**FAIRFAX COUNTY**
**BOARD OF SUPERVISORS**
**SEPTEMBER 13, 2011**

**AGENDA**

| | | |
|---|---|---|
| 9:30 | **Done** | Presentations |
| 10:30 | **Done** | Presentation of the Volunteer Fire and Rescue Service Awards |
| 10:45 | **Held; Carryover Adopted** | Public Hearing on the County and Schools' *FY 2011 Carryover Review* to Amend the Appropriation Level in the FY 2012 Revised Budget Plan |
| 11:00 | **Done** | Items Presented by the County Executive |
| | **ADMINISTRATIVE ITEMS** | |
| 1 | **Approved** | Authorization for the Fairfax County Police Department to Apply for and Accept Grant Funding from the Office of Justice Programs Edward Byrne Memorial Justice Assistance Grant |
| 2 | **Approved** | Extension of Review Periods for 2232 Review Applications (Mount Vernon, Providence, and Springfield Districts) |
| 3 | **Approved** | Authorization to Advertise a Public Hearing to Consider Amending the Parking Restriction Time of the Northern Virginia Community College Residential Permit Parking District, District 39 (Braddock District) |
| 4 | **Approved** | Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Northern Virginia Community College Residential Permit Parking District, District 39 (Braddock District) |
| 5 | **Approved** | Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the McLean Residential Permit Parking District, District 21 (Dranesville District) |
| 6 | **Approved** | Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Reston Avenue as Part of the Residential Traffic Administration Program (Hunter Mill District) |
| 7 | **Approved** | Authorization to Advertise a Public Hearing on Proposed Transportation Enhancement Program Projects |
| 8 | **Approved** | Designation of Plans Examiner Status Under the Expedited Land Development Review Program |
| 9 | **Approved** | Streets into the Secondary System (Dranesville, Lee, Mason and Springfield Districts) |

**FAIRFAX COUNTY**
**BOARD OF SUPERVISORS**
**SEPTEMBER 13, 2011**

## ACTION ITEMS

| | | |
|---|---|---|
| 1 | **Approved** | Approval of the FY 2012 State Performance Contract Between the Fairfax-Falls Church Community Services Board and the Virginia Department of Behavioral Health and Developmental Services |
| 2 | **Deferred** | Approval of Interim Closing Cost Assistance Program for Purchasers in the First-Time Homebuyers Program |
| 3 | **Approved** | Endorsement of Design Plans for Bridge Replacement at Beach Mill Road (Route 603) Over Nichols Run (Dranesville District) |
| 4 | **Approved** | Presentation of the Delinquent Tax List for Tax Year 2010 (FY 2011) |
| 5 | **Approved** | Renewal of a Memorandum of Understanding Between the Fairfax County Police Department and the United States Department of Justice Drug Enforcement Administration Task Force |
| 6 | **Approved** | Approval of Head Start/Early Head Start Policy Council Bylaws, Memorandum of Understanding Between Policy Council and Board of Supervisors, Self-Assessment Report, and Response to Federal Monitoring Review |
| 7 | **Approved w/amendment** | Approval of a Draft Board of Supervisors' Meeting Schedule for Calendar Year 2012 |
| 8 | **Approved** | Approval of a Memorandum of Agreement with the Virginia Department of Transportation for Adoption of the Transportation Design Standards for the Tysons Corner Urban Center, and for Adoption of Policies Guiding Private Maintenance of Enhanced Streetscaping in Tysons Corner |
| 9 | **Approved** | Adoption of a Resolution that Confirms the Declaration of Local Emergency for Hurricane Irene, Consents to those Actions Taken by the Director of Emergency Management and County Staff During that Emergency, and Confirms the Termination of that Declared Local Emergency |
| 10 | **Approved** | Adoption of a Resolution that Confirms the Declaration of Local Emergency for Heavy Rains and Flooding on September 8, 2011, Consents to those Actions Taken by the Director of Emergency Management and County Staff During that Emergency, and Confirms the Termination of that Declared Local Emergency |

**FAIRFAX COUNTY**
**BOARD OF SUPERVISORS**
**SEPTEMBER 13, 2011**

| | | |
|---|---|---|
| | **INFORMATION ITEMS** | |
| 1 | **Noted** | County Holiday Schedule – Calendar Year 2012 |
| 2 | **Noted** | Work Plan Agreement Between the Natural Resources Conservation Service, the Northern Virginia Soil and Water Conservation District, and Fairfax County for the Rehabilitation of Pohick Creek Dam Site Number 8, Huntsman Lake (Springfield District) |
| 3 | **Noted** | Submission of Testimony in the Application of Virginia Electric And Power Company for a 2011 Biennial Review of the Rates, Terms, and Conditions for the Provision of Generation, Distribution, and Transmission Services, State Corporation Commission Case No. PUE-2011-00027 |
| 11:30 | **Done** | Matters Presented by Board Members |
| 12:20 | **Done** | Closed Session |
| | **PUBLIC HEARINGS** | |
| 3:30 | **Public hearing deferred to 9/27/11 at 3:30 p.m.** | Public Hearing on RZ 2010-MV-011 (Memorial Venture, LLC) (Mount Vernon District) |
| 3:30 | **Approved** | Public Hearing on RZ 2010-MA-017 (UPIA, LLC) (Mason District) |
| 4:00 | **Approved** | Public Hearing on Proposed Revisions to Sections 3-1-1 and 3-1-21 of Chapter 3 of the Code of Fairfax County |
| 4:00 | **Approved** | Public Hearing on Proposed Area Plans Review (APR) Item 09-IV-12LP, Located West of Telegraph Road, East of Pohick Estates Park, and North of Southgate Woods Townhouse Development (Mount Vernon District) |
| 4:00 | **Approved** | Public Hearing on a Proposal to Prohibit Through Truck Traffic on Backlick Road as Part of the Residential Traffic Administration Program (Mount Vernon District) |
| 4:00 | **Approved** | Public Hearing on a Proposal to Prohibit Through Truck Traffic on Northbourne Drive and Cabells Mill Drive as Part of the Residential Traffic Administration Program (Sully District) |

**FAIRFAX COUNTY**
**BOARD OF SUPERVISORS**
**SEPTEMBER 13, 2011**

**PUBLIC HEARINGS**
(continued)

| | | |
|---|---|---|
| 4:30 | **Approved** | Public Hearing on Proposed Plan Amendment S11-IV-RH1, Located on the South Side of Castlewellan Drive, East of South Van Dorn Street (Lee District) |
| 4:30 | **Approved** | Public Hearing on the Interim Agreement (Laurel Hill) Between the Board of Supervisors and The Alexander Company, Under the Provisions of the Public-Private Education and Infrastructure Act of 2002 |
| 4:30 | **Approved** | Public Hearing to Consider the Local Property Tax Exemption for Affordable Housing of NOVACO Pursuant to Article 27, Chapter 4, of the Fairfax County Code |

# R E V I S E D

# *Fairfax County, Virginia*

# *BOARD OF SUPERVISORS AGENDA*

**Tuesday**
**September 13, 2011**

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9:30 a.m.

## PRESENTATIONS

- PRESENTATION to Fairfax County of its certification and award as a Community Wildlife Habitat by the National Wildlife Federation.

- RECOGNITION of Fairfax County programs that won 2011 Achievement Awards from the National Association of Counties.

## DESIGNATIONS

- PROCLAMATION – To designate September 2011 as Emergency Preparedness Month in Fairfax County. Requested by Chairman Bulova.

- CERTIFICATE – To recognize residents and businesses that have made properties for training available to Fairfax County public safety workers. Requested by Chairman Bulova.

- PROCLAMATION – To designate September 15-October 15, 2011, as Hispanic Heritage Month in Fairfax County. Requested by Chairman Bulova.

— more —

Board Agenda Item
September 13, 2011

- PROCLAMATION – To designate September 26, 2011, as Mesothelioma Awareness Day in Fairfax County. Requested by Supervisor Hyland.

