%)
G20 Debt Service Funds								
200/201 Consolidated Debt Service	\$290,207,893	\$279,346,291	\$287,575,052	\$298,986,562	\$287,850,034	\$287,850,034	(\$11,136,528)	(3.72%)
Total Debt Service Funds	\$290,207,893	\$279,346,291	\$287,575,052	\$298,986,562	\$287,850,034	\$287,850,034	(\$11,136,528)	(3.72%)

ATTACHMENT VI

**FY 2012 ADOPTED EXPENDITURES BY FUND
SUMMARY OF APPROPRIATED FUNDS**

Fund Type/Fund	FY 2010 Estimate	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) Over Revised
G30 Capital Project Funds								
301 Contributed Roadway Improvement Fund	\$45,110,408	\$2,501,789	\$0	\$41,453,288	\$0	\$0	(\$41,453,288)	(100.00%)
302 Library Construction	30,949,743	12,186,248	0	18,758,661	0	0	(18,758,661)	(100.00%)
303 County Construction	69,350,292	20,585,441	13,462,406	46,144,454	16,723,869	16,723,869	(29,420,585)	(63.76%)
304 Transportation Improvements	137,913,306	11,490,344	0	124,109,947	0	0	(124,109,947)	(100.00%)
306 Northern Virginia Regional Park Authority	2,700,000	2,700,000	2,700,000	2,700,000	3,000,000	3,000,000	300,000	11.11%
307 Pedestrian Walkway Improvements	4,773,691	956,268	0	4,030,357	100,000	100,000	(3,930,357)	(97.52%)
309 Metro Operations & Construction	29,559,403	27,844,412	28,141,231	21,920,231	33,965,733	33,965,733	12,045,502	54.95%
311 County Bond Construction	80,228,756	9,115,509	0	78,529,272	0	0	(78,529,272)	(100.00%)
312 Public Safety Construction	134,799,432	17,953,228	0	121,714,044	750,000	442,595	(121,271,449)	(99.64%)
314 Neighborhood Improvement Program	148,485	0	0	0	0	0	0	-
315 Commercial Revitalization Program	4,575,251	478,697	0	4,098,234	0	0	(4,098,234)	(100.00%)
316 Pro Rata Share Drainage Construction	14,723,479	4,506,173	0	10,404,336	0	0	(10,404,336)	(100.00%)
317 Capital Renewal Construction	37,671,555	5,205,382	8,000,000	40,519,520	15,000,000	15,000,000	(25,519,520)	(62.98%)
318 Stormwater Management Program	22,085,406	8,535,124	0	16,913,243	0	0	(16,913,243)	(100.00%)
319 The Penny for Affordable Housing Fund	23,461,206	18,186,529	13,458,400	19,864,899	14,668,400	14,668,400	(5,196,499)	(26.16%)
340 Housing Assistance Program	9,014,216	1,074,560	515,000	8,355,876	515,000	515,000	(7,840,876)	(93.84%)
370 Park Authority Bond Construction	81,879,185	19,220,896	0	62,736,313	0	0	(62,736,313)	(100.00%)
390 School Construction	534,378,991	109,570,133	165,582,149	575,242,805	163,084,711	163,084,711	(412,158,094)	(71.65%)
Total Capital Project Funds	\$1,263,322,805	\$272,110,733	\$231,859,186	\$1,197,495,480	\$247,807,713	\$247,500,308	(\$949,995,172)	(79.33%)
TOTAL GOVERNMENTAL FUNDS	\$6,169,287,444	\$4,490,768,107	\$4,619,121,078	\$6,254,424,777	\$4,707,051,223	\$4,707,998,932	(\$1,546,425,845)	(24.73%)
PROPRIETARY FUNDS								
G40 Enterprise Funds								
401 Sewer Operation and Maintenance	\$98,365,426	\$82,824,490	\$99,968,777	\$89,828,572	\$93,287,604	\$93,287,604	\$3,459,032	3.85%
402 Sewer Construction Improvements	42,969,800	16,746,437	24,500,000	50,723,363	29,000,000	29,000,000	(21,723,363)	(42.83%)
403 Sewer Bond Parity Debt Service	10,886,182	13,952,554	19,827,531	19,827,531	26,104,805	26,104,805	6,277,274	31.66%
407 Sewer Bond Subordinate Debt Service	24,333,391	24,279,811	24,910,740	24,910,740	26,724,284	26,724,284	1,813,544	7.28%
408 Sewer Bond Construction	100,705,727	49,999,131	140,294,000	228,100,596	0	0	(228,100,596)	(100.00%)
Total Enterprise Funds	\$277,260,526	\$187,802,423	\$309,501,048	\$413,390,802	\$175,116,693	\$175,116,693	(\$238,274,109)	(57.64%)
G50 Internal Service Funds								
501 County Insurance Fund	\$18,129,718	\$19,409,562	\$16,379,718	\$22,111,815	\$21,777,676	\$21,777,676	(\$334,139)	(1.51%)
503 Department of Vehicle Services	80,066,491	62,988,531	69,567,247	77,875,191	69,398,301	69,398,301	(8,476,890)	(10.89%)
504 Document Services Division	8,495,757	6,034,168	6,050,787	7,640,509	6,050,787	6,050,787	(1,589,722)	(20.81%)
505 Technology Infrastructure Services	26,520,043	23,694,754	28,160,148	30,655,413	29,483,564	29,483,564	(1,171,849)	(3.82%)
506 Health Benefits Fund	123,108,171	111,378,722	126,746,872	133,712,937	129,853,306	129,853,306	(3,859,631)	(2.89%)
590 School Insurance Fund	18,845,206	13,777,401	19,112,490	17,872,964	18,884,727	18,884,727	1,011,763	5.66%
591 School Health & Flexible Benefits	311,799,857	261,189,356	326,399,867	323,613,352	336,287,415	336,287,415	12,674,063	3.92%
592 School Central Procurement	14,000,000	11,284,250	14,000,000	14,000,000	14,000,000	14,000,000	0	0.00%
Total Internal Service Funds	\$600,965,243	\$509,756,744	\$606,417,129	\$627,482,181	\$625,735,776	\$625,735,776	(\$1,746,405)	(0.28%)
TOTAL PROPRIETARY FUNDS	\$878,225,769	\$697,559,167	\$915,918,177	\$1,040,872,983	\$800,852,469	\$800,852,469	(\$240,020,514)	(23.06%)

ATTACHMENT VI

FY 2012 ADOPTED EXPENDITURES BY FUND SUMMARY OF APPROPRIATED FUNDS

Fund Type/Fund	FY 2010 Estimate	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) Over Revised
FIDUCIARY FUNDS								
G60 Trust Funds								
600 Uniformed Employees Retirement Trust Fund	\$67,324,901	\$63,601,151	\$77,763,515	\$77,763,515	\$79,650,095	\$79,650,095	\$1,886,580	2.43%
601 Fairfax County Employees' Retirement Trust Fund	201,053,281	182,620,769	213,982,858	213,982,858	220,823,834	220,823,834	6,840,976	3.20%
602 Police Retirement Trust Fund	54,849,822	51,096,135	58,963,783	58,963,783	61,716,542	61,716,542	2,752,759	4.67%
603 OPEB Trust Fund	15,077,881	14,239,001	6,842,229	17,700,229	7,144,556	7,144,556	(10,555,673)	(59.64%)
691 Education Employees' Retirement	167,775,061	158,339,078	175,427,519	170,034,426	179,749,264	179,749,264	9,714,838	5.71%
692 Public School OPEB Trust Fund	26,010,000	27,198,189	26,047,000	30,723,000	32,552,500	32,552,500	1,829,500	5.95%
Total Trust Funds	\$532,090,946	\$497,094,323	\$559,026,904	\$569,167,811	\$581,636,791	\$581,636,791	\$12,468,980	2.19%
G70 Agency Funds								
700 Route 28 Taxing District	\$12,598,694	\$11,541,422	\$10,645,808	\$10,646,111	\$9,765,406	\$9,765,406	(\$880,705)	(8.27%)
716 Mosaic District Community Development Authority ⁴	0	0	0	88,400,000	0	0	(88,400,000)	(100.00%)
Total Agency Funds	\$12,598,694	\$11,541,422	\$10,645,808	\$99,046,111	\$9,765,406	\$9,765,406	(\$89,280,705)	(90.14%)
TOTAL FIDUCIARY FUNDS	\$544,689,640	\$508,635,745	\$569,672,712	\$668,213,922	\$591,402,197	\$591,402,197	(\$76,811,725)	(11.50%)
TOTAL APPROPRIATED FUNDS	\$7,592,202,853	\$5,696,963,019	\$6,104,711,967	\$7,963,511,682	\$6,099,305,889	\$6,100,253,598	(\$1,863,258,084)	(23.40%)
Less: Internal Service Funds⁵	(\$600,965,243)	(\$509,756,744)	(\$606,417,129)	(\$627,482,181)	(\$625,735,776)	(\$625,735,776)	\$1,746,405	(0.28%)
NET EXPENDITURES	\$6,991,237,610	\$5,187,206,275	\$5,498,294,838	\$7,336,029,501	\$5,473,570,113	\$5,474,517,822	(\$1,861,511,679)	(25.37%)

¹ The FY 2011 Revised Budget Plan reflects the actions taken by the Board of Supervisors on April 12, 2011 on the FY 2011 Third Quarter Review. Subsequent out-of-cycle adjustments will be reflected in the FY 2012 Adopted Budget Plan volumes.

² FY 2012 Advertised expenditures for Fund 090, Public School Operating, are reduced by \$48,802,412 to offset the discrepancy between the proposed Transfer Out from the General Fund and the Superintendent's Proposed Transfer In to Fund 090. FY 2012 Adopted expenditures are increased \$500,000 over the Advertised amount to reflect the increased transfer to Schools as included in the Board of Supervisors mark-up of the FY 2012 budget on April 12, 2011.

³ As part of the FY 2011 Adopted Budget Plan, Fund 122, Dulles Rail Phase II Transportation Improvement District, was created to separately account for revenue received from the Phase II Dulles Rail Transportation Improvement District.

⁴ As part of the FY 2011 Third Quarter Review, Fund 716, Mosaic District Community Development Authority, was created to separately account for revenue collections and anticipated bond proceeds for the Mosaic Community Development Authority. The establishment of the authority was approved by the Board of Supervisors on April 27, 2010.

⁵ Total Appropriated Funds Expenditures are reduced by Internal Service Fund Expenditures, as the amounts are already included.

FY 2012 ADOPTED EXPENDITURES BY FUND SUMMARY OF NON-APPROPRIATED FUNDS

Fund Type/Fund	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) over Revised
HUMAN SERVICES							
G10 Special Revenue Funds							
117 Alcohol Safety Action Program	\$1,679,877	\$1,687,300	\$1,687,300	\$1,687,300	\$1,687,300	\$0	0.00%
NORTHERN VIRGINIA REGIONAL IDENTIFICATION SYSTEM (NOVARIS)							
G70 Agency Funds							
703 Northern Virginia Regional Identification System	\$334	\$18,599	\$18,599	\$34,599	\$34,599	\$16,000	86.03%
HOUSING AND COMMUNITY DEVELOPMENT							
H94 Other Housing Funds							
940 FCRHA General Operating	\$2,263,219	\$2,406,754	\$2,330,508	\$2,516,625	\$2,516,625	\$186,117	7.99%
941 Fairfax County Rental Program	4,501,535	4,722,253	4,873,476	4,667,664	4,667,664	(205,812)	(4.22%)
945 Non-County Appropriated Rehabilitation Loan	0	25,000	25,000	25,000	25,000	0	0.00%
946 FCRHA Revolving Development	44,212	0	2,092,050	0	0	(2,092,050)	(100.00%)
948 FCRHA Private Financing	883,658	774,232	3,082,745	720,962	720,962	(2,361,783)	(76.61%)
949 RCRHA Internal Service Fund	3,902,344	4,212,326	4,499,872	3,864,914	3,864,914	(634,958)	(14.11%)
950 Housing Partnerships	1,316,840	1,698,720	2,048,435	1,740,147	1,740,147	(308,288)	(15.05%)
965 Housing Grants Fund	179,357	0	651,567	0	0	(651,567)	(100.00%)
Total Other Housing Funds	\$13,091,165	\$13,839,285	\$19,603,653	\$13,535,312	\$13,535,312	(\$6,068,341)	(30.96%)
H96 Annual Contribution Contract							
966 Section 8 Annual Contribution	\$44,481,899	\$43,607,618	\$49,373,304	\$50,911,987	\$50,911,987	\$1,538,683	3.12%
967 Public Housing Projects Under Management	9,065,918	9,181,813	9,655,921	9,658,684	9,658,684	2,763	0.03%
969 Public Housing Projects Under Modernization	4,007,098	0	3,220,899	0	0	(3,220,899)	(100.00%)
Total Annual Contribution Contract	\$57,554,915	\$52,789,431	\$62,250,124	\$60,570,671	\$60,570,671	(\$1,679,453)	(2.70%)
TOTAL HOUSING AND COMMUNITY DEVELOPMENT	\$70,646,080	\$66,628,716	\$81,853,777	\$74,105,983	\$74,105,983	(\$7,747,794)	(9.47%)

ATTACHMENT VI

FY 2012 ADOPTED EXPENDITURES BY FUND SUMMARY OF NON-APPROPRIATED FUNDS

Fund Type/Fund	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan ¹	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan	Increase/ (Decrease) Over Revised	% Increase/ (Decrease) over Revised
FAIRFAX COUNTY PARK AUTHORITY							
P17 Special Revenue - Park Authority							
170 Park Revenue Fund	\$36,830,062	\$41,814,002	\$41,814,002	\$41,244,493	\$41,244,493	(\$569,509)	(1.36%)
P37 Capital Projects - Park Authority							
371 Park Capital Improvement Fund	\$1,607,927	\$0	\$29,435,814	\$0	\$0	(\$29,435,814)	(100.00%)
TOTAL FAIRFAX COUNTY PARK AUTHORITY	\$38,437,989	\$41,814,002	\$71,249,816	\$41,244,493	\$41,244,493	(\$30,005,323)	(42.11%)
TOTAL NON-APPROPRIATED FUNDS	\$110,764,280	\$110,148,617	\$154,809,492	\$117,072,375	\$117,072,375	(\$37,737,117)	(24.38%)

¹ The FY 2011 Revised Budget Plan reflects the actions taken by the Board of Supervisors on April 12, 2011 on the FY 2011 Third Quarter Review. Subsequent out-of-cycle adjustments will be reflected in the FY 2012 Adopted Budget Plan volumes.

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Board Agenda Item
April 26, 2011

10:45 a.m.

Board Decision on the Alternative Plans Submitted to the Board by the Advisory Citizens Committee and the Public to Reapportion the Election Districts of the Board of Supervisors

ISSUE:

Board decision on the reapportionment alternatives developed by the Advisory Citizens Committee on the 2011 Reapportionment of the Board of Supervisors (“Advisory Committee” or “Committee”) and members of the public. The Advisory Committee submitted 22 different reapportionment plans, members of the public submitted three alternative reapportionment plans, and staff prepared 25 draft ordinances that could, if adopted, be used to implement any one of those alternatives.

RECOMMENDATION:

The County Executive recommends that the Board adopt an ordinance implementing one of the 25 alternative plans prepared by the Advisory Committee and members of the public as well as any amendments thereto that the Board deems appropriate.

TIMING:

Immediate. Notice of the public hearing and the Board’s intention to adopt a reapportionment ordinance was published on April 1 and 8, 2011. The public hearing was held on April 12, 2011. The State Board of Elections has recommended that the governing body of any locality that is subject to the preclearance requirement of Section 5 of the federal Voting Rights Act submit its reapportionment plan to the U.S. Department of Justice for federal review by April 29, 2011, and request expedited review, so that the preclearance process can be completed in time to meet election-related deadlines established during the 2011 Session of the General Assembly.

BACKGROUND:

On April 1, 2010, the United States Bureau of the Census conducted the decennial census in accordance with federal law, and Virginia’s population data was released in early February. That information will be used for a wide range of purposes in future years, but the first and most important use of the 2010 Census data will be for political reapportionment at all levels of government. Virginia’s local governments are required to consider reapportionment every ten years, and the data from the 2010 Census indicates that there have been population changes within the County that will require the reapportionment of the election districts of the Board.

Board Agenda Item
April 26, 2011

More specifically, after the 2001 County reapportionment, the populations of the nine election districts ranged from a low of 102,504 persons (Lee) to a high of 112,218 persons (Mount Vernon), a total population deviation of 9.0 percent from the ideal sized district. According to the Bureau of the Census, during the period from 2000 to 2010, the total County population rose from 969,749 to 1,081,726. More important, the County population growth was geographically uneven. The 2010 Census indicated that the populations of the nine election districts ranged from a low of 109,326 (Mason) to a high of 127,501 (Mount Vernon), which presents a total population deviation of 15.1 percent from the ideal sized district of 120,192 persons.

Local representation must meet federal and state "one person, one vote" requirements. Those requirements are met by allowing only small population differences among election districts. In 1977, the United States Supreme Court indicated that a population deviation of less than ten percent among state and local election districts would be presumed constitutional, but even in instances where the deviation is less than ten percent, a good-faith effort to equalize populations using traditional reapportionment principles must be shown. Courts have recognized these factors as traditional principles: (1) compactness; (2) contiguity; (3) preservation of political boundaries, e.g., town boundaries; (4) preservation of communities of interest; (5) preservation of cores of prior districts; and (6) protection of incumbents.

On November 16, 2010, the Board adopted a resolution establishing criteria and policies regarding reapportionment and encouraging members of the public to submit reapportionment plans for the Board's consideration. The Board also established the Advisory Committee for the purpose of developing a number of reapportionment options for consideration by the Board. The Advisory Committee held seven meetings and one workshop in January, February, and March 2011. The members of the Committee developed, discussed, withdrew, and revised a number of reapportionment alternatives. Ultimately, the members of the Advisory Committee proposed 22 reapportionment plans for the Board's consideration. Meanwhile, in early March, the County set up a webpage on the County's website that included all the tools and information necessary for members of the public to create and submit reapportionment plans. Three different plans were submitted through the website.

The Committee issued a Report that includes all 25 plans for the Board's consideration. The plans include 22 nine-district plans, two ten-district plans, and one eleven-district plan. Each proposed plan in the Report includes a map, a summary data sheet, summarized population counts for each district in the proposed plan, a completed questionnaire describing whether and how the plan satisfies legal requirements and the Board-established criteria and policies, and a proposed ordinance that would effect the plan.

Board Agenda Item
April 26, 2011

Virginia law requires the adoption of reapportionment plans by ordinance. Pursuant to Board authorization on March 29, 2011, an advertisement was published twice in a newspaper of general circulation to give the public notice that the Board would conduct a public hearing on April 12 and that the Board intends to propose and adopt an ordinance on April 26 that would reapportion the Board. The Report also has been posted on the County's website to provide further public notice. The Board held the public hearing on April 12 and deferred decision until April 26.

The timing of the Board's decision is critical because the reapportionment ordinance cannot be implemented until it has been "precleared" as required by Section 5 of the federal Voting Rights Act. Federal law gives the Department of Justice 60 days to consider and act upon a preclearance submission unless the submitting party requests and receives expedited consideration. Therefore, under the typical schedule, the Department of Justice would not have to act upon the preclearance submission until the end of June. To accommodate the need for federal preclearance of local and state redistricting plans, the General Assembly adopted legislation delaying the dates for election activities in 2011, but those delayed dates still leave insufficient time for the full 60-day preclearance period. 2011 Va. Acts Ch. 3. That legislation established August 23, 2011, as the date for the primary elections, and candidates must declare their candidacy for the primary by not earlier than Tuesday, June 7, and not later than June 15, 2011. If the reapportionment is not precleared prior to June 7, primary candidates will have to file their declarations before they can be certain of the composition of the district and, possibly, whether they reside in the district. On March 25, 2011, the State Board of Elections issued an official recommendation that the governing body of any locality that is subject to the preclearance requirement of Section 5 of the federal Voting Rights Act submit its reapportionment plan to the U.S. Department of Justice for federal review by April 29, 2011, and request expedited consideration. Adoption of an ordinance on April 26 will allow staff sufficient time to prepare and submit a preclearance request to the U.S. Department of Justice by April 29 on behalf of the Board.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

None. The Report of the Advisory Citizens Committee on the 2011 Reapportionment of the Board of Supervisors of Fairfax County, Virginia, was delivered to Board members on March 29, 2011, and it is available online at

<http://www.fairfaxcounty.gov/redistricting/report.htm>

Board Agenda Item
April 26, 2011

STAFF:

Anthony H. Griffin, County Executive

David J. Molchany, Deputy County Executive

David P. Bobzien, County Attorney

Thomas J. Conry, Chief, Geographic Information Services/Mapping Services Branch,
Department of Information Technology

Anne Pickford Cahill, Manager, Economic and Demographic Research, Department of
Neighborhood and Community Services

Michael Long, Deputy County Attorney

Erin C. Ward, Assistant County Attorney

Board Agenda Item
April 26, 2011

11:00 a.m.

Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups

ENCLOSED DOCUMENTS:

Appointments to be heard April 26, 2011

An updated list will be distributed at the Board meeting.

STAFF:

Nancy Vehrs, Clerk to the Board of Supervisors

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NOTE: A revised list will be distributed immediately prior to the Board meeting.

APPOINTMENTS TO BE HEARD APRIL 26, 2011
(ENCOMPASSING VACANCIES PROJECTED THROUGH APRIL 30, 2011)
(Unless otherwise noted, members are eligible for reappointment)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE
(1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT Term exp. 1/11	Sully District Representative		Frey	Sully

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Mark S. Ingrao (Appointed 1/03 by Mendelsohn; 5/05 by DuBois) Term exp. 5/09	Citizen Representative		By Any Supervisor	At-Large
VACANT (Formerly held by James Francis Carey; appointed 2/95-5/02 by Hanley; 5/06 by Connolly) Term exp. 5/10 <i>Resigned</i>	Lending Institution Representative		By Any Supervisor	At-Large

AIRPORTS ADVISORY COMMITTEE (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Barbara Kreykenbohm (Appointed 1/09 by Gross) Term exp. 1/11	Mason District Representative		Gross	Mason

ATHLETIC COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Gregory Beckwith (Appointed 7/10 by Foust) Term exp. 3/11	Dranesville District Alternate Representative		Foust	Dranesville
Michael Champness (Appointed 2/05-3/07 by DuBois; 3/09 by Foust) Term exp. 3/11	Dranesville District Principal Representative		Foust	Dranesville
Michael Rodgers (Appointed 5/09 by McKay) Term exp. 4/11	Lee District Principal Representative		McKay	Lee
Mark R. Heilbrun (Appointed 12/10 by Herrity) Term exp. 4/11	Springfield District Alternate Representative		Herrity	Springfield

**BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE
(1 year)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Regina Jordan; appointed 6/04&6/09 by Hudgins) Term exp. 6/10 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

**CHESAPEAKE BAY PRESERVATION ORDINANCE
EXCEPTION REVIEW COMMITTEE
(4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Michael Fraser; appointed 11/08 by Smyth) Term exp. 9/11 <i>Resigned</i>	Providence District Representative		Smyth	Providence

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION
(4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Mark Yeager; appointed 7/06 by Connolly; 3/09 by Bulova) Term exp. 1/13 <i>Resigned</i>	At-Large Chairman's Representative	Nancy Susco	Bulova	At-Large Chairman's
Suzette Kern (Appointed 11/09 by McKay) Term exp. 1/11	Lee District Representative		McKay	Lee

**COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP
(2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Janyce Hedetniemi (Appointed 4/07 by Connolly; 4/09 by Bulova) Term exp. 4/11	At-Large #1 Chairman's Representative	Janyce Hedetniemi	Bulova	At-Large Chairman's
Robert Simon (Appointed 4/09 by Bulova) Term exp. 4/11	At-Large #2 Chairman's Representative	Robert Simon	Bulova	At-Large Chairman's
Michael Webb (Appointed 4/07 by Bulova; 5/09 by Cook) Term exp. 4/11	Braddock District Representative		Cook	Braddock

**COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP
(2 years)**

continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Elizabeth Morton (Appointed 4/09 by Foust) Term exp. 4/11	Dranesville District Representative		Foust	Dranesville
Kurt Pronske (Appointed 4/07-5/09 by Hudgins) Term exp. 4/11	Hunter Mill District Representative		Hudgins	Hunter Mill
Kyle Talente (Appointed 4/07 by Kauffman; 4/09 by McKay) Term exp. 4/11	Lee District Representative		McKay	Lee
Frank Sellers (Appointed 4/07-4/09 by Gross) Term exp. 4/11	Mason District Representative		Gross	Mason
John Byers (Appointed 4/07-4/09 by Hyland) Term exp. 4/11	Mount Vernon District Representative		Hyland	Mount Vernon
Robert Mortensen (Appointed 5/09 by Smyth) Term exp. 4/11	Providence District Representative	Robert Mortensen	Smyth	Providence
Michael DeLoose (Appointed 4/07 by McConnell; 4/09 by Herrity) Term exp. 4/11	Springfield District Representative		Herrity	Springfield
Dominic Taddeo (Appointed 1/08-4/09 by Sully) Term exp. 4/11	Sully District Representative		Frey	Sully

**CONSUMER PROTECTION COMMISSION
(3 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by James Mrowka; appointed 2/03-8/04 by Mendelsohn; 9/06 by DuBois; 9/09 by Foust) Term exp. 7/12 <i>Resigned</i>	Fairfax County Resident #6 Representative		By Any Supervisor	At-Large

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Edmund P. Foster; appointed 1/09-12/09 by Herrity) Term exp. 11/12 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield

FAIRFAX AREA DISABILITY SERVICES BOARD
(3 years- limited to 2 full consecutive terms per MOU, after initial term)
 [NOTE: Persons may be reappointed after being off for 3 years. State Code requires that membership in the local disabilities board include at least 30 percent representation by individuals with physical, visual or hearing disabilities or their family members. For this 15-member board, the minimum number of representation would be 5.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Thomas Choman (Appointed 5/02 by Hanley; 11/04-1/08 by Connolly) Term exp. 11/10	At-Large Fairfax County Representative		By Any Supervisor	At-Large
Ann Pimley (Appointed 9/03&11/06 by Frey) Term exp. 11/09 <i>Not eligible for reappointment (need 3 year lapse)</i>	Sully District Representative		Frey	Sully

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL
 (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Michael McClanahan (Appointed 12/05-1/07 by Connolly; 2/09 by Bulova) Term exp. 1/11	At-Large Chairman's Representative		Bulova	At-Large Chairman's
VACANT (Formerly held by Melissa Smarr; appointed 6/06&1/08 by Smyth) Term exp. 1/10 <i>Resigned</i>	Providence District Representative		Smyth	Providence

**REDEVELOPMENT AND HOUSING AUTHORITY
(4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Ronald Christian (Appointed 3/99-4/07 by Bulova) Term exp. 4/11	Braddock District Representative		Cook	Braddock
Richard Sullivan (Appointed 5/09 by Foust) Term exp. 4/11	Dranesville District Representative		Foust	Dranesville

**SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL
(2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Lawrence Bussey; appointed 3/05-3/09 by Hudgins) Term exp. 3/11 <i>Resigned</i>	Fairfax County #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Patrick Kane; appointed 3/07-3/09 by Hudgins) Term exp. 3/12 <i>Resigned</i>	Fairfax County #7 Representative		By Any Supervisor	At-Large

TENANT LANDLORD COMMISSION (3 years)

[NOTE: Per County Code Section 12-2-1, each member of this commission must be a County resident. Tenant Members: shall be a person who, prior to the time of his/her appointment, and throughout his/her term, shall be the lessee of and reside in a dwelling unit. Landlord Members: shall be a person who owns and leases, or serves as a manager for four (4) or more leased dwelling units in Fairfax County or is employed by a real estate management firm that manages more than four (4) rental units. Citizen Members: shall be anyone who is neither a lessee nor lessor of any dwelling unit in Fairfax County.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Mark Thomas; appointed 5/09 by Bulova) Term exp. 1/12 <i>Resigned</i>	Tenant Member #1 Representative		By Any Supervisor	At-Large
Evelyn McRae (Appointed 6/98-8/01 by Hanley; 12/04-1/08 by Connolly) Term exp. 1/11	Tenant Member #2 Representative	Evelyn McRae (Bulova)	By Any Supervisor	At-Large

TRAILS AND SIDEWALKS COMMITTEE (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Kala Quintana; appointed 10/09-1/10 by Bulova) Term exp. 1/12 <i>Resigned</i>	At-Large Chairman's Representative		Bulova	At-Large Chairman's
VACANT (Formerly held by R. Douglas Pew; appointed 6/08-1/10 by Hudgins) Term exp. 1/12 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Vincent Bollon; appointed 3/95-7/08 by Hyland) Term exp. 8/12 <i>Deceased</i>	Citizen Appointed by Board of Supervisors #3 Representative	Hank H. Kim (Hyland)	By Any Supervisor	At-Large

Board Agenda Item
April 26, 2011

11:00 a.m.

Items Presented by the County Executive

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ADMINISTRATIVE – 1

Designation of Plans Examiner Status Under the Expedited Land Development Review Program

ISSUE:

Board action to place ten individuals into inactive status who have elected not to pursue their continuing education requirements, and to reinstate two individuals into active status who have completed their continuing education requirements pursuant to the adopted criteria and recommendation of the Advisory Plans Examiner Board.

RECOMMENDATION:

The County Executive recommends that the Board take the following actions:

- Designate the following ten individuals, identified with their registration numbers, as inactive Plans Examiners:

Jeff Abravesh	159
James P. Beck	192 (left area for 2 years)
W. Calvin Britt	193
Michael Gallagher	279
Martin O'B. Johnson	265
John Krobath	62
Christy N. Lowrey	171
Josh Marshall	240
Josh Melson	275
Stephen W. Siebert	278

- Reinstate the following two individuals, identified with their registration numbers, as Plans Examiners:

Charles D. Lucas	168 on 3/9/98 – Inactive on 6/1/09
Anthony T. Owens	212 on 9/24/01 – Inactive on 5/9/05

TIMING:

Routine.

Board Agenda Item
April 26, 2011

BACKGROUND:

On August 7, 1989, the Board adopted Chapter 117 (Expedited Land Development Review) of *The Code of the County of Fairfax, Virginia*, (The Code) establishing a Plans Examiner Program under the auspices of an Advisory Plans Examiner Board (APEB). The purpose of the Plans Examiner Program is to expedite the review of site and subdivision plans submitted by certain specially qualified applicants, i.e., Plans Examiners, to the Land Development Services, Department of Public Works and Environmental Services.

The Code requires that the Board designates an individual's status under the Expedited Land Development Review Program.

Inactive Status: Chapter 117 requires Plans Examiners to participate in the Board adopted Continuing Education Program. Consonant with the requirements of Section 117-1-3(a), and subject to Board approval, the APEB will recommend designation of inactive status for individuals electing not to pursue the continuing education program. This status designation continues until and if they wish to reactivate their Designated Plans Examiner (DPE) status by completing the continuing education requirements. An inactive status makes these individuals ineligible to participate in the expedited plan process procedure. At the time they are placed in inactive status, individuals are provided with information concerning requirements for reinstatement as an active DPE.

In a letter dated March 8, 2011, from the Chairman of the APEB, ten individuals were identified that have elected not to pursue the continuing education requirements. The APEB recommends that their status become inactive until and if they wish to reactivate their status as a DPE by completing their continuing education requirement.

Reinstatement of Plans Examiner Status: As noted above, individuals are provided with information concerning requirements for reinstatement as an active DPE at the time they are placed on inactive status.

As detailed in a letter from the chairman of the APEB, dated March 8, 2011, two individuals have applied for reinstatement as active DPE. Upon review of these candidates' applications and finding that the continuing education requirements have been satisfied, the APEB recommends reinstatement to active DPE status.

Staff concurs with these recommendations as being in accordance with Chapter 117 and the Board-adopted criteria.

FISCAL IMPACT:

None.

Board Agenda Item
April 26, 2011

ENCLOSED DOCUMENTS:

Attachment I – Two letters dated March 8, 2011, from the Chairman of the APEB to the Chairman of the Board of Supervisors.

STAFF:

Robert A. Stalzer, Deputy County Executive

James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)

Michelle Brickner, Deputy Director, DPWES, Land Development Services

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Engineers & Surveyors Institute

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(703) 263-2232 • Fax (703) 263-0201 • E-mail esi@esinova.org

March 8, 2011

Hon. Sharon Bulova, Chairman
Fairfax County Board of Supervisors
12000 Government Center Parkway
Fairfax, Virginia 22035

Dear Chairman Bulova:

The Board of Supervisors approved the following individuals as Designated Plans Examiners:

<u>Name</u>	<u>Reg. No</u>
Jeff Abravesh	#159
James P. Beck	#192 (left area for 2 years)
W. Calvin Britt	#193
Michael Gallagher	#279
Martin O'B. Johnson	#265
John Krobath	#62
Christy N. Lowrey	#171
Josh Marshall	#240
Josh Melson	#275
Stephen W. Siebert	\$278

However, they have elected not to pursue the continuing education requirements at this time. It is recommended that their status become inactive until and if they wish to reactivate their status by completing their continuing education requirements. As such, they would no longer be eligible to participate in the expedited plan process procedure.

Following the Board of Supervisors' approval of this recommendation, each will be notified of his/her status change, as well as the procedure to be followed for reinstatement.

Sincerely,

James H. Scanlon, P.E., L.S.

Chairman
Fairfax County Advisory Plans Examiner Board

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Virginia Department of
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March 8, 2011

Hon. Sharon Bulova, Chairman
Fairfax County Board of Supervisors
12000 Government Center Parkway
Fairfax, VA 22035

Dear Chairman Bulova:

The Board of Supervisors approved the following individuals as Designated Plans Examiner but their status was changed to inactive. They wish to reactivate their status and have met the requirements set out by the reinstatement panel. They have been found to meet the qualifications outlined in Chapter 117-1-2 of the Code of Fairfax County and to be in accordance with the criteria adopted by the Fairfax County Board of Supervisors.

Charles D. Lucas - DPE #168 on 3/9/98 --- Inactive on 6/1/09

Anthony T. Owens - DPE #212 on 9/24/01 --- Inactive on 5/9/05

It is recommended by the Fairfax County Advisory Plans Examiner Board that they be granted active status.

Following the Board of Supervisors' approval of this recommendation, they will be notified of this change.

Sincerely,

James H. Scanlon, P.E., L.S.

Chairman

Fairfax County Advisory Plans Examiner Board

Received

MAR 16 2011

Land Development Services
Director's Office

Board Agenda Item
April 26, 2011

ADMINISTRATIVE - 2

Authorization to Advertise a Public Hearing to Expand the Amberwood Community Parking District (Hunter Mill District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix M of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to expand the Amberwood Community Parking District (CPD).

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for May 24, 2011, at 4:00 p.m. to consider adoption of a Fairfax County Code amendment (Attachment I) to expand the Amberwood CPD in accordance with current CPD restrictions.

TIMING:

The Board of Supervisors should take action on April 26, 2011, to provide sufficient time for advertisement of the public hearing on May 24, 2011, at 4:00 p.m.

BACKGROUND:

Fairfax County Code Section 82-5B-2 authorizes the Board to expand 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

Board Agenda Item
April 26, 2011

parked on a public street within any such CPD for use by federal, state, or local public agencies to provide services.

Pursuant to Fairfax County Code Section 82-5B-3, the Board may expand a CPD if: (1) the Board receives a petition requesting such an expansion 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, and (3) the Board receives an application fee of \$10 for each petitioning property address in the proposed CPD.

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

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

FISCAL IMPACT:

The cost of sign installation is estimated at \$150 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 Amberwood CPD Expansion

STAFF:

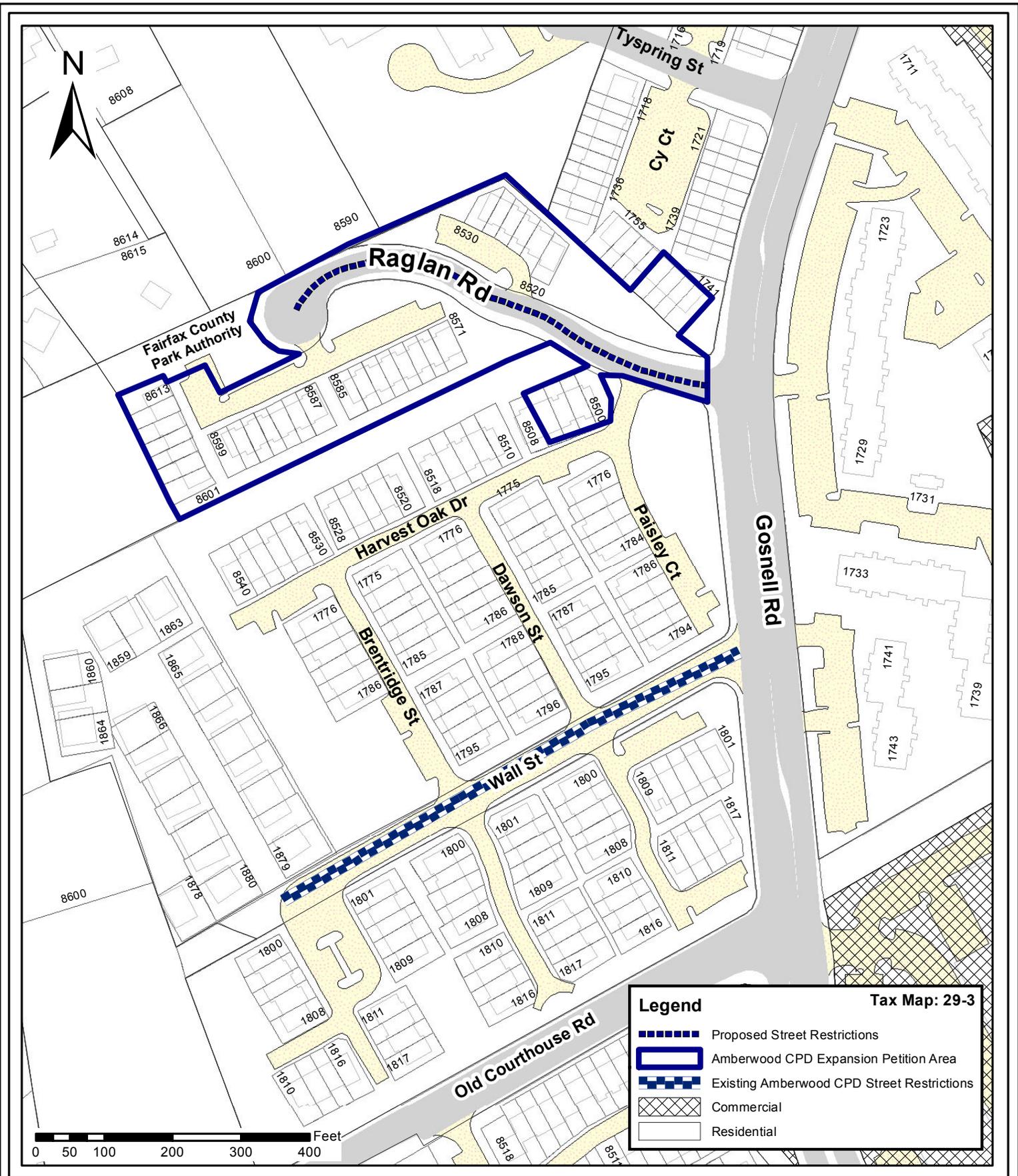
Robert A. Stalzer, Deputy County Executive
Thomas P. Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Division Chief, Capital Projects and Operations Division, FCDOT
Selby Thannikary, Section Chief, Traffic Operations Section, FCDOT
Maria Turner, Sr. Transportation Planner, FCDOT
Janet Nguyen, Transportation Planner, FCDOT

PROPOSED CODE AMENDMENT

THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA
APPENDIX M

Amend *The Code of the County of Fairfax, Virginia*, by adding the following street to Appendix M-69, Section (a)(2), Amberwood Community Parking District, in accordance with Article 5B of Chapter 82:

Raglan Road (Route 8733)
From Gosnell Road to cul-de-sac inclusive.



Legend **Tax Map: 29-3**

- Proposed Street Restrictions
- Amberwood CPD Expansion Petition Area
- Existing Amberwood CPD Street Restrictions
- Commercial
- Residential



March 16, 2011

Fairfax County Department of Transportation
 Traffic Operations Section
COMMUNITY PARKING DISTRICT
PROPOSED AMBERWOOD CPD EXPANSION
 Hunter Mill District



Board Agenda Item
April 26, 2011

ADMINISTRATIVE - 3

Approval of “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Dranesville and Mason Districts)

ISSUE:

Board endorsement of “Watch for Children” signs, as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends the Board approve a resolution (Attachment I) for the installation of “Watch for Children” signs on the following roads:

- Kirby Road (Dranesville District)
- Park Road (Dranesville District)
- Valley Wood Road (Dranesville District)
- Franklin Park Road (Dranesville District)
- Briar Ridge Court (Dranesville District)
- N. Chambliss Street (Mason District)
- Larstan Drive (Mason District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to coordinate with the Virginia Department of Transportation (VDOT) to schedule the installation of the approved measures as soon as possible.

TIMING:

Board action is requested on April 26, 2011.

BACKGROUND:

The RTAP allows for installation of “Watch for Children” signs at the primary entrance to residential neighborhoods, or at a location with an extremely high concentration of children relative to the area, such as playgrounds, day care centers, or community centers. In particular, Section 33.1-210.2 of the *Code of Virginia* provides that the Board may request, by resolution to the Commissioner of VDOT, signs alerting motorists that children may be at play nearby. FCDOT reviews each request to ensure the proposed sign will be effectively located and will not be in conflict with any other

Board Agenda Item
April 26, 2011

traffic control devices. On February 3, 2011, and March 25, 2011, FCDOT received written verification from the appropriate local supervisors confirming community support for the referenced "Watch for Children" signs.

FISCAL IMPACT:

The estimated cost of \$2,000.00 is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: Board Resolution for a "Watch for Children" Signs

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

Eric M. Teitelman, Chief, Capital Projects and Operations Division, FCDOT

Selby J. Thannikary, Chief, Traffic Operations Section, FCDOT

William P. Harrell, Transportation Planner, FCDOT

RESOLUTION

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)

WATCH FOR CHILDREN SIGNS

Kirby Road (Dranesville District)

Park Road (Dranesville District)

Valley Wood Road (Dranesville District)

Franklin Park Road (Dranesville District)

Briar Ridge Court (Dranesville District)

N. Chambliss Street (Mason District)

Larstan Drive (Mason District)

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia on Tuesday, April 26, 2011, at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, "Watch for Children" signs are available to local communities as part of the Fairfax County Department of Transportation Residential Traffic Administration Program (RTAP); and

WHEREAS, Section 33.1-210.2, of the *Code of Virginia*, enables the Board of Supervisors to request by resolution to the Commissioner of the Virginia Department of Transportation, signs alerting motorists that children may be at play nearby; and

WHEREAS, the Virginia Department of Transportation has indicated a willingness to install "Watch for Children" signs on the above-referenced streets;

NOW THEREFORE BE IT RESOLVED, that "Watch for Children" signs are endorsed for these streets;

AND FURTHER, the Virginia Department of Transportation is requested to install the "Watch for Children" signs at the earliest possible date, and to maintain same, with the cost of such signs to be funded from the Virginia Department of Transportation's countywide traffic services fund in the Fairfax County secondary road construction budget.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

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Board Agenda Item
April 26, 2011

ADMINISTRATIVE – 4

Extension of Review Periods for 2232 Review Applications (Braddock, Hunter Mill, and Springfield 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: applications FS-H11-7 and FS-S11-9 to July 7, 2011; and application FS-B11-3 to July 11, 2011.

TIMING:

Board action is required on April 26, 2011, 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 of *Section 15.2-2232* of the *Code of Virginia* 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-H11-7, FS-S11-9, and FS-B11-3 which were accepted for review by the Department of Planning and Zoning between February 7, 2011 and February 11, 2011. 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 these applications by no more than sixty additional days.

Board Agenda Item
April 26, 2011

The review periods for the following applications should be extended:

- | | |
|----------|---|
| FS-H11-7 | AT&T Mobility
Rooftop antennas
1750 Presidents Street
Hunter Mill District |
| FS-S11-9 | LightSquared
Antenna collocation on existing monopole/lightpole
6001 Union Mill Road, Centreville High School
Springfield District |
| FS-B11-3 | Fibertower
Antenna collocation on existing monopole/lightpole
9525 Little River Turnpike, Woodson High School
Braddock 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.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
Fred R. Selden, Acting Director, Department of Planning and Zoning (DPZ)
Chris B. Caperton, Planning Division, DPZ
Sandi M. Beaulieu, Planning Division, DPZ

ADMINISTRATIVE – 5

Streets into the Secondary System (Braddock, Dranesville, Mount Vernon, Providence, and Springfield Districts)

ISSUE:

Board approval of streets to be accepted into the State Secondary System.

RECOMMENDATION:

The County Executive recommends that the street(s) listed below be added to the State Secondary System.

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Calvary Memorial Park Inc.	Braddock	Braddock Road (Route 620) (Additional Right-of-Way (ROW) Only)
Saint Stephen's United Methodist Church	Braddock	Braddock Road (Route 620) (Additional ROW Only)
Aiken Property	Dranesville	Penguin Place (Route 3959) Aiken Hill Court
Cranford at Gunston Cove	Mt. Vernon	Gunston Cove Road (Route 600) (Additional ROW Only) Gunston Cove Road (Route 600) (Additional ROW Only) Gunston Cove Road (Route 600) (Additional ROW Only)
First Addition to South Pointe	Mt. Vernon	Pohick Road (Route 638) (Additional ROW Only)
Hybla Valley Farms Block 4 Lots 26-30 (Walgreen Boswell Avenue)	Mt. Vernon	Richmond Highway (US Route 1) (Additional ROW Only)

Board Agenda Item
April 26, 2011

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Skyview Park, Section 1	Mt. Vernon	Frye Road (Route 3191) (Additional ROW Only)
		Manor Drive (Route 935) (Additional ROW Only)
		Sky View Drive (Route 946) (Additional ROW Only)
Willowmere Woods	Providence	Willowmere Woods Drive
		Willowmere Drive (Route 4471) (Additional ROW Only)
Davison Woods	Springfield	Rommel Drive

TIMING:
Routine.

BACKGROUND:
Inspection has been made of these streets, and they are recommended for acceptance into the State Secondary System.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1 – Street Acceptance Forms

STAFF:
Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)
Michelle Brickner, Deputy Director, DPWES, Land Development Services

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.	VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM. PLAN NUMBER: 0906-SP-001 SUBDIVISION PLAT NAME: Calvary Memorial Park Inc. ✓ COUNTY MAGISTERIAL DISTRICT: Braddock ✓		
ENGINEERING MANAGER: BY: <u>Nadia Aphonoff</u>	FOR OFFICIAL USE ONLY DATE OF VDOT INSPECTION APPROVAL: <u>02/08/2011</u>		
STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Braddock Road (Route 620) (Additional Right-of-Way Only)	667' E Cl Burke Station Road (Route 652)	175' E to Section Line	0.0
NOTES:			TOTALS:
175' of 4' Concrete Sidewalk on North Side to be maintained by Fairfax County.			0.0 ✓

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p> <p>PLAN NUMBER: 1892-SP-02</p> <p>SUBDIVISION PLAT NAME: Saint Stephen's United Methodist Church</p> <p>COUNTY MAGISTERIAL DISTRICT: Braddock</p>		
<p>ENGINEERING MANAGER: D.A. Purvis</p> <p>BY: <u>Nadia Aphonsof</u></p>	<p>FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <u>01/20/2011</u></p>		
STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Braddock Road (Route 620) (Additional Right-of-Way Only)	162' W CL Dunleigh Drive (Route 6759)	465' W to Section Line	0.0
NOTES:			TOTALS: 0

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p> <p>PLAN NUMBER: 4344-SD-001</p> <p>SUBDIVISION PLAT NAME: AIKEN PROPERTY ✓</p> <p>COUNTY MAGISTERIAL DISTRICT: DRANESVILLE ✓</p>
<p>ENGINEERING MANAGER:</p> <p>BY: <u>Nadia Alphonse</u></p>	<p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <u>02/09/2011</u></p>

STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Penguin Place (Route 3959)	Existing Penguin Place (Route 3959) - 150' SW CL Friendship Lane (Route 3958)	149' SW to CL Aiken Hill Court	0.03
Aiken Hill Court	CL Penguin Place (Route 3959) - 299' SW CL Friendship Lane (Route 3958)	352' NW to End of Cul-de-Sac	0.07
NOTES:			TOTALS: 0.10 ✓

Penguin Place: 206' of 4' Concrete Sidewalk on West Side to be maintained by VDOT.

Aiken Hill Court: 710' of 4' Concrete Sidewalk on Both Sides to be maintained by VDOT.

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p>		
	<p>PLAN NUMBER: 1664-SD-001</p>		
	<p>SUBDIVISION PLAT NAME: Cranford at Gunston Cove</p>		
	<p>COUNTY MAGISTERIAL DISTRICT: Mount Vernon</p>		
<p>ENGINEERING MANAGER:</p> <p>BY: <u>Nadia Alphonse</u></p>	<p>FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <u>02/15/2011</u></p>		
STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Gunston Cove Road (Route 600) (Additional ROW Only)	326' W CL Richmond Highway (US Route 1)	205' W to Section Line	0.0
Gunston Cove Road (Route 600) (Additional ROW Only)	145' W CL Cranford Street (Route 3365)	258' W to Section Line	0.0
Gunston Cove Road (Route 600) (Additional ROW Only)	513' W CL Cranford Street (Route 3365)	510' W to Section Line	0.0
NOTES:			TOTALS:
Gunston Cove Road: 1,900' of 5' Concrete Sidewalk on South Side to be maintained by VDOT			0

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p> <p>PLAN NUMBER: 9145-SP-01 ✓</p> <p>SUBDIVISION PLAT NAME: First Addition to South Pointe ✓</p> <p>COUNTY MAGISTERIAL DISTRICT: Mount Vernon ✓</p>
<p>ENGINEERING MANAGER: D.A. Purvis</p> <p>BY: <i>Nadia Ajajonef</i></p>	<p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <u>01/13/2011</u></p>

STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Pohick Road (Route 638) (Additional Right-of-Way Only)	328' SE CL Cullum Street (Route 3301)	263' SE to Section Line	0.0
NOTES:			TOTALS: 0.0 ✓

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p> <p>PLAN NUMBER: 6176-SP-01</p> <p>SUBDIVISION PLAT NAME: Hybla Valley Farms Block4 Lots26-30 (Walgreen Boswell Ave) ✓</p> <p>COUNTY MAGISTERIAL DISTRICT: Mount Vernon ✓</p>
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<p>ENGINEERING MANAGER:</p> <p>BY: <u><i>Rashid</i></u></p>	<p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <u>02/17/2011</u></p>
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STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Richmond Highway (US Route 1) (Additional ROW Only)	25' N CL Boswell Ave (Route 826)	300' N to Section Line	0.0
NOTES:			TOTALS:

6' of concrete sidewalk on East side to be maintained by Fairfax County.

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p> <p>PLAN NUMBER: 1622-SP-001-2</p> <p>SUBDIVISION PLAT NAME: Skyview Park, Section 1</p> <p>COUNTY MAGISTERIAL DISTRICT: Mount Vernon District</p>		
<p>ENGINEERING MANAGER: BY: <i>Rashid</i></p>	<p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <i>02/15/2011</i></p>		
STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Frye Road (Route 3191) (Additional ROW)	372' NW of CL Richmond Hwy (Route 1)	790' NW to CL Manor Drive (Route 935)	N/A
Manor Drive (Route 935) (Additional ROW)	CL of Frye Rd (Rte 3191) 681' SW CL Pole Rd (Rte 622)	665' W to CL Sky View Drive (Route 946)	N/A
Sky View Drive (Route 946) (Additional ROW)	CL of Manor Drive (Rte 935) 665' W of CL Frye Road (Route 3191)	1011' SE to section line	N/A
NOTES:			TOTALS: 0.0
1. Frye Road (Route 3191): 693' of 4' concrete sidewalk on the W side to be maintained by VDOT.			
2. Manor Drive (Route 935): 405' of 4' concrete sidewalk on the S side to be maintained by VDOT.			
3. Sky View Drive (Route 946): 724' of 4' concrete sidewalk on the E side to be maintained by VDOT.			

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p>
<p>PLAN NUMBER: 8981-SD-01</p>	
<p>SUBDIVISION PLAT NAME: Willowmere Woods</p>	
<p>COUNTY MAGISTERIAL DISTRICT: Providence</p>	
<p>ENGINEERING MANAGER: D.A. Purvis</p> <p>BY: <u>Nadia Alphonse</u></p>	<p>FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <u>01/21/2011</u></p>

STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Willowmere Woods Drive	CL Willowmere Drive (Route 4471) - 352' E CL Cedar Lane (Route 698)	240' N to End of Cul-de-Sac	0.05
Willowmere Drive (Route 4471) (Additional Right-of-Way Only)	81' NW CL Schafflind Court (Route 5159)	178' NW to Section Line	0.00

NOTES:	TOTALS:
Willowmere Woods Drive: 507' of 4' Concrete Sidewalk on Both Sides to be maintained by Fairfax County.	
	0.05

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p> <p>PLAN NUMBER: 1222-SD-01</p> <p>SUBDIVISION PLAT NAME: Davison Woods</p> <p>COUNTY MAGISTERIAL DISTRICT: Springfield</p>	
<p>ENGINEERING MANAGER: BY: <u>Nadia Alphonse</u></p>	<p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: <u>02/17/2011</u></p>	
STREET NAME	LOCATION	LENGTH MILE
	FROM	TO
Rommel Drive	CL Ox Road (Route 123 Re-Aligned) - 352' SE CL Cross Chase Court (Route 8247)	982' SW to Beginning of Temporary Turnaround
NOTES:	TOTALS: 0.19	

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Board Agenda Item
April 26, 2011

ADMINISTRATIVE - 6

Authorization to Advertise Public Hearings on Adoption of a New County Soils Map and Proposed Amendments to Chapter 107 (Problem Soils) of the Code of the County of Fairfax and the Public Facilities Manual Re: New Soil Survey

ISSUE:

Board authorization to advertise public hearings on adoption of a new County Soils Map, proposed amendments to Chapter 107 (Problem Soils) of *The Code of the County of Fairfax, Virginia* (County Code), and Chapter 4 (Geotechnical Guidelines), Chapter 6 (Storm Drainage), and Chapter 11 (Erosion and Sediment Control) of the Public Facilities Manual (PFM). The proposed amendments are necessary to align the County Code and PFM with the new Soil Survey for Fairfax County.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of the new County Soils Map and the proposed amendments to Chapter 107 (Problem Soils) of the County Code and PFM as set forth in the Staff Report dated April 26, 2011.

The proposed amendments have been prepared by the Department of Public Works and Environmental Services and coordinated with the Office of the County Attorney. The proposed amendments to the PFM have been recommended for approval by the Engineering Standards Review Committee.

TIMING:

The Board is requested to take action on April 26, 2010, to provide sufficient time to advertise public hearings on May 26, 2011, at 8:15 p.m. before the Planning Commission and on June 7, 2011, at 4:00 p.m. before the Board.

BACKGROUND:

The original Soil Survey of Fairfax County was published in May 1963, by the United States Department of Agriculture (USDA) Soil Conservation Service [now the Natural Resources Conservation Service (NRCS)] in cooperation with the Virginia Agricultural Experiment Station (Virginia Tech) and Fairfax County. The survey was based on field work that was completed in 1955. Approximately 60 percent of the County was mapped at that time. The Soil Science Office mapped some previously unmapped tracts of land

Board Agenda Item
April 26, 2011

for re-zonings, building permits and special studies. The Soil Science Office published its last survey update in 1990, and about 40,000 acres of unmapped land remained. The Soil Science Office was closed in 1996.

Intense growth and development drastically changed the landscape of Fairfax County between the 1963 soil survey and the commencement of the NRCS soil survey in 2002. The County needed a new soil survey that would account for the changes and map the previously unsurveyed 40,000 acres. As a result of the lack of information on several parcels of land, especially in the eastern part of the County, the County requested NRCS to complete the mapping of these areas.

The survey was conducted by NRCS in collaboration with Fairfax County and the Northern Virginia Soil and Water Conservation District (NVSWCD). Field surveying was performed by NRCS and NVSWCD soil scientists. The mapping and data collection have gone through quality control and assurance processes and were scanned and digitized by NRCS.

There is a significant increase in the amount and type of information available about soils in the County. Because of the advances and refinements in soil science, certain soils are renamed and there are a few newly-created names. The survey is certified to USDA National Cooperative Soil Survey standards and incorporated into the USDA's National Soil Information System database. The updated soil survey was published in its entirety (maps, descriptions, interpretations and tables) by NRCS in 2008 and is available on the USDA's Web Soil Survey website and Soil Data Mart website.

The information from the updated soil survey has been integrated into the County's GIS system. The soils mapping has been transferred onto the County's real property identification maps to create the County Soils Map, which is available to the general public on the County's website through the Digital Map Viewer.

The soil problem classes were reformulated in accordance with NRCS standards and applied to all soil types in the new survey. The new problem classes more closely resemble those employed in Loudoun and Prince William counties so as to cause less confusion for private industry. One major difference is that the disturbed soils, which are mapped only in Fairfax, have their own separate problem class.

The differences between the updated survey and earlier surveys are summarized below:

1. The entire County has been surveyed and mapped to national standards at a scale of 1"=1,000'.

Board Agenda Item
April 26, 2011

2. The soil maps are accessible online through both the County website, and the NRCS website. The descriptions, properties and technical data can be accessed online through the NRCS website.
3. Several soil names have changed for consistency with the national naming standards.
4. The soil maps connect at the borders with soil maps from surrounding counties.
5. Previously, only small tracts of land were identified as “made land” or “cut or fill.” The new survey identifies large tracts of land that have been developed or altered. They are identified as “Disturbed soils” or “Urban Land.” Specifically, disturbed soils are soils that have been mixed, graded, compacted or altered. Urban land encompasses any large area completely covered by impervious surfaces such as asphalt, concrete or rooftop.

The proposed amendments are necessary to align the County Code and PFM with the new soil survey and the new soil problem classes. The amendments include a new County Soils Map revisions to Chapter 107 (Problem Soils) of the County Code, and Chapters 4 (Geotechnical Guide lines), 6 (Storm Drainage), and 11 (Erosion and Sediment Control) of the PFM.

PROPOSED AMENDMENTS:

Details of the proposed amendments are discussed in the Staff Report.

FISCAL IMPACT:

Funds for this project were allocated in prior years beginning in FY 2002. The new County soils map will eliminate the need for owners of properties and developers with unmapped soils on the old soil map to hire private consultants to prepare maps for their properties for obtaining a permit or plan submission purposes.

REGULATORY IMPACT:

The entire county has been surveyed and mapped to national standards and incorporated into the USDA’s National Soil Information System database. There is a significant increase in the amount and type of information available about soils in the County. The soils mapping is available on both the County’s and the USDA’s Web Soil Survey websites. The description, properties, and technical data can be accessed online through the USDA’s Soil Data Mart website. This will eliminate the need for owners of properties with unmapped soils on the old soil map to hire private consultants to prepare maps for their properties for obtaining a permit or plan submission purposes.

Board Agenda Item
April 26, 2011

ENCLOSED DOCUMENTS:

Attachment 1 – Staff Report dated April 26, 2011 (available online at <http://www.fairfaxcounty.gov/dpwes/publications/pfm/soilsmap.pdf>)

Attachment 2 – New County Soils Map available through the County's Digital Map Viewer at <http://www.fairfaxcounty.gov/gisapps/pdfViewer/default.htm>

STAFF:

Robert A. Stalzer, Deputy County Executive

James Patteson, Director, Department of Public Works and Environmental Services (DPWES)

Michelle Brickner, Deputy Director, DPWES

Board Agenda Item
April 26, 2011

ADMINISTRATIVE – 7

Authorization to Advertise a Public Hearing on a Proposed Amendment to the Public Facilities Manual (PFM) RE: Editorial and Formatting Changes, Elimination of Metric System Units and Plates, and a PFM Reprint

ISSUE:

Board authorization to advertise a proposed amendment and reprint of the PFM that incorporates editing and formatting changes to certain PFM provisions, and eliminates the metric system units and plates.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of the proposed amendment as set forth in the Staff Report dated April 26, 2011.

The proposed amendment has been prepared by the Department of Public Works and Environmental Services and coordinated with the Office of the County Attorney. It has been recommended for approval by the Engineering Standards Review Committee.

TIMING:

The Board is requested to take action on April 26, 2011, to provide sufficient time to advertise public hearings on May 26, 2011, before the Planning Commission and on June 7, 2011, before the Board. The PFM Reprint shall become effective at 12:01 A.M. on June 8, 2011.

BACKGROUND:

The PFM sets forth the requirements governing the design of public facilities for new development. Since the last reprint in 2001, thirty-eight PFM amendments have been adopted by the Board consisting of text changes to most of the PFM chapters and over fifty-six new plates. Currently, when an amendment is adopted, it is distributed in hard copy to purchasers of the PFM, posted on the Department of Public Works and Environmental Services' web site, and the on-line version of the PFM is updated to incorporate the adopted amendment. In addition, an announcement of the amendment adoption is distributed electronically through the DPWES *Land Development News and Letters to Industry* e-mail list. Periodic supplements to the PFM with replacement pages are not distributed as is currently done with the Zoning Ordinance and the County Code.

Board Agenda Item
April 26, 2011

As a result, in order to use the hard copy manual, the user must annotate it with cross references to the amendments as they are adopted. In the future, periodic supplements will be created to address this issue.

The design community is not using metric measurements in plan submissions and VDOT no longer publishes metric design standards. Removing the metric measurements and plates is recommended by the Engineering Standards Review Committee and the Engineering and Surveying Institute's Fairfax Committee, and aligns with the Federal Highway's Administration's current policy that the use of metric measurements is optional for federal projects. The use of metric plans may be allowed on a case-by-case basis for submission of new plans based on previously approved metric plans.

Because the on-line manual is easily accessible and kept current, it's used regularly by designers and the public, in lieu of the hard copy manual, to find the most current PFM requirements. The on-line PFM is one of the most visited DPWES web pages. To facilitate use of the on-line PFM, the PFM is being reformatted to make it easier to read and to accommodate amendments and supplements on a periodic basis. Some examples of proposed formatting changes include: converting from newspaper style columns to single line text, increasing the font size from 10 to 12 point, using consistent terms and table layouts, and adding a searchable table of contents.

PROPOSED AMENDMENTS:

The proposed revisions to the PFM include editing and formatting changes, elimination of the metric system units and plates, and a PFM Reprint. The Reprint includes all amendments that have been adopted by the Board of Supervisors to date.

To keep the PFM current, supplements to the PFM are being planned on a periodic basis. In the future, copies of the updated PFM, amendments and supplements will be provided on-line and distributed electronically through the DPWES *Land Development News and Letters to Industry* e-mail list. By fully accommodating users on-line, the proposed Reprint gives the County an opportunity to end the mail-out subscription service. Ending the subscription service will reduce printing and mailing costs, and will contribute to streamlining the amendment process.

REGULATORY IMPACT:

No regulations are being revised with this amendment. The impacts associated with the proposed PFM Reprint are:

Board Agenda Item
April 26, 2011

- Updates and keeps the PFM current by incorporating the adopted amendments and accommodating future amendments and supplements on a periodic basis. In addition, metric measurements and plates are being removed from the PFM to align with industry standards.
- Facilitates use of the PFM by making editorial and formatting changes to make the PFM easier to read and the on-line version searchable. In the future, copies of the PFM, amendments and supplements will be available on-line and through the DPWES "Land Development News and Letters to Industry" e-mail list.

FISCAL IMPACT:

Ending the mail-out subscription service eliminates the cost associated with printing and mailing the amendments. This cost is typically in the range of \$600-\$4,400, depending on the size of the amendment. In addition, a hard copy of the reformatted book that incorporates the amendments will cost less to print than a copy of the current book plus individual copies of the amendments. A hard copy of the proposed Reprint (w/o a binder and tabs) will cost approximately \$37 versus \$75 for the current PFM and subscription service.

ENCLOSED DOCUMENTS:

Attachment I – Staff Report (Available online at
<http://www.fairfaxcounty.gov/dpwes/publications/pfm/reprint.htm>)

STAFF:

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

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Board Agenda Item
April 26, 2011

ACTION - 1

Approval of the Virginia Railway Express (VRE) Operations Board FY 2012 Operating and Capital Budgets Resolution 9A-12-2010 to Amend the Master Agreement Related to Arlington and Alexandria's Subsidies

ISSUE:

The Virginia Railway Express (VRE) is proposing to amend the Master Agreement which outlines the process for annual budget approval. As part of the approval of the FY 2012 VRE Operating and Capital Budget, a change is proposed to the Master Agreement that would allow the subsidy amounts paid by Alexandria and Arlington to vary with the overall subsidy level, rather than increase by an automatic five percent each year.

On December 17, 2010, the VRE Operations Board unanimously approved the VRE Operations Board Action Item 9-A and Resolution, Attachment I, which included the provision to make this change to the Master Agreement.

On January 6, 2011, and January 13, 2011, the Northern Virginia Transportation District Commission (NVTC) and the Potomac Rappahannock Transportation District Commission (PRTC), respectfully, also approved the VRE Budget and resolution for the revised version of the Master Agreement incorporating the recommended amendment. NVTC and PRTC jointly operate the VRE commuter rail service in Northern Virginia pursuant to the Master Agreement. The commissions' resolutions included forwarding the Amended Master Agreement to each of the member jurisdictions for approval, Attachment II, and authorize its execution by an appropriate representative of the respective jurisdictions.

There are no other changes to the Master Agreement.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve VRE's Budget Resolution 9A-12-2010 which amends VRE's Master Agreement to revise Arlington and Alexandria's subsidies.

TIMING:

Action should be taken on this item on April 26, 2011, so that the changed provision in the Amended Master Agreement is in place before the beginning of FY 2012, on July 1, 2011.

Board Agenda Item
April 26, 2011

BACKGROUND:

The VRE Master Agreement initially approved in 1992 states in Section VIII, Local Subsidies and Other Payments, Subsection 1a. and 1b, Sharing of Costs and Revenues In Initial Years, that Alexandria and Arlington will not be subject to the regular subsidy formula payments of Participating Jurisdictions of VRE. Alexandria and Arlington are defined as Contributing Jurisdictions of VRE and, as such, were required to only make a nominal payment which increased five percent each year. However, since initial payments started in 1992, several changes have been made to the Master Agreement, which for various reasons, have affected Participating Jurisdictions subsidies. In some cases, jurisdictional payments have been reduced. Notwithstanding, Alexandria and Arlington were still subject to increasing their contribution by five percent each year. Based on discussions during last year's budget process, in an effort to be more equitable to these two jurisdictions, the VRE Operations Board and both commissions agreed to amend the Master Agreement as a part of approving the FY 2012 VRE Budget to adjust Alexandria and Arlington's payments upwards or downwards each year by the same percentage change as the total subsidy allocated among the Participating Jurisdictions.

FISCAL IMPACT:

There will be minimal fiscal impact to Fairfax County's contribution to VRE as a result of this Master Agreement amendment.

ENCLOSED DOCUMENTS:

Attachment I: Virginia Railway Express Operations Board FY 2012 Budget Resolution 9A-12-2010

Attachment II: Virginia Railway Express Amended Master Agreement

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

Todd Wigglesworth, Acting Chief, Coordination and Funding Division, FCDOT

Michael R. Lake, Senior Transportation Planner, Coordination and Funding Division, FCDOT

AGENDA ITEM 9-A ACTION ITEM

TO: CHAIRMAN MILDE AND THE VRE OPERATIONS BOARD
FROM: DALE ZEHNER
DATE: DECEMBER 17, 2010
SUBJECT

RECOMMENDATION:

The VRE Operations Board is being asked to adopt the revised FY 2011 VRE Operating and Capital Budget and the recommended FY 2012 VRE Operating and Capital Budget, including a related amendment to the Master Agreement, and refer them to the Commissions for their consideration and subsequent referral to the jurisdictions for their formal review and adoption.

BACKGROUND:

In accordance with the VRE Master Agreement, which outlines the process for annual budget approval, the preliminary FY 2012 VRE Operating and Capital Budget was submitted for review at the August VRE Operations Board meeting. Since that time, it has been discussed at numerous meetings of the CAO Task Force. The CAO Task Force met on December 10th to present their final recommendations and discuss VRE responses to those recommendations.

DISCUSSION:

The major assumptions in the FY 2012 budget are as follows:

- Reduction of the jurisdictional subsidy to \$15,943,918, a decrease of \$126,392 compared to the FY 2011 level, with a mid-year payment by Spotsylvania County. The subsidy distribution formula is based on a proposed change to the Master Agreement that would allow the subsidy amounts paid by Alexandria and Arlington to vary with the overall subsidy level, rather than increase by an automatic 5% each year.
- Projection of an average daily ridership of 17,350 passengers.
- Continuation of the expansion to a 32-train operation (30 revenue trains) proposed for implementation in FY 2011 with the addition of a turnback train on the Manassas line and the lengthening of one Manassas and one Fredericksburg line train at a net cost of \$417,000. This change will increase train seating capacity and provide additional mid-day storage.
- Projected fare revenue of \$30,580,000, with no fare increase.
- Capital matching funds from the State of 50% of the non-federal share, compared to 53% received in FY 2011.

- State operating funds of \$5.3 million, compared to \$7.5 million in FY 2010. □ Fuel estimated at \$2.70/gallon for a total cost of \$4.8 million. The capital budget includes the following system capital initiatives for FY 2012: (local match is funded)
- Spotsylvania Third Track -\$5,900,000 □ Mid-day storage -\$1,000,000 □ Rolling stock (railcars) -\$5,749,000

The capital budget has also been revised to reflect changes made by the State in both their operating and capital grant programs. The number of capital projects has been reduced and State match funds will not be sought for costs that are operating in nature, since the net impact would be total lower funding. The State will only provide match funding for capital projects if grant funds will begin to be drawn during the fiscal year, which presents a risk for the large multiyear projects that make up the bulk of VRE's capital program. VRE will continue to work on alternatives with the State, including a shift between FY 2012 projects in the spring when more information will be available about project costs, available funding and start dates. In addition, funds have been reserved in the amended FY 2011 budget to provide a temporary match for the FY 2012 projects if State funding cannot be secured.

Material expenditure line item changes are noted below; adjustments are in comparison to the FY 2011 adopted budget.

- A Planning Department was created, with funds and existing positions transferred from Executive Management and Operations and Communications.
- Retail sales commissions in Budget and Finance were increased by \$484,000, based on WMATA's planned discontinuation of the Smart Benefits card. This change could increase the use of more costly commuter stores for ticket purchases.
- Repairs and Maintenance decreased by \$695,000 to reflect the lower maintenance cost for new locomotives and the inclusion of funds for 4year periodic maintenance (COT&S) for the new Gallery cars.
- Keolis contract costs are budgeted at a net decrease of \$680,000 to reflect a change to the insurance requirements and an annual increase of 1.2% based on the October CPI data, in accordance with the contract requirements.
- Amtrak costs for mid-day storage and services are increased by \$631,000 to reflect current contract provisions and the estimated increase to the AAR index for the first quarter of calendar 2011.

Based on discussions during last year's budget process, a revision to the VRE Master Agreement is being recommended to allow Arlington and Alexandria's subsidies to vary with the overall subsidy level, rather than increase by an automatic 5% each year. As such, a change to section VIII, Local Subsidies and Other Payments, Section A. Sharing of Costs and Revenues in Initial Years, is being recommended as follows:

"...the requested annual contributions shall not exceed the fixed amount indicated in Appendices E1 or E2, adjusted upwards or downwards each year by the same percentage of change as the total subsidy allocated among the Participating Jurisdictions ~~by a factor of 5%.~~

The budget also includes a six-year financial forecast for the period FY 2011 through FY 2017. A six-year forecast was prepared that includes a 4% fare increase and a 0% subsidy increase in years FY 2013 – FY 2017.

REVISED FY 2011 OPERATING AND CAPITAL BUDGET

The FY 2011 budget has been revised to reflect current projections for revenue and expenses. The major changes are as follows:

- Fare revenue is increased by \$1.9M based on current ridership projections to \$30.0M. Factors included current trends plus the impact of a transit benefit decrease.
- The State operating grant is decreased by \$224,000 to reflect the actual lower grant award.
- State capital grants are increased by \$2.1 million to reflect a higher match rate than originally budgeted.
- CIP expenditures and related federal funds are decreased by \$649,000 and \$519,000, respectively, to reflect a lower than anticipated federal formula allocation.
- Additional net costs of \$316,000 are added to allow for the mid-year addition of a turnback train on the Manassas line, plus the lengthening of one Manassas and one Fredericksburg train
- The IT budget is increased by \$115,000 for implementation of Wi-Fi capability on VRE's trains.
- The Amtrak budget for mid-day storage and services is increased by \$529,000 to reflect current contract provisions and a higher than anticipated AAR increase for FY 2011.
- \$1,165,000 is set-aside in the event that the State portion of the capital match for FY 2012 projects cannot be secured for the multi-year Spotsylvania third track and rolling stock projects.

RESOLUTION 9A-12-2010 OF THE VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD

WHEREAS, the VRE Master Agreement requires that the Commissions be presented with a fiscal year budget for their consideration at their respective January meetings prior to the commencement of the subject fiscal year; and,

WHEREAS, the VRE Chief Executive Officer has provided the VRE Operations Board with the FY 2012 Operating and Capital Budget within the guidelines developed in concert with the jurisdictional chief administrative officers; and,

WHEREAS, VRE staff recommends a budget built on an average daily ridership of 17,250 and 32 trains, with the addition of a Manassas turnback train.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby recommend that the Commissions adopt the revised FY 2011 and recommended FY 2012 VRE Operating and Capital Budgets and forward the FY 2012 budget to the local jurisdictions for inclusion in their budgets and appropriations in accordance with the Master Agreement; and,

BE IT FURTHER RESOLVED THAT, the VRE Operations Board recommends that the Commissions adopt a revision to the Master Agreement related to Arlington and Alexandria's subsidies and forward that revision to the local jurisdictions for approval; and,

BE IT FURTHER RESOLVED THAT, the VRE Operations Board recommends that the Executive Directors of both PRTC and NVTC submit to the Transportation Planning Board of the National Capital Region and to the Federal Transit Administration or other federal agencies, the appropriate Transit Improvement Program and grant applications for FY 2011 and FY 2012; and,

BE IT FURTHER RESOLVED THAT, the VRE Operations Board recommends that the Executive Director of NVTC be authorized to submit to the Commonwealth the approved budget as part of the FY 2012 state aid grant applications.

MASTER AGREEMENT FOR PROVISION OF COMMUTER
RAIL SERVICES IN NORTHERN VIRGINIA --
ESTABLISHMENT OF THE VIRGINIA RAILWAY EXPRESS

Proposed Amendment 12-2010

I. INTRODUCTION

A. PARTIES

This MASTER AGREEMENT is entered into between and among the Northern Virginia Transportation Commission, hereinafter referred to as "NVTC", the Potomac and Rappahannock Transportation Commission, hereinafter referred to as "PRTC", both of which shall collectively be referred to as "the COMMISSIONS," the jurisdictions of Fairfax County, the City of Manassas, Prince William County, Stafford County, the City of Manassas Park and the City of Fredericksburg, hereinafter referred to as the "PARTICIPATING JURISDICTIONS," and the jurisdictions of the City of Alexandria and Arlington County, hereinafter referred to as the "CONTRIBUTING JURISDICTIONS."

B. NAME OF THE COMMUTER RAIL SERVICE

The commuter rail service established hereby shall be known as the VIRGINIA RAILWAY EXPRESS.

C. PURPOSES

The purposes of this MASTER AGREEMENT are:

(1) to provide for the operation and maintenance of commuter rail service by acquiring the necessary capital equipment and financing therefor; to provide for the construction of necessary platforms, stations, parking areas, storage facilities, and all other facilities necessary for the operation of commuter rail service; to establish an adequate plan of insurance; and to pay for the operation and maintenance of a commuter rail service project consisting of trains making round trips on each of two lines originating in the Manassas area and the Fredericksburg area to Union Station in the District of Columbia, ("D.C. Service"), , or, as a contingency plan until the D.C. service can begin, to Crystal City, Virginia, ("Crystal City contingency plan"), according to formulae set forth herein;

(2) to agree and commit to a complete financial plan, and the procedure by which annual budgets shall be developed that are satisfactory to the PARTICIPATING and CONTRIBUTING JURISDICTIONS;

(3) to secure funding from state, federal and local sources for the capital and operating costs of the project and to allocate the costs thereof;

(4) to establish and organize responsibility for the administration and operation of commuter rail services and for the administration of contracts, leases and other agreements entered into by the COMMISSIONS for such service;

(5) to authorize the COMMISSIONS to execute all appropriate and necessary contracts with the National Railroad Passenger Service Corporation (Amtrak), the Richmond, Fredericksburg and Potomac Railroad Company (RF&P), the Southern Railway Company (Southern), the Consolidated Rail Corporation (Conrail), the Virginia Department of Transportation (VDOT), other appropriate federal agencies and agencies of the Commonwealth

of Virginia, and such other parties as may be required for the provision of the services contemplated hereby;

(6) to provide for land acquisition, the construction of station sites, platforms and parking facilities at mutually agreed locations, and the maintenance of rolling stock; and

(7) such other purposes as are necessary for the efficient capitalization and operation of the Virginia Railway Express.

D. EFFECTIVE DATE AND TERM

(1) Effective Date -- This Agreement shall be effective upon a date certain established by the COMMISSIONS, not more than thirty (30) days following the adoption of the pre-revenue service budget, the initial annual budgets for the D.C. service and the Crystal City contingency plan and the initial six (6) year financial plans for the D.C. Service and the Crystal City contingency plan, each provided for herein, by resolution of each of the PARTICIPATING JURISDICTIONS.

(2) After the effective date of the MASTER AGREEMENT, at such time as the COMMISSIONS may deem appropriate, the COMMISSIONS may:

(a) complete the procurement of rail equipment and locomotive vendors and award and execute contracts with such vendors for manufacture of rail passenger equipment and locomotives, such contracts to provide for the acquisition of locomotives and equipment sufficient for the D.C. Service or, at such time as the COMMISSIONS may so determine, in the event revenue service into the District of Columbia cannot occur prior to the start of commuter rail service, then locomotives and equipment sufficient for the Crystal City contingency plan; and

(b) issue bonds or notes in the name of NVTC to finance the purchase of rail passenger equipment and locomotives, insurance costs, and other costs of the commuter rail service as provided for in budgets approved by the parties hereto.

(3) The issuance of bonds by the COMMISSIONS shall not occur until the following conditions precedent have been complied with:

(a) Final agreement has been reached on a contract document ready for execution by Amtrak and the COMMISSIONS for the operation of commuter rail passenger equipment, and for the right to use Amtrak's tracks and facilities for the operation of commuter rail service.

(b) Final agreement has been reached on a contract document ready for execution by the RF&P and the COMMISSIONS for the right to use the RF&P's tracks and facilities for the operation of commuter rail service.

(c) Final agreement has been reached on a contract document ready for execution by the Southern and the COMMISSIONS for the right to use the Southern's tracks and facilities for the operation of commuter rail service.

(d) Final agreement has been reached on a contract document ready for execution by Conrail and the COMMISSIONS for the right to use Conrail's tracks and facilities for the operation of revenue commuter rail service into the District of Columbia, or for non revenue service from Crystal City, Virginia, to the District of Columbia as part of the Crystal City contingency plan.

(e) Final agreement has been reached on an insurance plan, mutually acceptable to the aforesaid railroad companies, the Virginia Division of Risk Management, and the COMMISSIONS, to cover the liabilities arising out of the operation of commuter rail service.

(4) Term -- This Agreement shall continue indefinitely unless terminated sooner as provided herein.

E. CONDITIONS PRECEDENT TO START OF RAIL SERVICE

The COMMISSIONS shall establish the starting date of commuter rail service, and the number of trains to be operated initially on each line, in accordance with the provisions of this MASTER AGREEMENT. Commuter rail service may begin contemporaneously or successively on both rail lines, as soon as practical after the effective date of this MASTER AGREEMENT, provided that such service shall not start on a line until the COMMISSIONS are satisfied that:

the station facilities on the line on which service is to begin are substantially ready for commuter service and rail passenger equipment capacity is available to carry at least 75% of estimated initial ridership on that line. Estimated initial ridership for the D.C. Service and for the Crystal City contingency plan shall be based upon the studies entitled Patronage and Revenue Forecasts for the Virginia Railway Express (May 1987) by R.H. Pratt and the Supplemental Patronage and Revenue Forecasts for the VRE (September 13, 1989), attached as Appendices A1 and A2, respectively.

F. CRYSTAL CITY CONTINGENCY PLAN

Subsequent to the effective date of this Master Agreement, and prior to the start of commuter rail service, the COMMISSIONS shall determine whether revenue service into the District of Columbia can occur. In the event that the factors necessary to enable the D.C. Service are not, or will not be, in place prior to the start of rail service, including the execution of an agreement with CONRAIL for the use of that railroad's tracks and facilities, then the COMMISSIONS may implement the Crystal City contingency plan authorized hereunder. In such event, those budgets and financial plans contained herein applicable to the Crystal City contingency plan shall determine the costs and expenses of the commuter rail service as funded by the parties hereto.

G. DEFINITIONS

As used in this MASTER AGREEMENT, the following words and terms shall have the following meanings unless the context shall indicate another meaning or intent:

(1) "Cost of Commuter Rail Service" shall mean operating and capital costs.

(2) "Capital Costs" shall mean those costs to be paid by the COMMISSIONS for capital items (other than costs, if any, classified as operating costs), including debt service, with respect to capital or operating costs which are financed with borrowed money or other types of deferred payment instruments.

(3) "Operating Costs" or "Operating Expenses" shall mean the expenses or costs of operating and maintaining the Virginia Railway Express, including, without limitation (unless otherwise specifically provided herein), costs of insurance, as defined for the purposes of this Agreement in Section VIII.B.(1), and costs of the COMMISSIONS which are not paid from bond proceeds, including operating reserves.

II. ORGANIZATION

A. CO-ORDINATION BETWEEN NVTC AND PRTC

The COMMISSIONS shall enter into all agreements with third parties necessary to the establishment and operation of the Virginia Railway Express, and the Executive Directors

thereof shall coordinate the presentation of all matters requiring the COMMISSIONS' consent so that decisions required to be reached by both may be made in an efficient and timely fashion.

B. ESTABLISHMENT OF THE OPERATIONS BOARD

(1) In order that the COMMISSIONS shall have an efficient mechanism for the formulation of operational policy and the execution of decisions required for the commuter rail service, the COMMISSIONS shall enter into an agreement setting forth the COMMISSIONS' relationship, duties and responsibilities regarding the commuter rail service, which agreement may be modified from time to time as the COMMISSIONS deem appropriate. The agreement shall establish a committee responsible to the COMMISSIONS which shall be known as the OPERATIONS BOARD to consist of the number of elected officials hereafter set forth from the governing bodies of each of the PARTICIPATING and CONTRIBUTING JURISDICTIONS selected by the COMMISSION of which the jurisdiction is a member from among its commissioners; and an ex officio representative of the Chairman of the Commonwealth Transportation Board selected as that Chairman shall determine. A copy of the aforesaid agreement, and any subsequent amendments thereto, shall be attached hereto and incorporated herein as Appendix B upon adoption by the COMMISSIONS.

(a) The CONTRIBUTING JURISDICTIONS shall each have one member on the OPERATIONS BOARD, and each may have one alternate appointed from its governing body in the same manner as regular members.

(b) The PARTICIPATING JURISDICTIONS shall each have a number of members on the OPERATIONS BOARD proportionate to the ridership from the jurisdiction as determined in accordance with Section VIII.C. Such number shall be as follows:

- (1) PARTICIPATING JURISDICTIONS with 25% or more of the total system ridership shall have three (3) members on the OPERATIONS BOARD;
- (2) PARTICIPATING JURISDICTIONS with 15% to 24% of total system ridership shall have two (2) members on the OPERATIONS BOARD; and
- (3) PARTICIPATING JURISDICTIONS with less than 15% of total system ridership shall have one (1) member on the OPERATIONS BOARD.
- (4) Each PARTICIPATING JURISDICTION may also have one alternate for each of its regular members appointed from its governing body in the same manner as regular members.

(2) The first members of the OPERATIONS BOARD shall be appointed not later than upon execution of this MASTER AGREEMENT, and shall continue as members until their successors shall have been selected, provided that under no circumstances, except in the case of the Chairman of the Commonwealth Transportation Board's representative, shall membership on the OPERATIONS BOARD continue after a member ceases to be both a member of a governing body from a PARTICIPATING or CONTRIBUTING JURISDICTION and a commissioner of his appointing transportation district commission.

(3) The OPERATIONS BOARD shall elect from among its members a chairman and such other officers as it may deem essential each to serve for a term of one year or until a successor is elected. All officers shall be eligible for reelection.

(4) The OPERATIONS BOARD shall endeavor to conduct its business by consensus to the extent possible. Nonetheless, each jurisdiction represented on the OPERATIONS BOARD shall be entitled to a vote with a weight proportionate to the jurisdiction's annual subsidy determined in accordance with Section VIII.A.(1) and (2) for the then current fiscal year, e.g., a jurisdiction paying 25% of the annual jurisdictional subsidy shall have a vote with a weight equal to 25% of the total. The members of the OPERATIONS BOARD from jurisdictions with more than one representative may each cast an individual vote with a weight based on an equal proportion of the jurisdiction's total voting weight.. A quorum of the OPERATIONS BOARD shall consist of a majority of the members which shall include at least one member from a majority of the PARTICIPATING and CONTRIBUTING JURISDICTIONS, The presence of a quorum and a vote of the majority of members present, including at least one affirmative vote from a majority of the members from the PARTICIPATING and CONTRIBUTING JURISDICTIONS, which majority shall constitute not less than sixty percent (60%) of the total annual jurisdictional subsidy, shall be necessary for the OPERATIONS BOARD to take any action. The representative of the Chairman of the Commonwealth Transportation Board shall have one vote on the OPERATIONS BOARD.

(5) The OPERATIONS BOARD shall hold regular meetings at such locations and times as the members may determine, which meetings shall be called and conducted in accordance with such by-laws of the OPERATIONS BOARD as may be adopted by the members thereof. Roberts' Rules of Order, Revised shall govern those procedural matters not set forth in the by-laws.

C. FUNCTION OF OPERATIONS BOARD

The OPERATIONS BOARD shall serve as an advisory body to the COMMISSIONS and shall oversee the management, operation and control of operational decisions, functions, affairs and property of the commuter rail service on behalf of the COMMISSIONS, exercising such powers and authority as may be delegated to it by the COMMISSIONS.

(1) FINANCIAL MANAGEMENT -- The OPERATIONS BOARD shall oversee the management of all monies attributable to commuter rail service, including federal and state grant funds and local contributions, consistent with such terms and conditions as may be agreed upon for administration by the Virginia Division of Risk Management of a liability insurance plan. The financial management responsibilities of the OPERATIONS BOARD shall be specified by the COMMISSIONS in the agreement between them (Appendix B), and shall include supervision of funds collected from the sources identified in this MASTER AGREEMENT, maintenance of accounts, investments, and disbursement of funds in accordance with approved budgets.

(2) MAINTENANCE OF ACCOUNTS -- In order to ensure the proper management of the monies of the commuter rail service, for so long as the COMMISSIONS so determine, NVTC shall serve as the repository for all such monies, and shall perform all necessary accounting duties. NVTC shall disburse such funds only on direction of the OPERATIONS BOARD as authorized by the COMMISSIONS.

D. COMMUTER RAIL CHIEF EXECUTIVE OFFICER

At such time as the COMMISSIONS may direct, and in no event later than the start of service hereunder, the OPERATIONS BOARD shall recommend a CHIEF EXECUTIVE OFFICER for selection by the COMMISSIONS.

(1) The CHIEF EXECUTIVE OFFICER shall report directly to, and shall act at the direction of, the OPERATIONS BOARD.

(2) With the exception of matters expressly delegated by the COMMISSIONS or the OPERATIONS BOARD to the extent of its own authority, the CHIEF EXECUTIVE OFFICER shall act only upon the prior authorization of the OPERATIONS BOARD.

(3) The OPERATIONS BOARD may direct the CHIEF EXECUTIVE OFFICER to act only to the extent authorized by the COMMISSIONS.

(4) To the extent directed by the OPERATIONS BOARD, as authorized by the COMMISSIONS, the MANAGER shall be responsible for the proper administration of all day to day functions and affairs of commuter rail services, which responsibilities shall include but not be limited to:

(a) monthly reports to the COMMISSIONS regarding matters of administration and operation, including claims management and the financial condition of the commuter rail project;

(b) execution of annual budgets;

(c) day-to-day operational decisions incident to the provision of continuous commuter rail services, including those required in the event of emergency circumstances; and

(d) such other duties as may be delegated by the OPERATIONS BOARD and authorized by the COMMISSIONS.

(5) Until such time as the COMMISSIONS determine otherwise, the CHIEF EXECUTIVE OFFICER shall serve either as an employee of NVTC, paid by the COMMISSIONS as an operating expense, or an independent contractor similarly paid.

E. STAFF AND OTHER COMMITTEES

Upon the request of the OPERATIONS BOARD, the COMMISSIONS may employ staff, or retain independent contractors, to serve as technical advisors, consultants and the like useful in discharging the responsibilities of the COMMISSIONS and the OPERATIONS BOARD under this MASTER AGREEMENT, and may establish committees for the purposes set forth herein.

III. FINANCIAL PLANS AND BUDGETS

A. PREPARATION OF SIX-YEAR FINANCIAL PLANS

Together with the annual budget, the preparation of which is provided for in Section III.C., the OPERATIONS BOARD shall annually prepare a revised six-year financial plan for approval by the COMMISSIONS as part of the budget approval process. The financial plan shall contain a six-year forecast and shall be the basis for annual budgets and requests by the COMMISSIONS for financial assistance from the PARTICIPATING JURISDICTIONS in accordance with the funding formulae set forth herein, as well as from the CONTRIBUTING JURISDICTIONS, and other funding sources. The initial six-year plans for service into the District of Columbia and for the Crystal City contingency plan are attached to this MASTER AGREEMENT as Appendices C1 and C2, respectively.

Formulation of the financial plan shall be guided by the following principles:

(1) Accurate and adequate estimates of the costs of operation shall be prepared for all aspects of the project operation, and a preliminary financial plan shall be formulated and presented by the OPERATIONS BOARD to the COMMISSIONS and transmitted to the

PARTICIPATING and CONTRIBUTING JURISDICTIONS on or before September 30 of the preceding fiscal year for their review. A final recommended financial plan shall be presented to the COMMISSIONS on or before December 1 for approval by the COMMISSIONS. The COMMISSIONS shall act by February 1, and, thereafter, transmit to the PARTICIPATING JURISDICTIONS the financial plan together with the budget for the next fiscal year and a request to budget and appropriate their share, as established herein, of the costs of commuter rail service determined pursuant to the formulae set forth in Section VIII.A.(2) for which commuter rail service revenues pledged to the payment thereof are estimated to be insufficient when calculated as provided in Section VIII. The COMMISSIONS shall simultaneously transmit to the CONTRIBUTING JURISDICTIONS a request to contribute to the costs of commuter rail service for the fiscal year.

(2) The COMMISSIONS shall utilize responsible debt financing to the extent that such is financially advantageous to the commuter rail project and is in the interests of the parties hereto. Provided, however, that in no event shall the COMMISSIONS issue a debt related to the commuter rail project, other than that initial debt necessary for the initial acquisition of equipment and facilities to begin service hereunder and the establishment of an insurance reserve, absent the unanimous consent of all parties hereto.

(3) With the exception of fares for the Crystal City contingency plan, fares shall be set to recover, initially, no less than 50% of the annual estimated operating costs unless otherwise agreed to unanimously by the PARTICIPATING JURISDICTIONS, and with the understanding that a shared objective of the COMMISSIONS and the PARTICIPATING JURISDICTIONS will be the periodic adjustment in the fare structure in order to achieve a minimum of 50 % recovery of operating costs from fare revenue.

(4) The costs of commuter rail service shall be borne by the PARTICIPATING JURISDICTIONS subject to, and in accordance with, the formula set forth in Section VIII.A.(2), below; however, the COMMISSIONS shall seek all state aid available to acquire rolling stock.

(5) Costs for parking lots, stations, and other capital costs as provided in Section IV. shall be the responsibility of the PARTICIPATING JURISDICTION in which the improvement is made; however, the COMMISSIONS shall seek financial assistance for these improvements from the Commonwealth's Mass Transit Fund and federal sources.

(6) The COMMISSIONS shall seek funds from the Commonwealth and federal government, and apply such funds for the performance of the responsibilities contained herein in accordance with the provisions of Section IV.B. hereof; no general obligation of PARTICIPATING or CONTRIBUTING JURISDICTIONS shall be required, or established hereby.

(7) Banking, investments, and accounting practices shall be governed by the requirements of state and federal grantor agencies, the terms of the agreement between the COMMISSIONS (Appendix B), operating contract(s), lease payments, and/or any indentures supporting borrowed funds.

(8) PARTICIPATING JURISDICTIONS may attempt to secure funds from private sources to off-set capital costs for which the PARTICIPATING JURISDICTION is responsible; however, securing such funds shall not serve to decrease the financial support which the PARTICIPATING JURISDICTION is otherwise entitled to receive under Section IV. herein.

(9) To the extent federal and state aid is available, the COMMISSIONS shall seek such to fund the costs of commuter rail service, and shall credit the PARTICIPATING JURISDICTIONS with their pro rata share of such aid based on the formula set forth in Section VIII.A.(2).

(10) Such other principles as may be agreed upon by the parties hereto.

B. INITIAL ANNUAL BUDGETS

(1) The FY 1990 and estimated 1991 pre-revenue capital and operating budgets for the provision of commuter rail services are attached hereto and incorporated herein as Appendices D 1 and D2, and set forth expenses to be incurred prior to, and in preparation for, the start of commuter rail service. The parties hereto understand that approval of this Master Agreement includes approval of the FY 1990 budget, and agree that, upon approval of this Master Agreement, appropriations shall be made in accordance with the FY 1990 budget and payments shall be made in accordance therewith as directed by the COMMISSIONS.

(2) The estimated FY 1992 capital and operating budgets for the provision of commuter rail services into the District of Columbia and for the Crystal City contingency plan are attached hereto and incorporated herein as Appendices E1 and E2, respectively, and set forth the costs of commuter rail service for the start of commuter rail service and its first year of operation.

C. PREPARATION OF SUBSEQUENT ANNUAL BUDGETS

Commencing with the budget for FY 1991, and consistent with the six-year financial plans (Appendices C 1 and C2) and subsequent revisions thereto, the OPERATIONS BOARD shall prepare a preliminary annual budget to cover the period from July 1 to June 30 of each fiscal year and submit it to the COMMISSIONS, the PARTICIPATING JURISDICTIONS, and the CONTRIBUTING JURISDICTIONS by September 30 of the preceding fiscal year for review and comment. The OPERATIONS BOARD shall receive all comment, written and oral. Thereafter, and upon consideration of the comments received, the OPERATIONS BOARD shall prepare a final recommended annual budget by December 1 for approval by the COMMISSIONS by February 1. Thereafter, the COMMISSIONS shall transmit to the PARTICIPATING JURISDICTIONS a request to budget and appropriate their respective shares of the cost of commuter rail service determined pursuant to the formulae set forth in Section VIII.A.(2) for which commuter rail service revenues pledged to the payment thereof are estimated to be insufficient when calculated as provided in Section VIII. The COMMISSIONS shall simultaneously transmit to the CONTRIBUTING JURISDICTIONS a request to budget and appropriate the funds identified for each in the final recommended annual budget. Once the PARTICIPATING and CONTRIBUTING JURISDICTIONS have budgeted and appropriated their respective shares, payment shall be made in accordance with the COMMISSIONS' directions.

In preparing the budget, and with the COMMISSIONS' authorization, the OPERATIONS BOARD may prepare and distribute all necessary requests for proposals or bid documents, and prepare requisite specifications, for all equipment, services, and supplies which may be required for the purposes hereof; and may request the COMMISSIONS to employ architects, engineers, consultants, and others as it may deem necessary to draft such specifications, to design structures, to estimate costs, or to advise with respect to insurance programs and the like.

D. SHORTFALLS IN BUDGETED FUNDS

In the event budgeted funds are insufficient to meet the financial obligations of the COMMISSIONS for the costs of commuter rail service during any fiscal year, the OPERATIONS BOARD shall so advise the COMMISSIONS which shall then seek additional funding therefor from the PARTICIPATING JURISDICTIONS beyond that which has

heretofore been provided, and which is required for commuter rail services. To obtain such additional funding the COMMISSIONS shall direct the OPERATIONS BOARD to prepare a draft amended budget, which shall be transmitted by the OPERATIONS BOARD to the PARTICIPATING JURISDICTIONS for their review and comment. The OPERATIONS BOARD shall then submit a final amended budget to the COMMISSIONS for approval. Thereafter, the COMMISSIONS shall request the PARTICIPATING JURISDICTIONS to budget and appropriate their respective proportionate shares to fund the amended budget, and to make payment in accordance therewith as directed by the COMMISSIONS.

The governing bodies of each of the PARTICIPATING JURISDICTIONS hereby direct the County Executive, County Administrator, County or City Manager, or such other officer as may be charged with the responsibility for preparing the PARTICIPATING JURISDICTION'S budget, to submit a request to the governing body to budget and appropriate such additional proportionate share as the COMMISSIONS may deem necessary to fund an amended budget for commuter rail service.

E. LOCAL CONSIDERATION AND FUNDING

The adopted annual budget shall reflect, to the greatest extent practicable, the consensus of the PARTICIPATING JURISDICTIONS and the CONTRIBUTING JURISDICTIONS. Upon adoption of the budget by the COMMISSIONS, and in no event later than February 1 of each year, the COMMISSIONS shall transmit to the governing bodies of the PARTICIPATING JURISDICTIONS a request to budget and appropriate their respective proportionate shares of the cost of commuter rail service determined pursuant to the formulae set forth in Section VIII.A.(2) for which commuter rail service revenues pledged to the payment thereof are estimated to be insufficient when calculated as provided in Section VIII. The COMMISSION shall simultaneously transmit to the CONTRIBUTING JURISDICTIONS a request to budget and appropriate the funds identified for each in the adopted annual budget. In furtherance of the purposes of this MASTER AGREEMENT, the PARTICIPATING JURISDICTIONS hereby declare their intent to make sufficient annual appropriations to pay their share of the costs for commuter rail service determined pursuant to the formulae set forth in Section VIII.A.(2) for which commuter rail service revenues pledged to the payment thereof are estimated to be insufficient when calculated as provided in Section VIII, and to make payments pursuant to such appropriations as directed by the COMMISSIONS. Beyond the consideration of annual budgets, as such may be amended during the fiscal year, as provided for herein, it is not the intent of this MASTER AGREEMENT for the PARTICIPATING JURISDICTIONS to make a legally binding commitment beyond the fiscal year for which an appropriation is made, and the PARTICIPATING JURISDICTIONS' obligation to make such payments shall be subject to annual appropriations being made from time to time by the PARTICIPATING JURISDICTIONS for such purpose. No obligation for the expenditure of money by the PARTICIPATING JURISDICTIONS for the payment of Operating Costs, including insurance costs, and Capital Costs shall be incurred, except pursuant to legally enacted appropriations. Once such appropriations are made, the PARTICIPATING JURISDICTIONS shall make payments in accordance therewith and the COMMISSIONS shall be entitled to rely upon such payment being made.

The governing bodies of each of the PARTICIPATING JURISDICTIONS hereby direct the County Executive, County Administrator, County or City Manager, or such other officer as may be charged with the responsibility for preparing the PARTICIPATING JURISDICTION'S budget, to include in the budget for each fiscal year during which Operating Costs are incurred or debt for Capital Costs is outstanding, a request for an amount equal to that requested by the Commissions and sufficient to pay the costs of commuter rail service determined pursuant to the formulae set forth in Section VIII.A.(2) for which commuter rail service revenues pledged to the payment thereof are estimated to be insufficient when calculated as provided in Section VIII.

The CONTRIBUTING JURISDICTIONS shall be requested each fiscal year by the COMMISSIONS to budget and appropriate funds to assist in defraying the costs of commuter rail during the fiscal year. However, the CONTRIBUTING JURISDICTIONS shall not be obligated in any way to make an appropriation for any fiscal year, nor shall the CONTRIBUTING JURISDICTIONS be obligated to include such an appropriation in the proposed annual budget for consideration by the CONTRIBUTING JURISDICTIONS' governing bodies.

IV. STATION SITES AND CAPITAL GRANT FUNDING

A. Stations and/or platforms shall be located initially in the vicinity of the following sites:

RF&P Corridor	Southern Corridor
South Stafford	Manassas Airport* *
Brooke	Manassas
Quantico	Manassas Park****
Woodbridge	Burke Centre
Pohick/Lorton	Burke/Rolling Road
Franconia*	Backlick Road
	Joint Corridor
	Alexandria - Union Station
	Crystal City
	L'Enfant Plaza***
	Washington D.C. - Union Station***

* subject to agreement with the Washington Metropolitan Area Transit Authority

** subject to agreement between Manassas and Prince William County regarding cost sharing

*** provided the D.C. Service is implemented

**** the parties acknowledge and agree that, unless otherwise agreed, the City of Manassas Park shall be responsible for maintenance and control of the access road and parking lot at the Manassas Park station site. This responsibility shall not include maintenance of improvements within the railroad right-of-way.

B. Construction of stations, platforms, and parking lots shall be the responsibility of the PARTICIPATING JURISDICTIONS in which such are located, except as otherwise stated herein. The costs to construct stations, platforms, and parking lots shall be funded from a variety of sources, including federal and state grants and matching contributions from PARTICIPATING JURISDICTIONS. The foregoing funds shall be distributed to the PARTICIPATING JURISDICTION responsible for such costs in accordance with the formula set forth in Section VIII.A.(2). However, before distribution of federal and state grant monies to the PARTICIPATING JURISDICTIONS, such grant funds shall be applied by the COMMISSIONS to the costs listed below as follows:

Primary Facility Costs -- capital facility costs, specifically those required for the RF&P and Southern line storage facilities, the stations at Alexandria, Crystal City, L'Enfant Plaza, and Union Station, and platforms at all

remaining stations. Construction of the aforesaid facilities, and the costs therefor, shall be the responsibility of the COMMISSIONS and not of the PARTICIPATING JURISDICTIONS in which located.

Remaining federal and state funds, if any, will be distributed for:

1st Priority -- costs for remaining stations and parking lots

2nd Priority -- remaining capital facility costs, e.g., land acquisition

(1) RF&P Line -- Upon meeting the primary facility costs described above, the sums remaining from federal, state and local sources for station and parking lot construction purposes shall be allocated to the PARTICIPATING JURISDICTIONS based on the formula in Section VIII.A.(2), and shall be applied to the costs for construction of stations and parking lots on the RF&P line meeting minimum design standards established by the OPERATIONS BOARD and adopted by the COMMISSIONS. Remaining capital facility costs associated with stations and parking, e.g., land acquisition, shall be the responsibility of the PARTICIPATING JURISDICTION in which such facilities are located.

(2) Southern Line -- Similarly, upon meeting the aforesaid primary facility costs, the sums remaining from federal, state and local sources for station and parking lot construction purposes shall be allocated to the PARTICIPATING JURISDICTIONS based on the formula in Section VIII.A.(2), and shall be applied to the costs for construction of stations and parking lots on the Southern line meeting minimum design standards established by the OPERATIONS BOARD and adopted by the COMMISSIONS. Manassas shall use its good offices to obtain the use of a station located within the City which is owned and operated by the Southern . Remaining capital facility costs for stations and parking, e.g., land acquisition, shall be the responsibility of the PARTICIPATING JURISDICTION in which such facilities are located.

(3) Federal funds -- NVTC has applied for federal capital grant funding from the Urban Mass Transportation Administration of \$750,000.00 for the capital facility costs located on the RF&P line, which, upon receipt, shall be earmarked for, and applied by the COMMISSIONS to, such costs.

(4) State funds -- A share of the costs for stations, platforms, and parking lots on both of the lines has been requested by the COMMISSIONS from the Virginia Department of Transportation. VDOT, by agreement, will provide a maximum of \$8 million through FY 1990, which shall be applied as provided in subparagraphs (1) and (2), above.

(5) Local funds -- The PARTICIPATING JURISDICTIONS shall pay their proportionate share of the remaining capital costs, according to the procedures set out in subparagraphs (1) and (2), above.

C. The COMMISSIONS shall enter into a formal agreement with VDOT satisfactory to VDOT, for VDOT to design, construct and/or maintain parking lots and ancillary station area improvements (other than those constructed or maintained by any PARTICIPATING JURISDICTION), excluding platforms. The COMMISSIONS, through the OPERATIONS BOARD, shall reimburse VDOT for the costs of design and construction from the funds identified in approved budgets. In separate formal agreements with the appropriate COMMISSIONS and/or PARTICIPATING JURISDICTIONS, satisfactory to VDOT, VDOT shall be provided with the right of entry upon and use of those parking lots for which VDOT

accepts maintenance responsibility. The COMMISSIONS will be responsible for providing insurance for the parking lots, and will, to the extent possible, name the parties hereto as additional insureds on any property, casualty or liability policies obtained. In lieu of insurance policies, coverage by an insurance plan approved and/or operated by the Virginia Division of Risk Management or a self-insurance plan approved by the State Corporation Commission may be established.

D. With the exception of those cost items identified in Section IV.B. and C., each PARTICIPATING JURISDICTION in which a station site is located shall be responsible for the prompt construction of the station in accordance with minimum design standards established by the OPERATIONS BOARD and adopted by the COMMISSIONS, and for the costs thereof. The sites shall be constructed at or near the locations identified in Section IV.A. The COMMISSIONS shall be responsible for station improvements at L'Enfant Plaza and Union Station in the District of Columbia, and at Crystal City and Alexandria, as well as for capital costs for the RF&P and Southern line storage facilities. If all platforms cannot be in service on the first day of commuter rail service, level surfaces from which boarding can occur will be provided on a temporary basis, with permanent platforms provided as soon as possible.

E. All station sites and platforms shall be accessible to the handicapped.

F. Within the limits established in approved budgets, the COMMISSIONS may, based upon the OPERATIONS BOARD's recommendation, authorize contracts for custodial services, limited to trash pickup and snow removal, for all terminals, stations, platforms and parking lots except those areas maintained by Amtrak or VDOT. A condition of such contracts shall be the contractor's indemnification, through adequate insurance acceptable to the COMMISSIONS and evidenced by certificates of insurance, of the OPERATIONS BOARD, the COMMISSIONS, VDOT and the PARTICIPATING and CONTRIBUTING JURISDICTIONS against any claims, suits, judgments, or other legal proceedings arising out of the performance of contractual responsibilities by the contractor.

G. Upon the recommendation of the OPERATIONS BOARD, the COMMISSIONS may authorize contracts with vendors for vending operations such as newspaper and food sales at station sites. Such contracts shall contain the requirements stated above in Section IVY. Revenues from such sales shall be included in the annual budget to be applied to system costs, and shall not be returned directly to each PARTICIPATING JURISDICTION. Such vending operations shall be subject to all applicable state and local regulations.

H. Any of the PARTICIPATING JURISDICTIONS may provide for new or expanded stations, platforms, or parking lots at station sites within its territory, subject to approval by the COMMISSIONS. Financing for such shall be the sole responsibility of the PARTICIPATING JURISDICTION.

V. CONTRACT OPERATIONS

A. TRAIN OPERATION

(1) Subject to such requirements and limitations as may be set out in this MASTER AGREEMENT, upon the request of the OPERATIONS BOARD, the COMMISSIONS shall enter all appropriate agreements necessary to initiate and operate the commuter rail services, to provide associated parking facilities, and to provide an adequate insurance program as set forth in Section VII below.

(2) The contracts authorized hereby shall provide, at a minimum, three trains per line with the capacity to carry at least 75% of initial estimated ridership on a line each federal government workday, with an intended goal of four trains per line, on specified schedules. Such contracts shall further provide the option, to be approved by the COMMISSIONS, to add service and additional cars to each line within the agreed-upon financial limits set forth herein. Ridership estimates are provided in Appendices A1 and A2.

(3) The COMMISSIONS shall be responsible for obtaining necessary initial approvals by regulatory authorities for the commuter rail services, but each PARTICIPATING JURISDICTION shall be responsible for all necessary local permits and approvals in connection with construction of platforms, stations, terminals, and parking lots in its jurisdiction.

B. ROLLING STOCK AND FACILITIES MAINTENANCE

The COMMISSIONS shall jointly enter into such agreements as they shall deem necessary and appropriate for the maintenance of the rolling stock and other equipment and facilities required for the commuter rail service.

VI. SERVICE PLAN

A. SCHEDULES

The OPERATIONS BOARD shall recommend, and the COMMISSIONS shall establish, initial schedules for commuter rail services into the District of Columbia and for the Crystal City contingency plan in consultation with the PARTICIPATING JURISDICTIONS, and appropriate means to amend the schedules as necessary.

The initial schedules shall establish the target level of service for each station, and for each line. The COMMISSIONS may adjust the schedules to accommodate day-to-day fluctuations in demand as such adjustments may be recommended by the OPERATIONS BOARD. However, the minimum level of service established as a target in the initial schedules shall not be reduced without the express consent of the affected jurisdictions.

B. FARES

The initial fare structures for the D.C. service and for the Crystal City contingency plan shall be established by the COMMISSIONS upon the recommendation of the OPERATIONS BOARD, in consultation with the PARTICIPATING JURISDICTIONS.

(1) The COMMISSIONS may agree to discount the fares of employees of those railroads with which they contract for services hereunder as an offset against fees and charges under those contracts, and may adopt other fare structures from time to time as they shall best determine during the operation of commuter rail services, including special promotional fares, V.L.P. free passes, and the like; however, except for such special promotions, no fare shall be lower than those established by the initial fare structure absent the express unanimous consent of the PARTICIPATING JURISDICTIONS.

(2) Any PARTICIPATING JURISDICTION may purchase tickets at the current price for resale at rates less than those set forth in the initial fare structure or any subsequent fare structure established by the COMMISSIONS.

VII. RISK MANAGEMENT

A. INSURANCE PLAN ADMINISTERED BY DIVISION OF RISK MANAGEMENT

(1) In order to provide adequate insurance coverage for liabilities associated with commuter rail service, the parties hereto hereby establish the following requirements for administering claims, and paying settlements, judgments, awards and legal and other expenses which may arise out of such operations. The obligation of the COMMISSIONS under this section, including the provision of insurance, and the limits thereof, shall apply collectively, and not severally, to commuter rail operations over the lines of the Southern Railway Company, Amtrak and Conrail between the Manassas, Virginia area, and Union Station in the District of Columbia, and to commuter rail operations over the lines of the RF&P, Amtrak and Conrail between the Fredericksburg, Virginia area, and Union Station in the District of Columbia.

(2) The COMMISSIONS shall develop, fund, and maintain a liability insurance plan acceptable to, and administered by, the Virginia Division of Risk Management pursuant to Section 2.1-526.8:1 of the Code of Virginia, 1950, as amended, which provides insurance coverage in the annual aggregate sum of, at least, \$200,000,000.00. The insurance plan may include the use of a program of self-insurance, commercial insurance, or any other alternative insurance mechanism acceptable to the Division of Risk Management. Any portion of the insurance plan which is self-insured shall at all times be, as part of the Division of Risk Management's administration, acceptable to, and subject to continuing approval by, the Division of Risk Management.

(3) The COMMISSIONS' initial insurance plan is attached hereto and incorporated herein as Appendix F. Such plan shall provide coverage for all risks of loss or damage to persons or property which may be incurred by the COMMISSIONS, or by others and assumed by the COMMISSIONS under any contract, as a consequence of the operation of commuter rail services hereunder. The COMMISSIONS shall provide directly or by contract for defense or settlement of all claims, suits, causes, or actions to which they, or any insured as defined in Appendix F, may become subject, shall acquire or provide for such legal and other services as may be required for the purpose, and shall defend, indemnify, and hold harmless the PARTICIPATING JURISDICTIONS, the CONTRIBUTING JURISDICTIONS, and other non-participating member jurisdictions of the COMMISSIONS in the event any are named in a suit, cause, action, or claim arising from the provision of commuter rail services. The initial insurance plan may be amended by the COMMISSIONS from time to time, subject to the approval of the Division of Risk Management.

B. FUNDING OF INSURANCE PLAN

(1) In order for the COMMISSIONS to carry out these obligations and for no other purpose, the PARTICIPATING JURISDICTIONS hereby agree to provide in the manner and in the amounts set forth in the annual budget, sufficient monies to fund the costs of the foregoing insurance plan. Such costs shall include any and all costs associated with securing, maintaining, and administering the insurance plan, all costs for defense and settlement of claims, suits, causes or actions covered by the plan, and shall specifically include, but not be limited to, the costs to purchase commercial insurance, to participate in alternative insurance mechanisms, and to obtain the services of the Division of Risk Management as administrator of the insurance plan.

(2) Insurance Plan -- Subject to the provisions of Section X governing non-appropriation of funds, each PARTICIPATING JURISDICTION shall budget and appropriate its respective share of the costs to provide the insurance plan to include, in its initial formulation, (i) a self-insurance reserve satisfactory to the Virginia Division of Risk Management to cover liabilities of less than \$5 million per occurrence, and (ii) a combination of retained risk and insurance coverage obtained through commercial carriers and alternative insurance mechanisms, including captive insurance companies, sufficient to cover liabilities which exceed \$5 million per

occurrence subject to an annual aggregate limit of liability of \$200 million. In accordance with the insurance plan, monies may be used to employ such lawyers, accountants, expert witnesses, and other services as may be required to defend any claim.

(3) Actuarial Evaluation -- At the end of the first year of commuter rail services, and periodically thereafter as the COMMISSIONS may determine, an actuarial evaluation of claims history will be undertaken to determine the adequacy of the insurance plan provided hereby, and the OPERATIONS BOARD shall propose to the COMMISSIONS, as part of the annual budget process, a revised insurance plan and funding therefor, with revised proportionate contributions thereto, to be approved in accordance with the budget approval process set forth herein.

(4) Loans From Commonwealth -- In the event that claims or judgments or other insurance costs exceed the amount available in the budget, the COMMISSIONS, with the consent of the PARTICIPATING JURISDICTIONS, may request from the Governor payment of up to \$5 million from a contingent loan fund established for that purpose by the 1988 Regular Session of the General Assembly.

In any fiscal year in which any part of the Loan for Major Claims provided in Section 4-5.02(b) of the 1988-1990 Budget Bill of the Commonwealth of Virginia, Chapter 800, 1988 Va. Acts, at page 1588, is received from the State Treasury by the COMMISSIONS, on account of the operation of the commuter rail project, the PARTICIPATING JURISDICTIONS agree, subject to Section X governing non-appropriation of funds, to repay such loan amounts in the fiscal year next following the year in which the loan proceeds were received, in the same proportions as are set out in Section VIIIA.(2)(b) hereof, upon such terms as the State Treasurer may require.

C. CLAIMS ADMINISTRATION

Pursuant to the insurance plan, the COMMISSIONS shall contract with the Virginia Division of Risk Management to administer the insurance plan. The parties hereto further agree to accept the decision of the COMMISSIONS regarding settlement of claims and payment of judgments and awards. The COMMISSIONS will contract with Amtrak for the investigation and administration of claims, and for the settlement of or payment of any claim, judgment or award not in excess of \$10,000 without specific prior approval of the COMMISSIONS. The COMMISSIONS shall establish a policy with respect to the foregoing to be followed by Amtrak. Necessary risk management procedures shall be developed by a consultant and recommended by the OPERATIONS BOARD for consideration by the COMMISSIONS.

VIII. LOCAL SUBSIDIES AND OTHER PAYMENTS

A. SHARING OF COSTS AND REVENUES 1N INITIAL YEARS

(1) The costs of commuter rail service shall be shared as follows:

(a) Alexandria shall contribute, prior to and in the first year of service, the fixed amounts indicated in Appendices D 1 and D2 and E 1 or E2, respectively. These monies will be considered a contribution and, therefore, Alexandria will not be subject to the formula payment defined in Section VIIIA.(2). Alexandria shall be requested to make subsequent annual contributions. However, the requested annual contributions shall not exceed the fixed amount indicated in Appendices E1 or E2, *adjusted upwards or downwards each year by the same percentage of change as the total subsidy allocated among the PARTICIPATING JURISDICTIONS. by a factor of 5%.*

(b) Arlington shall contribute, prior to and in the first year of service, the fixed amounts indicated in Appendices D 1 and D2 and E 1 or E2, respectively. These monies will be considered as a contribution and, therefore, Arlington County will not be subject to the formula payment defined in Section VIIIA.(2). Arlington shall be requested to make subsequent annual contributions. However, the requested annual contributions shall not exceed the fixed amount indicated in Appendices E1 or E2, adjusted upwards or downwards each year by the same percentage of change as the total subsidy allocated among the PARTICIPATING JURISDICTIONS. by a factor of 5%.

(2) (a) Subject to the provisions of Section X governing non-appropriation of funds, Fairfax County, Manassas City, Prince William County, Manassas Park, Fredericksburg City, and Stafford County shall budget their entire shares of the costs of commuter rail service determined according to the formulae set forth in Section VIIIA.(2)(b) below for which commuter rail service revenues pledged to the payment thereof are estimated to be insufficient when calculated as provided in Section VIII.

(b) The costs of commuter rail service, except those otherwise paid on some other specific basis, shall be apportioned among the PARTICIPATING JURISDICTIONS so that 90 percent of the total costs shall be determined by the number of the jurisdiction's residents riding commuter rail, and 10 percent of the costs shall be determined by the total population of each PARTICIPATING JURISDICTION, as follows:

(i) The costs of commuter rail service for the then current year, minus the net contributions of Arlington and Alexandria, shall be multiplied by 10%, and the resulting sum shall be apportioned among the PARTICIPATING JURISDICTIONS in the proportion their respective populations bear to the total population of all PARTICIPATING JURISDICTIONS as set forth in Section VIII.A.(4).

(ii) For the aforesaid year the remaining 90% of the costs of commuter rail service shall be apportioned among the PARTICIPATING JURISDICTIONS in accordance with the estimates of ridership set forth in Section VIII.A.(4)(b) and shown in Appendices A1 and A2 for years to and including the first year of commuter rail service, and in accordance with actual ridership for subsequent years as provided for in Section VIII.C.

(c) The above allocation formula shall be modified beginning with FY 2008, and phased in over the next ensuring three fiscal years in equal increments, to reduce the population component and increase the ridership component of the formula, such that by FY 2011, 100% of the costs of commuter rail service shall be apportioned among the PARTICIPATING JURISDICTIONS in accordance with actual ridership as provided for in Section VIII.C.

(3) Revenues -- For the purpose of determining the cost of commuter rail service for which revenues pledged to the payment thereof are estimated to be insufficient, revenues shall be attributed to each PARTICIPATING JURISDICTION based on the number of residents from that jurisdiction who ride the service, multiplied by the fares charged from that jurisdiction. During the first year of commuter rail service, estimated ridership revenue as set forth in Section VIII.A.(4) shall be used to apportion revenues. In subsequent years, actual ridership from the most recent year available shall be used to allocate revenues. The OPERATIONS BOARD shall recommend, and the COMMISSIONS shall establish a rider survey procedure to determine the residences of riders.

(a) Revenues from riders residing outside the PARTICIPATING JURISDICTIONS, or whose residence cannot be determined, shall be considered "system" revenues, and shall be used to reduce overall costs of commuter rail service before allocation to the PARTICIPATING JURISDICTIONS.

(b) Public or private bus operators honoring commuter rail tickets shall be reimbursed by the COMMISSIONS from passenger revenues by attribution of the value thereof to the account of the jurisdiction of residence of the bus rider. For such bus passengers residing outside the PARTICIPATING JURISDICTIONS, system revenue shall be used to reimburse the bus operator.

(4) Population and Ridership Figures

(a) Population figures to the extent used in any year, shall be the provisional estimates of the Center for Public Service, available as of December 1 of year preceding the applicable fiscal year for which a budget is being prepared. In the first year of service, the population figures identified below shall be used.

(b) Ridership figures shall be updated annually after the first year of service. Estimated ridership by jurisdiction for the first year of service are as follows:

D.C. SERVICE				
JURISDICTION	1988 POP	POP %	RIDERSHIP	RIDERSHIP %
Fairfax County	759,300	71.4972%	3,052	41.0878%
Manassas	23,300	2.1940%	95	1.2924%
Prince William County	194,700	18.3333%	3,252	43.7803%
Stafford County	55,900	5.2637%	486	6.5428%
Manassas Park	7,300	0.6874%	98	1.3193%
Fredericksburg	21,500	2.0245%	96	1.2924%
Total	1,062,000	100.0000%	7,428	100.0000%

CRYSTAL CITY CONTINGENCY PLAN				
JURISDICTION	1988 POP	POP %	RIDERSHIP	RIDERSHIP%
Fairfax County	759,300	71.4972%	1,512	26.9519%
Manassas	23,300	2.1940%	370	6.5955%
Prince William County	194,700	18.3333%	3,178	56.6488%
Stafford County	55,900	5.2637%	318	5.6684%
Manassas Park	7,300	0.6874%	112	1.9964%
Fredericksburg	21,500	2.0245%	120	2.1390%
Total	1,062,000	100.0000%	5,610	100.0000%

NOTE: The ridership estimates for the D.C. Service are taken from Exhibit 20 "1987 Passenger Trip Estimate by Jurisdiction of Residence" in Patronage and Revenue Forecasts for the Virginia Railway Express, May, 1987 (page 5-17). As indicated in Appendix A1, there are an additional 766 trips estimated to come from non-participating jurisdictions. These trips are not assigned to any PARTICIPATING JURISDICTION. The ridership estimates for the Crystal City contingency plan are taken from the Supplemental Patronage and Revenue Forecasts for the VRE (September 13, 1989).

(5) Totals

Total costs, revenues and subsidies, for each participating jurisdiction for the first year of commuter rail service, shall be in accordance with the initial annual budget as shown in Appendices E 1 or E2.

B. PAYMENT PROCEDURES FOR PARTICIPATING JURISDICTIONS

(1) After adoption of the annual budget as provided for in Section III.B. and C. and E., above, each PARTICIPATING JURISDICTION shall pay to the COMMISSIONS, on the first business day in July, one half of the amount owed as the share of the cost of commuter rail service determined pursuant to the formulae set forth in Section VIII.A.(2). for which commuter rail service revenues pledged to the payment thereof are estimated to be insufficient when calculated as provided in Section VIII. Six months thereafter, on the first business day in January, the PARTICIPATING JURISDICTION shall pay the remaining half of the aforesaid amount to the COMMISSIONS. The COMMISSIONS shall provide notice to each of the PARTICIPATING JURISDICTIONS, thirty (30) days prior to the date on which payment is due, of the amount to be paid by the jurisdiction and the date when due. The amounts owed shall be paid on or before the due date specified by the COMMISSIONS. With the exception of funds for the insurance plan, all funds shall be accounted for by the COMMISSIONS as separate operating accounts for each PARTICIPATING JURISDICTION.

(2) The COMMISSIONS shall separately account for each PARTICIPATING JURISDICTION's payments for insurance, and the COMMISSIONS shall forward such funds to the Division of Risk Management. Payments for claims, judgments, awards and associated claims and adjusting expenses shall be paid from such funds by the Division of Risk Management in administering the self-insurance plan.

(3) After adoption of the annual budget, and the appropriation of the amount therein, the CONTRIBUTING JURISDICTIONS shall pay to the COMMISSIONS, on or before the first business day in July, the entire amount of their respective contributions, which sums shall be accounted for as system revenues and used to reduce overall costs.

(4) Upon receipt, passenger revenues shall be posted to each PARTICIPATING JURISDICTION's account, according to the agreed revenue allocation. If a payment is not made by a PARTICIPATING JURISDICTION, passenger revenues attributable to such PARTICIPATING JURISDICTION shall not be used to reduce the amount due by other PARTICIPATING JURISDICTIONS nor shall such failure to make payment result in an increase in the amount due by the other PARTICIPATING JURISDICTIONS. In instances where the actual revenues received and posted to a PARTICIPATING JURISDICTION are either greater or less than the revenues estimated to be received, the PARTICIPATING JURISDICTION shall be requested to pay any such deficit or the COMMISSIONS shall provide a credit against the PARTICIPATING JURISDICTION'S next year's payment.

(5) Any interest earned on unexpended balances attributed to each PARTICIPATING JURISDICTION's account shall be credited monthly to the account of the individual jurisdiction in proportion to the monthly totals of cash and fare revenues credited to the account of the jurisdiction.

(6) At the request of the OPERATIONS BOARD, the COMMISSIONS shall utilize the monies attributed to the PARTICIPATING JURISDICTIONS' accounts to make necessary operating cost payments consistent with the cost allocation formula contained in Section VIII.A.(2).

C. SHARING OF COSTS AND REVENUES FOR SUBSEQUENT YEARS

Payments for costs for each year after the initial year of commuter rail services shall be calculated as follows:

Actual ridership from the most recent year available shall be used to determine allocated costs and revenues for the next year, according to the allocation formulae set out in Sections VIII.A.(2) and (3). The OPERATIONS BOARD will review the data and advise the COMMISSIONS and the PARTICIPATING JURISDICTIONS of each jurisdiction's projected share of the costs of commuter rail for the next year in September as part of the preliminary budget submission set forth in Section III.C. above. Arlington and Alexandria shall not participate in the revised allocation, but shall make such contributions as may be agreed upon. After final approval of a budget each year, and upon its effective date, the PARTICIPATING JURISDICTIONS shall pay to the COMMISSIONS one half of the amount owed for the cost of commuter rail service determined pursuant to the formulae set forth in Section VIII.A.(2) for which commuter rail service revenues pledged to the payment thereof are estimated to be insufficient when calculated as provided in Section VIII. The CONTRIBUTING JURISDICTIONS shall pay to the COMMISSIONS the entire amount of their respective contributions. Six months thereafter the PARTICIPATING JURISDICTIONS shall pay the remaining half of the aforesaid amount to the COMMISSIONS. Payments shall be made on the same basis as provided for in Section VIII.B.

D. ADDITIONAL CONSIDERATIONS

(1) Each PARTICIPATING JURISDICTION is encouraged to obtain contributions from developers and employers to offset the costs assigned to that PARTICIPATING JURISDICTION.

(2) An audit of accounts shall be conducted annually by the COMMISSIONS to establish any credit due to, or any payments owed by, PARTICIPATING JURISDICTIONS.

IX. MARKETING

The OPERATIONS BOARD shall prepare, annually, a marketing plan providing for programs of promotion, publicity and the pre-selling of passes through such means as direct mail, payroll deduction, banks and transportation management associations, for consideration and approval by the COMMISSIONS. The PARTICIPATING JURISDICTIONS shall share in the costs of the marketing plan according to the terms set forth in Section VIII.A.(2) of this MASTER AGREEMENT.

X. NON-APPROPRIATION OF FUNDS

The PARTICIPATING JURISDICTIONS pledge their best efforts to provide the funds necessary to support a successful, continuing program of commuter rail service in light of the long-term obligations to be incurred by the COMMISSIONS in order to initiate service. Notwithstanding any other provision of this MASTER AGREEMENT to the contrary, the obligations of a PARTICIPATING JURISDICTION under this MASTER AGREEMENT are expressly contingent upon the continuing appropriation of funds to its purposes by such PARTICIPATING JURISDICTION for each fiscal year. The failure of a PARTICIPATING or CONTRIBUTING JURISDICTION to make its payment shall not relieve the other jurisdictions of their obligations hereunder. The COMMISSIONS in their sole discretion may refuse to provide service to any PARTICIPATING JURISDICTION that fails to appropriate and pay its share of the cost of commuter rail service.

XI. WITHDRAWAL FROM MASTER AGREEMENT

A PARTICIPATING JURISDICTION or CONTRIBUTING JURISDICTION may terminate its involvement with commuter rail service and withdraw from the MASTER AGREEMENT upon terms and conditions, including those pertaining to outstanding third-party claims, mutually acceptable to all parties hereto. Unless so terminated, this MASTER AGREEMENT shall continue for any period while any bonds issued to finance the Virginia Railway Express are outstanding.

XII. CHANGES AND AMENDMENTS

Upon mutual consent of all signatories, and subject to the approval of the COMMISSIONS' bond insurers, this MASTER AGREEMENT may be amended.

XIII. SEVERABILITY

In the event any of the provisions of this MASTER AGREEMENT are determined to be in violation of any statute or rule of law to which this MASTER AGREEMENT is subject, then such provision(s) shall be deemed inoperative to the extent the provision(s) is contrary to the requirements of the law, and shall be deemed to be modified to conform with such statute or rule of law, or stricken entirely from this MASTER AGREEMENT.

XIV. AUTHORIZED SIGNATURES

The undersigned individuals have been duly authorized to commit their respective organizations and jurisdictions to the terms of the MASTER AGREEMENT.

IN WITNESS WHEREOF, the duly authorized representatives of the parties hereto have executed this Master Agreement on the dates and year hereafter written:

NORTHERN VIRGINIA
TRANSPORTATION COMMISSION

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION

Chairman

Chairman

Signature

Signature

FAIRFAX COUNTY

Chairman, Board of County
Supervisors

Signature

PRINCE WILLIAM COUNTY

Chairman, Board of County
Supervisors

Signature

CITY OF MANASSAS
Mayor

Signature

STAFFORD COUNTY
Chairman, Board of County Supervisors

Signature

CITY OF ALEXANDRIA
Mayor

Signature

ARLINGTON COUNTY
Chairman, County Board

Signature

CITY OF MANASSAS PARK
Mayor

Signature

CITY OF FREDERICKSBURG
Mayor

Signature

SPOTSYLVANIA COUNTY
Chairman, County Board

Signature

APPENDICES

- A1. Patronage and Revenue Forecasts for the Virginia Railway Express, R. H. Pratt (May 1987)
- A2. Supplemental Patronage and Revenue Forecasts for the VRE (September 13, 1988)
- B. Agreement between NVTC and PRTC
- C1. Initial Six Year Financial Plan for D.C. Service
- C2. Initial Six Year Financial Plan for Crystal City Contingency Plan
- D1. FY 1990 Pre-Revenue Capital and Operating Budget
- D2. Estimated FY 1991 Pre-Revenue Capital and Operating Budget for D.C. Service and Crystal City Contingency Plan
- E1. Estimated FY 1992 Capital and Operating Budget for D.C. Service
- E2. Estimated FY 1992 Capital and Operating Budget for Crystal City Contingency Plan
- F. Liability Insurance Plan

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Board Agenda Item
April 26, 2011

ACTION - 2

Designation of Virginia Department of Transportation FY 2012 Revenue Sharing Program Funds and Matching Fairfax County Funds (Springfield and Sully Districts)

ISSUE:

Board approval of the application for and use of a maximum of \$10,000,000 in FY 2012 Virginia Department of Transportation (VDOT) Revenue Sharing Program funds to partially pay for the widening of Stringfellow Road.

RECOMMENDATION:

The County Executive recommends that the Board approve the attached resolution (Attachment 1) designating a maximum of \$10,000,000 in FY 2012 VDOT Revenue Sharing Program funds to partially pay for the widening of Stringfellow Road.

TIMING:

The Board of Supervisors should act on this item on April 26, 2011, in order for staff to complete the application process by the April 30, 2011, VDOT deadline.

BACKGROUND:

During the 2011 General Assembly session, revisions were made to Section 33.1-23.05, the *Code of Virginia*, enabling the County to designate County funds for improvements to the primary and secondary roadway systems. These funds may be equally matched, up to \$10,000,000, by VDOT funds. The annual program funding can vary between \$15,000,000 and \$250,000,000. It is anticipated that the FY 2012 program will be approximately \$50,000,000 in matching VDOT funds statewide. This program is commonly referred to as the Revenue Sharing Program, and provides that VDOT match the local funds as a priority before allocating monies to its road systems. Therefore, the use of these funds results in a net increase of state funds available for transportation projects in the County.

The Board has previously approved the use of Revenue Sharing funds for the Stringfellow Road project, most recently in July 2010. On March 29, 2011, as part of the transportation funding policy item, the Board confirmed its approval of \$43,000,000 in transportation funding for this project. These funds will be used to match the maximum of \$10,000,000 in the FY 2012 VDOT Revenue Sharing Program. So far \$6,221,000 has been used to match Revenue Sharing program funds from prior years.

Board Agenda Item
April 26, 2011

FISCAL IMPACT:

Funds previously approved for the widening of Stringfellow Road will be used to pay the total \$10,000,000 match for the VDOT Revenue Sharing funds. There is no fiscal impact on the County for this project. If these funds are approved, there will be an additional \$10,000,000 for the project.

ENCLOSED DOCUMENTS:

Attachment 1: Resolution: Designation of FY 2012 Revenue Sharing Program Funds
Attachment 2: Designation of Funds Forms for FY 2012 Revenue Sharing Program

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Todd Wigglesworth, Acting Chief, Coordination and Funding Division, FCDOT
Jay Guy, Coordination & Funding Division, FCDOT

RESOLUTION

DESIGNATION OF FY 2012 REVENUE SHARING PROGRAM FUNDS

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium, of the Fairfax County Government Center, at Fairfax, Virginia, on Tuesday, April 26, 2011, at which meeting a quorum was present and voting, the following resolution was adopted.

WHEREAS, Fairfax County desires to submit an application for an allocation of funds of up to \$10,000,000 through the Virginia Department of Transportation Fiscal Year 2012 Revenue Sharing Program; and,

WHEREAS, \$10,000,000 of these funds are requested to fund the Stringfellow Road widening project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Fairfax County hereby support this application for an allocation of \$10,000,000 through the Virginia Department of Transportation Revenue Sharing Program, including a local match of \$10,000,000.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

EACH PROJECT CONSIDERED INDIVIDUALLY. SEPARATE APPLICATION REQUIRED FOR EACH PROJECT TO BE CONSIDERED.

REVENUE SHARING DETAILED DESIGNATION OF FUNDS FORM

FY: 2011-12 Revenue Sharing Program District: Northern Virginia
 County of Fairfax # of Applications Locality is submitting: 1

PROJECT INFORMATION (Please TAB from field to field)

Locality's Priority #: 1 Route #: 645 and local road name, if available: Stringfellow Road
 State Project Number: 0645-029-384, PE101, RW201, C501 UPC #: 60864
 Description of Work/Scope: Widen Route 645 (Stringfellow Rd) to four Lanes
 From: Route 7735 (Fair Lakes Boulevard) To: Route 50 (Lee Jackson Memorial Highway)
 Length: 2.00 (miles) Planned Construction Ad/Start Date: _____ (enter month & 4 digit year – ex: 05/2010)
 Does this project provide or enhance accommodations for pedestrians & bicyclists? Yes
 Is this project in another locality? No If yes, please identify the locality and reason for request on the line below.

PROJECT ESTIMATES – see asterisks (*) below for information regarding how to determine info needed

PHASE	*Total Estimated Project Cost	Sections below pertain to Revenue Sharing funded portion only:		
		Estimated Eligible Project Costs	*Estimated Eligible VDOT Project Expenses	****Estimated Reimbursement to Locality
PE	\$ 6,000,000	\$ 0	\$ 0	\$ 0
RW	\$ 13,500,000	\$ 0	\$ 0	\$ 0
CN	\$ 32,515,000	\$ 10,000,000	\$ 10,000,000	\$ 0
TOTAL	\$52,015,000	\$10,000,000	\$10,000,000	\$ 0

Please TAB from field to field after entering amounts. Calculate column totals by right clicking on "\$ 0" then select – "Update Field".

- * **Total Estimated Project Cost** – this should be reflective of all projects costs we will be showing in the Agreement (and on the Appendix A).
- ** **Estimated Eligible Project Costs** – this cost is limited to the amount of Revenue Sharing funds we have for the project. Please determine the amount of Revenue Sharing funds that will be used for each phase.
- *** **Estimated Eligible VDOT Project Expenses** – this cost should reflect how much Revenue Sharing the locality has agreed can be spent for VDOT time or work. If this is a VDOT-administered project, all eligible project costs should be reflected here. If this is a locality-administered project, only those costs the locality agrees VDOT personnel can charge for time or work to project should be reflected here. (Even if it is locality-administered, there may be costs on every project for VDOT for administering SERP, inspection, plan review or other type services.)
- **** **Estimated Reimbursement to Locality** – this cost should only be shown on Revenue Sharing locality-administered projects. It should reflect the amount of VDOT matching Revenue Sharing funds that will be reimbursed to the locality, minus any VDOT expenditures if no funds were received from the locality to cover VDOT expenditures.

LOCALLY ADMINISTERED – [NO] – Please answer each additional box below

Locally Administered? Respond for each phase below	Requesting to be reimbursed? Respond for each phase below
PE: <u>No</u>	PE: <u>No</u>
RW: <u>No</u>	RW: <u>No</u>
CN: <u>No</u>	CN: <u>No</u>

PROJECT FINANCIAL INFORMATION (Please TAB from field to field)

VDOT Revenue Sharing matching funds requested for FY 2012: \$ 1,000,000 (limit this request to \$1 million)
 Locality Revenue Sharing matching funds requested for FY2012: \$ 1,000,000 (limit this request to \$1 million)
 Additional VDOT Rev Share Matching funds over \$1M requested for FY2012: \$ 9,000,000 (limit this request to \$9 million)
 Additional Locality Rev Share Matching funds over \$1M requested for FY2012: \$ 9,000,000 (limit this request to \$9 million)
 Other State / Federal / Local funds (list total amount): \$ 32,015,000 Type: Local and State Rev Share
 Total funds on Project: (should equal total estimated cost above): \$52,015,000 (Right click on "\$ 0" & select "Update Field" for total)
 Has this project received Revenue Sharing funds before? Yes If yes, what FY(s): FY 08, FY 09, FY 10

REQUIRED ADDITIONAL APPLICATION INFORMATION (Please TAB from field to field)

Will the funds over \$1 million be utilized within 24 months from the date they are approved? Yes
 Will these funds accelerate a project currently in the Commonwealth Transportation Six-Year Improvement Plan or the locality's capital plan? If yes, please provide dates below. Yes
 Current Advertisement Date: _____ (MM/dd/yyyy) New Advertisement Date: _____ (MM/dd/yyyy)

COMMENTS

Stringfellow road is a top priority for Fairfax County, which is funding the majority of this secondary road project.

Submitted by: Tom Biesiadny, Director, FCDOT Reviewed by: >VDOT Personnel<

Locality Official & Position _____ Date _____ VDOT Official & Position _____ Date _____

SUMMARY OF PROJECTS – Designation of Funds Form

(This form is OPTIONAL.)

FY 2012 Revenue Sharing Program

Fairfax County

District: Northern Virginia

(Use TAB key to move from field to field)

Locality's Priority #	Route #	Road Name	Requested State Revenue Sharing Match	Locality Revenue Sharing Match	TOTAL FUNDS (\$)
1	645	Stringfellow Road	\$ 10,000,000	\$ 10,000,000	\$20,000,000
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
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			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
			\$	\$	\$ 0
TOTAL OF ALL FUNDS			\$10,000,000.00	\$10,000,000.00	\$20,000,000

(To obtain vertical or horizontal totals, right click on field and then select "Update Field". Tab out of field for calculation to appear.)

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Board Agenda Item
April 26, 2011

ACTION - 3

Endorsement of the Proposed *Fairfax County Fair Housing Analysis of Impediments Five-Year Fair Housing Planning Document (2011-2015) (Proposed Local Plan)*

ISSUE:

Board of Supervisors' endorsement of the proposed Local Plan for submission to the U.S. Department of Housing and Urban Development (HUD) as part of the Five-Year Consolidated Plan for Fiscal Years (FY) 2011-2015.

RECOMMENDATION:

The County Executive recommends (i) that the Board endorse the Local Plan as an addendum to the Fairfax County Five-Year Consolidated Plan for FY 2011-2015 approved by the Board on May 11, 2010, and (ii) that the Local Plan be forwarded to the Fairfax County Office of Human Rights and Equity Programs, Human Rights Division (OHREP-HRD), in conjunction with other affected departments and agencies, for implementation of the recommendations listed in the Local Plan.

TIMING:

Action should be taken on April 26, 2011 to meet U.S. Department of Housing and Urban Development requirements for funding under the Consolidated Plan.

BACKGROUND:

The County currently receives approximately \$9.7 million in federal funds under the Consolidated Plan. As a recipient of such funding, Fairfax County is required to demonstrate that it is affirmatively furthering fair housing by completing an analysis to identify challenges and recommendations to fair housing choice. HUD guidelines direct that the Local Plan provide a comprehensive review of the County's laws, regulations, administrative policies, procedures, and practices, together with an assessment of how these affect the location, availability, and accessibility of housing.

Following a request for proposals in late 2009, OHREP-HRD hired a consultant to assist with preparation of the Local Plan for submission in connection with the County's Five-Year Consolidated Plan for Fiscal Years 2011-2015. OHREP-HRD, in conjunction with the Department of Housing and Community Development (HCD), then provided a draft of the Local Plan for review and comment by the Consolidated Community Funding Advisory Committee (CCFAC) at its September 14, 2010 meeting. In addition, on September 22, 2010, the draft document was made available for review on line at

Board Agenda Item
April 26, 2011

<http://www.fairfaxcounty.gov/rha>; at the Citizen Information Desk at the Government Center; and at the information desks of all branches of the Fairfax County Public Library system.

The Local Plan includes an overview of the fair housing challenges in Fairfax County; an assessment of how conditions, both private and public, affect fair housing choice; and findings and recommendations for actions the County can take.

The Local Plan is organized into six chapters. The introductory chapter explains why the analysis was conducted and provides background information about the study methodology. Chapter 2 presents a profile of Fairfax County using a variety of demographic and community indicators and maps. Chapters 3 and 4 include an overview of fair housing laws and discuss the extent of housing discrimination in Fairfax County. Chapter 5 contains information on related issues, such as substandard housing, transportation, and other issues not able to be addressed elsewhere. Chapter 6 lists recommendations provided in previous chapters.

Among the recommendations identified, a number of themes emerged. These include concerns relating to the need to:

- Continue to develop opportunities to create more safe, decent and affordable housing for low- and middle-income families; increase the number of accessible dwellings for low-income, disabled and elderly residents; and expand sustainable homeownership opportunities.
- More broadly disseminate and better communicate information about fair housing programs, fair housing laws and the enforcement process to members of the public, housing providers, and others; explore ways to more effectively identify and investigate instances of discrimination; and, where warranted, litigate fair housing complaints and enforce related compliance agreements.
- Conduct research to determine the extent to which protections and practices not currently covered under fair housing laws, for example, source of income, sexual orientation, occupancy limits and certain advertising practices, may serve to limit housing choice for certain groups in Fairfax County; explore ways to educate housing providers about the misconceptions surrounding such practices and consider developing incentives to encourage them to adopt more open policies; and, if warranted and permissible under state law, support legislation to strengthen the Ordinance to include added protections to eliminate barriers.

By endorsing the Local Plan, the Board will be committing to HUD that Fairfax County will address these recommendations to the extent feasible.

Board Agenda Item
April 26, 2011

FISCAL IMPACT:

To remain eligible for federal funds from HUD under the Consolidated Plan, Fairfax County must both complete an analysis of fair housing (such as the Local Plan) and take appropriate action to address the recommendations identified by such analysis. The Consolidated Plan One-Year Action Plan for FY 2011, adopted by the Board of Supervisors on May 11, 2010, included \$57,514 in Community Development Block Grant (CDBG) funds (Fund 142) and \$24,427 in Home Investment Partnership Grant (HOME) funds (Fund 145) for use by OHREP-HRD to contract for fair housing testing, and to conduct fair housing outreach and education activities in the housing market. Additionally, the Proposed One-Year Action Plan for FY 2012 calls for (i) appropriations of \$57,514 in CDBG funds and \$24,427 in HOME funds for similar uses by the OHREP-HRD, and (ii) \$75,000 in CDBG funds carried over from FY 2011 for use by HCD to bolster its efforts to affirmatively further fair housing. Costs associated with implementing the recommendations in the Local Plan will be absorbed by affected agencies within existing budgets, to the extent feasible. Additional funding that may be required to implement the Local Plan would be requested as part of the County budget process.

ENCLOSED DOCUMENTS:

Attachment 1: Proposed *Fairfax County Fair Housing Analysis of Impediments Five-Year Plan for Fiscal Years 2011-2015* (Available online at <http://www.fairfaxcounty.gov/ohrep/hrd/fairfaxai4262011.pdf>)

STAFF:

David J. Molchany, Deputy County Executive
Patricia D. Harrison, Deputy County Executive
Kenneth L. Saunders, Director, Office of Human Rights and Equity Programs (OHREP)
Paula C. Sampson, Director, Department of Housing and Community Development (HCD)

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ACTION - 4

Approval of the Disease Carrying Insects Program

ISSUE:

Annual submission of the Disease Carrying Insects Program (DCIP):

(1) West Nile virus (WNV) activities, including disease surveillance, public outreach and education, complaint investigation, contract management, and operational research, continue throughout the year. Mosquito surveillance and larvicide treatments for monitoring and control of WNV commence with the beginning of the mosquito breeding season in May and continue through October;

(2) Lyme disease and tick borne disease activities include tick surveillance, public outreach and education, and operational research which also continue throughout the year.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors direct staff to take the following actions concerning Fairfax County's 2011 Disease Carrying Insects Program:

1. Conduct a County-wide, proactive West Nile virus surveillance program that includes avian (bird), human, and mosquito surveillance conducted through dead bird reporting, human case reporting, as well as mosquito trapping and testing.
2. Conduct a proactive treatment of the stormwater catch basins and other mosquito breeding areas in the County using appropriate and approved larvicides, such as Spinosad or *Bacillus sphaericus*, according to established biological criteria in as many rounds during the May to October mosquito season as necessary. Currently the program is planned for three rounds of catch basin treatments.
3. Conduct an aggressive community outreach and education program to increase County residents' awareness of mosquitoes, ticks, West Nile virus and Lyme disease, as well as personal protection and prevention.
4. Monitor and document the number of human WNV cases in the County to determine the effectiveness of the above measures directed at the control of mosquito larvae, prior to the initiation of more aggressive control measures.
5. If deemed necessary to protect public health, authorize the County Executive to approve further appropriate control measures. At the time prevention measures are extended beyond current measures, a program report will be made to the Board outlining the status of the virus in the County, detailing the extent of control measures, the geographic areas

Board Agenda Item
April 26, 2011

- targeted for treatment, and the public information process.
6. Continue a tick surveillance program to assess Lyme disease and other tick borne pathogen activity in the County

Board action on this item will cover all Disease Carrying Insects Program activities carried out through June 30, 2012.

TIMING:

Board approval is requested on March 29, 2011, in order to (1) continue FY2012 mosquito suppression strategies (i.e., surveillance, larviciding mosquito breeding areas, and public outreach) and (2) continue FY2010 tick surveillance program and public outreach.

BACKGROUND:

The *Code of the County of Fairfax, Virginia* requires the submission of the annual Disease Carrying Insects Program for Board of Supervisors' approval. (Appendix I, Section 7)

West Nile Virus

During 2010, West Nile virus continued to inflict disease and death across the continental United States as anticipated by the Centers for Disease Control and Prevention (CDC). Fairfax County WNV surveillance indicated that the virus was present and widespread throughout most of the County. By the end of the 2010 WNV season (October 2010), the virus had been detected in mosquitoes collected in many of the surveillance stations in the County. Furthermore, one neuroinvasive human case and one WNV fever case were recorded in 2010 (compared with 13 in 2002, three in 2003, one in 2004, none in 2005, three in 2006, one in 2007, one in 2008 and one in 2009). The two fatal cases in the County since 2002 underlie the severity of this disease. Many factors have been suggested as influencing the presence of human cases in the County:

1. Viral activity in the mosquito vectors as found in the surveillance efforts;
2. Presumed feeding habits of *Culex pipiens*.
3. Birds acting as natural amplifiers of the virus;
4. Ambient temperatures which influence the development of the virus within the mosquito;
5. Increased public awareness resulting in increased use of personal protection measures; and
6. Proactive treatments of the storm drain catch basins with mosquito larvicides.

The DCIP continued to maintain intense surveillance and treatment activities in the Huntington area as a follow-up to the flooding of 2006. The results of the surveillance in

Board Agenda Item
April 26, 2011

this area during the last three years indicate the need to maintain an increase in the rate of catch basin treatments in the area.

Based on past surveillance information, the DCIP will continue storm drain catch basin larviciding activities, as was done in the 2010 mosquito season, and will initiate treatment in mid-May and continue in approximately six week intervals for the duration of the season. Larviciding will also be done in targeted areas that are identified as a result of the larval surveillance activities.

As in 2010, mosquito surveillance will be carried out by County staff. The County began performing these surveillance activities in 2004 in lieu of contracted services, as County staff could do it more comprehensively and more cost effectively. This WNV season (May to October 2011), County staff will continue to carry out all surveillance activities, including avian, human, and mosquito vectors. The Fairfax County Health Department's Epidemiological Unit will continue to carry out human case surveillance. The DCIP will continue to receive and record reports of dead birds found in the County. The County's Mosquito Surveillance and Management Subcommittee, a multiple County agency group with representatives from other jurisdictions covered by the program, will meet three times this year (March, July, and November) to ensure an aggressive response to WNV, in order to reduce the impact of the virus on County residents.

In 2009, the Health Department brought mosquito testing in-house. For immediate WNV testing, the Health Department will use the RAMP® system. Positive samples are confirmed via RT-PCR by an outside laboratory. Tick testing is performed at an outside laboratory. The Health Department Laboratory will proceed with plans to introduce molecular diagnostics in the future so that all WNV and tick testing will be performed in house.

All insecticides used in this program, including the biological larvicides, are registered with the U.S. EPA and sanctioned for use by the Commonwealth of Virginia. The principal larvicides that the County will use are Spinosad and *Bacillus sphaericus*, that are some of the most environmentally-friendly larvicides available.

The DCIP will continue to implement its outreach and education strategy. The program will target the major ethnic groups in the County with material in their own language, as well as target older residents (>50 years of age) who are at greater risk of developing a more serious form of the West Nile virus. In 2010, the DCIP's outreach activities included the preparation and production of another 18-month calendar full of educational information that was widely distributed to County residents, as well as a children's reader promoting mosquito and tick control activities.

The Disease Carrying Insects Program's "2010 Annual Report and Comprehensive Plan

of Action for 2011” (Attachment 1) reviews the 2010 season activities and presents wide-ranging plans for minimizing the impact and risk of mosquito-borne diseases through

1. County-wide monitoring of WNV activity including mosquito, avian, and human surveillance.
2. An integrated approach to mosquito management and control practices which will primarily target those mosquito species that have been shown to be the most probable WNV vectors in the County.
3. An aggressive and intensive community outreach and education program to increase awareness of mosquitoes and WNV in County residents.
4. A continuation of the multi-jurisdictional and multi-agency collaboration efforts to identify ways to minimize the risk of WNV transmission.

Tick-Borne Disease

During 2010, Lyme disease continued to be a major concern for County residents, and it is the most frequently occurring vector-borne disease in the County. Tick surveillance efforts in the County have indicated that the bacterium that causes Lyme disease was present and widespread throughout most of the County. FCHD recorded and reported a total of 227 cases of Lyme disease in Fairfax County in 2010 (166 confirmed and 61 probable cases) (as of February 22, 2011). By comparison, 201 confirmed and 56 probable cases of Lyme disease were reported in 2009. Some of the factors that influence human cases in the County include:

1. Bacterial activity in the black-legged (deer) tick vectors, as found in the surveillance efforts;
2. White-footed mice acting as natural amplifiers of the bacteria;
3. Very large deer populations that act as a tick transport system, distributing the ticks throughout the County, as well as a source of blood for the females to develop their eggs; and
4. Increased public awareness resulting in increased use of personal protection measures.

Based on this information, Health Department staff plan to perform tick surveillance, including collections from deer hunts, and human case surveillance in 2011.

The Disease Carrying Insects Program will continue to include tick prevention and personal protection from ticks in its outreach and education strategy. The DCIP’s “2010 Annual Report and Comprehensive Plan of Action for 2011” (Attachment 1) reviews the 2010 season activities and presents wide ranging plans for minimizing the impact and risk of tick-borne diseases through:

1. County-wide surveillance for the transmission of Lyme disease and other tick-borne pathogens, including black-legged (deer) tick and human surveillance.
2. An aggressive and intensive community outreach and education program to

Board Agenda Item
April 26, 2011

- increase tick and Lyme disease awareness in the County.
3. A continuation of the multi-jurisdictional and multi-agency collaboration efforts to identify ways to minimize the risk of Lyme disease transmission.
 4. Support activities of the Wildlife Biologist's 4-Poster Pilot Study.

FISCAL IMPACT:

The Disease Carrying Insects Program is primarily funded by a Countywide tax levy of \$0.001 per \$100 of assessed value and is budgeted in Fund 116, Integrated Pest Management Program. No additional funding is required as the current FY2011 funding level of \$2.2 million is sufficient to meet the anticipated program needs, including FY 2011 costs for the 4 Poster Program approved by the Board of Supervisors at the FY 2012 Mark-up. Additional 4 Poster Program funding of \$120,000 was approved for FY 2012 Mark-up.

ENCLOSED DOCUMENTS:

Attachment 1 - Disease Carrying Insects Program 2010 Annual Report and Comprehensive Plan of Action for 2009

STAFF:

Pat Harrison, Deputy County Executive

Gloria Addo-Ayensu, MD, MPH, Director of Health

Jorge R. Arias, PhD, Disease Carrying Insects Program, Health Department

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Disease Carrying Insects Program

Developing a Sustainable Surveillance Program

I. West Nile Virus

2010 Annual Report and Comprehensive Plan for 2011

II. Tick and Tick Borne Disease Surveillance

2010 Annual Report and Comprehensive Plan for 2011

Presented by

Gloria Addo-Ayensu, MD, MPH
Director of Health
Fairfax County
for the **Division of Environmental Health**
Disease Carrying Insects Program

March 2011



TABLE OF CONTENTS

Executive Summary	4
I. West Nile virus 2010 Report and Comprehensive Plan for 2011	8
Background	8
Interim Report and Plan of Action by Activity	11
1. Community Outreach and Public Education	11
2. Human Case Surveillance	14
3. Mosquito Surveillance	17
4. Environmental Considerations	20
5. Operational Research	21
6. Avian Surveillance	21
7. Source Reduction (elimination of standing water)	23
8. Larviciding	24
9. Adult Mosquito Control	27
II. Tick and Tick Borne Disease Surveillance 2010 and Comprehensive Plan for 2011	33
Background	33
Interim Report and Plan of Action	34
1. Risk Communication, Community Outreach and Education	34
2. Human Case Surveillance	35
3. Tick Surveillance	37
4. Tick Identification Service	39
5. Operational Research	40
III. Resources	41
IV. Mosquito and tick References and Links	42
Abbreviations	44
Definition of terms Used in this Report	45
Acknowledgements	49
Appendix 1 – Disease Carrying Insects Program (DCIP) Integrated Mosquito Management Plan	50

TABLES

TABLE 1. West Nile Virus Infections in Birds, Mosquitoes, Horses and Humans in Fairfax County, 1999 – 2010	9
TABLE 2. Factors to consider when establishing thresholds for the use of larvicides, pupicides and adulticides to control mosquitoes and address public health threats	32
TABLE 3. Infection rates of <i>Ixodes scapularis</i> collected in Fairfax County, 2010	38
TABLE 4. Tick pathogens and infection rates found in Fairfax County, 2010	38

MAPS

MAP 1. West Nile Virus Activity in Mosquitoes, 2010	10
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FIGURES

FIGURE 1. Maximum Likelihood Estimates of West Nile virus infection, per 1,000 population, in <i>Culex</i> spp. mosquitoes found in Fairfax County	18
FIGURE 2. Number of dead birds reported and percentage of these that were crows from 2002 to 2010 in Fairfax County	22

This information can be made available in an alternative format upon request. Please call 703-246-2300 and 703-246-8931 / TTY 703-591-6435. Allow seven working days for preparation of the material.

Executive Summary

I. West Nile Virus 2010 Report and Comprehensive Plan for 2011

In 2010, North America continued to experience the effects of West Nile virus (WNV). In 2010, at least 981 human cases with 45 deaths were reported in the U.S.¹. There were five human case of WNV in 2010 in Virginia, and two of these occurred in Fairfax County. The National report is not finalized at the time of this report. From 2002 to present, there have been 25 human WNV cases, including two deaths, reported in Fairfax County.

This document reviews activities for 2010 and presents a surveillance plan for 2011 that will monitor mosquito populations to aid in minimizing the risk of WNV. The emphasis of the 2011 program will continue to be on surveillance, community outreach and public education, as well as a proactive larviciding program.

Mosquito Surveillance

The program is anchored by a strong surveillance component that will monitor mosquito populations during the 2011 mosquito season for possible increases in vector abundance and viral activity. Two new traps were introduced into the routine surveillance activities in 2008: the BG-Sentinel™ Trap and the Zumba™ Mosquito Trap, and based on the results obtained, these traps will be selectively incorporated into the regular surveillance activities. It is important to note that absolute high numbers of mosquitoes do not necessarily reflect high risk of human infection with WNV.

Mosquitoes were collected during 4,113 trap periods in the 2010 season. A trap period was defined as 24 hours since some traps collected mosquitoes that were active during the day and others collected mosquitoes that were active at night. During the 2010 mosquito surveillance season, 95,394 mosquitoes were collected in all routine trapping activities. We tested 92,728 mosquitoes in 3,645 mosquito pools (this includes mosquitoes collected in Fort Belvoir and mosquitoes collected outside of normal routine surveillance activities), and 166 were positive for WNV.

Risk Communication, Community Outreach and Public Education

Fairfax County will continue to emphasize personal protection measures and mosquito and West Nile virus prevention and control. This is done through distribution of informational materials, media interviews, advertising, Web pages, presentations, collaborations with community groups and homeowners associations.

The sixth 18-month “Fight the Bite” calendar was produced in 2010. The calendar included colorful and creative graphics, captions, facts, figures, important dates, and

¹ Data to Dec 28, 2010 obtained from CDC web site on February 23, 2011

helpful hints for backyard mosquito and tick management, personal protection, and information about WNV and Lyme disease. Other vector control programs and health departments around the country continue to request authorization to use the County outreach materials and several of these have produced their own version, giving credit to Fairfax County. A second children's storybook was created and printed and distributed in various venues throughout the County. An agreement was made with the American Mosquito Control Association to make our outreach materials available beginning in the spring of 2011 to other vector control programs and jurisdictions.

A short 30 second Public Service Announcement (PSA) was produced and shown in theaters in Fairfax County. From April 23 to September 10 and during November and December, the "Fight the Bite" PSA appeared more than 45,500 times in four Fairfax Theater complexes (Centreville, Reston, Fairfax Corner and Consolidated Kingstown) on a total of 55 movie screens.

Human Case Surveillance

West Nile virus is one of 70 notifiable diseases and conditions in Virginia. The Fairfax County Health Department uses passive surveillance between November and June and active surveillance between July and October to monitor physician and laboratory reporting of WNV. The Health Department encourages physicians and laboratories to report cases of WNV by educating medical practitioners about the importance of reporting arboviral infections and by contacting key medical staff at hospital centers to inquire about the potential cases of WNV.

Reported WNV cases are classified as either West Nile fever or neuroinvasive WNV according to the case definition. In 2010, there was one case of WNV neuroinvasive disease and one case of WNV fever in Fairfax County.

Environmental Considerations

Air temperature, photoperiod (day length) and rainfall affect mosquito development. As in previous years, these factors were monitored in 2010 to better understand the relationship between climate and vector-borne diseases.

Avian Surveillance

The number of dead birds reported to the County decreased in past years with a total of 106 dead birds reported in 2010. About 35 percent of the reported dead birds were crows. No dead birds were collected or tested for WNV in 2010. In 2011, FCHD will continue to ask citizens to report dead birds and may test selected birds for WNV if deemed necessary.

Source Reduction

The FCHD continued to promote source reduction (elimination of mosquito breeding sites) in 2010 through the outreach campaign. During 117 site visits and inspections,

DCIP educated property owners and managers about the benefits of eliminating breeding sites.

Larval Mosquito Control

Catch basins (CBs) are located throughout the County and are typically constructed to ensure proper rainwater drainage. However, they still hold water and can be important breeding sites for mosquitoes. During the 2010 season, a total of 106,052 CBs were treated over three treatment cycles. From May to October, all the catch basins in the Huntington neighborhood of the Mount Vernon district, which floods periodically, were treated on a weekly basis. In 2011, stormwater catch basins will be treated in programmed cycles aimed at reducing *Culex pipiens* mosquito populations, as has been done in previous years. The first cycle will begin in May 2011, and the number and magnitude of each cycle will be dependent on climatic factors and mosquito surveillance results. A new larvicide, Natular G will be used in the catch basins in 2011.

NPDES & VPDES

The National Pollutant Discharge Elimination System (NPDES) is a provision of the Clean Water Act that prohibits discharge of pollutants (including larvicides against mosquitoes) into waters of the United States unless a special permit is issued by EPA, a state, or another delegated agency. For this the Commonwealth of Virginia has issued the Virginia Pollutant Discharge Elimination System (VPDES).

Operational Research

The Fairfax County Health Department conducts operational research and incorporated significant findings into routine actions. In 2007, FCHD looked into improved methods to collect mosquitoes and in 2008, based on the results obtained, introduced two new traps, the BG-Sentinel™ Trap and the Zumba™ Mosquito Trap, into the routine surveillance activities. Surveillance activities with these two traps were continued in 2009 and 2010. Trapping results with new traps continue to be promising, particularly with respect to collecting WNV positive host-seeking mosquitoes. Both new traps were better than any other trap in collecting the Asian tiger mosquito. In 2010, DCIP evaluated two different new mosquito traps for their ability to collect mosquito and one of them will be incorporated in the regular surveillance activities.

Adult Mosquito Control

A timely response to surveillance findings can reduce the overall impact of WNV and prevent human disease. Consistent with CDC, VDH and MWCOG guidelines, FCHD will implement an appropriate level of response based on surveillance data. The response levels range from a basic response level to a much heightened response (details are in the 2011 plan of action). In 2010, indicators were low enough not to warrant adulticiding. In 2011, mosquito species, habitat, weather, time of year and the proximity of infected mosquitoes to human populations will be considered in determining the necessity for adult mosquito control. Any use of adulticides will be under the

direction of the County Executive and in coordination with any affected county, city or town within or adjacent to the treatment area.

II. Tick and Tick-Borne Disease Surveillance 2010 Report and Comprehensive Plan for 2011

Fairfax County began tick and Lyme disease surveillance in 2005 with a small pilot program. In light of significant results from the first year of tick surveillance, the DCIP implemented an enhanced surveillance program in subsequent years. In 2010, 22,245 ticks (including 1,590 black-legged (deer) ticks) were collected throughout the year using various techniques. This is compared to 2009 when 11,155 ticks (including 546 black-legged (deer) ticks) were collected.

The tick identification service that the DCIP began offering County residents resulted in the identification of 229 ticks, compared to 154 ticks identified in 2009. Of the ticks identified 38 (16.6%) were deer ticks, compared to 33 (21.4%) in 2009.

The DCIP established a contract with an external laboratory to test ticks for pathogens and to date 4,492 of 5,536 ticks comprised of four species have been tested compared to 1,909 in 2009. The results show that the infection rate of *Borrelia burgdorferi* in deer ticks is high and other tick species harbor other pathogens.

In 2010, we began to collect ticks from three veterinarian's offices and the Fairfax County Animal Shelter. In July (the June collection), we found that our animal shelter tick jar had a large sample of an exotic tick, the Gulf Coast tick (*Amblyomma maculatum*). The follow-up investigation brought us to the I-66 transfer station where we encountered an established population of this tick. Analysis of the ticks showed that they were infected with a Spotted Fever Group *Rickettsia*, *R. parkeri*. In an effort to avoid having this tick population expand its distribution throughout the County, we worked with the County Wildlife Biologist to reduce the deer population of the landfill and the area was sprayed with an acaricide.

As in previous years, tick surveillance and the tick identification service will be conducted by existing staff in DCIP and will follow previously-established protocols. Tick pathogen testing will be performed by the contracted laboratory. In 2011, the program will continue its outreach activities, as originally requested by the BOS in 2007.

I. West Nile Virus 2010 Report and Comprehensive Plan for 2011

Background

Public Health Impact

West Nile virus infection causes illness in approximately one-fifth of the people infected. The majority of those infected with the virus do not show any symptoms and may never know they were infected. Symptomatic individuals typically experience “West Nile fever,” which includes a relatively mild fever, muscle aches, rash and headache. These cases are often undiagnosed and go unreported. A small percentage of infected persons develop a more significant illness such as meningitis, usually manifesting fever, headache and stiff neck; or encephalitis, which is accompanied with fever, headache and confusion or muscle weakness. Encephalitis, meningitis, and other WNV neuroinvasive illnesses require hospitalization and can be associated with prolonged recovery, disability, and even death. Recent post-hospitalization follow-up studies of WNV patients (University of Texas) indicate prolonged effects of the disease for up to three years, which may include personality change, depression or subsequent episodes of encephalitis. Treatment of West Nile virus infections is supportive since there is no specific drug that acts against the virus and, at present, no human vaccine is available.

Primarily an infection of wild birds, WNV is transmitted by the bite of mosquitoes. The virus has been detected in over 60 different mosquito species nationwide to date according to the CDC. The virus appears to be maintained in house sparrows (*Passer domesticus*). Infected mosquitoes can transmit WNV to birds, humans, and other animals while taking a blood meal. After the virus is ingested by the mosquito, it passes through the stomach wall into the body cavity where it replicates and eventually invades the salivary glands. During blood feeding the mosquito injects saliva into the host and in this manner the virus is passed to the animal or human, at times, infecting these hosts.

Since WNV first appeared in the United States in New York City in 1999, it has expanded across the United States. To the end of 2010, there have been about 30,662² cases of WNV human illness in the United States reported to CDC, including 1,280 deaths. Virginia has reported 82 human cases with five deaths.

In Fairfax County WNV was first detected in 2000, when a single crow was found to be infected. In 2001, additional infected birds were detected and in 2002, the virus was found in birds, horses, mosquitoes and humans. Since 2002 there have been 25 human cases of WNV with two fatalities reported in Fairfax County. One neuroinvasive human case of WNV and one WNV fever case were reported in 2010 (Table 1).

² Data for 2010 is to Dec 28, 2010 obtained from CDC on February 23, 2011, and is not the final report.

Table 1. West Nile Virus Infections in Birds, Mosquitoes, Horses and Humans in Fairfax County, 1999 – 2010.

<u>Year</u>	<u>Bird</u>	<u>Mosquito Pools</u>	<u>Human</u>	<u>Horse</u>
1999	0	0	0	0
2000	1	0	0	0
2001	54	0	0	0
2002	70*	26	13/1**	3/1**
2003	15*	148	3/0**	2/1**
2004	3 ^{&}	234	1/1**	0
2005	4 ^{&}	33	0	0
2006	0 [†]	167	3/0**	0
2007	0 [†]	469	1/0**	0
2008	0 [†]	414	1/0**	0
2009	0 [†]	148	1/0	0
2010	0 [†]	166	2/0	0

*Testing of birds was suspended after 70 positive birds were detected in 2002 and 15 in 2003.

** Cases / deaths.

[&]Limited (select) number of birds collected and tested.

[†]No birds tested.

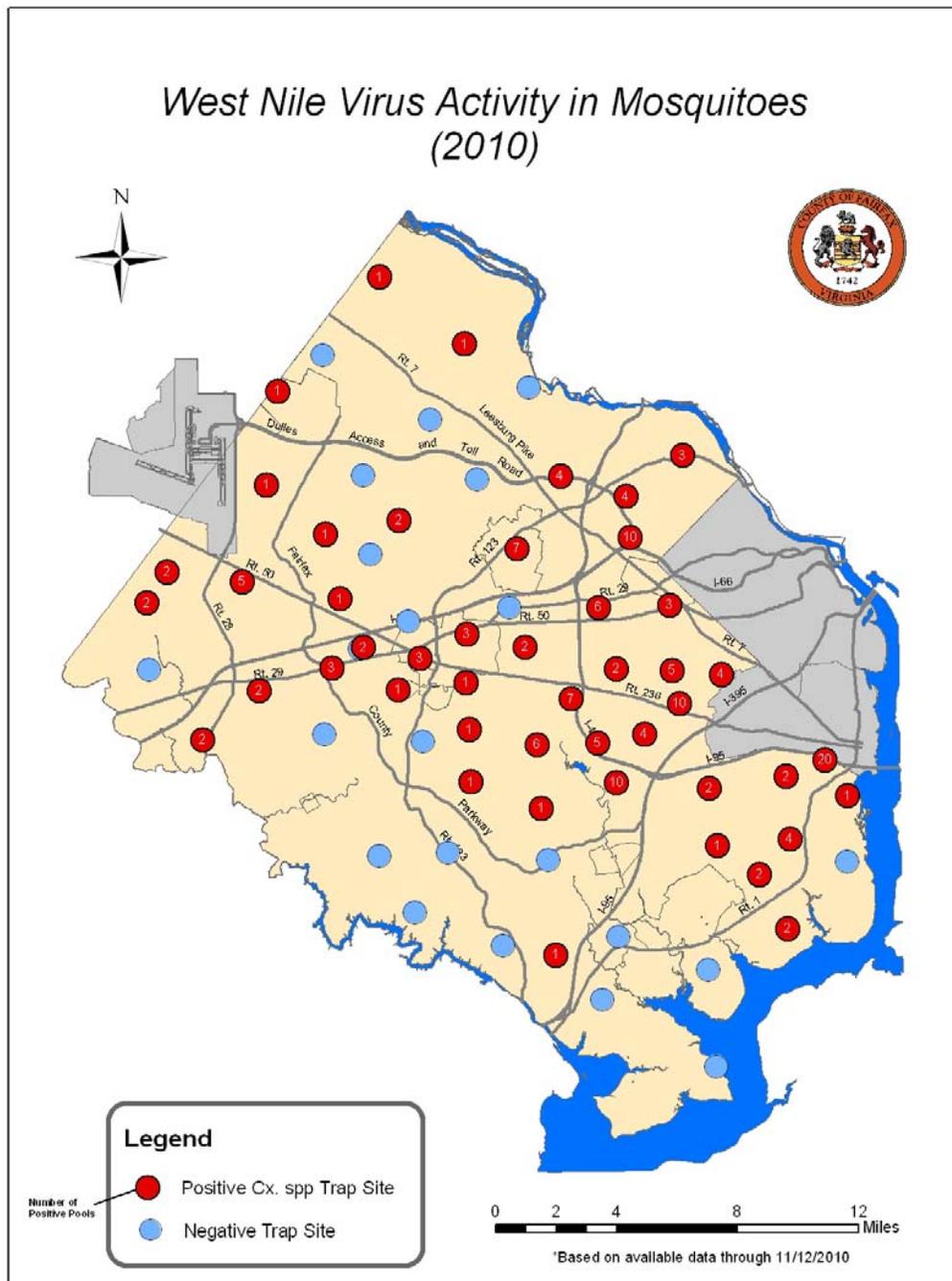
In Fairfax County, *Culex pipiens*, *Culex restuans*, *Culex erraticus*, *Aedes albopictus*, *Aedes vexans* and *Anopheles punctipennis* are the species that have tested positive for WNV and would most likely transmit WNV to humans. *Culex pipiens* and *Cx. restuans* have been identified as the principal vectors by calculating mosquito infection rates from 2002 through 2010. The vector status of *Culex pipiens* is supported by the findings of A.M. Kilpatrick et al. 2007³ demonstrating that this species shifts its feeding preferences from birds to humans by seven-fold during late summer and early fall, coinciding with the dispersal of its preferred host (American robins, *Turdus migratorius*) and the rise in human WNV infections. This mosquito species prefers to lay its eggs in stagnant water rich in organic matter, such as that found in some stormwater catch basins. Larvae will hatch from these eggs before turning into pupae and finally become adult mosquitoes.

During the 2010 mosquito season in Fairfax County, 92,728 mosquitoes were tested in 3,645 routine pools. Of the pools tested, 166 pools (samples) were positive for WNV. In 2009, 133,060 mosquitoes were tested in 5,234 pools, of which 149 pools were positive for WNV. In 2010, only three species of mosquitoes (*Culex pipiens*, *Culex restuans*, and *Aedes albopictus*) tested positive for West Nile virus. In previous years, six species have tested positive for WNV in the County.

Preparation and Planning for WNV in Fairfax County

³ Kilpatrick, AM, LD Kramer, MJ Jones, PP Marra, PD, and DM Fonseca. 2007. Genetic Influences on Mosquito Feeding Behavior and the Emergence of Zoonotic Pathogens. *Am. J. Trop. Med. Hyg.*, 77(4), 2007, pp. 667–671

In 2010, two humans and 167 mosquito pools were positive in the County. Positive mosquitoes were found throughout the County (see Map 1). During the 2010 season Fairfax County continued with the comprehensive mosquito surveillance program, including 69 routine collection sites for a total of 4,113 trapping periods. We also had 14 trapping periods in response to mosquito complaints.



Map 1. West Nile Virus Activity in Mosquitoes, 2010

The established, in-house surveillance system will continue to be the foundation of the Disease Carrying Insects Program. This will enable the FCHD to detect WNV and respond to any threat in a timely fashion.

The County is participating in a wide array of ongoing activities and undertaking new initiatives to enhance WNV prevention and mosquito control and better understand the transmission dynamics of the virus.

Effective July 1, 2003, the majority of funding for the Fairfax County WNV program was moved to Fund 116 (The Integrated Pest Management Program Fund) giving it the resources necessary for stability and effectiveness by including the program in a special tax district.

Working with a contractor, the FCHD has monitored mosquito breeding sites in Fairfax County for eight years. These breeding sites will continue to be monitored in 2011 and treated with the biological larvicide VectoLex® (*Bacillus sphaericus*), as necessary, when mosquito breeding is detected.

To keep County residents informed, the FCHD constantly reviews and updates public information materials in English and other select languages. In order to meet the needs of ethnic groups in the County, key elements of these materials have been translated into Chinese, Farsi, Korean, Spanish, Urdu, and Vietnamese. Fact sheets, brochures, and posters discussing actions Fairfax County residents can take to reduce mosquito populations (by eliminating sources of standing water), as well as personal protection from mosquito bites, have been widely disseminated from 2003 to present. In 2010, a second children's "reader" was prepared, published and distributed.

Interim Report and Action Plan by Activity

1. Community Outreach and Public Education

Goal: To increase the public's knowledge about WNV, its consequences and mosquito control; to promote behavioral changes and to encourage the community to take an active role in reducing the risk of mosquito-borne diseases through preventive measures such as source reduction and personal protection.

Background and Report on 2010 Activities

In 2010, the County continued to aggressively disseminate public information materials to encourage Fairfax County residents to eliminate and/or treat standing water around their homes and to reduce their risk of infection by avoiding mosquito bites. Since most of the mosquitoes that bite around the house also breed and develop around the house, removing breeding sites, using repellent, and treating the property with an adulticide will help reduce human-mosquito contact. Documents and brochures with the slogan "Fight the Bite" have been distributed through Board of Supervisors' offices, libraries, fairs, presentations, by mail and in some schools during the last six mosquito seasons.

Information was also provided regarding the clinical spectrum of illness and prevention of WNV infection. In all of the WNV public information messages, the Health Department underscored the elimination of standing water and personal protection against mosquito bites.

In June the DCIP presented its sixth 18-month calendar full of bright, colorful, and humorous graphics. The graphics in the calendar were accompanied by captions, facts, figures, important dates, and helpful reminders relating to West Nile virus, Lyme disease, and preventive measures. Important behaviors such as cleaning gutters, emptying bird baths, filling depressions in the yard, and wearing insect repellent were strategically stressed throughout the calendar. General facts, local figures, and brief descriptions of the County's efforts were included to educate the public about basic mosquito biology and inform them specifically about mosquitoes and West Nile virus in Fairfax County. These calendars were distributed at DCIP events and to all Fairfax County fourth grade students through a collaborative effort with the Fairfax County Public Schools. By the end of the year, 20,000 calendars were distributed. Other jurisdictions, have requested permission to use the calendar graphics and materials. Another 18-month calendar for 2011-2012 is in preparation.

The DCIP also prepared a second children's book entitled "Ricky Beats the Birthday Bites" as a means of taking tick and mosquito information to parents and children. The author/illustrator was present with us at one outreach event to sign autographs as part of a "Meet the Author" activity. This action continued to be quite successful and brought in many families.

A 30-second movie theater PSA was prepared with the help of Health Department Public Information Officer and shown on 55 movie screens, in select theaters in the County (Centreville, Reston, Fairfax Corner and Consolidated Kingstown) before every movie showing from April 23rd to September 10th and during November and December for over 45,500 presentations.

Many inquiries regarding WNV and mosquito breeding sites were received by DCIP via direct telephone calls and two Web-submission forms available on the "Fight the Bite" Web page. Both Web submission forms route messages directly to the "Fight the Bite" e-mail address, which is the Fairfax County Health Department's dedicated WNV e-mail (fightthebite@fairfaxcounty.gov). We made 117 house visits during the summer months helping people resolve their mosquito and tick problems.

Planned Activities for Risk Communication, Public Education and Community Outreach
Public outreach, information, and education are mainstays of the DCIP and will continue to be emphasized during the 2011 season. All materials will be reviewed and updated and new materials will be prepared to better reach County residents. Key materials will continue to be distributed in Chinese, Farsi, Korean, Spanish, Urdu and Vietnamese whenever possible.

The FCHD, with assistance from the Office of Public Affairs (OPA), will be the lead agency on content for WNV publications, posters, etc. and will make this information available to all interested County agencies and pertinent jurisdictions. The County will continue to use the “Fight the Bite” theme during 2011.

Key Communication, Education and Outreach activities for 2011:

- Revise and update the DCIP Web page.
- Prepare a 2011-2012 18-month calendar.
- Promote Mosquito Control Awareness Week throughout the County.
- Distribute CDC literature on WNV and the outdoor worker.
- Evaluate media strategies used in other areas of the country and incorporate them into the program as feasible.
- Beginning mid-April, key messages will be disseminated through news releases, interviews, and public service announcements when appropriate. Most will aim to elevate the population’s awareness of WNV and steps that individuals can take for personal protection.
- Prepare, proof, print, and distribute a third children’s book on mosquitoes and ticks and the actions that can be taken to protect one’s self against West Nile virus and Lyme disease.
- Revise and update the Mosquitoes and WNV pamphlet
- DCIP staff will work with OPA and the Board of Supervisors’ offices to reach the constituents in each of the districts.
- Fairfax County Print Shop will be contacted to produce outreach and educational material, as needed.
- Posters and brochures will be distributed at, by or through:
 - Fairs
 - Homeowners Associations
 - Civic Associations
 - Posters in public buildings
 - Clinic room aides and public health nurses (Schools)
 - Farmers Markets
 - “Fight the Bite” Web page (www.fairfaxcounty.gov/fightthebite)
 - HD/Community Health and Safety staff
 - Clinic and physician waiting rooms
 - Conferences and scientific meetings
 - Other distribution methods as available.
- During special events and through the Board of Supervisors’ offices:
 - Information about the use of Mosquito Dunks® and other larvicides will be presented to the community as an option for larval reduction, in areas where the “tip and toss” campaign cannot be implemented.
 - Information about the use of repellents containing DEET, Picaridin, IR3535 or oil of lemon eucalyptus will be presented to the community as an option for personal protection against mosquito bites.

- If surveillance information demonstrates potential human risk of infection with WNV, media messages will:
 - Emphasize personal protection against mosquito bites using “Fight the Bite” recommendations.
 - Help Fairfax County residents ensure personal protection for themselves and family members.
 - Target traditional media outlets as well as community newspapers in multiple languages and in multiple neighborhoods.
- If the available surveillance information suggests imminent and substantial risk to human health and adult mosquito control is recommended, the FCHD will enhance its efforts to provide complete, timely, and accurate information on spray areas, spray schedule, and measures people can take to reduce exposure.
- Timeline of Activities:
 - Throughout the year, as necessary, the County will prepare and provide WNV-related media stories.
 - From June to October 2011, as determined by mosquito and WNV activity, the “Fight the Bite” campaign to reduce infection by reducing mosquito bites will be intensified.
 - Throughout the year outreach activities will be implemented as the need demands.
 - New materials will be prepared or acquired to target specific issues or groups for WNV information and protection.
 - During winter months (2011-2012), the DCIP will review and update all outreach materials and prepare new material as needed. Material will be printed and prepared for distribution to targeted groups.

2. Human Case Surveillance

Goal: To promptly detect, investigate, and report cases of human WNV disease to enable timely implementation of prevention and control measures to prevent further cases, if indicated; to assess and document the public health impact of WNV disease in Fairfax County.

Introduction and Report of Previous Activities

In 2010, the Fairfax County Health Department (FCHD) continued to use a system of enhanced passive surveillance to detect cases of WNV disease. FCHD also continued efforts to identify suspected WNV cases with higher risk of non-vector borne disease transmission, including individuals who had recently received or donated blood products or organs, and nursing or pregnant mothers.

Arboviral infection is one of more than 70 reportable diseases and conditions in Virginia, and physicians are required to report all suspect cases to local health departments (including FCHD). In addition to physician reports, FCHD also receives reports of suspect cases of arboviral infection from commercial laboratories, hospitals, the Division of Consolidated Laboratory Services (DCLS), and the Virginia Department of Health

Office of Epidemiology.

All suspect cases of arboviral disease reported to FCHD are investigated. Suspect cases meeting the clinical criteria for West Nile neuroinvasive disease or West Nile fever with laboratory evidence of recent infection (presence of IgM antibodies) are classified as “confirmed” or “probable,” depending on the strength of the supporting laboratory evidence. Cases of arboviral disease are classified either as neuroinvasive (WNND) or non-neuroinvasive (West Nile fever) according to the following criteria:

Neuroinvasive disease requires the presence of fever and at least one of the following, as documented by a physician, and in the absence of a more likely clinical explanation:

- Acutely altered mental status (e.g., disorientation, obtundation, stupor, or coma);
- Other acute signs of central or peripheral neurologic dysfunction (e.g., paresis or paralysis, nerve palsies, sensory deficits, abnormal reflexes, generalized convulsions, or abnormal movements); or
- Pleocytosis – increased white blood cell concentration in cerebrospinal fluid (CSF) associated with illness clinically compatible with meningitis (e.g., headaches or stiff neck).

Non-neuroinvasive disease (West Nile fever) requires, at minimum, the presence of documented fever (measured by the patient or clinician), the absence of neuroinvasive disease (above), and the absence of a more likely clinical explanation for the illness. Involvement of non-neurological organs (e.g., heart, pancreas, liver) should be documented using standard clinical and laboratory criteria.

Whenever possible, serological and/or CSF specimens from suspect arboviral cases are forwarded to DCLS for laboratory confirmation. Serological specimens are evaluated by DCLS using a highly-specific IgM Microsphere Immuno Assay (IgM MIA) to detect IgM antibodies specific to WNV and SLE. An IgM antibody capture enzyme-linked immunosorbent assay (MAC-ELISA) is used to detect IgM specific to Eastern Equine Encephalitis (EEE) and, for samples from individuals less than 20 years of age, Lacrosse virus (LAC). An IgG ELISA is used to identify WNV, SLE, EEE, and LAC-reactive antibody in IgM positive and convalescent samples. (Note: A negative IgM-MIA or MAC-ELISA on a specimen taken soon after illness onset (<10 days) does not rule out arboviral infection. Whenever possible convalescent sera are collected to determine if WNV infection is present or absent in these cases.) Serological specimens from patients with detectable levels of WNV-specific IgM and IgG are confirmed with a plaque reduction neutralization test (PRNT), as appropriate. CSF specimens are evaluated using IgM MIA and MAC-ELISA.

Patient information and laboratory data is shared between the VDH Office of Epidemiology and FCHD in person, via telephone or via fax to facilitate case

surveillance and timely reporting of laboratory results to FCHD. Results reported to the FCHD about residents of other districts are forwarded by fax or mail to the appropriate local health department (in VA and the DC metro area) or state health department (for out-of-state residents). When laboratory results are negative, a report is sent to the original collecting physician. When laboratory results are equivocal, the collecting physician is notified and a convalescent sample may be requested. When laboratory results are positive, the collecting physician is notified and a convalescent serum sample may be requested. Positive results are investigated and assigned a PIN number in AVATAR (an FCHD database). In addition, positive results are entered into the National Electronic Disease Surveillance System.

Cases of West Nile Virus Disease in Fairfax County in 2010

In 2010, two confirmed human case of WNV disease were identified in Fairfax County. One case met the criteria for WNND and one case met the criteria for West Nile Fever.

Please note that this data is subject to change as 2010 cases are finalized during the first several months of 2011.

Planned Surveillance Activities for WNV for 2011

In 2011, FCHD will continue to implement a system of enhanced passive surveillance for arboviral infection, including WNV disease. FCHD will use the newly released 2011 Centers for Disease Control and Prevention/Council of State and Territorial Epidemiologists case definition. If deemed necessary, active surveillance will be instituted based on the results of passive human case surveillance, mosquito surveillance, and any changes in the epidemiology of WNV disease in surrounding counties or in the state.

As in 2010, enhanced passive surveillance will have two main components:

- 1) *Educating the medical community.* The FCHD will work to maximize physician reporting of WNV disease by: raising awareness within the medical community of the importance of reporting suspected infection, educating hospital infection control personnel and physicians on the criteria for reporting cases, and providing instructions for submission of appropriate laboratory specimens.

FCHD will continue to encourage physicians to:

- Consider arboviral infection in patients hospitalized with encephalitis of unknown etiology, particularly during the peak months of mosquito activity and viral amplification (July-October);
- Consider WNV in suspected cases of Guillain-Barre syndrome, botulism, and muscle weakness or flaccid paralysis; and
- Determine if there is a history of donating or receiving blood or organs or if the patient is pregnant or breast-feeding when WNV infection is diagnosed.

As in 2010, testing for WNV in humans will be performed by DCLS. FCHD will

continue to work with health care providers to ensure that appropriate specimens are submitted for testing.

- 2) *Laboratory surveillance.* The FCHD will continue to investigate reports of sero-positive cases of arboviral infection submitted by commercial laboratories, hospitals, physicians, Division of Consolidated Laboratory Services (DCLS), and the Office of Epidemiology. FCHD will ensure that hospitals and laboratories are aware of the latest surveillance criteria, and have the information and materials necessary to forward diagnostic specimens to DCLS.

FCHD will also continue to encourage both physicians and laboratories to complete all essential information on the laboratory submission forms. Accurate interpretation of serological findings requires knowledge of the patient's clinical history.

Additional Surveillance Activities for WNV for 2011

Given evidence suggesting the potential for non-vector borne WNV transmission, FCHD will continue to determine if any human cases of probable or confirmed WNV infection:

- Received an organ transplantation or blood transfusion within the four weeks prior to illness onset, or acted as a blood donor during the two weeks prior to illness onset;
- Are pregnant or breast-feeding mothers; or
- Resulted from occupational exposure.

The VDH Office of Epidemiology will be notified in a timely fashion of any potential non-vector borne WNV transmissions. A trace-back investigation of transplant or transfusion cases would involve the CDC and the Food and Drug Administration (FDA).

Please note: This Human Case Surveillance Plan may be updated, as needed, to reflect local surveillance needs, resources, or changes to guidelines from the Virginia Department of Health or the Centers for Disease Control and Prevention.

3. Mosquito Surveillance

Goal: To maintain a sustainable surveillance program to monitor vector mosquito populations and their WNV infection rates, as well as other associated factors that will allow the program to predict the risk of WNV transmission to humans.

Background and Report on 2010 Activities

It is important to note that absolute high numbers of mosquitoes do not necessarily reflect high risk of human infection with WNV. High mosquito counts, even if the mosquito species involved may bite humans, are usually from large broods of floodwater "nuisance mosquitoes" such as *Psorophora* sp., which are less important than *Culex* or *Aedes* mosquitoes in WNV transmission. Fortunately, the Northern house mosquito, *Culex pipiens* (the principal WNV vector), feeds much less frequently on humans than *Ae. vexans* or *Ae. albopictus*.

Based on our initial operational research results from 2007, we have included 21 Zumba traps and 21 BG-Sentinel traps in our routine 2008 to 2010 surveillance program to further evaluate their performance. Both traps types were superior to the CDC (host-seeking) trap that we routinely use. These new traps were particularly effective in collecting *Culex* mosquitoes as well as *Aedes albopictus*, the Asian tiger mosquito.

In 2010 a total of 95,394 mosquitoes were collected over 4,113 trap-days. The FCHD tested 3,658 samples (pools) (which included 92,806 mosquitoes) for WNV testing and 166 of those pools were positive. From this information the DCIP was able to determine that the Maximum Likelihood Estimate (MLE), or infection rate, of *Culex* mosquitoes ranged from zero to 20.86 per 1,000 mosquitoes during the season (Figure 1).

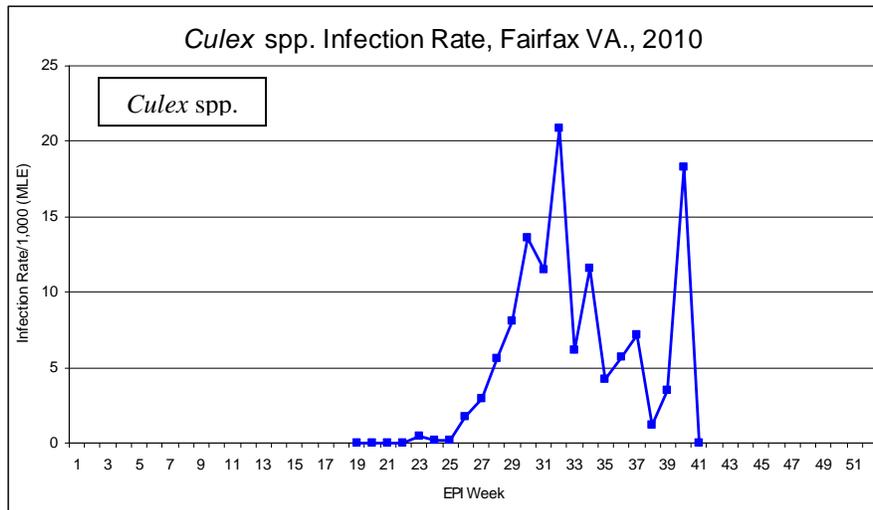


Figure 1. Maximum Likelihood Estimates of West Nile virus infection, per 1,000 mosquitoes, in *Culex* spp. found in Fairfax County, 2010.