- PROCLAMATION – To designate August 11, 2011, as Ben Ettleman Day in Fairfax County for his commitment to Fairfax County. Requested by Supervisor Hyland.

RECOGNITIONS

- RESOLUTION – To recognize Vincent J. Bollon for his years of service and contributions to Fairfax County. Requested by Supervisor Hyland.

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

Board Agenda Item
September 13, 2011

10:30 a.m.

Presentation of the Volunteer Fire and Rescue Service Awards

ENCLOSED DOCUMENTS:
None

PRESENTED BY:
Chief Timothy Fleming, Chair, Volunteer Fire Commission

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Board Agenda Item
September 13, 2011

10:45 a.m.

Public Hearing on the County and Schools' *FY 2011 Carryover Review* to Amend the Appropriation Level in the FY 2012 Revised Budget Plan

ISSUE:
Public Hearing and Board action on the County and Schools' *FY 2011 Carryover Review*

RECOMMENDATION:
The County Executive recommends that, after holding a public hearing, the Board approve staff recommendations including the County and Schools' *FY 2011 Carryover Review*. It should be noted that subsequent to the package presented to the Board of Supervisors on July 26, 2011, the School Board took action on the Schools' *FY 2011 Carryover Review* on July 28, 2011. As a result of the Board's actions, the expenditure level for Fund 090, Public School Operating, was increased by $900,000 to reflect the appropriation of a $500,000 placeholder for future School Board-directed management audit activities, and an additional $400,000 placeholder was appropriated to enhance efforts to provide academic support to students who are serving out of school suspensions.

TIMING:
The public hearing has been advertised for 10:45 a.m. on September 13, 2011. State law allows the Board to act on proposed amendments to the budget on the same day as the public hearing.

BACKGROUND:
On July 26, 2011, the Board of Supervisors authorized staff to advertise a public hearing scheduled to be held on September 13, 2011, regarding the County and Schools' Carryover Review. Section 15.2-2057 of the Code of Virginia requires that a public hearing be held prior to Board action. Board approval of an amendment to increase the FY 2012 appropriation level can occur immediately following the public hearing.

As a result of action taken by the School Board on July 28, 2011, the following items have been updated. It should be noted that changes were made only for Fund 090, Public School Operating, as noted above.

- Advertisement for Public Hearing (Attachment A)

- FY 2011 Carryover Expenditures by Fund, Summary of Appropriated Funds (Attachment B, Attachment I)
- Supplemental Appropriation Resolution AS 12010 (Attachment B, Attachment VII)
- Schools' *FY 2011 Carryover Review* (Attachment C)

Any pages which have been updated from the package presented to the Board on July 26, 2011 are marked as "Updated to reflect School Board action on July 28, 2011". All other information is unchanged from the original package.

ENCLOSED DOCUMENTS:
Attachment A: Proposed advertisement for public hearing
Attachment B: July 26, 2011 Memorandum to the Board of Supervisors from Anthony H. Griffin, County Executive, with attachments, transmitting the County's *FY 2011 Carryover Review* with appropriate resolutions (also available online at http://www.fairfaxcounty.gov/dmb/carryover/fy2011/fy_2011_carryover_package_updated.pdf)
Attachment C: Fairfax County School Board's FY 2011 Final Budget Review and Appropriation Resolutions

STAFF:
Anthony H. Griffin, County Executive
Susan W. Datta, Chief Financial Officer

# ATTACHMENT A:

# ADVERTISEMENT FOR PUBLIC HEARING

**Attachment A**

# NOTICE OF A PROPOSED ADOPTION OF A RESOLUTION APPROPRIATING SUPPLEMENTAL FUNDS FOR FAIRFAX COUNTY, VIRGINIA FOR THE TWELVE-MONTH PERIOD BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012

Notice is hereby given in accordance with Section 15.2-2507 of the Code of Virginia that at a regular meeting of the Urban County Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday, July 26, 2011, it was proposed to adopt a supplemental appropriation of funds for Fairfax County, Virginia for the twelve-month period beginning July 1, 2011, and ending June 30, 2012, and Clerk of said Board was directed to advertise the proposed resolution with notice that the Board will hold a public hearing on the same at a regular meeting to be held in the Board Auditorium of the Fairfax County Government Center on September 13, 2011, at 10:45 a.m. at which time, persons affected may be heard on said resolution.

All persons wishing to present their views on these subjects may call the Office of the Clerk to the Board at (703) 324-3151 to be placed on the Speakers List, or may appear and be heard. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

Fairfax County supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, (703) 324-3151, TTY: (703) 324-3903 no later than 48 hours in advance of the public hearing. Assistive listening devices are available at the meeting.

The following summarizes the proposed amendments to the FY 2012 Budget Plan. Those funding adjustments included below are recommendations to revise funding levels in existing agencies and programs. Copies of the *FY 2011 Carryover Review*, which include these adjustments, were forwarded to the Board of Supervisors on July 26, 2011, and are available for public inspection at all Fairfax County Public Libraries and governmental centers and on-line at http://www.fairfaxcounty.gov/dmb.

| | | |
|---|---|---|
| **FY 2012 Current Approved Budget Plan** | | |
| **Total Expenditures - All Funds** | | **$6,100,253,598** |
| **Proposed Changes:** | | |
| **A. Previously Approved Items** | | |
| **General Fund** | | $44,298,627 |
| • Encumbered | $34,391,637 | |
| • Unencumbered | 9,906,990 | |
| **Other Funds** | | $1,191,035,881 |
| • Capital Construction | $497,854,526 | |
| • Federal/State Grants | 124,435,825 | |
| • All Other Funds | 568,745,530 | |

| | | |
|---|---|---|
| **School Funds** | | $433,507,935 |
| • School Operating | $164,751,167 | |
| • School Food & Nutrition Services | 5,025,033 | |
| • School Grants & Self Supporting | 27,496,886 | |
| • School Adult & Community Education | 113,600 | |
| • School Construction | 276,662,476 | |
| • School Insurance | 2,576,937 | |
| • School Health and Flexible Benefits | (43,450,164) | |
| • Educational Employees' Retirement | 0 | |
| • School OPEB Trust Fund | 332,000 | |
| ***Subtotal Previously Approved Items in Carryover*** | | ***$1,668,842,443*** |
| **B. Additional Funding Adjustments** | | |
| **General Fund Impact** | | |
| • Administrative Items | | $15,004,446 |
| **Other Funds** | | |
| • Administrative Items | | $57,948,471 |
| Capital Construction | $4,750,000 | |
| All Other Funds | 53,198,471 | |
| ***Subtotal Additional Adjustments*** | | ***$72,952,917*** |
| **Total Expenditures in All Funds** | | **$7,842,048,958** |
| ***Increase from FY 2012 Current Budget Plan*** | | ***$1,741,795,360*** |

*The remaining General Fund balance, after the adjustments noted above, is $24.44 million. The County Executive recommends that this balance be held in reserve to address the projected budget shortfall in FY 2013.*

*It should be noted that **no** FY 2011 Carryover Consideration Items have been requested as of August 24, 2011.*

Updated to reflect School Board action on July 28, 2011

# ATTACHMENT B:

# MEMO AND ATTACHMENTS I – VII TRANSMITTING THE COUNTY'S FY 2011 CARRYOVER REVIEW WITH APPROPRIATE RESOLUTIONS

**Attachment B**

# County of Fairfax, Virginia

**MEMORANDUM**

**DATE:** July 26, 2011

**TO:** BOARD OF SUPERVISORS

**FROM:** Anthony H. Griffin
County Executive

**SUBJECT:** FY 2011 Actual Revenues, Expenditures and Carryover Supplemental Appropriation

Attached for your review and consideration is the FY 2011 Carryover Package, including Supplemental Appropriation Resolution AS 11155, AS 12010 and Amendment to the Fiscal Planning Resolution AS 12900. The document includes the following attachments for your information:

| | |
|---|---|
| Attachment I | A General Fund Statement including revenue and expenditures, as well as a summary reflecting expenditures by fund |
| Attachment II | A summary of General Fund receipt variances by category |
| Attachment III | A summary of significant General Fund expenditure variances by agency |
| Attachment IV | An explanation of General Fund Unencumbered Carryover |
| Attachment V | A detailed description of new and unexpended federal/state grants, as well as anticipated revenues associated with those grants that are recommended for appropriation in FY 2012 |
| Attachment VI | A detailed description of significant changes in Other Funds |
| Attachment VII | Supplemental Appropriation Resolution AS 11155, AS 12010 and Fiscal Planning Resolution AS 12900 for FY 2012 providing for the appropriation of outstanding encumbrances and unspent balances for federal/state grants, as well as prior commitments of the Board of Supervisors, such as unspent capital project balances |

As the Board is aware, the *Code of Virginia* requires that the Board of Supervisors hold a public hearing prior to the adoption of amendments to the current year budget when potential appropriation increases are greater than 1.0 percent of expenditures. In addition, the Code requires that the Board advertise a synopsis of the proposed changes. Since the *FY 2011 Carryover Review* recommends changes to the FY 2012 Adopted Budget Plan over this limit, Board action on the Carryover Review has been scheduled at the same time as the public hearing on September 13, 2011.

**Office of the County Executive**
12000 Government Center Parkway, Suite 552
Fairfax, VA 22035-0066
703-324-2531, TTY 703-222-5494, Fax 703-324-3956
www.fairfaxcounty.gov

**FY 2011 End of Year Summary**

A brief summary of the General Fund follows, comparing unaudited actual receipts and disbursements as of June 30, 2011 to the final estimates of the *FY 2011 Revised Budget Plan*.

## GENERAL FUND STATEMENT AND BALANCE AVAILABLE
## (in millions of dollars)

| | FY 2011 Revised Budget Plan | FY 2011 Actual | Variance |
|---|---|---|---|
| Beginning Balance, July 1 | $240.28 | $240.28 | $0.00 |
| Receipts and Transfers In | $3,277.96 | $3,327.93 | $49.97 |
| **Total Available** | **$3,518.24** | **$3,568.20** | **$49.97** |
| Expenditures | $1,257.28 | $1,187.80 | ($69.47) |
| Transfers Out | $2,144.78 | $2,144.78 | $0.00 |
| **Total Disbursements** | **$3,402.06** | **$3,332.59** | **($69.47)** |
| **Ending Balance, June 30** | **$116.18** | **$235.61** | **$119.44** |
| Managed Reserve | $68.04 | $68.04 | $0.00 |
| Balance used in FY 2012 Adopted | $48.13 | $63.13 | $15.00 |
| **Balance** | **$0.00** | **$104.44** | **$104.44** |
| **FY 2011 Commitments ($45.19)** | | | |
| Outstanding Encumbered Obligations | | | ($34.39) |
| Outstanding Unencumbered Commitments | | | ($9.91) |
| Managed Reserve Adjustment | | | ($0.89) |
| **Balance after FY 2011 Commitments** | | | **$59.25** |
| **FY 2012 Adjustments ($34.81)** | | | |
| **Board Proposed Adjustments** | | | |
| Market Rate Adjustment for County Staff of 1.52% | | | ($11.30) |
| **Administrative Adjustments** | | | |
| Administrative Adjustments | | | ($22.78) |
| Managed Reserve Adjustment | | | ($0.73) |
| **Balance after FY 2012 Adjustments** | | | **$24.44** |
| **Recommended Reserve for FY 2013** | | | **($24.44)** |
| | | Net Balance | $0.00 |

NOTE: Carryover is defined as the re-appropriation in FY 2012 of previously approved items such as outstanding encumbered obligations, unencumbered commitments and unexpended FY 2011 capital project and grant balances.

***Executive Summary***

FY 2011 General Fund Revenues and Transfers In were $3.33 billion, an increase of $49.97 million, or 1.5 percent, over the *FY 2011 Revised Budget Plan* estimate. In addition, expenditures were below *FY 2011 Revised Budget Plan* projections by $69.47 million. Netting out outstanding encumbrances and unencumbered commitments, as well as the required Managed Reserve adjustment totaling $45.19 million, the FY 2011 available disbursement balance is $74.25 million. It should be noted that $15.0 million of this variance is due to the reserve for FY 2012 retirement requirements which had been anticipated in beginning balance as part of the adoption of the FY 2012 budget. As a result, the combined revenue and disbursement balance, after funding obligations and Managed Reserve is $59.25 million.

Allocation of this balance is important given several significant FY 2012 funding requirements, as well as the need to hold in reserve as much as possible to be available to address FY 2013 budget requirements. I believe my recommendations in this package reflect the appropriate allocation of this funding and includes funding of $11.30 million to meet the Board of Supervisor's guidance to support a market rate adjustment for County staff which could not be accommodated within the FY 2012 Adopted budget, funding of $23.51 million for required administrative and corresponding managed reserve adjustments and the designation of $24.44 million as a reserve for FY 2013 budget requirements.

The County is fortunate that FY 2011 revenue came in higher than anticipated. Total FY 2011 revenues were $49.97 million or 1.5 percent higher than anticipated. Much of this increase occurred in the latter portion of the fiscal year. For example, Sales Tax receipts, which represent nearly $5 million of the increase, grew at only 1.5 percent through February yet ended the year up approximately 3.5 percent based on strong receipts during the last several months of the year. Business, Professional, and Occupational Licenses (BPOL) tax receipts, filed and paid in the spring, declined 1 percent in FY 2010 but increased 4.7 percent in FY 2011. As previously noted, projecting revenue during this time of economic uncertainty is problematic. Previously reliable models and methodologies for estimating revenue cannot adjust quickly to changing economic factors and forecasting revenue both in the current year and in the future budget year is challenging. Staff continues to monitor revenue receipts and projections and will be providing an update of FY 2012 revenue estimates in the fall.

In addition, I note the savings in County expenditures as a result of close management of agency spending. Despite several years of budget reductions, including mid-year decreases, agency FY 2011 spending remained at, and in many cases below, budget. These savings were primarily generated by agencies as a result of operational efficiencies and closely managed staffing resources, and the unexpended balance, along with higher than anticipated revenue, provided the opportunity for addressing Board priorities as it relates to employee compensation, required FY 2012 adjustments, and creating a reserve for FY 2013.

Establishing a reserve of $24.44 million for the FY 2013 budget is a prudent action given the current forecasts for FY 2013 revenues and expenditure requirements. Staff will be providing the Board with a forecast for FY 2013 in the fall, but given current projections, it does appear that there will be a shortfall of well over $100 million based on our assumptions and assuming no reduction to County programs. As such, I have instructed agencies to identify spending reduction options as part of the FY 2013 budget development, which will be incorporated into the budget recommendations for FY 2013. The reserve of $24.44 will be important as we review various budget alternatives.

Finally, I note that the FY 2011 Carryover includes an adjustment to the County's position count as it relates to transfer of grants due to the replacement of the legacy computer systems. As the Board will recall, included in the FY 2012 Adopted Budget Plan was the transfer of funding previously classified as a grant but which does not meet the grant definition of the new computer system. The grants and the grant positions did remain in place in FY 2011 prior to the conversion but the positions now need to be converted to Merit Regular. The grant positions associated with this adjustment include 83 positions in Fund 102, Federal/State Grant Fund, 28 positions in Fund 103, Aging Grants and Programs, and 97

positions in Fund 106, Fairfax-Falls Church Community Services Board (CSB) which will now be classified as Merit Regular positions in the Department of Family Services, the Department of Neighborhood and Community Services and the CSB.