The first WNV positive mosquito was collected in week 23 and the peak infection rate was seen in week 32 and the virus was active throughout the rest of the surveillance season to week 40. The observed infection rates were comparable to those seen in 2004, 2006, 2007 and 2008, all higher than those seen in 2005 and 2009.

The infection rate in *Aedes albopictus*, the only other mosquito found infected in 2010 was very low (0.85 per 1,000) and only was seen in week 32 (mid August).

In Fairfax County, catch basins and artificial containers appear to be the preferred breeding site for *Cx. pipiens*, while above ground pools of stagnant water are the preferred breeding sites for *Cx. restuans*.

After the flood in the Huntington area of the County in 2006, we continued mosquito surveillance in the area through 2010. The results from these have shown high mosquito densities with high WNV infection rates in various mosquito species. Catch basins in the Huntington area were treated weekly with a larvicide. As in other years, larvicide will be applied to the Huntington area in 2011 in the event of a heavy rainfall.

The Asian tiger mosquito (*Aedes albopictus*) was the source of the majority of mosquito-related complaints received in 2010 as it is every year. This mosquito is an aggressive, persistent biter that can be found in large numbers around residences. Several factors contributed to the presence of *Ae. albopictus* around these homes; however, the presence of black corrugated pipes at the end of the downspouts from the roof gutters, even when placed underground, seemed to be a key source of the problem. Most of these corrugated pipes do not drain properly or adequately and they retained water throughout the season, thus providing great mosquito breeding habitat. Furthermore, the large number of foreclosed houses in the County increased the number of breeding sites around houses and equally increased the complaints due to *Aedes albopictus*.

In 2010, the FCHD continued to monitor and identify mosquito breeding sites throughout Fairfax County and treated with a larvicide the sites that contained mosquito larvae. The five year database of breeding sites will continue to serve as a guide to inspect and treat the breeding sites in the County on a monthly basis during 2011.

In previous years, mosquito testing for arboviruses was performed by the Virginia Division of Consolidated Laboratory Services (DCLS). In 2009, the DCLS announced that they would no longer test mosquitoes. A suitable replacement laboratory that could handle volume of mosquito pools generated by the FCHD mosquito surveillance system could not be found, so it was decided to bring testing in-house. The DCIP researched options and decided to use the commercially available, desktop RAMP (Rapid Analyte Measurement Platform) testing system as a way to screen the mosquito pools. If a tested mosquito pool yielded a reading of 30 RAMP Units or more, it was sent out for confirmation by RT-PCR in another facility. Now that the FCHD Laboratory has been completed, the County will hopefully have the capacity to perform RT-PCR to detect WNV in mosquitoes. However we may continue to use the RAMP system until the laboratory's RT-PCR system is validated.

Fort Belvoir continues to carry out regular mosquito surveillance activities and the mosquitoes are being tested by the County and incorporated into the data set.

Planned Activities for Mosquito Surveillance for 2011

FCHD mosquito surveillance activities for 2011 are as follows:

- Continue to conduct mosquito surveillance at approximately 70 trap sites throughout the County plus those in Ft. Belvoir.
- Associate mosquito trap data with risk factors to assess how to predict human risk and refine “triggers” for mosquito control activities.
- Sort each trap collection by mosquito species and record information on location, collection data, trap type and the total number of female mosquitoes and test mosquitoes for WNV.
- Re-evaluate trap sites to be used during the 2011 season to ensure homogeneous coverage of the County and best trap efficiency.

- Conduct additional adult mosquito trapping in areas where conditions suggest a public health threat. This will help determine zones of potential local transmission and determine the extent of viral activity thus guiding interventions.
- Conduct additional mosquito trapping to evaluate the efficacy of control measures in the event that pesticides are applied for adult mosquito control.
- Increase trapping efforts in areas where surveillance indicators suggest an increase in WNV activity.
- Continue to use new traps and products, particularly those that will enhance mosquito surveillance or capture species that are not readily collected by other traps.
- Continue to evaluate new traps and products (attractants, baits, etc.), particularly those that will enhance mosquito surveillance, capture species that are not readily collected by other trapping methods (i.e. *Aedes albopictus*) or collect WNV vector species more efficiently.
- Ensure adequate routine inspection of suspected breeding sites to determine the presence of larvae.
- Collect and update larval habitat information throughout the season (May-October) and treat sites that produce mosquitoes.
- Continue to test mosquitoes with the RAMP system and help set up and validate the RT-PCR.
- Respond to residents' concerns regarding mosquitoes in a timely manner.
- Share information in a timely fashion with the contractor, County agencies and neighboring jurisdictions regarding sites needing larvicide, as appropriate.

4. Environmental Considerations

Goal: To monitor environmental factors (temperature, rainfall, and photoperiod) to correlate with surveillance results and WNV circulation to determine those factors that may influence WNV transmission.

Background and Report on 2010 Activities

It is apparent that some of the factors associated with WNV transmission are temperature, rainfall, and photoperiod (day length). Cooler temperatures prolong the development of the virus in the mosquito, requiring a longer period for mosquitoes to become infective. Lower temperatures also prolong the larval development of mosquitoes, keeping them in breeding sites as immature larvae for longer periods of time. Frequent and abundant precipitation also creates a flushing effect of catch basins and other breeding sites, washing out mosquito larvae that may be present, but in the long run create more breeding sites for mosquitoes.

While climatic factors can't be controlled or modified, monitoring them will help understand their effect on mosquito-transmitted diseases. In 2011, the FCHD will continue to monitor climatic factors, in order to be able to correlate them with either disease or mosquito abundance.

Planned Activities for Environmental Considerations for 2011

- Continue to monitor climatic factors in 2010, and correlate them with both disease and mosquito abundance.
- Official (NOAA) weather data will be collected from weather stations at Ronald Reagan Washington National Airport and Washington Dulles International Airport on a daily basis and recorded electronically.
- Weather trends will be monitored and correlated with surveillance information to help predict mosquito population variation, viral activity, and human infection.
- As necessary, site-specific temperature data will be collected using an environmental data logger.

5. Operational Research

Goal: To carry out designed experiments in a scientific manner which will answer specific operational questions that will allow us to better understand mosquito ecology, distribution and mosquito-borne illnesses.

Background and Report on 2010 Activities

Two operational research projects were undertaken in 2010. The first was a project to test different types and combinations of lures designed to attract mosquitoes. The BG Sentinel mosquito trap was the only trap used in this experiment. The second project compared two new mosquito traps to the BG Sentinel mosquito trap for their ability to collect the Asian Tiger mosquito. Both new traps performed similarly to the BG Sentinel with respect to their ability to collect the Asian Tiger mosquito.

Planned Activities for Operational Research for 2011

- Test selected mosquito species for resistance to commonly-used pesticides.
- Perform more tests on one of the new traps that was tested in 2010 to assess its ability to collect other mosquitoes.
- Change the color of the body of the BG Sentinel trap to see if different colors would affect the trap's attractiveness to mosquitoes.

6. Avian Surveillance

Goal: To use avian mortality records and WNV infection in birds as an additional indicator of WNV activity in Fairfax County to help predict the spread of the virus before the onset of human illness.

Background and Report on 2010 Activities

While many species of birds have tested positive for WNV in the past, crows and blue jays have been particularly susceptible to the disease and are readily identified by the public.

In 2010, the number of dead birds reported was 105, fewer than the number reported the previous years (Figure 2). No birds were tested for WNV.

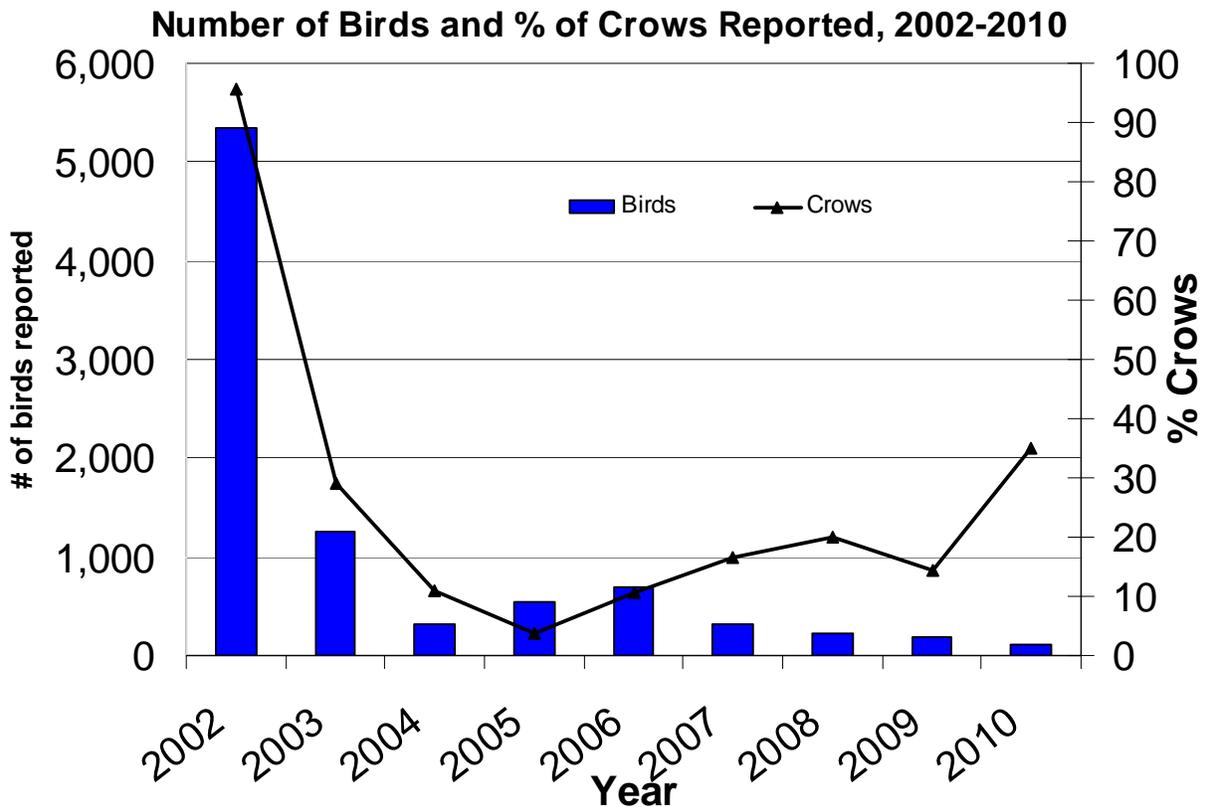


Figure 2. Number of dead birds reported and percentage of these that were crows from 2002 to 2010 in Fairfax County.

Data collected since 2002 indicates a sharp decline in the number of dead bird reports to the FCHD. The greater part of this decline is due to the complacency in reporting by the community since birds are no longer tested for WNV and we rely on a passive reporting system, and the County’s shift to a mosquito-based surveillance system.

The percentage of dead crows reported in 2010 (35.2 percent) is higher than that reported in the past seven years probably because of the low number of birds reported and the large size of the crows which makes them stand out. Although crows initially served as early indicators of WNV activity in the County, they are not useful in this capacity at present but may be an indicator of virus circulation.

By incorporating a RAMP® System for WNV detection in mosquitoes, we will also have the capability to test dead birds for WNV in house if the need arises.

Planned Activities for Avian Surveillance for 2011

- As in 2010, FCHD will continue to monitor dead birds reported by the public through the call-in phone line 703-246-2300 and 703-246-8931, TTY 711, or by e-mail through the County's WNV Web page www.fairfaxcounty.gov/fighthtebite.
- Reported dead bird information will be used by the FCHD to enhance its disease surveillance program, even if the bird is not picked up.
- Clear public messages regarding bird testing and disposal will continue to be disseminated by all possible means.
- Throughout the year the FCHD will geocode and map dead birds as they are reported. Mapping will be done for all birds and corvids, as well as any WNV positive birds. These maps will show geographical groupings of dead birds. This data will be compared to other WNV surveillance and control events.
- An appropriate sample of dead birds, especially crows and blue jays that have died within the previous 24 hours, may be tested for WNV.

7. Source Reduction (elimination of standing water)

Goal: To reduce the number of adult mosquitoes by eliminating potential mosquito development sites.

Background and Report on 2010 Activities

All mosquitoes begin their life in water. *Culex pipiens* and *Culex restuans*, the primary vectors of WNV in Fairfax County, and the Asian tiger mosquito (*Aedes albopictus*) are three mosquitoes commonly found in urban areas. The *Culex* mosquitoes breed quickly and lay their eggs on standing water. The Asian tiger mosquito is the primary nuisance and main backyard mosquito in the County and usually appears later in the summer. It lays its eggs in artificial containers around homes. Prime sites for all these mosquitoes to develop include discarded tires left outdoors, poorly maintained bird baths, clogged rain gutters, poorly maintained swimming and plastic wading pools, pots, black corrugated drain pipes (even if placed underground) and puddles that last for a week or more. Eliminating these sites is the simplest and most effective way to reduce the number of mosquitoes. Every residential and commercial property owner should regularly inspect their property and buildings to determine if conditions are conducive to mosquito development and endeavor to eliminate those conditions. Mosquito development can be prevented by either eliminating the standing water (source reduction) or treating the water with larvicide to prevent mosquitoes from growing, if source reduction is not possible.

The County's WNV community outreach, information, and public education campaign highlights the need for residents to eliminate mosquito-breeding sites around their homes. Diagrams of potential sources around the home were described in multiple media events and languages as well as on the WNV Web page.

In 2010, DCIP assisted residents in 117 complaints. Most of the mosquito complaints were related to the Asian tiger mosquito. Many complaints were associated with foreclosed houses and abandoned swimming pools.

In 2011, DCIP will continue to receive complaints from residents regarding standing water and mosquito development sites throughout the County and take the appropriate action to abate them.

Planned Activities for Source Reduction for 2011

- The DCIP will work with homeowners' associations to promote community participation and distribute printed information on the need to eliminate mosquito-breeding sites on their property or to properly treat them with larvicide.
- The telephone line (703-246-2300 and 703-246-8931, TTY 711) will continue to receive complaints on mosquitoes and standing water.
- Complaints will be logged in the FIDO (Fairfax Inspection Database Online) system and addressed by a health inspector.
- County residents will be asked to eliminate standing water on private property or to report standing water to (703-246-2300 and 703-246-8931, TTY 711), if it is on public property.
- The FCHD will communicate with owners or managers of cemeteries, country clubs, and other institutions of concern to develop a plan that addresses the abatement of standing water.
- The FCHD will work closely with the Department of Public Works and Environmental Sanitation (DPWES) on mosquito problems in stormwater retention/ detention ponds.
- FCHD will route mosquito issues in roadside canals and blocked catch basins to the Virginia Department of Transportation (VDOT).
- In collaboration with Fairfax County Public Schools, mosquito populations will be monitored and controlled on the school campuses in the County.

8. Larviciding

Goal: To reduce the number of Culex mosquitoes by applying environmentally safe larvicides in breeding sites that cannot be drained.

Background

Catch basins (CBs), also called storm sewers or stormwater catch basins are located throughout the County. Catch basins usually drain well and do not present an opportunity for mosquito breeding; however, some (particularly those in older communities in the County) may have structural problems or may be partially blocked, retain water and produce excellent breeding sites for *Culex* mosquitoes. The exact number of CBs in the County is unknown, but it is estimated there are over 100,000. Based on WNV data from previous years, the FCHD worked with a contractor and began treating CBs proactively, in predetermined areas of the County. The larvicides that will be used are Natular-G (contains the active ingredient spinosad, a product derived from a naturally occurring soil bacterium) and/or VectoLex[®] (*Bacillus sphaericus*), is a naturally occurring soil bacterium that produces toxins which cause death in mosquito larvae. Both of these products are considered ideal for mosquito management because they will only affect mosquitoes and one other type of biting fly,

and because of their very low toxicity to other organisms. During the 2010 season 106,052 CBs were treated in three treatment cycles. The number of cycles treated in a season is dependent on several factors, including weather, degree of viral activity, resources, etc. In addition to the routine monthly CB treatments, all the catch basins in the Huntington area were treated once a week to lower the *Culex* population.

Virginia Pollutant Discharge Elimination System (VPDES)

The National Pollutant Discharge Elimination System (NPDES) is a provision of the Clean Water Act that prohibits discharge of pollutants (including larvicides against mosquitoes) into waters of the United States unless a special permit is issued by EPA, a state, or another delegated agency. For this the Commonwealth of Virginia has issued the Virginia Pollutant Discharge Elimination System (VPDES). The full document can be obtained at:

<http://www.google.com/url?sa=t&source=web&cd=1&ved=0CUBUQFjAA&url=http%3A%2F%2Fwww.deq.state.va.us%2Fexport%2Fsites%2Fdefault%2Fvpdes%2Fpdf%2F9VAC25-800-PGPDraftFactSheet.pdf&rct=j&q=define%20vpdes%20pgp&ei=Lwxl Tao Mgp 2WB7bx9YqG&usq=AFQjCNGKb0HbENknVa2BcyQIRi3MKPyIZw>

This is an unofficial summary of Virginia's VPDES PGP, a simple attempt to help understand the meaning of the permit.

General Permit No: VAG87

Effective Date: April 10, 2011

Expiration Date: June 30, 2013

GENERAL PERMIT FOR DISCHARGES RESULTING FROM THE APPLICATION OF PESTICIDES TO SURFACE WATERS OF VIRGINIA

HIGHLIGHTS:

- There will be a General Permit for the Commonwealth of Virginia. Our program is automatically covered under this permit.
- There is no requirement for us to submit a Registration Statement (Notice of Intent)
- There is no fee
- There is no Pesticide Discharge Management Plan (PDMP) required by the program since it will not exceed thresholds.
- Monitoring requirements include visual assessment in the area where pesticides are applied to look for adverse incidents. Visual monitoring is not required to be submitted to DEQ and the permit does not require the operator to keep a record of the visual monitoring assessments.
- Record keeping requirements will mirror those already established by the Virginia Department of Agriculture and Consumer Services (VDACS). The only changes in record keeping are the inclusion of equipment maintenance & calibration and the length of time records are kept (at least 3 years from the date that coverage

under the permit expires). Records are not submitted unless requested by the State Water Control Board.

- Reporting requirements are for adverse incidents. The operator shall immediately notify the department. This notification must be made by telephone within 24 hours of when the operator becomes aware of the adverse incident. Within five days of a reportable adverse incident, the operator shall provide a written report of the adverse incident to the appropriate DEQ regional office. Any operator applying pesticides that reports an adverse incident must submit an annual report to the department no later than February 10 of the following year (and retain a copy for the operator's records). The operator must retain a copy for 3 years.

Continuation of permit coverage.

- General permit coverage under this section remains fully effective and enforceable.
- If you exceed the following annual treatment area thresholds you must develop a Pesticide Discharge Management Plan (PDMP):

Annual Treatment Area Thresholds
9VAC25-800-30 C (Table 1)

Pesticide Use	Annual Threshold
Mosquitoes and Other Flying Insect Pests	6400 acres of treatment area
Weed, Algae and Pathogen Control:	
- In Water	80 acres of treatment area
- At Water's Edge:	20 linear miles of treatment area at water's edge
Animal Pest Control:	
- In Water	80 acres of treatment area
- At Water's Edge	20 linear miles of treatment area at water's edge
Forest Canopy Pest Control	6400 acres of treatment area

Planned Activities for Larviciding for 2011

- The DCIP will comply with the VPDES
- The DCIP is planning three larviciding cycles in 2011. If needed, an additional cycle will be conducted.

- The Huntington (Cameron Run Park) area will be treated with a larvicide early in the season as an effort of reducing the mosquito populations.
- The Huntington area CBs will be treated on a weekly basis due to the tidal effect.
- The first round of CB treatments will begin in mid-May and will follow the programmed CB treatment order in the County tax map areas treated in 2010.
- The second and third rounds of treatment will follow the pre-established order.
- The DCIP will purchase sufficient larvicide for the FCHD and Fund 116 staff to treat larval development sites, as necessary, to abate immediate problems.
- The DCIP will inspect and treat with larvicide the previously identified larval development sites.
- The DCIP will work in collaboration with the DPWES in the surveillance and treating with larvicide of stormwater detention/retention ponds.
- The DCIP will verify WNV control and mosquito management plans of action through the regular meetings of the MSMS.
- The DCIP will continue to monitor CBs outside the treatment area and treat them, as necessary.
- Comply with the NPDES and VPDES and implement the DCIP Plan to Employ the Nine BMP Components of the Pesticide Discharge Management Plan (PDMP) as Part of the Operative VPDES Permit as stated at the end of Appendix 1.

9. Adult Mosquito Control

Goal: To reduce the abundance of infected adult mosquitoes through the judicious use of pesticides in targeted areas when there is significant risk of mosquito-borne disease.

Background and Report on 2010 Activities

While source reduction and the application of larvicides are the principal and most effective interventions to reduce mosquito populations, situations may arise in which infected adult mosquitoes are present in significant numbers and pose a threat to human health. In these situations, judicious application of adulticides to control mosquito populations will be added to all other mosquito control activities as an additional measure to reduce risk of illness and death in humans. WNV guidelines from CDC state that adulticiding based on surveillance data is an extremely important part of any integrated mosquito management program and should be used when there is significant risk of human illness.

Some of the insecticides that are used against adult mosquitoes include synthetic pyrethroids and malathion (an organophosphate) that have been used for more than 30 years and are registered by the U.S. Environmental Protection Agency and the Virginia Department of Agriculture for adult mosquito control in residential areas. These insecticides provide a rapid knockdown, killing adult mosquitoes upon contact. They also have low toxicity to mammals and birds, degrade rapidly in sunlight and water, and provide little or no residual activity. Most of these products do not bio-accumulate in animals.

There are two principal strategies in adulticiding that can be employed in mosquito control. One is to produce tiny droplets of insecticide from a machine (frequently mounted on a truck or aircraft) in such a way that a cloud of insecticide is produced. In this method, called Ultra Low Volume (ULV), the effect of the insecticide lasts a very short period of time and will only kill those mosquitoes which come in contact with these tiny droplets. A second strategy, called barrier spraying, is to lay down a thin, residual coat of insecticide on vegetation or man-made structures. In this case, the insecticide lasts for a longer period of time and will kill any mosquito that comes into contact with the insecticide during the time that it is active.

In the event that ULV adulticiding is necessary, the FCHD will define the areas in the County where risk of WNV infection to humans is highest and which requires such action. Drivers and trucks from the contractor will be escorted down streets and roadways by police and will apply adulticide to the defined areas.

All adulticiding activities will be conducted under the direction of the County Executive and in consultation with MWCOG and the VDH, and in coordination with any affected county, city or town within or adjacent to Fairfax County.

Mosquito species, their habitat, weather, time of year, the presence of the virus and the proximity of infected mosquitoes to human populations will be considered in determining the necessity for adult mosquito control. If the application of adulticides becomes necessary, the FCHD will provide advance notice to the public and health care providers in affected areas.

Prior to 2005, even in the years when there were human WNV cases, the use of insecticides against adult mosquitoes had not been indicated by the surveillance program. In 2005, 2006, and 2007 it was determined that it would be necessary to apply a barrier spray in an area where the surveillance program showed high WNV activity in the mosquitoes. Subsequent surveillance data showed that the barrier spray reduced the vector index, thus lowering the risk of WNV to humans in the area. All activities were conducted under the direction of the County Executive, and all of the residents in the affected areas were notified before treatment by hand-delivered letters. None of the human cases reported in Fairfax County were from these areas. In 2010, no adulticiding for mosquitoes was deemed necessary.

At a minimum, the following factors will be considered when deciding the scope of the adulticiding effort:

- The general ecology of the area, e.g., key habitat types and the presence of natural barriers such as large rivers.
- The population composition, density, distribution, flight range and age structure (proportion of parous females) of the target mosquito species.

- The human population characteristics – spatial distribution and density relative to the positive locality (e.g. urban vs. rural), age demographics, etc.
- Evidence of persistent WNV activity detected by the surveillance program, season of the year, and how long WNV activity can be expected to persist until the epizootic/epidemic vector(s) enter diapause.

Planned Activities for Adult Mosquito Control for 2011

The presence of mosquito-borne pathogens in Fairfax County will result in one or more responses or interventions recommended by the FCHD. These interventions can range from continuing existing surveillance, education, and outreach to the affected population to the targeted application of adulticides.

The DCIP will utilize its surveillance data to assess the risk of an outbreak of human disease and the need to apply insecticides in a limited and targeted area to control adult mosquitoes. Vector considerations include level of documented virus, the distribution and the density, age, and infection rate of the vector population. Other factors must also be considered before insecticide is used. Environmental considerations include habitat, time of year, weather conditions. The density and proximity of human populations are also considered before adulticide is used. Because these conditions can vary greatly and cannot be predicted, a consultation process with VDH, CDC and surrounding jurisdictions will be used to determine which, if any, responses are appropriate, on a case-by-case basis.

If adulticides are used to control mosquitoes, advance notification will be disseminated to surrounding residents indicating when and where the insecticides will be applied. This allows residents who wish to avoid exposure to take necessary actions and precautions. The Virginia Poison Control Center, area hospitals, and health care providers will be provided information on the pesticide being used. All insecticides considered for use are registered with the U.S. Environmental Protection Agency and the Virginia Department of Agriculture and will be used according to the label directions. When choosing pesticides for mosquito control, preference will be given to those insecticides that pose the least risk to humans and the environment.

In order to categorize the use of adulticides in Fairfax County, any responses initiated by the FCHD can be grouped into six broad categories or levels of risk. These levels are tailored after those of CDC, yet are modified to specifically reflect Fairfax County's position based on previous findings.

Level 0

Definition: Fall/winter; vector inactive, climate unsuitable for WNV transmission.

Response: Prepare material and equipment for the upcoming WNV season. Surveillance and control programs continue as outlined in the County's Surveillance and Control Plan. Identify locations where source reduction activities can be

applied; secure surveillance and control resources necessary to enable response to WNV activity; initiate community outreach and public education programs; enhance communication with surrounding jurisdictions; recruit and train new staff; communicate with and educate large property owners of the importance of source reduction in areas such as cemeteries, golf courses, country clubs; communicate status of WNV activity to Director of the Health Department, the Board of Supervisors and the public, as the WNV season starts.

Level 1

Definition: Spring/summer/fall; anticipating WNV activity based on previous activity in region. No current surveillance findings indicating WNV activity in the area.

Response: Respond as in level 0, plus: continue and enhance source reduction; conduct larval control in identified breeding habitats where source reduction is not possible (emphasis will be placed on known *Culex* species breeding sites); continue community outreach and public education; begin monitoring avian mortality; work with other County departments on source reduction and mosquito control activities; initiate catch basin treatment rounds.

Level 2

Definition: Spring/summer/fall; initial, sporadic or limited WNV activity in birds and/or mosquitoes.

Response: Respond as in level 1, plus: increase larval control activities; continue source reduction in cooperation with other County departments; and increase public education, emphasizing personal protection measures, particularly the use of products containing DEET, Picaridin, IR-3535 or oil of lemon eucalyptus. Enhance human surveillance and activities to quantify epizootic activity (e.g. mosquito trapping and testing) in areas of concern. Consider recommending to the public that they decrease outdoor activities when mosquitoes are biting.

Level 3

Definition: Spring/summer/fall; initial confirmation of WNV in a human or a horse, or moderate WNV activity in birds and/or mosquitoes.

Response: Respond as in level 2, plus: expand public information programs (repellent use, personal protection, source reduction, risk communication about adult mosquito control program); prepare to implement adult mosquito control, if surveillance findings indicate the likely potential for human risk to persist or increase.

Level 4

Definition: Spring/summer/fall; surveillance findings indicate high risk of human infection, (e.g. high or clusters of dead bird densities, high mosquito infection rates and vector index, multiple positive mosquito species, horse or other mammalian

cases indicating increasing epizootic transmission, or a human case and high levels of epizootic activity) and abundant adult vectors.

Response: Respond as in level 3, plus: continue active surveillance for human cases; make final arrangements to implement adult mosquito control program in areas of potential human risk. The use of adulticides will be used in a limited manner as needed.

Level 5

Definition: Spring/summer/fall; marked increase of confirmed multiple WNV cases in humans and conditions favoring continued transmission to humans.

Response: Respond as in level 4, plus: implement or intensify emergency adult mosquito control program; monitor effectiveness of adulticiding on target mosquito populations; coordinate adult mosquito control activities with surrounding jurisdictions. The FCHD activities related to adulticiding will include the following:

- CDC and gravid traps will be used in the treatment area if additional surveillance data are required.
- The FCHD will work with state entomologist and/or CDC personnel, as well as the contractor, to design and implement feasible measures to monitor the efficacy of the adulticiding activities.
- The public will be notified of adulticide schedules in advance. This will allow residents with special health concerns sufficient time to take any precautions to reduce pesticide exposure (see Public Education and Community Outreach).
- Hospitals will be notified regarding the adulticiding schedule. Information on the pesticide used will be provided to the public, physicians, and other health care providers.
- Adult mosquito control will be scheduled when mosquitoes are active and weather conditions are conducive to its success.
- Information will be released, in advance, through the media, the FCHD WNV Web page, and through news releases, the MSMS, as well as pertinent County and community.

Table 2. Factors to consider when establishing thresholds for the use of larvicides, pupicides and adulticides to control mosquitoes to address public health threats

Factor	Description	Consideration
Mosquito species	The ability of mosquito species to carry and transmit disease organisms; flight distance; feeding preferences; seasonality; type of breeding habitat; biology.	Often species and biology of the mosquito are more important in developing thresholds than relative abundance.
History of mosquito-borne pathogens in the area	Surveillance results of mosquito-borne pathogen activity in the area, mosquitoes, reservoir hosts of humans in the area.	Areas with evidence of mosquito-borne pathogens will likely be lower.
Proximity to human populations	The distance from potential mosquito habitats to human population centers (number and density).	The potential to produce large numbers of mosquitoes in close proximity to population centers may result in less tolerance and lower thresholds.
Weather patterns	Prevailing wind patterns, precipitation and temperatures.	High precipitation may produce man-biting flood water mosquitoes; prevailing wind patterns may carry mosquitoes to populated areas requiring lower thresholds.
Mosquito tolerance	Tolerance to mosquitoes varies from person to person.	Highly populated areas may require lower thresholds due to more intolerance to mosquitoes.
Natural predator populations	Balanced predator-prey populations may limit mosquito production.	Larval habitats that have high predator populations are adequate to control mosquito populations and may require higher treatment thresholds.
Type of mosquito habitat	Preferred developmental habitat for mosquitoes is species specific.	Since developmental habitat is species specific, adult nuisance mosquito species should be correlated to the specific habitat.
Water quality	Water quality influences mosquito productivity.	Since water quality can be species specific, adult nuisance mosquito species should be correlated to the specific habitat.
Water and vegetation management	Management of water levels and vegetation may reduce mosquito productivity.	Treatment thresholds should be higher where water level and vegetation can be managed.
Accessibility for surveillance and control	Developmental habitats may not have adequate access to surveillance or to implement mosquito management.	Thresholds will be higher for areas that have limited access for surveillance and control.
Non-target organisms	The presence of non-target organisms in the spray area and their susceptibility to the product used.	Minimize the impact of larvicides, pupicides and adulticides on non-target organisms by using the most target specific product, apply the product at the best time possible to minimize effect and use the least amount of product necessary always following label instructions.

II. Tick and Tick-Borne Disease Surveillance 2010 Report and Comprehensive Plan for 2011

Background

Public Health Impact

Tick-borne diseases continue to impact public health causing serious acute illness, chronic long-term illness and, sometimes, death. The recent and widespread encroachment of suburban sprawl into areas that were once farmland and the large deer populations in these suburban communities have increased the prevalence of disease-carrying ticks and the exposure of the human population to the diseases they carry.

Ticks are excellent vectors for disease transmission, second only to mosquitoes as vectors of human disease worldwide. They are the number one disease vector in the United States. Ticks carry and transmit a remarkable array of pathogens, including bacteria, viruses, spirochetes, rickettsiae, protozoa, nematodes and toxins. Furthermore, a single tick bite can transmit multiple pathogens--a phenomenon that has led to atypical presentations of some classic tick-borne diseases.

Ticks are among the most common disease vectors in the United States and are capable of transmitting *Borrelia burgdorferi* (the agent for Lyme disease), *Rickettsia rickettsii* (the agent for Rocky Mountain spotted fever), *Rickettsia parkeri* (the agent for Tidewater spotted fever), other spotted fever rickettsias, *Anaplasma phagocytophilum*, *Ehrlichia chaffeensis*, *Babesia microti*, the agents for relapsing fever, Colorado tick fever virus, *Francisella tularensis* (the agent for tularemia), *Coxiella burnetii* (the agent for Q fever), Powassan virus and can cause tick paralysis.

Vector Biology

Knowledge of tick biology is important in understanding the tick's role in disease transmission and is equally important in the prevention of tick-borne diseases. There are four distinct life stages in a tick: egg, larva, nymph, and adult. The length of the life cycle and the number of hosts fed upon depends on the tick species. Most ticks have a two-year life cycle and will have from one to three hosts.

The essential characteristic of ticks, in terms of disease transmission to humans, is their need to ingest a blood meal to develop into the next stage of their life cycle. Ticks will take their requisite blood meal from all classes of vertebrates, with the exception of fish. Ticks find their host by questing, a behavior in which they perch in low vegetation and wait for a susceptible host to pass by, onto which they can attach and feed. Once on a host, the tick attaches its hypostome (mouthpart) a central piercing element with hooks, into the host's skin. Some ticks may secrete a cementing material to fasten themselves to the host, as well as anticoagulant, immunosuppressive and anti-inflammatory

substances into the area of the bite. These prevent hosts from noticing ticks and thus aid the tick in obtaining a blood meal. These same substances also help transmit any pathogens that the tick may be carrying.

Introduction to Vector Surveillance

In light of the findings obtained through the pilot program in 2006, the DCIP continued tick surveillance in 2007. An enhanced surveillance program began in May and was halted in August of 2007. A more robust surveillance program was established in 2009, continued in 2010 and will remain in place in 2011. From 2008 to 2010, the DCIP also trapped white-footed mice at various sites in the County. The white-footed mouse is a medically important species because it is the main reservoir host for the bacterium which causes Lyme disease; it is also a key host for black-legged ticks, which may become infected with and transmit Lyme disease. Deer are also important players in the transmission cycle of Lyme diseases since they provide a blood meal for the female ticks, making it possible to lay a large quantity of eggs. Deer also are the transport system for ticks, carrying them and delivering them throughout the County.

Collecting ticks from dead deer during hunts was utilized in 2007-2010 and will continue to be used in 2011. This remains to be a method of choice to collect black-legged ticks in Fairfax County.

In 2009, the DCIP used CO₂ tick traps as the main source of surveillance and these activities continued throughout 2010. CO₂ tick trapping efforts will expand and continue throughout 2011.

In order to enhance tick surveillance in 2010, jars with alcohol were set at different veterinary clinics as well as the County animal shelter. This method will continue in 2011. These tick jars gave way, in July 2010, to the discovery of a large population of the Gulf Coast ticks, once thought to be rare in the County.

Interim Report and Action Plan, by Activity

1. Risk Communication, Community Outreach and Public Education

Goal: To increase the public's knowledge about ticks, Lyme disease and other tick-borne diseases; to promote behavioral change; and to encourage the community to take an active role in reducing their risk of tick-borne diseases through preventive measures.

Background and Report on 2010 Activities

Demand for information about ticks and tick-borne diseases (particularly Lyme disease) continued to increase over the last year, and the Board of Supervisors once again requested that efforts be amplified in this area.

In 2010, The DCIP brochure on ticks and Lyme disease was revised to include the Gulf Coast tick and *Rickettsia parkeri*. The DCIP staff were invited to give several

presentations throughout the County to a variety of groups where information regarding ticks and Lyme disease was also distributed. Tick and Lyme disease information and graphics were also incorporated into the DCIP 18-month calendar that was distributed through Fairfax County schools and to the public. The children's reader book produced in 2010 also contained tick control and prevention information.

Planned activities for Risk Communication, Community Outreach and Public Education for 2011

- Prepare and distribute other educational materials on ticks and Lyme disease.
- Distribute educational material at all relevant venues.
- Inform residents about personal protection and the actions they can take to keep their property free from ticks.
- Emphasize the importance of personal protection, the use of EPA-registered insect repellents, and proper dress when spending time outdoors.
- Stress the importance of tick checks on people and pets.
- Give presentations to community groups as requested.
- Prepare media alerts when necessary.
- Update the Web page on ticks, their control, the diseases they transmit, and personal protection.

2. Human Case Surveillance

Goal: To monitor the burden of tick-borne diseases (particularly Lyme disease) in Fairfax County through laboratory and physician case reporting.

Background and Report on 2010 Activities

In 2010, FCHD continued to use a system of passive surveillance to detect cases of Lyme disease and other tick-borne diseases and worked closely with local physicians and laboratories to improve the quality and timeliness of disease reporting. Further modifications were made to the internal procedures for managing reported cases of tick-borne illness to improve efficiency and ensure more complete and accurate data collection.

Virginia State Law requires that physicians, directors of medical care facilities, and directors of laboratories report cases of Lyme disease, ehrlichiosis, Rocky Mountain spotted fever, and Q fever within one to three days of diagnosis (depending on the disease). All suspect cases of these tick-borne diseases reported to FCHD are investigated, classified, and entered into an FCHD database and the National Electronic Disease Surveillance System. Of note, anaplasmosis and babesiosis are not currently included on the Virginia list of reportable diseases.

In 2010, FCHD and VDH used the most current CDC surveillance case definitions for the four reportable tick-borne diseases. For Lyme disease (the most commonly reported tick-borne illness), this case definition uses the following classifications:

- *Confirmed:* a) a case of erythema migrans (EM) (an expanding rash that is the best clinical marker of the disease) with a known exposure, b) a case of erythema migrans with laboratory evidence of infection and without a known exposure, or c) a case with at least one late manifestation (involvement of the musculoskeletal, nervous and cardiovascular systems without an alternate explanation) and laboratory evidence of infection.
- *Probable:* any other case of physician diagnosed Lyme disease that has laboratory evidence of infection.
- *Suspected:* a) a case of EM with no known exposure and no laboratory evidence of infection, or b) a case with laboratory evidence of infection but no clinical information available.

For surveillance purposes, exposure to Lyme disease is defined as having been (less than 30 days before onset of EM) in wooded, brushy, or grassy areas (i.e., potential tick habitats) in a county in which Lyme disease is endemic (including Fairfax County). A history of tick bite is not required.

Laboratory criteria for confirmation of Lyme disease cases for 2010 were as follows:

- Positive culture for *Borrelia burgdorferi* from a clinical specimen;
- Two-tier testing interpreted using established criteria; or
- Single-tier IgG immunoblot seropositivity interpreted using established criteria.

Cases of Lyme Disease and other tick borne illnesses in Fairfax County in 2010

Using the case criteria outlined above, the FCHD detected and reported a total of 283 cases of Lyme disease in Fairfax County in 2010 (182 confirmed, 69 probable cases and 32 suspected). By comparison, 201 confirmed and 56 probable cases of Lyme disease were reported in 2009.

Nine cases of Rocky Mountain spotted fever, five cases of ehrlichiosis, and one case of Q fever were reported in 2010.

Please note that 2010 data is subject to change as case reports from 2010 are finalized in the first several months of 2011.

Planned activities for Human Case Surveillance for 2011

In 2011 the FCHD will continue to implement a passive surveillance system for human tick-borne diseases. The FCHD will use the newly released 2011 Centers for Disease Control and Prevention/Council of State and Territorial Epidemiologists case definition. In an effort to improve the quality and timeliness of Lyme disease reporting, particular emphasis will be placed on:

- *Educating the medical community.* The FCHD will work to maximize physician reporting of Lyme disease by: raising awareness within the medical community of the increasing incidence of disease in Northern Virginia and the importance of timely and accurate diagnosis and disease reporting. Specific education will be provided

regarding the epidemiology of Lyme disease, appropriate clinical and laboratory diagnostic criteria, and instructions for disease reporting.

- *Laboratory surveillance.* The FCHD will continue to investigate all laboratory reports suggestive of Lyme disease that are submitted by commercial laboratories, hospitals, and physicians.

FCHD will also continue to encourage both physicians and laboratories to complete all essential information on Lyme disease reporting forms. Accurate classification of cases often requires knowledge of both the patient's clinical history and laboratory test results.

Please note: The Human Case Surveillance Plan for tick-borne diseases may be updated as needed to reflect local surveillance needs and changes to surveillance guidelines published by the VDH or the CDC.

3. Tick Surveillance

Goal: To determine the density and distribution of tick vector species (Ixodes scapularis) to estimate the prevalence of infectious agents (B. burgdorferi) in tick population.

Background and Report on 2010 Activities

The black-legged tick (*Ixodes scapularis*) is the most important vector of human disease in Virginia and the primary focus of the DCIP's tick surveillance efforts. Nevertheless, we carry out surveillance of all the principal tick species collected in the County as well as the pathogens that they carry.

The 2010 tick-borne disease surveillance program included tick removal from deer (organized public hunts and controlled hunts with the County Wildlife Biologist) and an enhanced surveillance project that included tick trapping and mouse sampling (trapping, antibody detection, and tick removal).

In 2010, a total of 22,245 ticks were collected, the majority of which were lone star ticks (*Am. americanum*). The black-legged tick or deer tick (*Ixodes scapularis*) was the second most common tick collected, followed by the American dog tick (*Dermacentor variabilis*) and lastly by the Gulf Coast tick (*Amblyomma maculatum*). A sample of the ticks was sent to Johns Hopkins School of Public Health for pathogen detection.

To date, 860 of 1,056 *Ix. scapularis* have been tested; of these 212 were positive for *Borrelia burgdorferi*, the causative agent for Lyme disease and five were infected with the non-pathogenic form of *Anaplasma phagocytophilum*. Table 3 shows the different infection rates of the developmental stages of this tick. Fully- or partially-engorged female *Ix. scapularis* are not tested per laboratory protocol.

Table 3. Infection rates of *Ixodes scapularis* collected in Fairfax County, 2010.

Tick Stage	Infection Rate (number tested)	Comments
Female	50.00 % (28)	Few females were tested since many were collected feeding on deer. A component of deer blood lyses the Lyme-causing bacteria so a tick that has deer blood in it will almost always test negative even if it has been exposed to the bacteria.
Male	28.26 % (46)	Some males were collected from deer, but these had not fed.
Nymph	23.11 % (662)	This is the stage that causes the most infections in humans; they are inconspicuous and many times not seen by the person it is feeding on.
All stages	24.32 % (736)	This infection rate is influenced by the large number of nymphs tested

Also 2,214 *Am. americanum* were tested for pathogens and 2.08% were positive for *Borrelia lonestari* and 6.28% for *Ehrlichia chaffeensis*. A subset of 578 *Amblyomma americanum* were tested for *Rickettsia amblyommii* and 29.93 were found to be positive. Of the 287 *Amblyomma maculatum* tested, 39.72% were positive for *Rickettsia parkeri*, a spotted fever group *Rickettsia*, and 1.14% for *Rickettsia andeanae*. Of the 736 *Ixodes scapularis* tested 0.54% were positive for *Anaplasma phagocytophilum*. Of the 1132 dog ticks tested, 0.27% were infected with *Rickettsia parkeri* and 0.97% were infected with *Rickettsia montanensis*, a non-pathogenic *Rickettsia*. Table 4 shows the ticks, tick pathogens identified this year as well as their infection rates.

Table 4. Tick pathogens and Infection Rates found in Fairfax County, 2010

Tick Species	Pathogen	Infection Rate % (Number Tested)
<i>Amblyomma americanum</i>	<i>Ehrlichia chaffeensis</i>	6.28 % (2214)
<i>Amblyomma americanum</i>	<i>Borrelia lonestari</i>	2.08 % (2214)
<i>Amblyomma americanum</i>	<i>Rickettsia amblyommi</i>	29.93 % (578)
<i>Amblyomma maculatum</i>	<i>Rickettsia parkeri</i>	39.72 % (287)
<i>Amblyomma maculatum</i>	<i>Rickettsia aneanae</i>	1.14 % (287)
<i>Ixodes scapularis</i>	<i>Anaplasma phagocytophilum</i>	0.54 % (736)
<i>Ixodes scapularis</i>	<i>Babesia microti</i>	0 % (736)
<i>Dermacentor variabilis</i>	<i>Rickettsia rickettsii</i>	0 % (1132)
<i>Dermacentor variabilis</i>	<i>Rickettsia montanensis</i>	0.97 % (1132)
<i>Dermacentor variabilis</i>	<i>Rickettsia parkeri</i>	0.27 (1132)
<i>Dermacentor variabilis</i>	<i>Rickettsia bellii</i>	0 % (1132)

Planned activities for Tick Surveillance for 2011

- Continue to conduct tick surveillance at 12 to 15 sites throughout the County.
- Move some existing, non-productive tick sampling sites.
- Add new sites.
- Sort each collection by tick species and record information on stage, location, collection date, collection method and the total number ticks.
- Test ticks for pathogens.
- Re-evaluate trap sites to be used during the 2011 season to ensure homogeneous coverage of the County.
- Conduct additional tick trapping in areas where conditions suggest a public health threat. This will help determine zones of potential local disease transmission and determine the extent of pathogen distribution.
- Respond to residents' concerns regarding ticks in a timely manner.
- Collect ticks from at least three local veterinarians and the animal shelter to increase the number of underrepresented species (i.e., the American dog tick).
- Participate in deer hunts to obtain ticks from county, state and national parks and wildlife refuges located within Fairfax County.
- Seek out new deer hunts and new opportunities for tick collection.

4. Tick Identification Service

Goal: To combat the threat of tick-borne diseases to County residents by providing a service for tick identification to species, stage of development, and relative degree of engorgement.

Background and Report on 2010 Activities

There are four tick species found in Fairfax County that can transmit disease. The black-legged tick (*Ixodes scapularis*) transmits the bacterium which causes Lyme disease. The Lone Star tick (*Amblyomma americanum*) transmits the bacteria that cause Southern Tick Associated Rash Infection (STARI) and Ehrlichiosis. The American Dog tick (*Dermacentor variabilis*) which transmits the pathogen that causes Rocky Mountain Spotted Fever as well as other rickettsias that may cause spotted fever illnesses. The Gulf Coast tick (*Amblyomma maculatum*) which transmits *Rickettsia parkeri* a pathogen that causes a spotted fever illness. Other pathogens transmitted by ticks to a lesser degree can be found in Table 3.

In 2008, we began advertising a tick identification service to encourage County residents to help raise awareness of Lyme disease and provide information on ticks and tick-borne diseases in the County. In 2010, we continued this service. Two hundred thirty-five specimens were brought to the Health Department for identification in 2010: 158 Lone Star ticks (*Amblyomma americanum*), 38 black-legged ticks (*Ixodes scapularis*), 31 American Dog ticks (*Dermacentor variabilis*), one Gulf Coast tick (*Amblyomma maculatum*), one unidentified *Ixodes*, one bat bug (*Cimex adjunctus*), one beetle, and three unidentified insect specimens.

Planned activities for Tick Identification

The following activities will be carried out in 2011:

- Encourage the public to bring in ticks for identification.
- Continue the tick identification service.
- Continue to stress the importance of tick checks on self, children, and pets.
- Provide those who bring in ticks for identification with appropriate information on ticks and tick-borne disease and make them aware of the symptoms of tick-borne diseases.
- Encourage medical consultation if an engorged black-legged tick is identified or if the person experiences symptoms of a tick-borne illness.

5. Operational Research

Goal: To carry out designed experiments in a scientific manner which will answer specific operational questions that will allow us to better understand tick distribution and tick borne illnesses.

Background and Report on 2010 Activities

Tick populations and the pathogens that ticks transmit are unevenly distributed throughout Fairfax County. CO₂ baited tick traps are the best standardized method of tick collection that we have available; however there is little information in the literature that actually defines the duration of leaving the traps in the field or the best time of day to collect ticks. Sail cloth CO₂ traps were set on a weekly basis for a year starting in April of 2010 to see if we can determine the most efficient trapping period. Samples of the ticks collected at the 12 collection sites are being examined for pathogens to see if we can establish tick species and pathogen distribution

Planned Activities for Operational Research for 2011

- Continue the CO₂ trap duration and time study until one complete year of collection is completed.

III. Resources

In 2011, the Fairfax County Disease Carrying Insects Program will be supported by the following resources:

Fund 116

One Entomologist (Environmental Health Supervisor)
One Merit Outreach Specialist (Environmental Health Specialist-III)
One Merit Biologists (Environmental Health Specialist-III)
Two Merit Biologists (Environmental Health Specialist-II) (One held vacant)
One Merit Administrative Assistant (Admin-III)
Six non-benefitted seasonal staff (Environmental Health Technician-I) (May through October)

General Fund (Health Department)

One (10 percent) Environmental Health Specialists (Environmental Health Specialist-III)
– GIS Specialist
One (10 percent) Senior Administrative Coordination

Other departments, agencies and jurisdictions

Mosquito Surveillance and Management Subcommittee (MSMS)

MSMS Members

City of Fairfax
City of Falls Church
Fairfax County Department of Public Works and Environmental Services (DPWES)
 Stormwater Planning Division
 Maintenance and Stormwater Management Division
 Forest Pest Management Program
Fairfax County Department of Management and Budget
Fairfax County Department of Information Technology
Fairfax County Park Authority
Fairfax Public Schools
Fairfax County Health Department
Fairfax County Office of the County Attorney
Fairfax County Office of Public Affairs
Fairfax County Police Department, Animal Control
Town of Herndon
Town of Vienna
Virginia Department of Transportation

IV. Mosquito and Tick References and Links

Centers for Disease Control and Prevention (CDC)
Pesticides and Public Health: Integrated Methods of Mosquito Management

<http://www.cdc.gov/ncidod/eid/vol7no1/rose.htm>

West Nile Virus

<http://www.cdc.gov/ncidod/dvbid/westnile/index.htm>

Lyme Disease

<http://www.cdc.gov/ncidod/dvbid/lyme/>

Centers for Disease Control and Prevention (CDC) National Institute for Occupational
Safety and Health (NIOSH)

Information for Outdoor Workers

West Nile Virus

<http://www.cdc.gov/niosh/topics/westnile/>

Lyme Disease

<http://www.cdc.gov/niosh/topics/lyme/>

Centers for Disease Control and Prevention (CDC) and Environmental Protection
Agency (EPA)

CDC/USEPA Joint Statement on Mosquito Control

<http://www.epa.gov/pesticides/health/mosquitoes/mosquitojoint.htm>

Environmental Protection Agency (EPA)

Insect Repellent: Use and Effectiveness

<http://www.epa.gov/pesticides/health/mosquitoes/insectrp.htm>

Larvicides for Mosquito Control

<http://www.epa.gov/pesticides/health/mosquitoes/larvicides4mosquitoes.htm>

Synthetic Pyrethroids for Mosquito Control

<http://www.epa.gov/pesticides/health/mosquitoes/pyrethroids4mosquitoes.htm>

Methods of Mosquito Control

<http://www.epa.gov/pesticides/health/mosquitoes/mosquito.htm>

Fairfax County Health Department (FCHD)

West Nile Virus and Lyme Disease Web Page

<http://www.fairfaxcounty.gov/fightthebite>

U. S. Geological Survey (USGS)

<http://westnilemaps.usgs.gov/>

Virginia Department of Health (VDH)

West Nile Virus Web page

<http://www.vdh.state.va.us/epidemiology/DEE/Vectorborne/WestNile/index.htm>

American Mosquito Control Association
<http://www.mosquito.org>

Virginia Mosquito Control Association
<http://www.mosquito-va.org/>

Abbreviations

ASTHO - The Association of State and Territorial Health Officials
BOS - Fairfax County Board of Supervisors
CB(s) - Catch Basin(s)
CDC - Centers for Disease Control and Prevention
CDPH - Chicago Department of Public Health
CHS - Community Health and Safety
CO₂ - Carbon dioxide
CSF - Cerebrospinal Fluid
EHS - Environmental Health Specialist
DC - District of Columbia
DCIP - Disease Carrying Insects Program
DCLS - Division of Consolidated Laboratory Services (of Virginia)
DEET - N,N-diethyl-m-toluamide (an insect repellent)
DIT - Department of Information and Technology
DPWES - Department of Public Works and Environmental Services
EEE - Eastern Equine Encephalitis
ELISA - Enzyme-Linked Immunosorbent Assay (a test to detect antibodies in serum)
FCHD - Fairfax County Health Department
FDA - Food and Drug Administration
FIDO – Fairfax Inspections Database Online
IgG-ELISA - IgG Enzyme-Linked Immunosorbent Assay
KAP - Knowledge, Attitudes and Practices
LAC - LaCrosse Virus
MAC-ELISA - IgM Antibody Capture Enzyme-linked Immunosorbent Assay
MLE - Maximum Likelihood Estimate (a measure of infection rate of mosquitoes)
MWCOCG - Metropolitan Washington Council of Governments
MSMS - Mosquito Surveillance and Management Subcommittee
OPA - Office of Public Affairs
PRNT - Plaque Reduction Neutralization Test (a test to determine virus type)
RT-PCR - Reverse Transcriptase Polymerase Chain Reaction (a test to detect virus genetic material)
SLE - St. Louis encephalitis
TTY – Text Telephone
ULV – Ultra-Low Volume
URL – Uniform Resource Locator
VA - Virginia
VDH - Virginia Department of Health
VDOT - Virginia Department of Transportation
WN - West Nile
WNND - West Nile neuroinvasive disease
WNV - West Nile virus

Definition of Terms as Used in this Report

Active surveillance: Health care providers or laboratories report notifiable diseases on a case-by-case basis or syndromic information in aggregate form on a regular schedule due to routine outreach from the local or state health agency.

Adulticide: An insecticide used to kill adult mosquitoes.

Antibody: A type of protein normally present in the body or produced in response to an antigen which it neutralizes, thus producing an immune response.

Antigen: A substance that stimulates an immune response (usually production of an antibody) when introduced into the body. Antigens include toxins, bacteria, viruses, and other foreign substances.

Arbovirus: An **Ar**thropod-**BO**rne **VIRUS**.

Asian tiger mosquito: Common name for *Aedes albopictus*.

BG-Sentinel Trap: A mosquito trap that attracts mosquitoes with its design and appearance, a special lure (BG-Lure) and CO₂ (produced by dry ice). A fan located below the intake tube sucks the mosquitoes into a collecting bag in the trap. The fan is powered by a 12 volt battery. This type of trap collects mosquitoes that are looking for hosts (which exhale CO₂ when they breathe and have a human skin scent). This trap is useful in collecting the Asian tiger mosquito, *Aedes albopictus*.

Borrelia burgdorferi: Scientific name of the bacteria that cause Lyme disease.

Breeding site: Larval mosquito habitat.

Catch basin: . Roadside inlet that permits rainwater to flow off the roadways. Part of the County's stormwater management system

CDC miniature light trap: A mosquito trap that attracts mosquitoes with light and CO₂ (produced by dry ice). A fan located below a light source sucks the mosquitoes into a collecting receptacle on the trap. The light is powered by a six-volt battery and the trap is covered by a plastic roof. This type of trap collects mosquitoes looking for hosts (which exhale CO₂ when they breathe).

Common house mosquito: In our area it is the common name given to *Culex pipiens*.

Container breeder: Mosquito species that lay their eggs in artificial (e.g., cans, bottles, tires, birdbaths and even catch basins) or natural (e.g., tree holes) containers.

Corvids (Corvidae): Family of birds that includes the crows, blue jays and magpies.

Day degrees above 75°F: The cumulative number of degrees Fahrenheit above 75° during the year.

DCIP: Disease Carrying Insects Program.

DEET: A synthetic chemical used as an ingredient in certain insect repellents. Recommended to protect against mosquitoes and ticks.

Diapause: A physiological state of dormancy usually controlled by hormones and environmental triggers. Many insects use diapause as a way to survive the winter.

ELISA: A sensitive immunoassay that uses an enzyme linked to an antigen as a marker for the detection of a specific protein in a blood sample. It is often used as a diagnostic test to determine exposure to a particular infectious agent, such as a virus.

Encephalitis: Swelling of the brain (as can be caused by the West Nile virus).

Epidemiological Week (EPI Week): This is a period of time that comprises seven days and is used to compare data from place to place and year to year. In the United

States the first EPI Week is defined as the first week of the year ending on a Saturday, as long as four days of that year are included in that week.

Epizootic: An epizootic is the non-human equivalent of an epidemic, meaning that large numbers of animals are infected with a disease. An epizootic disease is one in which greater than normal numbers of animals are affected for a given place or time period.

Gravid traps: A mosquito trap baited with yeast-, grass- and hay-infused water that attracts female mosquitoes (primarily *Culex pipiens* and *Culex restuans*) that seek this type of water to lay eggs.

IgM antibodies: The first class of antibodies produced by the immune system in response to the presence of an antigen (e.g. West Nile virus). Presence of IgM antibodies usually indicates a primary or recent infection. Diagnostic laboratories test for the presence of WNV-specific IgM antibodies in human serum or cerebrospinal fluid in order to confirm a case of WNV.

IgG antibodies: The second class of antibodies produced by the immune system in response to the presence of an antigen (e.g. West Nile virus). Presence of IgG antibodies usually indicates a past infection. Diagnostic laboratories test for the presence of WNV-specific IgG antibodies in human serum or cerebrospinal fluid, in order to confirm a case of WNV.

IMM: Integrated Mosquito Management is a comprehensive mosquito prevention/control strategy that utilizes all available mosquito control methods singly or in combination to exploit the known vulnerabilities of mosquitoes in order to reduce their numbers to tolerable levels while maintaining a quality environment.

IR3535: A synthetic chemical used as an ingredient in certain insect repellents. Recommended to protect against mosquitoes.

Larvicide: An insecticide used to kill mosquito larvae.

Lyme Disease: Lyme disease was first identified in 1975 in Lyme, Connecticut, and is a bacterial illness caused by *Borrelia burgdorferi*. The disease is transmitted through the bite of an infected black-legged tick (*Ixodes scapularis*).

Medical community: Health care providers.

Meningitis: Swelling of the membrane covering the spinal cord or the membrane covering the brain (as can be caused by the West Nile virus).

MIR: Minimum Infection Rate. An estimate of the minimum number of infected individuals per 1,000 tested. Calculated as $(\text{number of positive pools} / \text{total specimens tested}) \times 1000$, .Useful when pool sizes are constant and infection rates are low.

MLE: Maximum Likelihood Estimate. An estimate of the maximum number of infected individuals per 1,000 tested. Recommended when pool sizes are variable and/or with large infection rates.

Mosquito Dunks®: A readily-available, non-restricted microbial larvicide which contains the active ingredient *Bacillus thuringiensis israelensis*. This product specifically targets mosquito larvae.

Mosquito larva (plural: larvae): The immature, aquatic, feeding stage of a mosquito. This is the stage that hatches from the mosquito egg and is the best target of a mosquito management program.

Mosquito pool: Mosquitoes that were collected in one location, on the same date, that have been grouped together (pooled) to be tested for the presence of a virus.

MSMS: Mosquito Surveillance Management Subcommittee. This is a subcommittee of Fairfax County's Environmental Coordinating Committee. The MSMS is composed of representatives from various county agencies and departments as well as other jurisdictions that have activities associated with DCIP.

Neuroinvasive: Affecting the nervous system. Refers to West Nile virus meningitis, encephalitis or other serious neurological pathologies.

NPDES: National Pollutant Discharge Elimination System

Oil of lemon eucalyptus: A naturally-occurring chemical used as an ingredient in certain insect repellents. Recommended to protect against mosquitoes.

Overwinter: To pass the winter, like hibernation.

Ovitrap: Traps set out specifically to collect eggs of container-breeding mosquitoes, used to monitor species like the Asian tiger mosquito (*Aedes albopictus*).

Parous: Having produced offspring. Refers to an adult female mosquito that has laid eggs. This means a mosquito has taken a blood meal and could be infected with the virus, if the source of the blood meal had the virus.

Passive surveillance: Medical care providers or medical laboratories report notifiable diseases on a case-by-case basis to the local or state health agency, based upon a published list of conditions.

Pathogen: An infectious organism.

Permethrin: An insecticide that kills ticks and adult mosquitoes.

PCR: Polymerase Chain Reaction; a biochemical process that makes copies of a sequence of genetic material (DNA) so that its source can be identified.

Picaridin: A synthetic chemical used as an ingredient in certain insect repellents. Recommended to protect against mosquitoes.

RAMP: The RAMP[®] System consists of a portable scanning fluorescence analyzer and single-use, disposable test cartridges. The RAMP[®] West Nile Virus (WNV) Test is a highly sensitive prescreening test used for identifying WNV in mosquitoes and corvids.

RT-PCR: Reverse Transcription Polymerase Chain Reaction. A biochemical process that makes copies of a sequence of genetic material (RNA) so that its source can be identified.

Trap period: Period of time elapsed from when one trap is set to when it is collected. The trap period presently used by the DCIP is 24 hours.

"Tip and Toss" campaign: Part of Fairfax County Disease Carrying Insects Program involving the community to remove standing water from their yards, thus reducing mosquito breeding habitats.

ULV: Ultra-Low Volume. A method of applying insecticides to kill adult mosquitoes. It produces very small droplets of insecticide and is usually applied by a truck- or aircraft-mounted machine at a constant, predetermined rate.

SLE: St. Louis encephalitis.

VectoLex[®]: A biological larvicide (*Bacillus sphaericus*) used in catch basins to proactively suppress mosquito populations.

VPDES: Virginia Pollutant Discharge Elimination System

West Nile fever: A febrile condition caused by the West Nile virus, very similar to the flu. The symptoms include fever, body aches, swollen glands, rash and headache.

West Nile virus: A virus transmitted by mosquitoes. The normal transmission cycle is between certain species of mosquitoes and certain species of birds. It can be transmitted to and cause disease in other animals and people.

West Nile virus “off-season”: The period of time (usually November to April) marked by little or no mosquito activity, and no West Nile virus transmission.

West Nile virus “season”: The period of time (usually May to October) marked by high mosquito activity and West Nile virus transmission.

Zumba™ Mosquito Trap: A mosquito trap. Trap design and appearance, the BG-Lure, and CO₂ (produced by dry ice) draw host-seeking mosquitoes to the trap. A fan located below an intake tube sucks the mosquitoes into a collection bag. The fan is powered by a 12-volt battery. This type of trap collects mosquitoes attracted to hosts (which exhale CO₂ when they breathe). This trap is good at collecting *Culex* mosquitoes as well as *Aedes albopictus*.

Acknowledgments

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Parts of this plan are modeled after plans of the Centers for Disease Control and Prevention (CDC); the Virginia Department of Health (VDH); the Metropolitan Washington Council of Governments (MWCOCG); the American Mosquito Control Association (AMCA) and the Chicago Department of Public Health's (CDPH) 2003 WNV report. Recommendations and guidance were also obtained from a document issued by The Association of State and Territorial Health Officials (ASTHO).

AMCA

Best Management Practices for Integrated Mosquito Management
www.mosquito.org/news/news-detail.aspx?id=486

CDC

Epidemic/Epizootic West Nile virus in the United States: Revised guidelines for surveillance, prevention and control
www.cdc.gov/ncidod/dvbid/westnile/resources/wnv-guidelines-aug-2003.pdf

VDH

Virginia Arbovirus Surveillance & Response Plan, 2005
<http://www.vdh.virginia.gov/epidemiology/DEE/Vectorborne/responseplan/index.htm>

MWCOG

West Nile Virus Response Plan for the National Capital Region
www.mwcog.org/uploads/pub-documents/BFZd20040109135919.pdf

CDPH

West Nile Virus 2006 Interim Report and Comprehensive Prevention Plan for 2007
http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/WestNilePlan.pdf

ASTHO

Public Health Confronts the Mosquito: Developing Sustainable State and Local Mosquito Control Programs; Interim Recommendations of the National Mosquito Control Collaborative
<http://www.astho.org/WorkArea/DownloadAsset.aspx?id=2333>

Appendix 1

Disease Carrying Insects Program (DCIP) Integrated Mosquito Management Plan⁴

Integrated Pest Management (IPM) was first conceived as a means of achieving sustained, effective control of agricultural pests through concomitant employment of a wide range of control methodologies. IPM has been in widespread usage for many years and its success as a general strategy has led to usage of the term to describe an increasing number of approaches to control strategies — often leading to misunderstanding of its actual conceptual framework. To clarify the concept in terms of its relationship to the unique nature of mosquito prevention/control methodologies, we use the term Integrated Mosquito Management (IMM) in lieu of IPM.

Integrated Mosquito Management is a comprehensive mosquito prevention/control strategy that utilizes all available mosquito control methods singly or in combination to exploit the known vulnerabilities of mosquitoes in order to reduce their numbers to tolerable levels while maintaining a quality environment. IMM does not emphasize mosquito elimination or eradication. Integrated mosquito management methods are specifically tailored to safely counter each stage of the mosquito life cycle. Prudent mosquito management practices for the control of immature mosquitoes (larvae and pupae) include such methods as the use of biological controls (native, noninvasive predators), source reduction (water or vegetation management or other compatible land management uses), water sanitation practices as well as the use of EPA-registered larvicides. When source elimination or larval control measures are not feasible or are clearly inadequate, or when faced with imminent mosquito-borne disease, application of EPA-registered adulticides by applicators trained in the special handling characteristics of these products may be needed. Adulticide products are chosen based upon their demonstrated efficacy against species targeted for control, resistance management concerns and minimization of potential environmental impact.

IMM requires a thorough understanding of mosquitoes and their bionomics by control personnel; careful inspection and monitoring for their presence and conditions favoring their development; and prevention of oviposition and human/mosquito contact through effective public education, sanitation and facility maintenance. The Disease Carrying Insects Program strives to employ these IMM components to the extent possible, but resource availability may limit what the program will do.

All intervention measures will be driven by a demonstrated need based on surveillance data and action thresholds as defined in the DCIP Annual Report and Plan of Action.

INTRODUCTION

⁴ Modified from the AMCA's BMP for IMM document at <http://www.mosquito.org/secure/upload/articles/BMPsforMosquitoManagement.pdf> accessed 12/10/10

Since the need for mosquito control was recognized as a critical component of public health initiatives in the early twentieth century, increased knowledge of mosquito biology has driven the formulation of a variety of methodologies designed to successfully reduce both mosquito nuisance levels and mosquito-borne disease transmission. As the technologies and knowledge base from which these methodologies were derived have matured, they have been increasingly seen as mostly complementary or synergistic in nature, providing optimal control as part of an overall strategy. This has ultimately evolved into a strategy termed Integrated Mosquito Management (IMM). IMM has been developed to encourage a balanced usage of cultural and insecticidal methodologies and habitat manipulations in order to maximize control while minimizing adverse environmental impacts. IMM is knowledge-based and surveillance-driven, and when properly practiced is specifically designed to accomplish the following:

1. Protect human, animal and environmental health.
2. Promote a rational use of pesticides.
3. Reduce environmental contamination to soil, ground water, surface water, pollinators, wildlife and endangered species as a result of mosquito control activities.
4. Utilize biological controls (native, noninvasive predators) to conserve and augment other control methods.
5. Utilize source reduction (elimination, removal or reduction of larval mosquito habitats) where practical and prudent.
6. Use target specific pesticides at the lowest effective rates to the extent possible.
7. Emphasize the proper timing of applications.
8. Minimize pesticide resistance problems.

All mosquito control programs, including the DCIP mosquito control program are unique to their respective jurisdictions in terms of human population, topography, hydrology, and the bionomics of the mosquito species. Considerable judgment will be exercised in allocation of resources to extract the maximum benefit for both the citizens and the environment. It must be emphasized that program funding and other extrinsic factors will dictate the extent to which the DCIP will implement the Best Management Practices (BMPs) described herein.

To assist in this calculation, we will outline a series of BMP program elements that constitute a fully integrated approach to mosquito management. These BMPs will be viewed as minimums that will be performed in concert with the Virginia Pollutant Discharge Elimination System (VPDES) general permit that will be issued for mosquito control activities falling within the scope of Clean Water Act (CWA) requirements.

The extent and manner to which DCIP will meet or exceed these BMPs will be ultimately based on the best professional judgment of program personnel, occasionally in consultation with other County agencies and government authorities in addition to resources available. It is important to emphasize that adherence to these BMPs to the maximum extent practicable is to be considered the necessary minimum to undertake or

perform for purposes of regulatory compliance with VPDES general permit for mosquitoicide use.

Best Management Practices for Mosquito Management

Best Management Practices (BMP) will be the fundamental approach to mosquito management in Fairfax County. It is acknowledged that the DCIP does not have the resources to practice all of the specific sub-elements discussed herein, and it will draw on other County agencies or Contractors as deemed necessary to do so. The DCIP will strive to adhere to these BMPs to the maximum extent practicable and will maintain documentation (see attached DCIP Plan to Employ the Nine BMP Components of the Pesticide Discharge Management Plan (PDMP) as Part of the Operative VPDES Permit) as to how we intend to employ the BMP components listed below in a Pesticide Discharge Management Plan (PDMP) as part of the operative NPDES permit.

1. Surveillance — Surveillance is the backbone of all IMM programs. It identifies problem mosquito species and their population trends in order to direct and evaluate control methods.
 - a. Determine species to ensure that the most appropriate control methodologies are chosen.
 - i. Visually check jurisdiction for potential oviposition habitat and larval populations present that could contribute to unacceptable adult mosquito populations and determine if larval control is appropriate within established parameters.
 1. Park Areas - swamps, marshes, woodland pools, flooded fields/pastures, roadside ditches, storm water retention ponds, tree holes, etc.
 2. Urban - flower pots, tires, trash containers holding water, gutters, tree holes, septic ditches, roadside ditches, lawn swales, non-functional swimming pools, stagnant bird baths, street catch basins, junk yards, depressions in tarp covers, etc.
 - ii. Determine population levels of adult mosquitoes using professionally acceptable techniques, including service requests, trap or collection data, to establish needs for action.
 - b. Monitor fluctuations in mosquito populations.
2. Mapping — Utilize maps of appropriate scale to continually monitor major sources of larval/adult mosquitoes in addition to documenting areas where control measures have been instituted. These maps will define treatment areas and can be used as appropriate in the PDMP.
3. Set Action Thresholds — Decisions to initiate control measures will be based on the analysis of either larval or adult mosquito surveillance or other available field data. Programs must establish a mechanism on which decisions to institute control measures are based.
 - a. Determine which methodology shall be used to determine if and when control measures are instituted.

- i. For control of immature stages of mosquitoes, this methodology can consist of numbers of larvae and pupae observed in dip counts or observation of their presence in water sources.
- ii. For adult mosquito control this methodology can consist of
 - 1. Number and pattern of citizen's service requests.
 - 2. Visual — numbers of mosquitoes landing on inspector/applicator within one-minute periods while performing duties. Performance of landing rate counts is not advised in the County due to mosquito-borne disease activity.
 - 3. Counts of adult female mosquitoes collected.
- b. DCIP has determined threshold values that trigger routine control measures. These values are meant to be for guidance only due to the myriad other factors that can influence when control operations are instituted — particularly in incipient disease scenarios or mosquito-borne disease prevention.
- 4. Physical Control or Source Reduction — Source reduction (the elimination, removal or modification of larval mosquito habitats) typically is the most effective and economical long-term method of mosquito control, but this may not be practicable for many larval habitats. Source reduction can be as simple as overturning a discarded bucket or disposing of a waste tire or as complex as habitat modification through Open Marsh Water Management techniques. These efforts often minimize and/or eliminate the need for mosquito larviciding in the affected habitat in addition to greatly reducing the need for adulticiding in nearby areas.
 - a. Determine feasibility of removing or modifying oviposition sites.
 - b. Encourage proper water management by public/private agencies responsible for storm water retention/detention structures and ditch and impoundment maintenance.
 - c. Maintain familiarization with jurisdiction health nuisance abatement policy.
- 5. Biological Control — Biological control methodologies are often resource-intensive and have not been found to be practicable in Fairfax County. Nonetheless, their utilization will be held in reserve in case the need ever appears.
 - a. Even stocking of certain species of native, non-invasive fish known to be predators of mosquito larvae is not readily allowed by the Virginia Department of Game and Inland Fisheries, particularly in waterways where they don't occur, even though they occur in adjacent water sources.
 - b. Utilization of bats, birds, dragonflies and other putative predators of mosquitoes can be both ecologically problematic and ineffective as a primary control strategy and is therefore not recommended as a major component of any control strategy.
- 6. Public Health Mosquitocides — handling, disposal, personal protective measures and applications must be made in full accordance with product label specifications.
 - a. Larvicides — Often may be the primary control method in natural or man-made wetlands (salt marshes or tidal wetlands, riverine bottomlands, woodland pools, freshwater marshes, meadow swales, roadside ditches, stormwater management ponds, etc.). These can also be a primary control method in locations where mosquito populations are determined to be arising from defined, concentrated

sources in urban areas or in close proximity to houses. Due to continual influx of adult mosquitoes from outlying areas, larviciding programs may have limited visible effect on mosquito populations in jurisdictions lacking resources to adequately larvicide outlying production areas.

i. Several materials in various formulations registered by EPA are labeled for mosquito larviciding. Choice of active ingredient and formulation chosen will depend on site-specific factors and resistance management, and may include:

1. Biological larvicides

a. Microbial larvicides

b. Growth regulators and chitin synthesis inhibitors

c. Alcohol-derived monomolecular surface films

2. Chemical larvicides

a. Organophosphates

b. Oils — petroleum and mineral-based

ii. Larvicides will minimize impacts to non-target organisms. Larvicide formulations (e.g., liquid, granular, solid) must be appropriate to the habitat being treated, accurately applied and based on surveillance data or preemptively applied to known oviposition sites.

iii. Larvicide application equipment will be calibrated and maintained per equipment manufacturer's specifications and timetable, or per instructions from product registrant.

b. Adulticides — Adulticides are applied so as to impinge upon the mosquito target in flight or at rest on vegetation. Adulticiding based on surveillance data is an extremely important part of any IMM program, and may form the primary treatment method for many programs where comprehensive larviciding is not practical.

Adulticides are typically applied as an Ultra-Low-Volume (ULV) spray where small amounts of insecticide are dispersed by aircraft or truck-mounted equipment. Adulticides may also be applied via "thermal fogs", utilizing heat to atomize droplets. Adult mosquitoes may also be targeted by "barrier treatments", which involve application of a residual insecticide to vegetation where mosquitoes are known to rest.

i. Adulticides will only be applied when established spray thresholds have been exceeded.

ii. Non-residual adulticides applied to the air column in order to impinge upon mosquitoes in flight will only be applied when the target species is active.

iii. Adulticides will be applied strictly according to label specifications. This will produce minimal effects on non-target organisms and promote efficacy. Adulticides will not be applied in rainy or windy conditions.

iv. Adulticides will only be applied by personnel trained or certified in their usage and handling, or when operating under the supervision of an individual having met the necessary certification requirements.

v. Adulticides labeled for mosquito control in part may include:

1. Organophosphates
 2. Natural pyrethrins
 3. Pyrethroids
 4. Pyrethroid derivatives
- vi. Adulticides will be applied at label rates that are efficacious as determined by monitoring. Applying doses lower than those that provide adequate control can in fact result in the need for additional adulticide treatments and might encourage development of insecticide resistance.
- c. Adulticide application equipment will be calibrated and maintained per equipment manufacturer's specifications and timetable, or per instructions from the product registrant to ensure performance meets product label specifications.
7. Monitoring for Efficacy/Resistance — Resistance management techniques attempt to minimize the risk of mosquitoes becoming resistant to the existing chemicals and will be practiced in even basic programs.
- a. Basic resistance management techniques can include:
 - i. Utilizing physical control/source reduction and biological control methodologies to the maximum extent practicable.
 - ii. Avoiding the use of the same class of chemical against both immature and adult mosquitoes.
 - iii. Applying pesticide at the rate recommended on the label. Do not underdose.
 - iv. Utilizing a different chemical class at the beginning and end of treatment season.
 - v. Assessing susceptibility at the beginning and sometime during the mosquito season.
 - b. Resistance management can also involve utilizing surveillance methods following larvicide or adulticide applications to continually check for control efficacy.
8. Education & Community Outreach — IMM is knowledge-based and involves a concerted effort by both control personnel and the community to manage mosquito populations based upon informed decision-making.
- a. Education of the general public will be encouraged to enlist resident's support in disposing of (or modifying) oviposition habitat, proper screening methods and proper application of personal protective measures such as repellents to minimize human/mosquito contact.
 - b. Mosquito control programs will keep their constituents informed of surveillance and control activities to the maximum extent practicable.
 - c. Mosquito control personnel are strongly encouraged to maintain and upgrade their professional knowledge through continuing education training and/or attendance at professional conferences.
9. Record-keeping — Operators/applicators will record the following for each application and maintain the records for the time specified by the lead regulatory agency:
- a. Applicator's name, address and pesticide applicator certification number (if applicable)
 - b. Application date and time of day

- c. Product name and EPA registration number
- d. General location of application and approximate size of area treated
- e. Amount of material applied
- f. Rate of application

DCIP Plan to Employ the Nine BMP Components of the Pesticide Discharge Management Plan (PDMP) as Part of the Operative VPDES Permit

1. Surveillance

a. Surveillance methods chosen.

i. Visually check for larval habitats and larval populations and determine if larval control is appropriate. Ovitrap may be used in specific occasions.

1. County Property – treatment of Park areas will only be carried out in total coordination with the Fairfax County Park Authority.

2. Private Property - residents will be encouraged to identify habitats and larval populations on their property, DCIP staff will assist upon request.

ii. Relative abundance of population levels of adult mosquitoes will be determined using one or more of the following trap types: CDC miniature light traps, gravid traps, BG-Sentinel trap, Zumba traps, Faye-Prince traps or other novel traps.

B. Adult mosquito population fluctuations will be determined using traps in ~70 selected collecting sites throughout the County that have been used since 2004.

i. Species composition

ii. Species density

iii. Mosquito testing

iv. Infection rate calculation

v. Vector index calculation

vi. Human WNV case registration

2. Mapping: In collaboration with the GIS section of the Division of EH, maps will be prepared to monitor major sources of larval/adult mosquitoes and to document areas where control measures have been instituted. Maps will help define treatment areas and can be used as appropriate in the PDMP.

3. Action Thresholds

a. Methodology

i. For control of immature stages

- Per dip
- Visual observation

ii. For adult mosquitoes

- Per trap period (including trap type)
- Infection rate
- Human cases of WNV

b. Threshold values that trigger routine control measures.

i. For control of immature stages:

- An average of three immature forms per dip (with a minimum of three dips) in non-container habitats or

- The presence of immatures in artificial containers
- ii. For adult mosquito control this methodology has been defined in the “Plan of Action” as follows:

- **Level 0**

Definition: Fall/winter; vector inactive, climate unsuitable for WNV transmission.

Response: Prepare material and equipment for the upcoming WNV season. Surveillance and control programs continue as outlined in the County’s Surveillance and Control Plan. Identify locations where source reduction activities can be applied; secure surveillance and control resources necessary to enable response to WNV activity; initiate community outreach and public education programs; enhance communication with surrounding jurisdictions; recruit and train new staff; communicate with and educate large property owners of the importance of source reduction in areas such as cemeteries, golf courses, country clubs; communicate status of WNV activity to Director of the Health Department, the Board of Supervisors and the public, as the WNV season starts.

- **Level 1**

Definition: Spring/summer/fall; anticipating WNV activity based on previous activity in region. No current surveillance findings indicating WNV activity in the area.

Response: Respond as in level 0, plus: continue and enhance source reduction; conduct larval control in identified breeding habitats where source reduction is not possible (emphasis will be placed on known *Culex* species breeding sites); continue community outreach and public education; begin monitoring avian mortality; work with other County departments on source reduction and mosquito control activities; initiate catch basin treatment rounds.

- **Level 2**

Definition: Spring/summer/fall; initial, sporadic or limited WNV activity in birds and/or mosquitoes.

Response: Respond as in level 1, plus: increase larval control activities; continue source reduction in cooperation with other County departments; and increase public education, emphasizing personal protection measures, particularly the use of products containing DEET, Picaridin, IR-3535 or oil of lemon eucalyptus. Enhance human surveillance and activities to quantify epizootic activity (e.g. mosquito trapping and testing) in areas of concern. Consider recommending to the public that they decrease outdoor activities when mosquitoes are biting.

- **Level 3**

Definition: Spring/summer/fall; initial confirmation of WNV in a human or a horse, or moderate WNV activity in birds and/or mosquitoes.

Response: Respond as in level 2, plus: expand public information programs (repellent use, personal protection, source reduction, risk communication about adult mosquito control program); prepare to implement adult mosquito control, if surveillance findings indicate the likely potential for human risk to persist or increase.

• **Level 4**

Definition: Spring/summer/fall; surveillance findings indicate high risk of human infection, (e.g. high or clusters of dead bird densities, high mosquito infection rates and vector index, multiple positive mosquito species, horse or other mammalian cases indicating increasing epizootic transmission, or a human case and high levels of epizootic activity) and abundant adult vectors.

Response: Respond as in level 3, plus: continue active surveillance for human cases; make final arrangements to implement adult mosquito control program in areas of potential human risk. The use of adulticides will be used in a limited manner as needed.

• **Level 5**

Definition: Spring/summer/fall; marked increase of confirmed multiple WNV cases in humans and conditions favoring continued transmission to humans.

Response: Respond as in level 4, plus: implement or intensify emergency adult mosquito control program; monitor effectiveness of adulticiding on target mosquito populations; coordinate adult mosquito control activities with surrounding jurisdictions. The FCHD activities related to adulticiding will include the following:

- CDC and gravid traps will be used in the treatment area if additional surveillance data are required.
- The FCHD will work with state entomologist and/or CDC personnel, as well as the contractor, to design and implement feasible measures to monitor the efficacy of the adulticiding activities.
- The public will be notified of adulticide schedules in advance. This will allow residents with special health concerns sufficient time to take any precautions to reduce pesticide exposure (see Public Education and Community Outreach).
- Hospitals will be notified regarding the adulticiding schedule. Information on the pesticide used will be provided to the public, physicians, and other health care providers.

- Adult mosquito control will be scheduled when mosquitoes are active and weather conditions are conducive to its success.
 - Information will be released, in advance, through the media, the FCHD WNV Web page, and through news releases, the MSMS, as well as pertinent County and community.
4. Physical Control or Source Reduction
 - a. Removing or modifying oviposition sites.
 - b. Encourage proper storm water management practices.
 5. Biological Control
 - a. None foreseen.
 6. Public Health Mosquitocides.
 - a. Larvicides
 - i. Biological larvicides
 - a. Microbial larvicides
 1. *Bacillus thuringiensis israelensis* (*Bti*)
 2. *Bacillus sphaericus* (*Bs*)
 3. Spinosad
 - b. Growth regulators and chitin synthesis inhibitors
 1. (S)-Methoprene
 - c. Alcohol-derived monomolecular surface films
 1. Monomolecular films
 - ii. Chemical larvicides
 - a. Larvicidal oils
 - b. Temephos
 - b. Adulticides
 - i. Adulticides will only be used with authorization from the County Executive.
 - ii. Adulticides will only be applied when thresholds have been exceeded.
 - iii. Non-residual adulticides applied to the air column will only be applied when the target species is active.
 - iv. Adulticides will be applied according to label specifications.
 - v. Adulticides will not be applied in rainy or windy conditions.
 - vi. Adulticides will only be applied by trained or certified personnel.
 - vii. Adulticides labeled for mosquito control in part may include:
 1. Pyrethrins
 2. Pyrethroids, Pyrethroid Derivatives Permethrin
 - viii. Adulticides will be applied at label rates.
 - c. Adulticide application equipment will be calibrated and maintained per specifications and timetable.
 7. Monitoring for Efficacy/Resistance.
 - a. Basic resistance management techniques will include:
 - i. Utilizing physical control/ source reduction and biological control methodologies to the maximum extent practicable.

- ii. Not using the same class of chemical against both immature and adult mosquitoes.
 - iii. Applying pesticide at the rate recommended on the label.
 - v. Assessing susceptibility when deemed necessary by the resident entomologist.
 - b. Utilizing surveillance methods following larvicide or adulticide applications.
- 8. Education & Community Outreach.
 - a. The public will be encouraged to enlist resident's to dispose of (or modifying) oviposition habitat, and proper application of repellents.
 - b. Inform constituents of surveillance and control activities.
 - c. Maintain and upgrade personnel's knowledge.
 - d. Outreach and Educational material will be evaluated yearly and updated as necessary
 - e. Material will be produced annually
 - i. 18-month Calendar
 - ii Children's reader
 - iii Reprinting material as necessary.
- 9. Record-keeping.
 - a. Applicator's name, address and pesticide applicator certification number (if applicable)
 - b. Application date and time of day
 - c. Product name and EPA registration number
 - d. General location of application and approximate size of area treated
 - e. Amount of material applied
 - f. Rate of application

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Board Agenda Item
April 26, 2011

ACTION - 5

Approval of the Proposed Consolidated Plan One-Year Action Plan for FY 2012

ISSUE:

Final action by the Fairfax County Board of Supervisors on the Proposed Consolidated Plan One-Year Action Plan for FY 2012 as issued by the Consolidated Community Funding Advisory Committee (CCFAC).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (1) adopt the Proposed Consolidated Plan One-Year Action Plan for FY 2012 as issued by the CCFAC with funding allocations outlined below; and (2) authorize signature of the Consolidated Plan Certifications and Federal funding application forms (SF424s) required by HUD by May 13, 2011.

TIMING:

Board action is requested on April 26, 2011, in order to maintain the schedule for the Consolidated Plan process, which is included as Appendix C in the revised Proposed Consolidated Plan One-Year Action Plan for FY 2012, and to ensure timely submission of the Plan to HUD.

BACKGROUND:

The revised Proposed Consolidated Plan One-Year Action Plan for FY 2012 (One-Year Action Plan for FY 2012) has been issued by the CCFAC for approval by the Board of Supervisors. The One-Year Action Plan for FY 2012 contains the proposed uses of funding for programs to be implemented in the second year of the Five-Year Consolidated Plan for FY 2011-2015. An annual action plan is required by the U.S. Department of Housing and Urban Development (HUD) for the four federal programs: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). In addition, the document describes the Continuum of Care for homeless services and programs in the Fairfax community, and the Consolidated Community Funding Pool (CCFP). The One-Year Action Plan for FY 2012 will include the second year of the two-year FY 2011-2012 funding cycle for the CCFP. The CCFP was established by the Board and provides funding for community-based programs by nonprofit organizations through a competitive solicitation process.

Board Agenda Item
April 26, 2011

The One-Year Action Plan for FY 2012 also includes the public and private resources available for housing and community development activities, and the CCFP funding priorities adopted by the Board. In accordance with federal requirements, the One-Year Action Plan for FY 2012 contains several certifications, including drug-free workplace, affirmatively furthering fair housing, prohibition of excessive force, and lobbying requirements, which will be signed by the County Executive following Board approval of the Plan.

Federal regulations issued by HUD governing the Consolidated Plan require jurisdictions to complete an analysis of impediments to fair housing choice. In June 1997, the Board of Supervisors adopted the Fairfax County Fair Housing Analysis of Impediments (AI). The Fairfax County Board of Supervisors adopted a Fair Housing Plan on July 26, 1999, and an amended Plan in 2007, to address impediments to fair housing choice within Fairfax County. The Fairfax County Office of Human Rights and Equity Programs is the agency responsible for implementation and oversight of fair housing activities initiated by Fairfax County.

A revised AI is being brought before the Board for its April 26, 2011 meeting as a separate Item. The One-Year Action Plan for FY 2012 includes follow-up activities to be conducted to address impediments to fair housing.

The funding levels incorporated in the One-Year Action Plan for FY 2012 were based on the funding levels of FY 2011 since formal notification from HUD of actual grant levels has not been received. Total entitlement funding anticipated of \$9,798,513 has been recommended in this item: for CDBG – Fund 142 (\$6,463,133), HOME – Fund 145 (\$2,692,612), ESG (\$262,768), and HOPWA (\$380,000). In addition, reallocated funds of prior year monies of \$4,199,896 have also been recommended as well as total program income anticipated of \$260,000: for CDBG – Fund 142 (\$230,000) and HOME – Fund 145 (\$30,000). If significant funding cuts are made to these programs (in excess of 10%), the CCFAC understands that staff would assess the impact on the proposed funding. The CCFAC would like the opportunity to reconsider its recommendations, to reactivate the CCFAC/Fairfax County Redevelopment and Housing Authority (FCRHA)/Working Advisory Group, the group that developed funding recommendations for consideration by both the CCFAC and the FCRHA, and to work with the FCRHA to propose revised CCFAC recommendations to the Board. Adjustments will be brought back to the Board for review and approval.

The Proposed One-Year Action Plan for FY 2012 was made available and was circulated for review and comment by citizens, service providers and other interested parties during the formal public comment period which ended with a public hearing at the Board of Supervisors on March 29, 2011. Following the public hearing and the public comment period, the CCFAC considered all comments received on the Proposed

Board Agenda Item
 April 26, 2011

One-Year Action Plan for FY 2012 and forwards its recommendation to the Board in this Item for final action on April 26, 2011.

Since the release of the Proposed One-Year Action Plan for FY 2012 for public comment, staff of the Department of Housing and Community Development (HCD) informed the CCFAC of an adjustment needed to ensure full funding to nonprofits participating in the HCD FY 2011-2012 Community Housing Development Organization (CHDO) Request for Proposals (RFP). The advised course of action approved by the CCFAC involved \$336,344 prior year HOME funds being transferred to the CHDO-Set Aside activity. This will allow the CHDO RFP awards to be made in a timely manner this year.

To accomplish this, \$336,344 in HOME funds will be exchanged for CDBG funds for the Non-Profit Affordable Housing Project – Blueprint activity. These funds will come from the North Hill Project. The North Hill Project was proposed to be funded at \$730,286 in CDBG funds. A portion of that amount, from Accessibility Modifications/FCRHA Properties (\$336,344) is the amount being transferred to the Non-Profit Affordable Housing Project – Blueprint activity. FY 2012 CDBG funding in the amount of \$393,942 remains recommended for the North Hill Project and is adequate for existing predevelopment activity. Construction is not expected to commence until Spring 2012.

The new proposed use of funds identified in the One-Year Action Plan for FY 2012 is summarized below. A description for each activity is provided in the attached One-Year Action Plan for FY 2012.

<u>CDBG Funds</u>	<u>FY 2012 Grant</u>	<u>Reallocated Prior Year Funds</u>	<u>Total</u>
Payments on Section 108 Loans	\$1,681,367		\$ 1,681,367
Home Repair for the Elderly Program	\$ 275,000		\$ 275,000
Relocation Program	\$ 296,560		\$ 296,560
Homeownership Program	\$ 408,674		\$ 408,674
Fair Housing	\$ 57,514	\$ 75,000	\$ 132,514
<i>Completed Public Improvements in Conservation Areas</i>		(\$ 61,000)	
<i>Revitalization</i>		(\$ 14,000)	
Planning (Programs and Compliance)	\$ 475,921		\$ 475,921
General Administration	\$ 677,791		\$ 677,791
Affordable Housing Fund (Consolidated Community Funding Pool (CCFP))	\$1,113,445		\$ 1,113,445
Non-Profit Affordable Housing Project – Blueprint		\$ 836,344	\$ 836,344
<i>Affordable Housing Fund (Prior Year CCFP)</i>		(\$ 417,865)	
<i>Completed Public Improvements in Conservation Areas</i>		(\$ 82,135)	

Board Agenda Item
April 26, 2011

<i>Accessibility Modifications/FCRHA Properties</i>		(\$ 336,344)	
Targeted Public Services - CCFP (@maximum 15% of CDBG grant)	\$ 969,469		\$ 969,469
Senior/Disabled/Homeless Housing Contingency	\$ 146,342	\$ 112,915	\$ 259,257
<i>Revitalization</i>		(\$ 25,000)	(\$ 68,205)
<i>Housing Development Corporation</i>		(\$ 19,710)	
North Hill Project	\$ 161,050	\$ 232,892	\$ 393,942
<i>Accessibility Modifications/FCRHA Properties</i>		(\$ 163,656)	
<i>Completed Public Improvements in Conservation Areas</i>		(\$ 69,236)	
Rehabilitation of FCRHA Properties	<u>\$ 200,000</u>		<u>\$ 200,000</u>
TOTAL	\$6,463,133	\$ 0	\$ 7,720,284

<u>HOME Funds</u>	<u>FY 2012 Grant</u>	<u>Reallocated Prior Year Funds</u>	<u>Total</u>
Non-Profit Affordable Housing Project – Blueprint	\$ 590,324	\$1,243,250	\$ 1,833,574
<i>Silver Lining Initiative</i>		(\$1,243,250)	
New Down Payment Assistance Program	\$ 950,000		\$ 950,000
TBRA – PROGRESS Center Reasonable Accommodations and Emergencies	\$ 104,305		\$ 104,305
Tenant Based Rental Assistance (TBRA) Homeless Prevention, Partnership for Permanent Housing, Non-elderly Disabled	\$ 373,327	\$ 376,673	\$ 750,000
<i>TBRA - Partnership for Permanent Housing and Homeless</i>		(\$ 376,673)	
CHDO Set-Aside	\$ 403,892	\$ 336,344	\$ 740,236
<i>Silver Lining Initiative</i>		(\$ 336,344)	
HOME Administration	\$ 246,337		\$ 246,337
Fair Housing	\$ 24,427		\$ 24,427
Rehabilitation of FCRHA Properties		\$ 950,000	\$ 950,000
<i>Silver Lining Initiative</i>		(\$ 950,000)	
Senior/Disabled/Homeless Housing		\$ 36,478	\$ 36,478
<i>HOME Development Costs</i>		(\$ 36,478)	
TOTAL	<u>\$2,692,612</u>	<u>\$ 0</u>	<u>\$ 5,635,357</u>

Based on program income during FY 2010 and part of FY 2011, \$230,000 in CDBG program income is estimated for FY 2012 and \$30,000 is estimated for HOME in FY 2012. Of the \$230,000 estimated in CDBG program income, \$70,000 is recommended for the North Hill Project, \$25,000 for Fair Housing, and the remaining balance,

\$135,000, for Senior/Disabled/Homeless Housing. The \$30,000 estimated in HOME program income is recommended for Senior/Disabled/Homeless Housing. Based on HUD requirements that program income be expended before drawing down entitlement funds from HUD, program income received may be applied to any approved CDBG or HOME activity that the County is implementing.

Emergency Shelter Grant (ESG) **\$ 262,768**

The ESG funds will be used to support part of the operating cost of six County shelters. Depending upon the fiscal year for which new requirements pending under the federal Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) take effect, a portion of the FY 2012 ESG funds may need to be designated for prevention services. Under the terms of the HEARTH Act, ESG will become the Emergency Solutions Grant and at least 40% of the funding must be used for prevention services.