A summary of some of the major adjustments included in the FY 2011 Carryover is noted below, with more detail included in the adjustment sections of this letter and its attachments:

Board Directed Adjustments

The *FY 2011 Carryover Review* includes $11.30 million to fund a 1.52 percent market rate adjustment for County staff. Funding for employee compensation increases was not available as part of the FY 2012 budget adoption. However, the Board of Supervisors included direction in spring 2011 that a market rate adjustment (MRA) for employees be included in the FY 2011 Carryover. Originally estimated to be 1.12 percent based on the previous formula, the market rate adjustment has been recalculated at 1.52 percent in accordance with the revised formula approved by the Board at its May 3, 2011 Personnel Committee meeting. I strongly concur with this adjustment. As the Board is aware, compensation increases have not been provided to employees since FY 2009. This 1.52 percent adjustment, effective with the pay period beginning September 24, 2011, begins the process of returning to a fair and competitive compensation program. The FY 2011 Carryover incorporates the other compensation plan changes approved by the Board as part of the Personnel Committee, such as the application of the MRA to employee pay scales, a reduction in the range of performance-based increases and the conversion to a single date for performance based increases to accommodate changes in our new payroll system.

Administrative Adjustments

The *FY 2011 Carryover Review* includes General Fund administrative adjustments and associated managed reserve adjustments totaling $23.51 million. Details of these adjustments can be found later in this transmittal letter. Of this amount, $10 million is associated with a progress payment for the Legacy Systems Replacement Project, FOCUS. The Board approved the multi-year contract for an implementer to guide and assist County staff with the Legacy Systems replacement on June 22, 2010 and this $10 million payment is necessary to continue to support this Fairfax County government and school system multi-year, joint initiative that will modernize the portfolio of enterprise systems that support finance (FAMIS), human resources (government: PRISM/schools: Lawson), budget (BPREP), procurement (CASPS) and related administrative applications with an integrated approach that has the flexibility to meet current and future requirements. The General Fund transfer to Fund 501, County Insurance Fund, is increased by $6.0 million for accrued liability adjustments. An actuarial analysis is performed each year to estimate the value of property and other self-insured losses for which the County is liable. The increases are associated with the current trend in County loss experience. Funding of $1.0 million is included to support the relocation of Human Services agencies as a result of a new lease agreement for the human services center in the eastern part of the County. These relocation costs will be offset by cost savings over the life of the lease.

Other Funds Adjustments

Attachment VI of the *FY 2011 Carryover Review* details changes in other funds which do not have a General Fund impact. This attachment includes a review of the FY 2011 fund expenditure and revenue variances and notes changes in FY 2012 expenditures. Some of the more significant adjustments in Other Funds include:

- As directed by the Board of Supervisors as part of their deliberations on the FY 2012 Adopted Budget Plan, funding of $2,000,000, supported by a transfer from Fund 105, Cable Communications, is included for deployment of up-to-date technology to support secure access of new web-based social media functionalities. This project will implement protected web security gateway infrastructure that will provide comprehensive secure web and social media access to County agencies for business needs. This project also improves compliance with regulatory standards, proactively mitigates against cyber security threats to the County's networks, enables real-time security monitoring and captures web traffic intelligence

efficiently. As funds available in Fund 105, Cable Communications, are being used to secure and deploy this technology, there is no net cost to the General Fund.

- Funding of $5,000,000, offset entirely by revenue from Fund 319, Affordable Housing Fund, is required to support several affordable housing initiatives consistent with the Blueprint for Affordable Housing. The Fund 319 revenue is a result of accrued program income and savings from Wedgewood Apartments operations accumulated since the purchase of the complex in November 2007. As the Board will recall, $4.1 million in recurring Wedgewood program income was identified and applied to annually fund the first phases of the Housing Blueprint. However, funding of the Blueprint did not commence until FY 2011. This program income and efficiencies and strong operations at Wedgewood, have resulted in the accrued $5 million. Of the $5.0 million, funding of $2,000,000 will be used to support the gap in funding for FY 2012 Housing Blueprint activities, equating to services for an additional 194 households, as directed by the Board in the FY 2012 budget guidelines. Funding of $1,500,000 will be used for rehabilitation and renovation work at the Wedgewood Apartments community center and related facilities. The community center will be made fully accessible given that it is currently located on the second floor and can only be accessed by stairs. Funding of $1,500,000 will be used to support non-profit organizations to leverage additional funding to provide supportive services to 72 homeless individuals and families and an additional 303 households on the County's affordable housing waiting lists who are receiving rental subsidies through the Bridging Affordability Program as part of a framework for providing a full continuum of supports that address the root causes of homelessness. In addition, funding may further enable non-profit organizations to expand services and the affordable housing stock for the benefit of those with very low and extremely low incomes, including the potential relocation of the Lamb Center.

- Funding of $6,800,000 is included to support $5,000,000 required for the construction document design phase, permitting and other design costs associated with a replacement Public Safety Headquarters building and $1,800,000 to support design work associated with the renovation of the Bailey's Fire Station. This funding is available through fall 2006 Public Safety Bond Referendum funds which may be used to support a variety of public safety requirements including renewal and renovation efforts. After this action, no bond authority will remain from the 2006 Public Safety Bond Referendum.

### *FY 2011 Revenues and the Economy*

Before discussing specific FY 2011 Carryover adjustments, it is important to review the context of the Carryover balance and recommended adjustments. Actual FY 2011 General Fund Revenues and Transfers In were $3.33 billion, an increase of $49.97 million over the *FY 2011 Revised Budget Plan* estimate, which represents a variance of 1.5 percent. This increase is primarily the result of increases in Personal Property Tax receipts, Other Local Taxes, including Bank Franchise Taxes, Local Sales Tax and BPOL, Recovered Costs, and Revenue from the Commonwealth and Federal Governments, partially offset by a decrease in Revenue from the Use of Money and Property. Attachment II of the Carryover Review summarizes significant revenue variances.

The economy has continued to recover, but the pace of the expansion during the first half of 2011 has been modest. While the County's unemployment rate has been on a downward trajectory this year and home prices have increased, there is still a lot of uncertainty about a sustainable economic recovery, which weighs down on consumer confidence. While actual revenue exceeded the budget estimate for Sales Tax receipts, the level of FY 2011 collections is still below the FY 2008 level. Bank Franchise Taxes were also significantly higher than the budget estimate as a result of banks holding excess reserves due to continued economic concerns. The impact of economic conditions on FY 2012 revenues will be more apparent during the fall 2011 revenue review after several months of actual FY 2012 collections have been received.

Staff will continue to closely monitor both expenditure and revenue categories to identify trends and conditions impacting the budget, and, in particular, their effect on the level of revenue growth in the County.

### *FY 2011 Disbursements*

The General Fund disbursement variance totals $69.47 million. An amount of $45.19 million is carried forward for encumbered and unencumbered items, as well as the associated Managed Reserve adjustment, leaving a variance of $24.28 million. Encumbered carryover includes legally obligated funding for items/services for which final financial processing has not been completed. Unencumbered carryover includes funding for items previously approved by the Board but not purchased based on timing or other issues. After adjusting for the $15.0 million retirement reserve which has been anticipated and already appropriated in the FY 2012 budget, the net disbursement variance is $9.28 million or 0.3 percent of total estimated disbursements. More detailed information on FY 2011 General Fund Disbursement Variances is included in the Carryover attachments.

### *FY 2011 Audit Adjustments*

As the Board is aware, the financial audit of FY 2011 is currently being conducted. Necessary adjustments as a result of this work will be included in the FY 2011 Comprehensive Annual Financial Report (CAFR) and in the audit package that is presented for the Board's approval as part of the *FY 2012 Third Quarter Review*.

## Board Directed Adjustments

| | | **RECURRING** |
|---|---|---|
| **General Fund Agencies** | Expenditure | $7,786,221 |
| **Agency 89, Employee Benefits** | Expenditure | $2,291,225 |
| **General Fund Supported Funds** | Transfers Out | $1,222,554 |
| **1.52% Market Rate Adjustment** | **Net Cost** | **$11,300,000** |

Funding of $11,300,000 is required to provide County employees with a 1.52 percent Market Rate Adjustment (MRA) effective with pay period beginning September 24, 2011. The 1.52 percent adjustment was calculated based on a formula agreed upon at the May 3, 2011 Personnel and Reorganization Committee meeting of the Board of Supervisors. The MRA is calculated using a weighted average of the following components: Consumer Price Index (40 percent), Employment Cost Index (50 percent), and the Federal Structure Adjustment (10 percent). The funding of $11.3 million reflects the cost to the General Fund with the impact for positions funded by Other Funds reflected in the Other Funds Detail package of Carryover.

Due to budget constraints, compensation increases have not been provided to employees since FY 2009. During FY 2011, a review of the County's compensation program was initiated and changes to the current program were approved by the Board of Supervisors in spring 2011 after input from county employee groups and senior managers. Since the implementation of pay for performance for nonpublic safety employees, the MRA was applied to public safety pay steps which resulted in increases for employees on the public safety pay plans. To ensure that pay scales remained competitive with the market, non-public safety pay scales were increased in accordance with the MRA calculation but employee pay increases were based solely on annual performance ratings. In line with revisions to the compensation program as approved by the Board, the MRA will now be applied to all pay scales and will result in pay increases for all County employees. This change will be accompanied by a reduction in the range of performance-based increases for non-public safety employees, with the current range of 0-6.0 percent revised to 0-3.5 percent as discussed by the Board's Personnel Committee on June 28, 2011. Additionally, in part because

of the implementation of the performance management module in the new FOCUS system, performance-based increases will occur on a single date for all non-public safety employees rather than individual anniversary dates.

This carryover adjustment implements these revised compensation policies, in addition to funding the FY 2012 Market Rate Adjustment. These changes to the compensation program are made pending funding availability in future years and no adjustments for Pay for Performance or merit increments are funded in the FY 2012 budget.

It should be noted that under the County's previous formula for the MRA, the calculated percentage increase would be 1.12 percent, with the cost estimated at $8.3 million. The calculation was previously calculated using a weighted average of the following components: Consumer Price Index (40 percent), Local Area Jurisdiction salary structure adjustments, including the federal wage adjustment (50 percent), and the HRA-NCA Salary Planning Survey, which includes mostly private companies (10 percent).

## Administrative Adjustments

| | | **NON-RECURRING** |
|---|---|---|
| | Revenue | $0 |
| **Agency 08, Facilities Management Department** | Expenditure | $1,000,000 |
| **New Lease Agreement for Human Services Agencies** | **Net Cost** | **$1,000,000** |

Funding of $1,000,000 is required for costs associated with a new lease agreement for several Human Service agencies. Requirements include: information technology costs such as the installation and equipment for telephones, I-Net connections and other cabling, architectural design costs associated with the new space and moving costs. For many years, multiple Human Services agencies have occupied the property located at 6245 Leesburg Pike, Falls Church, Virginia. This over 96,000 square foot facility has served as one of several co-located Human Service delivery sites within Fairfax County. Over 300 County employees serve more than 4,000 clients per month at the current facility providing services and programs including, Self-Sufficiency, SkillSource, Job Corner, Adult and Aging, Child Protective Services, Foster Care and Adoption services, Family Preservation Services, Healthy Families, Child Care Assistance and Referral (CCAR) Program, and Office for Women and Domestic and Sexual Violence Services. The current facility has many inefficiencies, including, aged and obsolete HVAC, electrical and plumbing systems resulting in frequent breakdowns and disruptions in operations. In addition, parking at the facility is insufficient for the client population. Based on these building inefficiencies and the unwillingness of the current landlord to accommodate the County requested contract length, FMD has identified alternative space in the Heritage Center located at 7611 Little River Turnpike. This lease space is approximately five miles from the current Falls Church Human Services building and it is located along a well-traveled public transportation route. All Fairfax County Human Service agencies currently located at 6245 Leesburg Pike will be relocated to 7611 Little River Turnpike. The expected move date is anticipated to occur in January 2012.

Although one-time costs of $1,000,000 are required to accommodate the relocation of several Human Service agencies, this cost will be offset by realized savings in lease expenses over the life of the lease. In addition, the County has for several years studied the viability of building a hub facility that would provide a wide variety of services for the residents of the Bailey's Crossroads area of the County. The planned "East County Center" is anticipated to be operational by late 2016. Given the anticipated new facility, the terms of the new Heritage Center lease are in line with this long range plan.

| | | NON-RECURRING |
|---|---|---|
| **Business, Professional and Occupational Licenses** | Revenue | $8,025,000 |
| **Public Service Corporation Litigation Reserve** | Revenue | (7,800,000) |
| **Agency 17, County Attorney** | Expenditure | $225,000 |
| **Personal Property Litigation** | **Net Cost** | **$0** |

Funding of $225,000 is required for legal services in support of litigation concerning an existing appeal of Public Service Corporation property assessments. In addition, a reserve has been established to offset potential revenue loss. Property owned by Public Service Corporations is assessed by the state for all localities and the current litigation impacts many jurisdictions and multiple years. A Public Service Corporation (PSC) Litigation Reserve in revenue has been established for a potential refund associated with the appeal in the amount of $7.8 million. Final resolution of this case is anticipated in FY 2012 and the County Attorney has requested that funding of $225,000 for outside counsel be made available to assist in the case. The FY 2012 estimate for Business Professional and Occupational Licenses is increased $8,025,000, consistent with current projections and FY 2011 actuals. This additional revenue, which is projected to be higher than estimated in the FY 2012 Adopted Budget Plan, provides a source of funds for the reserve.

| | | NON-RECURRING |
|---|---|---|
| **Agency 17, County Attorney** | Expenditure | $422,000 |
| **Litigation Services** | **Net Cost** | **$422,000** |

Funding of $422,000 is required for litigation services in support of pending cases. Of this total, an amount of $200,000 is required to support a case impacting the County's retirement systems. The Virginia Attorney General is suing Bank of New York Mellon on behalf of the Virginia Retirement System and the local retirement systems of Fairfax County, Arlington County, and the Fairfax County Public Schools under the Virginia Fraud Against the Taxpayers Act. All of the impacted retirement systems will pay their proportionate share of the legal expenses. It should be noted that this total will likely be reimbursed if the lawsuit is successful. The remaining $222,000 is required in support of pending real estate tax appeal cases for both business and residential properties. These funds will support expert witness testimony and other litigation-related services in these cases.

| | | NON-RECURRING |
|---|---|---|
| | Revenue | $0 |
| **Agency 52, Fairfax County Public Library** | Expenditure | $200,000 |
| **Electronic Books** | **Net Cost** | **$200,000** |

Funding of $200,000 is included to increase the Library collection of electronic materials without reducing the number of copies of printed materials. Since FY 2008, the Library has faced increasing customer demand for books in electronic formats as a result of the growing popularity of personal electronic devices that will store and display reading materials. In FY 2011, the circulation of electronic materials was up 70 percent from the previous year, circulating 220,056 items, and up 171 percent since FY 2009, when the Library experienced significant reductions in the materials budget. It should be noted that the Library budget's FY 2011 ending balance was approximately $600,000. This adjustment seeks to re-appropriate a portion of the savings directly into Library materials for patrons.

| | | NON-RECURRING |
|---|---|---|
| **Agency 57, Tax Administration** | Expenditure | $75,000 |
| **Expert Appraisal Analysis and Consultation Services** | **Net Cost** | **$75,000** |

Funding of $75,000 is required for contracting of expert appraisal analysis and consultation services concerning income capitalization rates (cap rates) for the assessment of commercial properties. County specific cap rates are generally derived using office building sales data. Given the uncertain economic times, the additional expert analysis will help staff determine appropriate cap rates for 2012 in order to ensure uniform and equitable commercial assessments.

| | | NON-RECURRING |
|---|---|---|
| | Revenue | $2,530,000 |
| **Agency 67, Department of Family Services** | Expenditure | $5,000,000 |
| | Cost | $2,470,000 |
| **Agency 87, Unclassified Administrative Expenses** | Reserve | ($2,470,000) |
| **Comprehensive Services Act** | **Net Cost** | **$0** |

Funding of $5,000,000 is included to address an increase in the Comprehensive Services Act (CSA) funding requirements based on anticipated expenditures in FY 2012. The expenditure increase is offset by an increase in FY 2012 revenue from the state of $2,530,000. Actual costs for the CSA program are dependent on the number of youth served and the complexity of services provided. Both of these factors can fluctuate significantly from year to year; therefore, a CSA reserve was established as part of the FY 2009 Adopted Budget Plan and has been supplied annually to address changing funding requirements in the CSA program. An annual allocation from the reserve is made at a quarterly review once costs have been refined for the given fiscal year. Funding in the CSA reserve in Agency 87, Unclassified Administrative Expenses, is available for reallocation to Agency 67, Department of Family Services to support actual CSA costs. This funding will be used to offset the net cost of $2,470,000 resulting in no net impact to the County.