Housing Opportunities for Persons with AIDS (HOPWA) **\$ 380,000**

This is the thirteenth year that the CCFP has been included in the Consolidated Plan One-Year Action Plan. Beginning with FY 2000, the former Community Funding Pool and the CDBG Affordable Housing funds and Targeted Public Services funds were merged into a single Consolidated Community Funding Pool. The CCFP consolidates the solicitation and award processes by establishing a single application process with a common set of funding priorities and proposal evaluation criteria for programs of community-based nonprofit organizations.

The funding available through the CCFP is allocated bi-annually through a competitive Request for Proposals process. The County Executive appoints a Selection Advisory Committee of citizens to review and rank applications received and make funding recommendations to the Board, which makes the final project funding awards. The One-Year Action Plan for FY 2012 will cover the second year of projects for the two-year funding cycle (FY 2011 – 2012).

The following are estimated amounts that will be available for the CCFP for FY 2012:

*CDBG Affordable Housing Funds	\$ 1,113,445
*CDBG Targeted Public Services Funds	\$ 969,469
**Federal and State Community Services and Block Grant (CSBG) Funds	\$ 390,157
**County General Funds	<u>\$ 8,580,530</u>
Total Proposed CCFP Funding:	\$11,053,601

*CDBG Affordable Housing Funds and CDBG Targeted Public Services Funds totaling

Board Agenda Item
April 26, 2011

\$2,082,914 estimated to be available for the CCFP are a part of the total \$6,463,133 in FY 2012 CDBG funds incorporated in the One-Year Action Plan for FY 2012.

**These amounts are based on the FY 2011 County budget and will be revised subject to the final federal entitlement amounts for the CSBG program and the appropriation of local General Funds by the Board for FY 2012.

The One-Year Action Plan for FY 2012 also contains a policy recommendation applicable to the Rehabilitation of FCRHA Properties project. In prior years, restrictions had been placed on the use of these funds, limiting them to the rehabilitation of housing and facilities only for persons with physical or mental disabilities. Many of the FCRHA properties contain a mix of residents who may or may not have a disability. Because those properties do not contain 100% of residents with disabilities, prior year funds designated under the Rehabilitation of FCRHA Properties project could not be used on needed improvements at various FCRHA properties. Further, these unused funds impact the required timely expenditure of funds under CDBG and HOME. Lifting the restriction on the use of these funds provides the FCRHA with more flexibility to address improvement needs at FCRHA properties and will enable more timely expenditure of HUD funds. In approving the One-Year Action Plan for FY 2012, the Board would lift the restrictions for the funds used for this project/activity for an estimated \$821,438.

FISCAL IMPACT:

Funding levels incorporated in the One-Year Action Plan for FY 2012 were based on the funding levels of FY 2011 since formal notification from HUD of actual grant levels has not been received. Total entitlement funding anticipated of \$9,798,513 has been recommended in the One-Year Action Plan for FY 2012 for CDBG – Fund 142 (\$6,463,133), HOME – Fund 145 (\$2,692,612), ESG (\$262,768), and HOPWA (\$380,000). In addition, reallocation of funds from prior year monies of \$4,199,896 has also been recommended as well as total program income anticipated of \$260,000: for CDBG – Fund 142 (\$230,000) and HOME – Fund 145 (\$30,000). If significant funding cuts are made to these programs (in excess of 10%), adjustments will be brought back to the Board for review and approval.

Funding for the HOPWA Program is estimated and actual funding will depend on the final allocation made available to Northern Virginia jurisdictions through the Northern Virginia Regional Commission and the District of Columbia, recipient of the funds. The CSBG and County General Funds for the CCFP are based on the FY 2011 County budget and will be revised subject to the final federal entitlement amounts for the CSBG program and the appropriation of local General Funds by the Board for FY 2012.

Board Agenda Item
April 26, 2011

ENCLOSED DOCUMENTS:

The Proposed One-Year Action Plan for FY 2012 is available on line at
<http://www.fairfaxcounty.gov/rha>

STAFF:

Patricia D. Harrison, Deputy County Executive

Paula C. Sampson, Director, HCD

John Payne, Deputy Director, Real Estate and Development, HCD

Aseem K. Nigam, Director, Real Estate Finance and Grants Management Division, HCD

Robert C. Fields, Interim Associate Director, Grants Management, HCD

Stephen E. Knippler, Senior Program Manager, Grants Management, HCD

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Board Agenda Item
April 26, 2011

ACTION – 6

Approval of Bond Resolution, Approval of Amendments to Mosaic District Community Development Authority — CDA Bylaws, and Endorsement of Special Assessment Report (Providence District)

ISSUE:

Board approval of documents related to the issuance of bonds by the Mosaic District Community Development Authority (CDA) to finance construction of public improvements for the Mosaic development under construction in Merrifield.

RECOMMENDATION:

The County Executive recommends that the Board adopt the Bond Resolution (Attachment 1), approve the amendments to the CDA bylaws approved by the CDA Board (Attachment 2), and endorse the Special Assessment Report (Attachment 3).

TIMING:

The Board should take action on April 26, 2011, in order to proceed with the sale of CDA bonds by the end of May 2011.

BACKGROUND:

The Mosaic development is a planned mixed-use development including retail, hotel, office, and residential uses. It currently is estimated that it will cost approximately \$136 million to construct necessary public improvements in the District. Among the public improvements needed to develop the project as contemplated by the approved zoning are structured parking, the realignment and widening of Eskridge Road, an internal road and sidewalk network, storm water drainage facilities, and two parks (the Public Improvements). The Mosaic District is being developed by Edens & Avant and related entities, including Eskridge (E&A) LLC and Eskridge Properties (E&A) LLC (individually or collectively the Developer).

In order to create a vehicle to pay for up to \$72 million of the cost of constructing the Public Improvements, the Board of Supervisors created the CDA on April 27, 2009, pursuant to Title 15.2, Chapter 51 of the Code of Virginia 1950, as amended, by adopting a new Appendix P to the County Code (the Ordinance), and on April 27, 2010, adopted certain amendments to that Ordinance. With the exception of Eskridge Road, which will be put into the Commonwealth's road system and owned by VDOT, the CDA will have easement rights for a term of years in the land used for the Public Improvements, and will

Board Agenda Item
April 26, 2011

own the Public Improvements themselves in fee for a term of years, with the CDA's property rights generally expiring at a specified time after the end of the useful life of the Public Improvements.

The Board of Supervisors and the CDA Board previously have approved two agreements among the County, CDA, and Developer. The Memorandum of Understanding entered into as of May 12, 2010 (Original MOU), is the basic agreement with the Developer, and the Development, Acquisition and Financing Agreement (Development Agreement) primarily concerns the process of constructing the Public Improvements. The Bond Resolution approves an Amended and Restated MOU (Amended MOU) to replace the Original MOU (the term MOU used alone refers to something in both the Original MOU and Amended MOU), primarily to update that agreement to reflect the evolution of the plan of finance that occurred over the past year. However, there are no proposed revisions to the Development Agreement. Per the MOU, any CDA bond issue must be approved by the Board.

Under applicable law, a community development authority can issue bonds to pay for things like the Public Improvements. Accordingly, the MOU provides that the CDA will issue bonds (Bonds) in one or more series to pay for the cost to construct the Public Improvements. In order to service the debt created by such bonds, the MOU contemplates that the Board, at the request of the CDA Board, will levy a Special Assessment on properties within the CDA. A special assessment, while in the nature of a tax, is different from an ad valorem tax such as the County's real property tax. A special assessment is levied on any particular property in an amount designed to reflect the benefit provided to that property from whatever is being paid for with the tax. Thus, for example, if a water main is extended down the middle of a street to allow properties on either side to have water service, those properties can be assessed for the cost of extending that water main up to an amount reflecting the peculiar benefit to the properties of having water service available to them.

Per the MOU, the total amount of the Special Assessment will be the debt service requirement for all of the Bonds plus an agreed amount calculated to cover expected annual administrative costs of the CDA and County. That total Special Assessment amount will be set at the time the debt service requirement becomes known, and cannot thereafter be changed. It will be established by a proposed amendment to the Ordinance that is scheduled for public hearing at the Board's meeting on April 26, 2011, and that would be adopted by the Board pursuant to an agreement (the Special Assessment Agreement) by the CDA and Developer that runs with the land so as to bind all future owners of property in the CDA.

The Special Assessment Agreement asks for imposition of the Special Assessment and affirms that the amount of the Special Assessment, as allocated to the various parcels of property within the CDA pursuant to the Rate and Method of Apportionment of Special

Board Agenda Item
April 26, 2011

Assessments (Rate and Method), will reflect the peculiar benefit to each such parcel provided by the Public Improvements. The Rate and Method, as well as an accompanying Special Assessment Report that provides additional explanation and support for the allocations set forth in the Rate and Method, both have been prepared by MuniCap, Inc., a consultant to the County and CDA.

The MOU contemplates that the portion of the Special Assessment owed by any parcel of property is payable in annual installments to pay debt service on the Bonds. The Rate and Method provides formulas for further allocating that responsibility in the future as the existing seven parcels in the CDA are subdivided, combined, etc. However, the total allocated to any parcels resulting from a particular subdivision will always equal the allocation to the "parent" parcel or parcels existing before the subdivision. Thus, at any particular time, it will be possible to calculate the portion of the total Special Assessment payable by any existing parcel. This is important, because Virginia law gives each property owner an absolute right to "prepay" at any time the outstanding amount of the Special Assessment allocated to their particular parcel or parcels. Since the total amount of the Special Assessment is fixed, the portion allocated to any particular parcel can be calculated at any time, so any prepayments will not affect the portion of the Special Assessment payable by any other parcel.

The MOU also contemplates that the Board each year will exercise its discretion to appropriate to the CDA an amount of money that will reflect the additional real property taxes received by the County in excess of such taxes produced by the property in the CDA as of January 1, 2007, up to a maximum of the amount needed to pay obligations related to the Series A Bonds (described below). This annual tax increment, if and to the extent appropriated, will be used to offset up to 100% of the amount of the Special Assessment that otherwise would need to be collected to pay debt service on Series A Bonds. It thus will function like tax increment financing ("TIF"), but since the formal TIF mechanism provided by Virginia law does not work well when borrowing funds to pay for development costs, the MOU instead contractually creates what is essentially a "synthetic" TIF.

Originally it was estimated that if the annual tax increment was fully appropriated, then a Bond issuance in an amount sufficient to construct up to \$42 million in Public Improvements could be serviced by that appropriation. Accordingly, the Bond issuance initially was divided into a Series A (to pay for \$42 million of Public Improvement construction costs) and Series B (to pay for \$30 million of Public Improvement construction costs). Series A Bonds would be serviced entirely or almost entirely by tax increment revenue if and as appropriated, while Series B Bonds would be repaid from Special Assessment revenue.

However, two events have complicated this picture. The first has been movement in the bond market that indicates that higher rates of interest likely will have to be paid on the

Board Agenda Item
April 26, 2011

CDA Bonds than originally contemplated. The second is an analysis of federal tax law analysis that has concluded that some of the Public Improvements cannot be financed with tax-exempt bonds, which also leads to higher interest rates than originally estimated. Interest paid on municipal bonds is exempt from federal income taxation only if the use of bond proceeds meets certain IRS requirements. Since CDA Bond proceeds will be used to pay construction costs of Public Improvements, the nature and extent of the ownership and use of those Public Improvements can affect whether interest earned by bondholders will be exempt from federal income taxation.

It became apparent that construction of some Public Improvements could not be financed with tax-exempt bonds, but until recently it was believed that Public Improvements that would be eligible for tax-exempt financing would cost at least \$42 million to construct. Accordingly, it was contemplated that the Series B Bonds could be used to construct Public Improvements not qualifying for federal tax exempt treatment, with the Developer purchasing them at an agreed upon below-market interest rate of 6%, thus enabling the Series A Bonds to be sold on a tax-exempt basis. However, due to further tax analysis it became problematic whether there were in fact \$42 million of Public Improvements that would qualify for federal tax exempt treatment. Accordingly, it now is contemplated that Series A Bonds may be subdivided into a Series A (tax-exempt) and a Series A-T (taxable), and that the Developer also may purchase the Series A-T Bonds.

The amount of Series A-T Bonds needed is still being determined, but the goal is to minimize that figure. To try to accomplish that goal, the parties are exploring whether it would be helpful if the CDA's rights in one or more of the parking decks were in the form of condominium interests. For example, assuming a two-level deck, perhaps all conditions or limitations on use that would make the deck unsuitable for tax-exempt financing could be made to apply only to the lower level, which would be a condominium unit owned by the CDA. The upper level, which would be a second condominium unit owned by the CDA, would have no such use conditions, thus perhaps making it possible to construct using tax-exempt financing. The total construction cost of the deck then could be split between the two levels, i.e., between the CDA's two condominium units, on a basis acceptable under federal tax law, e.g., perhaps based on the floor area of each condominium unit.

Whether this concept will permit tax-exempt financing of at least a portion of the cost to construct one or more parking decks is still subject to ongoing review and analysis, but it is anticipated that \$25 million to \$35 million of Public Improvements will be financed on a tax-exempt basis. Accordingly, the Bond Resolution and accompanying documents are drafted to specify a range in the amount of Series A versus Series A-T Bonds to be sold, subject to specified parameters, in order to obtain the lowest overall cost of financing. In addition, given market unpredictability, the Developer has indicated its willingness to accept less than a 6% interest rate on Series B Bonds if necessary to reduce total debt service to a level that will allow the full financing of \$72 million in Public Improvement

construction costs, so the Bond Resolution also permits that flexibility.

On April 8, 2011, the CDA Board met and adopted a resolution approving the issuance of the CDA Bonds and documents pertaining thereto (Attachment 10). On April 15, 2011, the CDA Board reconvened and, at the request of the underwriters, approved a supplemental resolution approving a revised indenture for the Series A Bonds that authorizes lower denominations of bonds under certain conditions that may occur in the future (Attachment 11). The documents before the Board for approval today are consistent with the actions taken by the CDA Board.

SUMMARY OF DOCUMENTS RECOMMENDED FOR BOARD APPROVAL:

I. Bond Resolution (Attachment 1) — Authorizes the proposed issuance of CDA Bonds and approves a number of related documents, including among others:

A. Forms of the trust indentures for Series A and A-T Bonds and for Series B Bonds (Attachments 4 and 5);

B. Form of the Preliminary Limited Offering Memorandum for Series A and A-T Bonds (PLOM) (Attachment 6), the basic offering and disclosure document to the bond market (because Series B Bonds will be sold directly to the Developer or an affiliate, there is no PLOM for Series B Bonds), which incorporates a number of appendices that provide information to potential investors, including the Rate and Method, various appraisal reports, an engineer's report, a market analysis, and a Tax Increment and Special Assessment Revenue Report (TIF Report) prepared by MuniCap that estimates future tax and special assessment revenues that will be collected from properties in the CDA;

C. Form of Special Assessment Agreement (Attachment 7);

D. Rate and Method (exhibit to Special Assessment Agreement and also to Amended MOU), which establishes "equivalent units" based on a study of anticipated property values for various uses, creates 13 possible land classes for different parcels in the CDA, and allocates a certain number of "equivalent units" to each kind of use on a per square foot of gross floor area (for retail, office, and theatre uses), per room (for hotel use), or per living unit (for residential uses) basis;

E. Form of Amended MOU (Attachment 8); and

F. Form of Continuing Disclosure Agreement (Attachment 9).

Board Agenda Item
April 26, 2011

II. CDA Bylaw Amendments (Attachment 2) — Suggested by bond and tax counsel, these amendments provide that members of the CDA Board will resign at the request of the Board and that in the event of dissolution of the CDA or the winding up of its affairs, title to all of its property will vest in the County. The amendments were approved unanimously by the CDA Board on April 8, 2011.

III. Special Assessment Report (Attachment 3) — Explains the derivation of the formulas used in the Rate and Method, particularly the development of the equivalent units, and supports the conclusion that the Rate and Method provides a reasonable basis for allocating the Special Assessment to different parcels. It was endorsed by the CDA Board on April 8, 2011.

FISCAL IMPACT:

The County has no financial obligations with respect to any CDA Bonds, nor is there any legal obligation for the Board to appropriate any funds to the CDA. To the extent the Board in future years chooses to exercise its discretion to appropriate tax increment revenues to the CDA as described above, any such appropriation will be from the County's general fund (although by definition it would consist solely of increases in County tax revenues resulting from the Mosaic development). Projections of future tax increment revenue available for appropriation by the Board to the CDA appear beginning at page 62 of the TIF Report, which is Appendix G of the PLOM.

ENCLOSED DOCUMENTS:

Documents Recommended for Board Action:

Attachment 1: Bond Resolution (also available online at

<http://fcrevit.org/merrifield/download/mosaic/BondResolution.pdf>)

Attachment 2: Amendments to Mosaic CDA Bylaws (also available online at

<http://fcrevit.org/merrifield/download/mosaic/bylaws.pdf>)

Attachment 3: Special Assessment Report (also available online at

<http://fcrevit.org/merrifield/download/mosaic/SpecialAssessmentRpt.pdf>)

Documents referenced in the Bond Resolution:

Attachment 4: Form of Series 2011A Trust Indenture (available online at

http://fcrevit.org/merrifield/download/mosaic/2011A_Indenture.pdf)

Attachment 5: Form of Series 2011B Trust Indenture (available online at

http://fcrevit.org/merrifield/download/mosaic/2011B_Indenture.pdf)

Attachment 6: Form of Preliminary Limited Offering Memorandum (available online at

<http://fcrevit.org/merrifield/download/mosaic/PreliminaryLimitedOfferingMemo.pdf>

copy also available in the Office of the Clerk to the Board.)

Attachment 7: Form of Special Assessment Agreement (including Rate and Method of

Board Agenda Item
April 26, 2011

Apportionment of Special Assessments) (available online at <http://fcrevit.org/merrifield/download/mosaic/SpecialAssessmentAgreement.pdf>)
Attachment 8: Form of Amended and Restated Memorandum of Understanding (available online at <http://fcrevit.org/merrifield/download/mosaic/AmendedRestatedMOU.pdf>)
Attachment 9: Form of Continuing Disclosure Agreement (available online at <http://fcrevit.org/merrifield/download/mosaic/ContinuingDisclosureAgreement.pdf>)

Other Documents:

Attachment 10: CDA Board Bond Resolution of April 8, 2011 (available online at <http://fcrevit.org/merrifield/download/mosaic/CDABondResolution.pdf>)
Attachment 11: CDA Board Supplemental Resolution of April 15, 2011 (available online at http://fcrevit.org/merrifield/download/mosaic/SupplementalResolution4_15_2011.pdf)

STAFF:

Barbara A. Byron, Director, Office of Community Revitalization and Reinvestment
Leonard P. Wales, County Debt Advisor
James V. McGettrick, Assistant County Attorney

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RESOLUTION APPROVING THE ISSUANCE BY THE MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY OF ITS REVENUE BONDS SERIES 2011A, TAXABLE REVENUE BONDS SERIES 2011A-T AND TAXABLE SERIES 2011B (THE “BONDS”); APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING; APPROVING THE FORMS OF TRUST INDENTURES FOR THE BONDS, A PRELIMINARY LIMITED OFFERING MEMORANDUM FOR THE SERIES 2011A BONDS AND THE TAXABLE SERIES 2011A-T BONDS, A SPECIAL ASSESSMENT AGREEMENT AND DECLARATION OF NOTICE OF SPECIAL ASSESSMENTS, ONE OR MORE EASEMENT AGREEMENTS AND ONE OR MORE OPERATION AND MAINTENANCE AGREEMENTS AND A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE SERIES 2011A BONDS; GRANTING THE AUTHORITY TO EXECUTE AND DELIVER SUCH OTHER DOCUMENTS AND AGREEMENTS RELATING TO THE BONDS AS MAY BE NECESSARY OR APPROPRIATE

WHEREAS, pursuant to the ordinance adopted by the Board of Supervisors of Fairfax County, Virginia (the “Board”) on April 27, 2009, as amended by the ordinance adopted by the Board on April 27, 2010, the Mosaic District Community Development Authority (the “Authority”) was created to provide public improvements (the “Public Improvements”) for the peculiar benefit of the property owners within the geographic boundaries of the Authority’s district (the “Mosaic District”); and

WHEREAS, the Board is approving the Authority’s issuance of Mosaic District Community Development Authority Revenue Bonds, Series 2011A (the “Tax-Exempt Series A Bonds”), Mosaic District Community Development Authority Revenue Bonds, Taxable Series A-T (the “Taxable Series A Bonds” and together with the Tax-Exempt Series A Bonds, the “Series 2011A Bonds”), and Mosaic District Community Development Authority Revenue Bonds, Taxable Series 2011B (the “Series 2011B Bonds” and together with the Series 2011A Bonds, the “Bonds”) to finance all or a portion of the costs of the Public Improvements; and

WHEREAS, pursuant to an Amended and Restated Memorandum of Understanding by and between Fairfax County, Virginia (the “County”), the Authority, Eskridge E&A, LLC (the “Initial Landowner”) and Eskridge Properties (E&A), LLC (the “Developer”) (the “Memorandum of Understanding”), the Series 2011A Bonds are to be secured by certain tax increment revenues received from the Public Improvements on the property within the Mosaic District and certain special assessments on land within the Mosaic District that are levied with respect to the Series 2011A Bonds (the “2011A Special Assessments”) that are established, apportioned and imposed pursuant to an ordinance to be approved by the County and the “Rate and Method of Apportionment of Special Assessments” which is to be attached as an exhibit to the Memorandum of Understanding and as an exhibit to the Special Assessment Agreement and Declaration of Notice of Special Assessments (the “Special Assessment Agreement”) to be entered into by the Authority, the owners of assessable properties within the Mosaic District and the trustee under the Trust Indentures (defined herein) and the Series 2011B Bonds are to be

secured by certain special assessments on each parcel of land within the Mosaic District that are levied with respect to the Series 2011B Bonds (the “2011B Special Assessments” and together with the 2011A Special Assessments, the “Special Assessments”) and established, apportioned and imposed as set forth above; and

WHEREAS, pursuant to the Memorandum of Understanding, if the Special Assessments are determined to be legally unenforceable in a final decree by a court of competent jurisdiction the Authority will request that the County levy a special tax on the real property within the Mosaic District in an amount required to replace the revenue to have been generated from the Special Assessments; and

WHEREAS, the County is approving the Authority’s action authorizing the issuance of Bonds to finance all or a portion of the costs of the Public Improvements; and

WHEREAS, the Board has determined to approve the form of a trust indenture (the “Series 2011A Trust Indenture”) between the Authority and The Bank of New York Mellon Trust Company, N.A. as trustee (in such capacity, the “Series 2011A Trustee”) that will provide for the issuance of and security for the Series 2011A Bonds; and

WHEREAS, the Board has determined to approve the form of a trust indenture (the “Series 2011B Trust Indenture” and together with the Series 2011A Trust Indenture, the “Indentures”) between the Authority and The Bank of New York Mellon Trust Company, N.A., as trustee (in such capacity, the “Series 2011B Trustee” and, collectively with the Series 2011A Trustee, the “Trustees”), that will provide for the issuance of and security for the Series 2011A Bonds; and

WHEREAS, there has been presented to the Board a proposed form of the Preliminary Limited Offering Memorandum describing the Series 2011A Bonds and the security therefor, the Authority, the Mosaic District and the Public Improvements (the “Preliminary Limited Offering Memorandum”); and

WHEREAS, there has been presented to the Board the form of the Special Assessment Agreement which, among other items, sets forth certain agreements and requirements among the parties relating to the Special Assessments; and

WHEREAS, there has been presented to the Board the form of the Memorandum of Understanding which, among other items, sets forth the agreements and requirements of the parties relating to the financing and construction of the public improvements, the issuance of bonds and the sources of revenue to pay debt service on the Bonds; and

WHEREAS, the Authority will undertake primary responsibility for any annual and other reports, notices or disclosures that may be required under Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, and make a continuing disclosure undertaking for the Series 2011A Bonds as set forth in the form of the continuing disclosure agreement presented to the Authority in Exhibit F to the Preliminary Limited Offering Memorandum (the “Continuing Disclosure Agreement”); and

WHEREAS, the Board has duly reviewed and considered the forms of the Memorandum of Understanding, the Trust Indentures, the Preliminary Limited Offering Memorandum, the Special Assessment Agreement, the Memorandum of Understanding and the Continuing Disclosure Agreement and has determined that each is in acceptable form; and

WHEREAS, the Board has determined to approve the Authority’s authorization to direct each of the Chairman, Vice Chairman, and Treasurer of the Authority (an “Authority Representative”) to approve additions and modifications to the Trust Indentures, the Preliminary Limited Offering Memorandum, the Special Assessment Agreement and the Continuing Disclosure Agreement so long as such additions or modifications are consistent with the provisions of this Resolution and the form of the documents provided at this meeting the execution thereof by an Authorized Representative of the Trust Indentures, the final Limited Offering Memorandum, the Special Assessment Agreement and the Continuing Disclosure Agreement being conclusive evidence of such approval; and now, therefore

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, as follows:

SECTION 1. The Authority is hereby approved to authorize and issue the Series 2011A Bonds in an aggregate principal amount not to exceed the sum of \$75,000,000 (including underwriting and net bond discounts, closing costs, and issuance expenses), for the purpose of providing funds, along with any other available moneys, to finance costs of the Public Improvements, a debt service reserve fund, capitalized interest, if determined as set forth below, certain administrative expenses and costs of issuance of the Series 2011A Bonds. The aggregate principal amount of the Tax-Exempt Series A Bonds and the aggregate principal amount of the Taxable Series A Bonds shall be determined and allocated by an Authority Representative based upon advice provided by bond counsel and the County’s financial advisor relating to the final determination of the amount of Public Improvements eligible for tax-exempt financing (provided that sum of the aggregate principal amounts of the Tax-Exempt Series A Bonds and the Taxable Series A Bonds shall at no time exceed \$75,000,000). The Board also hereby approves the Authority’s direction that an Authority Representative may determine the details of such bonds pursuant to the terms of the Authority’s approving resolution.

SECTION 2. The Authority is hereby approved to authorize and issue the Series 2011B Bonds in an aggregate principal amount not to exceed the sum of \$32,000,000 (including underwriting and net bond discounts, closing costs, and issuance expenses), for the purpose of providing funds, along with any other available moneys, to finance the costs of the Public Improvements, certain administrative expenses and costs of issuance of the Series 2011B Bonds. The Board approves the Authority’s direction that an Authority Representative determine the details of such bonds pursuant to the terms of the Authority’s approving resolution.

SECTION 3. The form of the Series 2011A Trust Indenture presented at this meeting providing for the custody, investment and disbursement of the proceeds of the Series 2011A Bonds, and for the receipt, custody, pledge and application of Pledged Revenues (as defined in the Series 2011A Trust Indenture) is hereby approved in such form and containing substantially the terms and provisions therein set forth. Authority Representatives are hereby approved to execute and deliver, in the name of the Authority, the Series 2011A Trust Indenture in such form and containing substantially the same terms and provisions, with such additions, deletions and modifications as shall be approved by an Authority Representative executing the Series 2011A Trust Indenture the execution thereof by such Authority Representative being conclusive evidence of such approval.

SECTION 4. The form of the Series 2011B Trust Indenture presented at this meeting providing for the custody, investment and disbursement of the proceeds of the Series 2011B Bonds, and for the receipt, custody, pledge and application of Pledged Revenues (as defined in the Series 2011B Trust Indenture) is hereby approved in such form and containing substantially the terms and provisions therein set forth. Authority Representatives are hereby approved to

execute and deliver, in the name of the Authority, the Series 2011B Trust Indenture in such form and containing substantially the same terms and provisions, with such additions, deletions and modifications as shall be approved by an Authority Representative executing the Series 2011B Trust Indenture the execution thereof by such Authority Representative being conclusive evidence of such approval.

SECTION 5. The form of the Preliminary Limited Offering Memorandum presented at this meeting is hereby approved. The distribution and use by the Underwriters of the Series 2011A of a final Limited Offering Memorandum relating to the Series 2011A Bonds is hereby approved subject to the approval of an Authority Representative pursuant to the terms of the Authority's approving resolution.

SECTION 6. The form of the Special Assessment Agreement presented to this meeting is hereby approved in such form and containing substantially the terms and provisions therein set forth. Authority Representatives are hereby approved to execute and deliver, in the name of the Authority, the Special Assessment Agreement in such form and containing substantially the same terms and provisions, with such additions, deletions and modifications as shall be approved by an Authority Representative executing the Special Assessment Agreement the execution thereof by Authority Representative being conclusive evidence of such approval.

SECTION 7. The form of the Rate and Method of Apportionment of Special Assessments presented to this meeting providing the procedures to establish and apportion the Special Assessments is hereby approved. in such form and containing substantially the terms and provisions therein set forth. Any additions, deletions and modifications to the Rate and Method of Apportionment of Special Assessments may be approved by the Chairman or Vice Chairman of the Board or the County Executive or the Deputy County Executive/Chief Financial Officer of the County, as appropriate so long as such additions, deletions and modifications are not contradictory to the terms of this Resolution or previously enacted resolutions and are in conformity with the purposes of the Authority.

SECTION 8. The form of the Memorandum of Understanding presented to this meeting be, and the same hereby is, approved, the Chairman or Vice Chairman of the Board or the County Executive or the Deputy County Executive/Chief Financial Officer of the County, as appropriate are hereby are authorized, directed and empowered to execute and deliver, in the name and on behalf of the County, the Memorandum of Understanding in such form and containing substantially the same terms and provisions, with such additions, deletions and modifications as shall be approved by the officers executing the Memorandum of Understanding the execution thereof by such officers being conclusive evidence of such approval.

SECTION 9. The form of the Continuing Disclosure Agreement presented to this meeting is hereby approved in such form and containing substantially the terms and provisions therein set forth. Authority Representatives are hereby approved to execute and deliver, in the name of the Authority, the Continuing Disclosure Agreement in such form and containing substantially the same terms and provisions, with such additions, deletions and modifications as shall be approved by an Authority Representative executing the Continuing Disclosure Agreement the execution thereof by such Authority Representative being conclusive evidence of such approval.

SECTION 10. The execution and delivery by the officers of the County of the Memorandum of Understanding and any other agreements, documents, closing papers and certificates executed and delivered pursuant to this Resolution shall be conclusive evidence of

their approval of the changes, if any, in the forms thereof and of their authority to execute and deliver such agreements, documents, certificates and closing papers on behalf of the County.

SECTION 11. The members, officers and agents of the County, the Authority and the officers and agents of the Trustee are hereby authorized and directed to do all acts and things, including without limitation the execution and delivery of such agreements, documents, certificates and closing papers on behalf of the County required of them by the provisions of the Bonds, the Trust Indentures, the Limited Offering Memorandum, the Special Assessment Agreement, Rate and Method of Apportionment of Special Assessments, the Memorandum of Understanding and the Continuing Disclosure Agreement for the full, punctual and complete performance of all the terms, covenants, provisions and agreements of the Trust Indentures, the Limited Offering Memorandum, the Special Assessment Agreement, Rate and Method of Apportionment of Special Assessments, the Memorandum of Understanding and the Continuing Disclosure Agreement and, also, to do all acts and things required of them by the provisions of this Resolution.

SECTION 12. The officers of the Board and the County are authorized to execute one or more certificates evidencing the determinations made or other actions carried out pursuant to the authority granted in this Resolution, and any such certificate shall be conclusive evidence of the actions or determinations as stated therein.

SECTION 13. All actions taken by the officers of the Board and the members, officers and employees of the County in connection with the transactions authorized and approved hereby are hereby ratified and confirmed.

SECTION 14. Any and all resolutions of the Board or portions thereof in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

SECTION 15. This Resolution shall take effect immediately upon its adoption.

Adopted _____, 2011.

A Copy Teste:

Secretary

BYLAWS

MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY

ARTICLE I NAME AND POWERS

Section 1.01 Name. The name of this body is the Mosaic District Community Development Authority (the “Authority”).

Section 1.02 Powers. Subject to the limitations set forth in the ordinance (the “Ordinance”) creating the Authority adopted by the Board of Supervisors (the “Board of Supervisors”) of Fairfax County, Virginia (the “County”), on April 27, 2009, as amended by the Board of Supervisors on April 27, 2010, and the Authority’s Articles of Incorporation (the “Articles”), the Authority shall be vested with the powers granted to it by the Virginia Water and Waste Authorities Act, Chapter 51, Title 15.2 of the Code of Virginia of 1950, as amended, as in effect from time to time, or any successor thereto (the “Act”), including the powers more particularly described in Article 6 of the Act. The Authority shall be a separate and distinct legal entity from the County and shall be, in accordance with the Act, a public body politic and corporate and political subdivision of the Commonwealth of Virginia exercising public and essential government functions.

ARTICLE II BOARD MEMBERS AND OFFICERS

Section 2.01 Authority Board Members; Initial Members. The Authority shall be governed by a Board (the “Authority Board”) consisting of five members (together, the “Members” and each separately a “Member”) appointed by the Board of Supervisors in accordance with Section 15.2-5113 of the Act. All powers of the Authority shall be vested in the Authority Board. The initial Members and their terms of office shall be as set forth in the Authority’s Articles of Incorporation; provided, however, that each initial Member shall continue in office until he or she is reappointed or until his or her successor shall be duly appointed and qualified. The successor of each initial Member shall be appointed as determined by the Board of Supervisors in accordance with the Act. Any Member shall resign his or her office immediately upon the request of the Board of Supervisors. In the event that a Member cannot serve or resigns from office, then the Authority Board’s chairman or secretary, or the County staff coordinator for the Authority Board, shall advise the Clerk to the Board of Supervisors of the vacancy in writing. In the event a Member completes his or her term of office, remains qualified to serve as a Member, and the Board of Supervisors has not reappointed that Member to another term or appointed a successor Member, then that person may continue to serve as a Member until such time as the Member is reappointed or a successor Member is appointed. The Act shall govern the ability of the Authority to act in the event of any such vacancy.

Section 2.02 Officers of the Authority. The Members shall elect a Chairman, Vice Chairman, Secretary and Treasurer of the Authority, and such additional subordinate officers as from time to time may be desired by the Authority Board. The Chairman and Vice Chairman shall be Members. The Secretary and Treasurer need not be Members and their offices may be

combined. The original officers of the Authority shall be elected at the first meeting of the Authority Board and shall serve for a term beginning upon the date of their election and ending upon the date of the first annual meeting of the Authority Board held in calendar year 2010 or until their successors are elected or they resign. Thereafter, each of the officers shall be elected at the annual meeting of the Authority to serve for a term of one year or until their successors are elected or they resign. Any vacancy occurring in an office shall be filled for the unexpired term by the Authority Board at the next regular meeting, or at a special meeting called for that purpose. If a vacancy occurs in the office of Secretary or Treasurer, an Acting Secretary or Treasurer shall be appointed by the Chairman pending replacement of such officer by election. An officer may succeed himself in office.

Section 2.03 Removal of Officers. Any officer elected or appointed by the Authority Board may be removed by the affirmative vote of a majority of the Members whenever in the judgment of such Members the best interest of the Authority would be served thereby.

Section 2.04 Duties of Officers. The duties of the officers of the Authority shall include, but shall not be limited to, the following:

A. *Chairman.* The Chairman shall preside at all meetings of the Authority Board at which he or she is present and, subject to the control of the Authority Board, oversee the affairs of the Authority; shall be responsible for all correspondence; shall make committee appointments; may appoint Members of the Authority Board as liaison to any other governmental agencies, authorities and commissions; shall act as signatory on all contracts and other instruments of the Authority; shall have overall responsibility for accomplishment of the Authority's goals and purposes; and shall perform all such other duties incident to the office or that may be properly required by the Authority Board.

B. *Vice Chairman.* The Vice Chairman shall, in the absence of the Chairman, exercise all of the Chairman's powers and duties. In the event the office of Chairman becomes vacant, the Vice Chairman shall immediately become the Chairman until the Chairman's successor is elected.

C. *Secretary.* The Secretary shall be responsible for maintaining minutes of every meeting of the Authority Board, preparing and distributing such minutes to all persons as directed by the Authority Board, and shall be responsible for providing notice of meetings of the Authority Board to the Members and the public as required by applicable law. The Secretary shall maintain copies of all reports, correspondence, contracts, agreements, indentures, documents, audits, rules and regulations and any other records as may be directed by the Authority Board and perform all such other duties as are incident to the office or as may be required by the Authority Board or the Virginia Freedom of Information Act, Virginia Code §§ 2.2-3700 *et seq.*, as amended ("VFOIA"). It shall be the duty of the Secretary to have charge of the seal and to affix the seal of the Authority to all documents on which it is required or necessary. Notwithstanding the foregoing, the responsibilities of the Secretary as set forth above may be delegated in whole or part to the County staff coordinator or other appropriate County staff as permitted by applicable law.

D. *Treasurer.* The Treasurer shall be custodian of all funds of the Authority, except as otherwise provided by agreement to which the Authority is a party; shall keep and maintain suitable financial records as may be directed by the Authority Board; shall, if required by Virginia law or agreement to which the Authority is a party, arrange for an annual audit of the accounts of the Authority by an independent certified public accountant, subject to the prior approval of the Board, and shall report to the Members the results of any such annual audit. The Treasurer shall perform all such other duties as are incident to the office or as may be required by the Board. Notwithstanding the foregoing, the responsibilities of the Treasurer as set forth above may be delegated in whole or part to the County's Office of Management and Budget or other appropriate County staff as permitted by applicable law.

E. In addition to the foregoing powers and duties, each officer of the Authority may exercise any powers conferred upon him by the Act as may be in effect from time to time and all other powers as are customarily exercised by such officer in similar organizations or authorities as may be expedient, necessary or proper to further the lawful purposes of the Authority. During the absence of any officer, the Members may designate any Member to perform the duties of the absent officer.

ARTICLE III MEETINGS

Section 3.01 Meetings and Notices. Meetings of the Authority Board may be called by the Chairman or a majority of the Members. All meetings shall be conducted in accordance with VFOIA, and except for closed sessions, all meetings shall be open to the public. All meetings shall be preceded by a notice stating the date, time, and location of its meetings, and except for emergency meetings, notice of a meeting shall be given at least three working days prior to the meeting. Notice, reasonable under the circumstances of emergency meetings, shall be given contemporaneously with the notice provided to Members. Notices of all meetings shall be provided to the County's Office of Public Affairs for posting at the County's Government Center and on the County's Internet site. All meetings shall be conducted in places that are accessible to persons with disabilities, and all meetings shall be conducted in public buildings whenever practical.

Section 3.02 Quorum and Voting. A majority of the Members shall constitute a quorum, and the vote of a majority of the quorum shall be necessary for any action taken. No vacancy on the Authority Board shall impair the right of a quorum to exercise all of the powers and perform all of the duties of the Authority Board. All votes of members shall be taken during a public meeting, and no vote shall be taken by secret or written ballot or by proxy. All Members who are present at the meeting, including the Chairman, may vote at any meeting. Except as specifically authorized by VFOIA, no meeting shall be conducted through telephonic, video, electronic, or other communication means where the members are not all physically assembled to discuss or transact public business.

Section 3.03 Conduct of Meetings and Minutes. At any meeting, at least one copy of the agenda and, unless exempt under VFOIA, all materials furnished to Members shall be made available for public inspection at the same time such documents are furnished to the Members. Any person may photograph, film, record, or otherwise reproduce any portion of a meeting

required to be open, but no person broadcasting, photographing, filming, or recording any open meeting may interfere with any of the proceedings. The Secretary or County staff coordinator, or his or her designee, shall keep minutes of the Authority Board's, and those minutes shall include: (1) the date, time, and location of each meeting; (2) the Members present and absent; (3) a summary of the discussion on matters proposed, deliberated, or decided; and (4) a record of any votes taken. Such minutes are public records and subject to inspection and copying by citizens of the Commonwealth or by members of the news media.

**ARTICLE IV
CHECKS, NOTES, DRAFTS AND OTHER LEGAL DOCUMENTS**

Section 4.01 Authorized Signatures. Checks, notes, drafts and other legal documents shall be signed by such officers as specified in the Act, these By-laws, or as the Authority Board may, from time to time, authorize. The signature of any such person may be by facsimile when authorized by the Act or the Authority Board.

**ARTICLE V
RULES AND REGULATIONS**

Section 5.01 Rules of Order. Except as otherwise provided by Virginia law or by these bylaws, *Robert's Rules of Order, Newly Revised*, or any subsequent edition thereof, shall govern all matters of procedure.

**ARTICLE VI
FISCAL YEAR**

Section 6.01 The fiscal year of the Authority shall commence on July 1 of each year and shall terminate on the following June 30.

**ARTICLE VII
COMMITTEES**

Section 7.01 The Authority Board may establish as many committees as may be required to perform its function. All meeting of any such committees shall comply with the notice and other requirements of VFOIA. To the extent that is practicable, any such committees shall be composed of at least four members.

**ARTICLE VIII
ANNUAL REPORT**

Section 8.01 The Authority Board shall prepare an annual written report to the Board of Supervisors that describes the actions and activities conducted in the previous year and any plans and/or recommendations for future action and activities. That report shall be provided to the Clerk to the Board of Supervisors and to the County Executive.

**ARTICLE IX
COMPLIANACE WITH LAW AND COUNTY POLICY**

Section 9.01 The Authority Board and its Members shall comply with all Virginia laws, including, but not limited to, VFOIA, and the Virginia State and Local Government Conflict of Interests Act, Virginia Code §§ 2.2-3100 *et seq.*, as amended, with all County ordinances, and with all County policies concerning the activities of boards, authorities, and commissions.

**ARTICLE X
AMENDMENTS**

Section 10.01 Amendments of Bylaws. These bylaws may be amended by the Authority Board by adopting the proposed amendment or amendments and by presenting those proposed changes for approval to the Board of Supervisors. Any such amendments to bylaws shall become effective upon approval by the Board of Supervisors.

**ARTICLE XI
DISPOSITION OF PROPERTY**

Section 11.01 In the event of the dissolution of the Authority or the winding up of its affairs, upon approval of the Board of Supervisors title to all assets and property owned by the Authority shall vest in and become the property of the County. In that circumstance the Authority Board shall, after paying or making provision for the payment of all of the liabilities of the Authority, distribute all of the remaining assets and property of the Authority to the County.

**MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY
FAIRFAX COUNTY, VIRGINIA**

SPECIAL ASSESSMENT REPORT

Prepared By:

MuniCap, Inc.

January 27, 2011

MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY FAIRFAX COUNTY, VIRGINIA

SPECIAL ASSESSMENT REPORT

Purpose of Report

The Mosaic District Community Development Authority (the "Authority"), as created by the Board of Supervisors by the ordinance adopted on April 27, 2009, as amended by ordinance dated April 27, 2010 (the "Ordinance"), is being created to provide public improvements for the property within the geographic boundaries of the Mosaic District Community Development Authority district, as identified by the Ordinance (the "Mosaic District"). These improvements will provide a special benefit to the property owners in the Mosaic District. The Bonds are expected to be issued by the Authority to finance all or a portion of the costs of the public improvements, administrative expenses of the Authority, bond issuance costs, bond interest during construction and for a period after construction, and a debt service reserve fund. Special Assessments are intended to be levied to repay the Bonds.

The County will impose Special Assessments in amounts equal to the principal of the Bonds issued by the Authority, interest on the Bonds until repaid, and administrative expenses of the Authority related to the Bonds. Pursuant to the provisions of the approved "Rate and Method of Apportionment of Special Assessments," the annual installment of Special Assessments will be collected each year to provide funds for the payment of debt service on the Bonds, the cost of administration of the Authority, and other costs related to the Bonds. Alternatively, a property owner may pay the Special Assessments imposed on a parcel in full at any time without penalty.

The Authority is being created, Special Assessments levied, and bonds issued pursuant to the Virginia Water and Waste Authorities Act, beginning with §15.2-5100 et seq. of the Code of Virginia, 1950 (the "Act"), as it may be amended from time to time. The Act provides that the costs of improvements provided by the Authority may be assessed in a manner prescribed by the County upon property benefited by such improvements. This report explains the method of assessing the property in the Mosaic District for the improvements to be provided by the Authority.

Terms used herein and defined in the "Rate and Method of Apportionment of Special Assessments" shall have the meanings given to such terms therein.

Description of the Mosaic District

The Mosaic District consists of approximately 31 acres proposed to be developed as a mixed-used project. The property is generally bound by Lee Highway to the north, Yates Way, Strawberry Lane, and Fairfax Plaza Shopping Center to the east, Eskridge Road to the west and Luther Jackson Middle School to the south. A map of the property in the Mosaic District is attached to this report as Exhibit A.

Rezoning Application RZ 2005-PR-041 was approved by the Fairfax County Board of Supervisors on October 15, 2007 rezoning the 31.37 acres from Medium Intensity Industrial,

General Industrial, and Highway Corridor Overlay Districts to Planned Development Commercial (“PDC”), Planned Residential Mixed Use (“PRM”), and Highway Corridor Overlay Districts. Both the PDC and PRM districts allow for retail, restaurants, office, hotels, theater, and multi-family dwellings. A detailed list of permissible uses can be found in the Fairfax County Zoning Ordinance, Article 6, Part 1 and Part 4.

The property within the Mosaic District will be broken into the two PDC and PRM districts as follows:

- A. Approximately 24.14 acres to the PDC district and comprised of development parcels A, B, D, F, H, and I as identified on the site plan attached as Exhibit A, and
- B. Approximately 7.23 acres to the PRM District and comprised of development parcels C, E, and G as identified on the site plan attached as Exhibit A.

Under the current approved zoning, total development on the property shall not exceed 1,893,112 square feet of gross floor area (“GFA”) of principal and secondary uses, at an overall 1.39 floor area ratio, including affordable dwelling units and workforce housing units. A maximum of 1,442,712 square feet of GFA, exclusive of cellar space, shall be permitted within the PDC zone, and a maximum of 610,000 square feet of GFA, exclusive of cellar space, shall be permitted within the PRM zone. Cellar space shall be limited to 175,000 square feet for all permitted uses, except dwelling units which will be restricted separately to 25,000 square feet.

Under the current approved zoning, total non-residential uses within both the PDC and PRM zoning districts combined shall consist of a minimum of 460,000 square feet of GFA and a maximum total of 1,196,144 square feet of GFA (excluding cellar space). Residential gross floor area within both the PDC and PRM zoning district combined shall be a minimum of 550,000 square feet of GFA to a maximum of 1,205,112 square feet of GFA, including affordable dwelling units, affordable bonus density units, and workforce housing. A minimum of 500 residential units shall be constructed on the property and shall include all required affordable, bonus affordable, and workforce units. Market rate multi-family residential units constructed shall have an average gross unit size of 1,100 square feet. In no event shall the combined total maximum residential and non-residential GFA for the property exceed 1,893,112 square feet of GFA.

The development of the property in the Mosaic District, as approved by Rezoning Application RZ 2005-PR-041, is shown by Table A on the following page. This development is consistent with the corresponding zoning guidelines described above.

Table A
Development Plan

Development Type	Units/SF/Rooms
<i>Residential (for rent)</i>	
	<i>(Units)</i>
Market rate	710
Affordable dwelling	38
Workforce	55
Sub-total residential (for rent)	803
<i>Commercial</i>	
	<i>(SF)</i>
Parcel B anchor	168,900
Junior anchors	12,000
Specialty retail	269,163
Restaurant	52,600
Office	167,096
Theater	120,000
Sub-total commercial	789,759
	<i>(Rooms)</i>
Hotel	375

Proposed Improvements

The purpose of the Authority, the Special Assessments to be levied in the Mosaic District, and the Bonds to be issued with respect to the Authority is to finance a portion of the costs of the public improvements that benefit the property in the Mosaic District.

Table B on the following page identifies the estimated costs of public improvements that may be paid by the Bonds:

Table B
Authority Improvements to be Funded by Bonds

Authority Improvements	Estimated Costs
Roads	
Eskridge Road improvements	\$6,566,949
Lee Highway improvements	\$1,259,598
Market Street & alley	\$1,914,680
New Drive	\$4,213,118
North Street	\$2,231,054
Strawberry Lane	\$3,703,602
Townhouse Street	\$1,601,214
Festival Street (Lee to Strawberry)	\$4,072,843
Festival Street (North to Eskridge)	\$4,156,602
Festival Street (Strawberry to North)	\$4,137,995
Yates Way	\$909,032
Parks	\$8,659,208
Parking	\$30,000,000
Parcel A deck	
East deck	
Hotel parking budget	
Parcel B deck (excludes Target)	
Parcel B deck (includes Target)	
Parcel C deck	
Parcel E deck	
Residential parking budget	
Other	
Utility infrastructure (public)	\$890,163
Storm water system improvements	\$3,534,904
Luther Jackson Middle School improvements	\$619,038
Sub-total improvements	\$78,470,000
Less: developer funded costs	(\$6,470,000)
Authority improvements funded with bonds	\$72,000,000

The costs shown in this table are estimates. The actual costs are likely to vary from these estimates.

A description of the Authority improvements that may be funded by the Bonds follows:

Roads

These improvements consist of road improvements along Eskridge Road, Lee Highway, Strawberry Lane, North Street, Townhouse Street, Market Street, New Drive, Yates Way, and District Avenue. Costs include right-of-way acquisition, frontage upgrades, granite curbs, road widening, channelization, and utility relocation.

Parks

These improvements will provide the North Park community space located at the corner of the proposed Strawberry Lane and District Avenue and the South Park community space located on the proposed District Avenue, adjacent to Parcel G. Costs may include natural landscaping, decorative elements, lawn seating, outdoor performance space, a wading fountain, and a rain garden.

Public Parking

The Bonds will provide funding for all or a portion of approximately 3,600 parking spaces in one or more parking structures located within “Parcel A,” “Parcel B,” “Parcel C,” “Parcel E,” “East Deck,” “Residential Parking,” and “Hotel Parking” as labeled on the site plan included as Exhibit B. Construction of surface, sub-grade and above-grade structures will provide efficient land use, lessen traffic congestion and circulation impacts, and enhance commercial uses.

Utility Infrastructure

These improvements will provide water and sewer pipes throughout the Mosaic District. The costs to connect the off-site water and sewer pipes to the on-site infrastructure will also be included.

Storm Water System Improvements

The storm water system includes improvements to structures, channels and underground pipes that carry storm water run-off to nearby ponds, lakes, streams and rivers. Underground detention systems are designed to control storm water run-off quantity, quality, timing and distribution for property within the Mosaic District.

Luther Jackson Middle School (LJMS)

LJMS improvements will provide a 64 space shared parking lot, upgrades to the athletic fields, and a public access easement located along the common boundary between Luther Jackson Middle School and the Mosaic District and/or a cash contribution for the athletic field improvements for LJMS. Improvements will include construction of the paved connection to the existing service drive behind LJMS, grading of the common boundary, construction of 64 LJMS and Mosaic District shared parking spaces, paving, striping, curb and gutter, retaining walls, lights, stormwater management facilities, a landscaped berm, installation of an access control gate, and grading and resurfacing of the athletic fields. The 64 shared parking spaces will be provided pursuant to an agreement to meet the parking needs of property in the Mosaic District.

The public improvements described above are all provided to meet the needs of the property in the Mosaic District that result from the proposed development of the property. The improvements provide roads, parks and open space, storm water management systems, utilities, and other public infrastructure that do not currently exist and will be necessary for the proposed development of the property. A site plan identifying the public improvements is included as Exhibit B.

Projected Issuance of Bonds

The Bonds are projected to be issued by the Authority in one or more series to finance a portion of the costs of the public improvements described above. Further, it is anticipated that the Authority will issue different type of bonds, including (i) the Series A Tax Revenue Bonds (the "Tax Revenue Bonds"), which will be supported by tax increment revenues and special assessments assumed to be repaid over a period of 25 years, which includes three years of funded capitalized interest and 22 years thereafter over which the bonds are repaid, and (ii) the Series B Special Assessment Bonds (the "Special Assessment Bonds"), which will be supported solely by special assessments assumed to be repaid over thirty years (collectively, the "Bonds").

Bond proceeds may include the costs of constructing improvements, certain administrative expenses, a debt service reserve fund, issuance costs and capitalized interest. Interest income on the bond proceeds will act as a supplement to the bond proceeds before they are fully expended. Table C shows the estimated sources and uses of funds for the issuance of the Bonds.

Table C
Projected Issuance of the Bonds

Source and Uses	Tax Revenue Bonds	Special Assessment Bonds	Total Bonds
Sources:			
Bond proceeds	\$65,035,000	\$30,400,000	\$95,435,000
Interest earned in the improvement fund	\$113,529	\$0	\$113,529
Sub-total sources of funds	\$65,148,529	\$30,400,000	\$95,548,529
Uses:			
Public improvements	\$42,000,000	\$30,000,000	\$72,000,000
Issuance costs	\$601,632	\$400,000	\$1,001,632
Underwriter's discount	\$682,868	\$0	\$682,868
Capitalized interest	\$15,360,529	\$0	\$15,360,529
Debt service reserve fund	\$6,503,500	\$0	\$6,503,500
Sub-total uses of funds	\$65,148,529	\$30,400,000	\$95,548,529

The actual issuance of the Bonds may vary from these estimates depending on the interest rate on the Bonds, the date the Bonds are issued, the cost of issuing Bonds, reinvestment rates on the bond proceeds, and other factors.

Bond issuance costs include legal fees, financial consulting fees, cost of studies, the set-up and first year's fee of the trustee, trustee's counsel, County expenses, document printing costs, and other miscellaneous costs related to the issuance of the Bonds. Underwriter's discount is the fee to the underwriter for selling the Bonds.

Capitalized interest will fund the interest on the Tax Revenue Bonds for approximately 42 months after the issuance of the Tax Revenue Bonds. Capitalized interest allows time for the public improvements to be constructed, for the property to be added to the property tax roll, and property taxes to be collected from the property and applied to the payment of debt service on the Bonds.

The purpose of the debt service reserve fund is to ensure there are sufficient funds to pay debt service should it be necessary to take action to collect delinquent Special Assessments. The proceeds in the reserve fund are invested and the income is applied to the annual debt service on the Bonds. The reserve fund itself is expected to eventually be applied to the repayment of the Bonds.

Projected Debt Service and Administrative Expenses

A schedule showing projected debt service and administrative expenses is attached to this report as Exhibit C. Interest is assumed to be 7.0% per year on the outstanding principal on the Tax Revenue Bonds and 6.0% on the Special Assessment Bonds. Administrative expenses are estimated at \$50,000 and \$30,000 annually for the Tax Revenue and Special Assessment Bonds, respectively. Administrative expenses are assumed to be adjusted annually for inflation at two percent per year. The assessments will be reduced pursuant to the “Rate and Method of Apportionment of Special Assessments” for any reductions in debt service, including reductions due to a lower interest rate and reduced administrative expenses. Total principal, interest, and administrative expenses of the special assessments are shown below in Table D.

Table D
Total Special Assessments

Principal portion	\$95,435,000
Interest portion	\$110,856,133
Administrative expenditures	\$2,563,784
Total Special Assessments	\$208,854,917

Determination of Special Assessments

The reasonable basis for the Special Assessments levied in the Mosaic District is based on the following:

- (i) The public improvements to be provided by the Authority provide a peculiar and special benefit to the property in the Mosaic District and this benefit equals or exceeds the cost of the Special Assessments;
- (ii) The Bonds are issued to pay for all or a portion of the public improvements that provide a peculiar and special benefit to the assessed property and the Special Assessments collected each year are equal to the amount required to repay the Bonds and to pay administrative expenses related to the Bonds; and
- (iii) The Special Assessments are allocated to parcels within the Mosaic District on a basis that reasonably reflects the benefit each parcel receives from the public improvements.

The following sections of this report explain how the Special Assessments as levied pursuant to the “Rate and Method of Apportionment of Special Assessments” for the Authority are consistent with these concepts.

Special Benefit

The property will receive a peculiar and special benefit from the public infrastructure improvements to be provided by the Authority. The public improvements are located in the Mosaic District and provided specifically to meet the demands of the property in the Mosaic District. The public infrastructure to be funded by the Authority improves storm water quality in the Mosaic District, upgrades roads, provides parks and parking facilities and provides other public improvements specifically for the property in the Mosaic District. These improvements are required for the proposed use of the property as described above. Accordingly, the public improvements to be funded by the Authority provide a peculiar and special benefit to the property in the Mosaic District.

The peculiar and special benefit of the public infrastructure improvements to be provided by the Authority will be equal to or greater than the cost of the Special Assessments levied on the property. The value of peculiar and special benefit is confirmed by two means. First, the owners of all of the property in the Mosaic District have requested the County impose Special Assessments on the property for the purpose of providing the public improvements. It is reasonable to believe the owners are acting in their interest and making this request because the benefit they receive from the public improvements exceed the cost of the Special Assessments.

Second, the Special Assessments are being levied to provide improvements that are necessary for the highest and best use of the property (i.e., the use of the property that is most valuable, including any costs associated with that use). Highest and best use can be defined as “The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value.” (*Dictionary of Real Estate Appraisal, Fourth Edition.*) The four criteria for highest and best use are (i) legal permissibility, (ii) physical possibility, (iii) financial feasibility, and (iv) maximum productivity.

The owners of the property to be assessed have analyzed various options for the use of the property, taking into consideration the legally permitted uses, the physical constraints of the site, financial parameters, market demand, and other relevant factors. The owners are understandably interested in maximizing their return on the property. Based on this analysis, the highest and best use of the property, including any costs required for that use, is the proposed uses for the property. The proposed uses of the property will require the public improvements that are to be provided by the Authority. Without these improvements, the property could not be put to its highest and best use.

A portion of the financing provided by the Authority is long-term financing and may pay interest to the bond holders that is exempt from income taxes, resulting in a lower rate than other available financing on comparable terms. The special assessments also make available bond financing that may be repaid in part from incremental real property taxes. The terms of the Bonds also facilitate financing of improvements for a large-scale mixed-use development with multiple owners. As a result of these and other advantageous terms, the financing provided by the Authority is the most beneficial means of financing the public improvements.

In summary, the peculiar and special benefit to the property is greater than the Special Assessments imposed on the property for the following reasons:

1. The improvements to be provided by the Authority are required for the highest

- and best use of the property;
2. The highest and best use of the property is the use of the property that is most valuable (including any costs associated with the use of the property);
 3. The financing provided by the Authority is the most beneficial means of financing the improvements;
 4. As a result, the special benefits to the property from the improvements to be provided by the Authority will be equal to or greater than the cost of the Special Assessments that will finance the improvements necessary to achieve the highest and best use of the property.

Assessments Collected Each Year

The annual installment of Special Assessments are shown in the Special Assessment Roll, Appendix A of the “Rate and Method of Apportionment of Special Assessments” and Exhibit C attached to this report. After the issuance of the Bonds, the annual installment is projected to be paid over approximately twenty-five years for the Tax Revenue Bonds and approximately thirty years for the Special Assessment Bonds. The annual installment includes the principal to be repaid, which is equal to the estimated principal of the Bonds to be issued, interest on the unpaid principal, and administrative expenses of the Authority as shown below in Table E. As described above, the annual installments as shown on the Special Assessment Roll have been set each year in the amount necessary to pay the debt service on the Bonds, which are to be issued to finance the public improvements that provide a peculiar and special benefit, and the administrative expenses related to the repayment of the Bonds by the Authority.

Table E
Total Special Assessments

Principal portion	\$95,435,000
Interest portion	\$110,856,133
Administrative expenditures	\$2,563,784
Total Special Assessments	\$208,854,917

As explained above, two series of bonds are proposed to be issued, with different maturities, one of which may be repaid in whole or in part from tax increment revenues paid by the County to the Authority. As an accounting convention, in order to track the portion of the Special Assessments and annual installment applied to each series of Bonds and the portion of the annual installments that may be reduced by tax increment revenues, the Special Assessments and annual installments are identified in two parts. The Special Assessment Part A (and Annual Installment Part A) will be applied to the repayment of the Tax Revenue Bonds and the Special Assessment Part B (and Annual Installment Part B) will be applied to the repayment of the Special Assessment Bonds.

The actual expenses of the Authority may be less than estimated herein. The “Rate and Method of Apportionment of Special Assessments” provide for the annual installment collected each year to equal the actual amount required to pay debt service on the Bonds and administrative expenses of the Authority. Additionally, the “Rate and Method of Apportionment

of Special Assessments” provide for Special Assessments to be reduced to equal the actual costs of providing the public improvements, including the costs related to issuance and repayment of the Bonds.

In summary, the Special Assessments are set in a manner consistent with the estimate of the annual debt service on the Bonds to be issued to finance the public improvements that provide a peculiar benefit to the property being assessed and the administrative expenses related to the repayment of the Bonds by the Authority and are therefore set in a reasonable manner.

Allocation of the Special Assessments

This section explains how the Special Assessments are allocated to the property in the Mosaic District in a reasonable manner that is representative of the benefit each property receives from the public improvements to be provided by the Authority.

Pursuant to the Special Assessment Agreement, the owner of each parcel in the Mosaic District has consented to the Special Assessments imposed on the property, including the method of allocating the assessments to the parcels, demonstrating the reasonableness of the allocation of the Special Assessments. The Special Assessments are imposed on all of the real property within the Mosaic District, with the exception of non-benefited property and public property. Non-benefited property is property within the Mosaic District that will not use and will not increase in value as a result of the construction of the public improvements. The “Rate and Method of Apportionment of Special Assessments” provide for the Special Assessments to be reallocated as property is subdivided. The reallocation is made on the same basis as the initial allocation of Special Assessments as shown on the Special Assessment Roll and explained herein.

The method used to allocate the assessments in the “Rate and Method of Apportionment of Special Assessments” is based on the estimated value of the property in the Mosaic District as developed and fully able to utilize the improvements. Future estimated value reasonably reflects the increase in value to property that will result from the improvements. Property with higher value is reasonably assumed to be able to benefit more from the improvements, reflected by the higher value, and property with lower value able to benefit less from the improvements, reflected by the lower value. Exhibit D of this report provides detailed assumptions for the calculation of estimated value.

In order to facilitate the allocation of Special Assessments on the basis of estimated future value, property has been classified into thirteen different classes, as shown by Table F on the following page. The value of property within each class has been estimated, and this value used to determine an equivalent assessment factor. The assessments within each land use class are the same per expected residential dwelling unit, per 1,000 square feet of gross floor area of commercial space, or per guest room. That is, each residential unit is assessed the same, each 1,000 square feet of office or small or large retail is assessed the same, and each guest room is assessed the same. Classes 1 through 9 represent permissible uses as currently approved by Rezoning Application RZ 2005-PR-041. Classes 10 through 13 are created in anticipation of future possible land uses.

Table F on the following page shows each land use class, the estimated value, and the resulting equivalent assessment factor.

Table F
Equivalent Assessment Factors by Land Use Class Based on Estimated Value

Land Use Class	Property Use	Average Estimated Value ¹	Equivalent Assessment Factors	
Land Use Class 1	Large Retail	\$135,492	0.64	Per 1,000 SF of GFA
Land Use Class 2	Mid-Size Retail	\$267,006	1.26	Per 1,000 SF of GFA
Land Use Class 3	Small Retail and Restaurants	\$449,514	2.11	Per 1,000 SF of GFA
Land Use Class 4	Theater	\$192,086	0.90	Per 1,000 SF of GFA
Land Use Class 5	Office	\$261,210	1.23	Per 1,000 SF of GFA
Land Use Class 6	Hotel	\$139,820	0.66	Per Room
Land Use Class 7	Multiple Family Market Rate Rental Units	\$212,731	1.00	Per Unit
Land Use Class 8	Multiple Family Affordable Rental Units	\$76,742	0.36	Per Unit
Land Use Class 9	Multiple Family Workforce Rental Units	\$145,919	0.69	Per Unit
Land Use Class 10	Townhouse A (2,200 + SF)	\$591,176	2.78	Per Unit
Land Use Class 11	Townhouse B (2,000 - 2,199 SF)	\$538,627	2.53	Per Unit
Land Use Class 12	Townhouse C (0-1,999 SF)	\$478,811	2.25	Per Unit
Land Use Class 13	Multiple Family For Sale Units	\$399,466	1.88	Per Unit

¹Based on a comparison of comparable research and income capitalization valuation, completed by MuniCap, Inc. See Exhibit D.

Special Assessments are to be allocated to parcels on the basis of equivalent assessment factors. An equivalent assessment factor is calculated for each land use class. Equivalent assessment factors represent the ratio of estimated value per unit, per 1,000 square feet or per room for each class. The calculation of the equivalent assessment factors are shown in Table F.

The Special Assessments on each parcel are to be based on the expected development on each parcel, the equivalent assessment factors for each land use class, and the Special Assessments per equivalent unit. Based on the approved development plan for the Mosaic District as shown in Table A and the equivalent assessment factors from Table F, the projected total equivalent units are 2,124 as shown below in Table G. Classes 10 through 13 include land use classes that may be built depending on market conditions. The development of such land use classes would be subject to future County approvals. Current approvals allow for Land Use Classes 1 through 9, as a result, Land Use Classes 10 through 13 are excluded from Table G below.

TABLE G
Total Equivalent Units

Land Use Class	Approved Development	Equivalent Assessment Factors	Total Equivalent Units
Land Use Class 1	169	0.64	108
Land Use Class 2	12	1.26	15
Land Use Class 3	322	2.11	680
Land Use Class 4	120	0.90	108
Land Use Class 5	167	1.23	205
Land Use Class 6	375	0.66	246
Land Use Class 7	710	1.00	710
Land Use Class 8	38	0.36	14
Land Use Class 9	55	0.69	38
Total			2,124

Table H below shows the derivation of the Special Assessments per equivalent unit based on the total Special Assessments of the Authority, as shown in Exhibit C, and the number of equivalent units as shown in Table G.

TABLE H
Special Assessments per Equivalent Unit

Total Special Assessments	\$208,854,917
Total Equivalent Units	2,124
Total Special Assessments per Equivalent Unit	\$98,332
Total Principal Portion of Assessments	\$95,435,000
Total Equivalent Units	2,124
Total Principal Portion per Equivalent Unit	\$44,932

Special Assessments are to be allocated to each parcel pro rata to the equivalent units of each parcel. As a result, a parcel that represents ten percent of the equivalent units will be allocated ten percent of the Special Assessments. For example, the approved development plan includes 168,900 square feet of large retail (Class 1) and 375 hotel rooms (Class 6). If all of this development were to be on a single parcel, the total equivalent units for the parcel would be 354, as shown below in Table I.

TABLE I
Equivalent Units on a Sample Parcel

Land Use Class	Approved Development (Per 1,000 GFA/ Rooms)	Equivalent Assessment Factors	Total Equivalent Units
Land Use Class 1	169	0.64	108
Land Use Class 4	375	0.66	246
Total			354

Based on the total development outlined in Table G, the sample parcel in Table I would be responsible for 16.67% of the total assessments, as shown below in Table J.

TABLE J
Allocation of Assessments to Sample Parcel

Total equivalent units	2,124
Equivalent units on sample parcel	354
Share of equivalent units or sample parcel	16.67%
Total special assessments	\$208,854,917
Allocation of assessments to sample parcel	\$34,814,255
Total principal portion of assessments	\$95,435,000
Allocation of principal to sample parcel	\$15,908,165

Exhibit E of this report shows the allocation of Special Assessments to each land use class for the approved development plan. Exhibit F of this report shows the allocation of Special Assessment to each parcel within the Mosaic District.

Special Assessments are to be imposed on each parcel as shown on the Special Assessment Roll and will be reallocated to new parcels pursuant to the “Rate and Method of Apportionment of Special Assessments” on the basis of equivalent assessment factors for each land use class. The equivalent assessment factors for each property type are calculated as explained above and as shown in Exhibit E.

Summary of Reasonable Basis of the Special Assessments

Special Assessments are imposed on the assessed property in the Mosaic District according to the provisions of the “Rate and Method of Apportionment of Special Assessments” in a reasonable manner. This report explains the reasonable basis of the Special Assessments. The reasonable basis may be summarized as follows:

1. The public improvements are being provided specifically for the use of the property in the Mosaic District, and as a result, provide a peculiar and special benefit to the property within the Mosaic District;
2. The special benefit of the public improvements to the property subject to Special Assessments equals or exceeds the cost of the Special Assessments;
3. The Bonds are issued to finance the costs of the public improvements, which provide a special benefit to the property in the Mosaic District, and other costs related to the issuance of the Bonds;
4. Special Assessments collected on all of the property in the Mosaic District each year are equal to the amount required to pay the debt service on the Bonds and administrative expenses of the Authority related to the Bonds;

5. Special Assessments are to be allocated to each parcel within the Mosaic District in a manner that is reasonably representative of the benefit each property receives from the public improvements to be provided by the Authority.

For these reasons, the Special Assessments are imposed on the assessed property in the Mosaic District in a reasonable manner.

Exhibit A

Mosaic District Site Plan

Exhibit A Mosaic District Site Plan

TOTAL PROGRAM	
Retail Shops	269,164 SF
Restaurants	52,600 SF
Jr. Anchor	12,000 SF
Target	168,900 SF
Cinema	120,000 SF
Office	167,096 SF
Hotel(300 rooms)	250,000 SF
Residential(803 units)	853,352 SF
TOTAL	1,893,112 SF

PARCEL G (2013)	
Retail Shops	36,000 SF
Restaurants	10,000 SF
Residential(272 units)	288,882 SF
TOTAL	334,882 SF

PARCEL A (2012)	
Retail Shops	21,100 SF
Restaurants	15,000 SF
Jr. Anchor	12,000 SF
Office	167,096 SF
Hotel(150 rooms)	100,00 SF
TOTAL	315,196 SF

PARCEL E (2013)	
Retail Shops	20,000 SF
Residential (127 units)	135,594 SF
TOTAL	155,594 SF

PARCEL C (2012)	
Retail Shops	20,000 SF
Residential (128 units)	135,594 SF
TOTAL	155,594 SF

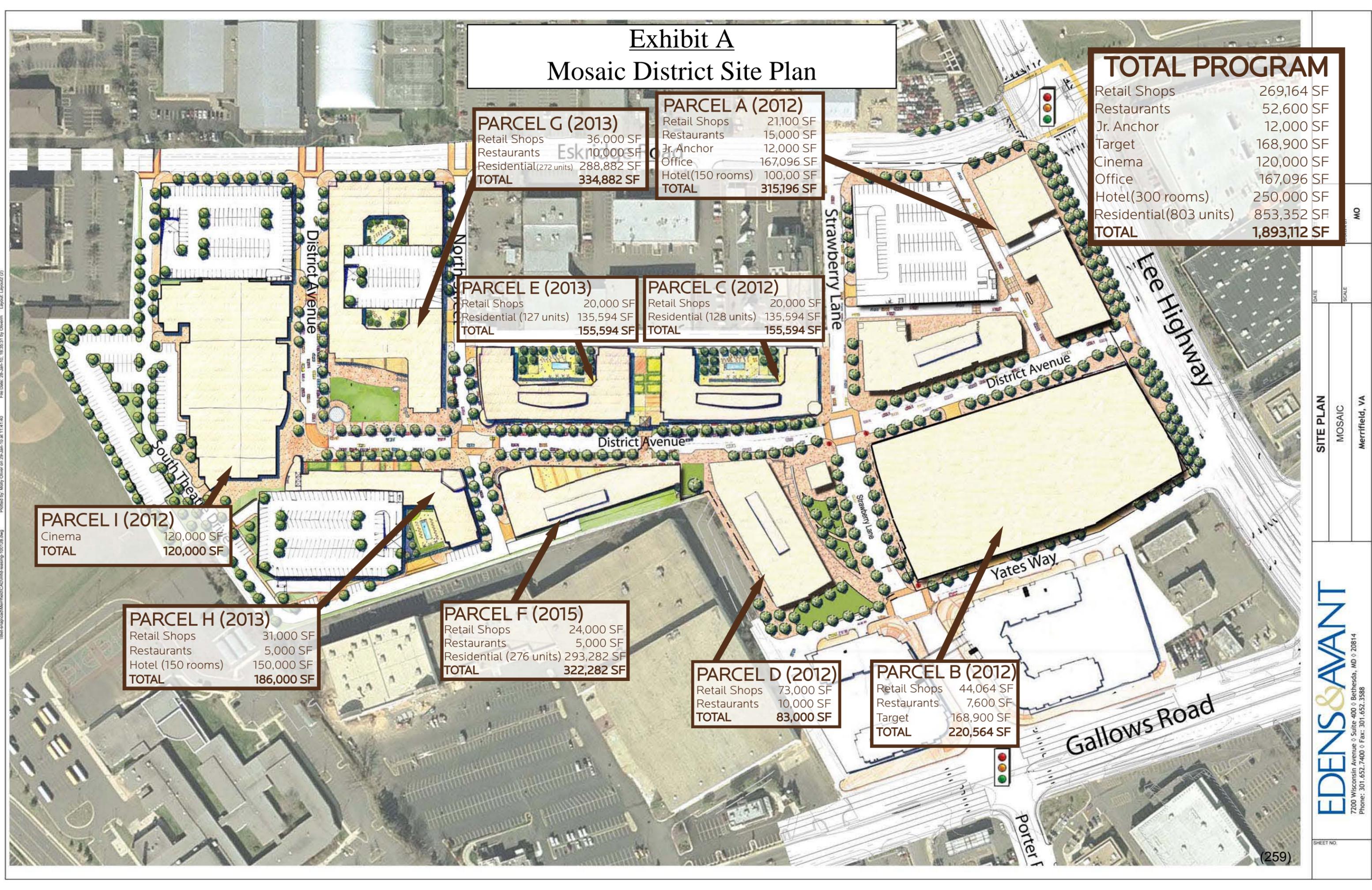
PARCEL I (2012)	
Cinema	120,000 SF
TOTAL	120,000 SF

PARCEL H (2013)	
Retail Shops	31,000 SF
Restaurants	5,000 SF
Hotel (150 rooms)	150,000 SF
TOTAL	186,000 SF

PARCEL F (2015)	
Retail Shops	24,000 SF
Restaurants	5,000 SF
Residential (276 units)	293,282 SF
TOTAL	322,282 SF

PARCEL D (2012)	
Retail Shops	73,000 SF
Restaurants	10,000 SF
TOTAL	83,000 SF

PARCEL B (2012)	
Retail Shops	44,064 SF
Restaurants	7,600 SF
Target	168,900 SF
TOTAL	220,564 SF



DATE: _____ SCALE: _____

SITE PLAN
MOSAIC
Merrifield, VA

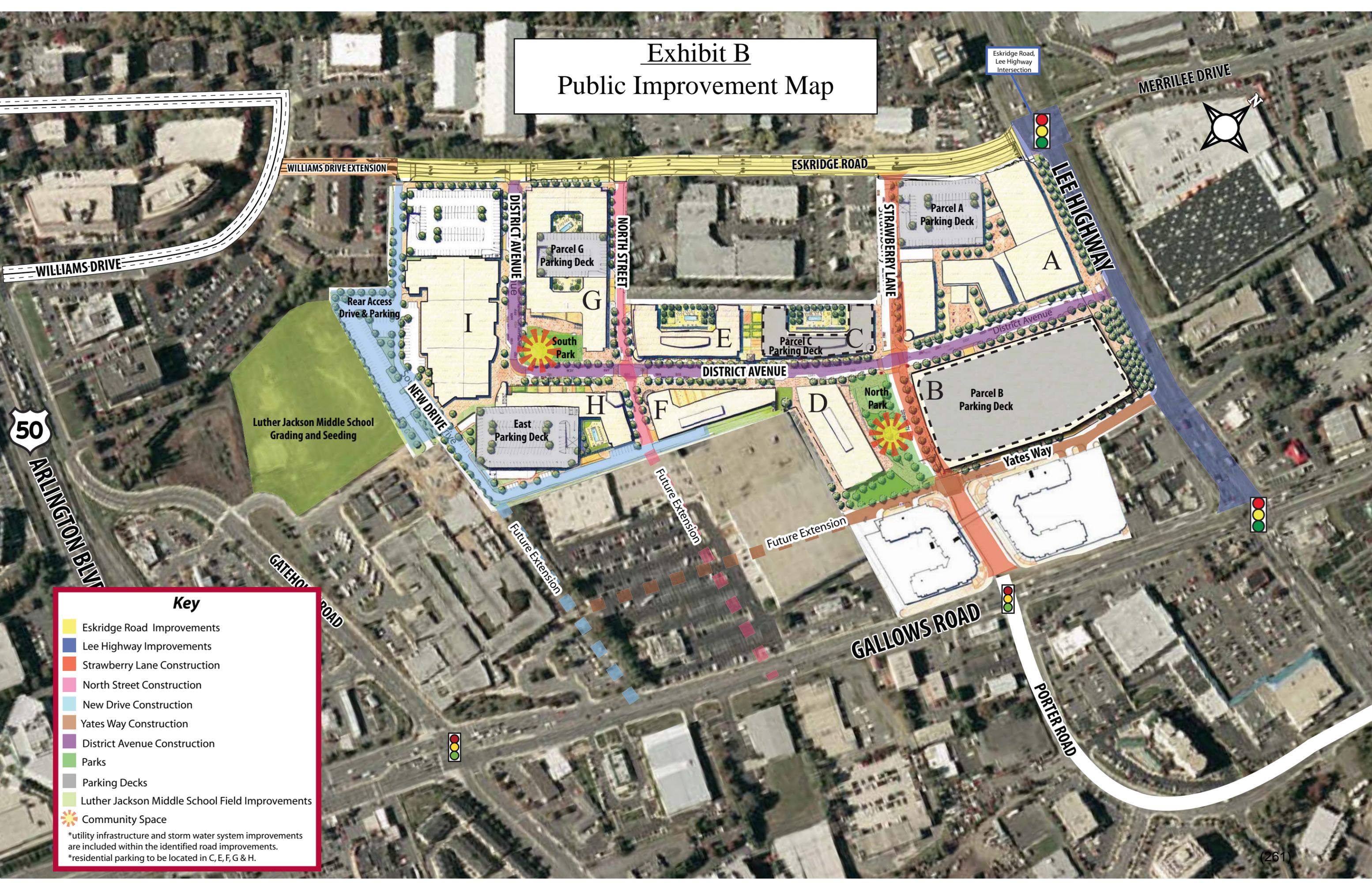
EDENS & AVANT
7200 Wisconsin Avenue ♦ Suite 400 ♦ Bethesda, MD ♦ 20814
Phone: 301.652.7400 ♦ Fax: 301.652.3588

SHEET NO. _____

Exhibit B

Public Improvement Map

Exhibit B Public Improvement Map



Eskridge Road, Lee Highway Intersection

MERRILEE DRIVE



WILLIAMS DRIVE EXTENSION

ESKRIDGE ROAD

LEE HIGHWAY

WILLIAMS DRIVE

DISTRICT AVENUE

NORTH STREET

STRAWBERRY LANE

Parcel A
Parking Deck

A

Rear Access Drive & Parking

Parcel G
Parking Deck

G

Parcel C
Parking Deck

DISTRICT AVENUE

E

Parcel B
Parking Deck

B

Luther Jackson Middle School
Grading and Seeding

NEW DRIVE

East
Parking Deck

H

F

D

North
Park

Yates Way

Future Extension

Future Extension

Future Extension

50

ARLINGTON BLVD

GATEHOPE ROAD

GALLOWES ROAD

PORTER ROAD

Key

- Eskridge Road Improvements
- Lee Highway Improvements
- Strawberry Lane Construction
- North Street Construction
- New Drive Construction
- Yates Way Construction
- District Avenue Construction
- Parks
- Parking Decks
- Luther Jackson Middle School Field Improvements
- Community Space

*utility infrastructure and storm water system improvements are included within the identified road improvements.
*residential parking to be located in C, E, F, G & H.

Exhibit C

**Projected Debt Service and
Administrative Expenses**

**Mosaic District Community Development Authority
Fairfax County, Virginia**

**Exhibit C-1
Total Combined Bonds
Tax Revenue and Special Assessment Bonds
Projected Debt Service and Administrative Expenses**

Assessment Year Beginning	Principal	Interest	Administrative Expense	Total Annual Installments
2010	\$0	\$0	\$0	\$0
2011	\$0	\$1,894,933	\$30,000	\$1,924,933
2012	\$0	\$1,824,000	\$30,000	\$1,854,000
2013	\$0	\$1,824,000	\$30,000	\$1,854,000
2014	\$275,000	\$6,376,450	\$81,600	\$6,733,050
2015	\$410,000	\$6,357,200	\$83,232	\$6,850,432
2016	\$1,125,000	\$6,328,500	\$84,897	\$7,538,397
2017	\$1,320,000	\$6,255,450	\$86,595	\$7,662,045
2018	\$1,530,000	\$6,169,050	\$88,326	\$7,787,376
2019	\$1,760,000	\$6,068,300	\$90,093	\$7,918,393
2020	\$2,000,000	\$5,951,850	\$91,895	\$8,043,745
2021	\$2,265,000	\$5,818,950	\$93,733	\$8,177,683
2022	\$2,550,000	\$5,667,950	\$95,607	\$8,313,557
2023	\$2,865,000	\$5,497,400	\$97,520	\$8,459,920
2024	\$3,200,000	\$5,305,300	\$99,470	\$8,604,770
2025	\$3,555,000	\$5,090,250	\$101,459	\$8,746,709
2026	\$3,945,000	\$4,850,850	\$103,489	\$8,899,339
2027	\$4,365,000	\$4,584,700	\$105,558	\$9,055,258
2028	\$4,815,000	\$4,289,750	\$107,669	\$9,212,419
2029	\$5,300,000	\$3,963,900	\$109,823	\$9,373,723
2030	\$5,820,000	\$3,604,750	\$112,019	\$9,536,769
2031	\$6,380,000	\$3,209,900	\$114,260	\$9,704,160
2032	\$6,990,000	\$2,776,550	\$116,545	\$9,883,095
2033	\$7,635,000	\$2,301,300	\$118,876	\$10,055,176
2034	\$8,340,000	\$1,781,700	\$121,253	\$10,242,953
2035	\$9,090,000	\$1,213,650	\$123,678	\$10,427,328
2036	\$1,760,000	\$594,000	\$47,307	\$2,401,307
2037	\$1,865,000	\$488,400	\$48,253	\$2,401,653
2038	\$1,975,000	\$376,500	\$49,218	\$2,400,718
2039	\$2,090,000	\$258,000	\$50,203	\$2,398,203
2040	\$2,210,000	\$132,600	\$51,207	\$2,393,807
Total	\$95,435,000	\$110,856,133	\$2,563,784	\$208,854,917

Exhibit D

Estimated Land Use Class Values

**Mosaic District Community Development Authority
Fairfax County, Virginia**

Exhibit D-I: Estimate of Land Use Class Values

Land Use Class	Projected Development			Market Value ¹			Market Value Per 1,000 SF/Room/Unit ²	Total Market Value
	GFA	Units	Rooms	Per SF	Per Unit	Per Room		
<i>Land Use Class 1 - large retail</i>	168,900	NA	NA	\$135.49	NA	NA	\$135,492	\$22,884,585
<i>Land Use Class 2 - mid-size retail</i>	12,000	NA	NA	\$267.01	NA	NA	\$267,006	\$3,204,073
<i>Land Use Class 3 - small retail</i>								
Specialty retail	269,163	NA	NA	\$453.11	NA	NA	\$453,109	\$121,960,053
Restaurant	52,600	NA	NA	\$431.12	NA	NA	\$431,120	\$22,676,908
Sub-total land use class 2	321,763			\$449.51			\$449,514	\$144,636,961
<i>Land Use Class 4 - theater</i>	120,000	NA	NA	\$192.09	NA	NA	\$192,086	\$23,050,369
<i>Land Use Class 5 - office</i>	167,096	NA	NA	\$261.21	NA	NA	\$261,210	\$43,647,078
<i>Land Use Class 6 - hotel</i>	250,000	NA	375	\$209.73	NA	\$139,820	\$139,820	\$52,432,472
<i>Land Use Class 7 -mf market rate rental units</i>	660,300	710	NA	\$228.74	\$212,731	NA	\$212,731	\$151,038,846
<i>Land Use Class 8 - mf affordable rental units</i>	29,471	38	NA	\$98.95	\$76,742	NA	\$76,742	\$2,916,201
<i>Land Use Class 9 - mf workforce rental units</i>	42,882	55	NA	\$187.15	\$145,919	NA	\$145,919	\$8,025,528
<i>Land Use Class 10 - townhouse (2,200+ SF)</i>	-	-	NA	\$262.75	\$591,176	NA	\$591,176	-
<i>Land Use Class 11 - townhouse (2,000 - 2,199 SF)</i>	-	-	NA	\$262.75	\$538,627	NA	\$538,627	-
<i>Land Use Class 12 - townhouse (0-1,999 SF)</i>	-	-	NA	\$290.19	\$478,811	NA	\$478,811	-
<i>Land Use Class 13 - multiple family for sale units</i>	-	-	NA	\$363.15	\$399,466	NA	\$399,466	-
Total	1,772,412	803	375					\$451,836,113

MuniCap, Inc.

26-Jan-11

¹See Schedule II.

²Represents the estimated value per 1,000 square feet, per room, or per unit used to calculate the equivalent assessment factors.

**Mosaic District Community Development Authority
Fairfax County, Virginia**

Exhibit D-II: Comparison of Valuation Methods¹

Property Type	Income Capitalization ²	Comparables ³
<u>Parcel B anchor</u>		
Per SF	\$123.81	<u>\$135.49</u>
<u>Junior anchors</u>		
Per SF	\$308.22	<u>\$267.01</u>
<u>Specialty retail</u>		
Per SF	<u>\$453.11</u>	\$308.71
<u>Restaurant</u>		
Per SF	<u>\$431.12</u>	\$365.72
<u>Office</u>		
Per SF	<u>\$261.21</u>	\$220.05
<u>Hotel</u>		
Per SF	<u>\$209.73</u>	\$180.38
Per room	<u>\$139,819.93</u>	\$126,243.02
<u>Theater</u>		
Per SF	<u>\$192.09</u>	\$173.29
<u>Residential (For Rent)</u>		
Market:		
Per SF	<u>\$228.74</u>	\$155.60
Per unit	\$212,730.77	\$172,012.60
ADU:		
Per SF	<u>\$98.95</u>	\$93.36
Per unit	\$76,742.14	\$103,207.56
Workforce:		
Per SF	<u>\$187.15</u>	\$140.04
Per unit	\$145,918.69	\$154,811.34
<u>Residential (For Sale)</u>		
Townhouse:		
Type A - 4 Bedroom		
Per SF ⁴	NA	<u>\$262.75</u>
Per unit ⁴	NA	\$543,444.44
Type B - 3 Bedroom		
Per SF ⁴	NA	<u>\$262.75</u>
Per unit ⁴	NA	\$543,444.44
Type C - 3 Bedroom		
Per SF ⁴	NA	<u>\$290.19</u>
Per unit ⁴	NA	\$512,666.67
Condominium:		
Per SF	NA	<u>\$363.15</u>
Per unit	NA	\$427,465.00

MuniCap, Inc.

26-Jan-11

¹Valuation approach chosen for each type of development is underlined and shown in bold and italics.

²See Schedule III.

³See Schedule IV. ADU and workforce housing assumptions provided by Edens & Avant. Assumes that ADU housing is equal to 60% and workforce housing is equal to 90% of the market residential value.

⁴Townhouse units do not generate rental income. As a result, only the comparable approach is utilized to estimate value.

**Mosaic District Community Development Authority
Fairfax County, Virginia**

Exhibit D-III: Projected Market Value (Income Capitalization)

	Parcel B Anchor	Junior Anchors ⁵	Specialty Retail ⁵	Restaurant ⁵	Office ⁵	Theater
<i>Income Capitalization</i>						
Square feet ¹	168,900	12,000	269,163	52,600	167,096	120,000
Annual rent PSF ²	\$15.00	\$31.50	\$50.00	\$50.00	\$35.00	\$21.82
Assumed vacancy rate ³	5%	0%	6%	5%	7%	5%
Less: assumed vacancy	(\$0.75)	\$0.00	(\$3.00)	(\$2.50)	(\$2.45)	(\$1.09)
Effective gross income	\$14.25	\$31.50	\$47.00	\$47.50	\$32.55	\$20.73
Assumed expense ratio ³	18%	7%	9%	8%	23%	10%
Less: assumed expenses	(\$2.50)	(\$2.25)	(\$4.00)	(\$4.00)	(\$7.50)	(\$2.50)
Net operating income	\$11.75	\$29.25	\$43.00	\$43.50	\$25.05	\$18.23
Capitalization rate ⁴	9.49%	9.49%	9.49%	10.09%	9.59%	9.49%
Total estimated market value PSF	\$123.81	\$308.22	\$453.11	\$431.12	\$261.21	\$192.09

MuniCap, Inc.

26-Jan-11

¹Provided by Edens & Avant.

²Assumptions for anchor annualized rents provided by Department of Tax Administration for Fairfax County. Theater annualized rents are assumed to be the rent by tenant type provided by Edens & Avant.

³Assumptions provided by Director of Tax Administration for Fairfax County. Assumes the junior anchor parcel will be a grocer with a long term lease based on information provided by E&A.

⁴The market cap rate is estimate at 8.40% for all properties except restaurant, for which the market cap rate is estimated to 9.0%, and office, for which the market cap rate is estimated to be 8.50%. The property tax rate of 1.09% is added to the market cap rate to arrive at the fully loaded cap rate. Property taxes are not included in estimated expenses. Assumptions are provided by the Department of Tax Administration for Fairfax County.

⁵Annual rent per square foot assumptions are based on information in the *Market Analysis and Product Program Recommendations for Mosaic District in Merrifield, Virginia* prepared by The Concord Group.

**Mosaic District Community Development Authority
Fairfax County, Virginia**

Exhibit D-III: Projected Market Value (Income Capitalization)

	Hotel
<i>Income Capitalization</i>	
Square feet ¹	250,000
Number of rooms	375
Average daily rate per room ²	\$180.00
Gross annual income	\$65,700.00
Assumed occupancy rate ³	65%
Effective gross income per room	\$42,705.00
Assumed expense ratio ³	65%
Less: assumed expenses	(\$27,758.25)
Net operating income per room	\$14,946.75
Capitalization rate ⁴	10.69%
Total estimated value per room	\$139,819.93

MuniCap, Inc.

26-Jan-11

¹Provided by Edens & Avant. See Schedule I.

²Based on information in the Market Analysis and Product Program Recommendations for Mosaic District in Merrifield, Virginia prepared by The Concord Group.

³Provided by Director of Tax Administration for Fairfax County.

⁴To account for real property tax, 1.09% is added to the 9.60% cap. rate. Assumptions provided by the Department of Tax Administration for Fairfax County.

**Mosaic District Community Development Authority
Fairfax County, Virginia**

Exhibit D-III: Projected Market Value (Income Capitalization)

	Residential (For Rent)		
	Market Rate	ADU	Workforce
<i>Income Capitalization</i>			
Number of units ¹	710	38	55
Average net SF per unit ¹	930	776	780
Monthly rent PSF ²	\$2.25	\$1.35	\$2.03
Monthly rent per unit	\$2,092.50	\$1,047.00	\$1,578.84
Annual rent per unit	\$25,110.00	\$12,563.95	\$18,946.05
Less: assumed vacancy (7%) ¹	(\$1,757.70)	(\$879.48)	(\$1,326.22)
Effective gross income	\$23,352.30	\$11,684.48	\$17,619.82
Less: assumed expenses (19%) ¹	(\$5,100.00)	(\$5,100.00)	(\$5,100.00)
Net operating income per unit	\$18,252.30	\$6,584.48	\$12,519.82
Capitalization rate ³	8.58%	8.58%	8.58%
Total estimated value per unit	\$212,730.77	\$76,742.14	\$145,918.69

MuniCap, Inc.

26-Jan-11

¹Provided by Edens & Avant.

²Market rate rents are based on information in the Market Analysis and Product Program Recommendations for Mosaic District in Merrifield, Virginia prepared by The Concord Group. Assumes ADU and workforce rents are 60% and 90% of the market rate rent.

³The market cap rate is estimated to be 7.49%. The real property tax rate of 1.09% is added to the cap. Rate to arrive at the fully loaded cap rate. Assumptions provided by the Department of Tax Administration for Fairfax County.