In addition, transportation services are currently provided by the Department of Family Services (DFS) to children in foster care receiving CSA services. This service is reimbursed with CSA revenue. To capitalize on infrastructure efficiencies and focus staff in areas of expertise, this function is being transferred from the Department of Family Services (DFS) to the Department of Neighborhood and Community Services (DNCS) in human services transportation. In addition, two positions will also be transferred from DFS to DNCS to support this service.

| | | NON-RECURRING |
|---|---|---|
| **Agency 87, Unclassified Administrative Expenses** | Expenditure | ($2,750,000) |
| **Agency 67, Department of Family Services** | Expenditure | $2,750,000 |
| **Child Care Assistance and Referral FY 2012 Requirements** | **Net Cost** | **$0** |

Funding of $2,750,000 is included to address FY 2012 requirements for the Child Care Assistance and Referral (CCAR) program. As the Board may recall, a reserve was established as part of the *FY 2008 Carryover Review* and has been supplied annually to replace CCAR funding that was originally reduced as part of the FY 2010 Adopted Budget Plan. This reserve is funded with one-time funding available from the state for CCAR. The reserve will continue to address the reduction in FY 2013 and address mandated changes anticipated from the state as a result of the state's new automated child care information system. Funding held in reserve in Agency 87, Unclassified Administrative Expenses, at year end and carried over as unencumbered carryover is available for reallocation to Agency 67, Department of Family Services. There is no net impact to the General Fund.

| | | NON-RECURRING |
|---|---|---|
| | Revenue | $10,000 |
| **Agency 67, Department of Family Services** | Expenditure | $10,000 |
| **John Hudson Summer Intern Program** | **Net Cost** | **$0** |

Funding of $10,000 is required to appropriate additional FY 2012 state revenue for the John Hudson Internship Program. The overall objective of the program is to address unemployment and underemployment of people with disabilities in the Fairfax area by providing work experience and training opportunities which will enhance participants' competitiveness in the job market. This expenditure is fully offset by an increase in state funding with no net impact to the General Fund.

| | | NON-RECURRING |
|---|---|---|
| **Agency 73, Office to Prevent and End Homelessness** | Expenditure | $850,000 |
| **Agency 87, Unclassified Administrative Expenses** | Reserve | ($850,000) |
| **Financial Assistance and Stabilization Funding** | **Net Cost** | **$0** |

Reallocation of $850,000 from the Reserve for Support of Community Organizations in Agency 87, Unclassified Administrative Expenses to Agency 73, Office to Prevent and End Homelessness will support financial assistance and stabilization for families and individuals who are at-risk of homelessness. In combination with OPEH unencumbered funding of $250,000, a total of $1.1 million will be available for the full year of the program. These services were previously provided with funding received through the American Recovery and Reinvestment Act of 2009. The FY 2012 use of the funds will allow a continuation of these services.

| | | RECURRING |
|---|---|---|
| **Agency 89, Employee Benefits** | Expenditure | $360,000 |
| **Tuition Assistance Program** | **Net Cost** | **$360,000** |

Funding of $360,000 is included in Agency 89, Employee Benefits, to restore the County's employee tuition assistance (TAP) and language tuition assistance (LTAP) programs. Funding for these programs was eliminated as part of reductions taken to balance the budget in FY 2010. The programs provide for reimbursement for continuing education classes taken by County employees, and restoration of the funding is expected to impact more than three-hundred employees.

| | | NON-RECURRING |
|---|---|---|
| **Fund 104, Information Technology Projects** | General Fund Transfer | $10,000,000 |
| **Additional Funding for FOCUS Project** | **Net Cost** | **$10,000,000** |

The General Fund transfer to Fund 104, Information Technology Projects, is increased by $10,000,000. This amount will provide funding to continue to support milestone payments related to the Fairfax County Unified System (FOCUS) implementation contract award, as well as support training and ancillary obligations. FOCUS is the Fairfax County government and school system multi-year, joint initiative that will modernize the portfolio of enterprise systems that support finance (FAMIS), human resources (government: PRISM/schools: LAWSON), budget (BPREP), procurement (CASPS) and related administrative applications with an integrated approach that has the flexibility to meet current and future requirements.

The project seeks to mitigate the risk that antiquated and disjointed systems pose for system failure and flawed data, and to shift the orientation of the systems from that of data repositories to information system solutions. The partnership and business investment will facilitate operational efficiencies through enabling robust self-service processes, reducing various "side" systems currently used to provide

functionality that is lacking in the core systems, and identifying independent business processes that achieve a greater value when done jointly between the two organizations. As partners in this endeavor, County government and the school system expect to avoid the future cost of escalating expenses required to manage and maintain old technology while leveraging future technology costs by working together and clearly defining collective requirements.

The FOCUS project will be implemented in three major phases: Financials, Procurement and Budget for the County government and school system; the core elements of Human Capital Management for the County government; and then the core elements of Human Capital Management for the school system and the non-core elements of Human Capital Management for both the County government and school system.

This action, as well as a future request for another $10 million that will be requested in the FY 2012 Carryover Review to complete the installation of the new system, is in accordance with the information shared with the Board in the June 22, 2010 Information Board item.

| | | **NON-RECURRING** |
|---|---|---|
| **Fund 104, Information Technology** | General Fund Transfer | $900,000 |
| **IT Tactical Initiatives** | **Net Cost** | **$900,000** |

Funding of $900,000 is required in Fund 104, Information Technology, for hardware and system infrastructure requirements, application testing, and disaster recovery associated with the FOCUS project and other major County computer systems. Of this total, $700,000 is included for additional hardware and system infrastructure requirements including increased storage capacity as multiple environments and the simultaneous development of multiple phases continues. These funds will also be used to procure additional network components and performance tools as well as additional firewall equipment supporting the production environment. An amount of $100,000 is included to allow the testing of SAP application performance with programmed test scripts. This work is critical in establishing performance metrics for the system. Finally, $100,000 is included to procure consulting support to assist with establishing the County's system-related disaster recovery policies and developing technical requirements from those policies.

As with previous investments, this funding is necessary to ensure a modern application and data architecture that provides both business productivity and technology architecture efficiencies and is projected to result in long-term return on investment. This implementation is a critical step in the County's ongoing infrastructure modernization program and technological improvement strategy.

| | | **RECURRING** |
|---|---|---|
| **Fund 119, Contributory** | General Fund Transfer | $250,000 |
| **Police and Fire World Games** | **Net Cost** | **$250,000** |

The General Fund Transfer to Fund 119, Contributory Fund, is increased by $250,000 to provide ongoing support for the 2015 Police and Fire World Games in Fairfax County. The games are an Olympic-style event held biennially throughout the world to promote friendly competition, camaraderie, and international relationships among the participants. This event is anticipated to generate considerable revenue through the thousands of visitors that will come to Fairfax County for the Games and will stay in local hotels, eat, and shop at County establishments. The 10-day event is projected to bring as many as 10,000 participants and 15,000 visitors to Fairfax County. Additional corporate and private support is also being generated for this effort. It should be noted that two additional changes have been included in Fund 119, Contributory, and supported by allocation from fund balance. This includes $81,100 for the 150th Civil War Anniversary and $50,000 for the Birmingham Green Feasibility Study. More details are included in the Other Funds Detail section of Carryover.

| | | RECURRING |
|---|---|---|
| **Fund 142, Community Development Block Grant** | General Fund Transfer | $284,190 |
| **General Fund Support for Federal Cuts** | **Net Cost** | **$284,190** |

A General Fund Transfer of $284,190 is required to support programs in Fund 142, Community Development Block Grant (CDBG), that are impacted due to federal budget reductions. The final FY 2011 federal budget that impacts the County's FY 2012 budget resulted in a decrease of $1,044,704 or 15.7 percent to the CDBG's FY 2012 Adopted Budget Plan amount of $6,643,133. To address this loss of federal funding the Department of Housing and Community Development (HCD) identified administrative and programmatic reductions for review by the Fairfax County Redevelopment and Housing Authority (FCRHA) and Consolidated Community Funding Advisory Committee (CCFAC), as well as some additional funds that could be reallocated from new HOME Investment Partnership Grant (HOME) program income. Proposed reductions of $760,514 were covered by HCD administrative and personnel reductions, as well as reallocated HOME funding. The remaining $284,190 in reductions that will now be supported by the General Fund Transfer are comprised of $156,705 in support to non-profit organizations and the Consolidated Community Funding Pool program, $80,400 for the Home Repair for the Elderly Program, and $47,085 for the North Hill project. Please note that the $2.3 million reserve that was set aside in the FY 2012 Adopted Budget Plan is still available for other potential state and federal funding reductions that could occur during FY 2012.

| | | NON-RECURRING |
|---|---|---|
| **Fund 303, County Construction** | General Fund Transfer | $3,000,000 |
| **ADA Compliance** | **Net Cost** | **$3,000,000** |

The General Fund transfer to Fund 303, County Construction is increased by $3,000,000 to continue to fund requirements associated with Countywide ADA compliance. On January 28, 2011, the Board of Supervisors entered into an agreement with the Department of Justice (DOJ) to mitigate ADA violations identified during the DOJ audit. The DOJ surveyed 46 of the County's 180 owned buildings and identified required improvements. The agreement requires that the County survey the remaining 134 buildings by January 28, 2012. Funding of $200,000 will allow FMD to contract out the survey work associated with the remaining facilities. The agreement also requires an inventory of County maintained trails, sidewalks, and roads to identify the scope of ADA deficiencies. To date, a preliminary assessment indicates that corrective work will be required to address 778 handicap ramps and/or warning strip deficiencies. Funding of $800,000 is included to begin to address those most critical improvements including 90 locations that currently do not have any curb ramps and/or warning strips. The order-of-magnitude cost to address the remaining walkway deficiencies is $1.8 million. In addition, $2.0 million is included to continue to address deficiencies identified including $1.0 million for the County and $1.0 million for the Park Authority facilities. Staff has categorized identified improvements by color: easy, inexpensive (green); more timely and costly (yellow); and difficult, time consuming, and/or expensive (red). Funding included in the FY 2012 Adopted Budget Plan addressed the category green and yellow improvements identified by both FMD and Park Authority. This additional funding will begin to address the red category improvements. It should be noted that future funding will be required to address additional walkway requirements of $1.8 million, additional category red improvements at both County and Park facilities estimated at over $10 million and additional requirements which may be identified as a result of the building assessment survey.

| | | RECURRING |
|---|---|---|
| **Fund 303, County Construction** | General Fund Transfer | $250,000 |
| **Mandated Street Sign Upgrades** | **Net Cost** | **$250,000** |

The General Fund transfer to Fund 303, County Construction is increased by $250,000 to fund the first year of a seven year program to address new reflectivity standards for street signs on all primary and secondary roads in Fairfax County. In March 2011, the County Attorney's Office determined that the revised federal Manual of Uniform Traffic Control Devices (MUTCD) and the federal law that serves as the basis for the MUTCD, requires that the County is mandated to meet new retro-reflectivity standards.

In September 2009, Section 406 of Public Law 102-388 provided that the MUTCD set a "standard for a minimum level of retro-reflectivity that must be maintained for pavement markings and signs, which shall apply to all roads open to public travel." In addition, Title 23, Highways, of the Code of Federal Regulations provides that the MUTCD is the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel, and requires that states and localities systematically upgrade substandard traffic control devices and install needed devices to achieve conformity with the MUTCD. By January 2018, "all agencies must comply with new retro-reflectivity requirements for overhead guide signs and all street name signs" in accordance with a new national standard set forth by the Federal Highways Administration" and the U.S. Department of Transportation.

It is estimated that this program will entail replacing 4,000 green signs and 1,000 sign posts. The street name signs shall be retro-reflective or illuminated to show the same shape and similar color both day and night. The color of the legend must contrast with the background color of the sign. The program also requires inspection and reflectivity testing of up to 50,000 locations within the County. Preliminary estimates indicate a cost of approximately $350 per intersection or approximately $1.75 million. DPWES has developed a 7 year program at $250,000 annually to address the unfunded federal mandate.

| | | NON-RECURRING |
|---|---|---|
| **Fund 501, County Insurance Fund** | General Fund Transfer | $6,037,049 |
| **Accrued Liability Reserve** | **Net Cost** | **$6,037,049** |

The General Fund transfer to Fund 501, County Insurance, is increased by $6,037,049 for accrued liability adjustments. An actuarial analysis is performed every year by an outside actuary to estimate the ultimate value of losses for which the County is liable. It is the County's policy to fully fund the Accrued Liability Reserve each year based on the actuarial valuation, in order to ensure adequate funding for those risks that are self-insured.

The actuarial analysis estimates the ultimate value both for those cases where claims have already been reported as well as for those claims and future loss payments that could occur, or that have been incurred but not reported yet. Case reserves are established for reported claims at the time that they are reported, and are then adjusted up or down as more information is gathered pertaining to the loss or when closed cases are reopened. Incurred But Not Reported (IBNR) claims are those where a loss has occurred but, due to the time that it takes for some losses to be discovered and reported, have not yet been reported to the County. Actuaries estimate the liability for IBNR claims based on trends in claim frequency and cost levels. Projected future values for reported and IBNR claims are discounted to a present value to determine the current accrued liability.

The actuarial valuation as of June 30, 2011 estimates the County's accrued liability at $40,416,658, an increase of $6,037,049, or 17.56 percent, over the June 30, 2010 valuation of $34,379,609. The accrued liability valuations of four of the five self-insurance categories increased from 2010 to 2011; these categories are Workers' Compensation, Auto Liability, General Liability, and Public Officials Liability.

The majority of these increases have been in the actuarial estimate of IBNR claims. While case reserves for reported claims have increased by only 7.60 percent, the accrued liability for IBNR claims has increased by 21.22 percent. The primary cause of this increase is the trend in County loss experience and the assumption of future loss payments that could occur. Recent large settlements involved with lawsuits that have been resolved in recent months have caused an increase in claims payments and also affected the trend in loss experience overall. There are also older claims, to include closed claims that have been reopened, that have incurred significant additional expenses. These older claims continue to impact the County due to its statutory responsibility to provide medical treatment for life for occupational injuries and illnesses. These recent case experiences are projected and interpreted by the actuaries as an indication that future costs of IBNR claims will also increase, causing an increase in accrued liability. These projections also include consideration of industry loss rate information and development patterns where appropriate.

| | | **NON-RECURRING** |
|---|---|---|
| **Agency 68, Department of Administration for Human Services** | Expenditure | $387,000 |
| **Agency 67, Department of Family Services** | Expenditure | (155,000) |
| **Fund 106, Fairfax-Falls Church Community Services Board** | Transfer In | (105,000) |
| **Agency 71, Health Department** | Expenditure | (55,000) |
| **Agency 79, Department of Neighborhood and Community Services** | Expenditure | (50,000) |
| **Agency 81, Juvenile and Domestic Relations District Court** | Expenditure | (22,000) |
| **Align costs** | **Net Cost** | **$0** |

Funding of $387,000 is transferred to the Department of Administration for Human Services (DAHS) to properly align costs at no net cost. DAHS supports critical activities within the Human Services system and it has not had the sufficient resources in the last several fiscal years to meet ongoing and emergency requirements, including revenue collection and contract administration. This reallocation is made by the agencies partnering with DAHS in recognition of their reliance on the services the agency performs on their behalf to meet the mission of the Human Services system.