**Mosaic District Community Development Authority
Fairfax County, Virginia**

Exhibit D-IV: Projected Market Value (Comparables)

Property Type	Property Address	Area	Year Built	Parcel ID	Building Area			Market Value			Total Market Value			
					SF	Screens	Rooms	Land	Building	Total	Per SF	Per Screen	Per Room	
<i>Parcel B Anchor</i>														
Target	1911 Towne Center Blvd.	Annapolis	2008	02 10 90225790	173,794	NA	NA	\$6,275,000	\$28,142,600	\$34,417,600	\$198.04	NA	NA	
Target	6600 Richmond Highway	Alexandria	2003	0922 01 0016I	120,381	NA	NA	\$9,152,770	\$7,024,470	\$16,177,240	\$134.38	NA	NA	
Target	14391 Chantilly Crossing Lane	Fairfax	2003	1343 01 0041C	143,100	NA	NA	\$8,586,000	\$10,294,350	\$18,880,350	\$131.94	NA	NA	
Target	6100 Arlington Blvd.	Falls Church	2002	0514 01 0004	193,009	NA	NA	\$8,158,190	\$17,668,290	\$25,826,480	\$133.81	NA	NA	
Target	10301 New Guinea Road	Fairfax	1997	0772 01 0013C	111,275	NA	NA	\$7,270,540	\$7,530,590	\$14,801,130	\$133.01	NA	NA	
Target	12197 Sunset Hills Road		1997	0173 01 0033C	135,889	NA	NA	\$8,370,760	\$11,283,470	\$19,654,230	\$144.63	NA	NA	
					703,654						\$95,339,430	<u>\$135.49</u>		
<i>Junior Anchors</i>														
Whole Foods	143 Maple Avenue East	Vienna	1965	0384 02 0130A	37,669	NA	NA	\$7,163,140	\$1,404,540	\$8,567,680	\$227.45	NA	NA	
Whole Foods ¹	4501 Market Commons Drive	-	2006	0552 01 0015A4	95,545	NA	NA	\$3,927,820	\$19,948,500	\$23,876,320	\$249.90	NA	NA	
Harris Teeter	8200 Crestwood Heights Drive	McLean	2008	0294 14 0001C	64,440	NA	NA	\$3,235,900	\$17,094,920	\$20,330,820	\$315.50	NA	NA	
					197,654						\$52,774,820	<u>\$267.01</u>		
<i>Specialty Retail</i>														
Fairfax Corner Town Center ²	12500 Fair Lakes	Fairfax	2003	0561 01 0047 P-T	155,033	NA	NA	\$12,010,230	\$36,152,930	\$48,163,160	\$310.66	NA	NA	
Spectrum Town Center ²	1815 Fountain Drive	Reston	1996-2004	0171 01 0003P	108,744	NA	NA	\$12,356,320	\$23,447,550	\$35,803,870	\$329.25	NA	NA	
Spectrum Town Center ²	1815 Fountain Drive	Reston	1996	0171 01 0003K	103,617	NA	NA	\$8,769,200	\$20,062,730	\$28,831,930	\$278.25	NA	NA	
Market Commons ²	13075 Fair Lakes Shopping Center	Fairfax	1993	0551 14 0004C3	10,914	NA	NA	\$564,190	\$3,425,110	\$3,989,300	\$365.52	NA	NA	
					378,308						\$116,788,260	<u>\$308.71</u>		
<i>Restaurant</i>														
Coastal Flats	12500 Fair Lakes	Fairfax	2004	0561 01 0047 J	10,013	NA	NA	\$1,400,000	\$2,331,510	\$3,731,510	\$372.67	NA	NA	
PF Changs	12500 Fair Lakes	Fairfax	2003	0561 01 0047 K	7,715	NA	NA	\$1,400,000	\$1,389,850	\$2,789,850	\$361.61	NA	NA	
Julios Rio Grand	12500 Fair Lakes	Fairfax	2003	0561 01 0047 L	9,237	NA	NA	\$1,400,000	\$1,940,230	\$3,340,230	\$361.61	NA	NA	
					26,965						\$9,861,590	<u>\$365.72</u>		
<i>Office</i>														
One Freedom Square	11950 Market Street	Fairfax	1999	0171 16 0013	434,722	NA	NA	\$22,722,990	\$99,585,910	\$122,308,900	\$281.35	NA	NA	
MetroPlace/Dunn Loring	2600 Park Tower Drive	Fairfax	1999	0492 37 B	268,877	NA	NA	\$8,168,130	\$40,906,110	\$49,074,240	\$182.52	NA	NA	
Metro Park 5	6363 Walker Lane	Franconia	2006	0911 31 0003	175,184	NA	NA	\$686,000	\$36,230,420	\$36,916,420	\$210.73	NA	NA	
Fairview Park Drive	3190 Fairview Park Drive	Fairfax	1990	0494 13 0010	246,108	NA	NA	\$8,015,980	\$44,991,990	\$53,007,970	\$215.38	NA	NA	
Fairview Park Drive	3130 Fairview Park Drive	Fairfax	1999	0592 26 0004	197,804	NA	NA	\$6,395,770	\$30,870,780	\$37,266,550	\$188.40	NA	NA	
Fairview Park Drive	2941 Fairview Park Drive	Fairfax	2000	0494 01 0074A	401,218	NA	NA	\$12,240,000	\$62,870,200	\$75,110,200	\$187.21	NA	NA	
Fairview Park Drive	3150 Fairview Park Drive	Fairfax	2001	0592 01 0059	264,495	NA	NA	\$8,339,070	\$58,748,440	\$67,087,510	\$253.64	NA	NA	
Fairfax Corner Office	12500 Fair Lakes	Fairfax	2001	0561 01 0047H	136,977	NA	NA	\$3,545,990	\$23,379,120	\$26,925,110	\$196.57	NA	NA	
					2,125,385						\$467,696,900	<u>\$220.05</u>		
<i>Hotel</i>														
Homewood Suites	8130 Porter Road	Falls Church	1997	0494 01 0049F	82,301	NA	107	\$1,926,000	\$12,338,720	\$14,264,720	\$173.32	NA	\$133,315.14	
Residence Inn Fairfax Merrifield	8125 Gatehouse Road	Falls Church	2000	0494 14 0005	120,049	NA	159	\$2,226,000	\$19,725,710	\$21,951,710	\$182.86	NA	\$138,061.07	
Hilton Garden Inn	8301 Boone Blvd.	Vienna	2006	0391 06 0018	87,396	NA	148	\$4,440,000	\$11,608,180	\$16,048,180	\$183.63	NA	\$108,433.65	
					289,746	414					\$52,264,610	\$180.38	<u>\$126,243.02</u>	
<i>Theater</i>														
Fairfax Corner Theater	11900 Palace Way	Fairfax	2003	0561 01 0047I	89,261	14	NA	\$6,295,240	\$6,353,840	\$12,649,080	\$141.71	\$903,505.71	NA	
Regal Kingstowne 16	5910 Kingstowne Center	Alexandria	2005	0912 01 0036I	68,950	16	NA	-	-	\$14,768,062	\$214.19	\$923,003.88	NA	
											<u>\$173.29</u>	\$913,904.73		

MuniCap, Inc.

26-Jan-11

¹Consists of approximately 20,000 square feet of strip retail. Based on information provided by Fairfax County Tax Administration.

²Town center consisting of attached mini anchors and small retail shops. Contains retail only for Fairfax Corner Town Center.

**Mosaic District Community Development Authority
Fairfax County, Virginia**

Exhibit D-IV: Projected Market Value (Comparables)

Property Type	Property Address	Parcel ID	Area	Year Built	Building Area		Market Value			Total Market Value	
					SF	Units	Land	Building	Total	Per SF	Per Unit
<i>Residential (For Rent)</i>											
Camden at Fairfax Corner	12500 Fair Lakes	0561 01 0047E	Fairfax	2006	283,458	262	\$8,330,000	\$34,465,240	\$42,795,240	\$150.98	\$163,340.61
Monroe Place	2300 Woodland Crossing Drive	0164 23 R/0164T23 R	Herndon	2007	231,711	204	\$11,873,700	\$25,488,930	\$37,362,630	\$161.25	\$183,150.15
					515,169	466			\$80,157,870	<u>\$155.60</u>	\$172,012.60
<i>Townhouse - Type A & B (2,001+ SF)</i>											
Centerpointe Homes	12131 Tribune Street	0463 26 0056A	Fairfax	2010	2,096	-	\$188,000	\$376,000	\$564,000	\$269.08	\$564,000.00
Centerpointe Homes	12143 Tribune Street	0463 26 0050	Fairfax	2009	2,072	-	\$170,000	\$368,000	\$538,000	\$259.65	\$538,000.00
Centerpointe Homes	4139 Halsted Street	0463 26 0057	Fairfax	2008	2,015	-	\$175,000	\$362,000	\$537,000	\$266.50	\$537,000.00
Centerpointe Homes	4101 Halsted Street	0463 26 0090	Fairfax	2007	2,088	-	\$175,000	\$373,000	\$548,000	\$262.45	\$548,000.00
Centerpointe Homes	4103 Halsted Street	0463 26 0089	Fairfax	2007	2,040	-	\$170,000	\$365,000	\$535,000	\$262.25	\$535,000.00
Centerpointe Homes	4105 Halsted Street	0463 26 0088	Fairfax	2007	2,040	-	\$170,000	\$369,000	\$539,000	\$264.22	\$539,000.00
Centerpointe Homes	4107 Halsted Street	0463 26 0087	Fairfax	2007	2,088	-	\$170,000	\$373,000	\$543,000	\$260.06	\$543,000.00
Centerpointe Homes	4109 Halsted Street	0463 26 0086	Fairfax	2007	2,088	-	\$170,000	\$373,000	\$543,000	\$260.06	\$543,000.00
Centerpointe Homes	4111 Halsted Street	0463 26 0085A	Fairfax	2007	2,088	-	\$175,000	\$369,000	\$544,000	\$260.54	\$544,000.00
					2,068				\$543,444	<u>\$262.75</u>	\$543,444.44
<i>Townhouse - Type C (1,600 SF - 2,000 SF)</i>											
Centerpointe Homes	12101 Loyola Lane	0463 26 0078	Fairfax	2007	1,952	-	\$175,000	\$384,000	\$559,000	\$286.37	\$559,000.00
Centerpointe Homes	4120 Halsted Street	0463 26 0079	Fairfax	2008	1,896	-	\$175,000	\$392,000	\$567,000	\$299.05	\$567,000.00
Centerpointe Homes	4124 Halsted Street	0463 26 0081	Fairfax	2008	1,896	-	\$170,000	\$390,000	\$560,000	\$295.36	\$560,000.00
Fair Lakes	12426 Oak Rail Lane	0552 25 0002	Fairfax	2009	1,600	-	\$110,000	\$350,000	\$460,000	\$287.50	\$460,000.00
Fair Lakes	12419 Oak Rail Lane	0552 25 0006	Fairfax	2009	1,656	-	\$115,000	\$355,000	\$470,000	\$283.82	\$470,000.00
Fair Lakes	12421 Oak Rail Lane	0552 25 0007	Fairfax	2009	1,600	-	\$110,000	\$350,000	\$460,000	\$287.50	\$460,000.00
					1,767				\$512,667	<u>\$290.19</u>	\$512,666.67
<i>Condominiums</i>											
Midtown Reston North	11990 Market Steet Unit 416	0171 32 0416	Fairfax	2006	939	-	\$68,000	\$272,340	\$340,340	\$362.45	\$340,340.00
Midtown Reston North	11990 Market Steet Unit 506	0171 32 0506	Fairfax	2006	939	-	\$68,000	\$273,070	\$341,070	\$363.23	\$341,070.00
Midtown Reston North	11990 Market Steet Unit 206	0171 32 0206	Fairfax	2006	939	-	\$68,000	\$270,880	\$338,880	\$360.89	\$338,880.00
Midtown Reston North	11990 Market Steet Unit 204	0171 32 0204	Fairfax	2006	1,169	-	\$83,000	\$331,840	\$414,840	\$354.87	\$414,840.00
Midtown Reston North	11990 Market Steet Unit 214	0171 32 0214	Fairfax	2006	1,169	-	\$80,000	\$321,040	\$401,040	\$343.06	\$401,040.00
Midtown Reston North	11990 Market Steet Unit 304	0171 32 0304	Fairfax	2006	1,169	-	\$80,000	\$321,770	\$401,770	\$343.69	\$401,770.00
Midtown Reston North	11990 Market Steet Unit 314	0171 32 0314	Fairfax	2006	1,169	-	\$78,000	\$309,970	\$387,970	\$331.88	\$387,970.00
Midtown Reston North	11990 Market Steet Unit 203	0171 32 0203	Fairfax	2006	1,426	-	\$109,000	\$438,390	\$547,390	\$383.86	\$547,390.00
Midtown Reston North	11990 Market Steet Unit 503	0171 32 0503	Fairfax	2006	1,426	-	\$110,000	\$439,580	\$549,580	\$385.40	\$549,580.00
Midtown Reston North	11990 Market Steet Unit 813	0171 32 0813	Fairfax	0	1,426	-	\$110,000	\$441,770	\$551,770	\$386.94	\$551,770.00
Total					1,177				\$427,465	<u>\$363.15</u>	\$427,465.00

Exhibit E

**Allocation of Special Assessments
by Land Use Class**

**Mosaic District Community Development Authority
Fairfax County, Virginia**

Exhibit E-1

**Allocation of Special Assessments (Part A & Part B)
Tax Revenue and Special Assessment Bonds**

Table 1: Assessment Part A and Part B per Equivalent Unit Factor

	Total Assessments (Part A & B)	Total Equivalent Units	Assessments Per Equivalent Unit (Part A & B)
Total Assessment	\$208,854,917	2,124	\$98,332
Principal Portion of Assessment	\$95,435,000	2,124	\$44,932
Annual Assessment (2011-2012)	\$1,924,933	2,124	\$906

Table 2: Assessment Part A and Part B Per Land Use Class

Property Type	Equivalent Assessment Factor	Total Assessments (Part A & B)	Principal Portion of Assessment Part A & B Per 1,000 SF/Room/Unit	Annual Assessments (Part A & B)
	<i>(per 1,000 sf)</i>	<i>(per 1,000 sf)</i>	<i>(per 1,000 sf)</i>	<i>(per 1,000 sf)</i>
Land Use Class 1 - large retail	0.64	\$62,629	\$28,618	\$577
Land Use Class 2 - mid-size retail	1.26	\$123,420	\$56,396	\$1,138
Land Use Class 3 - small retail and restaurant	2.11	\$207,782	\$94,945	\$1,915
Land Use Class 4 - theater	0.90	\$88,789	\$40,572	\$818
Land Use Class 5 - office	1.23	\$120,740	\$55,172	\$1,113
	<i>(per room)</i>	<i>(per room)</i>	<i>(per room)</i>	<i>(per room)</i>
Land Use Class 6 - hotel	0.66	\$64,630	\$29,532	\$596
	<i>(per unit)</i>	<i>(per unit)</i>	<i>(per unit)</i>	<i>(per unit)</i>
Land Use Class 7 - market rate rental units	1.00	\$98,332	\$44,932	\$906
Land Use Class 8 - affordable rental units	0.36	\$35,473	\$16,209	\$327
Land Use Class 9 - workforce rental units	0.69	\$67,449	\$30,820	\$622

Exhibit F

**Allocation of Special Assessments
by Parcel**

**Mosaic District Community Development Authority
Fairfax County, Virginia**

**Exhibit F-1
Allocation of Special Assessments by Parcel**

Table 1: Total Assessments per Parcel

Tax Parcel Number	Expected Development per Parcel (1,000's of SF/Units/Rooms)	Equivalent Units ¹	Total Special Assessments	Principal Portion of Special Assessments
0493 01 0080 E	938	1,142	\$112,343,818	\$51,334,833
0493T 01 0080 E	0	0	\$0	\$0
0493 01 0080 F	803	761	\$74,873,253	\$34,212,883
0493 01 0081 A	25	53	\$5,194,538	\$2,373,613
0493T 01 0081 A	0	0	\$0	\$0
0493 01 0082 A	21	45	\$4,384,190	\$2,003,329
0493T 01 0082 A	0	0	\$0	\$0
0493 01 0082 B	12	15	\$1,481,038	\$676,751
Parcel B Anchor	169	108	\$10,578,079	\$4,833,590
	1,968	2,124	\$208,854,917	\$95,435,000

¹Equivalent units are calculated based on the expected development per parcel and the equivalent unit factor by property type. Equivalent units are calculated as shown in the Assessment Roll, Appendix A to the Rate and Method of Apportionment of Special Assessments.

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Board Agenda Item
April 26, 2011

CONSIDERATION - 1

Approval of Modifications to the Charter of the Fairfax County Oversight Committee on Drinking and Driving

ISSUE:

Consideration of the amendments to the charter of the Fairfax County Oversight Committee on Drinking and Driving.

TIMING:

Board consideration is requested on April 26, 2011.

BACKGROUND:

The Board of Supervisors established the Fairfax County Oversight Committee on Drinking and Driving in 1982 to ensure that the Board is adequately and appropriately informed about drinking and driving related conditions within the County. In its early years, the committee had 15 members, including three general community representatives, five non-government organization representatives, and seven government agency representatives. In 1998, a formal committee charter was approved by the Board which reorganized the membership into four categories: community, professional, advocacy, and government. The community category provided for one community member volunteer from each supervisor's district. Additionally, an open number of representatives were allowed for the professional and advocacy groups.

PROPOSED CHARTER CHANGES

The committee's charter would be amended as follows:

1. Committee members would be required to be "*either*" residents of "*or representing agencies or organizations serving*" Fairfax County.

The current charter requires committee members to be residents of Fairfax County. However, several members who represent government agencies or public organizations that function within the county are not, themselves, residents of the county. To correct this issue, the charter should reflect that committee members must be "*either*" residents of "*or representing agencies or organizations serving*" Fairfax County.

Board Agenda Item
April 26, 2011

2. The Community category of the membership structure provided by the charter would be expanded to allow for “*an open number of at-large community members.*”

Under the current Community representation category of membership, the charter provides for one community member from each supervisor district. To allow for the retention of a contributing member who may change his/her status within an organization represented on the committee (e.g., local MADD chapter president; the inclusion of a general community member who may not qualify under the current member categories), the Community category would be expanded to include “an open number of at-large community members.” Both the Professional and Advocacy categories have similar allowances.

3. The requirement for conducting a general session meeting every two months would be changed to “*at least once per quarter.*”

The current charter mandates that the committee meet in general session once every two months, a frequency which has not proven beneficial over the past 10 to 15 years. To reflect a more realistic frequency for the number of mandated meetings, the charter would be changed to require that the committee meet in general session “at least once per quarter.” This will mandate only four meetings per year but will still allow for more if the committee chooses to do so.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1 – Proposed Amendments to the Fairfax County Oversight Committee on Drinking and Driving

STAFF:

Robert A. Stalzer, Deputy County Executive
Colonel David M. Rohrer, Chief of Police
Jerry Stemler, DWI Coordinator, Police Department

**PROPOSED AMENDMENTS
TO
THE FAIRFAX COUNTY
OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**

CHARTER

The Fairfax County Board of Supervisors reaffirms the establishment of an Oversight Committee on Drinking and Driving to be comprised of representatives from the public and private sectors. Committee members must be either residents of or representing an agency or organization serving Fairfax County and will be selected for their involvement or knowledge relating to drinking and driving prevention. The Committee will be self governing and serve at the pleasure of the Board, without compensation. The Board will ensure that the County provides adequate support for the most efficient and effective operation of the Committee.

PURPOSE

It will be the responsibility of the Oversight Committee on Drinking and Driving to ensure that the Fairfax County Board of Supervisors is adequately and appropriately informed about drinking and driving related conditions within the County, which can impact public safety and mobility.

OBJECTIVES

The basic operational objectives of the Oversight Committee on Drinking and Driving will be:

1. To monitor local, state and national drinking and driving related activity and policy including: community action, legislation, education, enforcement, adjudication and rehabilitation.
2. To identify issues which are having, or could have, an impact on the illegal and unsafe use of alcohol and drugs, and develop recommendations for appropriate action.
3. To provide timely, pertinent information and /or recommendations to the Board of Supervisor.

ORGANIZATION

A. Membership

1. Members will be appointed and/or approved by Board of Supervisors for three year terms, without compensation
2. Representation
 - a. Community – One ~~citizen~~ community member, from each Supervisor’s District and an open number of at-large community members, who ~~is~~ are community active and informed,
 - b. Professional – An open number of ~~citizens~~ community members selected from professional fields relating to drinking and driving, as determined by the Committee;
 - c. Advocacy – An open number of ~~citizens~~ community members representing private organizations with key involvement in drinking and driving prevention, as determined by the Committee;
 - d. Government – One person from County agencies, or state agencies operating within the County, which have a key involvement in drinking and driving prevention, as determined by the Committee;
3. Members will reflect the collective position of the group/agency they represent on issues before the Committee and will keep their group/agency informed of Committee activity and positions.
4. Members who miss three Committee meetings in a row without notifying the chair/staff and not providing a qualified substitute representative shall be considered for replacement.
5. Members must live within or be the representative of an agency or organization serving Fairfax County.
6. Members must comply with State and County Boards and Commissions, including legislative lobbying and conflict of interest restriction.

B. Officers

1. The Committee will have one Chairman and one Vice-Chairman
 - a. Officers will serve for two year staggered terms
 - b. Officers will be determined by a majority of the membership.
 - c. The Vice-Chairman will automatically succeed the chairman upon agreement of a majority of the membership.
 - d. The Chair can serve a maximum of two consecutive two year terms.
2. The Chairman or designee will be the official spokesperson of the Committee.
3. The Chairman or designee will reside over all general membership meetings
4. Unless otherwise directed by the Chairman, the Vice-Chairman will assume responsibility when the Chairman is unavailable.

- C. Sub-Committees / Workgroups
 - 1. Sub-Committees or workgroups may be established on an ad-hoc basis by the Chairman as necessary.
 - 2. Sub-Committee or workgroup reports and/or recommendations will be made only to the Committee.
 - 3. Sub-Committee or workgroup Chairmen will be determined by the group membership if not predetermined by the Chairman.

- D. Meetings
 - 1. The Committee will meet in general session ~~once every two months, or six times per year~~ at least once per calendar quarter.
 - a. Meeting dates, time and location will be determined by the membership.
 - 2. Frequency of Sub-Committee or workgroup meetings will be determined by the group membership.
 - 3. General meeting agenda will be approved by the Chairman/Vice-Chairman.
 - 4. Meetings will be conducted utilizing a “discussion-listening-consensus” format.

- E. Reports/Recommendations
 - 1. An annual report, primarily statistical in nature, with or without recommendations will be presented to the Board of Supervisors each calendar year.
 - 2. Recommendations may be submitted to the Board of Supervisors as necessary.
 - 3. All communications to the Board of Supervisors must be approved by a majority of members in attendance.
 - a. The Chairman/Vice-Chairman may approve Committee communications to the Board of Supervisors under time emergency conditions.

- F. Staff
 - 1. The Committee will be provided with the qualified staff necessary to carry out the approved charter and conduct the business of the committee.
 - a. The County DWI Coordinator will serve the Committee as director of operations and staff services.
 - 2. The Board of Supervisors will ensure the necessary budget support for the most efficient and effective operation of the staff function and Committee operation.

- G. The Committee may modify its organizational structure as necessary to provide for a more efficient and effective operation. Any changes must be approved by a majority of the membership and must be communicated to the Board of Supervisors.

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Board Agenda Item
April 26, 2011

INFORMATION - 1

Planning Commission Action on Application 2232-L11-1, T-Mobile Northeast L.L.C. (Lee District)

On Wednesday, March 23, 2011, the Planning Commission voted 8-0-1 (Commissioner de la Fe abstaining; Commissioners Alcorn, Hall, and Harsel absent from the meeting) to approve 2232-L11-1.

The Commission noted that the application met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia.

Application 2232-L11-1 sought approval to construct a telecommunications facility consisting of a 125-foot monopole (treepole design) and related equipment at 5419 Oakwood, Alexandria to accommodate up to 3 collocated wireless providers. (Tax Map 81-2 ((3)) 33) The Commission also noted that the site plan was amended to show that the proposed staggered row of evergreen trees at the southern boundary of the property will be planted at a height of 10 feet rather than the six feet originally shown to improve screening for the facility.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts from 3/23/11 Commission meeting

Attachment 2: Vicinity map

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred R. Selden, Acting Director, Department of Planning and Zoning (DPZ)

Chris Caperton, Chief, Facilities Planning Branch, Planning Division, DPZ

Barbara J. Lipka, Executive Director, Planning Commission Office

Planning Commission Meeting
 March 23, 2011
 Verbatim Excerpt

2232-L11-1 – T-MOBILE NORTHEAST, LLC

Decision Only During Commission Matters
 (Public Hearing held on March 16, 2011)

Commissioner Migliaccio: Thank you, Mr. Chairman.

Chairman Murphy: Go ahead.

Commissioner Migliaccio: And I have one decision only from a public hearing last week on a 2232 on behalf of T-Mobile Northeast, LLC. In your packets tonight, you should have Addendum Number 2 to this application. All this addendum says is it clarifies that the trees on the southern border would not be 6 feet but instead would be 10 feet tall when planted. Therefore, Mr. Chairman, I concur with staff that the proposal by T-Mobile Northeast, LLC, as amended, at 5419 Oakwood Road, Alexandria, meets the criteria of location, character, and extent, pursuant to *Virginia Code* Section 15.2-2232, as amended. I - -

Commissioner Flanagan: Second.

Commissioner Migliaccio: Oh.

Commissioner Flanagan: Oh. Sorry.

Commissioner Migliaccio: Sorry. I MOVE THAT THE PLANNING COMMISSION FIND THE SUBJECT APPLICATION 2232-L11-1, AS AMENDED, SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of that motion? All those in favor of the motion to approve 2232-L11-1, say aye.

Commissioners: Aye.

Chairman Murphy: Motion carries.

Commissioner de la Fe: Abstain, not present for the public hearing.

Chairman Murphy: All right. Mr. de la Fe abstains.

//

(The motion carried by a vote of 8-0-1 with Commissioner de la Fe abstaining; Commissioners Alcorn, Hall, and Harsel absent from the meeting.)

KAD

PLANNING DETERMINATION

Section 15.2 -2232 of the Code of Virginia



Number: 2232-L11-1

District: Lee

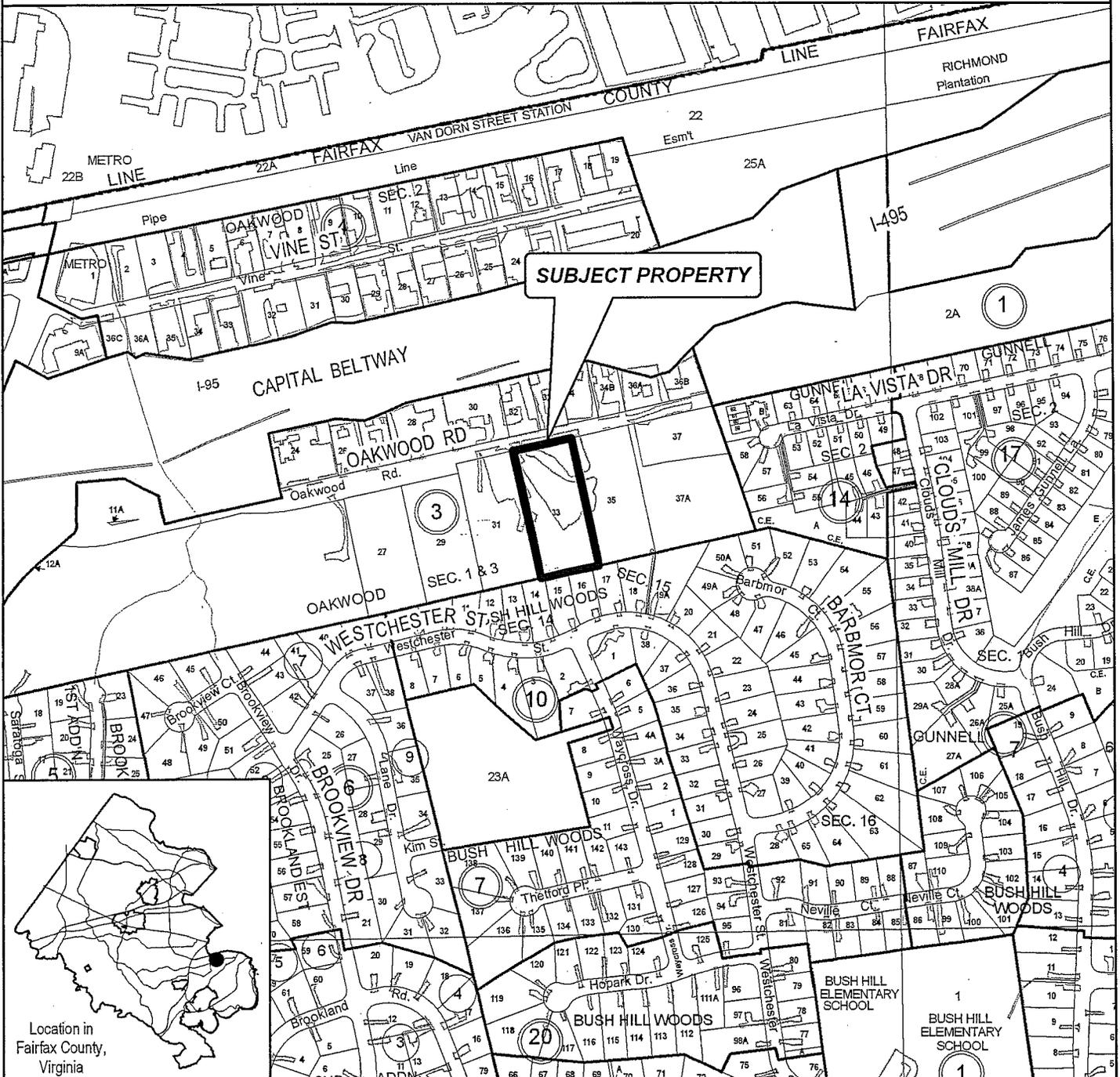
Acreage: 0.03 Ac. (1225 SF)

Subject Property: 81-2 ((3)) 33

Planned Use: Office Use

Applicant: T-Mobile Northeast LLC

Proposed Use: Telecommunications facility



500 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING
USING FAIRFAX COUNTY GIS



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Board Agenda Item
April 26, 2011

INFORMATION - 2

Contract Award – Stratton Woods Park Athletic Field Lighting, Site Lighting and Related Electrical Work (Hunter Mill District)

Three (3) sealed bids, for the installation of athletic field lighting, site lighting and related electrical work at Stratton Woods Park, in Project 004567, Stratton Woods Monopole, in Fund 371, Park Capital Improvement Fund, were received and opened on March 17, 2011, as detailed in Attachment 1.

This project is included in the FY 2012 – FY 2016 Advertised Capital Improvement Program due to the availability of existing telecommunications funding at Stratton Woods Park.

The lowest responsive and responsible bidder was Dalton Electric Services, Inc. of Burtonsville, Maryland. Their total bid of \$369,519 is \$30,481, or 7.6% below the engineer's estimate of \$400,000. The second lowest bid of \$392,000 is \$22,481, or 6.1% above the low bid, and the highest bid of \$465,000 is \$95,481, or 25.8% above the low bid.

Based on their financial capability and construction experience, Dalton Electric Services, Inc. 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 Dalton Electric Services, Inc. has the appropriate Fairfax County Business, Professional and Occupational License (BPOL).

On April 13, 2011, 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 Dalton Electric Services, Inc. in the amount of \$369,519.

FISCAL IMPACT:

Funding in the amount of \$494,033 is necessary to award this contract and to fund the associated contingency, administrative costs, and other project-related cost. Funds are currently available in the amount of \$494,033 in Project 004567, Stratton Woods Monopole, in Fund 371, Park Capital Improvement Fund, to award this contract and to fund the associated contingency and administrative costs.

Board Agenda Item
April 26, 2011

ENCLOSED DOCUMENTS:

Attachment 1: Bid Results

Attachment 2: Engineer's Estimate

STAFF:

Robert A. Stalzer, Deputy County Executive

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



Attachment 1

BID RESULTS

Project Name: (Project #004567/000) Stratton Woods Park, Athletic Field Lighting, Site Lighting and Related Electrical Work
Project Includes: 90' Baseball Field, Tennis Court, Parking Lot, Future Complex Stub up and Related Electrical Work
Project Manager: Wendy Li
Bid Opening Date/Time: March 17, 2011

Contractor Name (Bidder)	Base Bid Price	Days to Complete Project	1	2	Total
Planning and Development Division Estimate	\$400,000	90 Calendar Days			
Electrifiers Inc.** 2378 Warrenton Road Fredericksburg, VA 22406	\$392,000.00				
R.E Lee Electric Co. Inc. *** 8207 Backlick Road P.O. Box 280 Newington, VA 22122	\$465,000.00				
Dalton Electric Service, Inc. * PO Box 407 Burtonsville, MD 20866	\$369,519.00				

* apparent lowest bidder
 ** second apparent lowest bidder
 *** third apparent lowest bidder

ENGINEER'S ESTIMATE**Athletic Field Lighting, Site Lighting and Related Electrical Work
At Stratton Woods Park**

<u>Diamond Field #1</u>	
Install a 8-pole athletic field lighting system and related electrical work	\$215,000
<u>Tennis Courts</u>	
Install a 4-pole lighting system and related electrical work	\$75,000
<u>Parking Lot</u>	
Install a 12-pole parking lot LED system and related electrical work	\$85,000
<u>Installation of Secondary Feeder Service Under Gas Lines</u>	
Support of Deep Excavation	<u>\$25,000</u>
Construction Base Bid Estimate	\$400,000

Board Agenda Item
April 26, 2011

INFORMATION - 3

Planning Commission Action on Application 2232-D11-3, Metropolitan Washington Airports Authority in conjunction with the Department of Rail and Public Transportation on behalf of Washington Metropolitan Area Transit Authority (Dranesville District)

On Wednesday, April 6, 2011, the Planning Commission voted 6-3-2 (Commissioners de la Fe, Hart, and Sargeant opposed; Commissioners Alcorn and Hall abstaining; Commissioner Harsel absent from the meeting) to deny 2232-D11-3.

The Commission noted in its discussion that the application did not meet the criteria of character, location and extent, and therefore was not in conformance with Section 15.2-2232 of the Code of Virginia.

Application 2232-D11-3 had sought approval to construct a train control room, with a communication room, at a revised location needed to house equipment for the safe operation of Metrorail trains on the site of an existing Traction Power Substation. The previous location for these rooms had been approved by the Planning Commission on January 18, 2007 under 2232-MD06-10. The requested site is located south of Fisher Avenue in the VDOT Right-of-Way, Falls Church. (Tax Map 40-4 (VDOT Right-of-Way)).

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts from 4/6/11 Commission meeting

Attachment 2: Vicinity map

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred R. Selden, Acting Director, Department of Planning and Zoning (DPZ)

Chris Caperton, Chief, Public Facilities Branch, Planning Division, DPZ

Richard Stevens, Project Coordinator, Dulles Corridor Rapid Transit Project,
Department of Transportation

Barbara J. Lippa, Executive Director, Planning Commission Office

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2232-D11-3 – METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA) IN
COORDINATION WITH DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
(DRPT) ON BEHALF OF WASHINGTON METROPOLITAN AREA TRANSIT
AUTHORITY (WMATA) (Fisher Avenue Train Control Room)

Decision Only During Commission Matters
(Public Hearing held on March 23, 2011)

Commissioner Donahue: Thank you, sir. I have a decision only tonight. Mr. Chairman, on Wednesday, March 23rd, the Planning Commission held a public hearing on application 2232-D11-3, the Fisher Avenue Train Control Room. The applicants request approval of a new location for a proposed train control room –

Chairman Murphy: Hello?

Vice Chairman Alcorn: Go ahead, please.

Commissioner Donahue: That wasn't another email or something for me, was it for this case?

Vice Chairman Alcorn: Not that we're aware of.

Commissioner Donahue: – a late opinion coming in.

Commissioner Hall: That doesn't happen often.

Commissioner Donahue: The applicants request approval of a new location for a proposed – for a proposed train control room, which will allow a relocation from its currently approved site to a site farther east along Fisher Avenue, a location more central to the residential community. For reasons I will explain, I am unable to support this application. Pursuant to *Virginia Code* Section 15.2-2232, the Commission must conclude that the location, character, and extent of the proposed new site is substantially in accord with our Fairfax County adopted Comprehensive Plan. The Comprehensive Plan specifically states that the Kirby Community Planning Sector at issue in this application is characterized by stable residential development. The predominant housing type in this well-established area is single-family detached. Most lots are complemented by mature trees and 40- to 50-foot front-yard setbacks. This application will clear all existing trees from this site and construct a 15-foot high and 1-foot thick screen wall entirely around the TCR structure, an industrial building not at all compatible or in character with existing single-family dwellings. The 15-foot high wall along the entire front and sides of the building is clearly not the kind of front-yard bordering found in this residential neighborhood or, indeed, in other residential neighborhoods in Fairfax County. As such, it is far out of character with the provision – provisions of our County's adopted Comprehensive Plan and thereby fails the character criterion. The applicant will install plantings and trees in an attempt to screen and camouflage the

wall and TCR structure but the long-term effectiveness of such plantings is uncertain and, in any event, will require years if they survive to grow to sufficient height and maturity. Mr. Chairman, as noted in the March 23rd staff report on page 5, Objective 7 of the Policy Plan of the Fairfax County Comprehensive Plan is to provide transportation facilities and services that minimize community disruption and adverse environmental impacts. Policy b. of Objective 7 requires us to plan and design transportation facilities and services to mitigate and minimize adverse impacts to residents and neighborhoods. This proposal fails the requirement to minimize and mitigate, especially given the intent to abandon an already approved site favored by residents who have studied this proposal for the last many months. Given its increased proximity to the community's more central regions, this site actually maximizes rather than minimizes adverse impacts. Further, of the seven alternatives considered by the applicant, one of which is currently approved and has been approved since 2007, this proposed site has the most severe impacts of any of the seven. It was for this reason that the McLean Citizens Association strongly urged this Commission to deny this proposal. Finally, Mr. Chairman, this proposal excessively extends this public facility use and as such is not in substantial conformance with the adopted provisions of our Comprehensive Plan. The approved site immediately adjacent to the traction power substation at the outer edge of the Brilyn Park community consolidates the facilities in one edge location. The applicant has never claimed the approved location to be unfeasible and has actually agreed on a number of occasions that the approved site can work. The proposed site extends the location of this use an additional 150 feet or so into the residential neighborhood, an extension not necessary for the facility to operate properly and effectively deliver the required service necessary for Metrorail operation. The neighborhood would be effectively encumbered by two sites stretching 200 feet or more down the block of a currently tree-lined, quiet, and stable community. This reality by itself removes the proposal from substantial compliance with the provisions of the County's adopted Comprehensive Plan. This lack of compliance and the existence of an approved and more qualified alternative require denial of this application. Mr. Chairman, for the reasons that I have stated, I conclude that the subject proposal fails to satisfy the criteria of location, character, and extent as specified in *Virginia Code* Section 15.2-2232, as amended. And therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DENY THE PROPOSAL BY FINDING SUBJECT APPLICATION 2232-D11-3, AS AMENDED, NOT SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion of the motion?

Commissioner Lawrence: Mr. Chairman?

Chairman Murphy: Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I had expected and hoped that, after the public hearing, we would hear that a solution had been reached as to the problem of siting this –

this – this building. So far from that, it appears now that any action except that that the applicant wants will lead to delay of the project. Mr. Chairman, I feel very strongly that it is not the action of this body which may delay this project. We have a Comprehensive land use Plan. That Plan belongs to every citizen in the County; we are a million strong and growing. These people are entitled to expect the guidance of that Plan in their stable residential neighborhoods. This is a large and important project. I have no more desire than any of you, I'm sure, to delay it, but I repeat: It is not this body that is the cause of the delay. Thank you, Mr. Chairman.

Chairman Murphy: Further discussion? Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. I will not be supporting the motion and I'd like to articulate my reasons. This is a very significant 2232 application in a number of ways. It is not a perfect case by any stretch of the imagination. And I think we heard at the public hearing some of the frustration from some of the neighbors about a number of issues: the current facility and how it's maintained; or the way that this amendment has been treated from a public relations standpoint. I think I would agree that more could have been done and, probably, more should have been done early on. I frankly don't understand at this point why the applicant seems to have put all of their eggs in one basket, that they would have assumed that the amendment, or that – that this 2232 would have been approved and that there not be some contingency plan to go forward with the original approval at – at some cost to the applicant and perhaps some additional time. But it sounds like, from the material that we have received, that what will happen if this is denied is that there is going to be a nine-month delay in the Silver line and a cost to the County of \$300,000 a day, which is a pretty fancy ticket item. And if – if this is really upwards of \$70 million, if we denied the 2232 tonight, I guess that's for the Board of Supervisors to sort out. I don't know that this ought to have been a \$72 million problem. I think that with the landscaping, the impacts are about as mitigated for the new site as they would have been at the other site, which is no prize winner either. For me, the bottom line was that in both the staff report and the addendum, our professional staff concluded that this was in accordance with the Comprehensive Plan. The relocation of the facility, as I understood it, was because of a very expensive sub-surface utility problem that wasn't known at the time of the original application, and only blossomed as the engineering progressed. We evaluated – or we were to evaluate Site Number 2 in this 2232, not necessarily decide whether there were other sites that could have been of less impact to the community or whether the first site was a better site in some respects. Our function on a 2232, when an applicant comes in, is to look at the site that's in front of us and determine yes or no, does it meet these criteria. In staff's judgment, this one does, and given all the consequences that – that flow from the denial, I would have a lot of trouble supporting the denial. That's not to say that there aren't additional things that the applicant still could do to address some of these impacts. And whether, within the context of the current approval the 15-foot wall at the beginning – at the front of the site could be mitigated in some respects, the structure itself could be shifted perhaps slightly down the hill without necessarily creating very expensive foundationing problems on the slope, or access problems because of the different level from the street, or whatever it is – there are probably - - with some additional attention to this, within the context of what's been asked for, I think some of the impacts could be further

mitigated. But this is a pretty important 2232 and we are perhaps, I think, losing sight of also the impacts to the County – the consequences, if this is denied. So I will – I will not be supporting the motion. Thank you, Mr. Chairman.

Commissioner Flanagan: Mr. Chairman?

Chairman Murphy: Ms. Hall, then Mr. de la Fe, then Mr. Flanagan.

Commissioner Hall: I'm not – I will not be - - I'll be abstaining from the vote because –

Chairman Murphy: Okay.

Commissioner Hall: – I wasn't present for the hearing.

Chairman Murphy: Mr. de la Fe.

Commissioner de la Fe: Yes, Mr. Chairman, I will not be able to support the motion as made. Frankly, when I saw the – and having sat through the public hearing and seeing all of the issues that the neighbors had with the current facility, I frankly thought that putting more stuff there made it even worse than it is already – so, you know, aside from all the other stuff. However, my main reason for not supporting the motion is, frankly, the impact on the Silver line schedule. We broke ground on the Weihle Station project yesterday with the expectation that train - - a train would arrive there on – some time in 2013. According to the information that we have received now, if we deny this it will be some time well into 2014 before a train arrives at that station. So I cannot support this.

Chairman Murphy: Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. I will be supporting the motion, and primarily because I'm restricted to considering only location, character, and extent with regard to this application. I'm not here to make judgments on financing, timetables, or any other consideration other than location, character, and extent. So consequently, I find the – Commissioner Donahue's motion very persuasive, and that's why I'm going to – have to vote in favor.

Chairman Murphy: Further discussion of the motion? Mr. Donahue, please.

Commissioner Donahue: Thank you, Mr. Chairman. Just a couple of points with respect to the comments of Commissioner Hart and Commissioner de la Fe. I would associate myself - - on the delay issue, I would associate myself with the comments of Commissioner Lawrence. The delay – the delay – to the degree there may be one, I think has to lay at the feet of the applicant. The applicant has had an approved location since January 18th, 2007, okay. So what delay has come

up, I believe, is a result of the failure of the applicant to move in a timely fashion to develop the site. I'd also like to associate myself with the comments of Commissioner Flanagan. I did note in the email that came out today, which – which we requested in Supervisor Foust's Office last Monday; we had a meeting with the applicant. There was talk about a charge of \$300,000 a day; not sure whether that's accurate or how it was gotten to. But more importantly to me, there was talk about the County bearing that cost of \$300,000 a day. And for the best of me, I'm not a practicing attorney anyway, I don't know how that cost ends up getting paid by the County. Supervisor Foust was also concerned about the statement, called the County Attorney, and the County Attorney also doesn't know how that cost ends up getting charged to the County. So I'm not sure how legitimate an issue that is. Or at least I shouldn't say it that way. I'm not sure it is firmly decided that the County would pick up that cost. I guess that's all I have to say right now. Thank you.

Chairman Murphy: Further discussion? All right. All those in favor of the motion to deny 2232-D11-3, say aye.

Commissioners Donahue, Flanagan, Lawrence, Litzenberger, Migliaccio, and Murphy: Aye.

Chairman Murphy: Opposed?

Commissioners de la Fe, Hart, and Sargeant: No.

Commissioners Alcorn and Hall: Abstain, not present for the public hearing.

Chairman Murphy: The motion carries; Mr. Hart, Mr. de la Fe, and Mr. Sargeant vote no. Ms. Hall and Mr. Alcorn abstain.

//

(The motion carried by a vote of 6-3-2, with Commissioners de la Fe, Hart, and Sargeant opposed; Commissioners Alcorn and Hall abstaining; Commissioner Harsel absent from the meeting.)

JN

PLANNING DETERMINATION

Section 15.2 -2232 of the Code of Virginia



Number: 2232-D11-3

District: Dranesville

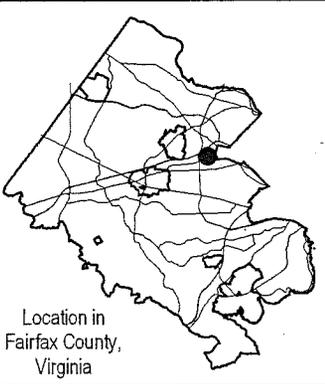
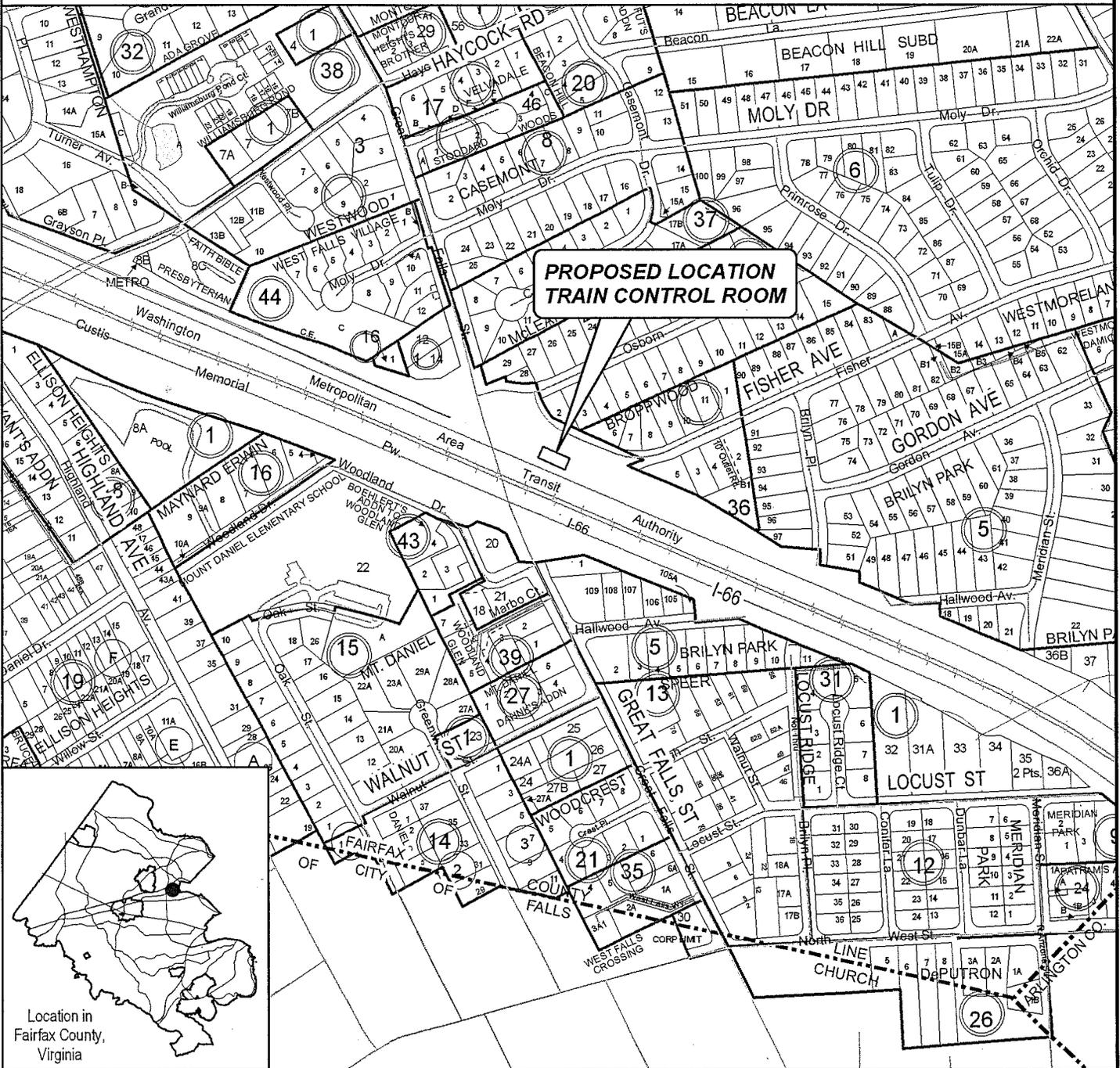
Acreeage: Approx. 551 SF

Planned Use: VDOT (Right-of-Way)

Subject Property: 40-4

Applicant: Metropolitan Washington Airports Authority, Virginia Department of Rail and Public Transportation, and Washington Metropolitan Area Transit Authority

Proposed Use: Train Control Room Associated with Extension of Metrorail



500 FEET

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USING FAIRFAX COUNTY GIS



INFORMATION - 4

International Building Safety Month

In observance of International Building Safety Month, May 2011, the Department of Public Works and Environmental Services (DPWES) is conducting a campaign to promote public awareness of building safety in Fairfax County. This is in keeping with DPWES' mission to enforce building codes and related County ordinances in order to ensure the construction of safe buildings in the County.

As has been the practice in previous years, staff is working in collaboration with several local hardware stores including Home Depot stores at Seven Corners Center, Fairfax Circle, Alexandria, and Reston, to set up building safety information booths at store entrances during Building Safety Month. Staff from neighboring local government jurisdictions who participated in last year's effort have expressed their satisfaction with last year's joint effort, and indicated a desire to continue their participation. As a result, this year on May 7 and 8, in another regional collaborative effort, the booths will be staffed jointly by engineers and inspectors from Fairfax County DPWES and Code Enforcement Agencies from Arlington County, the Cities of Alexandria, Fairfax, and Falls Church, Prince William County, and the Town of Herndon. Customers and visitors will have the opportunity to ask building code-related questions. Building equipment and safety appliances-such as carbon monoxide alarms, smoke detectors, fire extinguishers, and radon test kits-will be displayed. Information brochures on building and elevator safety, as well as permit process information, will be available to all customers and visitors.

This outreach program is designed to educate regional residents on the provisions of the building codes, increase the level of awareness on building safety, and save lives. Since initiating the community outreach visits over sixteen years ago, citizen response has continued to be very positive, and staff reports an increasing level of interest from customers shopping at these stores.

On Monday, May 2, beginning at 12:30 p.m., a kickoff lunch presentation and press conference on the theme "Accessibility and Building Safety" will be held at the Falls Church Community Center, 223 Little Falls Road, in Falls Church, Virginia. This year's event, organized jointly by the Counties of Fairfax, Arlington, and Prince William, the Cities of Alexandria, Fairfax, and Falls Church, and the Town of Herndon, is designed to focus the public's attention on building accessibility issues, and the importance of building safety during natural and man-made emergencies. The featured presentations will be given by two panels of distinguished speakers – Battalion Chiefs Craig Buckley and Manuel Barrero from the Fairfax County HAZMAT Special Operations and Investigative Divisions; David McKernan and Bruce McFarlane from the Office of

Board Agenda Item
April 26, 2011

Emergency Management; Peter Todd from the Virginia Department of Transportation; Marsha Mazz from the U.S. Access Board; and Anna Maynard from the Office of Human Rights, in Arlington County.

As part of its recognition of Building Safety Month, DPWES will present its Building Safety Community Partnership Award. The award recognizes private or corporate citizens for their contributions toward the advancement of DPWES' mission of ensuring building and construction safety in Fairfax County. This is the fourteenth year for this award, and the recipient this year is the Foundation for Applied Technical Education (FATE).

FATE consists of representatives from a wide range of business and professional organizations dedicated to providing resources, support, and career opportunities to students enrolled in Career and Technical Education (CTE) programs. The FATE-sponsored CTE instructional programs facilitate active student learning through the use of contextual teaching whereby students discover meaningful relationships between abstract ideas and practical applications. Through unique community-based programs such as Spring Village Residential Construction Site, students are provided with opportunities to "stick build" large single-family homes in a residential community. Spring Village is a subdivision of eighteen homes where students are allowed to practice their skills and learn new techniques in building construction, such as universal design and energy star. Universal design features include no-step entries, larger doorways and hallways plus reinforced walls for future grab-bars. Students receive classroom instruction on site, and apply their knowledge directly to the house under construction. Safety is taught in the classroom and on site, and is reinforced on a daily basis. Since 1970 FATE has been working with young people in the public school system providing comprehensive skills to better prepare students for a successful transition into the workplace; and is richly deserving of this special recognition.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)
Michelle Brickner, Director, Land Development Services, DPWES

Board Agenda Item
April 26, 2011

INFORMATION - 5

Quarterly Status Report on the Board's Second Four-Year Transportation Program

On October 15, 2007, the Board of Supervisors approved their Second Four-Year Transportation Program for FY 2008 through FY 2011. Supported by the \$110 million Transportation Bond approved by voters in November 2007, the Second Four-Year Plan is multi-modal and includes projects for major roadways, pedestrian and spot improvements, and transit. The Plan also includes innovative project design and delivery and programs designed to serve special populations. In addition to the 2007 Transportation Bond Projects, the Second Four-Year Plan also includes a number of projects funded through partnerships with State, Federal, and Regional agencies. The Second Four-Year Transportation Plan is designed to enhance mobility, promote safety, and create choices for the commuting public. The Plan seeks to follow an ambitious schedule to implement these projects and programs within a four-year timeframe.

Enclosed is a quarterly status report on the Board's Four-Year Transportation Program and other active transportation projects. This report has been compiled by Fairfax County Department of Transportation (FCDOT) staff in consultation with their implementation partners in the Department of Public Works and Environmental Services (DPWES) and the Virginia Department of Transportation (VDOT) Northern Virginia District.

The information provided in the attached March 2010 report is an update to the December 2010 annual status report, which was provided to the Board on January 25, 2011.

Staff provides a status update every quarter for the Four-Year Program and an annual report in the winter on all active transportation projects. The status reports are posted on the FCDOT website following the Board's review.

ENCLOSED DOCUMENTS:

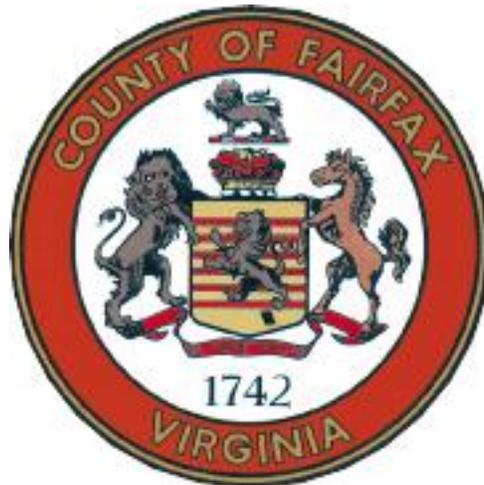
Attachment 1: March 2010 Status Report on the Fairfax County Board of Supervisors' Four-Year Transportation Program for FY 2008 through FY 2011

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services
Thomas P. Biesiadny, Acting Director, Fairfax County Dept. of Transportation (FCDOT)
Ronald N. Kirkpatrick, Deputy Director, Capital Facilities, DPWES
W. Todd Minnix, Chief, Transportation Design Division, FCDOT
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Karyn L. Moreland, Chief, Capital Projects Section, FCDOT
Brent Payne, Capital Projects Section, FCDOT

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Status Report
on the
Fairfax County Board of Supervisors’
Second Four-Year Transportation
Program
FY 2008 Through FY 2011



Prepared by:
Department of Transportation
Capital Projects and Operations Division



March 2011

March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from January to March 2011

Capital Program Highlights

- Three (3) projects were completed in the first quarter of 2011:
 - **Braddock Road/Guinea Road** (Braddock District)
 - **Florence Lane Walkway** (Lee District)
 - **Fairfax County Parkway/Sunrise Valley Drive** (Hunter Mill District)

(photo courtesy of Fairfax County DPWES)



- Eighteen (18) projects are under construction:
 - **I-495 Capital Beltway HOT Lanes** (Countywide)
 - **I-66 Pavement Rehabilitation** (Providence, Springfield)
 - **I-95 Fourth-Lane Widening** (Lee, Mount Vernon)
 - **Woodrow Wilson Bridge**, incl. Rt. 1 and Telegraph Road (Lee, Mount Vernon)
 - **Route 29 @ Gallows Road** (Providence District)
 - **Centreville Road Trail at Dulles Toll Road**, Phase II (Hunter Mill District)
 - **Fairfax County Parkway EPG** (Lee, Mount Vernon, Springfield)
 - **Fairfax County Pkwy/Fair Lakes Blvd/Monument Dr. Interchange** (Springfield, Sully)
 - **Poplar Tree Road** (Sully District)
 - **Silverbrook Road @ Hoes Road** (Mount Vernon)
 - **West Ox Road/Fairfax County Parkway** (Hunter Mill)
 - **Dulles Rail (Phase I)** (Dranesville, Providence, Hunter Mill)
 - **Seven Corners Transit Transfer Center** (Mason District)
 - **Beulah Road Trail**, Segment D (Hunter Mill)
 - **Columbia Pike Walkway Phase II** (Mason District)
 - **Fox Mill Walkway** (Hunter Mill)
 - **Tyler Street Walkway** (Mason District)
 - **Westmoreland St. Walkway** from Temple Rodef Shalom to Chesterbrook Presbyterian Church (Dranesville District)

March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from January to March 2011

➤ **Capital Beltway HOT Lanes PPTA**

- Overall construction is approximately 63% complete
- By the end of 2010, approximately 75% of new sound walls were installed
- Work to build the new HOT Lanes in the center of the Beltway will start in 2011
- The Idylwood Road Bridge opened March 18, 2011, after it had been closed completely for over 6 months

(photo courtesy of VDOT MegaProjects)



- The Beltway HOT Lanes are scheduled for completion in December 2012
- For further information, <http://www.vamegaprojects.com/>

➤ **I-95/I-395 HOT Lanes PPTA**

- In February, the Governor put forward a revised I-95/I-395 HOT Lanes plan, to get the project moving forward
- The revised project includes:
 - Constructing 2 new HOV/HOT lanes from Garrisonville Road in Stafford County to Dumfries
 - Widening 2 existing HOV lanes to 3 HOV/HOT lanes from Prince William Parkway to Edsall Road
 - Constructing a new HOV/Transit ramp to Seminary Road near Mark Center
 - Transit improvements, including Park-and-Ride Lots

March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from January to March 2011

➤ **Dulles Rail**

- Construction activities are underway along the entire 11-mile alignment of Phase 1 of the Dulles Corridor Metrorail Project from the West Falls Church Metrorail Station to the Dulles Connector Road, through Tysons and west to Wiehle Avenue in Reston.
- Construction is 35% complete

(photo courtesy of VDOT MegaProjects)



- The SB Route 123 ramp to Route 7 is open to WB Route 7 only. This new pattern will be in effect for approximately three years.
- The right lane of SB Route 123 from Scotts Crossing Road to the I-495 Beltway Inner Loop is closed, and will remain so for approximately two years.
- Construction continues in the Dulles International Airport Access Highway median
- For further information, <http://www.dullesmetro.com/>

➤ **Reston East – Wiehle Ave Station**

- The Reston East Park-and-Ride lot closed to commuters on April 2, 2011, to make way for the new 2,300 space garage for the Reston-Wiehle Ave. Station
- On November 29, 2010, two bus routes and approximately 300 passengers were shifted to the Reston North Park-and-Ride
- Bus service was enhanced at the Reston South Park-and-Ride via Route 585
- 50 parking spaces for commuters were allocated at Baron Cameron Park
- The new Sunset Hills Interim Park-and-Ride lot, located on the corner of Sunset Hills Road and Town Center Parkway, opened on April 3.
- New Route 555 began operating on April 3, 2011, and provides service between the Sunset Hills lot and West Falls Church Metrorail Station. Additional service will be provided on Route 505.

March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from January to March 2011

- **Alexandria-Franconia to Ravensworth (Fairfax County) Third Track Reconstruction Project:** VDRPT, VRE, and CSX, working with Amtrak and the Federal Railroad Administration, identified six projects to increase passenger rail capacity and reliability between Richmond and Washington, D.C. The last of the six projects, AF to RW in Fairfax County, was completed in 2010.

Special Programs Highlights

➤ **Pedestrian Program**

- **StreetSmart:** FCDOT staff worked with regional partners on the StreetSmart pedestrian safety and awareness campaign conducted by MWCOG, to develop media concepts portrayed in new television, radio and print advertising. The Spring 2011 Street Smart campaign is scheduled to run from March 20 to April 16, 2011.
- **Trail/Bike Lane/Sidewalk Waivers:** Pedestrian and bicycle staff process and coordinate waivers with DPWES and DPZ, to support the Trails and Sidewalks Committee.

➤ **Bicycle Program**

- **On-Road Bike Lane Initiative**
 - FCDOT and VDOT are developing new bike lane projects as part of the 2011 summer repaving program.
 - Routes under consideration include: Soapstone Drive, Sleepy Hollow Road, Sully Park Drive, Huntington Avenue, and Route 123 (Dolly Madison Drive).
 - Plans for Gallows Road Phase II Bike Lanes, funded by 2007 County Bonds, were finalized and construction is anticipated in 2011.
- **Increase and Enhance Bicycle Parking**
 - 150 bicycle racks and 30 new bicycle lockers were purchased and are currently being installed countywide.
 - In coordination with Comstock Partners, FCDOT is designing a “state of the industry” secure bicycle parking room at the proposed Reston-Wiehle Ave. Station including space for bicycle retail use and future bicycle sharing.
 - Stringfellow Road PNR Lot expansion is under design, including secure, covered bicycle parking facilities and enhanced trail and sidewalk connections.
 - Fairfax County bicycle parking guidelines, standards, and specifications will be released soon, providing guidance to developers and government agencies.
- **Bike the Sites Map**
 - FCDOT is creating a family-friendly bicycle route map centered around historically significant sites in the western area of Fairfax County.
 - Funded with a Federal Transportation Enhancement grant, the project is scheduled for completion in 2011.
- **Bicycle Master Plan**
 - Phase I focuses on the greater Tysons area including segments of McLean, Merrifield, and Vienna, and will be completed in early 2011.
 - Phase II will encompass the rest of Fairfax County. Work will begin in April 2011, with a study duration of 18 months.
- **Bicycle Route Signage**
 - Routes include three locations in the Dranesville District, the Fairfax County Parkway, and the GMU-Fairfax City-Vienna Metrorail Station Bike Route

March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from January to March 2011

- **Bobann Drive Bikeway**
 - One mile of paved, 10-foot wide shared use path from Wharton Lane to Stringfellow Road, providing access to the expanded Stringfellow Road PNR Lot.

➤ **Traffic Operations**

- The Traffic Management Plan (TMP) for the Capital Beltway HOT Lanes and other Northern Virginia Megaprojects aims to reduce congestion during construction
 - Safety Service Patrollers assist motorists and law enforcement/emergency personnel with incident management
 - Public outreach provides real-time traffic information, and promotes transit options and subsidies
 - The VDOT Operations Center proactively manages incidents within construction work zones
 - In the first quarter of 2011, VDOT re-timed 190 traffic signals in Fairfax County
 - VDOT and Fairfax County staff have studied intersections for signals, signage, marking and traffic control devices and recommended improvements
 - Traffic Operations is working with VDOT on potential I-66 Active Traffic Management (ATM) solutions to address the heavy congestion that routinely occurs
 - Traffic Operations continues to work with VDOT and WMATA on the development of a Parking Occupancy Sign project to collect parking occupancy data at the Vienna Metrorail Station and display the information along I-66.
 - Traffic Operations has assembled a task force to participate more actively with VDOT on the development of project applications for Highway Safety Improvement Program (HSIP) funds. The HSIP program is intended to identify projects for locations with a history of accidents.
 - VDOT Northern Region Operations has been awarded \$1.5M to investigate emergency evacuation within the National Capital Region. Two projects underway entail developing an evacuation transportation plan, and a traffic simulation to estimate evacuation times from various locations in the National Capital Region.
- **Traffic Calming Program (FCDOT)**



March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

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- Seven traffic calming projects were initiated for study:
 - Kings Manor Subdivision
 - Marc Drive
 - Riverside Road
 - Southampton Drive
 - Woodley Place
 - North Chambliss Street
 - Queen Elizabeth Blvd.
- Six projects were approved by the Board for installation:
 - Charles Stewart Drive
 - Cherokee Avenue
 - Chowan Avenue
 - Frost way and Shelly Lane
 - Ox Hill Road
 - Rogers Drive, Stuart Drive, Elmwood Road and Lawrence Drive
- One "\$200 Fine for Speeding" sign request was received:
 - Powells Tavern Place
- Five \$200 Fine for Speeding signs were approved by the Board for installation:
 - Elmwood Place
 - Fenwick Road
 - Lawrence Drive
 - Rogers Drive
 - Stuart Drive
- One "Watch for Children" sign request was received:
 - Powells Tavern Place
- Two "Watch for Children" signs were approved by the Board for installation:
 - Powells Tavern Place
 - Gildmore Road
- One Through Truck Restriction request was received for study:
 - Backlick Road between Richmond Highway and Fairfax County Parkway
- **Signage, CPD and RPPD Programs, and General Parking**
 - Two requests for community parking districts (CPD) and one petition for a CPD were issued
 - The Residential Permit Parking District (RPPD) program received three inquiries, conducted two parking studies, and three petitions were issued. In addition, approximately 200 RPPD permits have been issued so far this year.
 - The County Code for the RPPD program (82-5A) was amended to expand the eligibility of a roadway, if the roadway is within 1,000 feet of a high school, Metrorail station or university.
 - Under general parking, fifteen (15) new requests and eleven (11) field reviews were conducted on roadways requesting parking changes.
 - The Board requested an amendment to County Code 82-5-37 to impose parking restrictions in non-residential areas. This amendment is currently in process and expected to be completed in the 2nd quarter of 2011.
 - BRAC 133's impacts to the parking and RPPD programs are currently under analysis.
 - The County's annual sign inventory program is in progress with an expected completion of end of the year.

March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from January to March 2011

Tysons Corner Planning Studies

- The Tysons Corner Comprehensive Plan Amendment was approved by the BOS on June 22, 2010. By 2050, the plan envisions Tysons as home to up to 100,000 residents and 200,000 jobs. Since the plan was designed to take advantage of the four new Metro stations coming to Tysons Corner in 2013, 75% of future growth will be within a half mile of these stations.
- Tysons Corner will be transformed into a walkable, green, urban center based on the plan approved by the BOS and the associated Zoning Ordinance for Tysons. The Board also adopted 20 follow-on motions to guide implementation of the plan. These follow-on motions included direction to conduct several studies, noted below, that have been or soon will be initiated.
- The Tysons Circulator Study will examine how the circulator system envisioned in the plan could be implemented. An RFP was issued in December 2010 and the contract was awarded in March 2011.
- The Dulles Toll Road (DTR) Ramps Study will look at new ramp connections between the DTR and Tysons that will help move traffic in and out of Tysons Corner. Staff is currently reviewing proposals for an operational and preliminary design study.
- The Grid of Streets study will look at how Tysons can be transformed into a walkable urban center through redevelopment of land and a corresponding grid of streets that would offer alternative streets for travel within Tysons. A planning level study is complete and further study of operations and preliminary design is planned for early 2011, following initiation of the DTR Ramps Study.
- The Tysons Metrorail Station Access Management Study (TMSAMS) hosted four public meetings in March 2011.

Transit

- **Bus Stop Improvement Program**
 - A comprehensive inventory and study of all bus stops in Fairfax County identified undesirable bus stop conditions for priority action.
 - The Board identified \$2.5 million from the general fund and \$7.75 million in the 2007 Transportation Bond for improvements to the priority stops identified in the study.
 - 113 sites have been completed since implementing the bus stop improvement program. There are currently four sites in project development, 107 in design, 19 in land acquisition and 10 under construction.
- **Bus Shelter Advertising Program**
 - FCDOT is engaged in a public/private partnership to aid in the improvement of bus stops, which is expected to raise revenues through the sale of advertising space on bus shelters. The contractor will sell advertising space to subsidize construction, maintenance, and operation of bus shelters, and will share a percentage of the surplus revenues with the County. The contract was awarded in July 2010.
 - FCDOT recently received permits for 33 locations, to retrofit existing shelters with advertising.
- **Fairfax Connector Bus**
 - Fairfax Connector has added 139 new transit vehicles to date with "Clean Diesel" buses, which are low-floor and more easily accessible than the older vehicles

March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from January to March 2011

- 24 older buses have been re-built so that additional service life can be realized.
 - Fairfax Connector has ordered 19 expansion buses to be used for BRAC and TDP-related service changes. Fairfax Connector ordered 12 buses which will replace existing buses that have reached their retirement age in FY2012. All 31 buses are Mini-Hybrid buses.
 - In 2011, Fairfax Connector will complete a retrofit of the heating system at West Ox to utilize Methane gas from the I-66 landfill to heat 66% of the facility.
- **Transit Studies**
- The Countywide Transit Network Study will plan a long-term efficient, high-quality transit system for the County's growing population and employment. An RFP will be advertised in early 2011 and it is anticipated that a consultant will be on board in the Spring.
 - FCDOT is studying locations along the Route 1 corridor for a transit transfer center. The transit center would incorporate Route 1 revitalization area enhancements, and could include a community amenity.

Marketing and TDM

- **Telework and Outreach**
- The Fairfax County government telework program currently has 1,381 employee participants.
 - The Fairfax County Transportation Services Group (FCTSG) partners with major employers, developers and multi-family complexes to promote and encourage alternative commute options. To date, more than 400 employers have implemented a transportation benefits program, which can include alternative work schedules, shuttles to transit stations, telework programs, transit subsidies, providing free or premium parking to carpools and vanpools, or a comprehensive bike/walk program.
 - FCTSG also supports the Congestion Mitigation Programs for BRAC, Dulles Rail and HOT Lanes construction by coordinating employer and community outreach with regional partners, including VDRPT, VDOT, DATA and TyTran.
- **Special Populations Transportation (SPOT)**
- Seniors On-The-Go! and TaxiAccess are two user-side subsidy taxicab programs managed by FCDOT's Special Populations Transportation programs (SPOT).
 - Seniors On-the-Go! has over 5,000 registrants since the program's inception in 2001. More than 700 coupon booklets were sold during first quarter with a street value of \$ 23,133.
 - TaxiAccess has 579 registrants since the program's inception in 2007. 176 coupon booklets were sold during first quarter, with a street value of \$ 5,808.
 - The SPOT staff also continued distributing free Senior SmarTrip cards to older adults for use on the local fixed route transit system (bus and rail). Since inception, Senior SmarTrip cards have been distributed free to over 573 seniors.
- **Transportation Demand Management (TDM) and Mixed-Use Development**
- The County has integrated TDM strategies into the land development process and is working to formalize this program. TDM proffers promote alternatives to single occupant vehicle trips. These proffers contain commitments to provide TDM

March 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from January to March 2011

- services, goals for percentage trip reduction, and remedies or penalties for non-attainment of proffered goals.
- A consultant study on integrating TDM into the land use and approval process is near completion: data collection, research and draft reports have been completed, and recommendations for TDM and parking in transit areas were presented to the PC and BOS transportation committees in November 2010. Application of the study recommendations will lead to more effective TDM strategies and formalized arrangements for TDM proffers.
 - Preliminary findings from the TDM study were used to inform staff recommendations for the TDM and Parking sections of the draft Comprehensive Plan text prepared for the Tyson's Corner Committee of the Planning Commission.

Completed Projects List

March 2011

Rt	Project Description	District	Completion Date
0001	Richmond Highway Public Transp. Initiative (Phase 1)	MV, LE	Oct-07
0007	Leesburg Pike/Glen Carlyn Road	MA	Apr-10
0007	Leesburg Pike/Magarity Road	DR, PR	Apr-10
0007	Leesburg Pike/Dranesville Road	DR	Apr-10
0007	Leesburg Pike @ Magarity Road	DR, PR	Nov-08
0028	Route 28 @ New Braddock Road	SU	Sep-09
0028	Route 28 @ Willard Road PPTA	SU	Dec-09
0028	Route 28 @ Frying Pan Road PPTA	HM, SU	Dec-09
0050	Route 50 Pedestrian Bridge	MA	Jun-09
0050	Arlington Boulevard/Olin Drive	MA	Apr-10
0050	Lee Jackson Highway Walkway	SP	Apr-10
0123	Dolley Madison Boulevard @ Ingleside Avenue	DR	Dec-09
0123	Dolley Madison Boulevard/Great Falls Street/Lewinsville Ro	DR	Apr-10
0123	Route 123 @ Waverly Way	DR	Aug-10
0193	Georgetown Pike Walkway (Phase I)	DR	Jul-10
0193	Georgetown Pike/Walker Road	DR	Dec-09
0193	Georgetown Pike Stone Rubble Masonry Signs	DR	Jul-10
0236	Route 236 @ Braddock Road WB	MA	Nov-09
0236	Route 236 @ Braddock Road EB	MA	Nov-09
0236	Route 236 from Lake Drive to Pickett Road	MA, BR, PR	Jun-08
0236	Route 236 @ Beauregard Street	MA	Jan-09
0236	Little River Turnpike/Backlick Road	MA	Apr-10
0244	Columbia Pike Walkway	MA	May-09
0608	West Ox Road from Penderbrook Drive to Ox Trail	SU, PR	Jul-08
0608	West Ox Road @ Monroe Street	HM	Apr-08
0613	South Van Dorn Sidewalk	LE	Apr-09
0620	Braddock Road @ Route 236	MA	Sep-08
0620	Braddock Road at Thomas Jefferson HSS&T	MA	Jun-09
0620	Braddock Road/Guinea Road	BR	Apr-11
0620	Braddock Road/Wakefield Chapel Road	BR	Oct-10
0620	Braddock Road @ Route 123	SP	Jun-09
0630	Quander Road Walkway	MV	Aug-09
0633	South Kings Highway @ Harrison Lane	LE	Aug-10
0643	Burke Centre Parkway at Roberts Parkway	BR	Jul-10
0651	Guinea Road @ Falmead Road	BR	Sep-10

Rt	Project Description	District	Completion Date
0653	Roberts Road Walkway	BR	Apr-10
0657	Centreville Road Trail at Dulles Toll Road	HM, DR	Feb-08
0657	Centreville Road from West Ox Road to Frying Pan Road	HM, SU	Jun-10
0662	Stone Road from Route 29 to Awbrey Patent Drive	SU	Apr-08
0668	McLearen Road Walkway	HM	Apr-10
0674	Hunter Mill Road Walkway	PR	Aug-09
0676	Clarks Crossing Road Walkway	HM	Jul-09
0681	Walker Road Trail (Walkway)	DR	Jul-10
0684	Spring Hill Road from Route 7 to International Drive	PR, HM	Aug-10
0693	Westmoreland On-Road Bike Lanes	DR	Aug-08
0694	Lewinsville Road/Balls Hill Road	DR	Apr-10
0696	Wolftrap Road Walkway	PR	Apr-10
0701	Sutton Road Walkway	PR	Oct-10
0783	Edgelea Road Walkway	PR	Oct-10
0824	Tuttle Road Trail	SP	Dec-09
1332	Huntington Avenue @ Fenwick Drive	MV	Aug-08
1723	Jefferson Avenue Walkway	PR	Apr-10
1898	Beverly Road @ Fleetwood Road	DR	Aug-09
3664	Lido Place Walkway	PR	Aug-09
4701	Colts Neck Road Walkway (South Lakes Drive to Winterthu	HM	Oct-10
4720	Soapstone Drive Walkway (Sweetbay Lane to Glade Drive)	HM	Jul-09
7100	Fairfax County Parkway @ Sunrise Valley Drive	HM	Apr-11
7702	Tall Timbers Drive	SP	Oct-07
XXXX	Huntington Metro Parking Expansion	MV	Aug-08
XXXX	Burke Centre VRE Parking Expansion	BR	Nov-08
XXXX	West Ox Bus Operations Center	SP	Oct-08
XXXX	West Falls Church Bus Canopy	DR	Jan-10

FCDOT Staff

CL = Caijun Luo
CWS = Charlie Strunk
DPWES = Dept. of Public Works & Env. Services
EAI = Beth Iannetta
GM = Guy Mullinax
JYR = Jane Rosenbaum
KLM = Karyn Moreland
KPR = Kinnari Radadiya
SAN = Seyed Nabavi
SLC = Smitha Chellappa
SSS = Sung Shin
TB = Tad Borkowski
WPH = Bill Harrell

Status

Bid Ad
Complete
*Construction**
Design
Inactive
On Going
On Hold
Project Initiation
ROW = Land Acquisition
Study
Terminated
Utilities = Utility Relocation

** Construction phase begins when design and ROW are complete, and may include pre-advertisement activities, bid advertisement, and contract award.*

Funding Source

ARRA = American Recovery & Reinvestment Act of 2009
C & I = Commercial and Industrial Tax
CMAQ = Congestion Mitigation & Air Quality
County Bonds = Fairfax County 4-Year Transportation Plan
GCRP = Governor's Congestion Relief Program
HSIP = Highway Safety Improvement Program (formerly HES)
NVTC = Northern Virginia Transportation Commission
NVTD Bonds = Northern Virginia Transportation District Bonds
OPN Funds = Open Container Program
Primary = Primary 6-Year Program
RSTP = Regional Surface Transportation Program
Secondary = Secondary 6-Year Program
TAC Spot = Transportation Advisory Commission Spots
TIIF/WMATA = Transit Investment & Infrastructure Fund
VNDIA = Virginia National Defense Industrial Authority

Other

CIM = Community Information Meeting
PFI = Preliminary Field Inspection
CMD = Construction Management Division
COG = Council of Governments
CTB = Commonwealth Transportation Board
DTR = Dulles Toll Road
FHWA = Federal Highway Administration
FY = Fiscal Year
MOA = Memorandum of Agreement
N/A = Not Available, or Not Applicable
N/R = Not Required
NTP = Notice to Proceed
PNR = Park-and-Ride
PPTA = Public-Private Transportation Act
RFP = Request for Proposal
VDOT = Virginia Department of Transportation

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FY 2008 Thru FY 2011**

Status Key: ☺=Complete; ⌚=On Schedule; ⌚=Behind Schedule; Δ=Change Since Previous Report; ⚠=Schedule Concern; \$=Funding Concern										
Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Page Number	District	Project Description	Lead Agency	Total Project Cost	Amt in BOS's 4-Yr Plan	All Other Funds	Phase	Start Date	End Date	Status
				(\$ in Millions)						
<i>Interstate & Primary Road Projects (listed numerically by route number)</i>										
1	BR, MA, PR, DR	I-495, Capital Beltway HOT Lanes (PPTA Project): Install 2 HOV/HOT lanes each direction from Springfield Interchange to the Dulles Toll Road	VDOT	\$1,654.397		\$1,654.397	D	Apr-05		⌚
							R			
							U	Mar-08		⌚
							C	May-08	Dec-12	⌚
1	PR, SP	I-66 from Capital Beltway to Route 50: Pavement rehabilitation	VDOT	\$48.000		\$70.000	D	Jun-09	Dec-10	☺
							R	N/A	N/A	
							U			
							C	Apr-11	Nov-12	⌚
2	HM, PR, SP, SU	I-66 from I-495 Capital Beltway to Route 15 in Haymarket: I-66 Multi-modal Transportation and Environmental Study	VDOT	\$20.300		\$20.300	D	Dec-10	Jun-13	⌚
							R	N/A	N/A	
							U	N/A	N/A	
							C	N/A	N/A	
2	PR	Vienna Metro Enhanced Transit Access (I-66 Bus/HOV Ramp): Construct bus ramp to increase accessibility to Vienna Metrorail Station for transit vehicles	VDOT	\$34.082		\$17.079	D	Nov-05	Dec-11	⌚
							R	N/A	N/A	N/A
							U	N/A	N/A	N/A
							C	2013	TBD	
3	LE, MV	I-95 from Newington Interchange to Prince William County Line: Construct a fourth lane in both directions	VDOT	\$122.411		\$122.411	D	Oct-00	Jun-02	☺
							R	Dec-05	Dec-06	☺
							U	Dec-05	Dec-06	☺
							C	Sep-07	Sep-11	⌚
3	LE, MV	I-95 Woodrow Wilson Bridge & Interchanges: Design, right-of-way acquisition, environmental mitigation and construction of new drawbridge (bascule) span over the Potomac River including reconstruction of 7.5 miles of the Capital Beltway (I-95/I-495) and 4 interchanges, 2 in VA and 2 in MD	VDOT, MDSHA, FHWA	\$2,444.000		\$2,444.000	D		Sep-96	☺
							R			☺
							U			☺
							C	2001	2012	⌚
4	LE, MA	I-95/395/495 Interchange Modifications Phase VIII (Mixing Bowl): Construct HOV/HOT connections between I-95/I-395/I-495	VDOT	\$128.085		\$128.085	D		Jun-97	☺
							R	N/A	N/A	N/A
							U	N/A	N/A	N/A
							C	May-08	Dec-12	⌚
4	LE, MV, MA	I-95/I-395 HOT Lanes: Add one reversible HOV/HOT lane from the Pentagon to Dumfries Road, and extend 2 HOV/HOT lanes south to Massaponax; Construct new Park and Ride lots, improve existing bus access	VDOT	\$1,000.000		\$1,000.000	D	Feb-11	TBD	⌚ Δ
							R	TBD	TBD	
							U	TBD	TBD	
							C	2012	TBD	Δ
5	LE, MV	Richmond Highway Public Transportation Initiative (Phase 2): Route 1 (Richmond Hwy) corridor improvements from Fort Belvoir to the Huntington Metro Station, to support enhanced BRT bus service including pedestrian access improvements, bus shelters and sidewalks	COUNTY	\$54.500	\$7.500	\$28.574	D	Mar-06	TBD	⌚
							R	Jul-10	TBD	⌚
							U	N/A	N/A	N/A
							C	TBD	TBD	
5	DR	Leesburg Pike @ Towlston Road: Add a left turn lane from NB Towlston Road to WB Route 7 (Leesburg Pike)	COUNTY	\$0.750	\$0.750		D	Nov-08	Mar-11 to Aug-11	⌚ Δ
							R	Apr-11 to May-11	Nov-11 to Jan-12	Δ
							U	TBD	TBD	
							C	Dec-11 to Mar-12	Sep-12 to Dec-12	Δ
6	SP, SU, BR	Route 29: Widen to 3 lanes on NB Route 29 from Legato Road to Shirley Gate Road	COUNTY	\$4.000	\$4.000		D	Dec-08	Mar-12	⌚
							R	May-11	Jan-12	
							U	TBD	TBD	
							C	May-12	Jul-13	
6	PR	Route 29 @ Gallows Road: Widen Route 29 to 6 lanes from I-495 to Merrilee Drive, and widen Gallows Road to 6 lanes from Gatehouse Road to Providence Forest Drive	VDOT	\$132.188	\$23.000	\$132.810	D	Feb-04	Dec-07	☺
							R	Jan-07	Oct-08	☺
							U	May-08	Jun-11	⌚
							C	Mar-11	Jun-13	⌚
7	SP, BR	Route 29 from Stevenson Street to Forum Drive: Construct segments of a new shared-use path and provide connection to existing trail on the west side of Route 29	COUNTY	\$4.400		\$3.415	D	Nov-06	Jul-11	⌚
							R	Apr-11	Nov-11	⌚
							U	N/A	N/A	N/A
							C	Dec-11	Feb-13	
7	MA	Arlington Boulevard @ Graham Road: Install a 4-foot wide raised median on Graham Road	COUNTY	\$0.750		\$0.750	D	Oct-09	Jun-11 to Nov-11	⌚ Δ
							R	TBD	TBD	
							U	TBD	TBD	
							C	Oct-11 to Dec-11	Dec-11 to Feb-12	Δ

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Page Number	District	Project Description	Lead Agency	Total Project Cost	Amt in BOS's 4-Yr Plan	All Other Funds	Phase	Start Date	End Date	Status
8	PR	Route 123 @ Jermantown Road: Construct right turn lane from SB Route 123 onto WB Jermantown Road	COUNTY	\$0.900		\$0.900	D	Nov-10	Dec-11	⌚
							R	Apr-11 to May-11	Nov-11 to Dec-11	Δ
							U	TBD	TBD	
							C	Jan-12	Nov-12	
8	DR	Georgetown Pike/Swinks Mill Road: Install flashing beacon warning signal	VDOT				D	May-10	Jan-11	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Feb-11	Mar-11 to Apr-11	⌚ Δ
<i>Secondary Road Projects (listed alphabetically by project name)</i>										
9	MA	Braddock Road @ Backlick Road: Install additional second left turn lane on WB Braddock Road	COUNTY	\$0.500	\$0.500		D	Mar-08	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
9	HM	Centreville Road Trail @ Dulles Toll Road (Phase II): Install pedestrian improvements and traffic signal modifications to cross Centreville Road at the Dulles Toll Road Interchange	COUNTY	\$0.250		\$0.250	D	Aug-08	Aug-10	☺
							R	N/A	N/A	N/A
							U	N/A	N/A	N/A
							C	Jan-11 to Mar-11	May-11	⌚ Δ
10	MV	Cinder Bed Road @ Newington Road: Intersection Improvements	COUNTY	\$5.000	\$5.000		D	Jul-08	May-12	⌚
							R	Jul-11 to Aug-11	Mar-12	Δ
							U	TBD	TBD	
							C	May-12	Aug-13	
10	HM	Colts Neck Road from South Lakes Drive to Hunters Woods Shopping Center: Construct sidewalk on west side of Colts Neck Road	COUNTY	\$0.366		\$0.366	D	Jul-05	Dec-10	☺
							R	Mar-06	Sep-06	☺
							U	N/A	N/A	N/A
							C	Feb-11 to May-11	May-11 to Aug-11	Δ
11	BR	Danbury Forest Drive/Braddock Road/Wakefield Chapel Road Intersection Study: Study feasibility of intersection improvements	COUNTY	\$0.200		\$0.200	D	Jan-10	Apr-11	⌚
							R	N/A	N/A	
							U	N/A	N/A	
							C	N/A	N/A	
11	SP, MV, LE	Fairfax County Parkway (EPG): Construct 4-lane divided, limited access highway within 6-lane ROW from Rolling Road/Franconia-Springfield Parkway to Fullerton Road, including 4 interchanges	FHWA	\$177.450		\$177.450	D	Mar-00	Feb-04	☺
							R			
							U			
							C	Nov-08	Jul-12	⌚
12	SP, SU	Fairfax County Parkway / Fair Lakes Boulevard / Monument Drive Interchange: Construct interchange and intersection improvements from I-66 to Route 50	VDOT	\$69.660		\$89.726	D	Oct-01	Jun-10	☺
							R	Sep-05	Dec-10	☺
							U	Mar-07	Dec-10	☺
							C	May-10	Oct-13	⌚
12	SP	Fairfax County Parkway from Route 29 to Braddock Road: Add SB auxiliary lane	COUNTY	\$1.000	\$1.000		D	Feb-11	Feb-13	⌚
							R	TBD	TBD	
							U	TBD	TBD	
							C	Apr-13	Jan-14	
13	HM	Fox Mill Road/Monroe Street: Install right turn lane on WB Fox Mill Road and add pedestrian improvements	COUNTY	\$0.850		\$0.850	D	Nov-10	Feb-13	⌚
							R	Apr-12	Dec-12	
							U	TBD	TBD	
							C	Apr-13	Dec-13	
13	MV, SP	Gambrell Road/Pohick Road: Install right turn lane on SB Gambrell Road	COUNTY	\$0.500		\$0.500	D	Mar-10	Jun-11 to Sep-11	⌚ Δ
							R	TBD	TBD	
							U	TBD	TBD	
							C	Aug-11 to Oct-11	May-12 to Aug-12	Δ
14	BR	Guinea Road @ Falmead Road: Extend sidewalk south on Falmead Road to Guinea Road; Install missing trail segment on Guinea Road; Pedestrian and drainage improvements	COUNTY	\$0.150		\$0.150	D	Jun-05	Sep-09	☺
							R	N/A	N/A	N/A
							U	N/A	N/A	N/A
							C	Jul-10	Sep-10	☺
14	PR	Hunter Mill Road/Mystic Meadow Way: Reconfigure intersection with roundabout and new pedestrian/bicycle facilities	COUNTY	\$0.800		\$0.800	D	Aug-10	Nov-12	⌚
							R	Jan-12	Sep-12	
							U	TBD	TBD	
							C	Jan-13	Sep-13	

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Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Page Number	District	Project Description	Lead Agency	Total Project Cost	Amt in BOS's 4-Yr Plan	All Other Funds	Phase	Start Date	End Date	Status
15	SU	Lee Road Culvert: Extend existing drainage structure and widen pavement from 500' S of culvert to Penrose Place	VDOT	\$4.541		\$2.294	D	Jun-10	TBD	☺
							R	Dec-12	2013	
							U	2013	2014	
							C	2014	TBD	
15	MV	Lorton Road/Furnace Road from Silverbrook Road to Route 123: Widen to 4 lane divided section including on-road bike lanes, shared use path, low impact development practices, bridge crossings and wide median in Laurel Hill area	COUNTY	\$40.000	\$20.000		D	Feb-08	Aug-11 to Jan-12	☺ Δ
							R	Mar-11 to May-11	Nov-11 to Dec-11	Δ
							U	Mar-11	Dec-11	☺
							C	Dec-11 to Feb-12	Jul-12 to Oct-13	Δ
16	LE, MV	Mulligan Road from Route 1 to Telegraph Road: Construct/widen to 4 lanes and extend from Route 1 to Telegraph Rd (Woodlawn Rd replacement & Old Mill Rd Extension); Widen Telegraph Rd to 4 lanes from Beulah St to Leaf Rd	FHWA	\$80.000		\$80.000	D	Mar-07	Dec-10	☺
							R	Sep-10	TBD	📅
							U			
							C	Feb-11 to Mar-11	Dec-12	☺ Δ
16	DR	Old Dominion Drive @ Spring Hill Road: Extend shoulder and relocate/modify ditch	COUNTY	\$0.050		\$0.050	D	May-10	TBD	☺
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
17	DR	Old Dominion Drive @ Towlston Road: Extend shoulder and relocate/modify ditch	COUNTY	\$1.500		\$0.050	D	TBD	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
17	SU	Poplar Tree Road from Braddock Ridge Drive to Sequoia Farms Drive: Widen to 4 lanes	COUNTY	\$6.500	\$5.500		D	May-07	Nov-10	☺
							R	Mar-10	Oct-10	☺
							U	Dec-10	May-11	☺
							C	Feb-11	Jun-12	☺
18	MV	Saratoga Park-N-Ride Facility: Develop park-n-ride facility	VDOT	\$3.000		\$3.000	D	Sep-10	Jun-11	☺
							R	N/A	N/A	
							U			
							C	Jun-12	Dec-12	
18	MV	Silverbrook Road @ Hoops Road: Intersection Improvements to configure turn lanes on WB Silverbrook Road approach	COUNTY	\$0.350		\$0.350	D	Aug-07	Jan-11	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Mar-11 to Apr-11	Nov-11	☺ Δ
19	PR, HM	Spring Hill Road from Route 7 to International Drive: Widen to 4 lanes	COUNTY	\$10.900		\$10.900	D	Jul-02	Sep-03	☺
							R	Dec-03	Oct-05	☺
							U	Mar-06	Oct-07	☺
							C	Dec-08	Aug-10	☺
19	SU, SP	Stringfellow Road from Route 50 to Fair Lakes Boulevard: Widen to 4 lanes	VDOT	\$54.692	\$37.000	\$46.000	D	Jul-04	Dec-09	☺
							R	Apr-10	Jun-11	☺
							U	Jul-09	Jun-11	☺
							C	Jul-12	Dec-13	
20	LE	Telegraph Road from South Van Dorn Street to South Kings Hwy: Widen to 4 lanes and add pedestrian improvements	VDOT	\$10.500		\$10.000	D	Sep-09	Dec-12	☺
							R	Jun-11	TBD	☺
							U	TBD	TBD	
							C	Jan-13	Dec-13	
20	PR, HM	Tysons Priority Access Improvement Projects: Sites 1-7 & 9: Construct missing links in the pedestrian circulation systems at eight locations in Tysons Corner	VDOT	\$3.370		\$1.300	D	Mar-04	Dec-08	☺
							R	Dec-08	Dec-10	☺
							U	TBD	TBD	
							C	TBD	TBD	
21	DR	Walker Road: Install road diet features and access lanes at business district intersections south of Georgetown Pike	COUNTY	\$0.400		\$0.400	D	Jul-10	Aug-11	☺
							R	TBD	TBD	
							U	TBD	TBD	
							C	Nov-11	Apr-12	
21	DR	Westmoreland Street @ Haycock Road: Install right turn lane and concrete sidewalk along the west side of Westmoreland Street from Haycock Road to Temple Rodef Shalom	COUNTY	\$0.880	\$0.230	\$0.880	D	Nov-08	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
22	BR	Zion Drive: Improve the horizontal curve at Zion Baptist Church	COUNTY	\$1.700	\$1.000		D	Apr-08	Mar-11	☺
							R	Jul-10	Feb-11	☺
							U	TBD	TBD	
							C	Apr-11	Mar-12	

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Page Number	District	Project Description	Lead Agency	Total Project Cost	Amt in BOS's 4-Yr Plan	All Other Funds	Phase	Start Date	End Date	Status
				(\$ in Millions)						
<i>Transit Projects (listed alphabetically by project name)</i>										
22	DR, PR, HM	Dulles Rail (Phase I): Improvements from West Falls Church Station to Wiehle Avenue	MWAA	\$2,740.000		\$2,740.000	D	Apr-05	Jun-10	☺
							R	Jan-08	Nov-08	☺
							U	Feb-08	Jan-10	☺
							C	Jan-09	Jul-13	⌚
23	DR, HM	Fairfax Connector - Herndon Bus Garage Facility Rehab (Phase 2): Rehabilitation and repair to upgrade the existing bus garage	COUNTY	\$6.000	\$6.000		D	N/A	N/A	N/A
							R	N/A	N/A	N/A
							U	N/A	N/A	N/A
							C	Mar-08	Sep-11	⌚
23	BR, SP	George Mason University Transit Center: Construct transit center with up to 10 bus bays and amenities such as shelters and lighted kiosks	COUNTY	\$1.000	\$1.000		D	TBD	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
24	BR	Northern Virginia Community College Transit Center: Construct transit center with up to 4 bus bays and amenities such as shelters and lighted kiosks	COUNTY	\$1.000	\$1.000		D	TBD	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
24	MA	Seven Corners Transit Transfer Center: Construct transit transfer center at the Seven Corners Shopping Center; Improvements to existing bus stops	COUNTY	\$1.182	\$1.000	\$1.510	D	Jan-07	Oct-10	☺
							R	N/A	N/A	N/A
							U	Jun-10	Dec-10	☺
							C	Feb-11 to Mar-11	Jun-12 to Dec-11	⌚ Δ
25	SU	Stringfellow Road Bus Transfer Facility: Provide 3 additional bus bays (total of 6) and a transit store kiosk	COUNTY	\$1.500	\$1.500		D	Apr-08	TBD	⌚
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
25	SU	Stringfellow Road Park & Ride Lot Expansion: Construct an additional 300 spaces north of the existing 387 space facility	COUNTY	\$4.000	\$4.000		D	Apr-08	TBD	⌚
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
26	PR	Vienna Metrorail Staircase: Add new staircase from platform to mezzanine at Vienna Metro Station	WMATA	\$2.000	\$2.000		D	Jun-09	Feb-11	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Apr-11	Oct-11	Δ
			Program Totals	\$8,880.55	\$121.980	\$8,789.75				

I-495 I-495, Capital Beltway HOT Lanes (PPTA Project)

Construction

Install two HOV/HOT lanes in each direction from the Springfield Interchange to the Dulles Toll Road

District(s): BR, DR, HM, LE, MA, PR

FCDOT Staff: WPH

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
VDOT	68805			Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	267.142	Apr-05		👍
N/A		Land Acquisition				
Type of Funding:		Utility Relocation		Mar-08		👍
Private, Interstate, State		Construction	1387.255	May-08	Dec-12	👍
		Total	1654.397			

Activity Highlights:

Design-build project; Construction is 63% complete; Lane and ramp closures at night and during off peak travel times continue; 12 interchanges are under construction from Springfield Interchange bridges to just north of Dulles Toll Road overpasses; The Idylwood Road bridge opened to traffic on March 18, 2011; Construction activity details are posted at www.virginiahotlanes.com or www.vamegaprojects.com

I-66 I-66 from Capital Beltway to Route 50

Construction

Pavement Rehabilitation

District(s): PR, SP

FCDOT Staff: CL

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
VDOT	93002			Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Jun-09	Dec-10	😊
N/A		Land Acquisition	0.000	N/A	N/A	
Type of Funding:		Utility Relocation				
ARRA		Construction	48.000	Apr-11	Nov-12	👍
		Total	48.000			

Activity Highlights:

Beginning April 4, 2011, VDOT begins a \$48 million project to repair and resurface six and a half miles of badly deteriorated pavement on Interstate 66 between the Capital Beltway and Route 50; To minimize impacts to motorists, all lane closures will take place at night between 9 p.m. and 5 a.m., Sunday through Thursday nights; The project will be complete in the fall of 2012

I-66 I-66 from I-495 Capital Beltway to Route 15 in Haymarket Study

I-66 Multimodal Transportation and Environmental Study (Study only)

District(s): HM, PR, SP, SU
FCDOT Staff: SSS

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
Agency	Project ID			Start	End		
VDOT	54911						
Amount in Board's 4-Year Plan: (\$ in Millions)							
N/A							
Type of Funding:							
Interstate							
		Design	20.300		Dec-10	Jun-13	👍
		Land Acquisition			N/A	N/A	
		Utility Relocation			N/A	N/A	
		Construction			N/A	N/A	
		Total	20.300	20.300			

Activity Highlights:

In June 2010, VDOT project management transferred from VDOT's Northern Virginia District office to Richmond; Currently VDOT is completing negotiations with a consultant and expect the negotiations to conclude by end of April 2011; NTP expected in early May; Completion of Tier 1 draft EIS is anticipated by June 2012 and Tier 1 final EIS by June 2013

I-66 Vienna Metro Enhanced Transit Access (I-66 Bus Ramp) Design

Construct bus ramp to increase accessibility to Vienna Metrorail Station for transit vehicles

District(s): PR
FCDOT Staff: CL

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
Agency	Project ID			Start	End		
VDOT	81009						
Amount in Board's 4-Year Plan: (\$ in Millions)							
N/A							
Type of Funding:							
CMAQ, RSTP							
		Design	2.700		Nov-05	Dec-11	👍
		Land Acquisition			N/A	N/A	N/A
		Utility Relocation			N/A	N/A	N/A
		Construction	31.382		2013	TBD	
		Total	34.082	17.079			

Activity Highlights:

Two alternatives are under consideration - a flyover ramp from I-66 EB HOV lane to/from Vaden Drive, or to/from Saintsbury Drive; VDOT is preparing an Interchange Modification Report (IMR) to FHWA; Based on the discussion among VDOT, FCDOT, WMATA on December 16, 2010, the use of the proposed ramp is for Bus Only; Design PH is anticipated in Fall 2011

I-95 I-95 from Newington Interchange to Prince William County Line Construction

Construct a fourth lane in both directions from Newington Interchange to Route 123

District(s): LE, MV
FCDOT Staff: EAI

Implementing Agency:	
VDOT	57017
Amount in Board's 4-Year Plan: (\$ in Millions)	
N/A	
Type of Funding:	
Interstate	

	Project Cost	Project Funding	Schedule		Status
			Start	End	
	(\$ in Millions)				
Design	9.779		Oct-00	Jun-02	☺
Land Acquisition	0.551		Dec-05	Dec-06	☺
Utility Relocation			Dec-05	Dec-06	☺
Construction	112.080		Sep-07	Sep-11	👍
Total	122.411	122.411			

Activity Highlights:

One of VDOT's "mega-projects"; The final piece, adding a fourth lane to the Occoquan Bridge, will be completed by late summer 2011; Construction is 87% complete; Additional details found at www.vamegaprojects.com

I-95 I-95, Woodrow Wilson Bridge and Interchanges Construction

Design, ROW, env. mitigation, construction of new drawbridge over Potomac River incl. reconstruct 7.5 miles of Beltway (I-95/495) and 4 interchanges, two in VA and two in MD

District(s): LE, MV
FCDOT Staff: CWS

Implementing Agency:	
VDOT, MDSHA, FHWA	18136, 18138
Amount in Board's 4-Year Plan: (\$ in Millions)	
N/A	
Type of Funding:	
Interstate	

	Project Cost	Project Funding	Schedule		Status
			Start	End	
	(\$ in Millions)				
Design				Sep-96	☺
Land Acquisition					☺
Utility Relocation					☺
Construction			2001	2012	👍
Total	2444.0	2444.0			

Activity Highlights:

Project continues on-time and on-budget; Reconstruction of the Telegraph Road interchange is the final phase of the Woodrow Wilson Bridge Project. Work includes widening a two-and-a-half mile section of the Capital Beltway extending the new thru and local lane configuration from the bridge, building new elevated ramps connecting the Beltway to Telegraph Road, Eisenhower Ave., Huntington Ave., and North Kings Highway and improvements to Telegraph Road; Additional details found at www.wilsonbridge.com or www.vamegaprojects.com

I-95 I-95/395/495 Interchange Modifications Phase VIII (Mixing Bowl) Construction

Construct HOV/HOT connections between I-95/I-395/I-495

District(s): LE, MA
FCDOT Staff: WPH

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
VDOT	14682			Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	21.192		Jun-97	😊
N/A		Land Acquisition		N/A	N/A	N/A
Type of Funding:		Utility Relocation		N/A	N/A	N/A
Interstate		Construction	106.892	May-08	Dec-12	👍
		Total	128.085			

Activity Highlights:

Design was completed as part of the Springfield Interchange project, but construction was deferred; Construction in progress as part of the I-495 Beltway HOT Lanes project; 7 bridges under construction at the Springfield Interchange; Most steel and deck bridge structures were completed in 2010; All bridge work for the Springfield Interchange is scheduled to be completed by the end of 2011; Additional details found at www.virginiahotlanes.com or www.vamegaprojects.com

I-95 I-95/I-395 HOT Lanes (PPTA Project) Project Initiation

Add one HOV/HOT lane (3 total) from Edsall Road to Prince William Pkwy, extend 2 HOV/HOT lanes to Stafford County, Construct HOV/Transit ramp at Seminary Road, Construct new Park and Ride Lots

District(s): LE, MA, MV
FCDOT Staff: SAN

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
VDOT				Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Feb-11	TBD	👍 ⚠️
N/A		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
Private, Interstate		Construction		2012	TBD	⚠️
		Total	1000.00			

Activity Highlights:

As of February 3, 2011, the revised project includes: Construct 2 new HOV/HOT lanes for 9 miles from Garrisonville Road in Stafford County to Dumfries; Widen HOV/HOT lanes from 2 to 3 lanes from Prince William Pkwy to Edsall Road; Construct new HOV/Transit ramp to Seminary Road near Mark Center; Construct park-and-ride lots; VDOT has begun environmental review and expects to hold citizen meetings in late 2011

0001 Richmond Hwy Public Transportation Initiative (Phase 2) Design

Route 1 corridor improvements from Fort Belvoir to Huntington Metro, to support enhanced BRT bus service incl. pedestrian access improvements, bus shelters and sidewalks

District(s): LE, MV
FCDOT Staff: CL

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
COUNTY				Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Mar-06	TBD	👍	
7.500				Jul-10	TBD	👍	
Type of Funding:				Utility Relocation	N/A	N/A	N/A
Federal, State, Local				Construction	TBD	TBD	
				Total	54.500	28.574	

Activity Highlights:

Phase 1 (five walkways and a REX bus stop shelter) is complete; Phase 2 includes intersection improvements at Frye Rd. and Kings Hwy, 9 walkways - 1.25 miles, and 6 additional intersections; Frye Road and Lukens Lane intersections were redesigned due to design exception denial; Preparing to authorize Kings Hwy and Frye Rd for construction; Posted willingness to hold a public hearing for 7 walkways and 5 intersections in July 2010; For additional details see DPWES report http://www.fairfaxcounty.gov/dpwes/construction/cap_quarter.htm

0007 Leesburg Pike @ Towlston Road Design

Add a left turn lane from northbound Towlston Road to westbound Route 7

District(s): DR
FCDOT Staff: KPR

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
COUNTY				Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Nov-08	Mar-11 August-11	👎 Δ	
0.750				Apr-11 May-11	Nov-11 Jan-12	Δ	
Type of Funding:				Utility Relocation	TBD	TBD	
2007 County Bonds				Construction	Dec-11 Mar-12	Sept-12 Dec-12	Δ
				Total	0.750	0.750	

Activity Highlights:

Intermediate Design distributed for review Jan. 2011; Schedule revised to address preliminary plan comments. Signal design is in progress.

0029 Route 29 **Design**

Widen to 3 lanes on NB Route 29 from Legato Road to Shirley Gate Road

District(s): BR, SP, SU
FCDOT Staff: JYR

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status										
COUNTY				Start	End											
Amount in Board's 4-Year Plan: (\$ in Millions)		<table border="1"> <tr><td>Design</td><td></td></tr> <tr><td>Land Acquisition</td><td></td></tr> <tr><td>Utility Relocation</td><td></td></tr> <tr><td>Construction</td><td></td></tr> <tr><td>Total</td><td>4.000</td></tr> </table>	Design		Land Acquisition		Utility Relocation		Construction		Total	4.000	4.000	Dec-08	Mar-12	👍
Design																
Land Acquisition																
Utility Relocation																
Construction																
Total	4.000															
4.000		May-11	Jan-12													
Type of Funding:		TBD	TBD													
2007 County Bonds		May-12	Jul-13													

Activity Highlights:

Intermediate design distributed for review 11/29/10; Signal modification submitted 12/16/10; Scope of project revised to include improvements to Route 29/Shirley Gate Rd intersection; Utility Field Inspection held 3/16/11; Meeting with supervisor's office scheduled for 5/17/11

0029 Route 29 @ Gallows Road **Utilities**

Widen Rt. 29 to 6 lanes from I-495 to Merrilee Drive, and widen Gallows Road to 6 lanes from Gatehouse Road to Providence Forest Drive

District(s): PR
FCDOT Staff: SAN

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status										
VDOT	11395, 88600			Start	End											
Amount in Board's 4-Year Plan: (\$ in Millions)		<table border="1"> <tr><td>Design</td><td>9.958</td></tr> <tr><td>Land Acquisition</td><td>71.880</td></tr> <tr><td>Utility Relocation</td><td></td></tr> <tr><td>Construction</td><td>50.350</td></tr> <tr><td>Total</td><td>132.188</td></tr> </table>	Design	9.958	Land Acquisition	71.880	Utility Relocation		Construction	50.350	Total	132.188	132.810	Feb-04	Dec-07	😊
Design	9.958															
Land Acquisition	71.880															
Utility Relocation																
Construction	50.350															
Total	132.188															
23.000		Jan-07	Oct-08	😊												
Type of Funding:		May-08	Jun-11	👍												
Federal, State, Primary 6-Year		Mar-11	Jun-13	👍												

Activity Highlights:

Project costs are for the roadway, building demolition and waterline relocation projects; Utility relocations are 95% complete; Construction bids are expected by April 27, 2011

0029 Route 29 from Stevenson Street to Forum Drive Design

Construct segments of a new shared-use path and provide connection to existing trail on the west (SB) side of Route 29

District(s): BR, SP
FCDOT Staff: JYR

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
COUNTY	59094			Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)				Nov-06	Jul-11	👍
N/A				Apr-11	Nov-11	👍
Type of Funding:				N/A	N/A	N/A
Revenue Sharing				Dec-11	Feb-13	
				Total	4.400	3.415

Activity Highlights:

VDOT authorized land acquisition package on 10/29/10. Project scope revised to utilize existing trail on Ellipse property.

0050 Arlington Boulevard @ Graham Road Design

Install a 4 foot wide raised median on Graham Road

District(s): MA
FCDOT Staff: TB

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
COUNTY				Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)				Oct-09	Jun-11 Nov-11	👎 Δ
N/A				TBD	TBD	
Type of Funding:				TBD	TBD	
C & I				Oct-11 Dec-11	Dec-11 Feb-12	👎 Δ
				Total	0.750	0.750

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Pre-final design distributed 3/31/11; Scope revised to allow better alignment and to minimize project impacts on adjacent property.

0123 Route 123 @ Jermantown Road **Design**

Construct right turn lane from SB Route 123 onto westbound Jermantown Road

District(s): PR
FCDOT Staff: JYR

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
COUNTY				Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Nov-10	Dec-11	👍
N/A				Apr-11	Nov-11	⚠️
Type of Funding:				May-11	Dec-11	
C & I				TBD	TBD	
				Jan-12	Nov-12	
		Total	0.900	0.900		

Activity Highlights:

C & I funding approved by BOS March 23, 2010; Survey complete; Intermediate design in progress

0193 Georgetown Pike/Swinks Mill Road **Construction**

Install flashing beacon warning signal

District(s): DR
FCDOT Staff: TB

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
VDOT				Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		May-10	Jan-11	😊
N/A				N/A	N/A	
Type of Funding:				N/A	N/A	
C & I				Feb-11	Mar-11	⚠️
					Apr-11	
		Total				

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Flasher will be located within existing VDOT right of way; Construction anticipated in April 2011

0620 Braddock Road @ Backlick Road On Hold

Install dual left turn lane on WB Braddock Road

District(s): MA
FCDOT Staff: KPR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Mar-08	TBD	
0.500		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
2007 County Bonds		Construction		TBD	TBD	
		Total	0.500	0.500		

Activity Highlights:

Pre-final plans submitted in April 2010; Project on hold; Analysis of possible roundabout is underway by county staff

0657 Centreville Road Trail at Dulles Toll Road (Phase II) Design

Install pedestrian improvements and traffic signal modifications to cross Centreville Road at the Dulles Toll Road Interchange

District(s): HM
FCDOT Staff: JYR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Aug-08	Aug-10	☺
		Land Acquisition		N/A	N/A	N/A
Type of Funding:		Utility Relocation		N/A	N/A	N/A
TAC Spot, C&I		Construction		Jan-11 Mar-11	May-11	👉 Δ
		Total	0.250	0.250		

Activity Highlights:

Phase I, construct pedestrian walkway under Dulles Toll Road, completed Feb. 2008; Phase II, final construction packages sent to CMD 2/1/11; Construction NTP issued 3/1/11.

0637 Cinder Bed Road @ Newington Road **Design**

Intersection Improvements, including relocating intersection 450 to the north, reconstruction of Cinder Bed Road, sidewalk, and culvert at Long Branch Creek

District(s): MV
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Jul-08	May-12	👍
5.000		Land Acquisition		Jul-11 Aug-11	Mar-12	⚠️
Type of Funding:		Utility Relocation		TBD	TBD	
2007 County Bonds		Construction		May-12	Aug-13	
		Total	5.000	5.000		

Activity Highlights:

Intermediate design in progress

4701 Colts Neck Road from South Lakes Drive to Hunters Woods Shopping Center **Construction**

Construct sidewalk on west side of Colts Neck Road

District(s): HM
FCDOT Staff: KPR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Jul-05	Dec-10	😊
N/A		Land Acquisition		Mar-06	Sep-06	😊
Type of Funding:		Utility Relocation		N/A	N/A	N/A
TAC Spot		Construction		Feb-11 May-11	May-11 Aug-11	⚠️
		Total	0.366	0.366		

Activity Highlights:

VDOT permit received; Utility relocation required; preliminary construction package sent to CMD 1/5/11, Construction package is under review by CMD and FCDOT. Utility relocation design is in progress.

3806 Danbury Forest Dr/Braddock Rd/Wakefield Chapel Rd Study **Study**

Study Feasibility of Intersection Improvements and Realignment (Funded for Study only)

District(s): BR
FCDOT Staff: EAI

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
COUNTY	(\$ in Millions)				
Amount in Board's 4-Year Plan: (\$ in Millions)	Design	0.200	Jan-10	Apr-11	👍
N/A	Land Acquisition		N/A	N/A	
Type of Funding:	Utility Relocation		N/A	N/A	
C & I	Construction		N/A	N/A	
	Total	0.200			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; CIM held November 17, 2010; Several alternatives have been developed based on community input; Striping for "Do Not Block Intersection" installed in March 2010 as part of Beltway HOT Lanes project

7100 Fairfax County Parkway (EPG) **Construction**

Construct 4-lane divided, limited access highway within 6-lane ROW from Rolling Road/Franconia-Springfield Parkway to Fullerton Road, including 4 interchanges

District(s): LE, MV, SP
FCDOT Staff: TB

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
FHWA	(\$ in Millions)				
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		Mar-00	Feb-04	😊
N/A	Land Acquisition				
Type of Funding:	Utility Relocation				
Federal, State, RSTP	Construction		Nov-08	Jul-12	👍
	Total	177.450			

Activity Highlights:

Project will be completed in four phases; Phase 1 & 2 complete and open to traffic in Sept. 2010; Phase 3 and 4 construction in progress; Fullerton Road was opened to traffic November 2010; I-95 SB exit to parkway opened 12/28/10; Phase 4 completion December 2011; Phase 3 completion July 2012

7100 Fairfax County Parkway / Fair Lakes Parkway / Monument Drive Interchange

Construction

Construct interchange and intersection improvements from I-66 to Route 50

District(s): SP, SU

FCDOT Staff: JYR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
VDOT		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	8.905		Oct-01	Jun-10	☺
N/A		Land Acquisition	2.585		Sep-05	Dec-10	☺
Type of Funding:		Utility Relocation			Mar-07	Dec-10	☺
RSTP, ARRA		Construction	58.170		May-10	Oct-13	👍
		Total	69.660	89.726			

Activity Highlights:

Project partially funded by ARRA; Construction in progress; Work is underway on the 4 future ramps that will run alongside the Fairfax County Parkway

7100 Fairfax County Parkway from Route 29 to Braddock Road

Design

Add SB auxiliary lane

District(s): SP

FCDOT Staff: SSS

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
COUNTY		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design			Feb-11	Feb-13	👍
1.000		Land Acquisition			TBD	TBD	
Type of Funding:		Utility Relocation			TBD	TBD	
2007 County Bonds		Construction			Apr-13	Jan-14	
		Total	1.000	1.000			

Activity Highlights:

Fairfax County is administering the project; Design proposal approved and notice to proceed issued; Survey is in progress;

0665 Fox Mill Road/Monroe Street **Design**

Install right turn lane on WB Fox Mill Road, and add pedestrian improvements

District(s): HM
FCDOT Staff: TB

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
C & I

	Project Cost Project Funding (\$ in Millions)	Schedule		Status
		Start	End	
Design		Nov-10	Feb-13	👍
Land Acquisition		Apr-12	Dec-12	
Utility Relocation		TBD	TBD	
Construction		Apr-13	Dec-13	
Total	0.850			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Survey complete; Preliminary design distributed for review 3/30/11

0640 Gambrill Road/Pohick Road **Design**

Install right turn lane on SB Gambrill Road

District(s): MV, SP
FCDOT Staff: SSS

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
C & I

	Project Cost Project Funding (\$ in Millions)	Schedule		Status
		Start	End	
Design		Mar-10	Jun-11 Sep-11	👍 ⚠️
Land Acquisition		TBD	TBD	
Utility Relocation		TBD	TBD	
Construction		Aug-11 Oct-11	May-12 Aug-12	⚠️
Total	0.500			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Pre-final design in progress; Pavements cores have been ordered; Additional utility designations have been ordered

0651 Guinea Road @ Falmead Road

Complete

Extend sidewalk south on Falmead Rd to Guinea Rd; Install missing trail segment on Guinea Rd; Pedestrian and drainage improvements

District(s): BR
FCDOT Staff: KPR

Implementing Agency:	Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
COUNTY			Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		Jun-05	Sep-09	☺	
N/A			N/A	N/A	N/A	
Type of Funding:			Utility Relocation	N/A	N/A	N/A
TAC Spot			Construction	Jul-10	Sep-10	☺
			Total	0.150	0.150	

Activity Highlights:

Permit released 1/20/11; Construction is complete

0674 Hunter Mill Road/Mystic Meadow Way

Design

Reconfigure intersection with roundabout and new pedestrian/bicycle facilities

District(s): PR
FCDOT Staff: SSS

Implementing Agency:	Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
COUNTY			Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		Aug-10	Nov-12	👍	
N/A			Land Acquisition	Jan-12	Sep-12	
Type of Funding:			Utility Relocation	TBD	TBD	
C & I			Construction	Jan-13	Sep-13	
			Total	0.800	0.800	

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Geotechnical analysis in progress; Pre-final design in progress; Utility designation is complete

0661 Lee Road Culvert **Design**

Extend existing drainage structure and widen pavement from 500' S of culvert to Penrose Place

District(s): SU
FCDOT Staff: KPR

Implementing Agency:
VDOT
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
C & I, Proffers, RSTP

	Project Cost	Project Funding	Schedule		Status
	(\$ in Millions)		Start	End	
Design			Jun-10	TBD	👍
Land Acquisition			Dec-12	2013	
Utility Relocation			2013	2014	
Construction			2014	TBD	
Total	4.541	2.294			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; PFI was held December 8, 2010; PFI plans are completed and comments have been addressed; Proffer and ROW dedication information is being collected and reviewed; May post willingness instead of PH for ROW; Public hearing will be held in late summer 2011; Utilities are being identified

0642 Lorton Road/Furnace Road from Silverbrook Road to Route 123 **ROW**

Widen to 4 lane divided section including on-road bike lanes, shared use path, low impact development practices, bridge crossings and wide median in Laurel Hill area

District(s): MV
FCDOT Staff: SAN

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
20.000
Type of Funding:
2007 County Bonds, C&I

	Project Cost	Project Funding	Schedule		Status
	(\$ in Millions)		Start	End	
Design			Feb-08	Aug-11 Jan-12	👍 ⚠️
Land Acquisition			Mar-11 May-11	Nov-11 Dec-11	⚠️
Utility Relocation			Mar-11	Dec-11	👍
Construction			Dec-11 Feb-12	Jul-13 Oct-13	⚠️
Total	40.000	20.000			

Activity Highlights:

Pre-final design plans (ROW plans) distributed for review 3/28/11; 4 design waivers approved; Utility relocation is in progress

0619 Mulligan Road from Route 1 to Telegraph Road Design

Construct/widen to 4 lanes and extend from Route 1 to Telegraph Rd (Woodlawn Road replacement & Old Mill Road Extension); Widen Telegraph Road to 4 lanes from Beulah Street to Leaf Road

District(s): LE, MV
FCDOT Staff: JYR

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
FHWA	(\$ in Millions)		Mar-07	Dec-10	😊
Amount in Board's 4-Year Plan: (\$ in Millions)	Design	8.350	Sep-10	TBD	📄
N/A	Land Acquisition	3.500			
Type of Funding:	Utility Relocation	6.777			
DAR, State, RSTP, C&I	Construction	56.373	Feb-11 Mar-11	Dec-12	👍 ⚠️
	Total	80.000			

Activity Highlights:

Phase II land acquisition is in progress; Construction will begin on portions of project where land rights are already cleared; RFP advertised March 16, 2011; Bids due April 19, 2011

0738 Old Dominion Drive @ Spring Hill Road Design

Restripe Spring Hill Rd to improve sight lines and turning radii (Phase 1); Relocate utility pole, extend shoulder and relocate/modify ditch (Phase 2)

District(s): DR
FCDOT Staff: TB

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
COUNTY	(\$ in Millions)		May-10	TBD	👍
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		TBD	TBD	
N/A	Land Acquisition		TBD	TBD	
Type of Funding:	Utility Relocation		TBD	TBD	
C & I	Construction		TBD	TBD	
	Total	0.050			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Phase 1 will be implemented with Beltway HOT Lanes Project; VDOT has approved striping concept and will proceed with final design and installation; Phase 2 to follow

0738 Old Dominion Drive @ Towlston Road

On Hold

Extend shoulder and relocate/modify ditch

District(s): DR

FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		TBD	TBD	
N/A		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
C & I		Construction		TBD	TBD	
		Total	1.500	0.050		

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Project on hold; Coordinating with VDOT and Supervisor's office to determine scope, level of interest/need

7021 Poplar Tree Road from Braddock Ridge Drive to Sequoia Farms Drive

Utilities

Widen to 4 lanes

District(s): SU

FCDOT Staff: KPR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		May-07	Nov-10	😊
5.500		Land Acquisition		Mar-10	Oct-10	😊
Type of Funding:		Utility Relocation		Dec-10	May-11	👍
2007 County Bonds		Construction		Feb-11	Jun-12	👍
		Total	6.500	5.500		

Activity Highlights:

Speed study will be completed after completion of construction; VDOT street acceptance process and composite plat are in progress; Pool demolition complete; Utility relocation 45% complete; Bids opened 3/15; Pre-construction conference scheduled for 4/20/11

7900 Saratoga Park-and-Ride Facility **Design**

Construct approx. 535 spaces with transit, pedestrian, and bicycle accommodations

District(s): MV
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
VDOT		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	0.300		Sep-10	Jun-11	👍
N/A		Land Acquisition			N/A	N/A	
Type of Funding:		Utility Relocation					
CMAQ		Construction	2.700		Jun-12	Dec-12	
		Total	3.000	3.000			

Activity Highlights:

Preliminary design alternatives and traffic study impact study are being developed and reviewed

0600 Silverbrook Road @ Hooes Road **Construction**

Intersection improvements to configure turn lanes on the westbound approach of Silverbrook Road

District(s): MV
FCDOT Staff: JYR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
COUNTY		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design			Aug-07	Jan-11	😊
N/A		Land Acquisition			N/A	N/A	
Type of Funding:		Utility Relocation			N/A	N/A	
TAC Spot		Construction			Mar-11 Apr-11	Nov-11	👍 ⚠️
		Total	0.350	0.350			

Activity Highlights:

Schedule revised to add pedestrian crossing to project at request of community; VDOT permit received 2/18/11

0684 Spring Hill Road from Route 7 to International Drive Complete

Widen to 4 lanes

District(s): PR, HM
 FCDOT Staff: JYR

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
Secondary 6-Year

	Project Cost	Project Funding	Schedule		Status
			Start	End	
	(\$ in Millions)				
Design	0.950		Jul-02	Sept-03	😊
Land Acquisition	3.650		Dec-03	Oct-05	😊
Utility Relocation			Mar-06	Oct-07	😊
Construction	6.300		Dec-08	Aug-10	😊
Total	10.900	10.900			

Activity Highlights:

Construction substantially completed August 2010; Addressing concrete median and illegal left and U-turn issues; Median to be extended beyond fire station; Processing change order for construction of median

0645 Stringfellow Road from Route 50 to Fair Lakes Boulevard ROW

Widen to 4 lanes

District(s): SU, SP
 FCDOT Staff: JYR

Implementing Agency:
VDOT
Amount in Board's 4-Year Plan: (\$ in Millions)
37.000
Type of Funding:
2004 & 2007 Bonds, Revenue Sharing, C&I

	Project Cost	Project Funding	Schedule		Status
			Start	End	
	(\$ in Millions)				
Design	5.000		Jul-04	Dec-09	😊
Land Acquisition	20.870		Apr-10	Jun-11	👍
Utility Relocation	15.187		Jul-09	Jun-11	👍
Construction	28.867		Jul-12	Dec-13	
Total	54.692	46.000			

Activity Highlights:

ROW acquisition and utility relocation in progress

0611 Telegraph Road from South Van Dorn Street to South Kings Highway **Design**

Widen to 4 lanes and add pedestrian improvements

District(s): LE
FCDOT Staff: JYR

Implementing Agency:
VDOT
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
C & I

	Project Cost	Project Funding	Schedule		Status
			Start	End	
	(\$ in Millions)				
Design	1.500		Sep-09	Dec-12	👍
Land Acquisition	1.000		Jun-10	TBD	👍
Utility Relocation			TBD	TBD	
Construction	8.000		Jan-13	Dec-13	
Total	10.500	10.000			

Activity Highlights:

VDOT is administering the project; PH held September 23, 2010; Coordination with FCPA and environmental agencies is ongoing

XXXX Tysons Priority Access Improvement Projects: Sites 1-7 & 9 **ROW**

Construct missing links in the pedestrian circulation systems at eight locations in Tysons Corner

District(s): PR, HM
FCDOT Staff: EAI

Implementing Agency:
VDOT
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
Federal

	Project Cost	Project Funding	Schedule		Status
			Start	End	
	(\$ in Millions)				
Design	0.269		Mar-04	Dec-08	😊
Land Acquisition	2.203		Dec-08	Dec-10	👍
Utility Relocation			TBD	TBD	
Construction	0.898		TBD	TBD	
Total	3.370	1.300			

Activity Highlights:

Project consists of eight locations for pedestrian improvements (approximately 2,700 linear feet of sidewalks); VDOT/FCDOT project team is seeking ROW dedication from impacted property owners to stay within the federal grant agreement specifications and the funding allocation; Once ROW dedications are completed, will proceed to construction under Special Advertisement & Award Process (SAAP) contracts

0681 Walker Road **Design**

Install road diet features and access lanes at business district intersections south of Georgetown Pike

District(s): DR
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Jul-10	Aug-11	👍
N/A		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
C & I		Construction		Nov-11	Apr-12	
		Total	0.400	0.400		

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Continuing to meet with VDOT to address design and sight distance issues; Intermediate plans distributed for review 3/16/11

0693 Westmoreland Street @ Haycock Road **Design**

Install right turn lane and concrete sidewalk along the west side of Westmoreland Street from Haycock Road to Temple Rodef Shalom

District(s): DR
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Nov-08	TBD	
0.230		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
2007, Bond, C & I		Construction		TBD	TBD	
		Total	0.880	0.880		

Activity Highlights:

Combined 2007 Bond walkway project with new C&I roadway improvement project; Project scope revised due to impacts to school Kiss-and-Ride lot; Design proposal approved 3/18/11; Schedule to be developed upon completion of survey; Survey in progress

0654 Zion Drive

Construction

Improve the horizontal curve at Zion Baptist Church

District(s): BR

FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Apr-08	Mar-11	☺
1.000		Land Acquisition		Jul-10	Feb-11	☺
Type of Funding:		Utility Relocation		TBD	TBD	
2007 County Bonds		Construction		Apr-11	Mar-12	
		Total	1.700	1.700		

Activity Highlights:

Land acquisition completed 2/22/11; Preliminary construction package submitted 2/15/11; VDOT permit received 4/5/11

XXXX Dulles Rail (Phase 1)

Construction

Improvements from West Falls Church Station to Wiehle Avenue

District(s): DR, PR, HM

FCDOT Staff: SAN

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
MWAA		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Apr-05	Jun-10	☺
N/A		Land Acquisition		Jan-08	Nov-08	☺
Type of Funding:		Utility Relocation		Feb-08	Jan-10	☺
Federal, State, Local, Tax District, MWAA		Construction		Jan-09	Jul-13	👍
		Total	2740.000	2740.000		

Activity Highlights:

Construction is 35% complete; Construction in progress on all 5 stations; Tunnel from Route 123 to Route 7 is nearly complete; Track work underway in the DIAAH median; The right lane of SB Rte. 123 is closed from Scotts Crossing to I-495 for approx. 2 years; For further information, <http://www.dullesmetro.com>

XXXX Fairfax Connector - Herndon Bus Garage Facility Rehab (Phase 2)

Construction

Rehabilitation and repair to upgrade the existing bus garage

District(s): DR, HM

FCDOT Staff: EAI

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
COUNTY	(\$ in Millions)				
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		N/A	N/A	N/A
6.000	Land Acquisition		N/A	N/A	N/A
Type of Funding:	Utility Relocation		N/A	N/A	N/A
County Bonds	Construction		Mar-08	Sep-11	👍
	Total	6.000	6.000		

Activity Highlights:

Work includes pavement reinforcement, new bus wash bay, new oil separator, additional entry/exit gate, updated plumbing and electrical systems; new offices, storage area, and training rooms

XXXX George Mason University Transit Center

Project Initiation

Construct transit center with up to 10 bus bays and amenities such as shelters and lighted kiosks

District(s): BR, SP

FCDOT Staff: SAN

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
COUNTY	(\$ in Millions)				
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		TBD	TBD	
1.000	Land Acquisition		TBD	TBD	
Type of Funding:	Utility Relocation		TBD	TBD	
2007 County Bonds	Construction		TBD	TBD	
	Total	1.000	1.000		

Activity Highlights:

3 possible locations on campus identified; GMU has submitted a proposal and cost associated with each location; County will draft a funding agreement; GMU will administer the contract

XXXX Northern Virginia Community College Transit Center Project Initiation

Construct transit center with up to 4 bus bays and amenities such as shelters and lighted kiosks

District(s): BR
FCDOT Staff: CL

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
COUNTY		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)	1.000	Design			TBD	TBD	
Type of Funding:	2007 County Bonds	Land Acquisition			TBD	TBD	
		Utility Relocation			TBD	TBD	
		Construction			TBD	TBD	
		Total	1.000	1.000			

Activity Highlights:

FCDOT continues discussions with NVCC to select transit center location on campus

XXXX Seven Corners Transit Transfer Center Construction

Construct transit transfer center at the Seven Corners Shopping Center; Improvements to existing bus stops

District(s): MA
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
COUNTY		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)	1.000	Design			Jan-07	Oct-10	☺
Type of Funding:	CMAQ	Land Acquisition			N/A	N/A	N/A
		Utility Relocation			Jun-10	Dec-10	☺
		Construction			Feb-11 Mar-11	Jun-12 Dec-11	☺
		Total	1.182	1.510			

Activity Highlights:

VDOT approved construction package 1/10/11; Utility relocation work has been completed; Project advertised for bids 3/21/11

XXXX Stringfellow Road Bus Transfer Facility **Project Initiation**

Provide 3 additional bus bays (total of 6), and a transit store kiosk.

District(s): SU
FCDOT Staff: JYR

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
1.500
Type of Funding:
2007 County Bonds

	Project Cost	Project Funding	Schedule		Status
	(\$ in Millions)		Start	End	
Design			Apr-08	TBD	👍
Land Acquisition			TBD	TBD	
Utility Relocation			TBD	TBD	
Construction			TBD	TBD	
Total	1.500	1.500			

Activity Highlights:

Project combined with the Park and Ride Expansion; Site survey complete; DPWES is coordinating with FCDOT to determine detailed project scope as Phase I- Conceptual/Schematic Design; Draft building program is under review; Project Schedule to be developed in Phase II- Design and Construction

XXXX Stringfellow Road Park & Ride Lot Expansion **Project Initiation**

Construct an additional 300 spaces north of the existing 387 space facility

District(s): SU
FCDOT Staff: JYR

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
4.000
Type of Funding:
2007 County Bonds

	Project Cost	Project Funding	Schedule		Status
	(\$ in Millions)		Start	End	
Design			Apr-08	TBD	👍
Land Acquisition			TBD	TBD	
Utility Relocation			TBD	TBD	
Construction			TBD	TBD	
Total	4.000	4.000			

Activity Highlights:

Project combined with the Bus Transfer Facility; Site survey complete; DPWES is coordinating with FCDOT to determine detailed project scope as Phase I- Conceptual/Schematic Design; Preliminary site plans are under review; Project Schedule to be developed in Phase II- Design and Construction

XXXX Vienna Metrorail Staircase

Project Initiation

Add new staircase from platform to mezzanine at Vienna Metro Station

District(s): PR
FCDOT Staff: KPR

Implementing Agency:
WMATA
Amount in Board's 4-Year Plan: (\$ in Millions)
2.000
Type of Funding:
2007 County Bonds

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design			Jun-09	Feb-11	☺
Land Acquisition			N/A	N/A	
Utility Relocation			N/A	N/A	
Construction			Apr-11	Aug-11 Oct-11	⚠
Total	2.000	2.000			

Activity Highlights:

90% design documents submitted Dec. 2010; Final construction documents prepared in Feb. 2011; Site specific Safety report is under review by WMATA; Construction to begin in end of April 2011 and final completion is anticipated in October 2011

March 2011 Summary Chart for Pedestrian Bicycle Projects

Status Key: ☺=Complete; 📅=OnSchedule; 🕒=Behind Schedule; ⚠=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0649	PR	Annandale Road Walkway Install 190 lf concrete sidewalk along the east side of Annandale Road from Brice Street to the Falls Church City line County Proj#: 4YP201-PB033	COUNTY	ROW	0.070	0.070	D	Aug-08	May-11	🕒⚠
							R	Jan-10	Apr-11	🕒⚠
							U	TBD	TBD	
							C	Jun-11	Sep-11	⚠
0749	SU	Ashburton Avenue Walkway Install 250 lf concrete sidewalk and stream crossing along the west side of Ashburton Avenue at Cedar Run County Proj#: 4YP201-PB022	COUNTY	Design	0.476	0.476	D	May-08	Jun-11	🕒⚠
							R	Apr-10	Aug-10	☺
							U	Nov-10	Aug-11	🕒⚠
							C	Aug-11	Apr-12	⚠
0617	MA	Backlick Road Walkway (east side) Install concrete sidewalk along the east side of Backlick Road opposite the Wilburdale community County Proj#: 4YP201-PB025	COUNTY	On Hold	0.150	0.150	D	Feb-08	Sep-10	☺
							R	Jul-09	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
0617	MA	Backlick Road Walkway (west side) Install concrete sidewalk along the west side of Backlick Road from Wilburdale Drive to Braddock Road County Proj#: 4YP201-PB024	COUNTY	Design	0.150	0.150	D	Feb-08	Mar-11	☺⚠
							R	May-10	Nov-10	☺
							U	TBD	TBD	
							C	Apr-11	Sep-11	⚠
0675	HM	Beulah Road Walkway Install asphalt sidewalk and crosswalks on alternate sides of Beulah Road from Abbotsford Drive to Coral Crest Lane and along Clarks Crossing Road County Proj#: 4YP201-PB009	COUNTY	Design	1.000	1.000	D	Nov-08	Aug-11	🕒⚠
							R	Jun-11	Feb-12	⚠
							U	Mar-12	Apr-12	⚠
							C	Apr-12	Dec-12	⚠
4720	HM	Bicycle Pavement Marking Plan - Soapstone Drive Prepare pavement marking and signage plan to include on-road bicycle facilities on Soapstone Drive from the deadend to Sunrise Valley Drive, approximately 2.65 miles County Proj#: PBFP01-00300	COUNTY	Design	0.016	N/A	D	Feb-11	Jun-11	👍
							R	N/A	N/A	
							U	N/A	N/A	
							C	Jun-11	Sep-11	

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Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
XXXX	CW	Bicycle Racks and Lockers - Countywide Purchase and install 150 inverted "U" bicycle racks and 60 bicycle lockers at locations throughout Fairfax County County Proj#:	COUNTY	On Going	0.200	N/A	D	Jun-09	Jan-10	☺
							R			
							U			
							C	Jun-10	Jun-11	👍
0620	BR	Braddock Road/Guinea Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01400	COUNTY	Complete	0.150	N/A	D	Dec-08	Sep-10	☺
							R	Nov-09	Jun-10	☺
							U	Apr-10	May-10	☺
							C	Dec-10	Apr-11	☺⚠
0643	BR	Burke Center Parkway Walkway Add sidewalk from Pond Spice Lane to Terra Centre Elementary School County Proj#: PPTF01-02100	COUNTY	ROW	0.250	N/A	D	Jan-10	Aug-11	👍
							R	Aug-10	Jun-11	👍
							U	TBD	TBD	
							C	Sep-11	Jun-12	⚠
6493	BR	Burke Commons Road Walkway Add sidewalk from Merridith Circle to Roberts Parkway along north side County Proj#: PPTF01-02200	COUNTY	Design	0.230	N/A	D	Feb-10	Dec-11	👍⚠
							R	May-11	Dec-11	⚠
							U	TBD	TBD	
							C	Jan-12	Sep-12	⚠
3547	DR	Chain Bridge Road/Tennyson Drive Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02800	COUNTY	ROW	0.250	N/A	D	Mar-10	Sep-11	👍
							R	Feb-11	Sep-11	👍⚠
							U	N/A	N/A	
							C	Nov-11	Apr-12	⚠
0007	MA	Columbia Pike Interchange (Rte. 7 Ped. Init) Install sidewalk along both ramps from Columbia Pike to Leesburg Pike and along the service Road from Seminary Road to Leesburg Pike. County Proj#: 4YP201-PB050	COUNTY	Design	0.800	0.800	D	Oct-10	Mar-12	👍
							R	May-11	Jan-12	
							U			
							C	May-12	Mar-13	
0244	MA	Columbia Pike Walkway Install concrete sidewalk along the south side of Columbia Pike from Gallows Road to the Annandale Methodist Church County Proj#: 4YP201-PB028	COUNTY	Design	0.190	0.190	D	Aug-09	Oct-11	👍⚠
							R	Feb-11	Aug-11	👍
							U	TBD	TBD	
							C	Nov-11	Jul-12	⚠

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Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0244	MA	Columbia Pike Walkway Install concrete sidewalk along the north side of Columbia Pike from Maple Court to Blair Road County Proj#: 4YP201-PB027	COUNTY	ROW	0.200	0.200	D	Jan-08	Jun-11	🕒⚠️
							R	Apr-10	Jun-11	🕒⚠️
							U	TBD	TBD	
							C	Aug-11	Dec-11	
0244	MA	Columbia Pike Walkway Install concrete sidewalk along the south side of Columbia Pike from Downing Street to Lincolnia Road County Proj#: 4YP201-PB026	COUNTY	ROW	0.430	0.430	D	May-08	Aug-11	🕒⚠️
							R	Aug-10	Jun-11	🕒⚠️
							U	TBD	TBD	
							C	Oct-11	May-12	⚠️
0244	MA	Columbia Pike Walkway Phase II 600 LF of 8-foot wide walkway along south side from entrance to Holmes Run Stream Valley Park to Powell Lane; install bus shelter on Columbia Pike at Powell Lane County Proj#: 26008G-07002	DPWES	Construction	0.902	0.500	D	Nov-08	Jan-11	☺
							R	Jun-02	Nov-06	☺
							U	Nov-10	Feb-11	☺
							C	Mar-11	Nov-11	🕒⚠️
0673	PR	Courthouse Road Walkway Install 410 lf asphalt sidewalk along the north side of Courthouse Road from Chain Bridge Road to Oakton Plantation Lane County Proj#: 4YP201-PB034	COUNTY	ROW	0.130	0.130	D	Feb-08	May-11	🕒⚠️
							R	Feb-09	Apr-11	📅
							U	TBD	TBD	
							C	June-11	Sept-11	📅⚠️
0007	MA	Culmore Shopping Center to Church Street (Rte. 7 Ped. Init) Install 1600' of sidewalk along the frontage of several shopping centers north of Columbia Pike. County Proj#: 4YP201-PB049	COUNTY	Design	0.750	0.750	D	Aug-10	Mar-12	👍
							R	May-11	Jan-12	
							U	TBD	TBD	
							C	Apr-12	Feb-13	
0123	DR	Dolley Madison Boulevard/Churchill Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02400	COUNTY	Design	0.250	N/A	D	Mar-10	Sep-11	👍
							R	Dec-10	Mar-11	☺⚠️
							U	TBD	TBD	
							C	Jan-12	May-12	
2248	MA	Elmdale Road Walkway Add sidewalk from Braddock Road to Old Columbia Pike along south side County Proj#: PPTF01-03000	COUNTY	Design	0.525	N/A	D	Jan-10	Aug-11	👍
							R	TBD	TBD	
							U	TBD	TBD	
							C	Oct-11	Jun-12	

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Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0007	MA	First Christian Church of Falls Church (Rte. 7 Ped. Init.) 6' asphalt walkway across church property and adding a bus pad to the existing bus stop. County Proj#: 4YP201-PB053	COUNTY	ROW	0.230		D	Jun-10	Aug-11	👍
							R	Dec-10	Jul-11	👍
							U	TBD	TBD	
							C	Oct-11	Jun-12	
1825	DR	Fleetwood Road Bicycle Route Add "bike route" signage from Elm Street to Chain Bridge Road County Proj#:	COUNTY	Design	0.005	N/A	D	Dec-09	Aug-11	👍
							R			
							U			
							C	Jul-11	Aug-11	👍
0665	HM	Fox Mill Road Walkway Install asphalt sidewalk along the south side of Fox Mill Road from Fairfax County Parkway to Mill Heights Drive County Proj#: 4YP201-PB011	COUNTY	Construction	0.100	0.100	D	Aug-08	Nov-10	☺
							R	Jun-09	Mar-10	☺
							U	N/A	N/A	
							C	Apr-11	Aug-11	⚠
0644	LE	Franconia Road Walkway (north side) Install asphalt sidewalk along the north side of Franconia Road from Governor's Hill Drive to Telegraph Road County Proj#: 4YP201-PB041	COUNTY	ROW	0.090	0.090	D	Sep-08	Dec-10	☺
							R	Jul-10	Apr-11	👍⚠
							U	TBD	TBD	
							C	May-11	Jul-11	⚠
0644	LE	Franconia Road Walkway (south side) Install concrete sidewalk along south side of Franconia Road from Governor's Hill Drive to Telegraph Road County Proj#: 009471-WT002	DPWES	Utilities	0.270	0.270	D	Oct-06	Jun-08	☺
							R	Aug-07	Feb-09	☺
							U	Dec-10	Mar-11	👍
							C	Apr-11	Oct-11	⚠
0650	PR	Gallows On-Road Bike Lanes Tysons Corner area to the W&OD Trail; W&OD Trail to Dunn Loring Metrorail Station; Dunn Loring Metrorail Station to Merrifield CBC County Proj#:	VDOT	Design	1.100	3.000	D	Sep-08	Aug-09	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	TBD	TBD	
0193	DR	Georgetown Pike Walkway (Phase II) Construct 1,000 LF walkway from Utterback Store Road (Krop Property) to Falls Manor Court County Proj#: W00200-W202B	DPWES	Design	0.400	N/A	D	Oct-08	Aug-11	👍
							R	May-11	Oct-11	
							U			
							C	Apr-12	Oct-12	

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0193	DR	Georgetown Pike/Balls Hill Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02500	COUNTY	Design	0.250	N/A	D	Mar-10	May-11	🕒⚠️
							R	N/A	N/A	
							U	N/A	N/A	
							C	Jun-11	Sep-11	⚠️
4721	HM	Glade Drive Walkway Install concrete sidewalk along the north side of Glade Drive from Colts Neck Road to Shire Court County Proj#: 4YP201-PB012	COUNTY	ROW	0.110	0.110	D	Dec-07	Apr-11	🕒⚠️
							R	Oct-09	Apr-11	🕒⚠️
							U	TBD	TBD	
							C	May-11	Sep-11	
0007	MA	Gorham Street to S. Fourteenth Street (Rte. 7 Ped. Init.) Install 2 smaller segments of walkways that total 500 feet. County Proj#: 4YP201-PB051	COUNTY	Design	0.250	0.250	D	Jun-10	Dec-11	👍
							R	Apr-11	Nov-11	⚠️
							U	TBD	TBD	
							C	Dec-11	Aug-12	
0694	DR	Great Falls Street/Haycock Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02600	COUNTY	Design	0.250	N/A	D	Nov-09	Apr-11	🕒⚠️
							R	N/A	N/A	
							U	N/A	N/A	
							C	Jun-11	Sep-11	⚠️
0674	HM	Hunter Mill Road/Sunrise Valley Drive Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-03100	COUNTY	Project Initiation	0.150	N/A	D	TBD	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
6945	SP	Hunter Village Drive Walkway Add pedestrian improvements from Old Keene Mill Road to Painted Daisy Drive County Proj#: PPTF01-03200	COUNTY	Design	0.800	N/A	D	Mar-10	May-11	👍
							R	Feb-11	Jun-11	
							U	TBD	TBD	
							C	Jan-12	Sep-12	⚠️
1816	DR	Kurtz Road - Calder Road Bicycle Route Add "bike route" signage on Kurtz Rd. from Dolley Madison Blvd to Calder Road and on Calder Rd. from Kurtz Rd. to Brawner Street. County Proj#:	COUNTY	Design	0.003	N/A	D	Dec-09	Aug-11	👍
							R			
							U			
							C	Jul-11	Aug-11	

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0645	SU	Lees Corner Road Trail Add trail from Lee Jackson Highway to Bokel Drive along west side County Proj#: PPTF01-03300	COUNTY	Design	0.325	N/A	D	Apr-10	Jan-12	🕒⚠️
							R	TBD	TBD	
							U	TBD	TBD	
							C	Feb-12	Aug-12	⚠️
0007	DR, HM	Leesburg Pike/Baron Cameron Avenue/Sprinvale Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01600	COUNTY	Design	0.200	N/A	D	Jan-09	TBD	⚠️
							R	TBD	TBD	⚠️
							U	N/A	N/A	
							C	TBD	TBD	⚠️
0007	DR	Leesburg Pike/Colvin Run Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01800	COUNTY	Design	0.600	N/A	D	Oct-10	Jun-11	👍
							R	N/A	N/A	
							U	TBD	TBD	
							C	Sep-11	Mar-12	
0007	DR	Leesburg Pike/Lewinsville Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02700	COUNTY	Design	0.150	N/A	D	Sep-10	Nov-11	🕒⚠️
							R	TBD	TBD	
							U	TBD	TBD	
							C	Mar-12	Jun-12	⚠️
0007	MA	Leesburg Pike/Patrick Henry Drive Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01700	COUNTY	Design	0.500	N/A	D	Jun-07	Jan-11	☺️
							R	Feb-10	Dec-10	☺️
							U	N/A	N/A	
							C	Apr-11	Jul-11	⚠️
0694	DR	Lewinsville Road Median Install a pedestrian safety median on Lewinsville Road at Spring Hill Elementary School County Proj#: 4YP201-PB003	COUNTY	Design	0.150	0.150	D	Jun-08	Feb-12	👍
							R	May-11	Jan-12	⚠️
							U	TBD	TBD	
							C	Mar-12	Sep-12	
0694	DR	Lewinsville Road Walkway Phase I Construct walkway along north side from Windy Hill Road to Scotts Run Road County Proj#: PPTF01-03600	COUNTY	Design	0.300	N/A	D	Apr-10	Dec-11	👍
							R	Apr-11	Dec-11	
							U	TBD	TBD	
							C	Mar-12	Dec-12	

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0694	DR	Lewinsville Road Walkway Phase II Construct walkway along south side from Snow Meadow Lane to Elsinore Avenue County Proj#: PPTF01-03500	COUNTY	Design	0.500	N/A	D	Apr-10	Jan-12	👍
							R	May-11	Jan-12	
							U	TBD	TBD	
							C	Mar-12	Nov-12	
0694	DR	Lewinsville Road Walkway Phase III Construct walkway along south side from Altamira Court to Woodhurst Boulevard Drive County Proj#: PPTF01-03400	COUNTY	Design	0.250	N/A	D	Feb-10	Jul-11	👍
							R	Oct-10	Jun-11	👍
							U	TBD	TBD	
							C	Aug-11	Apr-12	
0613	MA	Lincolnia Road Walkway Install concrete sidewalk along the north side of Lincolnia Road from Deming Avenue to North Chambliss Street County Proj#: 4YP201-PB030	COUNTY	Utilities	0.050	0.050	D	Mar-08	Mar-11	☺️⚠️
							R	Feb-10	Sep-10	☺️
							U	TBD	TBD	
							C	Apr-11	Jun-11	⚠️
2244	MA	Montrose Street Walkway Install and upgrade concrete sidewalk along the west side of Montrose Street from Braddock Road to Grafton Street County Proj#: 4YP201-PB031	COUNTY	Construction	0.090	0.090	D	May-08	Mar-11	☺️⚠️
							R	Mar-10	Sep-10	☺️
							U	TBD	TBD	
							C	Apr-11	Jul-11	⚠️
0235	MV	Mt. Vernon Highway Walkway Add sidewalk from Richmond Highway (Rte 1) to retail north of Sunny View Drive along west side County Proj#: PPTF01-03900	COUNTY	Design	0.500	N/A	D	Mar-10	Oct-11	👍
							R	May-11	Nov-11	⚠️
							U	TBD	TBD	
							C	Dec-11	Jul-12	
0241	LE	North Kings Highway Median Add median from Fort Drive to North Metro Entrance County Proj#: RSPI01-00900	COUNTY	Design	0.250	N/A	D	Mar-10	Aug-11	👍
							R	N/A	N/A	
							U	TBD	TBD	
							C	Oct-11	Mar-12	
0769	PR	Oak Street Walkway Install concrete sidewalk along the south side of Oak Street from Sandburg Street to west of Morgan Lane County Proj#: 4YP201-PB038	COUNTY	On Hold	0.090	0.090	D	Jun-08	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	

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0738	DR	Old Dominion Drive/ Whittier Avenue Add signalized pedestrian crosswalks on all four legs County Proj#: PPTF01-04000	COUNTY	Design	0.300	N/A	D	Nov-09	Jun-11	👍
							R	N/A	N/A	
							U	TBD	TBD	
							C	Nov-11	Mar-12	
0623	MV	Old Mill Road Walkway Add 150 lf sidewalk from Falkstone Lane to McNair Drive County Proj#: PPTF01-04100	COUNTY	Design	0.200	N/A	D	Mar-10	Dec-11	👍⚠️
							R	Apr-11	Nov-11	
							U	TBD	TBD	
							C	Jan-12	Jun-12	⚠️
XXXX	BR	Pohick Stream Valley Trail Install asphalt trail along Pohick Stream Valley from Burke Centre VRE to Burke Village County Proj#: 4YP201-PB001	FCPA	Design	1.400	1.400	D	Jul-08	Nov-10	☺️
							R	Nov-10	Jan-11	☺️
							U	N/A	N/A	N/A
							C	Jan-11	Dec-11	👍
2833	DR	Powhatan Street Walkway Construct walkway from Orland Street to Overbrook Street County Proj#: PPTF01-03700	COUNTY	Design	0.200	N/A	D	Mar-10	Dec-11	👍⚠️
							R	Mar-11	Sep-11	
							U	TBD	TBD	
							C	Feb-12	Jun-12	⚠️
0699	PR	Prosperity Avenue/Hilltop Drive Pedestrian Improvements County Proj#: PPTF01-04200	COUNTY	ROW	0.080	N/A	D	May-09	Apr-10	☺️
							R	Mar-10	Mar-11	☺️
							U	N/A	N/A	
							C	March-11	July-11	👍⚠️
1879	DR	Raymond Avenue Walkway Construct walkway along east side from Churchill Road to Capital View Drive County Proj#: PPTF01-03800	COUNTY	Design	0.150	N/A	D	Mar-10	Aug-11	👍⚠️
							R	Mar-11	Sep-11	
							U	TBD	TBD	
							C	Dec-11	Apr-12	
0602	HM	Reston Avenue Walkway Install asphalt sidewalk along the west side of Reston Avenue from Southington Lane to Shaker Drive County Proj#: 4YP201-PB015	COUNTY	Construction	0.110	0.110	D	Dec-07	May-11	👍⚠️
							R	Jun-09	Mar-11	☺️⚠️
							U	TBD	TBD	
							C	Jun-11	Nov-11	⚠️

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0007	MA	Rio Drive to Glenmore Drive (Rte. 7 Ped. Init.) Install 2 segments of walkway, one on the east side and one on the west side, from the south side of Rio Drive to Glenmore Drive. Curb and gutter will be added for most of the 1800' section. County Proj#: 4YP201-PB048	COUNTY	Design	0.750	0.750	D	Aug-10	May-12	🕒⚠️
							R	Aug-11	Mar-12	⚠️
							U	TBD	TBD	
							C	Jun-12	Apr-13	⚠️
0603	DR	River Bend Road-Beach Mill Road Bicycle Route Add "Share the Road" and "Bike Route" signs on River Bend Road from Old Dominion Drive to Beach Mill Road and on Beach Mill Road from River Bend to the County Line County Proj#:	COUNTY	Construction	0.015	N/A	D	Dec-09	Jun-10	☺
							R			
							U			
							C	Jul-10	Sep-11	
0638	BR, SP	Rolling Road/Burke Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02000	COUNTY	Design	0.150	N/A	D	Oct-10	Feb-12	👍
							R	TBD	TBD	
							U	TBD	TBD	
							C	Mar-12	Dec-12	
0007	MA	Row Street (Rte. 7 Ped. Init.) Install a 400' segment of walkway and curb on the east side of Rte. 7 on the north side of Row Street. County Proj#: 4YP201-PB047	COUNTY	Design	0.225	0.225	D	Aug-10	Jan-12	👍
							R	May-11	Nov-11	
							U	TBD	TBD	
							C	Feb-12	Aug-12	
0007	MA	Seven Corners to Juniper Lane (Rte. 7 Ped. Init.) 3 intersection improvements at Seven Corners, Thorne Rd and Seven Corners Center. Mostly handicap ramps and modifications to existing signals to accommodate ped crossings. County Proj#: 4YP201-PB052	COUNTY	Design	0.800	0.800	D	Aug-10	Apr-12	👍
							R	Jul-11	Mar-12	
							U	TBD	TBD	
							C	Jul-12	Apr-13	
0600	MV, SP	Silverbrook Road Walkway Install 650 lf asphalt sidewalk along the north side of Silverbrook Road from Silverthorn Road to Bayberry Ridge Road County Proj#: 4YP201-PB020	COUNTY	Design	0.220	0.220	D	May-08	Apr-11	🕒⚠️
							R	Feb-09	Jan-11	☺
							U	N/A	N/A	
							C	Jun-11	Sep-11	⚠️
0600	MV	Silverbrook Road Walkway Install 820 lf asphalt sidewalk along the north side of Silverbrook Road from Southrun Road to Monacan Road County Proj#: 4YP201-PB018	COUNTY	ROW	0.060	0.060	D	May-08	Jun-11	🕒⚠️
							R	May-10	Mar-11	☺
							U	N/A	N/A	
							C	Aug-11	Nov-11	⚠️

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
4720	HM	Soapstone Drive Walkway Add sidewalk along west side from Sunrise Valley Drive to Hunters Green Court County Proj#: PPTF01-04300	COUNTY	ROW	0.100	N/A	D	Jan-10	Nov-11	👍
							R	Mar-11	Oct-11	
							U	TBD	TBD	
							C	Dec-11	Jul-12	
0684	DR	Spring Hill Road Walkway Install asphalt sidewalk along the east side of Spring Hill Road from Old Dominion Drive to Pettit Court County Proj#: 4YP201-PB004	COUNTY	ROW	0.480	0.480	D	May-08	May-11	👍
							R	Aug-10	Apr-11	👍
							U	TBD	TBD	
							C	Jul-11	Nov-11	
0675	HM	Sunset Hills Road Walkway Install concrete sidewalk along the north side of Sunset Hills Road from the W&OD Trail to Michael Faraday Court County Proj#: 4YP201-PB017	COUNTY	ROW	0.240	0.240	D	Dec-07	Jun-11	👍
							R	Nov-10	Jun-11	👍
							U	TBD	TBD	
							C	Aug-11	Jan-12	
0640	SP	Sydenstricker Road Walkway Install asphalt sidewalk along the north side of Sydenstricker Road from Briarcliff Drive to Galgate Drive County Proj#: 4YP201-PB021	COUNTY	ROW	0.180	0.180	D	May-08	Oct-11	👍⚠️
							R	May-10	Mar-11	☺️
							U			
							C	Nov-11	Jul-12	⚠️
0611	LE	Telegraph Road Walkway Install asphalt sidewalk along east side of Telegraph Road from South Kings Highway to Lee District Park County Proj#: 4YP201-PB023	COUNTY	ROW	0.800	0.800	D	Sep-08	Aug-11	👍
							R	Apr-10	Jun-11	👍
							U	TBD	TBD	
							C	Oct-11	Jan-13	
7541	DR	Turner Avenue Walkway Install concrete sidewalk along the east side of Turner Avenue from Williamsburg Pond Court to Haycock Road County Proj#: 4YP201-PB005	COUNTY	ROW	0.050	0.050	D	Dec-08	May-11	👍⚠️
							R	Dec-09	TBD	📅
							U	TBD	TBD	
							C	Jul-11	Nov-11	📅⚠️
0795	MA	Tyler Street Walkway Install concrete sidewalk along the east side of Tyler Street from Columbia Pike to Lake Street County Proj#: 4YP201-PB032	COUNTY	Construction	0.140	0.140	D	Aug-08	Nov-10	☺️
							R	Dec-09	Sep-10	☺️
							U	TBD	TBD	
							C	Feb-11	May-11	👍⚠️

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0672	HM	Vale Road/Flint Hill Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01200	COUNTY	Design	0.020	N/A	D	Jan-10	Mar-11	👍
							R	Jul-10	Dec-10	☺
							U	N/A	N/A	
							C	Jun-11	Sep-11	⚠️
0693	DR	Westmoreland Street @ Old Chesterbrook Road Add crosswalks and median islands at Old Chesterbrook Road (McLean High School) County Proj#: PPTF01-04400	COUNTY	Design	0.150	N/A	D	Jan-10	Nov-11	👍
							R	TBD	TBD	
							U	TBD	TBD	
							C	Dec-11	Jul-12	
0693	DR	Westmoreland Street Walkway Install concrete sidewalk along the east side of Westmoreland Street from Chain Bridge Road to Dillon Avenue County Proj#: 4YP201-PB006	COUNTY	On Hold	0.230	0.230	D	Feb-09	TBD	👍
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
0693	DR	Westmoreland Street Walkway Install concrete sidewalk along the west side of Westmoreland Street from Temple Rodef Shalom to Chesterbrook Presbyterian Church County Proj#: 4YP201-PB008	COUNTY	Construction	0.150	0.150	D	Oct-08	Nov-10	☺
							R	Dec-09	Aug-10	☺
							U	Dec-10	Jan-11	☺
							C	Mar-11	May-11	👍⚠️
0828	HM	Wiehle Avenue Walkway Phase II Add sidewalk along east side from Chestnut Grove Square to North Shore Drive County Proj#: PPTF01-04500	COUNTY	Design	0.350	N/A	D	Apr-10	Jul-11	👍⚠️
							R	TBD	TBD	
							U	TBD	TBD	
							C	Aug-11	Feb-12	⚠️



County of Fairfax
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, Virginia 22033
Phone: (703) 877-5600 Fax: (703) 877-5723

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INFORMATION - 6

Lake Fairfax Park - Stream Restoration Improvements (Hunter Mill District)

Staff negotiated an agreement between Northern Virginia Stream Restoration, L.C. and the Park Authority to participate in the Northern Virginia Stream Restoration Bank for a portion of an unnamed tributary of Colvin Run near Lake Fairfax Park.

BACKGROUND:

The Northern Virginia Stream Restoration, L.C. ("NVSR") is a Virginia limited liability corporation affiliated with Wetlands Studies and Solutions, Inc. ("WSSI"). On behalf of NVSR, WSSI sent a proposal to the Park Authority ("PA") dated June 11, 2010, and revised on December 21, 2010, (Attachment 1) proposing to construct 232 linear feet of stream bank improvements on an unnamed tributary of Colvin Run immediately adjacent and to the west of Lake Fairfax Park ("Project Area") (Attachment 2) under the terms of their approved Northern Virginia Stream Restoration Banking Instrument ("Banking Instrument"). The Banking Instrument is derived from the master banking instrument offered by the U.S. Army Corps of Engineers ("Corps") for national stream mitigation banks and is administered by the Virginia Department of Environmental Quality ("DEQ"). The Corps, DEQ and NVSR are the parties to the Banking Instrument agreement.

The subject tributary of Colvin Run is currently in an eroded and degraded unstable condition on both Reston Association ("RA") and PA property west of Lake Fairfax Park. RA contracted with NVSR to form a stream restoration mitigation bank in a separate agreement to implement the stream bank improvements in the Colvin Run watershed and many other stream valley areas on lands owned by RA. This work on RA land has begun and most of the proposed 60,000 linear feet of improvements on RA land have been completed under this agreement. Approximately 5,000 linear feet of stream reaches in the Colvin Run watershed west of Lake Fairfax Park will be improved on RA land. A very small portion of the tributary to Colvin Run between the RA property line and the standing pool of Lake Fairfax is on PA property. NVSR designed improvements, at their cost, on this small section of the tributary as part of their extensive design work on the other stream reaches in the watershed. NVSR suggests as a best practice that improving the entire Colvin Run tributary stream reach to Lake Fairfax will result in a superior mitigation project.

RA conducted public meetings prior to initiating the planning of this project. In those meetings, RA community residents near Lake Fairfax Park expressed a desire to be able to walk to the park along the stream valley. They are unable to do so because the

Board Agenda Item
April 26, 2011

tributary stream blocks their access. A pedestrian bridge was constructed across the tributary more than 20 years ago but has since washed away. NVSR determined that installation of a new bridge on PA land would be feasible if some of the cost could be recovered from sale of stream bank mitigation credits that could be sold for improvements on PA land. The balance of value for any credits sold could be used to offset the cost to NVSR to construct and maintain for 10 years the stream restoration improvements.

WSSI, representing NVSR, proposed to the PA that the small portion of the tributary to Colvin Run on PA land be improved under the Banking Instrument. PA staff investigated the conditions required to make such an agreement to accept a negotiated proposal. This included discussions with County Purchasing staff about the need for a Sole Source determination, discussions with the County Attorney about the form and content of the required easements and agreements, review of the requirements of the Banking Instrument, exchange of information with other jurisdictions who have similar private-public partnerships, and discussions with the Department of Public Works and Environmental Services about long-term maintenance, risks and liabilities associated with establishing the improvements and including the work in the Bank. Staff concluded that the benefits of the proposed improvements were superior to the costs, obligations and risks associated with the commitments to the project agreement using a Sole Source vendor.

A Sole Source vendor determination was necessary to engage the Proposer in an agreement to provide these services as offered. PA staff determined that NVSR was an appropriate single source ("Sole Source vendor") for these services as proposed. This determination was coordinated with the County Department of Purchasing and Supply Management.

The total value of the work is estimated by PA staff to be approximately \$352,391 (Attachment 3). There is no cost to the Park Authority for the constructed improvements. The existence of the Banking Instrument and sale of the mitigation credits by the Sole Source vendor provides the funding to the Sole Source vendor for their design, permitting, and construction of the improvements and 10 years of maintenance. The PA granted the right through a Deed of Temporary Easement to the Sole Source vendor to construct the improvements on PA land and to exclusively sell the mitigation credits associated with the work in the Project Area. The permanent Stream Restoration Easement protects the improvements and restricts future uses of the Project Area similar to a conservation easement. The Sole Source vendor is able to offer this work in a cost efficient manner because of their economy of scale; the 232 feet of stream work in the Project Area is less than 1% of the total work area of the Banking Instrument in Reston. The Sole Source vendor has completed more than 50% of their work in Reston associated with the Banking Instrument and is currently working in the

stream reach immediately adjacent to the Project Area. Therefore, the opportunity for the Park Authority to accept and authorize the offer was time-constrained as the Sole Source vendor was not willing to do the work in the Project Area after they demobilized from the adjacent stream work zone.

The benefits and obligations to the PA are summarized and outlined below:

PA Benefits:

- NVSR will design, construct and maintain for 10 years 232 linear feet of stream restoration improvements on PA land in accordance with the Banking Instrument on PA land (Project Area)
- NVSR will design and construct a 40 foot long by 6 foot wide pre-engineered pedestrian bridge on PA land
- All improvements will belong to the PA and be provided for no cash compensation by PA to NVSR
- RA will be the Long-Term Steward of the stream bank restoration improvements on PA land following transfer of the Sponsor responsibilities from NVSR 10 years after approved installation of the stream restoration improvements
- The Long-Term Steward will replace as needed the stream bank restoration improvements damaged or destroyed in a Catastrophic Event as defined by the Banking Instrument and determined by the DEQ

PA Obligations:

- PA will maintain the pedestrian bridge after substantial completion by NVSR, Final Inspection approval by Fairfax County and acceptance by PA
- PA will provide Routine Maintenance of the Project Area, after transfer of the stream restoration improvements by NVSR to RA, 10 years after approved installation of the stream restoration improvements. Routine Maintenance includes activities that do not require work associated with a Catastrophic Event but more particularly described in the agreement between RA and PA

ACTIONS TO DATE:

To accept this proposal from NVSR, PA staff performed the following actions:

- Determined that NVSR was an approved Sole Source vendor for the proposed services and work
- Negotiated and executed an agreement with NVSR to scope, design, permit, construct and maintain for 10 years the stream restoration improvements and related work (Attachment 4)
- Negotiated and executed a Deed of Temporary Easement to allow NVSR to perform the services and work on PA land

Board Agenda Item
April 26, 2011

- Negotiated and executed a Stream Restoration Easement to permanently create the required easement on PA land to meet the requirements of the Banking Instrument
- Negotiated and executed an agreement with RA to be the perpetual Long-Term Steward of the stream restoration improvements on PA land and for PA to perform Routine Maintenance of those same improvements (Attachment 5)
- Park Authority staff has shared this information with Supervisor Hudgins and will formally provide information to the Board of Supervisors

PA staff has negotiated a complex set of relationships with private partners that are very favorable to the Park Authority providing valuable improvements and services at little direct cost to the PA. The associated project supports the environmental mission and provides a relatively safe low risk model for this type of stewardship activity.

FISCAL IMPACT:

There is no fiscal impact to the Park Authority or County as the proposer will design, construct, install and maintain for 10 years the proposed improvements.

ENCLOSED DOCUMENTS:

- Attachment 1: Proposal from NVSR for Stream Restoration, December 21, 2010
- Attachment 2: Location Map – Lake Fairfax Park Stream Restoration
- Attachment 3: PA Staff Estimate for NVSR Proposal
- Attachment 4: Agreement with NVSR
- Attachment 5: Agreement with RA

STAFF:

Robert A. Stalzer, Deputy County Executive
John W. Dargle, Jr., Director, Fairfax County Park Authority

Via Email: Kirk.Holley@fairfaxcounty.gov

December 21, 2010

Kirk Holley
Planning and Development Division
Fairfax County Park Authority
12055 Government Center Parkway, Suite 421
Fairfax, VA 22035

RE: Proposal for Stream Restoration at Lake Fairfax
WSSI #20014.02-D

Dear Mr. Holley:

We have begun work on the first two stream reaches in the Colvin Run watershed (known as Forest Edge North and Forest Edge South) as a continuation of our development of the Northern Virginia Stream Restoration Bank (NVS RB). When Phase I of the NVSRB is complete, we anticipate over 12 miles of badly degraded urban stream channels in the community of Reston will have been fully restored. To date, we have completed over 7 miles of restoration in the Snakeden Branch and The Glade watersheds.

The Forest Edge South reach runs from North Shore Drive down to the upper end of Lake Fairfax. Approximately ±232 lf of the channel directly above the lake is located on Fairfax County Park Authority (PA) property. The amount of stream degradation is not as severe as it reaches PA land as the stream incision is reduced as it reaches the lake level – unlike the massive upstream problems – so it would be easy to end the work at the property line. However, our desire is to continue the restoration efforts to the end of the reach to provide a nice transition from the restored channel to the upper end of Lake Fairfax (rather than arbitrarily ending because of a property line). We also propose to provide the public with the benefit of a new bridge to reconnect a park trail that used to cross the upper end of Lake Fairfax before being washed out many years ago. The ability to reconnect your trail network so that Restonians and the public-at-large can have improved access to the park is a further benefit and it just seems to make sense to do. This proposal is being provided in response to your request.

Kirk Holley
December 21, 2010
Page 2 of 2

If you are in agreement with the terms of this proposal, please execute the attached Agreement to Include a Portion of a Tributary of Colvin Run in the Northern Virginia Stream Restoration Bank and return two original copies. Thank you for working with us to provide this benefit to the citizens of Reston and Fairfax County!

Sincerely,



Michael S. Rolband, P.E., P.W.S., P.W.D.
President, Wetland Studies and Solutions, Inc.
Manager, Northern Virginia Stream Restoration, L.C.

Attachments: As listed

Agreement to Include a Portion of a Tributary of Colvin Run In the Northern Virginia Stream Restoration Bank

This Agreement, between Northern Virginia Stream Restoration, L.C. (NVSR) and the Fairfax County Park Authority (PA), dated December 22, 2010 is for the purpose of including a portion of a tributary of Colvin Run in the Northern Virginia Stream Restoration Bank (NVS RB) as established by the Mitigation Banking Instrument (Banking Instrument) dated February 17, 2006.

SCOPE OF WORK

In accordance with negotiations between NVSR and the PA, NVSR proposes to partner with the PA to include a portion of a tributary of Colvin Run in the NVSRB. NVSR proposes stream restoration improvements in accordance with the following attachments:

- Location Map by FCPA showing Project Area, December 20, 2010
- Northern Virginia Stream Restoration Bank, Banking Instrument, February 17, 2006
- Preliminary Plan, Northern Virginia Stream Restoration Bank – Forest Edge South, June 2010 (7 sheet) (The work shows the Project Area work on PA land on sheet 4 and related detail sheets)
- Deed of Temporary Easement, dated 12/21/10
- Plat showing a Temporary Grading and Construction Easement and Ingress-Egress Easement on a Portion of the Property of the Fairfax County Park Authority, dated May 18, 2010 (rev.)
- Restoration Easement, dated 12/21/10
- Plat Showing a Stream Restoration Easement on a Portion of the Property of Fairfax County Park Authority, dated May 18, 2010 (rev.)
- Example Bridge Plans: The Glade, WSSI Bridge No. 21 – Single Span Panel-Lam Bridge, dated August 26, 2009 (5 sheets) and Northern Virginia Stream Restoration Bank, WSSI Bridge ID #21 Foundation, dated November 30, 2009 (5 sheets)

This offered work by NVSR includes design, permitting, construction and 10 years of maintenance of approximately \pm 232 linear feet of stream restoration and related improvements on PA land. The work also includes design, permitting, and construction of a forty (40) foot long and six (6) foot wide pedestrian bridge and related work. All improvements shall belong to the PA upon completion. NVSR shall pay for all of the offered work from the anticipated proceeds from the marketing of mitigation credits in accordance with the requirements of the MBI. The PA shall not provide any payment for the offered work. The stream restoration improvements shall be maintained by the Sponsor as defined by the MBI. For 10 years, the Sponsor shall be NVSR. After 10 years, the Sponsor shall transfer their responsibilities to the Long-Term Sponsor who is the Reston Association (RA). By separate agreement with RA, the PA shall assume a portion of these responsibilities for Routine Maintenance. The Long-Term Sponsor shall remain responsible for repair or restoration associated with a Catastrophic Event as defined

in the MBI. Upon substantial completion and final inspection and approval by Fairfax County of the bridge, PA shall assume all maintenance responsibilities for the bridge and associated improvements.

The stream restoration work and bridge installation shall be completed no later than December 30, 2011. The PA agrees to provide all temporary and permanent easements necessary for the offered work at no cost to NVSR.

This agreement must be executed and received by our offices no later than December 29, 2010. After that time this offer shall be withdrawn.



12/21/10

Michael Rolband
President, Wetland Studies and Solutions, Inc.
Manager, Northern Virginia Stream Restoration, L.C.

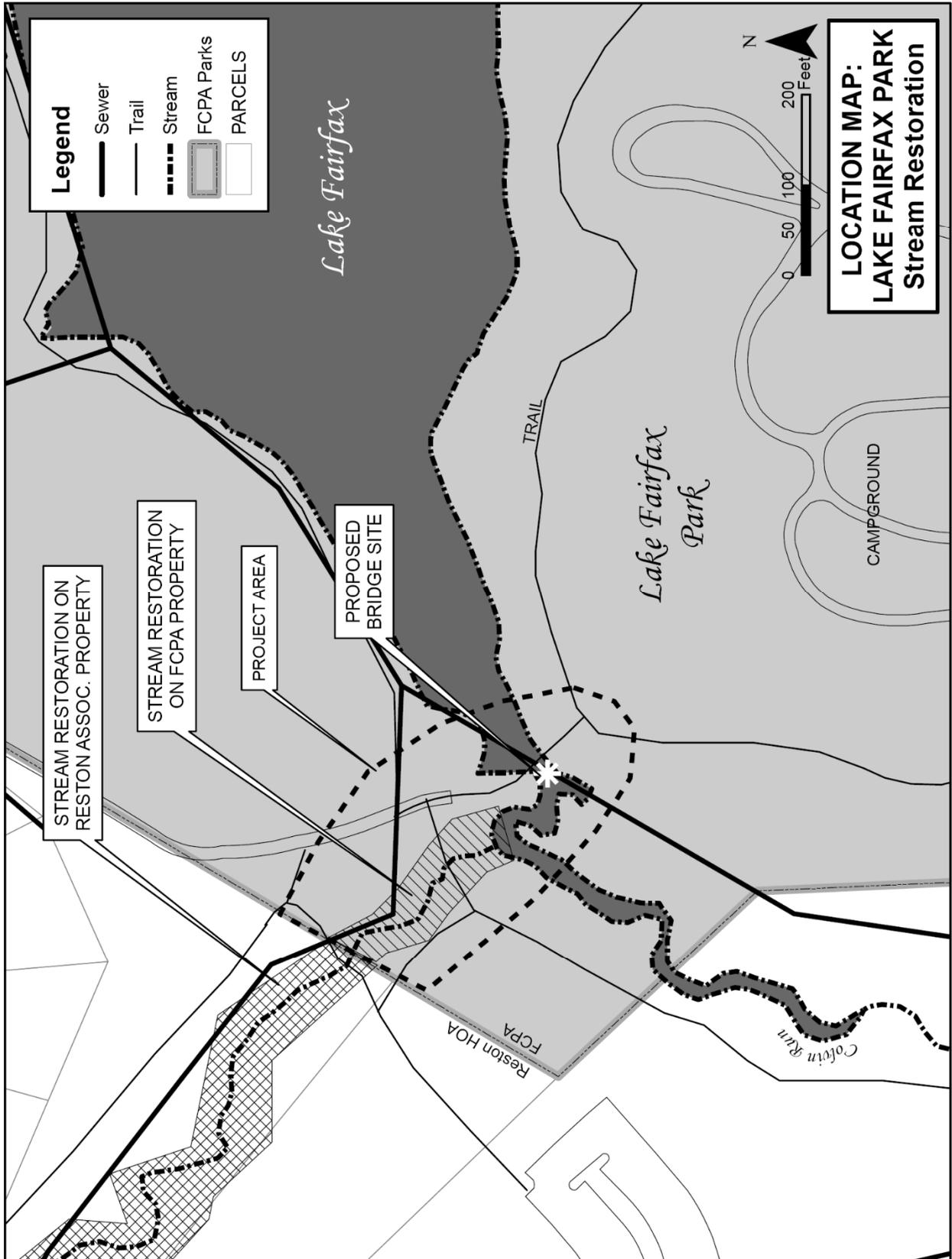
Date

John W. Dargle, Jr
Director
Fairfax County Park Authority

Date

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Lake Fairfax Park Stream Restoration



PA Staff Estimate for NVSR Proposal - December 20, 2010			
	# units	cost per unit	total
Stream Restoration incl Design \$700-900/LF	232	800	\$185,600
Bridge cost incl Design (see attached)	1	156,791	\$156,791
Value of 10 years Maintenance exclusive of escrow fund	1	10,000	\$10,000
Subtotal project development costs if PA paid			\$352,391
Value of Mitigation Credits in current market at \$600-800/LF	232	700	\$162,400
Value of PA Easement	1	88,242	\$88,242
Subtotal potential credits to PA			\$250,642
Net Positive Value to PA			\$101,749

Estimate - Bridge Only				
20-Dec-10				
Item	Qty	Unit	UnitPrice	Total
Mobilization	1	EA	\$5,000.00	\$5,000.00
1000' linear feet of access road w/ 8' x 15' soil mats	1000	LF	\$30.00	\$30,000.00
50 LF of Imbricated Rock Wall @ 7 ft (Class III Placed) w/ Fabric	60	TN	\$75.00	\$4,500.00
50 LF of Imbricated Rock Wall @ 3.5 ft (Class III Placed) w/ Fabric	30	TN	\$75.00	\$2,250.00
1720 LF of Tree Protection Fence	1720	LF	\$3.60	\$6,192.00
300 LF of SSF	300	LF	\$8.00	\$2,400.00
Coffer Dam (Both Sides)	1	EA	\$18,000.00	\$18,000.00
50 LF Turbidity Curtain	50	LF	\$10.00	\$500.00
30 LF Turbidity Curtain	30	LF	\$10.00	\$300.00
8 Helical Anchors + Geotech	8	EA	\$1,100.00	\$8,800.00
245 Tons of Class 2 Rip Rap	245	TN	\$75.00	\$18,375.00
30 Tons of Class 1 Rip Rap	30	TN	\$65.00	\$1,950.00
21A Stone Ramp	110	TN	\$25.00	\$2,750.00
Wooden Bridge (40 LF x 6 ft wide)	1	EA	\$25,000.00	\$25,000.00
Crane	1	DAY	\$2,500.00	\$2,500.00
Sub Total - Construction				\$128,517.00
DESIGN - 20%				\$ 25,703.40
OH&P - 10%				\$2,570.34
Grand Total				\$156,790.74

Agreement to Include a Portion of a Tributary of Colvin Run In the Northern Virginia Stream Restoration Bank

This Agreement, between Northern Virginia Stream Restoration, L.C. (NVSR) and the Fairfax County Park Authority (PA), dated December 22, 2010 is for the purpose of including a portion of a tributary of Colvin Run in the Northern Virginia Stream Restoration Bank (NVSRB) as established by the Mitigation Banking Instrument (Banking Instrument) dated February 17, 2006.

SCOPE OF WORK

In accordance with negotiations between NVSR and the PA, NVSR proposes to partner with the PA to include a portion of a tributary of Colvin Run in the NVSRB. NVSR proposes stream restoration improvements in accordance with the following attachments:

- Location Map by FCPA showing Project Area, December 20, 2010
- Northern Virginia Stream Restoration Bank, Banking Instrument, February 17, 2006
- Preliminary Plan, Northern Virginia Stream Restoration Bank – Forest Edge South, June 2010 (7 sheet) (The work shows the Project Area work on PA land on sheet 4 and related detail sheets)
- Deed of Temporary Easement, dated 12/22/10
- Plat showing a Temporary Grading and Construction Easement and Ingress-Egress Easement on a Portion of the Property of the Fairfax County Park Authority, dated May 18, 2010 (rev.)
- Stream Restoration Easement, dated 12/22/10
- Plat Showing a Stream Restoration Easement on a Portion of the Property of Fairfax County Park Authority, dated May 18, 2010 (rev.)
- Example Bridge Plans: The Glade, WSSI Bridge No. 21 – Single Span Panel-Lam Bridge, dated August 26, 2009 (5 sheets) and Northern Virginia Stream Restoration Bank, WSSI Bridge ID #21 Foundation, dated November 30, 2009 (5 sheets)

This offered work by NVSR includes design, permitting, construction and 10 years of maintenance of approximately \pm 232 linear feet of stream restoration and related improvements on PA land. The work also includes design, permitting, and construction of a forty (40) foot long and six (6) foot wide pedestrian bridge and related work. All improvements shall belong to the PA upon completion. NVSR shall pay for all of the offered work from the anticipated proceeds from the marketing of mitigation credits in accordance with the requirements of the MBI. The PA shall not provide any payment for the offered work. The stream restoration improvements shall be maintained by the Sponsor as defined by the MBI. For 10 years, the Sponsor shall be NVSR. After 10 years, the Sponsor shall transfer their responsibilities to the Long-Term Steward who is the Reston Association (RA). By separate agreement with RA, the PA shall assume a portion of these responsibilities for Routine Maintenance. The Long-Term Steward shall remain responsible for repair or restoration associated with a Catastrophic Event as defined

in the MBI. Upon substantial completion and final inspection and approval by Fairfax County of the bridge, PA shall assume all maintenance responsibilities for the bridge and associated improvements.

The stream restoration work and bridge installation shall be completed no later than December 30, 2011. The PA agrees to provide all temporary and permanent easements necessary for the offered work at no cost to NVSR.

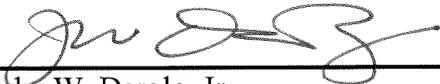
This agreement must be executed and received by our offices no later than December 29, 2010. After that time this offer shall be withdrawn.



12/21/10

Michael Rolband
President, Wetland Studies and Solutions, Inc.
Manager, Northern Virginia Stream Restoration, L.C.

Date



22 Dec 2010

John W. Dargle, Jr
Director
Fairfax County Park Authority

Date

AGREEMENT

This Agreement (“Agreement”) is made and entered into this 22nd day of December, 2010 by and between the Reston Association (“RA”) and the Fairfax County Park Authority (“PA”) on the terms and conditions set forth herein:

RECITALS

WHEREAS, RA has currently undertaken the restoration of the streams and waterways within the boundaries of RA and on some properties contiguous or adjacent thereto (“Stream Restoration Project”); and

WHEREAS, Northern Virginia Stream Restoration, L.C. (“NVSR”), is performing work comprising the Stream Restoration Project in conjunction with RA pursuant to the Northern Virginia Stream Restoration Bank Mitigation Banking Instrument (“Instrument”) dated February 17, 2006, as amended, a copy of which Instrument is attached hereto as Exhibit A and incorporated by reference herein; and

WHEREAS, PA owns property adjacent to RA containing approximately 232 linear feet of contiguous stream, a tributary of Colvin Run which runs into Lake Fairfax, also owned by PA, which property is shown and described on Exhibit B as the Project Area (“Project Area”), said Exhibit B is attached hereto and incorporated by reference herein; and

WHEREAS, PA intends to provide easements to NVSR that will allow NVSR to perform certain stream restoration work (the “Improvements”) on PA property within the Project Area pursuant to the terms and conditions of the Instrument; and

WHEREAS, PA and RA desire that RA, among other things as more specifically set forth below, be the Long-Term Steward of the Project Area, as that term, Long-Term Steward, is used and set forth in the Instrument.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, RA and PA (collectively referred to as the “Parties”) agree to the following terms and conditions:

1) RECITALS: The Recitals set forth above are incorporated into and are to be considered a part of this Agreement;

2) TERM: This Agreement shall be effective from the date of execution by the Parties and continue thereafter in perpetuity unless and until the Parties agree in writing otherwise; provided, however that: 1) no new agreement between the Parties, or any revision, modification, vacation, or termination of this Agreement may be made prior to the completion of the ten (10)

year monitoring and maintenance period for this Project area for which NVSR is responsible under the Instrument has been successfully completed; and 2) that any new agreement between the Parties, or any revision, modification vacation or termination of this Agreement must have the prior written consent of the Mitigation Bank Review Team (“Team”) referenced in the Instrument.

3) LONG-TERM STEWARD: Consistent with the terms of the Instrument, Ten (10) years after the installation and approval of the Improvements triggering the establishment of the Bank Development Plan for the Project Area, when all the success criteria monitoring is complete, RA shall become and agrees to be the Long-Term Steward, as that term is used and set forth in the Instrument, for the Project Area with all of the duties and responsibilities of the Long-Term Steward set forth in the Instrument.

4) ROUTINE MAINTENANCE: NVSR shall be responsible for performing the stream restoration over the Project Area pursuant to the easements provided by PA to NVSR, and shall be responsible for ten (10) years of monitoring and maintenance of the Project Area pursuant to the Instrument. At the end of the ten (10) year monitoring and maintenance period, PA shall be responsible for the routine maintenance and repair (“Routine Maintenance”) of the Improvements in the Project Area. Routine Maintenance shall include but not be limited to the repair of minor erosion, and the general types of grounds maintenance services required to keep the Project Area in the same or similar character and condition as were in existence at the time of transfer to the Long-Term Steward, as set forth in the Instrument; provided, however, that Routine Maintenance shall not include the reconstruction or restoration of any Improvements damaged as a result of a Catastrophic Event, as that term is further defined below. PA shall endeavor to provide routine maintenance of a similar scope as provided by RA on its non-Project Area stream reaches. RA shall have no responsibility for the bridge constructed in or near the Project Area, nor responsibility for dredging Lake Fairfax or any part thereof.

5) CATASTROPHIC EVENT: In case of a Catastrophic Event, as defined in the Instrument, causing damage to the Improvements requiring substantial renovation or restoration to the Project Area and so long as there are funds which can be used from the Catastrophic Event and Long Term Management Fund (“Fund”), as that Fund is described and defined in the Instrument, RA, as Long-Term Steward, shall have the right and PA hereby gives RA the right and authority to enter in and onto the Project Area and any adjacent land in the immediate vicinity of the Project Area, as necessary, to take any necessary corrective actions or to perform any work necessary to restore the Project Area to the condition which existed prior to the Catastrophic Event. RA agrees to restore any damaged or disturbed PA property or facilities resulting from the actions of RA or their agents on PA land to their condition at time of damage or disturbance.

6) PERMITTING AND REPAIRS: Any and all construction activities within the Project Area, including any improvements and future maintenance performed, shall be in full accordance with the requirements of Fairfax county and the Commonwealth of Virginia and the U.S. Army Corps of Engineers according to the provisions and consistent with the Instrument.

7) PAYMENTS: PA shall not be entitled to any payments, fees, or other contingencies for its participation in the restoration of the Project Area or otherwise under this Agreement, nor will it be entitled to any payments, fees, monies or other contingencies, in whole or in part, arising out of or by way of the Instrument, regardless or whether or not RA may be entitled to same, nor will PA be obligated to pay the RA any payments, fees, or other contingencies for RA's work performed or corrective actions taken on PA property in the Project Area under this Agreement.

8) GOVERNING LAW/VENUE/JURISDICTION; This Agreement shall be interpreted and enforced in accordance with the laws of the Commonwealth of Virginia and Fairfax County. The Parties hereby agree that if legal action is required to interpret or enforce this Agreement, any action will be filed in Fairfax County, Virginia and the Parties hereby consent to the personal jurisdiction of said locality's courts. The costs of such action, including but not limited to, reasonable attorneys' fees as determined by the Court shall be paid to the prevailing party.

9) NOTICES: Notices allowed or required hereunder shall be either hand-delivered or sent by commercial overnight delivery and addressed to:

Reston Association
12001 Sunrise Valley Drive
Reston, VA 20191

Fairfax County Park Authority
12055 Government Center Parkway
Fairfax, VA 22035-1118

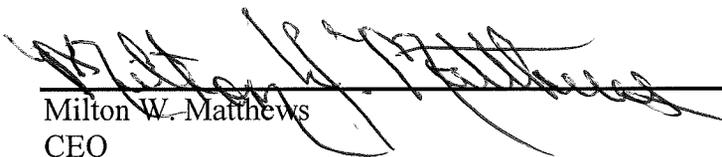
10) ENTIRE AGREEMENT/PARAGRAPH HEADINGS: This Agreement constitutes the entire agreement between the Parties. No modifications to this Agreement shall be effective unless in writing and executed by RA, PA and the Team. The paragraph headings within this Agreement exist solely for the convenience of the Parties and have no legal effect on the interpretation of the provisions contained herein.

11) ASSIGNMENT: RA and PA bind themselves, their successors, assigns, and legal representatives to such other party with respect to all covenants, agreements, and obligations contained in this Agreement. This Agreement cannot be assigned by either of the Parties and neither of the Parties shall assign this Agreement without the prior written consent of the other party and the Team..

12) AUTHORIZED TO EXECUTE: PA hereby acknowledges and confirms through its authorized representative executing this Agreement that it has the authority to execute this Agreement with RA and that the person signing below on behalf of PA acknowledges that he/she is authorized to sign for, on behalf of and bind PA to the terms and conditions of this Agreement.

13) CONDITION: This Agreement is subject to and conditioned on the successful execution of a separate agreement or easement by and between PA and NVSR by which PA allows NVSR to perform and install the Improvements on or within the Project Area. In the event that PA and NVSR are unable to or do not enter into such a separate agreement or easement, this Agreement shall be null and void.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.



Milton W. Matthews
CEO
Reston Association



Date



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



Date

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Board Agenda Item
April 26, 2011

11:30 a.m.

Matters Presented by Board Members

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Board Agenda Item
April 26, 2011

12:20 p.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. *Board of Supervisors of Fairfax County, Virginia v. Xicheng Qi and Xiao Cai*, Record No. 110052 (Va. Sup. Ct.) (Dranesville District)
 - 2. *Jermaine Ridgley v. Fairfax County Department of Family Services*, Record No. 110201 (Va. Sup. Ct.)
 - 3. *Tori Lakshia Day v. Russell B. Milam, et al.*, Civil Action No. 1:11-CV-97 (E.D. Va.)
 - 4. *Charles E. Harris, Jr. v. Dr. Michael J. Shuster, Robert Adele, and K. Comas*, Case No. CL 11001712, (Alex. City Cir. Ct.) (Mt. Vernon District)
 - 5. *Eileen M. McLane, Fairfax County Zoning Administrator v. Leonel A. Romero and Nora E. Martinez*, Case No. CL-2009-0012157 (Fx. Co. Cir. Ct.) (Braddock District)
 - 6. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. U.S. Bank National Association*, Case No. CL-2009-0015518 (Fx. Co. Cir. Ct.) (Providence District)

7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Miguel Angel Alvarez and Delmi Aurora Alvarez*, Case No. CL-2010-0010724 (Fx. Co. Cir. Ct.) (Mount Vernon District)
8. *Eileen M. McLane, Fairfax County Zoning Administrator v. ARPA Enterprises, Inc.*, Case No. CL-2008-0015529 (Fx. Co. Cir. Ct.) (Providence District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Anthony Eller and Barbara D. Eller*, Case No. CL-2006-0014177 (Fx. Co. Cir. Ct.) (Providence District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nina Catherine Ford and Aubrey L. Lane*, Case No. CL-2009-0015972 (Fx. Co. Cir. Ct.) (Mason District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mariano C. Evangelista and Armida A. Evangelista*, Case No. CL-2008-0014600 (Fx. Co. Cir. Ct.) (Mason District)
12. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Carolyn Jones*, Case No. CL-2009-0011791 (Fx. Co. Cir. Ct.) (Lee District)
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Paul D. Robertson*, Case Nos. GV10-0021259, GV10-0021260 and GV10021260-01 (Fx. Co. Gen. Dist. Ct.) (Lee District)
14. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Guillermo Renato Garcia and Lenny Quiroz*, Case No. CL-2010-0007947 (Fx. Co. Cir. Ct.) (Lee District)
15. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Samuel A. Velasquez*, Case No. CL-2010-0013919 (Fx. Co. Cir. Ct.) (Sully District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. David F. Nichols and Linda A. Nichols*, Case No. CL-2011-0002314 (Fx. Co. Cir. Ct.) (Lee District)

17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sang Yong Choi, L.C., and Wara Wara, Inc.*, Case No. CL-2010-0016244 (Fx. Co. Cir. Ct.) (Mason District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Vincent James Gioielli, II, and Susan M. Savage*, Case No. CL-2011-0000505 (Fx. Co. Cir. Ct.) (Dranesville District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marvin Bermudez and Elsa Bermudez*, Case No. CL-2011-0001456 (Fx. Co. Cir. Ct.) (Providence District)
20. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Paul J. Gayet, Trustee of the Gayet Living Trust*, Case No. CL-2010-0011467 (Fx. Co. Cir. Ct.) (Mason District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Bonnie June Speakman*, Case No. CL-2010-0011818 (Fx. Co. Cir. Ct.) (Dranesville District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. SCI Virginia Funeral Services, Inc.*, Case No. CL-2010-0004119 (Fx. Co. Cir. Ct.) (Providence District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mohammad F. Azimi and Farida Azimi*, Case No. CL-2011-0003450 (Fx. Co. Cir. Ct.) (Sully District)
24. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. George T. Hertig and Patricia R. Hertig*, Case No. CL-2011-0003451 (Fx. Co. Cir. Ct.) (Braddock District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gholamreza Khamesi and Fariba Vahdani*, Case No. CL-2011-0003523 (Fx. Co. Cir. Ct.) (Dranesville District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. David Charles Jones, Gabrielle Clara Jones, and Catherine C. Mitchell*, Case No. CL-2011-0003538 (Fx. Co. Cir. Ct.) (Lee District)

27. *Eileen M. McLane, Fairfax County Zoning Administrator v. MD S. Alam Elahee*, Case No. CL-2011-0003735 (Fx. Co. Cir. Ct.) (Lee District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Syed Sharafat Ali and Syed Parveen Ali*, Case No. CL-2011-0003808 (Fx. Co. Cir. Ct.) (Mason District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. The Robert L. Travers Charitable Remainder Annuity Trust*, Case No. CL-2011-0003809 (Fx. Co. Cir. Ct.) (Mount Vernon District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jose Maldonado*, Case No. CL-2011-0003849 (Fx. Co. Cir. Ct.) (Lee District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Soledad Marreros*, Case No. CL-2011-00003848 (Fx. Co. Cir. Ct.) (Mason District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sonia Soledad Nina*, Case No. CL-2011-0003916 (Fx. Co. Cir. Ct.) (Mason District)
33. *Eileen M. McLane, Fairfax County Zoning Administrator v. Johan Cardenas Lanchipa and Carlota Lanchipa*, Case No. CL-2011-0004000 (Fx. Co. Cir. Ct.) (Providence District)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jorge A. Ayala and Olimpia T. Amaya, a/k/a Olimpia T. Ayala*, Case No. CL-2011-0004001 (Fx. Co. Cir. Ct.) (Springfield District)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ahmed R. Bizri*, Case No. CL-2011-0004073 (Fx. Co. Cir. Ct.) (Dranesville District)
36. *Eileen M. McLane, Fairfax County Zoning Administrator v. Michael B. Jones and Ann W. Jones*, Case No. CL-2011-0004074 (Fx. Co. Cir. Ct.) (Sully District)
37. *Eileen M. McLane, Fairfax County Zoning Administrator v. Emad M. Elsejedy*, Case No. CL-2011-0004075 (Fx. Co. Cir. Ct.) (Mason District)
38. *Eileen M. McLane, Fairfax County Zoning Administrator v. William L. Matson, Trustee Under the Trust Agreement dated August 31, 1979, Designated as Trust Number 56.304*, Case No. CL-2011-0004241 (Fx. Co. Cir. Ct.) (Mason District)

39. *Eileen M. McLane, Fairfax County Zoning Administrator v. Loc D. Le and Dung N. Le*, Case No. CL-2011-0004305 (Fx. Co. Cir. Ct.) (Providence District)
40. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Paul E. Smith, Sr.*, Case No. CL-2011-0004306 (Fx. Co. Cir. Ct.) (Mason District)
41. *Eileen M. McLane, Fairfax County Zoning Administrator v. Inocente I. Giron*, Case No. CL-2011-0004644 (Fx. Co. Cir. Ct.) (Mount Vernon District)
42. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ali Raza*, Case No. CL-2011-0004736 (Fx. Co. Cir. Ct.) (Dranesville District)
43. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dao Gi Trieu and Phuong Hien Tran Trieu*, Case No. CL-2011-0005001 (Fx. Co. Cir. Ct.) (Mason District)
44. *Eileen M. McLane, Fairfax County Zoning Administrator v. Margaret Ann Carey*, Case No. 11-0003343 (Fx. Co. Gen. Dist. Ct.) (Sully District)
45. *Eileen M. McLane, Fairfax County Zoning Administrator v. Yonis A. Rodriguez and Belen P. Rodriguez*, Case Nos. 09-0009169 and 09-0009171 (Fx. Co. Gen. Dist. Ct.) (Sully District)
46. *Eileen M. McLane, Fairfax County Zoning Administrator v. Chung Kim and Hyunkil H. Kim*, Case Nos. 11-0007714 and 11-0007715 (Fx. Co. Gen. Dist. Ct.) (Mason District)
47. *Board of Supervisors of Fairfax County, Virginia v. Oak Street, LLC*, Case No. CL-2010-0004599 (Fx. Co. Cir. Ct.) (Providence District)

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Board Agenda Item
April 26, 2011

3:30 p.m.

Public Hearing on the Question of Adopting Amendments to Appendix P of the County Code Relating to the Mosaic District Community Development Authority (Providence District)

ISSUE:

Proposal to adopt amendments to County Code that authorize the levy of a Special Assessment on properties within the Mosaic District and permit a more efficient judicial sale proceeding in the event of non-payment of certain Special Assessments per recently enacted Virginia law.

RECOMMENDATION:

The County Executive recommends that the Board adopt the amendments to Appendix P proposed by staff (Attachment 1).

TIMING:

The Board should take action on April 26, 2011, in order to make it possible for the Mosaic District Community Development Authority (CDA) to proceed with the sale of CDA bonds by the end of May 2011.

BACKGROUND:

The proposed amendments to Appendix P would do two things. First, a new Section 3D would impose a Special Assessment on properties within the CDA in accordance with a Special Assessment Agreement (Attachment 2) between the Developer and the CDA Board, which incorporates formulas for the allocation of the Special Assessment to individual properties in the CDA set forth in the Rate and Method of Apportionment of Special Assessments (the Rate and Method) (Attachment 3), prepared by MuniCap, Inc., a consultant to the County and CDA. Second, a new Section 3E would be added relating to the judicial sale of real estate for certain delinquent Special Assessments.

The Mosaic District is a planned mixed-use development including retail, hotel, office, and residential uses being developed by Edens & Avant and related corporate entities, including Eskridge (E&A) LLC and Eskridge Properties (E&A) LLC (individually or collectively the Developer), currently the owner of all real property in the CDA. It is estimated that it will cost approximately \$136 million to construct necessary public improvements in the District. To create a vehicle to pay for up to \$72 million of that cost, the Board created the CDA on April 27, 2009, pursuant to Title 15.2, Chapter 51 of the Code of Virginia 1950, as amended, and on April 27, 2010, adopted certain amendments

to that Ordinance. The Ordinance, as amended to date, is Appendix P to the County Code.

The CDA plans to issue bonds (the CDA Bonds) in May 2011 to raise the \$72 million in construction funds. In order to service the debt created by such bonds, the Amended and Restated Memorandum of Understanding among the Developer, County, and CDA (the Amended MOU), which is before the Board for approval today in a separate Board Action Item, contemplates that the Board, at the request of the CDA Board, will levy a Special Assessment on properties within the CDA. A special assessment, while in the nature of a tax, is different than an ad valorem tax such as the County's real property tax. A special assessment is levied on any particular property in an amount designed to reflect the benefit provided to that property from whatever is being paid for with the tax. Per the Amended MOU, the total amount of the Special Assessment will be the debt service requirement for all of the Bonds plus an agreed amount calculated to cover expected annual administrative costs of the CDA and County. That total Special Assessment amount will be set at the time the debt service requirement becomes known, and cannot thereafter be changed.

Per Va. Code Ann. §§ 15.2-2404, -2405, and -5158(A)(5) (2008 & Supp. 2010), the Board may impose the obligation to pay the Special Assessment, and in particular the apportionment thereof to different properties, pursuant to an agreement between the CDA Board and the landowners in the CDA. As the current owner of all property in the CDA, the Developer has entered into the Special Assessment Agreement, which satisfies applicable statutory requirements. The Special Assessment Agreement runs with the land so as to bind all future owners of property in the CDA. The Special Assessment Agreement provides a basis for imposition of the Special Assessment by the Board and affirms that the amount of the Special Assessment, as allocated to different parcels of property within the CDA pursuant to the Rate and Method, will reflect the peculiar benefit to each such parcel provided by the Public Improvements (also before the Board for approval today in a separate Board Action Item is a Special Assessment Report, also prepared by MuniCap, Inc., that provides additional explanation and support for the allocations set forth in the Rate and Method).

The Rate and Method provides a basis for allocating the Special Assessment among the seven existing parcels in the CDA and also provides formulas for further allocating that responsibility in the future as the existing parcels are subdivided, combined, etc. However, the total allocated to any parcels resulting from a particular subdivision will always equal the allocation to the "parent" parcel or parcels existing before the subdivision. Because the total amount of the Special Assessment is fixed, it is possible at any time to calculate the portion of the total Special Assessment payable by any existing parcel. Thus, even if a property owner exercises its statutory right to "prepay" the outstanding amount of the Special Assessment allocated to their particular parcel or parcels, any such prepayments will not affect the portion of the Special Assessment payable by any other parcel.

Board Agenda Item
April 26, 2011

The amendments to Appendix P as originally advertised did not include any changes in addition to those described above. However, on January 21, 2011, SB 1478 was introduced in the 2011 session of the General Assembly and was subsequently enacted with an emergency clause, signed into law by the Governor on March 21, 2011, and made effective that date. SB 1478 added a new § 58.1-3965.2 to the Code of Virginia to provide a more efficient judicial sale procedure in the event of non-payment of special taxes or special assessments levied in community development authorities. This new legislation makes bonds secured by such special taxes or assessments more attractive to the bond market.

Section 58.1-3965.2 would permit judicial sale proceedings to be instituted on the first anniversary of the due date of a delinquent Special Assessment payment, instead of having to wait until the following December 31st. The authority does not apply to any sale of an owner-occupied single family residence or owner-occupied unit in a multi-unit structure.

However, the authority provided by § 58.1-3965.2 is only available if it is invoked by a locality either as part of an ordinance creating a community development authority or as part of an ordinance levying special taxes or special assessments. Thus, in order to ensure that its provisions are made applicable to the Special Assessment, the Board must adopt the authority at the same time it adopts ordinance language levying the Special Assessment.

FISCAL IMPACT:

The County has no financial obligations with respect to any CDA Bonds, nor is there any legal obligation for the Board to appropriate any funds to the CDA. To the extent the Board in future years chooses to exercise its discretion to appropriate tax increment revenues to the CDA as described above, any such appropriation will be from the County's general fund. Projections of future tax increment revenue available for appropriation by the Board to the CDA appear beginning at page 62 of the TIF Report, which is Appendix G of the PLOM (Attachment 6 of the Board Action Item).

ENCLOSED DOCUMENTS:

- Attachment 1: Proposed Amendments to Appendix P of the County Code
- Attachment 2: Special Assessment Agreement
- Attachment 3: Rate and Method of Apportionment of Special Assessments

STAFF:

Barbara A. Byron, Director, Office of Community Revitalization and Reinvestment
Leonard P. Wales, County Debt Advisor
James V. McGettrick, Assistant County Attorney

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**PROPOSED ORDINANCE TO AMEND APPENDIX P (MOSAIC DISTRICT
COMMUNITY DEVELOPMENT) OF THE FAIRFAX COUNTY CODE**

_____, 2011

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY,
VIRGINIA:

That, in accordance with Sections 15.2-2405, -5158(A)(5) and 58.1-3965.2 of the Code of Virginia, as amended, the Memorandum of Understanding originally entered into as of May 12, 2010, by and between the County, Eskridge (E&A), LLC, and Eskridge Properties (E&A), LLC, as amended and restated as approved this day by the Board of Supervisors (the "MOU"), and the Special Assessment Agreement approved this day by the Board of Supervisors that will be entered into by and between the Mosaic District Community Development Authority, the owner or owners of assessable property within the Mosaic District, and the trustee or trustees under one or more indentures of trust between the Authority and such trustee or trustees, Appendix P (Mosaic District Community Development Authority) of the County Code is amended by the addition of a Section 3D and a Section 3E as follows:

§ 3D. Special assessments to pay the costs of public improvements to be provided within the Mosaic District are established and apportioned in accordance with the Rate and Method of Apportionment of Special Assessments attached as an exhibit to the amended and restated Memorandum of Understanding approved by the Board of Supervisors on the date of adoption of this § 3D, and also as an exhibit to the Special Assessment Agreement and

Declaration of Notice of Special Assessments approved by the Board of Supervisors on the same date (the "Rate and Method"). These special assessments shall become effective upon the date that the Special Assessment Agreement and Declaration of Notice of Special Assessment is caused by the Mosaic District Community Development Authority to be recorded in the Circuit Court of Fairfax County, Virginia, against the taxable real property in the Mosaic District, and shall be payable as determined in accordance with the Rate and Method. The Mosaic District Community Development Authority shall cause notice of the special assessments to be reported to the County's Department of Tax Administration. The special assessments shall be liens on the taxable real property in the Mosaic District in accordance with the provisions of Sections 15.2-2404 *et seq.* of the Code of Virginia.

§ 3E. In accordance with Section 58.1-3965.2 of the Code of Virginia of 1950, as amended, if any special assessment or special tax levied pursuant to this Ordinance is delinquent, proceedings for the sale of the real property subject to such special assessment or tax are authorized to be instituted on the first anniversary date on which the special assessment or tax became due to the extent provided under Section 58.1-3965.2.

GIVEN under my hand this ____ day of _____ 2011.

Nancy Vehrs
Clerk to the Board of Supervisors

**SPECIAL ASSESSMENT AGREEMENT AND
DECLARATION OF NOTICE OF SPECIAL ASSESSMENT**

THIS SPECIAL ASSESSMENT AGREEMENT AND DECLARATION OF NOTICE OF SPECIAL ASSESSMENT is made as of _____, 2011, by _____ (the “Land Owner”) (as Grantor for indexing purposes) and **MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY**, a political subdivision of the Commonwealth of Virginia (the “Authority”) (as Grantee for indexing purposes), **COUNTY OF FAIRFAX, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “County”), _____, as trustee (the “Series A Trustee”) under a Trust Indenture dated as of _____ 1, 2011 (the “Series A Indenture”), relating to the Authority’s Revenue Bonds, Series 2011A, and as trustee (the “Series B Trustee”) under a Trust Indenture dated as of _____ 1, 2011 (the “Series B Indenture”), relating to the Authority’s Revenue Bonds, Taxable Series 2011B (the Series A Trustee and the Series B Trustee, collectively, the “Trustee”).

The Authority and the Mosaic District (the “District”) were created by an ordinance adopted by the Board of Supervisors of Fairfax County, Virginia (the “Board”) on April 27, 2009, as amended by ordinance dated April 27, 2010, and each attached hereto as Exhibit B (collectively, the “Establishing Ordinance”). The Land Owner is the fee simple owner of the property described in Exhibit A, which property is within the District (the “Assessable Property”) and subject to the Special Assessment Lien described below. By ordinance adopted on February 11, 2011, and attached hereto as Exhibit C (the “Assessment Ordinance”), the Board provided for special assessments (the “Special Assessments”) to be levied on property within the District. In accordance with the requirements of Sections 15.2-2412 and 15.2-5157 of the Code of Virginia of 1950, as amended, the Authority, the County and the Land Owner agree to cause this Agreement and Declaration to be recorded in the deed book and land records of the Clerk’s Office.

On May 12, 2010, Eskridge (E&A), LLC and Eskridge Properties (E&A), LLC, each a South Carolina limited liability company (collectively, the “Developer”), the Authority and the County entered into a Memorandum of Understanding, as amended and restated on _____, 2011, in the form attached hereto as Exhibit D (the “Memorandum of Understanding”) relating to the financing of public improvements to facilitate development of property within the District and setting forth provisions for special assessment agreements between the Authority and owners of property abutting the District in connection therewith. In accordance with the terms of the Memorandum of Understanding, the Authority has agreed to issue certain Tax Revenue Bonds and Special Assessment Bonds (as each such term is defined in the Memorandum of Understanding), each of which will be secured, in whole or in part, by the Special Assessment Lien, and the proceeds of which will be used to pay the costs or a portion of the costs of such public improvements and related costs thereto.

THE PROPERTY DESCRIBED HEREIN IS SUBJECT TO A SPECIAL ASSESSMENT LIEN WHICH, SUBJECT TO THE AVAILABILITY OF OTHER MONIES FOR THE PURPOSES DESCRIBED IN AND PROVIDED FOR IN THE MEMORANDUM OF UNDERSTANDING, MAY REQUIRE THE PAYMENT OF AN ANNUAL INSTALLMENT IN ADDITION TO ANY AD VALOREM TAXES OR OTHER TAXES

PAID TO FAIRFAX COUNTY, VIRGINIA. UPON THE SUBDIVISION OF ANY PARCEL SUBJECT TO AN ASSESSMENT LIEN HEREUNDER FOR PAYMENT OF SPECIAL ASSESSMENTS, SUCH SPECIAL ASSESSMENTS, ASSESSMENT LIEN AND THE ANNUAL INSTALLMENT RESULTING THEREFROM SHALL BE THE JOINT AND SEVERAL OBLIGATIONS OF ALL THE PARCELS CREATED BY SUCH SUBDIVISION UNTIL SUCH SPECIAL ASSESSMENTS, ASSESSMENT LIEN AND ANNUAL INSTALLMENT HAVE BEEN REAPPORTIONED AMONG SUCH PARCELS AS PROVIDED FOR IN THE RATE AND METHOD DESCRIBED HEREIN. AFTER SUCH SPECIAL ASSESSMENTS AND SPECIAL ASSESSMENT LIEN AND THE ANNUAL INSTALLMENT HAVE BEEN REAPPORTIONED AMONG THE SEPARATELY SUBDIVIDED PARCELS AS PROVIDED FOR IN THE RATE AND METHOD DESCRIBED HEREIN, EACH OWNER OF A SEPARATE TAX PARCEL SHALL BE REFERRED TO HEREIN AS A "LAND OWNER," AND EACH SEPARATE TAX PARCEL SHALL BE SUBJECT ONLY TO THE APPORTIONED AMOUNT OF THE SPECIAL ASSESSMENTS, ASSESSMENT LIEN AND ANNUAL INSTALLMENT ALLOCATED TO SUCH TAX PARCEL (SUCH THAT NO LAND OWNER SHALL HAVE ANY RESPONSIBILITY FOR PAYMENT OR LIEN FOR NON PAYMENT OF ANY APPORTIONED AMOUNT OF THE SPECIAL ASSESSMENTS, SPECIAL ASSESSMENT LIEN OR ANNUAL INSTALLMENT ALLOCATED TO ANY OTHER TAX PARCEL PURSUANT TO THE RATE AND METHOD. AS USED IN THIS AGREEMENT, THE TERM "SUBDIVISION" SHALL INCLUDE NOT ONLY THE LEGAL SUBDIVISION OF A PARCEL INTO TWO OR MORE OTHER LEGAL PARCELS, BUT ALSO SHALL INCLUDE THE ESTABLISHMENT OF A CONDOMINIUM, IN WHICH CASE EACH SEPARATELY CREATED CONDOMINIUM UNIT OF SUCH CONDOMINIUM SHALL BE DEEMED A SEPARATELY SUBDIVIDED "PARCEL" UNDER THIS AGREEMENT), THE ENTIRE AMOUNT OF THE SPECIAL ASSESSMENTS (OR THE APPORTIONED AMOUNT OF THE SPECIAL ASSESSMENTS ALLOCATED TO EACH LAND OWNER'S TAX PARCEL IN ACCORDANCE WITH THE RATE AND METHOD) MAY BE PREPAID IN ITS ENTIRETY OR IN PART AT ANY TIME WITHOUT PENALTY.

The Authority, the County, the Land Owner, as the current owner of the Assessable Property, and the Trustee hereby covenant, agree and declare as follows:

1. The above recitals are incorporated herein.
2. The boundaries of the District are more particularly set forth in the Establishing Ordinance attached as Exhibit B. The Assessable Property is located entirely within the District.
3. Pursuant to the Memorandum of Understanding, the Assessment Ordinance established a special assessment lien on the real property located within the District (the "Special Assessment Lien") in the maximum amount of \$_____, which lien is to be administered pursuant to the Rate and Method of Apportionment of Special Assessments (the "Rate and Method") which is attached to the Assessment Ordinance (attached hereto as Exhibit C) and incorporated herein by reference. Terms used herein and not otherwise defined shall have the meanings assigned such terms in the Rate and Method.

4. The Rate and Method sets forth the manner in which Special Assessments shall be determined and apportioned among the tax parcels located within the District and includes the Special Assessment Roll attached hereto as Exhibit E (the "Special Assessment Roll"). The Special Assessment Roll consists of a Special Assessment Roll A (that sets forth the Annual Installments of Special Assessment Part A that secure, in part, the Tax Revenue Bonds) and a Special Assessment Roll B (that sets forth the Annual Installments of Special Assessment Part B that secure the Special Assessment Bonds). The apportionment of the Special Assessment Lien for each parcel within the District that is subject thereto shall equal the amount for such parcel shown in the Special Assessment Roll, as the same may be adjusted from time to time pursuant to the provisions of the Rate and Method.

5. The property within the District, including the Assessable Property, shall be held, conveyed, acquired and encumbered, subject to the Special Assessment Lien and upon the terms and provisions set forth in the Rate and Method.

6. In accordance with Virginia Code Sections 15.2-5158(A)(5) and 15.2-2404 *et seq.*, the Land Owner consents and agrees to the imposition of the Special Assessment Lien in connection with the financing of the Improvements (as defined in the Memorandum of Understanding) through the issuance by the Authority of Tax Revenue Bonds in a principal amount not to exceed \$_____. The Land Owner agrees to the apportionment of the costs of the Public Improvements as set forth in the Special Assessment Roll A. The Land Owner consents and agrees to the provisions of the Memorandum of Understanding relating to the imposition and enforcement of the Special Assessment Lien as set forth in Paragraph 5 thereof. Upon any future subdivision of any parcel (including establishment of a condominium creating separate condominium units), the Special Assessment Lien shall be apportioned among the resulting parcels in the manner described in the Rate and Method.

7. In accordance with Virginia Code Sections 15.2-5158(A)(5) and 15.2-2404 *et seq.*, the Land Owner consents and agrees to the imposition of the Special Assessment Lien in connection with the financing of the Improvements through the issuance by the Authority of Special Assessment Bonds in a principal amount not to exceed \$_____. The Land Owner agrees to the apportionment of the costs of the Improvements as set forth in the Special Assessment Roll B. The Land Owner consents and agrees to the provisions of the Memorandum of Understanding relating to the imposition and enforcement of the Special Assessment Lien as set forth in Paragraph 5 thereof. Upon any future subdivision of any parcel (including establishment of a condominium creating separate condominium units), the Special Assessment Lien shall be apportioned among the resulting parcels in the manner described in the Rate and Method.

8. The Land Owner represents and agrees for itself and its successors and assigns that the Special Assessment Lien, as apportioned by the Rate and Method, does not exceed the peculiar benefit to the Assessable Property resulting from the Improvements and is apportioned to the Assessable Property on a rational basis.

9. The Land Owner represents that the information it has provided to the Authority and the County regarding the Assessable Property in connection with the imposition of the

Special Assessment Lien, and on which the County and its representatives relied in the Board's adoption of the Assessment Ordinance, is accurate as of the date hereof.

10. (a) As required by Virginia Code Section 15.2-5158(A)(5), any Land Owner may prepay Special Assessments (as apportioned in accordance with the Rate and Method to such Land Owner's parcel) without penalty. In the event the Land Owner elects to prepay Special Assessment Part A and Special Assessment Part B or either of them in whole or in part as determined by the terms of the Rate and Method, the Trustee, in its capacity as the Series A Trustee or the Series B Trustee, as appropriate, as assignee of the Authority's rights under the Series A Indenture or the Series B Indenture, as applicable, to receive payments of Special Assessments and to take other actions in connection with the enforcement of the Special Assessment Lien, shall take all such action as shall be necessary to evidence the satisfaction of such Land Owner's obligation with respect to the payment of Special Assessments (or, as applicable, the Special Assessments apportioned to the applicable parcel(s) for which such prepayment is received) including, without limitation, the execution and delivery of a recordable notice, in substantially the form attached hereto as Exhibit F, of such prepayment of Special Assessments within a reasonable period of time of receipt of such prepayment amount, with such recordable notice evidencing the release from the Special Assessment Lien in an amount corresponding to the prepayment (including any related interest) as to the applicable parcel(s). [TO BE INCLUDED IN SPECIAL ASSESSMENT AGREEMENT FOR LAND IN WHICH TARGET PARCEL IS LOCATED: In accordance with the foregoing, the parties hereto acknowledge that as of the date hereof, the Land Owner is prepaying an amount of Special Assessments equal to \$_____, such amount being the Special Assessment the Administrator has determined is allocable to that portion of the Parcel that will be identified upon a subsequent subdivision of the Parcel and referred to as the "Target Parcel." The parties hereto agree that, upon such subdivision, the parties will take such action described above as shall be necessary to reflect such Special Assessment prepayment and to confirm the release from the Special Assessment Lien of the Target Parcel.

(b) With respect to Special Assessment Part B, the amount of Special Assessment Part B shall be deemed to be prepaid for purposes of the provisions of Section C.3(c) of the Rate and Method in an amount equal to the unadvanced portion of principal of the Special Assessment Bonds that occurs upon the earlier of (a) _____, 201_, or (b) the date the holder of the Special Assessment Bonds (the "SAB Holder") and the Land Owner deliver a notice or notices (i) stating that the SAB Holder and the Developer, on behalf of the Authority, with the concurrence of the Land Owner, have agreed that no further principal amounts will be advanced under the Special Assessment Bonds, (ii) stating that the amount of such unadvanced principal shall be discharged and cancelled as an obligation of the Authority and (iii) setting forth the manner in which the prepayment resulting from such discharge shall be applied against Assessable Property. Upon delivery of such notice, as set forth in 10(a) above, the Trustee, in its capacity as the Series B Trustee, shall execute and deliver the Certificates of Satisfaction and Release with respect to the amount the SAB Holder and the Developer, on behalf of the Authority, with the concurrence of the Land Owner, have agreed will not be advanced under the Special Assessment Bonds.

(c) In the event Special Assessments are prepaid in accordance with the provisions of this Section 10, and thereafter any Special Tax is levied on the Assessable Property in any tax year in accordance with the terms of Paragraph 5(g) of the Memorandum of Understanding, the

amount of such prepayment of Special Assessments that represents the Annual Installment of Special Assessments that but for the prepayment would otherwise have been due for that tax year shall be credited as payment or partial payment, as the case may be, of the amount of Special Tax levied for that tax year. In the event of an apportionment of the Special Assessments, Special Assessment Lien, and Annual Installment among parcels within the Assessable Property, then such a prepayment of the Annual Installment of Special Assessments attributable to any parcel for any tax year shall be credited as payment or partial payment, as the case may be, of the amount of any Special Tax levied on that parcel for that tax year in accordance with the terms of Paragraph 5(g) of the Memorandum of Understanding. In no event, however, shall the amount of the Special Tax levy be greater than the amount of the Annual Installments of Special Assessments previously prepaid and in the case of Special Assessments that are prepaid in their entirety and the Special Assessment Lien related thereto discharged as provided in 10(a) and (b) above, any Special Taxes subsequently levied thereafter shall be deemed paid. The provisions of this Section 10(c) shall apply only to payments or prepayments of Special Assessments that are not refunded for any reason.

(d) The Authority, the County, the Land Owner and the Trustee acknowledge and agree that the Special Assessment Bonds shall be subordinate to the rights of the Tax Revenue Bonds in the receipt of payments of Special Assessments. The Authority, the County, the Land Owner and the Trustee further acknowledge and agree that in the event that a delinquency in the payment of Special Assessments results in the County instituting a tax lien foreclosure proceeding that does not produce proceeds sufficient in amount to pay the entire amount of Special Assessments then outstanding, the Authority, the County and the Trustee shall take the action necessary to cause the outstanding amount of Special Assessments attributable to the Special Assessment Bonds to be deemed paid and the lien associated therewith to be discharged unless the successful purchaser thereof elects to permit such Special Assessments to remain outstanding.

11. The provisions of this Agreement and Declaration shall run with the land (including all improvements thereon) and bind any and all who may now or hereafter own or acquire any right, title, estate or interest in or to any of such property.

IN WITNESS WHEREOF, the Authority, the County, the Land Owner and the Trustee have caused this Agreement and Declaration to be executed as of the date first set forth above.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

**MOSAIC DISTRICT COMMUNITY
DEVELOPMENT AUTHORITY**

By: _____
Chairman

COMMONWEALTH OF VIRGINIA

COUNTY OF FAIRFAX, to wit:

The undersigned Notary Public, in and for the jurisdiction aforesaid, hereby certifies that the individual, whose name is signed to the foregoing as Chairman of Mosaic District Community Development Authority, appeared before me and personally acknowledged the same in my jurisdiction aforesaid on behalf of the Authority. Such person is personally known to me or has presented satisfactory evidence of identification.

GIVEN under my hand and seal this ____ day of _____, 2011.

Notary Public REG #

My commission expires: _____

COUNTY OF FAIRFAX, VIRGINIA

By: _____
County Executive

COMMONWEALTH OF VIRGINIA

COUNTY OF FAIRFAX, to wit:

The undersigned Notary Public, in and for the jurisdiction aforesaid, hereby certifies that the individual, whose name is signed to the foregoing as County Executive of the County of Fairfax, Virginia, appeared before me and personally acknowledged the same in my jurisdiction aforesaid on behalf of the County. Such person is personally known to me or has presented satisfactory evidence of identification.

GIVEN under my hand and seal this ____ day of _____, 2011.

Notary Public REG #

My commission expires: _____

_____ ,

a _____, as Landowner

By: _____,
its sole member

By: _____
Name: _____
Title: _____

STATE OF _____

CITY/COUNTY OF _____, to wit:

The undersigned Notary Public, in and for the jurisdiction aforesaid, hereby certifies that the individual, whose name is signed to the foregoing as _____ of _____, appeared before me and personally acknowledged the same in my jurisdiction aforesaid on behalf of the Land Owner. Such person is personally known to me or has presented satisfactory evidence of identification.

GIVEN under my hand and seal this _____ day of _____, 2011.

Notary Public REG #

My commission expires: _____

[NAME OF TRUSTEE],

By: _____
Authorized Officer

STATE OF _____

CITY/COUNTY OF _____, to wit:

The undersigned Notary Public, in and for the jurisdiction aforesaid, hereby certifies that the individual, whose name is signed to the foregoing as _____ of _____, appeared before me and personally acknowledged the same in my jurisdiction aforesaid on behalf of the Trustee. Such person is personally known to me or has presented satisfactory evidence of identification.

GIVEN under my hand and seal this _____ day of _____, 2011.

Notary Public REG #

My commission expires: _____

Exhibits:

- A – Tax Parcel owned by Landowner
- B - Establishing Ordinance, as amended
- C - Assessment Ordinance (including the Rate and Method of Apportionment of Special Assessments)
- D - Memorandum of Understanding
- E - Special Assessment Roll
- F - Certificate of Satisfaction and Release

EXHIBIT A

Tax Parcel

EXHIBIT B

Establishing Ordinance, as amended

EXHIBIT C

Assessment Ordinance

EXHIBIT D

Memorandum of Understanding

EXHIBIT E

Special Assessment Roll A

[To come]

Special Assessment Roll B

[To come]

EXHIBIT F

CERTIFICATE OF SATISFACTION AND RELEASE

This CERTIFICATE OF SATISFACTION AND RELEASE is made as of _____, __, _____, by _____, as Trustee under an Indenture of Trust dated _____ __, 2011, with the Mosaic District Community Development Authority (the "Authority") with respect to the Authority's Revenue Bonds [Series 2011A Bonds] [Taxable Series 2011B Bonds], and assignee of the Authority's rights to receive payments thereunder and to exercise certain rights in connection with the enforcement of the collection of such payments.

By Special Assessment Agreement and Declaration of Notice of Special Assessment, dated as of _____ 1, 2011 (the "Special Assessment Agreement"), made by _____, as grantor, the Authority, as grantee, the County of Fairfax, Virginia, and the Trustee, and recorded in the Clerk's Office of the Circuit Court of the County of Fairfax, Virginia (the "Clerk's Office"), as Instrument Number _____, the Authority recorded notice of a special assessment lien on property within the boundaries of the Authority. A portion of the [Special Assessment Part A] [Special Assessment Part B] described in the Special Assessment Agreement (the "Special Assessment") in the amount of \$_____ has been prepaid, and the Trustee, on the Authority's behalf, intends to release the corresponding portion of the Special Assessment Lien, as such term is defined in the Special Assessment Agreement.

The portion of the Special Assessment with respect to the parcel or parcels described on Exhibit A hereto (the "Released Real Estate"), has been paid in full, [except for payment of any assessment due on _____ __, ____ (the "Current Year Assessment")].

NOW, THEREFORE, in consideration of the foregoing and the sum of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, the Trustee, on the Authority's behalf, hereby acknowledges that the Special Assessment has been paid in full with respect to the Released Real Estate and the Special Assessment Lien with respect to the Released Real Estate is hereby released [provided that such release is not effective with respect to the Current Year Assessment until such Current Year Assessment is paid in full]. The Trustee agrees to forward a counterpart of this Release to the Treasurer of the County of Fairfax, Virginia.

WITNESS the following signatures.

[NAME OF TRUSTEE]

By: _____

Its: _____

Exhibit A - Description of Released Real Estate

STATE OF _____

CITY/COUNTY OF _____, to wit:

The undersigned Notary Public, in and for the jurisdiction aforesaid, hereby certifies that the individual, whose name is signed to the foregoing as _____ of [Name of Trustee], appeared before me and personally acknowledged the same in my jurisdiction aforesaid on behalf of the Trustee. Such person is personally known to me or has presented satisfactory evidence of identification.

GIVEN under my hand and seal this _____ day of _____, 20__.

Notary Public REG #

My commission expires: _____

MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY
FAIRFAX COUNTY, VIRGINIA

Rate And Method of Apportionment
Of Special Assessments

A. INTRODUCTION

Special Assessments shall be imposed on and collected from real property within the Mosaic District Community Development Authority district (the "Mosaic District"), created by the Board of Supervisors by the Ordinance, through the application of the procedures described below. The Board of Directors of the Mosaic District Community Development Authority (the "Authority") or their designee shall make all determinations in this Rate and Method of Apportionment of Special Assessments unless stated otherwise.

The Special Assessments are being accounted for in two parts: Special Assessment Part A and Special Assessment Part B, each as defined below. These separate parts of the Special Assessments are an accounting convention utilized to account for the portion of the Special Assessments to repay each series of Bonds, with the Special Assessment Part A applied to repay the Tax Revenue Bonds and the Special Assessment Part B applied to repay the Special Assessment Bonds.

The Special Assessment for each Parcel represents the total obligation of a Parcel, including the Parcel's share of principal and interest on the Bonds and Administrative Expenses of the Authority related to the Bonds. The Special Assessments may be prepaid at any time as the Principal Portion of the Special Assessment. If not prepaid, the Special Assessments are payable annually as the Annual Installments. Tax Increment Revenues may be available to apply to the repayment of the Tax Revenue Bonds. As a result, it may not be necessary to collect the full amount of the Annual Installment Part A to repay the Tax Revenue Bonds. The portion of the Annual Installment required to be collected each year to repay the Bonds and to pay Administrative Expenses is the Annual Payment.

Terms used herein and not otherwise defined shall have the meanings assigned to such terms in the Memorandum of Understanding.

B. DEFINITIONS

The terms used herein shall have the following meanings:

“Act” means the Virginia Water and Waste Authorities Act, beginning with §15.2-5100 *et seq.* of the Code of Virginia, 1950, as it may be amended from time to time.

“Adjusted Annual Installment Part A” means the amount calculated as the Adjusted Annual Installment Part A for each Parcel pursuant to Section D.2.

“Administrative Expenses” means the following costs directly related to the administration of the Authority: the actual costs of computing the Annual Payments; the actual costs of collecting

the Annual Payments (whether by the County or otherwise); the actual costs of remitting the Annual Payments to the Trustee; the actual costs of the Administrator and Trustee (including legal counsel) in the discharge of their duties; the costs of the Authority of complying with arbitrage rebate requirements; the costs of the Authority of complying with securities disclosure requirements; and any other costs of the Authority or the County in any way related to the administration and operation of the Authority, including, without limitation, the costs of official meetings of the Authority, the costs of legal counsel and other consultants and advisors, and costs related to commencing foreclosure and pursuing collection of delinquent Annual Payments.

“Administrator” means the official or designee of the Authority who shall be responsible for determining the Annual Revenue Requirement, calculating the Equivalent Units, preparing the update of the Special Assessment Roll, and such other responsibilities as provided herein, in the Bond Indenture, or by the Board of Directors.

“Annual Part A Credit” means the amount calculated as the Annual Credit for each Parcel pursuant to Section D.3.

“Annual Installment” means the Annual Installment Part A and the Annual Installment Part B.

“Annual Installment Part A” means the portion of the Special Assessment Part A to be set forth in the Special Assessment Roll A that may be collected each Assessment Year from all Parcels in the Mosaic District pursuant to Virginia Code section 15.2-5158(A)(5) and the provisions herein. The Annual Installment Part A for each year as shown on the Special Assessment Roll A may be revised by the Board of Directors to better match the expenses of the Authority as long as the total of the Special Assessment Part A is not exceeded.

“Annual Installment Part B” means the portion of the Special Assessment Part B to be set forth in the Special Assessment Roll B that may be collected each Assessment Year from all Parcels in the Mosaic District pursuant to Virginia Code section 15.2-5158(A)(5) and the provisions herein. The Annual Installment Part B for each year as shown on the Special Assessment Roll B may be revised by the Board of Directors to better match the expenses of the Authority as long as the total of the Special Assessment Part B is not exceeded.

“Annual Parcel Installment” means either or both of the Annual Parcel Installment Part A and the Annual Parcel Installment Part B.

“Annual Parcel Installment A” means the allocation of the Annual Installment Part A to each Parcel pursuant to Section C.

“Annual Parcel Installment B” means the allocation of the Annual Installment Part B to each Parcel pursuant to Section C.

“Annual Payment” means either or both the Annual Payment Part A and the Annual Payment Part B. The Annual Payment for any Parcel may be less than but may not exceed the Annual Installment for such Parcel for any Assessment Year.

“Annual Payment Part A” means the portion of the Annual Installment Part A to be collected each Assessment Year as determined by the provisions of Section D.1.

“Annual Payment Part B” means the portion of the Annual Installment Part B to be collected each Assessment Year as determined by the provisions of Section D.4.

“Annual Revenue Requirement” means either or both the Annual Revenue Requirement Part A and the Annual Revenue Requirement Part B.

“Annual Revenue Requirement Part A” means, for any Assessment Year, the sum of the following: (1) debt service on the Tax Revenue Bonds; (2) periodic costs associated with the Tax Revenue Bonds, including but not limited to, rebate payments and credit enhancement on the Tax Revenue Bonds; (3) Administrative Expenses; and (4) a contingency as determined reasonable by the Board of Directors; less (5) Tax Increment Revenues to be made available to the Authority by the County as provided for in the Memorandum of Understanding, whether or not appropriated by the Board of Supervisors for such purposes; (6) any credits to be applied under the related Bond Indenture, such as capitalized interest or interest earnings on any account balances, and (7) any other funds available to the Authority that may be applied to the Annual Revenue Requirement Part A.

“Annual Revenue Requirement Part B” means, for any Assessment Year, the sum of the following: (1) debt service on the Special Assessment Bonds; (2) periodic costs associated with the Special Assessment Bonds, including but not limited to, rebate payments and credit enhancement on the Special Assessment Bonds; (3) Administrative Expenses; and (4) a contingency as determined reasonable by the Board of Directors; less (5) any credits to be applied under the related Bond Indenture, such as capitalized interest or interest earnings on any account balances, and (6) any other funds available to the Authority that may be applied to the Annual Revenue Requirement Part B.

“Area Median Income” means, for each calendar year the metropolitan statistical area median family income as published by the United States Department of Housing and Urban Development for the Washington Standard Metropolitan Statistical Area.

“Assessed Property” means, for any Assessment Year, Parcels within the Mosaic District other than Non-Benefited Property.

“Assessment Year” means the annual cycle in which the Annual Payment is determined each year for each Parcel, the Annual Payment is collected, and these revenues are applied to the payments on the Bonds each year.

“Base Real Property Taxes” means the difference in the total real property taxes and the Tax Increment Revenues for any Assessment Year.

“Board of Supervisors” means the Board of Supervisors of Fairfax County, Virginia.

“Board of Directors” means the Board of Directors of the Authority.

“Bond Indenture” means the indenture or similar document setting forth the terms and other provisions relating to the Bonds, as modified, amended and/or supplemented from time to time.

“Bonds” means either or both of the Tax Revenue Bonds and the Special Assessment Bonds.

“County” means the County of Fairfax, Virginia.

“Equivalent Units” means, for Land Use Class 1, 2, 3, 4, and 5, the Gross Floor Area in 1,000s of square feet built or that is expected to be built on a Parcel, for Land Use Class 6, the guest rooms built or that is expected to be built on a Parcel, and for Land Use Class 7, 8, 9, 10, 11, 12 and 13 the number of dwelling units built or that is expected to be built on a Parcel, multiplied by the factors for each land use class shown below, which represent an allocation of the costs of the Public Improvements funded by the Bonds:

Land Use Class 1	0.64 per 1,000 SF of GFA
Land Use Class 2	1.26 per 1,000 SF of GFA
Land Use Class 3	2.11 per 1,000 SF of GFA
Land Use Class 4	0.90 per 1,000 SF of GFA
Land Use Class 5	1.23 per 1,000 SF of GFA
Land Use Class 6	0.66 per room
Land Use Class 7	1.00 per unit
Land Use Class 8	0.36 per unit
Land Use Class 9	0.69 per unit
Land Use Class 10	2.78 per unit
Land Use Class 11	2.53 per unit
Land Use Class 12	2.25 per unit
Land Use Class 13	1.88 per unit

The computation of Equivalent Units for each Parcel shall be based on the expected development in substantial conformance with the conceptual/final development plan as approved by the Board of Supervisors, which is expected to be measured by actual development, development plans, the legal maximum development allowed, the acreage of a Parcel and reasonable density ratios, or other reasonable methods.

“Gross Floor Area” or “GFA” means the sum of the total horizontal area of all of the floors of all buildings on a Parcel, measured from the interior faces of exterior walls. Gross Floor Area shall include basements; elevator shafts and stairwells at each story; floor space used for mechanical equipment with structural headroom of six (6) feet, six (6) inches or more; penthouses, except as qualified below; attic space, whether or not a floor has actually been laid, providing structural headroom of six (6) feet, six (6) inches or more; interior balconies; and mezzanines. Gross Floor Area shall not include cellars; outside balconies which do not exceed a projection of six (6) feet beyond the exterior walls of the building; parking structures below or above grade; rooftop mechanical structures; penthouses enclosing only mechanical equipment; or enclosed or structural walkways designed and used exclusively for pedestrian access between buildings and/or parking structures.

“Land Use Class 1” means Assessed Property used or intended to be used primarily for retail sales to the general public consisting of a retailer in excess of 75,000 GFA, including any ancillary uses thereto.

“Land Use Class 2” means Assessed Property used or intended to be used primarily for retail sales to the general public consisting of a retailer between 12,500 and 74,999 square feet of GFA, including any ancillary uses thereto.

“Land Use Class 3” means Assessed Property used or intended to be used primarily for retail and/or restaurant sales to the general public, not including Assessed Property classified as Land Use Class 1 or Land Use Class 2, including any ancillary uses thereto.

“Land Use Class 4” means Assessed Property used or intended to be used primarily for a theater space, including any ancillary uses thereto, and any Assessed Property that is not classified as one of the other land use classes.

“Land Use Class 5” means Assessed Property used or intended to be used primarily as office space, including any ancillary uses thereto, and any Assessed Property that is not classified as one of the other land use classes.

“Land Use Class 6” means Assessed Property used or intended to be used primarily as a hotel, including any ancillary uses thereto.

“Land Use Class 7” means Rental Residential used or intended to be used primarily as market rate rental units, including any ancillary uses thereto, excluding Land Use Class 8 and Land Use Class 9.

“Land Use Class 8” means Rental Residential used or intended to be used primarily as affordable rental units as determined pursuant to the Fairfax County Affordable Dwelling Unit Program as defined in Section 2-8111, Part 8, Article 2 of Chapter 112 Zoning Ordinance of the Fairfax County Code, including any ancillary uses thereto.

“Land Use Class 9” means Rental Residential used or intended to be used primarily as workforce rental units and limited to households with incomes not exceeding a certain percentage of Area Median Income for workforce rental housing to be established by the County, including any ancillary uses thereto.

“Land Use Class 10” means Residential Property that is not classified as Multifamily Dwellings developed or intended to be developed with units with GFA of living area greater than 2,200 square feet, including any ancillary uses thereto.

“Land Use Class 11” means Residential Property that is not classified as Multifamily Dwellings developed or intended to be developed with units with GFA of living area between 2,000 and 2,199 square feet, including any ancillary uses thereto.

“Land Use Class 12” means Residential Property that is not classified as Multifamily Dwellings developed or intended to be developed with units with GFA of living area up to 1,999 square feet, including any ancillary uses thereto.

“Land Use Class 13” means Multiple Family Dwellings not classified as Rental Residential.

“Mandatory Special Assessments Prepayment” shall mean a mandatory prepayment of Special Assessments pursuant to Section J.

“Maximum Special Assessment” means the Maximum Special Assessment Part A per Equivalent Unit and the Maximum Special Assessment Part B per Equivalent Unit, if any, as set forth in the Bond Indenture.

“Memorandum of Understanding” means the memorandum of understanding or similar document among the County, the Authority, and the Developer, as defined therein, setting forth the terms and other provisions relating to the Bonds, as modified, amended and/or supplemented from time to time.

“Multiple Family Dwelling” means Residential Property that has a common outside entrance or entrances for all the dwelling units with units that are generally designed to occupy a single floor one above another.

“Non-Benefited Property” means Public Property, Owner Association Property, or easements that create an exclusive use for a public utility provider.

“Ordinance” means the ordinance adopted by the Board of Supervisors on April 27, 2009, as amended by ordinance dated April 27, 2010, creating the Authority and the Mosaic District.

“Owner Association Property” means Parcels within the boundaries of the Mosaic District owned by or irrevocably offered for dedication to a property owners’ association (if not used in a trade or business) and available for use by property owners in general.

“Parcel” means a lot or parcel of real property within the Mosaic District with a parcel number assigned by the County for real property tax purposes.

“Principal Portion of Special Assessments” means either or both of the Principal Portion of Special Assessment Part A and the Principal Portion of Special Assessment Part B.

“Principal Portion of Special Assessment Part A” means the portion of the Special Assessments equal to the outstanding principal amount of the Tax Revenue Bonds. The Principal Portion of Special Assessment Part A shall initially be allocated to Assessed Property proportionate to the Special Assessment Part A as set forth in Section C hereof. The Principal Portion of Special Assessment Part A may be increased for each Parcel of Assessed Property pro rata to the Equivalent Units of each Parcel for refunding bonds or other reasons as long as the total of the Special Assessment Part A is not increased to more than the amount set forth in the Special Assessment Roll A.

“Principal Portion of Special Assessment Part B” means the portion of the Special Assessments equal to the outstanding principal amount of the Special Assessment Bonds. The Principal Portion of Special Assessment Part B shall initially be allocated to Assessed Property proportionate to the Special Assessment Part B as set forth in Section C hereof. The Principal Portion of Special Assessment Part B may be increased for each Parcel of Assessed Property pro rata to the Equivalent Units of each Parcel for refunding bonds or other reasons as long as the total of the Special Assessment Part B is not increased to more than the amount set forth in the Special Assessment Roll B.

“Public Improvements” means those improvements that the Authority has been authorized to provide pursuant to the Memorandum of Understanding.

“Public Property” means, for any Assessment Year, property within the boundaries of the Mosaic District owned by or irrevocably offered for dedication to the federal government,

Commonwealth of Virginia, the County, the Authority, or any other public agency, political subdivision, or entity, whether in fee simple or any other property ownership interest that creates a substantially exclusive use by the public entity in the property.

“Rental Residential” means Multiple Family Dwellings, all the units of which within a project are under common management and ownership, including any ancillary uses thereto.

“Residential Property” means Assessed Property used or intended for use primarily for residential dwelling units, including any ancillary uses thereto.

“Special Assessment Bonds” means any bonds issued pursuant to the Bond Indenture payable from and secured by revenues derived from the imposition and collection of the Special Assessment Part B, whether in one or more series, including any bonds issued to refund such bonds.

“Special Assessments” means the Special Assessments on each Parcel as shown on the Special Assessment Roll as permitted by Virginia Code Ann. § 15.2-5158(A)(5) (Supp. 2010) and as calculated by the Administrator and confirmed by the Board of Directors pursuant to the provisions of Section C.1., as it may be reapportioned or reduced according to the provisions herein.

“Special Assessment Part A” means a portion of the Special Assessments, which is to be shown on the Special Assessment Roll A, as determined by the Board of Directors pursuant to the provisions of Section C.1., as it may be reapportioned or reduced according to the provisions herein.

“Special Assessment Part B” means a portion of the Special Assessments, which is to be shown on the Special Assessment Roll B, as determined by the Board of Directors pursuant to the provisions of Section C.1., as it may be reapportioned or reduced according to the provisions herein.

“Special Assessment Roll” means the document attached hereto as Appendix A, as updated from time to time by the Board of Directors of the Authority in accordance with the procedures set forth herein, which shall include both of the Special Assessment Roll A and the Special Assessment Roll B.

“Special Assessment Roll A” means the document attached hereto as Appendix A-1, as updated from time to time by the Board of Directors of the Authority in accordance with the procedures set forth herein.

“Special Assessment Roll B” means the document attached hereto as Appendix B-1, as updated from time to time by the Board of Directors of the Authority in accordance with the procedures set forth herein.

“Tax Increment Financing Fund” means the fund by that name as provided for in the Memorandum of Understanding.

“Tax Increment Revenues” means the County Advanced Revenues to be deposited into the Tax Increment Financing Fund by the County and available to the Authority to repay the Tax Revenue Bonds as provided for in the Memorandum of Understanding.

“Tax Revenue Bonds” means any bonds issued pursuant to the Bond Indenture payable from and secured by revenues derived from the imposition and collection of the Special Assessment Part A and Tax Increment Revenues, whether in one or more series, including any bonds issued to refund such bonds.

“Trustee” means the trustee pursuant to the Bond Indenture for the Tax Revenue Bonds, the trustee pursuant to the Bond Indenture for the Special Assessment Bonds, or both, as appropriate in context.

C. SPECIAL ASSESSMENTS

1. The Amount of the Special Assessments

The total of the Special Assessments is equal to the amounts set forth in the Special Assessment Roll as it may be updated from time to time as provided for herein. The Special Assessments for each Parcel shall be set by the Board of Directors prior to the issuance of the Bonds and shall not be changed thereafter except pursuant to the provisions hereof. The Board of Directors shall set the Special Assessments on each Parcel according to the following formula:

$$A = B \times (C \div D)$$

Where the terms have the following meanings:

- A = the Special Assessments for any particular Parcel "X"
- B = the total of the Special Assessments for all Parcels in the Mosaic District as shown in the Special Assessment Roll prior to the issuance of Bonds
- C = the Equivalent Units of Parcel "X"
- D = the sum of the Equivalent Units of all of the Parcels in the Mosaic District immediately prior to the issuance of Bonds

The Special Assessments allocated to the Special Assessment Part A and the Special Assessment Part B shall be set by the Board of Directors prior to the issuance of the Bonds and shall not be changed thereafter except pursuant to the provisions herein. The Board of Directors shall set the Special Assessment Part A in the amount required to repay the Tax Revenue Bonds and the Special Assessment Part B in the amount required to repay the Special Assessment Bonds, in each case including Administrative Expenses allocated to each series of Bonds.

2. Reapportionment of Special Assessments

a. Subdivision of a Parcel

Upon the subdivision of any Parcel, the Special Assessments of the Parcel prior to the subdivision shall be reallocated to each new Parcel in proportion to the Equivalent Units of each Parcel and the Special Assessments for the Parcel prior to the subdivision. The reapportionment of the Special Assessments shall be represented by the formula:

$$E = F \times (G \div H)$$

Where the terms have the following meanings:

- E = the Special Assessment for a new Parcel "X" resulting from a subdivision
- F = the Special Assessments for the Parcel or Parcels existing immediately prior to the subdivision from which Parcel "X" was subdivided
- G = the Equivalent Units of Parcel "X" as determined and described below
- H = the sum of the Equivalent Units of all Parcels resulting from the subdivision of the prior Parcel or Parcels

The computation of the Equivalent Units shall be made by the Administrator based on the information available regarding the Parcel. The Administrator shall use consistent standards in preparing the calculations and shall prepare and keep in the records of the Authority the computations made according to this section.

The Special Assessment Part A and the Special Assessment Part B shall be calculated separately for purposes of reallocating the Special Assessments. In all cases, the Special Assessment Part A and Special Assessment Part B after the subdivision of a Parcel shall equal the sum of the Special Assessment Part A and Special Assessment Part B, respectively, immediately before the subdivision of the Parcel.

b. Consolidation of a Parcel

Upon the consolidation of two or more Parcels, the Special Assessments for the consolidated Parcel shall equal the sum of the Special Assessments for the Parcels immediately prior to the consolidation.

The Special Assessment Part A and the Special Assessment Part B shall be calculated separately for purposes of consolidating the Special Assessments. In all cases, the sum of the Special Assessment Part A and the Special Assessment Part B after the consolidation of two or more Parcels shall equal the total of the Special Assessment Part A and the Special Assessment Part B, respectively, immediately before the consolidation of the Parcels.

c. Request of a Parcel Owner

The Special Assessments on some or all of the Parcels may be reallocated upon the unanimous request of the owners of the Parcels for which the Special Assessments are to be reallocated if there has been a change in the estimate of the Equivalent Units applicable to one of the Parcels.

The reallocation of the Special Assessments shall be made pursuant to the following formula, with the Special Assessment Part A and the Special Assessment Part B calculated separately:

$$J = K \times (L \div M)$$

Where the terms have the following meanings:

- J = the Special Assessment after reallocation for each Parcel "X" for which the Special Assessments are being reallocated
- K = the sum of the Special Assessments immediately prior to reallocation of the Parcels for which the Special Assessments are being reallocated
- L = the Equivalent Units of Parcel "X" after the reallocation
- M = the sum of the Equivalent Units after the reallocation for all of the Parcels for which Special Assessments are being reallocated

In all cases, the sum of the Special Assessment Part A and the Special Assessment Part B after the reallocation of Special Assessments shall equal the total of the Special Assessment Part A and Special Assessment Part B immediately prior to such reallocation of Special Assessments.

d. Principal Portion of Special Assessments and Annual Installment

The Principal Portion of Special Assessments and Annual Installment shall be set and reallocated in the same manner as the Special Assessments.

3. Reduction in the Special Assessments

a. Reduction in Costs

If the Board of Directors resolves that the total actual costs to be incurred by the Authority, including the costs of the Public Improvements and the costs related to the issuance and repayment of the Bonds, including refunding Bonds, and Administrative Expenses are less than the total amount of the Special Assessments, then the Board of Directors shall reduce the Special Assessments such that the sum of Special Assessments equals the total costs incurred or to be incurred. The Special Assessments shall be reduced for every Parcel of Assessed Property in the Mosaic District in the following manner.

First, if the Public Improvements were not completed using bond proceeds and, in the judgment of the Board of Directors, any Parcels were not fully benefitted by the Public Improvements, the Special Assessments shall be reduced on these Parcels to represent what the Board of Directors, in the reasonable exercise of its discretion, determines to be the peculiar benefit to these Parcels of such Public Improvements compared to the peculiar benefit of such Public Improvements to the other Parcels. The Board of Directors may provide for the reduction in the Special Assessments by equal percentage for each Parcel or some other means if the Board of Directors determines this would be the most fair or practical method of reducing the Special Assessments.

Second, if additional reductions are to be made in the Special Assessments, the Special Assessments shall be reduced by an equal percentage such that the sum of the resulting Special Assessments for every Parcel equals the actual costs to be incurred by the Authority.

The Special Assessments as reduced according to the provisions of this section shall not be reduced to an amount that is less than the outstanding amount of the related Bonds, debt service on the outstanding related Bonds, and estimated Administrative Expenses.

The reduction in Special Assessments is to be applied to the Special Assessment Part A and Special Assessment Part B according to which Bonds are called or reduced, pursuant to the Bond Indenture for each series of Bonds.

The Principal Portion of Special Assessments shall be reduced in the same manner as the reduction in the Special Assessments such that the total of the Principal Portion of the Assessments is equal to the total principal of the outstanding related Bonds and any to be issued (including refunding Bonds).

b. Repayment of the Bonds

The Special Assessment Part A and the Annual Parcel Installment A applicable to any Parcel shall be reduced each Assessment Year in an amount equal to the Annual Payment Part A collected from such Parcel. The Principal Portion of Special Assessment Part A shall be reduced for the principal portion of the Annual Payment Part A collected from each Parcel.

The Special Assessment Part B and the Annual Parcel Installment B applicable to any Parcel shall be reduced each Assessment Year in an amount equal to the Annual Payment Part B collected from such Parcel. The Principal Portion of Special Assessment Part B shall be reduced for the principal portion of the Annual Payment Part B collected from each Parcel.

c. Prepayment of Special Assessment

The Special Assessments and the Principal Portion of Special Assessments applicable to any Parcel shall be reduced or eliminated, as the case may be, as the result of any prepayment of Special Assessments for the Parcel.

D. METHOD OF DETERMINING THE ANNUAL PAYMENT

Commencing with the Annual Payment to be collected in the 2011-2012 Assessment Year and for each following Assessment Year, the Administrator shall calculate and the Board of Directors shall confirm the Annual Payment on each Parcel pursuant to the following provisions.

1. The Annual Payment Part A

The Annual Payment Part A shall be paid each year for any Parcel for which the Special Assessment Part A has not been paid in full in an amount equal to the lesser of (i) the Annual Installment Part A for the Parcel and (ii) an amount calculated pursuant to the following formula:

$$a = b \times (c \div d)$$

Where the terms have the following meanings:

- a = the Annual Payment Part A for a Parcel;
- b = the Annual Revenue Requirement Part A for the Assessment Year for which the Annual Payment Part A is being calculated;
- c = the Adjusted Annual Installment Part A for the Parcel;
- d = the Adjusted Annual Installment Part A for all Parcels in the Mosaic District.

2. The Adjusted Annual Installment Part A

The Adjusted Annual Installment Part A for a Parcel shall equal the Annual Installment Part A for such Parcel less the Annual Part A Credit for the Parcel.

3. The Annual Part A Credit

The Annual Part A Credit for each Parcel for each Assessment Year shall be equal to the Tax Increment Revenues included in the calculation of the Annual Revenue Requirement Part A for that Assessment Year produced by that Parcel. For purposes of calculating the Tax Increment Revenues for each Parcel, the base year tax revenues for each tax included in the Tax Increment Revenues shall be allocated to each Parcel on the basis of the total of the tax revenues from which the Tax Increment Revenues are calculated. For example, the base real property tax revenues would be allocated to each Parcel in proportion to the total real property tax revenues of the Parcel divided by the total real property taxes of all Parcels in the Mosaic District (using the total real property tax revenues from which the Tax Increment Revenues are calculated).

The Annual Part A Credit for each Parcel for each Assessment Year shall be an amount calculated pursuant to the following formula:

$$e = f - g - h$$

Where the terms have the following meanings:

- e = the Annual Part A Credit for a Parcel;
- f = the real property taxes to be collected from the Parcel as included in the calculation of the Tax Increment Revenues for the Assessment Year;
- g = the Base Real Property Taxes as allocated to the Parcel by the formula below;
- h = any unpaid real property taxes for which the Annual Part A Credit was based in the previous Assessment Year for the Parcel.

The Base Real Property Taxes allocated to a Parcel shall be an amount calculated pursuant to the following formula:

$$j = k \times (m \div n)$$

Where the terms have the following meanings:

- j = the Base Real Property Taxes allocated to a Parcel for an Assessment Year;
- k = the Base Real Property Taxes for the Assessment Year;
- m = the real property assessed value for the Parcel as used to determine the real property taxes in the formula for the Annual Part A Credit for the Parcel in the formula above;
- n = the real property assessed value for all Parcels as used to determine the Tax Increment Revenues for that Assessment Year.

4. The Annual Payment Part B

The Annual Payment Part B shall be paid each year for any Parcel for which the Special Assessment Part B has not been paid in full in an amount equal to the lesser of (i) the Annual Installment Part B for the Parcel and (ii) an amount calculated pursuant to the following formula:

$$p = q \times (r \div s)$$

Where the terms have the following meanings:

- p = the Annual Payment Part B for a Parcel;
- q = the Annual Revenue Requirement Part B for the Assessment Year for which the Annual Payment Part B is being calculated;
- r = the Annual Installment Part B for the Parcel;
- s = the Annual Installment Part B for all Parcels in the Mosaic District

E. UPDATING THE ASSESSMENT ROLL

The Board of Directors shall update the Special Assessment Roll from time to time in accordance with the provisions herein in order to maintain records for the collection of Special Assessments. The Special Assessment Roll shall be updated each Assessment Year to reflect (i) the current Parcels in the Mosaic District, (ii) the Special Assessments allocated to each Parcel, including any adjustments to the Special Assessments as provided for herein, (iii) the Principal Portion of Special Assessments for each Parcel; (iv) the Annual Installment for each Parcel for the Assessment Year, (v) the Annual Payment for each Parcel for the Assessment Year, (vi) prepayments of Special Assessments, (vii) termination of the collection of Special Assessments, and (viii) any other information helpful to the collection of Special Assessments. All information shall be updated for the Special Assessment Part A and the Special Assessment Part B.

F. MANNER OF COLLECTION OF THE ANNUAL PAYMENT

The Annual Payment shall be collected in the same manner and at the same time as regular property taxes of the County and shall be subject to the same penalties, procedures, sale, and lien priorities in case of delinquencies as are provided for regular property taxes of the County. The Authority shall notify the County of the amount of the Annual Payment to be collected on each Parcel each Assessment Year in a timely manner to allow the collection of the Annual Payment by the County. The Board of Directors may provide for other means of collecting the Annual Payment, to the extent permitted under the Act and agreed to by the County's Board of Supervisors.

G. ADMINISTRATIVE REVIEW

An owner of a lot claiming that a calculation error has been made in the update of Special Assessment Roll in any Assessment Year shall send a written notice describing the error to the Board of Directors not later than one year after the date any amount which is alleged to be incorrect is due prior to seeking any other remedy. The Board of Directors shall promptly review the notice, and if necessary, meet with the property owner, consider written and oral evidence regarding the alleged error and decide whether, in fact, such a calculation error occurred.

If the Board of Directors determines that a calculation error has been made that requires the Special Assessment Roll to be modified or changed in favor of the property owner, a cash refund may not be made for any amount previously paid by the owner (except for the final Assessment Year during which the Special Assessment shall be collected or if a determination is made that there will otherwise be sufficient funds available to meet the Annual Revenue Requirement for an Assessment Year), but an adjustment shall be made in the amount of the Annual Payment to be paid in the following Assessment Year. The decision of the Board of Directors regarding a calculation error relating to the Special Assessment Roll shall be conclusive as long as there is a rational basis for the determination.

H. TERMINATION OF COLLECTION OF SPECIAL ASSESSMENTS

Except for any delinquent Annual Payment and related penalties and interest, the Annual Payment may be collected for a term not to exceed the term of all of the Bonds. In no event shall the Annual Payment be collected beyond the period in which the Special Assessments or the Bonds are fully paid as provided for herein.

After the retirement of all Bonds, and the collection of any delinquent Annual Payment, penalties and interest, the Authority shall provide each owner of a Parcel a recordable document (or provide for the recordation of such document) evidencing the termination of the imposition and collection of Special Assessment.

I. PREPAYMENT OF SPECIAL ASSESSMENT

The Special Assessments on any Parcel may be fully paid at any time, the Special Assessments reduced to zero, and the obligation to pay the Annual Installments permanently satisfied by payment of an amount calculated according to the following provisions:

1. A sum equal to the Principal Portion of the Special Assessments for the Parcel, as it may have been set, reapportioned or reduced pursuant to the provisions of Sections C.1., C.2., C.3., and C.4; less,
2. A credit for any reductions in the related Bonds to be issued or related Bonds outstanding due to the redemption of related Bonds as a result of the prepayment; plus,
3. A sum equal to (a) the amount needed to pay interest on the outstanding related Bonds to be redeemed less the investment earnings on the prepayment amount until the related Bonds can be called and redeemed, after taking into consideration the Annual Payment paid or to be paid for the related Bonds but not accounted for in the calculation of the Principal Portion of the Special Assessments for the related Bonds in Step 1 and (b) expenses of the Authority related to the prepayment.

The amounts calculated in the preceding steps shall be paid to the Authority and shall be distributed by the Authority to pay costs related to the prepayment and according to the related Bond Indenture. Upon the payment of such prepayment amount to the Authority, the obligation to pay the Special Assessments for such Parcel shall be deemed to be permanently satisfied, the Special Assessments for such Parcel shall be reduced to zero, the Annual Installment shall not be collected on the Parcel thereafter, and the Authority shall provide to the owner (or cause to be

recorded) a recordable notice of the payment of the Special Assessments within a reasonable period of time of receipt of such prepayment amount.

The Special Assessments may be prepaid in part (including only the Special Assessment Part A or the Special Assessment Part B) in an amount sufficient to allow for a convenient redemption of related Bonds as determined by the Administrator.

J. MANDATORY PREPAYMENT OF SPECIAL ASSESSMENTS

1. Prepayment of Special Assessments for Non-Benefited Property

A Mandatory Prepayment of Special Assessments shall be required on any Parcel that is acquired by an entity that results in the Parcel being classified as Non-Benefited Property, if the Special Assessments may not be reapportioned to a Parcel of Assessed Property pursuant to the provisions of Section C.2. In the event an entire Parcel becomes Non-Benefited Property such that the Special Assessment cannot be reallocated to any other Parcel pursuant to the provisions of Section C, the Special Assessments shall become immediately due and payable by the Parcel, specifically prior to any transfer of the Parcel, but if and to the extent funds are available for that purpose from any of the following sources, may be collected from proceeds of a sale, condemnation, or other form of compensation for the property or from any other legally available source of funds. The prepayment of the Special Assessment shall be calculated as set forth in Section I.

2. Prepayment of Special Assessments Resulting From a Reduction in Equivalent Units

The Special Assessments shall be prepaid in part upon a reduction of the Equivalent Units that results in the Principal Portion of the Special Assessments exceeding the Maximum Special Assessment. The Mandatory Prepayment shall be immediately due and payable by the Parcel (or any resultant Parcels) that results in the application of the provisions of this section.

The Mandatory Prepayment shall be calculated as set forth in Section I, with the Principal Portion of the Special Assessments being prepaid to the amount necessary such that the Principal Portion of the Special Assessments does not exceed the Maximum Special Assessment.

The Mandatory Prepayment shall be due prior to the recordation, conveyance, or other action that results in a change to any Parcel that results in a Mandatory Prepayment. The Mandatory Prepayment shall have the same sale and lien priorities as provided for by law for the Assessments.

The Mandatory Prepayment shall not exceed the principal amount of the outstanding Bonds plus any other amounts owed on the Bonds, including accrued interest and redemption fees.

K. AMENDMENTS

Immaterial amendments may be made to this Rate and Method of Apportionment of Special Assessments by the Board of Directors without further approval by the Board of Supervisors and without further notice under the Act to owners of Assessed Property within the Mosaic District. Immaterial amendments shall be those that (i) clarify or correct minor inconsistencies in the matters set forth herein, (ii) provide for lawful procedures for the collection and enforcement of

Special Assessments and other charges imposed herein so as to assure their efficient collection, and (iii) otherwise improve the ability of the Authority to fulfill its obligations to impose and collect Special Assessments and charges imposed herein and to make it available for the payment of the Bonds, Administrative Expenses, and other costs of the Authority.

Amendments may not be made to this Rate and Method of Apportionment of Special Assessments pursuant to the procedure described above that would increase the total of the Special Assessments or charges as set forth herein.

L. INTERPRETATION OF PROVISIONS

The Board of Directors shall make all interpretations and determinations related to the application of this Rate and Method of Apportionment of Special Assessments, unless stated otherwise herein or in the Bond Indenture, and as long as there is a rational basis for the determination made by the Board of Directors, such determination shall be conclusive.

M. SEVERABILITY

If any section or part of a section of this Rate and Method of Apportionment of Special Assessments is declared invalid or unenforceable, the validity, force, and effect of any other section or part of a section herein shall not thereby be affected or impaired unless such other section or part of a section herein is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unenforceable.

**Mosaic District Community Development Authority
Fairfax County, Virginia**

**APPENDIX A
SPECIAL ASSESSMENT ROLL**

**Mosaic District Community Development Authority
Fairfax County, Virginia**

APPENDIX A

SPECIAL ASSESSMENTS

Tax Parcel Number	Equivalent Units	Special Assessment Part A & B	Principal Portion of Special Assessment Part A & B	Annual Installment Part A & B (2011-2012 Assessment Year) (To Be Updated Annually)		
				Annual Installments	Annual Credit	Annual Payment
0493 01 0080 E	1,142	\$112,343,818	\$51,334,833	\$1,035,428	\$0	\$0
0493T 01 0080 E	0	\$0	\$0	\$0	\$0	\$0
0493 01 0080 F	761	\$74,873,253	\$34,212,883	\$690,077	\$0	\$0
0493 01 0081 A	53	\$5,194,538	\$2,373,613	\$47,876	\$0	\$0
0493T 01 0081 A	0	\$0	\$0	\$0	\$0	\$0
0493 01 0082 A	45	\$4,384,190	\$2,003,329	\$40,407	\$0	\$0
0493T 01 0082 A	0	\$0	\$0	\$0	\$0	\$0
0493 01 0082 B	15	\$1,481,038	\$676,751	\$13,650	\$0	\$0
Parcel B Anchor	108	\$10,578,079	\$4,833,590	\$97,494	\$0	\$0
Total	2,124	\$208,854,917	\$95,435,000	\$1,924,933	\$0	\$0

**Mosaic District Community Development Authority
Fairfax County, Virginia**

APPENDIX A

TOTAL ANNUAL INSTALLMENTS

Assessment Year Beginning	Principal	Interest	Administrative Expense	Annual Installment Part A & B
2010	\$0	\$0	\$0	\$0
2011	\$0	\$1,894,933	\$30,000	\$1,924,933
2012	\$0	\$1,824,000	\$30,000	\$1,854,000
2013	\$0	\$1,824,000	\$30,000	\$1,854,000
2014	\$275,000	\$6,376,450	\$81,600	\$6,733,050
2015	\$410,000	\$6,357,200	\$83,232	\$6,850,432
2016	\$1,125,000	\$6,328,500	\$84,897	\$7,538,397
2017	\$1,320,000	\$6,255,450	\$86,595	\$7,662,045
2018	\$1,530,000	\$6,169,050	\$88,326	\$7,787,376
2019	\$1,760,000	\$6,068,300	\$90,093	\$7,918,393
2020	\$2,000,000	\$5,951,850	\$91,895	\$8,043,745
2021	\$2,265,000	\$5,818,950	\$93,733	\$8,177,683
2022	\$2,550,000	\$5,667,950	\$95,607	\$8,313,557
2023	\$2,865,000	\$5,497,400	\$97,520	\$8,459,920
2024	\$3,200,000	\$5,305,300	\$99,470	\$8,604,770
2025	\$3,555,000	\$5,090,250	\$101,459	\$8,746,709
2026	\$3,945,000	\$4,850,850	\$103,489	\$8,899,339
2027	\$4,365,000	\$4,584,700	\$105,558	\$9,055,258
2028	\$4,815,000	\$4,289,750	\$107,669	\$9,212,419
2029	\$5,300,000	\$3,963,900	\$109,823	\$9,373,723
2030	\$5,820,000	\$3,604,750	\$112,019	\$9,536,769
2031	\$6,380,000	\$3,209,900	\$114,260	\$9,704,160
2032	\$6,990,000	\$2,776,550	\$116,545	\$9,883,095
2033	\$7,635,000	\$2,301,300	\$118,876	\$10,055,176
2034	\$8,340,000	\$1,781,700	\$121,253	\$10,242,953
2035	\$9,090,000	\$1,213,650	\$123,678	\$10,427,328
2036	\$1,760,000	\$594,000	\$47,307	\$2,401,307
2037	\$1,865,000	\$488,400	\$48,253	\$2,401,653
2038	\$1,975,000	\$376,500	\$49,218	\$2,400,718
2039	\$2,090,000	\$258,000	\$50,203	\$2,398,203
2040	\$2,210,000	\$132,600	\$51,207	\$2,393,807
Total	\$95,435,000	\$110,856,133	\$2,563,784	\$208,854,917

**Mosaic District Community Development Authority
Fairfax County, Virginia**

**APPENDIX A-1
SPECIAL ASSESSMENT ROLL**

Special Assessment Part A

**Mosaic District Community Development Authority
Fairfax County, Virginia**

APPENDIX A-1

SPECIAL ASSESSMENT PART A

Tax Parcel Number	Equivalent Units	Special Assessment Part A	Principal Portion of Special Assessment A	Annual Installment Part A (2011-2012 Assessment Year)		
				(To Be Updated Annually)		
				Annual Installments	Annual Credit	Annual Payment
0493 01 0080 E						
0493T 01 0080 E						
0493 01 0080 F						
0493 01 0081 A						
0493T 01 0081 A						
0493 01 0082 A						
0493T 01 0082 A						
0493 01 0082 B						
Parcel B Anchor						
Total						

**Mosaic District Community Development Authority
Fairfax County, Virginia**

APPENDIX A-1

TOTAL ANNUAL INSTALLMENT PART A

Assessment Year Beginning	Principal	Interest	Administrative Expense	Annual Installment Part A
2010				
2011				
2012				
2013				
2014				
2015				
2016				
2017				
2018				
2019				
2020				
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				
2033				
2034				
2035				
Total				

**Mosaic District Community Development Authority
Fairfax County, Virginia**

**APPENDIX B-1
SPECIAL ASSESSMENT ROLL**

Special Assessment Part B

**Mosaic District Community Development Authority
Fairfax County, Virginia**

APPENDIX B-1

SPECIAL ASSESSMENT PART B

Tax Parcel Number	Equivalent Units	Special Assessment Part B	Principal Portion of Special Assessment B	Annual Installment Part B (2011-2012 Assessment Year)		
				(To Be Updated Annually)		
				Annual Installments	Annual Credit	Annual Payment
0493 01 0080 E						
0493T 01 0080 E						
0493 01 0080 F						
0493 01 0081 A						
0493T 01 0081 A						
0493 01 0082 A						
0493T 01 0082 A						
0493 01 0082 B						
Parcel B Anchor						
Total						

**Mosaic District Community Development Authority
Fairfax County, Virginia**

APPENDIX B-1

TOTAL ANNUAL INSTALLMENT PART B

Assessment Year Beginning	Principal	Interest	Administrative Expense	Annual Installment Part B
2010				
2011				
2012				
2013				
2014				
2015				
2016				
2017				
2018				
2019				
2020				
2021				
2022				
2023				
2024				
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2040				
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Total				
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Board Agenda Item
April 26, 2011

3:30 p.m.

Public Hearing on SE 2010-LE-025 (Costco Wholesale Corporation) to Permit a Retail Sales Establishment-Large, Located on Approximately 11.88 Acres Zoned C-8, HC and CRD, Lee District

The application property is located at 7940 Richmond Highway, Tax Map 101-2 ((6)) A.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing will be held on Wednesday, April 20, 2011, and the Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim (delivered under separate cover)
Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4347021.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Kellie Mae Goddard-Sobers, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
April 26, 2011

3:30 p.m.

Public Hearing on SE 2009-MA-026 (Gossom Family Limited Partnership I, RLLLP) to Permit Uses in a Floodplain, Located on Approximately 21,784 Square Feet Zoned R-4, Mason District

Also under the Board's Consideration will be the applicant's Resource Protection Area Encroachment Exception (RPA) Request # 25172-WRPA-001-2, accompanied by a Water Quality Impact Assessment # 25172-WQ-001-4 under Section 118-6-7 (Chesapeake Bay Preservation Ordinance) of Chapter 118 of the Code of the County of Fairfax to permit encroachment within an RPA to allow modifications to a single family detached dwelling unit.

The application property is located at 3404 Hockett Street, Tax Map 60-1 ((1)) 58A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 13, 2011, the Planning Commission voted unanimously (Commissioner Murphy absent for the votes) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2009-MA-026, subject to the Development Conditions dated December 29, 2010; and
- Approval of RPA Encroachment Exception 25172-WRPA-001-2, subject to the Development Conditions contained in Attachment A of Appendix 1 of the staff report.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4337621.PDF>

STAFF:

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

SE 2009-MA-026 – GOSSOM FAMILY LIMITED PARTNERSHIP I, RLLLP

After the Close of the Public Hearing

Vice Chairman Alcorn: Close the public hearing; recognize Commissioner Hall.

Commissioner Hall: Just when you learn one system, they replace it with another one. And it will take awhile to get used to it. Very quickly, I don't think anyone of us are in favor of building on a floodplain. If this was a new application, it would not probably be receiving my support or the Mason District's support, but as you saw this is an existing dwelling unit. The neighbors have been waiting a very long time for somebody to do something with it to correct the problems and the applicant has stepped forward to do so. The application was reviewed by the Mason District Land Use Committee and it does receive their support. And after reviewing the application, I also am willing to support the application. So, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2010-MA-026 [sic], SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED DECEMBER 29, 2010.

Commissioner Litzenberger: Second.

Cathy Lewis, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ): Commissioner Hall, is that 2009-MA-026? It should be.

Commissioner Hall: Well, let's just - -

Vice Chairman Alcorn: It is 2009 but not in the motion.

William O'Donnell, ZED, DPZ: Yes. It's 2009.

Commissioner Hall: I'm going to get you.

Mr. O'Donnell: I apologize.

Commissioner Hall: The other application is 2010. This one is 2009. That's correct.

Vice Chairman Alcorn: Okay. That motion's been made and clarified as 2009. Is there a second to the motion?

Commissioner Litzenberger: Second.

Vice Chairman Alcorn: Seconded by Commissioner Litzenberger. Any discussion on that motion? All those in favor of recommending approval of SE 2009-MA-026, subject to the proposed development conditions dated December 29, 2010, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carries. Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman. Finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RPA ENCROACHMENT EXCEPTION NUMBER 25172-WRPA-001-2, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN ATTACHMENT A OF APPENDIX 1 OF THE STAFF REPORT.

Commissioner Litzenberger: Second.

Vice Chairman Alcorn: Seconded by Commissioner Litzenberger. Any discussion on that motion? All those in favor of recommending approval of the RPA Encroachment Exception, subject to development conditions in the staff report as articulated by Commissioner Hall, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Hall: Thank you, Mr. Chairman. I'm sure the neighbors who've been looking at this eyesore for many, many years will appreciate an improvement, and that's what we're hoping for. Thank you.

Vice Chairman Alcorn: Thank you. Thank you, Mr. Farrell.

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(The motions carried unanimously with Commissioner Murphy not present for the votes.)

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Board Agenda Item
April 26, 2011

3:30 p.m.

Public Hearing on SEA 99-S-012-03 (Country Club of Fairfax, Inc. and T-Mobile Northeast, LLC) to Amend SE 99-S-012 Previously Approved for a Golf Course, Country Club and Uses in a Floodplain to Permit a Telecommunications Facility (a Simulated Evergreen Tree Monopole up to 100 feet high), Related Equipment and Site Improvements, Located on Approximately 150.85 Acres Zoned R-C and WS, Springfield District

The application property is located at 5110 Ox Road. Tax Map 68-1 ((1)) 17, 18 and 20.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, March 23, 2011, the Planning Commission voted 6-0-2 (Commissioners Donahue and Flanagan abstaining; Commissioner Hart recused from the votes; Commissioners Alcorn, Hall, and Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SEA 99-S-012-03, subject to the proposed Development Conditions contained in Appendix 1 of the staff report; and
- Reaffirmation of the following waivers and modifications:
 - Modification of the transitional screening requirements along all property boundaries in favor of that depicted on the SE Plat;
 - Waiver of the barrier requirements along all property boundaries in favor of that depicted on the SE Plat;
 - Waiver of the service drive requirements along Route 123;
 - Modification of Sect. 9-528, Par. 2 of the Zoning Ordinance to permit the location of three structures and tennis courts within 50 feet of a lot line; and
 - Waiver of the required construction of frontage improvements on Route 123.

In a related matter, the Planning Commission voted 6-0-2 (Commissioners Donahue and Flanagan abstaining; Commissioner Hart recused from the vote; Commissioners Alcorn, Hall, and Harsel absent from the meeting) to approve 2232-S09-26 to construct a telecommunications facility on the property of the Country Club of Fairfax. The Commission noted that the application satisfies the criteria of character, location and extent, as set forth in Sect. 15.2-2232 of the *Code of Virginia*, as amended.

Board Agenda Item
April 26, 2011

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4340281.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Miriam Bader, Staff Coordinator, Zoning Evaluation Division, DPZ

2232-S09-26 and SEA 99-S-012-03 – THE COUNTRY CLUB OF FAIRFAX, INC. AND
T-MOBILE NORTHEAST LLC

Decision Only During Commission Matters
(Public Hearing held on March 10, 2011)

Chairman Murphy: All right. I have a decision only in the Springfield District. I'm going to ask Mr. de la Fe to please chair the proceedings.

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Yes, Mr. Hart.

Commissioner Hart: I'm going - - I recuse myself from this. I'm not going to participate in the decision. Okay.

Parliamentarian de la Fe: Mr. Murphy.

Commissioner Murphy: Thank you very much, Mr. Chairman. I know some of my fellow Commissioners were not here for this public hearing, but about two weeks ago we had a public hearing on a Special Exception Amendment 99-S-012-03, which was heard concurrently with application 2232-S09-26. And this is for a monopole, which is actually a treepole of 100 feet with 36 - - capacity of going to 36 antennas, located at Fairfax Golf and County Club on Route 123. Actually it's right on Route 123 in the Springfield District. First, I want to thank Ms. Bader, who was the staff person for our Special Exception, and Mr. Bell, who was the staff coordinator for the 2232. And also I want to thank at the outset, Marlae Schnare from Supervisor Herrity's Office, who was with me through all of this process including right up to the Planning Commission public hearing. Before I begin, I just want to say that there was a balloon test done on this property and on this proposal on July 24th and as we always do in the Springfield District, we had a community meeting on September 20th. There are three items that I would like to clear up that are more administrative in nature than deal with the 2232 or the SEA directly. The first is there was an issue among the citizens about the legal notification that was mailed. We had to make two mailings on this. The first mailing went out on the schedule of the first public hearing, but we had to defer the first public hearing on this - - these applications because of a legal problem that we had, and I was advised by the County Attorney that until this affidavit problem was squared away, we should not have the public hearing. So, we rescheduled the public hearing to the date where it actually was heard, and we had to send out a second notification, which was properly sent out by the Planning Commission Office, notifying the citizens in the area that we were going to have a second public hearing. And obviously, they knew about it because quite a few showed up. The second - - there was a - - there was a question about the posting of the yellow signs in the neighborhood, and after conferring with the County Attorney and staff, it had been determined that all the signs in the neighborhood were posted properly at the right streets at the right locations, according to the Ordinance we go by. The third

-- the third administrative announcement I would like to make came out -- came up after the public hearing. I got several e-mails from folks in the neighborhood saying that T-Mobile -- and the application is a T-Mobile application, since they are about to merge at least theoretically with AT&T, and this application could be obsolete and therefore until the merger comes about and we find out where AT&T is going with T-Mobile, we should defer the application. And I'm sorry, we can't do that. That is not part of this process. We have a time restriction on the 2232. It's a legally filed application we have to hear within a certain amount of time. If we don't make a determination in that period of time then it's automatically approved and that's that. We just can't defer an application because there may be a merger of two telecommunication companies. We have done a lot of analysis of this -- both the 2232 application and the Special Exception. The sole issue on the 2232 is whether location, character, and extent of the facility proposed in this application is substantially in conformance with the Comprehensive Plan. The staff has carefully analyzed this application using the applicable legal criteria, and after reading this several times and analyzing the staff's analysis, I have come to the conclusion that the staff is correct. The proposal fully conforms to Objective 42 of the Policy Plan. The height and design of the pole, the distance of the pole to residential development, and lack of significant visual impacts on the residential community comply fully with this Objective. Now, we had some citizens who came out to say, "This is in my backyard. This is in my backyard." One citizen lived at 5030 Oakcrest Drive. The monopole is 844 feet from that property. If you convert that to yards, it's two football fields plus a field goal. It's 281 yards. Another property on Glen Mist Road [sic] is 600 to 650 feet from the site. It's 200 yards. Now the next -- the property that actually abuts belongs to Mr. Bell. Mr. Bell has a barn. It's 355 feet or 118 yards. One football field plus from the pole. And his house is 488 feet or 162 yards from the pole. Impacts would be further mitigated by additional plantings. And I probably never heard of these trees before, but on the plat the applicant will provide 10 loblolly pines -- I can give you the Latin word if you like -- as shown on the landscape plan. These pines meet the exceeded and recommended -- and exceed -- excuse me -- the recommendation of the Urban Forestry Department. They will be 10 to 12 feet in height at the time of planting and will be 70 to 90 feet in maturity. These trees typically grow fast at 24 inches per year depending on the soil type they are planted in. So, you can see that that property is going to be well buffered, as are all, basically all the properties in these communities from this site. It is oriented toward undeveloped property. There is an opportunity for that property to develop. When it develops, there will be homes there and it will further be buffered by those homes. One of the things it does address -- the application does address is the opportunity for co-location on the pole for other carriers. And when you co-locate on a major pole -- when other carriers co-locate on that pole, it precludes other monopoles, pinepoles, flagpoles, from going up in the area to give the coverage we need. Although public lands and co-location are ordinarily preferred over the new structure, no opportunities for those lands were available in the area. And T-Mobile has documented the need for increased coverage in this area, which is now getting to be an issue. What do we mean by increased coverage? When we first started out doing these applications back in the '80s, we were putting up monopoles or antennas on top of buildings because we were basically serving the people who have cell phones and pagers. Wow, has that taken off in the 20 years that have gone by since then. Watch television, watch what's coming out, iPods, iPads, books, you don't get any newsprint on your fingers, you just go like that and open up. All

these devices that are going through Fairfax County and other jurisdictions around the country take up bandwidth. And the telecommunications companies are attempting to put in more of these devices to serve the people who are purchasing the telecommunications devices that are taking the bandwidth away from this entire community. They need to happen. Unfortunately, in many parts of the district we don't have the height. The Springfield District is - - includes the area we're in tonight, Fairfax Center. In Fairfax Center, we have tall buildings. We can put telecommunications antennas, co-locate them on top of the tall buildings. But in this part of the Springfield District where this application is located, the maximum height of the building is about a 35-foot townhouse. So, if the people in the area want the service and the network needs the service, and it's proven that the network needs the service, there are applications that are going to be filed for monopoles disguised as treepoles, flagpoles, or we even put them in church steeples, or whatever. So, that's the dilemma we're facing now. The supply and demand. How do you - - how do you give the service required for the people who are buying all these devices and using them everyday? Kids now text on school buses early in the morning. You know that. Everybody has one. So, it fully conforms with Objective 43 of the Plan, and the structure is camouflaged and concealed as a treepole that blends with the existing or proposed tree cover. As far as the Special Exception is concerned, SEA 99-S-012-03, we have found that it fully satisfies the criteria of the Zoning Ordinance for Special Exceptions. ZO 9-006, SE General Standards, is in harmony with the Comprehensive Plan and will not adversely affect existing residential developments because of its distance and lack of visibility. Can you see it? In some of areas, yes. But as I traveled around for about an hour and a half the day we did the - - did the - - T-Mobile did the balloon test, it is hardly visible from many locations in this community. It's more visible on some sides of 123 than it is in the communities concerned. And Zoning Ordinance 9-105, Telecom Additional Standards, it fully satisfies this because the antennas are designed to blend in with the treepole structure. There is one other thing I would - - I would like to mention about this, and I could go into a lot of detail on character, location, and extent, but I think that sums it up. Talking about this as a network system, and we heard a lot about it's going to devalue my property. And you know, you can find a real estate agent du jour who you know and who is going to agree with you. I don't know if this is a true case. I have not seen really any empirical studies that mean something to me that tell - - tells me that if a monopole is in a neighborhood, it's going to devalue property. But the Fairfax County Economic Advisory Commission published a pamphlet in February of 2011 called, "Fairfax County: Preserving Our Quality of Life Requires Maintaining a Strong Economy." Now, they're not interested in just bringing businesses to Fairfax County. They're interested in bringing businesses to Fairfax County because Fairfax County has great places to live, to work, to recreate, to go to school. What you would look for in a community if you were relocating a company from "x" to Fairfax County. One of the paragraphs in this study is entitled, "Twenty-first Century Infrastructure." And I'll just like you to read one sentence, "Support public and private efforts to improve wired and wireless communication networks in the County that match or exceed industry standards for speed and reliability." Welcome to the twenty-first century. Does this mean that every monopole, whether it's disguised as a tree or a flagpole, should be approved? No. It has to measure up to the standards, and each one has to be judged on its own basis and on its own merits. There's no stamp of approval on a monopole. Each one, and my fellow Commissioners know this, each one is a test and it's very difficult, but this is - -

this is the way we're going in this County. A lot of people tell me, "We need to have the service in our community because I've given up my landline, and I am now using a cellular phone or a Blackberry or an iPhone or whatever to communicate. I no longer use my landline." This may be one of the reasons AT&T is merging with T-Mobile, but that's way above my pay grade. So, therefore, Mr. Chairman, I would MOVE THE SUBJECT PROPOSAL, AS AMENDED BY T-MOBILE, TO CONSTRUCT A TELECOMMUNICATIONS FACILITY ON THE PROPERTY OF THE COUNTRY CLUB OF FAIRFAX, SATISFIES THE CRITERIA OF CHARACTER, LOCATION, AND EXTENT, AS SPECIFIED BY *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED. And therefore, I RECOMMEND APPROVAL TO THE PLANNING COMMISSION.

Commissioner Litzenberger: Second.

Parliamentarian de la Fe: Seconded by Mr. Litzenberger.

Commissioner Flanagan: Yes?

Parliamentarian de la Fe: Commissioner Flanagan.

Commissioner Flanagan: I'm not going to vote against the - - the motion, but I do want to comment that I - - from the public hearing testimony that I heard, I'm not convinced that this is the least visible location on the Country Club property so I will be abstaining.

Parliamentarian de la Fe: All right. It's been moved and seconded.

Commissioner Murphy: I will comment on that. As far as locating it on another part of the Country Club property, it will be less visible to this community, but it won't be less visible to the people who will have it in their backyard, and I mean it will be in their backyard.

Commissioner Lawrence: Mr. Chairman?

Parliamentarian de la Fe: Commissioner Lawrence.

Commissioner Lawrence: Just a further to Commissioner Murphy's precede on the state of affairs, there is a forecast in the telecommunications industry that by the year 2015, not very far from now, there will be a 30-fold increase in the demand for data capacity in the wireless networks. Thirty-fold. Now, that's an industry forecast, so let's pretend we only believe half of that. Right. That's 15-fold by 2015. Thank you, Mr. Chairman.

Commissioner Litzenberger: Mr. Chairman?

Parliamentarian de la Fe: Mr. Litzenberger. We are on verbatim.

Commissioner Litzenberger: Okay. This will just take a second. I don't know why Mr. Lawrence gets to speak, but every time I speak you tell me I'm on verbatim.

Parliamentarian de la Fe: So, you seconded it.

Commissioner Litzenberger: All right. Just a point of information. On one of the business channels today, they stated, "Realtors now have a meter that measures bandwidth and if it's low, property value goes down. If it's high, it goes up." Thank you.

Parliamentarian de la Fe: Anyone else? All those - - it's been moved and seconded. All those in favor of approving 2232-S09-26, The Country Club of Fairfax and T-Mobile Northeast LLC, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed?

Commissioner Flanagan: Abstain.

Parliamentarian de la Fe: One abstention.

Commissioner Donahue: Also, Mr. Chairman, abstain. I was not here for the public hearing.

Parliamentarian de la Fe: Okay. Commissioner Donahue abstains, not present for the public hearing, and Commissioner Flanagan abstains.

Commissioner Murphy: Mr. Chairman, on the Special Exception - -

Parliamentarian de la Fe: Mr. Murphy. Yes.

Commissioner Murphy: I - - we have several motions on waivers. These are basically reaffirmations of waivers that were already approved on prior Special Exception applications from the Country Club because we've put up other facilities there. So, I'm going to do them all at once and save some time. So, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SEA 99-S-012-03, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Litzenberger: Second.

Parliamentarian de la Fe: Seconded by Mr. Litzenberger. All those in - - any comment? All those in favor of recommending approval of SEA 99-S-012-03, The Country Club of Fairfax and T-Mobile, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed?

Commissioners Flanagan and Donahue: Abstain.

Parliamentarian de la Fe: And Commissioner - - the same abstentions as before. Commissioner Flanagan and Commissioner Donahue.

Commissioner Murphy: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS, WHICH WERE PREVIOUSLY APPROVED UNDER SEA 99-S-012-2, AND THIS IS A REAFFIRMATION OF:

- THE MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG ALL PROPERTY BOUNDARIES, IN FAVOR OF THAT DEPICTED ON THE SE PLAT;
- A WAIVER OF THE BARRIER REQUIREMENTS ALONG ALL PROPERTY BOUNDARIES, IN FAVOR OF THAT DEPICTED ON THE SE PLAT;
- A WAIVER OF THE SERVICE DRIVE REQUIREMENTS ON ROUTE 123;
- MODIFICATION OF PARAGRAPH 2, SECTION 9-528, TO PERMIT THE LOCATION OF THREE STRUCTURES AND TENNIS COURTS WITHIN 50 FEET OF A LOT LINE; AND
- WAIVER OF THE REQUIRED CONSTRUCTION OF FRONTAGE IMPROVEMENTS ON ROUTE 123 IN ASSOCIATION WITH THIS APPLICATION.

Commissioner Litzenberger: Second.

Parliamentarian de la Fe: Seconded by Mr. Litzenberger. All those - - any comment? All those in favor of recommending approval of the waivers and modifications that had been previously approved under SEA 99-S-012-2, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed?

Commissioners Flanagan and Donahue: Abstain.

Parliamentarian de la Fe: Same abstentions. Motion carries.

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(The motions carried by votes of 6-0-2 with Commissioners Donahue and Flanagan abstaining; Commissioner Hart recusing himself from the votes; Commissioners Alcorn, Hall, and Harsel absent from the meeting.)

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Board Agenda Item
April 26, 2011

3:30 p.m.

Public Hearing on RZ 2010-LE-013 (WPPI Springfield HS, LLC) to Rezone from C-6, CRD, HC and SC to PDC, CRD, HC and SC to Permit Commercial Development with an Overall Floor Area Ratio (FAR) of 1.68 and Approval of the Conceptual Development Plan, Located on Approximately 1.63 Acres, Lee District

The application property is located in the northwest quadrant of the intersection of Old Keene Mill Road and Amherst Avenue, Tax Map 80-4 ((9)) 4, 5 and 6.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, February 24, 2011, the Planning Commission unanimously voted (Commissioners Hall, Harsel, and Murphy absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2010-LE-013 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated February 11, 2011, with corrections to the sheet numbers referenced in Proffer 8C;
- Approval of an increase in maximum FAR from 1.5 to 1.68, pursuant to Par. 3 of Sect. 6-208 of the Zoning Ordinance;
- Modification of the off-street loading space requirement;
- Approval of a 20% parking reduction;
- Modification of the 20-foot minimum rear yard requirement to permit a minimum rear yard of 8 feet along the eastern boundary; and
- Modification of the front yard 45-degree bulk plane requirements to permit a front yard bulk plane of 4 degrees.

In a related action, the Planning Commission voted unanimously (Commissioners Hall, Harsel, and Murphy absent from the meeting) to approve FDP 2010-LE-013, subject to the Board's approval of RZ 2010-LE-013 and the Conceptual Development Plan.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4341564.PDF>

Board Agenda Item
April 26, 2011

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, DPZ

RZ/FDP 2010-LE-013 – WPPI SPRINGFIELD HS, LLC

After the Close of the Public Hearing

Vice Chairman Alcorn: I'll close the public hearing; recognize Commissioner Migliaccio.

Commissioner Migliaccio: Thank you, Mr. Chairman. What we have tonight is a fairly straightforward case. It is a request to take a vacant piece of commercial land from the C-6 District to a PDC District in order to allow for a proposed 120,000 square foot hotel. This location is in the Springfield CRD nearby to what was the old mixing bowl. The applicant has met with the community on multiple occasions from the start to make this a better project and I think they have succeeded. The application has the support of the Lee District Land Use Committee and staff's recommendation for approval. I concur. Therefore, Mr. Chairman, I have a series of motions to make.

Vice Chairman Alcorn: Yes, you do.

Commissioner Migliaccio: And I apologize.

Vice Chairman Alcorn: Not a problem.

Commissioner Migliaccio: First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2010-LE-013, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 11TH, 2011.

Commissioner Flanagan: Second.

Vice Chairman Alcorn: Does he need to reference the CDP in that motion as well?

Mr. Williams: The FDP?

Commissioner Migliaccio: That's the next one.

Vice Chairman Alcorn: The CDP.

Commissioner Migliaccio: Oh, CDP. I'm sorry.

Vice Chairman Alcorn: Okay, and so, would your motion also include the associated Conceptual Development Plan, Commissioner?

Commissioner Migliaccio: Yes.

Vice Chairman Alcorn: Okay. That motion's been made. Is there a second?

Commissioner Flanagan: Second.

Vice Chairman Alcorn: Seconded by Commissioner Flanagan. Any discussion on that motion?
Commissioner Hart.

Commissioner Hart: Thank you, Mr. Chairman. I'm sorry, got my light here. The – just, I would request, as a FRIENDLY AMENDMENT, that that be SUBJECT TO STRAIGHTENING OUT THIS PAGE NUMBER business in – wherever that is – [PROFFER] 8C, AS TO WHICH PAGES WE'RE TALKING ABOUT. IT'S NOT 14, 15, 16; IT'S SOMETHING ELSE. Straighten that out before we get to the Board.

Commissioner Migliaccio: I accept that as a friendly amendment.

Commissioner Hart: Thanks.

Vice Chairman Alcorn: Okay, any other discussion on the motion? All those in favor of recommending approval of RZ 2010-LE-013 and the associated Conceptual Development Plan, subject to the proffers consistent with those dated February 11th, 2011, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Migliaccio.

Commissioner Migliaccio: Thank you. I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2010-LE-013, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-2010-LE-013.

Commissioner Flanagan: Second.

Commissioner de la Fe: – and the Conceptual Development Plan.

Vice Chairman Alcorn: – and the Conceptual Development Plan?

Commissioner Migliaccio: Yes.

Commissioner Sargeant: Second.

Vice Chairman Alcorn: Okay, so moved. Seconded by Commissioners Flanagan and Sargeant. Is there a discussion of that motion? All those in favor of recommending approval - - I'm sorry - -

all those in favor of approving FDP 2010-LE-013, subject to the Board of Supervisors' approval of the rezoning and the CDP, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Migliaccio.

Commissioner Migliaccio: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF AN INCREASE IN MAXIMUM FAR FROM 1.5 TO 1.68, PURSUANT TO PARAGRAPH 3 OF SECTION 6-208 OF THE ZONING ORDINANCE.

Commissioners Flanagan and Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioners Flanagan and Sargeant. Any discussion of that motion? All those in favor of recommending approval of an increase in maximum FAR from 1.5 to 1.68, pursuant to Paragraph 3 of Section 6-208 of the Zoning Ordinance, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Migliaccio.

Commissioner Migliaccio: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE OFF-STREET LOADING SPACE REQUIREMENT.

Commissioners Flanagan and Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioners Sargeant and Flanagan. Any discussion of that motion? All those in favor of recommending approval of the modification of the off-street loading space requirement, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Migliaccio.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE 20 PERCENT PARKING REDUCTION.

Commissioners Flanagan and Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioners Flanagan and Sargeant. Any discussion of that motion? All those in favor of recommending approval of the 20 percent parking reduction, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Migliaccio.

Commissioner Migliaccio: Thank you. Just two more. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE 20-FOOT MINIMUM REAR YARD REQUIREMENT TO PERMIT A MINIMUM REAR YARD OF EIGHT FEET ALONG THE EASTERN BOUNDARY.

Commissioners Flanagan and Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioners Flanagan and Sargeant. Any discussion of that tongue-twister motion? All those in favor of approving the motion as articulated by Commissioner Migliaccio, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. And finally, Commissioner Migliaccio.

Commissioner Migliaccio: Yes, finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE FRONT YARD 45-DEGREE BULK PLANE REQUIREMENTS TO PERMIT A FRONT YARD BULK PLANE OF FOUR DEGREES.

Commissioners Flanagan and Sargeant: Second.

Vice Chairman Alcorn: Seconded by Commissioners Flanagan and Sargeant. Any discussion of that motion? All those in favor of recommending approval of the modification of the front yard 45-degree bulk plane requirements to permit a front yard bulk plane of four degrees, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries as well.

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(The motions carried unanimously with Commissioners Hall, Harsel, and Murphy absent from the meeting.)

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Board Agenda Item
April 26, 2011

3:30 p.m.

Public Hearing on RZ 2010-LE-009 (MR Lewin Park Capital, LLC) to Rezone from R-1 to PDC to Permit Commercial Development with an Overall Floor Area Ratio of 1.5 and Approval of the Conceptual Development Plan, Located on Approximately 13.45 Acres, Lee District

The application property is located in the northwest quadrant of the intersection of Franconia-Springfield Parkway and Beulah Street, Tax Map 91-1 ((4)) 1-11, 13-25, 500 and 501.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, March 2, 2011, the Planning Commission voted unanimously (Commissioners Hall and Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2010-LE-009 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated February 21, 2011, with the following revisions:
 - Clarify proffer 15 to ensure that the 2,500 square feet of indoor recreation facilities will not be provided in a secure building that might preclude use by all future employees; and
 - Revise proffer 27b to increase the number of reserved parking spaces for carpools/vanpools from 15 to 50.
- Modification of the loading space requirement for hotel and office uses;
- Waiver of the transitional screening and barrier requirements between uses within the PDC District;
- Waiver of the maximum 600-foot private street length requirement;
- Modification of the transitional screening requirement and waiver of the barrier requirement along the southern and eastern boundaries of the site in favor of that shown on the CDP/FDP; and
- Waiver of the peripheral parking lot landscaping requirements for the subject site in favor of that shown on the CDP/FDP.

Board Agenda Item
April 26, 2011

The Planning Commission voted unanimously (Commissioners Hall and Harsel absent from the meeting) to approve FDP 2010-LE-009, subject to Board approval of RZ 2010-LE-009 and the Conceptual Development Plan.

ENCLOSED DOCUMENTS:

Attachment 1 – Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4342683.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, DPZ

RZ 2010-LE-009 – MR LEWIN PARK CAPITAL, LLC
FDP 2010-LE-009 – MR LEWIN PARK CAPITAL, LLC

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Migliaccio.

Commissioner Migliaccio: Thank you, Mr. Chairman. I'd like to thank the speakers tonight. It's not often that we get speakers from Lee District coming all the way here for a public hearing, but thank you for coming and speaking on behalf. Tonight we heard from the applicant looking to put the final piece to the puzzle in place on this corner. The rezoning from R-1 to the PDC District would allow for the construction of a Class A office park to complement an existing office park to the north. All buildings would be at least LEED certified - - LEED Silver certified, including the hotel option. It has a TDM program that makes use of the - - its closeness to the Joe Alexander Transit Center. Proffer 15 speaks to their commitment to improving the community by contributing funds to recreational fields in Lee District. The applicant has also - -also will be expending more than \$2 million for transportation improvements. This application has the very strong support of the Lee District Land Use Committee, support of staff. And - - and therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2010-LE-009 AND THE ASSOCIATED CDP, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 21, 2011, WITH THE CHANGES MENTIONED TONIGHT.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2010 - -

Commissioner Lawrence: Mr. Chairman? If I may, I did want to say one thing.

Chairman Murphy: I'm sorry.

Commissioner Lawrence: Clearly, there is an issue, a transportation issue. My - - I'm going - -I plan to support the motion, and I'm doing it under the assumption that the consequences of not having this - - this intersection, which is at present undersign, uncalled for, and unavailable, will not result in - - in getting us into a transportation bind in this area. I - - if we're going to have rapid growth there, but it would appear that staff is satisfied that even with the disadvantage of not having the intersection, that growth can be sustained. So, under that assumption, I'll support the - - the motion.

Commissioner Migliaccio: Thank you.

Chairman Murphy: Further discussion? All right. All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2010-LE-009, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2010-LE-009, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2010-LE-009 AND THE CDP.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Discussion? All those in favor of the motion to approve FDP 2010-LE-009, subsequent to the Board's approval of the Rezoning and Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Migliaccio.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENT FOR HOTEL AND OFFICE USES.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENTS BETWEEN USES WITHIN THE PDC DISTRICT.

Commissioner Alcorn: Second.

Chairman Murphy: Second - - Mr. Alcorn - - by Mr. Alcorn. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: And I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE MAXIMUM 600-FOOT PRIVATE STREET REQUIREMENT.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: And Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND WAIVER OF THE BARRIER REQUIREMENT ALONG THE SOUTHERN AND EASTERN BOUNDARIES OF THE SITE, IN FAVOR of what - - OF THAT SHOWN ON THE CDP/FDP.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENTS FOR THE SUBJECT SITE, IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Did you do the one on the eastern boundary - - are we okay on that?

Commissioner Lawrence: We did.

Commissioner Migliaccio: I just combined the two.

Chairman Murphy: Combined the two. I got it. Okay. Just wanted to make sure. Okay. Thank you, Mr. Riegle. Thank you all. Thank you for coming. Real good seeing you again. Great job you guys do down there in Lee District.

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(The motions carried unanimously with Commissioners Hall and Harsel absent from the meeting.)

KAD

Board Agenda Item
April 26, 2011

4:00 p.m.

Public Hearing on RZ 2009-BR-015 (College Town Associates, L.P.) to Rezone from R-1 to C-6 to Consolidate 0.16 Acres With 19.74 Acres of Land Zoned C-6 to Permit Commercial Development Associated with PCA C-083-02 with an Overall Floor Area Ratio of 0.24. Located on Approximately 0.16 Acres (6,795 sq. ft.) Braddock District

and

Public Hearing on PCA C-083-02 (College Town Associates, L.P.) to Amend the Proffers for RZ C-83 Previously Approved for Commercial Development to Permit Modifications to Proffers and Site Development with an Overall Floor Area Ratio of 0.24. Located on approx. 18.64 ac. of land zoned C-6 and 1.1 ac. of land zoned R-1, Braddock District.

and

Public Hearing on SEA 87-A-086-02 (College Town Associates, L.P.) to Amend SE 87-A-086-02 Previously Approved for Drive-In Financial Institution to Permit a Child Care Center, Fast Food Restaurant, Drive-In Financial Institution, a Service Station with Mini-Mart and an Increase in Building Height from 40 Feet up to a Maximum of 75 Feet and Associated Modifications to Site Design and Development Conditions, Located on Approximately 18.8 Acres Zoned C-6, Braddock District

RZ 2009-BR-015 is located on the E. side of Ox Rd. approx. 400 Ft. S. of its intersection with Braddock Rd. Tax Map 68-1 (91)) 9A.

PCA C-083-02 is located in the S.E. quadrant of the intersection of Ox Rd. and Braddock Rd. Tax Map 68-1 ((1)) 9.

SEA 87-A-086-02 is located at 10697 Braddock Rd. Tax Map 68-1 ((1)) 9A and 9 pt.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearings were held on January 19, 2011 and the decisions were deferred to Wednesday, April 20, 2011. The Commission's recommendations will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim (delivered under separate cover)

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4345402.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Miriam Bader, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
April 26, 2011

4:00 p.m.

Public Hearing on Proposed Area Plans Review Nomination 09-III-1FC, Located South of Lee-Jackson Memorial Highway (Route 50), North of Interstate-66, and East of Legato Road (Springfield District)

ISSUE:

South County Area Plans Review (APR) nomination 09-III-1FC proposes to amend the Comprehensive Plan for the approximately 133-acre Sub-unit J5 of the Fairfax Center Area. At the Overlay level, the sub-unit is recommended for retail and office mixed-use at an intensity of up to 0.50 FAR. The nomination proposes to increase the planned intensity at the Overlay level up to 0.65 FAR and add two options for redevelopment, which include retail, office, hotel, residential, and supporting uses up to 0.80 FAR for an 109.5-acre portion of the sub-unit, based on the funding of bus rapid transit (BRT), and up to 1.0 FAR for the same portion of the sub-unit, based on the funding of Metrorail and other conditions.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, April 14, 2011, the Planning Commission voted unanimously (Commissioners Hall and Flanagan absent from the meeting) to recommend that the Board of Supervisors adopt APR nomination 09-III-1FC as amended and shown on pages 1-8 of the handout dated April 14, 2011 (Attachment III), with the following revisions:

- On Figure 15 (in the staff report and in the proposed text), label the Ring Road;
- On Figure 15 and on page 21 of the staff report (and elsewhere in the actual adopted text as applicable), clarify that references to Legato Road pertain to that section of Legato Road that runs east-west;
- On page 19 of the staff report (and in the paragraph at the top of page 3 of the recommended text) revise the fourth sentence to read, "Loading areas, blank walls, and rear-façades should be treated in ways that do not detract from an urban street experience."
- In the last sentence of the first full paragraph on page 21 of the staff report (and at the top of page 5 of the proposed text), change the word "intersections" to "intersection".

Board Agenda Item
April 26, 2011

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation for APR 09-III-1FC.

TIMING:

Planning Commission public hearing – April 14, 2011

Board of Supervisors' public hearing – April 26, 2011

BACKGROUND:

The Board of Supervisors designated 2009-2010 as the years to review and evaluate recommendations contained in the Comprehensive Plan for the southern part of the County.

Staff recommends an alternative, which incorporates the proposed development levels into the Plan recommendations for Sub-unit J5. The Overlay level would be increased from a maximum of 0.50 FAR to 0.65 FAR overall. Retail, office, residential, and hotel uses at an intensity of up to 0.65 FAR would be planned for a 109.5-acre portion of the sub-unit ("the Fair Oaks Mall property"), while retail, hotel, and office uses would be planned for the remaining 24 acres of the sub-unit. An interim phase would be available to the Fair Oaks Mall property for retail and office uses at an intensity of up to 0.50 FAR.

Staff also supports the proposed intensities of up to 0.80 FAR and 1.0 FAR, based on BRT and Metrorail funding, respectively, as options at the Overlay level. The options would foster the transformation of the existing development into a transit-oriented, mixed-use, walkable place. Adopted county policy in the Fairfax Center Area, including the basic, minor, and major development elements and the Performance Criteria, as well as supplemental conditions for redevelopment are recommended to address the impacts of the development. Exceptional commitments that exceed the Overlay level are recommended to achieve these option levels.

On April 5, 2011, the Springfield APR Task Force recommended the approval of the staff alternative with two minor modifications. The modifications clarify that a pedestrian bridge across Interstate-66 should be considered as part of any transit system improvement and facilities related to a future transit station, such as bus bays, kiss and ride, shelters, should be provided on the mall property.

The staff analysis and recommendation for South County APR item 09-III-1FC are found in Attachment I. The Springfield APR Task Force Report is shown in Attachment II.

FISCAL IMPACT:

None

Board Agenda Item
April 26, 2011

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for South County APR Item 09-III-1FC (available on line at: <http://www.fairfaxcounty.gov/dpz/apr/2009southcounty/finalstaffreports/1fc.pdf>)

Attachment II: Springfield District APR Task Force Report for APR 09-III-1FC (available on line at <http://www.fairfaxcounty.gov/dpz/apr/2009southcounty/taskforcereports/1fc.pdf>)

Attachment III: Planning Commission Recommended Plan Text for APR 09-III-1FC

Attachment IV: Planning Commission Verbatim Excerpts

STAFF:

Fred R. Selden, Acting Director, Department of Planning and Zoning (DPZ)

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division (PD), DPZ

Meghan Van Dam, Planner III, Policy and Plan Development Branch, PD, DPZ

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PLANNING COMMISSION RECOMMENDED PLAN TEXT
 APR NOMINATION 09-III-1FC
 April 14, 2011

MODIFY:

Fairfax County Comprehensive Plan, 2007 Edition, Area III, Fairfax Center Area, Sub-unit J5, Land Unit Recommendations, page 76, as amended through 3-9-2010:

“Sub-unit J5

~~This sub-Sub-unit J5 consists of approximately 13.13 acres and contains the Fair Oaks regional mall at its center and several office buildings and hotels, a multi-screen movie theater, and a hotel around its perimeter. It is planned for mixed-use retail and office use not to exceed .50 FAR overall. The existing character of the site along Route 50 should be preserved. A Metrorail station is planned to be constructed along Interstate-66 with a pedestrian connection to the sub-unit. Subject to adoption by the Board of Supervisors, a Bus Rapid Transit (BRT) system may be constructed as an interim or alternative transit mode. The BRT system, if deemed appropriate, would potentially extend westward toward the county line and potentially into Prince William County from the Vienna Metrorail station or points east. BRT is defined as a system operating in the median of I-66 in an exclusive lane, segregated from the public traffic on I-66. The system would be served by stations similar to Metrorail with bridge connections to adjacent parcels. Service would consist of larger buses such as articulated buses. BRT is a higher quality system than the express bus or bus priority system as recommended in the 2010 Virginia Department of Rail and Public Transit’s (DRPT) I-66 Transit/Transit Demand Management (TDM) study.~~

Sub-unit J5 is planned at the Overlay level up to 0.65 FAR overall. The 109.5-acre portion of the sub-unit that contains the Fair Oaks Mall property (“mall property”), as shown on Figure 15, is planned for residential, retail, hotel, and office uses at the Overlay level, which equates to approximately 3.1 million square feet of development. The approximately 24-acre remainder of the sub-unit is planned for retail, hotel and office uses at the Overlay level. As an interim phase in the Overlay level, the mall property is planned for retail and office uses up to an intensity of 0.50 FAR. Redevelopment at the interim phase should meet the development elements and the performance criteria recommended at the Overlay level.

As options at the Overlay level, development on the mall property may be increased up to 3.8 million square feet (an intensity of up to 0.80 FAR) subject to adoption and funding of a BRT system (“BRT Option”) and increased up to 4.8 million square feet (an intensity of up to 1.0 FAR), subject to funding of the planned extension of Metrorail along I-66 in the vicinity of the mall (“Metrorail Option”). The majority of the development under the Metrorail Option should be concentrated near the planned transit station within approximately ¼ mile of the platform. As redevelopment occurs across the mall property, the cumulative total square feet should not prevent the potential for the most intense development from being located near the station.

While preserving the sub-unit's role as a regional retail center, redevelopment of the sub-unit and the mall property, in particular, presents an opportunity to transform the auto-oriented, suburban-style character of the sub-unit into an inter-connected, urban-style, transit and pedestrian-friendly place. In order to achieve this goal, the ultimate vision for redevelopment should be defined at the earliest phase of redevelopment through a conceptual circulation plan. The plan should ensure that any redevelopment works toward achieving the ultimate goal of an integrated, transit-oriented development. If redevelopment includes individual development phases, a logical phasing plan should be part of any redevelopment proposal to demonstrate how ultimate development at the greatest planned intensity will achieve Comprehensive Plan goals.

Circulation into, around, and through the mall property, connecting to land uses on the periphery of the mall property and outside the land unit, should be the primary component of conceptual plan. The central location of the mall in the sub-unit and its spoke-like design present a challenge for movement, particularly for pedestrians. The future vision should identify multi-modal corridors of movement and how connections will be improved or enhanced to safely accommodate pedestrians, bicyclists, and transit in the sub-unit. Vehicular and pedestrian conflicts at intersections should be identified, and the needs balanced or prioritized. The design should bring the internal activity and vibrancy of the mall outward to the surrounding streetscapes of the new development by extending mall corridors outward to the new roadways. The circulation pattern should be logical and cohesive and recognize that the most direct connection across the site will occur through the mall building.

The vision should be realized through a synergistic mixture of land uses and a coordinated design. The retail use in the mall may expand up to two million square feet under the Overlay or Overlay Option levels. Initially, the mall's retail use should comprise the majority of the total development. As redevelopment occurs under the options on the mall property, the land use components should shift such that the mall square footage should become less of the total development, and the new development on the mall property at the Metrorail Option becomes the majority of the total square feet. Under the Metrorail Option, the residential component should be generally 30 percent of the total development, and the retail use of the mall should be generally 40 percent of the total development.

Residential uses should be designed and located in a manner that reduces the traffic-related noise impact on such uses, as per county policy. Retail uses, exclusive of the mall, should be conveniently located in the ground-floor of buildings in order to serve the residents and employees, animate the street, and promote pedestrian activity. The retail uses also should be located strategically to take advantage of visibility and promote walkability, at such areas as prominent entryways, corridors, or public plazas. Residents, employees, and visitors should have convenient access to urban parks, open space, recreational space, and other services. A network and hierarchy of open spaces and urban parks should be established per county policy.

The building orientation and site layout should contribute to the connectivity internal to the mall property, encourage walkability, and create a pedestrian-scaled environment. Block sizes should be compact with buildings located close to one another and aligned with and oriented to the street. A variety of building heights, massing, and articulation should be provided to create visual interest along the street and minimize sun shading of the street or adjacent parcels by tall structures. Loading areas, blank walls, and rear-facades should be treated in such a way that does not detract from an urban street experience. Redevelopment along the perimeter of the mall property should be inviting and designed to relate to the neighboring uses. Entryways, including the Fair Lakes Parkway and the planned transit station, should contain notable gateway features, such as public art, plazas, landscape features, or interesting architecture to mark the threshold of the development. Signage or other wayfinding devices should be incorporated as gateways features and installed as part of a comprehensive wayfinding plan to facilitate easy movement around the property. The architecture, landscaping, signage, and materials should establish unified design themes at the earliest phase of development.

Improvements to roadways, streetscapes, and intersections may be phased as development builds out. These improvements should enhance non-motorized physical connections and to ensure safe usage for pedestrians, bicyclists, drivers, and transit riders of all ages and abilities. Sidewalks, bicycle lanes, or bicycle signage indicating that the road is shared with bicyclists should be constructed in accordance with the circulation plan as implemented through the phasing plan. Streetscapes should be animated and attractive through the usage of storefront windows with browsing areas, entrances, landscaping, plazas, unique paving materials, outdoor cafes, seating areas, and other street furniture or amenities. Roads that are privately owned and/or maintained should be designed to provide mobility for vehicle, pedestrians, and cyclists. The ability of transit service to operate within the sub-unit should remain.

Parking should be consolidated into structures, under-ground or above ground, and integrated into the streetscape in order to minimize, if not eliminate, surface parking lots. On-street and underground parking with short-term on-street parking for the retail stores should be given preference over other forms of parking. Structured parking should be located behind buildings or, if visible from the street, screened or treated in a manner that contributes to the visual appeal of the streetscape. If surface lots must be utilized, redesign and consolidation is encouraged to accommodate space for trees and other landscaping features. Creative approaches to reduce the amount of required parking provided, such as shared parking strategies or parking maximums should be considered.

In anticipation of the transit station, the design and circulation on the mall property should promote connectivity throughout the mall property to the transit station. Redevelopment should provide a prominent connection from the station platform to the mall with the highest intensities located near the station platform and this connection. The connection should include street-level retail uses, cafes, or an urban park. A central plaza or park also may be a component of this linkage or located

elsewhere on the site. This central feature should contribute to the distinct identity of the place and serve as a main attraction and foundation for a network of urban parks throughout the development. **Facilities for the transit station and riders, such as shelters, real time information displays, bus bays, bicycle racks, kiss and ride, or other related facilities and improvements, should be provided.** When the BRT or Metrorail station becomes operational, the mall should provide a level of access through the building taking into account the operational aspects of the mall and the transit station. The mall will retain full control over its private property and may continue to enforce its access and other policies and rights.

Non-motorized connections into the sub-unit, across the Ring Road, and to the mall should be enhanced. Crossings of the Ring Road should be improved with pedestrian-activated signals and crosswalks at a minimum. Crosswalk design should alert drivers of the crossing and may include special paving materials and striping. Crossings should be complemented by a designated walkway to the mall building and should be designed with sufficient width to avoid conflict with vehicles. Above the Intermediate level, the pedestrian pathway from Legato Road, where the Legato road meets the western portion of Legato Road, should be improved to increase safety for the pedestrian and potentially accommodate bicyclists with any redevelopment. As an alternative, a new pedestrian connection from Legato Road to the crosswalk where the Route 50 ramps meet the Ring Road may be considered.

In addition, redevelopment above the Intermediate level should accommodate a safe pedestrian crossing from Fair Lakes Parkway, across the Ring Road, and to the mall. An extension of the sidewalks, from Legato Road along both sides of Fair Lakes Parkway is the preferred option. At a minimum, the sidewalk on at least one side of the Parkway should be extended to the Ring Road. However, if the preferred option cannot be immediately accommodated, then an interim option may be explored, involving an improvement to the existing pedestrian connection from Fair Lakes Parkway to the Ring Road, which aligns with the existing sidewalk to the mall. If neither of these options is feasible with development up to an intensity of 0.50 FAR, then another option, which accomplishes the objective of a safe, signalized, pedestrian crossing at a crosswalk in the vicinity of the Fair Lakes Parkway and the Ring Road, may be considered as an interim improvement. Redevelopment above 0.50 FAR should improve the intersection of Fair Lakes Parkway and the Ring Road to facilitate safe pedestrian movement.

Redevelopment also should consider the impacts on nearby roadways. Fair Lakes Parkway is considered the major western access, and this roadway is anticipated to continue to function as such for all modes of travel in the future. As a result, redevelopment at the earliest phase should study Fair Lakes Parkway from the Ring Road to West Ox Road to improve traffic operations, and pedestrian safety should be balanced with vehicular needs. Furthermore, above the 0.50 FAR, evaluation, including a weave analysis, should be conducted for both right-in and right-out ramps on eastbound Route 50 at Fair Oaks Mall to the westbound and eastbound I-66 on-ramps. This movement should be monitored and potentially mitigated as development exceeds 0.50 FAR and builds-out to the 1.0 FAR. The operations of

each Route 50 and Ring Road intersections also should avoid queuing onto Route 50 for any redevelopment.

Redevelopment above the 0.65 FAR should be predicated on at least one new vehicular connection into the sub-unit. In preparation for this connection(s), any redevelopment that interacts with or impedes the landing area of the potential connection(s) should include an evaluation of the feasibility of the extensions of 1) Legato Road to the Ring Road; and 2) Government Center Parkway across I-66 to the Ring Road. The study should consist of the preliminary design and/or conceptual engineering, (as appropriate depending on where and what level of development is proposed), the overall site concept, the interface of development with the extension, the connection into the Ring Road, and the safe accommodation of transit, pedestrians, and bicyclists. The connections should integrate into the circulation plan for the property, and the extension of Government Center Parkway should complement and not interfere with the location of the transit station. The Government Center Parkway extension should be considered a regional and a local improvement and would require both public and private investment. The addition of this improvement to the Fairfax Center Area Road Fund listed improvements should be considered, if the study deems the improvement feasible.

If the Government Center Parkway extension is not feasible, a pedestrian bridge from the mall property to Sub-unit P2 should be considered ~~in the study~~ as a connection for pedestrians across I-66. A pedestrian bridge would not satisfy the need for a new vehicular connection elsewhere, such as Legato Road. The bridge should not interfere with the location of the transit station and should integrate into the circulation plan for the property. The study of the bridge should take into account the timing of the construction of the BRT or the Metrorail station, which may serve a similar purpose and deem the bridge unnecessary. The addition of this improvement to the Fairfax Center Area Road Fund listed improvements should be considered.

In addition to roadway improvements and enhancements to the pedestrian environment, other strategies to reduce vehicular trips should be employed. A Transit Demand Management program should be developed and implemented in order to reduce vehicular trips with any redevelopment. Overall trip reductions with redevelopment above the Intermediate level must be at least 16%. The overall trip reductions under the BRT Option and the Metrorail Option should be 21% and 30%, respectively. The Virginia Department of Rail and Public Transit has recommended a bus priority system along the I-66 corridor as short-term transit improvement. A TDM measure could include a contribution to the bus priority system or other measures to encourage the use of the bus priority system.

Redevelopment on the mall property also should continue to allow direct local bus access to and through the site to support the existing and planned local bus service that accesses the sub-unit. On-site facilities should be improved by constructing an enhanced transit stop to serve the local bus services. The transit stop should be located as close as possible to existing or future development in a convenient and accessible area. Facilities for the transit riders, such as shelters, real time information

displays, bus bays, bicycle racks, or other related improvements, should be provided. The enhanced transit stop should be incorporated into the phasing plan that will be established in the initial phases of redevelopment.

Any redevelopment also should address impacts to other county priorities. Redevelopment should provide affordable and workforce housing through compliance with the Affordable Dwelling Unit Ordinance and other County policies. For proposals that exceed the Overlay levels, any redevelopment should exceed the recommendations of the Overlay level in regards to affordable and workforce housing. For example, the total percentage of affordable housing, both Affordable Dwelling Units plus Workforce Dwelling Units may exceed the county policy of 12% plus applicable bonus density. Furthermore, any new non-residential development at the Overlay option levels should also make a per-square foot financial contribution to the Fairfax County Housing Trust Fund that will be used to create affordable and workforce housing opportunities. The amount and period of time should be determined at the time of rezoning development review. If non-residential floor area is achieved through a bonus for providing affordable and workforce dwelling units, the bonus floor area should not be included when calculating the contribution amount. Ground level retail located in office, hotel, and residential buildings should also not be included when calculating the contribution amount.

Any redevelopment should incorporate green building practices and energy conservation, water conservation, and stormwater management measures in new buildings as per county policy within designated activity centers. New development should commit to county policy on green building, including certification through established green building rating systems, such as Leadership in Energy and Environmental Design program or other equivalent programs with third party certification. Any expansion or substantial renovations of the existing structure should incorporate green building features to a significant extent. Incorporation of green building features for the existing mall building should be encouraged. Redevelopment should reduce impervious surface, achieve better control over stormwater runoff, and minimize or eliminate downstream degradation to the streams in the area. Low Impact Development practices of stormwater management (e.g., bioretention facilities; vegetated swales) should be utilized towards this end. Any redevelopment above the 0.65 FAR should include exceptional commitments ~~should be made~~ that exceed the county policy for stormwater management and green building.

Any redevelopment also should address the impacts of the development on surrounding parks, recreation facilities, and schools. A contribution to the construction of new athletic fields and/or upgrading existing fields at parks within the service area, the construction of master planned park facilities, and the replacement or improvement of aging park facilities at nearby parks should be made when the Overlay options are implemented. The impact to schools by the residential uses that are included in the Overlay and the Overlay options should be mitigated at each phase of development.”

MODIFY PLAN FIGURES:

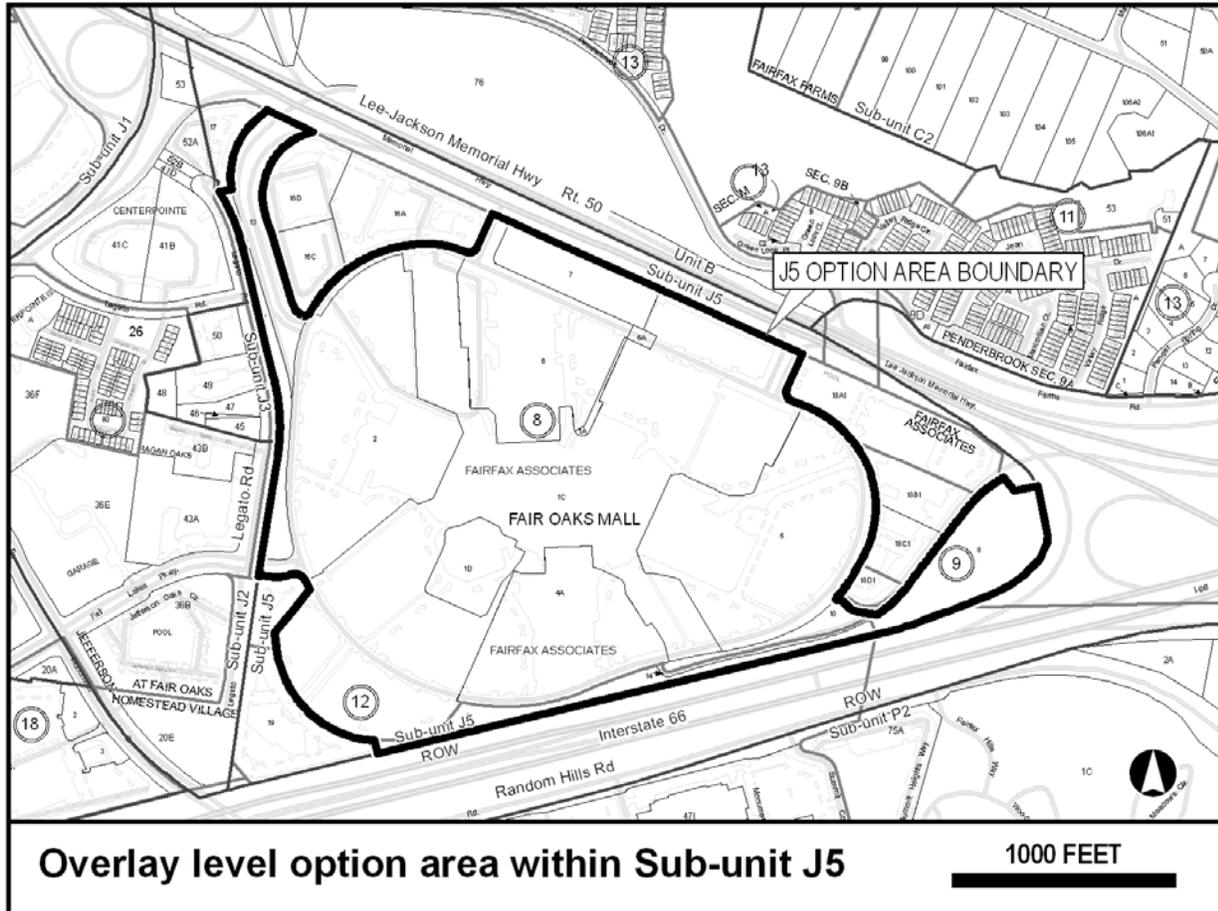
Fairfax County Comprehensive Plan, 2007 Edition, Area III, Fairfax Center Area, Land Unit Summary Chart – Land Unit J, as amended through 10-19-2010, pages 76-77:

LAND UNIT SUMMARY CHART – LAND UNIT J			
<u>Sub-units</u>	<u>Approximate Acreage</u>		
J1	41		
J2	41.5		
J3	3.5		
J4	17		
J5	131 133		
<u>Sub-units</u>	<u>Recommended Land Use</u>	<u>Intensity/ FAR</u>	<u>Density Units/Acre</u>
Baseline Level			
J1, J4	RESIDENTIAL		2
J2	OFFICE; RESIDENTIAL	.25	5
J3	INSTITUTION; OFFICE	.15 .25	
J5	MIXED-USE **	.15	
LAND UNIT SUMMARY CHART – LAND UNIT J (continued)			
Intermediate Level			
J1, J4	OFFICE/MIX	.35	
J2	OFFICE/MIX	.55	
J3	INSTITUTION; OFFICE	.50 * .55	
J5	MIXED-USE **	.25	
Overlay Level			
J1	OFFICE/MIX	.45	
J2	OFFICE/MIX; *** HOTEL	1.0 300 Room	
J3	OFFICE	1.0	
J4	OFFICE/MIX	.50	
J5	MIXED-USE **	.50 .65	
<p>* See text for J3 conditions for high-intensity institutional or office uses. ** See text for the recommended mixture of uses for this sub-unit and additional options. *** See text for overlay level recommendations for Tax Map 46-3((1))40, 41B, 41C and 51, as well as for Tax Map 46-3((1))36E. Note: Part of these sub-units are <u>is</u> within the Water Supply Protection Overlay District.</p>			

NOTE: The Comprehensive Plan Map would not change.

ADD PLAN FIGURE: Fairfax County Comprehensive Plan, 2007 Edition, Area III, as amended through 10-19-2010, Figure 15 Overlay Option Area of Sub-unit J5. Subsequent figures should be renumbered.

FIGURE 15 Overlay Option Area of Sub-unit J5



APR 09-III-1FC – SOUTH COUNTY AREA PLANS REVIEW 527 ITEM (Fair Oaks Mall)
(Springfield District)

After the Close of the Public Hearing

Vice Chairman Alcorn: Close the public hearing; recognize Commissioner Murphy.

Commissioner Murphy: Thank you, Mr. Chairman. Just let me ad lib a little bit here and talk about the Fairfax Center area. Since the Fairfax Center area actually has its own Comprehensive Plan, it was always built on a tiered density option where you have the lower, the middle, and the upper range. It's because the Fairfax Center exists because the land swaps that were made to adjudicate the lawsuit in the Occoquan. We called for higher density and a node for development of this sort in Fairfax Center. So, when you go from the lower range to the higher range, the Plan always has had trigger mechanisms to put into place infrastructure and transportation that could adequately address the density in those three levels. And that - - that's basically what we're continuing to - - doing here - - doing here. You may not recall, but when we did Planning Horizons in 1989 and 1990, before this part of town went into the Sully District for 10 years we put language in the Comprehensive Plan at that time, not envisioning the Silver Line going into Tysons Corner, all that kind of stuff, we sort of envisioned in the future that that barricade at - - at Vienna Metro would come down some day and that rail would continue to the west. And at that time, we put language in the Comprehensive Plan that called for a Metro station in this area, north and south of I-66 at Fair Oaks Mall and where the future Government Center would be. We put language in the Plan for a Metro station at the - - what's the - - north and south of - - Stringfellow Road - - north and south of I-66 at Stringfellow Road, and two - - called for two stations in Centreville. Well, times change, but already we have that land going with park-and-rides at Stringfellow Road, and now we're looking, not only at mass transportation here with rail, but now the new addition is BRT if we don't get the rail because it's basically going to Tysons and we know that the money's not going to be available for years, but the land is still there, the dedication is still there. We worked - - as we said earlier, Ms. Harsel brought up, we worked very closely with Fair Oaks Mall when we were doing the Plan Amendments for Fairfax Corner because if those two patches of land did not mix, then the BRT station or the Metro station was not going to work. And that all comes into play with this Plan Amendment. The Ring Road - - I think we need to make the clarifications on the Ring Road. I guess it was obvious to me through the year-and-a-half we've been working on this thing, what the Ring Road was and how it was going to function with Legato Road and whatnot. I guess that's because I was probably too familiar with what was going on and then I realized that not everybody's familiar with "ring-around-the-road" or "ring-around-the-collar," or whatever you want to call it. So, I think we need to make that clarification. And also the clarification on Legato Road and the point Mr. Lawrence made. I'm just going to include that in the motion, but the language he recommended for that particular paragraph, that's - - that's fine. This is pretty exciting actually for me because quite frankly, when you talk about revitalizing an area, then you're talking about

an area that needs to be revitalized. Springfield - - Fair Oaks Mall has always been a prominent part of the Fairfax Center/Fairfax County vista. I mean it has been there for a long time, but it doesn't look like it's been there for a long time. The Taubman Company has done an excellent job in maintaining that mall and running that mall. It's a nice mall to go to. There are good stores. The management has always been first-rate and top-notch. They bring in good stores. It's bright. It's - - it's - - it's got great ambiance. And is there a transportation problem? Well, let me tell you something, go out there on Christmas Eve and try to get to Macy's.

Commissioner Harsel: Oh.

Commissioner Murphy: You know, there's going to be a transportation problem, but ching ching the tax money was going to the County, so it's a great source of revenue for our County. And Martha Pennino way back when had a great vision for this - - for this mall. And we in the Springfield District have been supporting the expansions over the past 25 years since it's been expanded. Mr. Pritchard used to be the attorney for Fair Oaks Mall when it was expanded the first time. Ed Pritchard had brought us into the - - close into the Twenty-first Century with the mall. So, it's exciting that it's going to take on this - - in this new dimension as a pedestrian-friendly, mixed-use, urban-style environment, and I look forward to having the rezonings come in and have this - - this become a reality. I want to thank Meghan Van Dam and Marianne Gardner, who have been troopers through this entire process with - - with me and with the applicant and with Supervisor Herrity and his staff. Tremendous - - tremendous job. The transportation - - you know when we have something like this, you're going to focus on the transportation. There are a lot of elements to this, but the transportation issues, of course, have to be vetted, that's the new word of the Twenty-first Century, it's "vetted." And of course, it went to the 527 process and it was - - you know - - evaluated by VDOT, then it went through the County evaluation process with the Office of Transportation, and I'm not sure which one gave it the more rigorous evaluation, but I think the tie goes to the County. And I want to thank Mike Garcia and Len Wolfenstein for their input and for joining us at our meetings and sessions and working out the transportation issues for us all. I want to thank the applicant, again Taubman Company, and the great job that Tony Calabrese done, and tonight Brian Winterhalter, great presentation, very brief, that's why it was great. But, we know where we were coming from on this, we worked over a year-and-a-half on this. And I particularly want to thank the Springfield District Fairfax Center Task Force. By the way, the Task Force is also our Land Use Committee so they know of what they speak. I mean this is their backyard and front yard. And - - and the vote was 6-1 in favor of this; we had one dissenting vote. And I want to thank them because they did add some meaningful text to the Plan and the staff bought off on this and that they analyzed and whatnot, so I really want to thank the Task Force for their support. And also, as always I want to thank Marlae - - Marlae Schnare from - - from Supervisor Herrity's Office, who does just an excellent job and really helps me along. I'm not going into the entire motion. I have it - - in front of you the rationale behind it - - that's in front of you. There are some red lines in here that tells you what we have revised. So, I'm just going to go ahead and - - and make the motion. And therefore, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE NOMINATION APR - -

Commissioner Harsel: It's on the screen.

Commissioner Murphy: Yes. APR 09-III-1FC BE ADOPTED, AS AMENDED AND AS SHOWN ON PAGES 3 THROUGH 9 OF MY HANDOUT DATED APRIL 14, 2011, WITH THE ADDITIONAL CHANGES MENTIONED BY COMMISSIONER HART AND COMMISSIONER LAWRENCE.

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Any discussion of that motion? All those in favor of recommending that the Board of Supervisors adopt the nomination, as amended and as shown on pages 3 through 9 of Commissioner Murphy's handout, and with the changes articulated tonight, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Hart: Mr. Chairman?

Commissioner Murphy: Mr. Hart.

Vice Chairman Alcorn: Mr. Hart.

Commissioner Hart: I - - mine didn't have any page numbers. I know the motion has page numbers, but I don't think the handout does.

Vice Chairman Alcorn: Okay. So - -

Commissioner Hart: I don't know if that changes anything, but - -

Commissioner Murphy: No, it doesn't. It absolutely does not change a thing.

Commissioner Hart: Famous last words.

Commissioner Harsel: Let's just take a little pen and mark it on the pages.

Commissioner Murphy: And mark it - - one.

Commissioner Hart: Let's make sure it's the right numbers.

Commissioner Murphy: Is that right?

Vice Chairman Alcorn: Yes.

Commissioner Murphy: Okay. I got four shaky heads. You can't beat those odds. Okay.
Vice Chairman Alcorn: WITHOUT OBJECTION.

Commissioner Murphy: Thank you.

Vice Chairman Alcorn: Let the record reflect, HANDWRITTEN NUMBERS ON THE HANDOUT.

Commissioner Murphy: And the Ring Road.

Commissioner Hart: Well, hang on, hang on, hang on. It can't be nine pages because the last page would be an even number page.

Commissioner Sargeant: That's right.

Meghan Van Dam, Planning Division, Department of Planning and Zoning: There's a - -

Commissioner Harsel: Now let's thrown in the map that says, "Ring Road."

Ms. Van Dam: The second page is intentionally left blank.

Vice Chairman Alcorn: Oh, there you go.

Ms. Van Dam: So, it's just 3 through 9.

Commissioner Hart: Three, four, five, six, seven, eight, nine. But what about page 10?

Ms. Van Dam: That is correct.

Commissioner Hart: But there's one more page.

Vice Chairman Alcorn: So - -

Commissioner Hart: Page 10.

Commissioner Murphy: I don't know. I'm more interested in the text than on the pages.

Commissioner Lawrence: It is Groundhog's Day.

Commissioner Murphy: Would you number the pages for the Board because they'll have a problem with this anyway? They get into things like that. Okay?

Vice Chairman Alcorn: Okay. WITHOUT OBJECTION, WE'LL ASK THE PAGE NUMBERS be - - BE FIXED.

//

(The motion carried unanimously with Commissioners Flanagan and Hall absent from the meeting.)

KAD

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Board Agenda Item
April 26, 2011

4:00 p.m.

Public Hearing for the Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts for Refuse/Recycling, and/or Vacuum Leaf Collection Service (Dranesville and Providence Districts)

ISSUE:

Board approval of the Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts for refuse/recycling and/or vacuum leaf collection service.

RECOMMENDATION:

The County Executive recommends that the Board approve the proposed petitions within Dranesville and Providence Districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 6 Within Dranesville District (Arbor Lane)	Enlarge	Refuse, Recycling	Approve
Small District 7 Within Dranesville District (Lily Pond Drive)	Enlarge	Refuse, Recycling, Leaf	Approve
Small District 1 Within Providence District (Timberlane Village Condominiums)	De-Create/ Re-Create	Remove From Leaf	Approve

TIMING:

Board of Supervisors' authorized to advertise on March 29, 2011, for a Public Hearing on April 26, 2011, at 4:00 p.m.

BACKGROUND:

The administrative responsibility for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts in the County of Fairfax for refuse/recycling and/or vacuum leaf collection is with the Department of Public Works and Environmental Services. The establishment of sanitary districts is accomplished through the action of the Board of Supervisors at public hearings.

Board Agenda Item
April 26, 2011

The submitted petitions have been reviewed, and it is recommended that the submitted petitions be approved. If approved, the modifications will become permanent in July 2011.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Summary Sheet

Attachment 2: Data Sheets with Resolutions and Maps

STAFF:

James W. Patteson, Director, Department of Public Works and Environmental Services

Jeffrey M. Smithberger, Director, Division of Solid Waste Collection and Recycling

SUMMARY SHEET

1. Enlarge Small District 6 within Dranesville District for the purpose of adding County Refuse and Recycling Collection Service to the Arbor Lane area.
2. Enlarge Small District 7 within Dranesville District for the purpose of adding County Refuse, Recycling and Vacuum Leaf Collection Service to the Lily Pond Drive area.
3. De-Create Small District 1 within Providence District for the purpose of removing County Vacuum Leaf Collection Service from the Timberlane Village Condominiums.

DATA SHEET
Enlarge
Small District 6
Within Dranesville District

Purpose: To provide County Refuse and Recycling Collection Service to the Arbor Lane area.

- Petition requesting service received on February 1, 2011.
- Petition Area: 37 Properties.
- 25 Property Owners in favor.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved effective July 1, 2011.

ADOPTION OF A RESOLUTION
TO ENLARGE
WITHIN SMALL DISTRICT 6
WITHIN DRANESVILLE DISTRICT

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday the 26th day of April, 2011, at which a quorum was present and voting, the following resolution to be effective July 1, 2011, was adopted:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the enlargement by the Board of Supervisors of Fairfax County, Virginia, of a local sanitary district by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed local sanitary district will be benefited by enlarging the local sanitary district for the purpose of refuse and recyclables collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that there is hereby enlarged by the Board of Supervisors of Fairfax County, Virginia, pursuant to Virginia Code Section 15.2-858, as amended, to be known as, Small District 6 within Dranesville District, Fairfax County, Virginia, which said local sanitary district shall be described as follows:

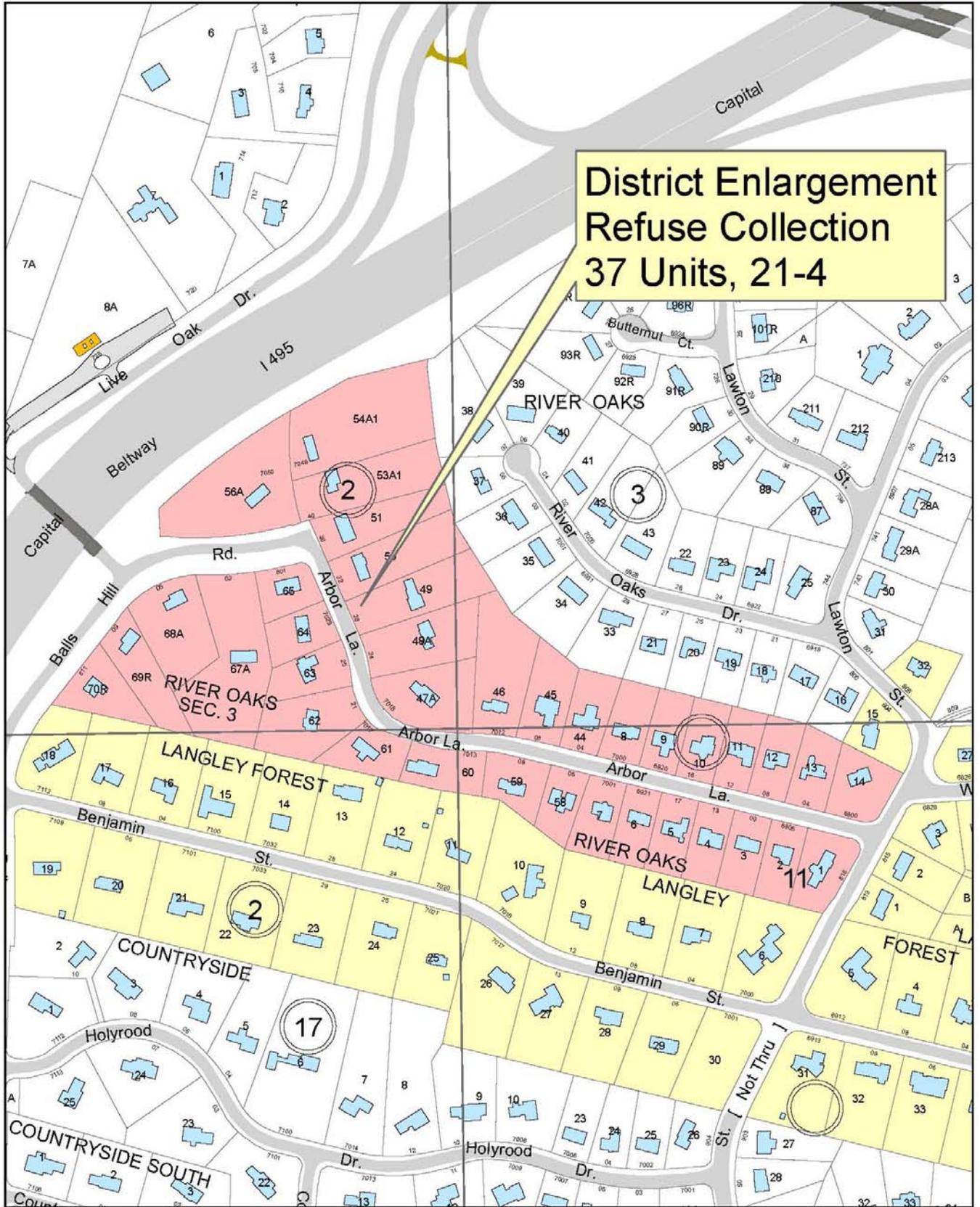
The enlargement of Small District 6 within Dranesville District to include the Arbor Lane area located in the County of Fairfax, McLean, Virginia and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Small District 6 within Dranesville District is hereby enlarged to wit:

To provide for refuse and recyclables collection for the citizens who reside therein.

Given under my hand this ____ day of April, 2011.

Nancy Vehrs
Clerk to the Board



Arbor Lane Area

DATA SHEET
Enlarge
Small District 7
Within Dranesville District

Purpose: To provide County Refuse/Recycling and Vacuum Leaf Collection Service to the Lily Pond Drive area.

- Petition requesting service received on February 1, 2011.
- Petition Area: 7 Properties.
- 6 Property Owners in favor.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved effective July 1, 2011, with Vacuum Leaf service to start in the fall of 2011.

ADOPTION OF A RESOLUTION
TO ENLARGE
SMALL DISTRICT 7
WITHIN DRANESVILLE DISTRICT

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday the 26th day of April, 2011, at which a quorum was present and voting, the following resolution to be effective July 1, 2011, was adopted:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the enlargement by the Board of Supervisors of Fairfax County, Virginia, of a small sanitary district by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed small sanitary district will be benefited by enlarging the small sanitary district for the purpose of refuse/recycling and vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that there is hereby enlarged by the Board of Supervisors of Fairfax County, Virginia, pursuant to Virginia Code Section 15.2-858, as amended, to be known as, Small District 7 within Dranesville District, Fairfax County, Virginia, which said small sanitary district shall be described as follows:

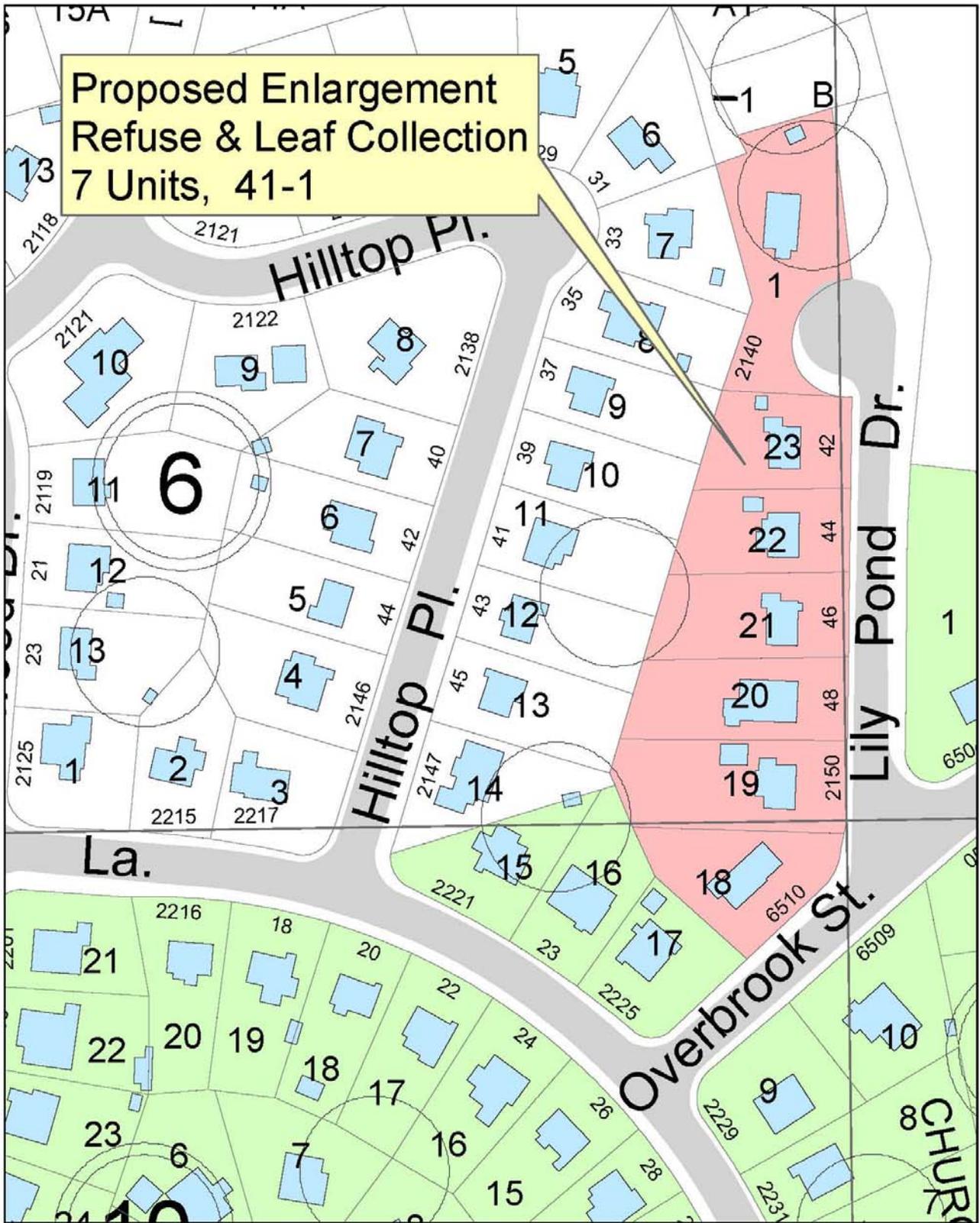
The enlargement Small District 7 within Dranesville District to include the Lily Pond Drive area located in the County of Fairfax, Falls Church, Virginia and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Small District 7 within Dranesville District is hereby enlarged to wit:

To provide for refuse/recycling and vacuum leaf collection for the citizens who reside therein.

Given under my hand this ____ day of April, 2011.

Nancy Vehrs
Clerk to the Board



Lily Pond Drive

DATA SHEET
De-Create/Re-Create
Small District 1
Within Providence District

Purpose: To remove Timberlane Village Condominiums from County Vacuum Leaf Collection Service.

- Petition requesting removal received on January 13, 2011.
- Petition Area: 368 Properties.
- 368 Property Owners in favor.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved effective July 1, 2011.

ADOPTION OF A RESOLUTION
TO DE-CREATE/RE-CREATE
SMALL DISTRICT 1
WITHIN PROVIDENCE DISTRICT

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday the 26th day of April, 2011, at which a quorum was present and voting, the following resolution to be effective July 1, 2011, was adopted:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the de-creation/re-creation by the Board of Supervisors of Fairfax County, Virginia, of a small sanitary district by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed small sanitary district will be benefited by de-creating/re-creating the small sanitary district for the purpose of removing curbside vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that there is hereby created by the Board of Supervisors of Fairfax County, Virginia, pursuant to Virginia Code Section 15.2-858, as amended, to be known as, Small District 1 within Providence District, Fairfax County, Virginia, which said small sanitary district shall be described as follows:

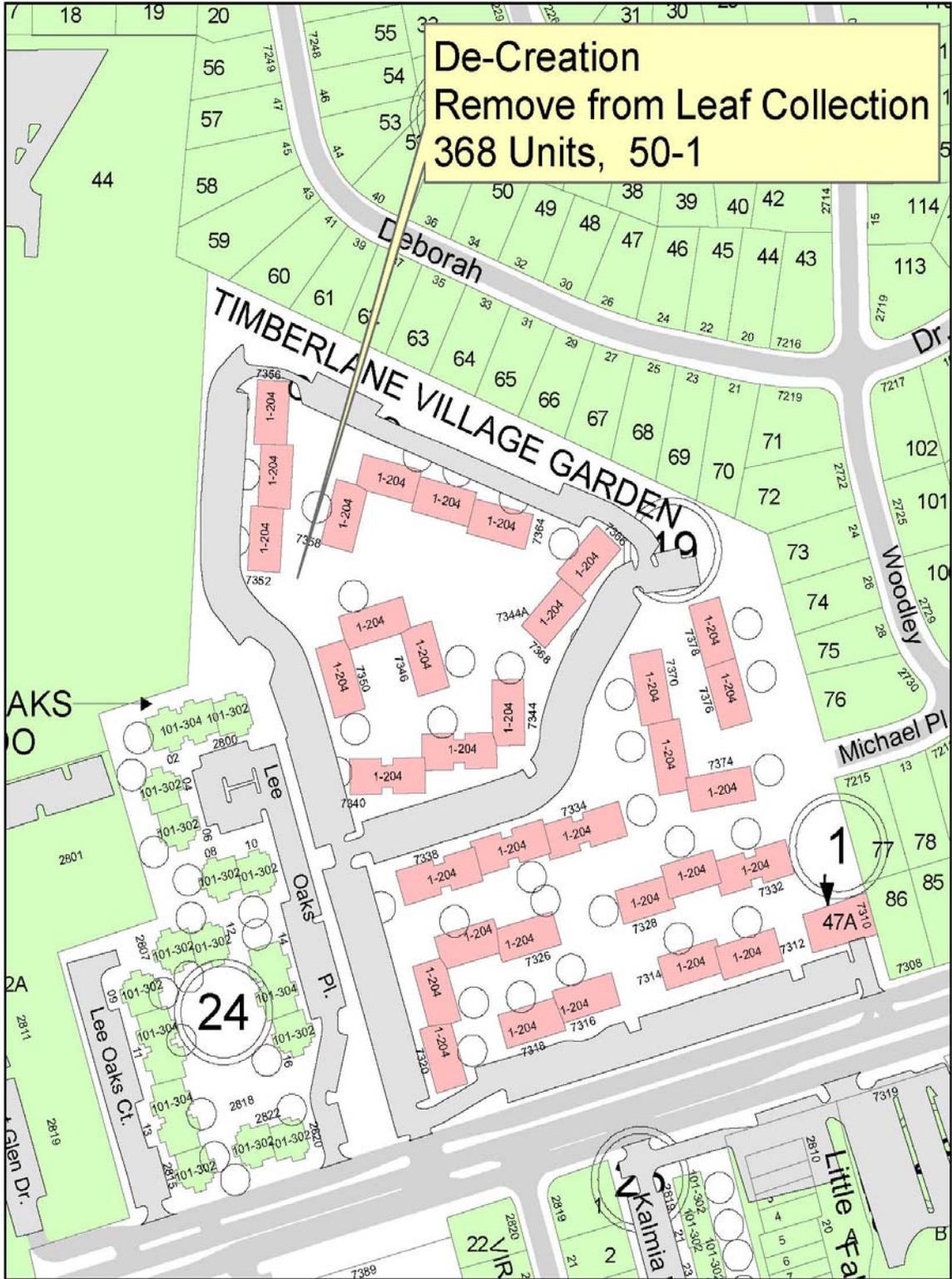
The de-creation/re-creation of Small District 1 within Providence District to remove Timberlane Village Condominiums from curbside vacuum leaf collection located in the County of Fairfax, Falls Church, Virginia and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Small District 1 within Providence District is hereby de-created/re-created to wit:

To provide for refuse/recycling and vacuum leaf collection service for the citizens who reside therein.

Given under my hand this ____ day of April, 2011.

Nancy Vehrs
Clerk to the Board



Timberlane Village

Board Agenda Item
April 26, 2011

4:00 p.m.

Public Hearing on a Proposal to Prohibit Through Truck Traffic on Georgetown Pike (Eastern Section) and Balls Hill Road (Northern Section) as Part of the Residential Traffic Administration Program (Dranesville District)

ISSUE:

Public hearing for the purpose of endorsing the following road to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction:

- Georgetown Pike between Interstate 495 and Dolly Madison Boulevard
- Balls Hill Road between Georgetown Pike and Old Dominion Drive

RECOMMENDATION:

The County Executive recommends that the Board approve the attached resolution (Attachment I) endorsing these roads to be included in the RTAP for a through truck traffic restriction.

TIMING:

On March 29, 2011, the Board authorized advertisement of a public hearing scheduled for April 26, 2011, 4:00 p.m.

BACKGROUND:

In a memorandum dated December 3, 2009, Supervisor Foust requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Georgetown Pike and Balls Hill Road due to continuing safety concerns of residents regarding through trucks utilizing Georgetown Pike and Balls Hill Road. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route for Georgetown Pike and Balls Hill Road is via Interstate 495 to Dolly Madison Boulevard to Old Dominion Drive and via Interstate 495 to Dolly Madison (Attachment II).

Section 46.2-809, of the *Code of Virginia* requires a local jurisdiction to hold a duly advertised public hearing on any proposal to restrict through truck traffic on a primary or secondary road. Further, a resolution pertaining to prohibiting through truck traffic on these roads (Attachment I) has been prepared for adoption and transmittal to VDOT, which will conduct the formal engineering study of the through truck restriction request.

Board Agenda Item
April 26, 2011

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Resolution to Restrict Through Truck Traffic on
Georgetown Pike (Eastern Section) and Balls Hill Road (Northern Section)

Attachment II: Area Map of Proposed Through Truck Traffic Restriction

STAFF:

Thomas P. Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

Eric M. Teitelman, Chief, Capital Projects and Operations Division, FCDOT

Selby J. Thannikary, Chief, Traffic Operations Section, FCDOT

William P. Harrell, Transportation Planner, FCDOT

Steven K. Knudsen, Transportation Planner, FCDOT

RESOLUTION

**FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
THROUGH TRUCK TRAFFIC RESTRICTION
GEORGETOWN PIKE (EASTERN SECTION)
BALLS HILL ROAD (NORTHERN SECTION)
DRANESVILLE DISTRICT**

WHEREAS, the residents who live along Georgetown Pike and Balls Hill Road have expressed concerns regarding the negative impacts associated with through truck traffic on this road; and

WHEREAS, a reasonable alternate route has been identified via Interstate 495 to Dolly Madison Boulevard to Old Dominion Drive and via Interstate 495 to Dolly Madison Boulevard, from the intersection of Interstate 495 and Georgetown Pike to the intersection of Interstate 495 and Dolly Madison Boulevard, and to the intersection of Dolly Madison Boulevard and Old Dominion Drive, and to the intersection of Old Dominion Drive and Balls Hill Road, and from the intersection of Interstate 495 and Georgetown Pike to the intersection of Interstate 495 and Dolly Madison Boulevard, and to the intersection of Dolly Madison Boulevard and Georgetown Pike, and

WHEREAS, it is the intent of the Fairfax County Board of Supervisors to ensure that the proposed through truck restriction be enforced by the Fairfax County Police Department; and

WHEREAS, a public hearing was held pursuant to Section 46.2-809 of the *Code of Virginia*;

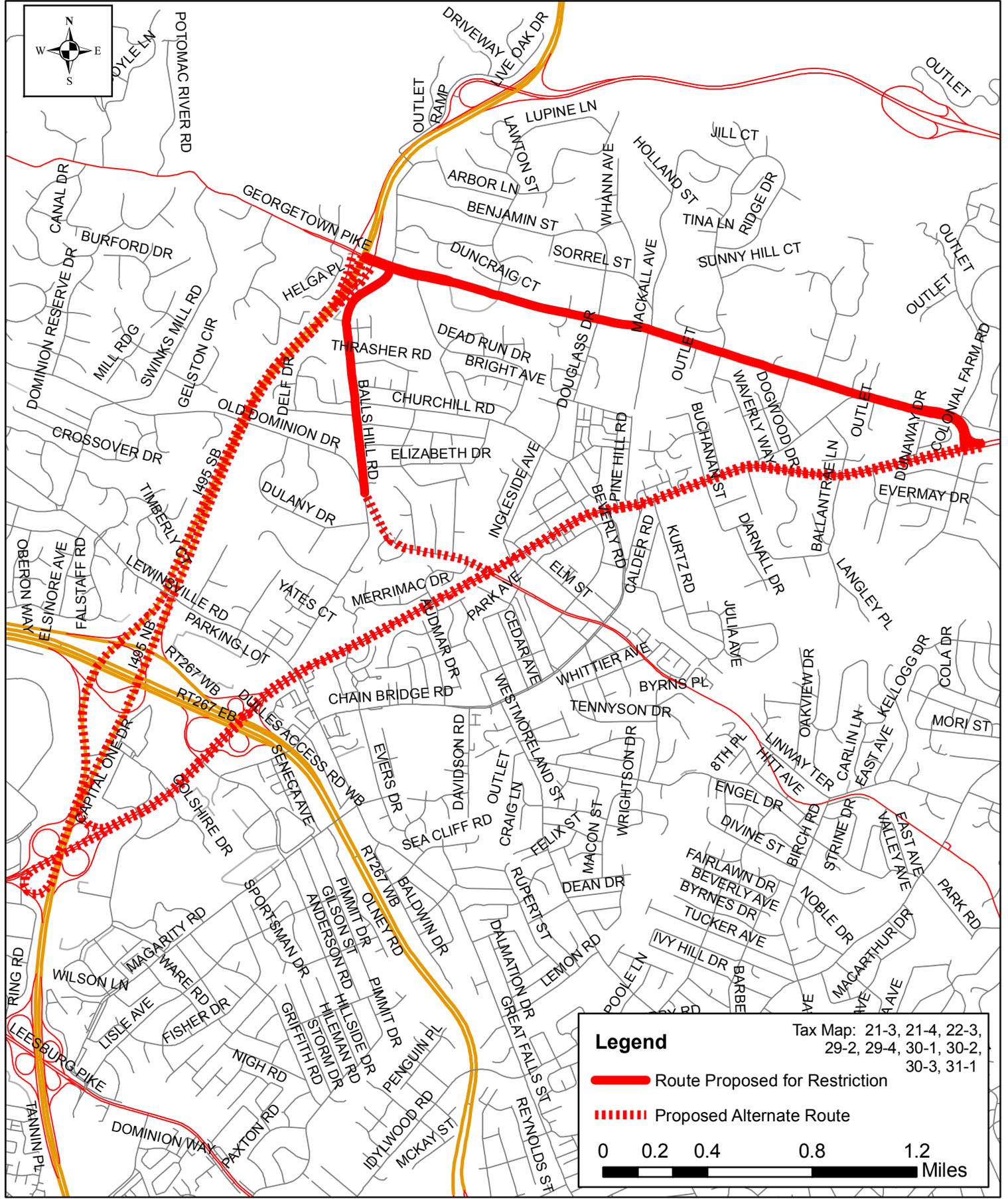
NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, has determined that in order to promote the health, safety, and general welfare of the citizens of Fairfax County, it is beneficial to prohibit through truck traffic on Georgetown Pike between Interstate 495 and Dolly Madison Boulevard and Balls Hill Road between Georgetown Pike and Old Dominion Drive, as part of the County's Residential Traffic Administration Program (RTAP).

FURTHER BE IT RESOLVED, that the Commonwealth Transportation Board is hereby formally requested to take necessary steps to enact this prohibition.

ADOPTED this 26th day of April, 2011.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors



Legend

Tax Map: 21-3, 21-4, 22-3,
29-2, 29-4, 30-1, 30-2,
30-3, 31-1

 Route Proposed for Restriction

 Proposed Alternate Route

0 0.2 0.4 0.8 1.2
Miles



**Fairfax County Department of Transportation
Residential Traffic Administration Program (RTAP)
PROPOSED THROUGH TRUCK TRAFFIC RESTRICTION
GEORGETOWN PIKE (EASTERN SECTION) &
BALLS HILL ROAD (NORTHERN SECTION)
Dranesville District**



Board Agenda Item
April 26, 2011

4:00 p.m.

Public Hearing on a Proposal to Prohibit Through Truck Traffic on Balls Hill Road (Southern Section) as Part of the Residential Traffic Administration Program (Dranesville District)

ISSUE:

Public hearing for the purpose of endorsing the following road to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction:

- Balls Hill Road between Old Dominion Drive and Lewinsville Road.

RECOMMENDATION:

The County Executive recommends that the Board approve the attached resolution (Attachment I) endorsing this road to be included in the RTAP for a through truck traffic restriction.

TIMING:

On March 29, 2011, the Board authorized advertisement of a public hearing scheduled for April 26, 2011, 4:00 p.m.

BACKGROUND:

In a memorandum dated May 29, 2009, Supervisor Foust requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Balls Hill Road due to continuing safety concerns of residents regarding through trucks utilizing Balls Hill Road as a shortcut between Georgetown Pike and Lewinsville Road. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is via Old Dominion Drive to Dolly Madison Boulevard to Lewinsville Road (Attachment II).

Section 46.2-809, of the *Code of Virginia* requires a local jurisdiction to hold a duly advertised public hearing on any proposal to restrict through truck traffic on a primary or secondary road. Further, a resolution pertaining to prohibiting through truck traffic on these roads (Attachment I) has been prepared for adoption and transmittal to VDOT, which will conduct the formal engineering study of the through truck restriction request.

FISCAL IMPACT:

None.

Board Agenda Item
April 26, 2011

ENCLOSED DOCUMENTS:

Attachment I: Proposed Resolution to Restrict Through Truck Traffic on Balls Hill Road
(Southern Section)

Attachment II: Area Map of Proposed Through Truck Traffic Restriction

STAFF:

Thomas P. Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

Eric M. Teitelman, Chief, Capital Projects and Operations Division, FCDOT

Selby J. Thannikary, Chief, Traffic Operations Section, FCDOT

William P. Harrell, Transportation Planner, FCDOT

Steven K. Knudsen, Transportation Planner, FCDOT

RESOLUTION

**FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
THROUGH TRUCK TRAFFIC RESTRICTION
BALLS HILL ROAD (SOUTHERN SECTION)
DRANESVILLE DISTRICT**

WHEREAS, the residents who live along Balls Hill Road have expressed concerns regarding the negative impacts associated with through truck traffic on this road; and

WHEREAS, a reasonable alternate route has been identified via Old Dominion Drive to Dolly Madison Boulevard to Lewinsville Road, from the intersection of Old Dominion Drive and Balls Hill Road to the intersection of Old Dominion Drive and Dolly Madison Boulevard, and to the intersection of Dolly Madison Boulevard and Lewinsville Road; and to the intersection of Lewinsville Road and Balls Hill Road, and

WHEREAS, it is the intent of the Fairfax County Board of Supervisors to ensure that the proposed through truck restriction be enforced by the Fairfax County Police Department; and

WHEREAS, a public hearing was held pursuant to Section 46.2-809 of the *Code of Virginia*;

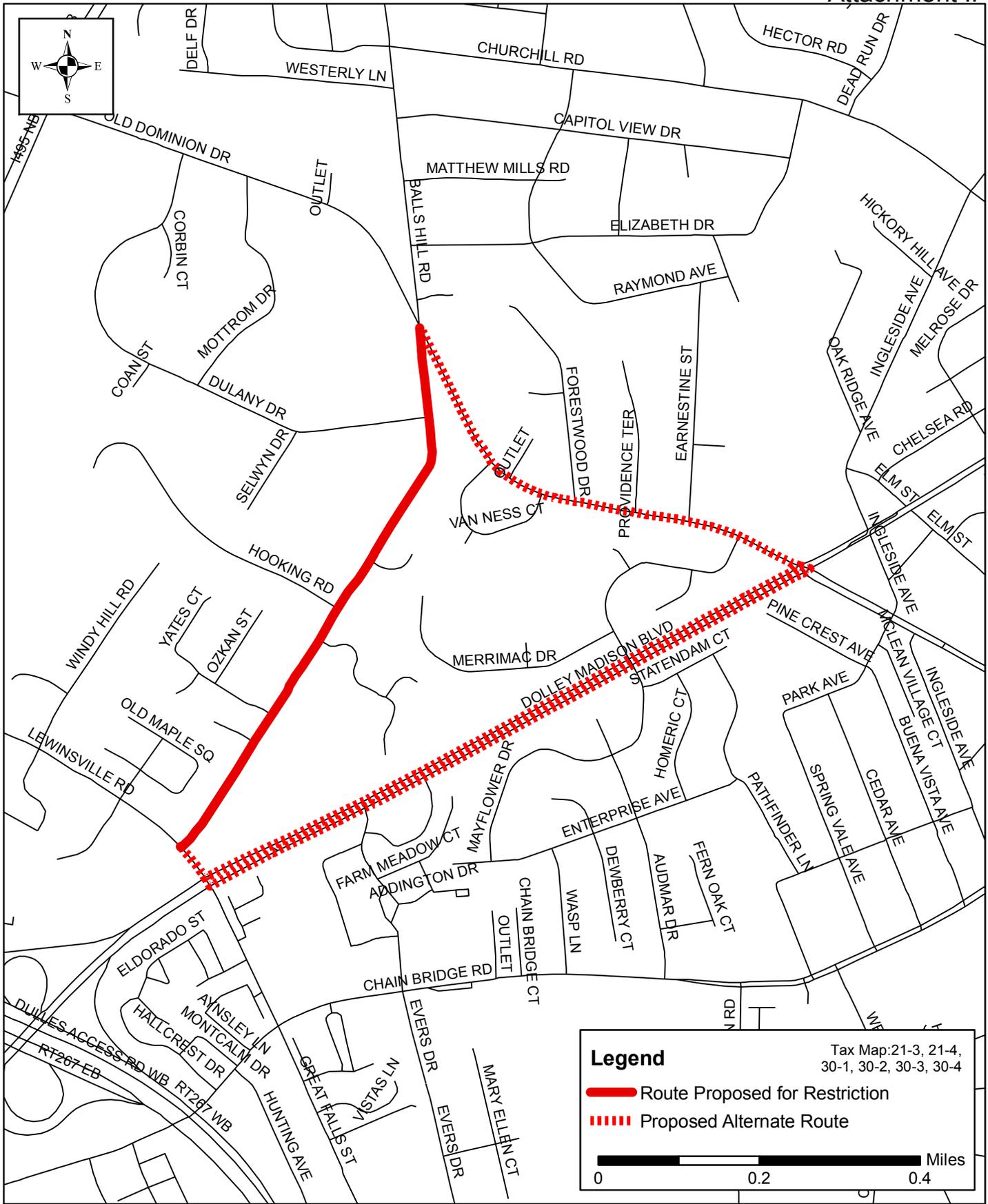
NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, has determined that in order to promote the health, safety, and general welfare of the citizens of Fairfax County, it is beneficial to prohibit through truck traffic on Balls Hill Road between Old Dominion Drive and Lewinsville Road, as part of the County's Residential Traffic Administration Program (RTAP).

FURTHER BE IT RESOLVED, that the Commonwealth Transportation Board is hereby formally requested to take necessary steps to enact this prohibition.

ADOPTED this 26th day of April, 2011.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors



Fairfax County Department of Transportation
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
PROPOSED THROUGH TRUCK RESTRICTION
BALLS HILL ROAD (SOUTHERN SECTION)
Dranesville District



Board Agenda Item
April 26, 2011

4:30 p.m.

Public Hearing on a Proposal to Prohibit Through Truck Traffic on Franklin Street and Pickett Street as Part of the Residential Traffic Administration Program (Lee and Mount Vernon Districts)

ISSUE:

Public hearing for the purpose of endorsing the following roads to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction:

- Franklin Street and Pickett Street between Richmond Highway and South Kings Highway

RECOMMENDATION:

The County Executive recommends that the Board approve the attached resolution (Attachment I) endorsing these roads to be included in the RTAP for a through truck traffic restriction.

TIMING:

On March 29, 2011, the Board authorized advertisement of a public hearing scheduled for April 26, 2011, 4:30 p.m.

BACKGROUND:

In a memorandum dated October 21, 2010, Supervisor McKay requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Franklin Street and Pickett Street due to continuing safety concerns of residents regarding through trucks utilizing Franklin Street and Pickett Street as a shortcut between South Kings Highway and Richmond Highway. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is via South Kings Highway to Richmond Highway (Attachment II).

Section 46.2-809, of the *Code of Virginia* requires a local jurisdiction to hold a duly advertised public hearing on any proposal to restrict through truck traffic on a primary or secondary road. Further, a resolution pertaining to prohibiting through truck traffic on these roads (Attachment I) has been prepared for adoption and transmittal to VDOT, which will conduct the formal engineering study of the through truck restriction request.

Board Agenda Item
April 26, 2011

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Resolution to Restrict Through Truck Traffic on Franklin Street and Pickett Street

Attachment II: Area Map of Proposed Through Truck Traffic Restriction

STAFF:

Thomas P. Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

Eric M. Teitelman, Chief, Capital Projects and Operations Division, FCDOT

Selby J. Thannikary, Chief, Traffic Operations Section, FCDOT

William P. Harrell, Transportation Planner, FCDOT

Steven K. Knudsen, Transportation Planner, FCDOT

RESOLUTION

**FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
THROUGH TRUCK TRAFFIC RESTRICTION
FRANKLIN STREET AND PICKETT STREET
LEE AND MOUNT VERNON DISTRICTS**

WHEREAS, the residents who live along Franklin Street and Pickett Street have expressed concerns regarding the negative impacts associated with through truck traffic on these roads; and

WHEREAS, a reasonable alternate route has been identified via South Kings Highway to Richmond Highway, from the intersection of South Kings Highway and Franklin Street to the intersection of Richmond Highway and Franklin Street; and from South Kings Highway and Pickett Street to the intersection of Richmond Highway and Franklin Street; and

WHEREAS, it is the intent of the Fairfax County Board of Supervisors to ensure that the proposed through truck restriction be enforced by the Fairfax County Police Department; and

WHEREAS, a public hearing was held pursuant to Section 46.2-809 of the *Code of Virginia*;

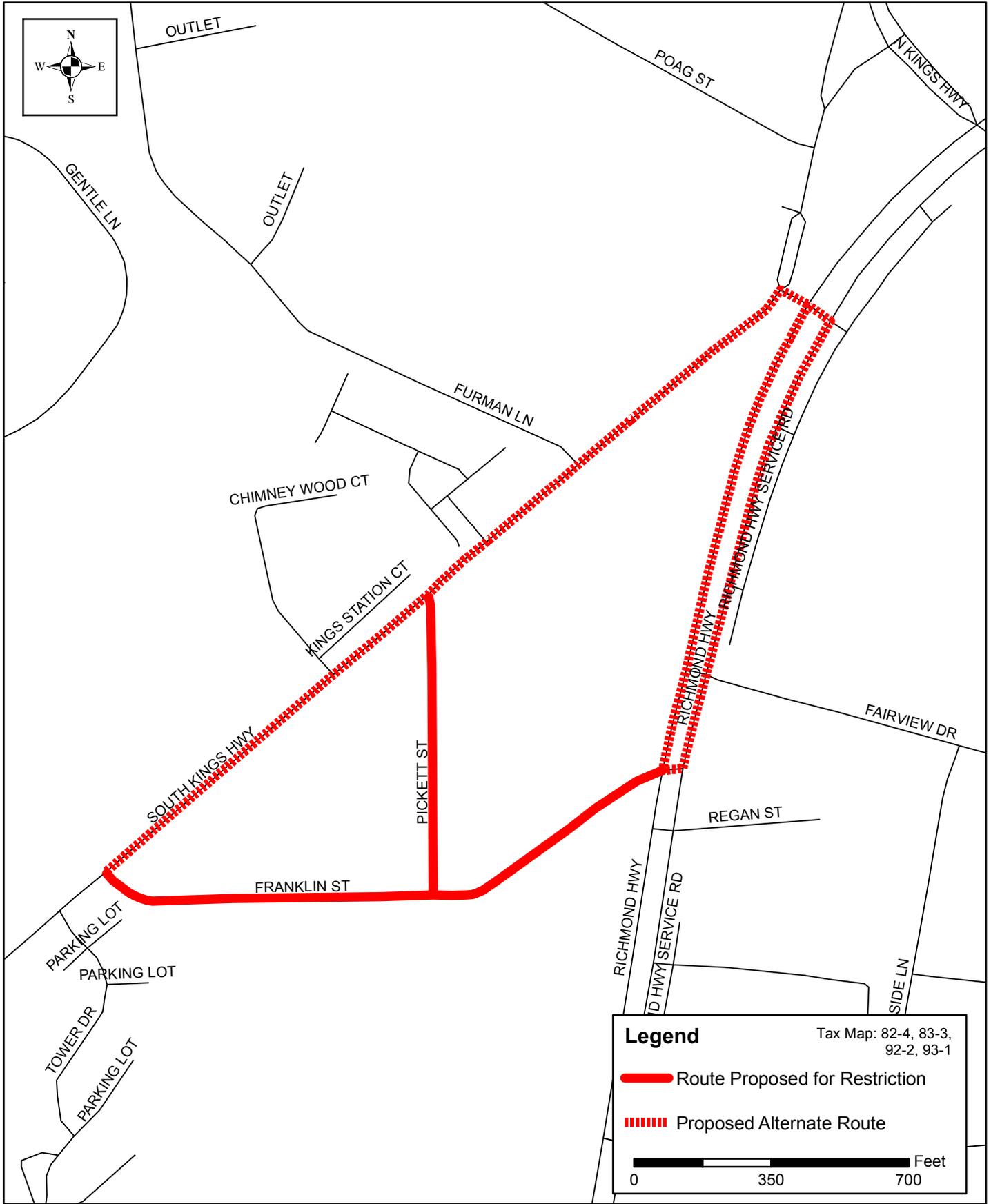
NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, has determined that in order to promote the health, safety, and general welfare of the citizens of Fairfax County, it is beneficial to prohibit through truck traffic on Franklin Street and Pickett Street between Richmond Highway and South Kings Highway, as part of the County's Residential Traffic Administration Program (RTAP).

FURTHER BE IT RESOLVED, that the Commonwealth Transportation Board is hereby formally requested to take necessary steps to enact this prohibition.

ADOPTED this 26th day of April, 2011.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors



Legend Tax Map: 82-4, 83-3,
92-2, 93-1

Route Proposed for Restriction

Proposed Alternate Route



Fairfax County Department of Transportation
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
PROPOSED THROUGH TRUCK RESTRICTION
FRANKLIN STREET & PICKETT STREET



Board Agenda Item
April 26, 2011

4:30 p.m.

Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 41.1,
Animal Control and Care

ISSUE:

Public hearing to adopt amendments to Chapter 41.1, Animal Control and Care of the *Code of the County of Fairfax, Virginia*. These amendments would bring the code section providing for the exception of service animals to the County Leash law into compliance with the Americans with Disabilities Act regulations.

RECOMMENDATION:

The County Executive recommends that the Board adopt the proposed amendments to Chapter 41.1.

TIMING:

On March 29, 2011, the Board authorized the advertisement of a public hearing on April 26, 2011, at 4:30 p.m. If adopted, the provisions of these amendments will become effective immediately.

BACKGROUND:

At the September 28, 2010 meeting of the Board of Supervisors, the Office of the County Attorney (OCA) was directed to review the County's leash law and advise whether any ordinances should be amended to exempt service animals if the person with a disability is unable to use a leash because of a disability. Currently, Fairfax County Code § 41.1-2-4 provides that "no dog shall run unrestricted, as defined in Section 41.1 -1 -1, in the County." Fairfax County Code § 41.1-1-1 defines "unrestricted" as "not under the control of the owner or his agent either by leash, cord, chain or primary enclosure when off the property or premises of the owner or custodian. An electronic device does not qualify as a leash, cord or chain."

In 1990, Congress enacted the Americans with Disabilities Act, 42 U.S.C. §§ 12101 through 12213 (the "Act"). Included in the Act is Title II, Public Services, and Title III, Public Accommodations and Commercial Facilities. The 1991 regulations implementing Title II and Title III of the Act did not contain specific provisions addressing service animals. On July 23, 2010, Attorney General Eric Holder signed regulations revising the Department of Justice's ADA regulations, including amendments to Title II, 28 CFR Part

Board Agenda Item
April 26, 2011

35, Nondiscrimination on the Basis of Disability in State or Local Government Services, and to Title III, 28 CFR Part 36, Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities. The revised regulations were published in the Federal Register on September 15, 2010, and become effective on March 15, 2011. Among other amendments is the addition of a "service animals" regulation in Title II and Title III.

In particular, the new regulations provide in 28 CFR § 35.136(a)(d) and in 28 CFR § 36.302(c)(1 and 4), Service Animals:

General. Generally, a public entity shall modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability.

Animal under handler's control. A service animal shall be under the control of its handler. A service animal shall have a harness, leash or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

Also, the new regulations provide a definition of "service animals" which is the basis of amendments to the definition of service animals in the County Code.

As a result of these new regulations pertaining to service animals, OCA has determined that Fairfax County Code §§ 41.1-1-1 and 41.1-2-4 will need to be revised to ensure compliance.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment 1: Proposed Amendment to Chapter 41.1, "Animal Control and Care"

STAFF:
Colonel David M. Rohrer, Chief of Police
Michael Lucas, Director of Animal Control
Edward E. Rose, Assistant County Attorney

**AMEND AND READOPT SECTIONS 41.1-1-1 AND 41.1-2.4 OF THE
FAIRFAX COUNTY CODE RELATING TO ANIMAL CONTROL AND CARE**

AN ORDINANCE to amend and readopt Sections 41.1-1-1 and 41.1-2-4 of the Fairfax County Code relating to definition of service animals and leash law.

Draft of March 7, 2011

Be it ordained by the Board of Supervisors of Fairfax County:

1. That Section 41.1-1-1 of the Fairfax County Code is amended and readopted:

Section 41.1-1-1. - Definitions

For the purpose of this Chapter, the following words and phrases have the following meanings unless otherwise defined within this Chapter:

Adequate feed means access to and the provision of food that is of sufficient quantity and nutritive value to maintain each animal in good health; is accessible to each animal; is prepared so as to permit ease of consumption for the age, species, condition, size and type of each animal; is provided in a clean and sanitary manner; is placed so as to minimize contamination by excrement and pests; and is provided at suitable intervals for the species, age, and condition of the animal, but at least once daily, except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species.

Adequate shelter means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; and, for dogs and cats, provides a solid surface, resting platform, pad, floormat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Shelters whose wire, grid, or slat floors permit the animals' feet to pass through the openings, sag under the animals' weight or otherwise do not protect the animals' feet or toes from injury are not adequate shelter.

Adequate space means sufficient space to allow each animal to (i) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal and (ii)

interact safely with other animals in the enclosure. When an animal is tethered, adequate space means a tether that permits the above actions and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar, halter, or harness configured so as to protect the animal from injury and prevent the animal or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the animal; and is at least three times the length of the animal, as measured from the tip of its nose to the base of its tail, except when the animal is being walked on a leash or is attached by a tether to a lead line. When freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal according to professionally accepted standards for the species is considered provision of adequate space.

Adequate water means provision of and access to clean, fresh, potable water of a drinkable temperature that is provided in a suitable manner, in sufficient volume, and at suitable intervals, to maintain normal hydration for the age, species, condition, size and type of each animal, except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species; and is provided in clean, durable receptacles that are accessible to each animal and are placed so as to minimize contamination of the water by excrement and pests or an alternative source of hydration consistent with generally accepted husbandry practices.

Animal means any nonhuman vertebrate species except fish.

Animal control officer means a person appointed as the animal control officer or a deputy animal control officer pursuant to Virginia law to enforce the Virginia Comprehensive Animal Laws, this Chapter, and all laws for the protection of domestic animals.

Animal Shelter means the Fairfax County Animal Shelter which is operated as a pound as is defined in Virginia Code § 3.2-6500.

Animal Services Division means the Animal Services Division of the Fairfax County Police Department. References to the Commander of the Animal Services Division mean the Commander or his or her agent.

Certified service animal means a monkey that is used or is in training to be used solely to assist disabled persons and which use is certified by officials of a generally recognized scientific or educational institution, provided that such certified service animal has been bred in a closed breeding environment located in the United States.

Circus means any commercial variety show featuring animal acts for public entertainment.

Companion animal means any domestic or feral dog, domestic or feral cat, non-human primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals for the purpose of this chapter.

Director of Health means the Director of the Fairfax County Health Department or his or her designee.

Director of Tax Administration means the Director of the Department of Tax Administration or his or her designee. For purposes of issuing dog licenses, the Animal Services Division is a designee of the Director of Tax Administration.

Horse means and includes horse, mule, donkey, and ass.

Kennel means any place in or at which five or more dogs or cats or hybrids of either are kept for the purpose of breeding, hunting, training, renting, buying, boarding, selling, or showing.

Livestock includes all domestic or domesticated: bovine animals; equine animals; ovine animals; porcine animals; cervidae animals; capradae animals; animals of the genus Lama; ratites; fish or shellfish in aquaculture facilities, as defined in state law; enclosed domesticated rabbits or hares raised for human food or fiber; or any other individual animal specifically raised for food or fiber, except companion animals.

Owner means any person, firm, partnership, corporation, association, or other legal entity, who has a right of property in an animal, keeps or harbors an animal, has an animal in his, her or its care, or acts as a custodian of an animal, including operators or managers of stables, kennels, pet shops, or other animal establishments.

Primary enclosure means any structure used to immediately restrict an animal to a limited amount of space, such as a room, tank, pen, cage, compartment or hutch. For tethered animals, the term includes the shelter and the area within reach of the tether.

Releasing agency means a pound, animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to animals, or other similar entity or home-based rescue that releases a

companion animal for adoption, including the Fairfax County Animal Shelter.

Rightful owner means a person with a right of property in the animal.

Service animal means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Traveling animal exhibition means any spectacle, display, act or event, including circuses and carnivals, where animals are maintained, whether or not the animals actually perform, the owners or operators of which do not have their principal place of business in Fairfax County, Virginia, and that are required to obtain a temporary special permit pursuant to the Zoning Ordinance. Notwithstanding the foregoing, a horse or pony ride is not a traveling animal exhibition.

Unrestricted means not under the control of the owner or his agent either by leash, cord, chain, or primary enclosure when off the property or premises of the owner or custodian. An electronic device does not qualify as a leash, cord or chain.

Vicious animal means any animal or animals that constitute a physical threat to human beings or other animals, not to include vicious dogs, which are addressed separately within this Chapter.

Wild or exotic animal means any live monkey (non-human primate), raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx or any other warm-blooded animal, poisonous snake or tarantula that can

normally be found in the wild state or any other member of a crocodylian, including but not limited to alligators, crocodiles, caimans, and gavials. Ferrets, non-poisonous snakes, rabbits, and laboratory rats that have been bred in captivity and that have never known the wild are excluded from this definition. (26-04-41.1; 20-06-41.1; 67-08-41.1.)

Section 41.1-2-4. – Unrestricted dogs prohibited; leash law

- (a) No dog shall run unrestricted, as defined in Section 41.1-1-1, in the County. Any person who is the owner of a dog found unrestricted in the County shall be in violation of this Section. This Section shall not apply to any person who uses a dog under his direct supervision while lawfully hunting, while engaged in a supervised formal obedience training class or show, during formally sanctioned field trials, while a dog is in an area owned, leased, controlled, or operated by Fairfax County designated by resolution of the Board of Supervisors as an off-leash dog exercise area, or while a dog is in an area owned, leased, controlled, or operated by the Fairfax County Park Authority and designated by resolution of the Fairfax County Park Authority as an off-leash or dog exercise area, or while a dog is in an area, leased, controlled, or operated by the Northern Virginia Regional Park Authority and designated by resolution of the Northern Virginia Regional Park Authority Board as an off-leash or dog exercise area, or if a dog is a service animal whose handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means). It is a violation of this Section for any owner of a dog to place such dog or allow it to be placed into custody of any person not physically capable of maintaining effective control of restricting such dog.
- (b) Any dog found unrestricted in violation of subsection (a) shall be impounded, except that if the rightful owner of the dog can be immediately ascertained and located, then that owner shall be allowed to have custody of the animal, but shall be subject to issuance of a summons for violation of this Section. (26-04-41.1.)

2. That this ordinance shall become effective upon adoption.

GIVEN under my hand this ____ day of April 2011.

Nancy Vehrs
Clerk to the Board of Supervisors

Board Agenda Item
April 26, 2011

5:00 p.m.

Public Comment from Fairfax County Citizens and Businesses on Issues of Concern

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