### *Consideration Items*

No consideration items are included as part of the *FY 2011 Carryover Review*.

## *Additional Adjustments in Other Funds*

Total FY 2012 expenditures in Appropriated Other Funds are requested to increase $1.249 billion over the FY 2012 Adopted Budget Plan. In addition to the adjustments in Appropriated Funds, there are adjustments totaling $25.61 million in Non-Appropriated Other Funds. Details of Fund 102, Federal/State Grant Fund, are discussed in Attachment V, while details of FY 2012 adjustments in Appropriated and Non-Appropriated Other Funds other than Federal and State Grants are found in Attachment VI. School Board adjustments total $432.61 million, excluding debt service, over the FY 2012 Adopted Budget Plan. Details of School Board actions are available in Attachment C.

## *Summary of Recommended Actions*

*In summary, I am recommending that the Board take the following actions:*

Approve Supplemental Appropriation Resolutions AS 11155 and AS 12010 as well as Fiscal Planning Resolution AS 12900 to provide expenditure authorization for FY 2011 Carryover encumbrances, unexpended balances, administrative adjustments and the associated adjustments to the Managed Reserve, including the following:

- Board appropriation of $34.39 million in General Fund encumbrances related to Direct Expenditures from FY 2011 as noted in the General Fund Statement and in Attachment III.

- Board appropriation of General Fund unencumbered Board commitments totaling $9.91 million as detailed in Attachment IV.

- Board appropriation of General Fund Board and administrative adjustments totaling $36.8 million as detailed earlier in this memorandum.

- Board appropriation of Federal/State grants in Fund 102, Federal/State Grant Fund, totaling $192.25 million or an increase of $124.44 million as detailed in Attachment V.

- Board appropriation of remaining Other Funds Carryover. Details are available in Attachment I, Carryover Expenditures by Fund; in Attachment VI, Other Funds Detail; and in Attachment C, Fairfax County School Board's FY 2011 Final Budget Review and Appropriation Resolutions.

- Board approval of adjustments to the Managed Reserve to reflect all carryover adjustments.

# ATTACHMENT I:

# SCHEDULES

# FY 2011 CARRYOVER EXPENDITURES BY FUND
## SUMMARY OF APPROPRIATED FUNDS

| Fund Type/Fund | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | FY 2012 Revised Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|---|
| **GOVERNMENTAL FUNDS** | | | | | | | | | | |
| **G00 General Fund Group** | | | | | | | | | | |
| 001 General Fund | $1,257,276,305 | $1,187,804,890 | ($69,471,415) | $1,236,415,028 | $1,236,415,028 | $34,391,637 | $9,906,990 | $15,004,446 | $1,295,718,101 | $59,303,073 |
| **G10 Special Revenue Funds** | | | | | | | | | | |
| 090 Public School Operating | $2,248,251,991 | $2,093,292,868 | ($154,959,123) | $2,171,559,534 | $2,171,559,534 | $163,851,167 | $0 | $900,000 | $2,336,310,701 | $164,751,167 |
| 100 County Transit Systems | 101,406,721 | 67,341,759 | (34,064,962) | 98,000,389 | 98,000,389 | 19,995,417 | 5,329,328 | 0 | 123,325,134 | 25,324,745 |
| 102 Federal/State Grant Fund | 200,527,310 | 76,954,297 | (123,573,013) | 67,818,214 | 67,818,214 | 124,435,825 | 0 | 0 | 192,254,039 | 124,435,825 |
| 103 Aging Grants & Programs | 10,847,744 | 7,437,652 | (3,410,092) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 104 Information Technology | 59,284,918 | 29,244,418 | (30,040,500) | 9,251,579 | 9,251,579 | 30,393,813 | 0 | 12,900,000 | 52,545,392 | 43,293,813 |
| 105 Cable Communications | 16,384,504 | 9,558,332 | (6,826,172) | 10,950,136 | 10,950,136 | 1,508,042 | 4,623,605 | 44,791 | 17,126,574 | 6,176,438 |
| 106 Fairfax-Falls Church Community Services Board | 153,586,823 | 149,919,221 | (3,667,602) | 146,255,981 | 146,255,981 | 17,777 | 0 | (8,692,114) | 137,581,644 | (8,674,337) |
| 108 Leaf Collection | 2,300,780 | 2,229,308 | (71,472) | 2,404,038 | 2,404,038 | 0 | 0 | 0 | 2,404,038 | 0 |
| 109 Refuse Collection and Recycling Operations | 20,908,316 | 18,646,378 | (2,261,938) | 20,238,318 | 20,238,318 | 1,712,156 | 0 | 89,773 | 22,040,247 | 1,801,929 |
| 110 Refuse Disposal | 61,407,069 | 48,947,669 | (12,459,400) | 51,244,631 | 51,244,631 | 3,005,022 | 0 | 87,288 | 54,336,941 | 3,092,310 |
| 111 Reston Community Center | 9,850,107 | 7,745,597 | (2,104,510) | 7,748,352 | 7,748,352 | 2,492,569 | 0 | 40,362 | 10,281,283 | 2,532,931 |
| 112 Energy Resource Recovery (ERR) Facility | 33,779,516 | 29,521,052 | (4,258,464) | 18,143,313 | 18,143,313 | 836,897 | 0 | 6,563 | 18,986,773 | 843,460 |
| 113 McLean Community Center | 5,968,797 | 4,919,038 | (1,049,759) | 5,579,357 | 5,579,357 | 496,202 | 0 | 23,126 | 6,098,685 | 519,328 |
| 114 I-95 Refuse Disposal | 23,540,506 | 8,115,511 | (15,424,995) | 8,211,546 | 8,211,546 | 14,399,294 | 0 | 27,664 | 22,638,504 | 14,426,958 |
| 115 Burgundy Village Community Center | 44,065 | 32,309 | (11,756) | 44,065 | 44,065 | 0 | 0 | 198 | 44,263 | 198 |
| 116 Integrated Pest Management Program | 3,282,472 | 2,070,117 | (1,212,355) | 3,023,352 | 3,023,352 | 70,217 | 0 | 10,584 | 3,104,153 | 80,801 |
| 118 Consolidated Community Funding Pool | 9,154,331 | 8,871,622 | (282,709) | 8,970,687 | 8,970,687 | 282,709 | 0 | 0 | 9,253,396 | 282,709 |
| 119 Contributory Fund | 12,038,305 | 12,001,932 | (36,373) | 12,212,942 | 12,212,942 | 0 | 0 | 381,100 | 12,594,042 | 381,100 |
| 120 E-911 Fund | 47,068,932 | 34,291,930 | (12,777,002) | 37,245,287 | 37,245,287 | 10,279,552 | 856,746 | 660,404 | 49,041,989 | 11,796,702 |
| 121 Dulles Rail Phase I Transportation Improvement District | 66,000,000 | 47,300,851 | (18,699,149) | 25,000,000 | 25,000,000 | 0 | 0 | 20,000,000 | 45,000,000 | 20,000,000 |
| 122 Dulles Rail Phase II Transportation Improvement District | 500,000 | 232,424 | (267,576) | 500,000 | 500,000 | 0 | 0 | 0 | 500,000 | 0 |
| 124 County & Regional Transportation Projects | 142,589,301 | 32,053,872 | (110,535,429) | 22,540,528 | 22,540,528 | 218,764,669 | 0 | 15,981 | 241,321,178 | 218,780,650 |
| 125 Stormwater Services | 31,869,191 | 19,579,507 | (12,289,684) | 28,800,000 | 28,800,000 | 20,253,638 | 0 | 98,173 | 49,151,811 | 20,351,811 |
| 141 Elderly Housing Programs | 5,201,767 | 4,263,430 | (938,337) | 4,159,501 | 4,159,501 | 773,673 | 0 | 11,368 | 4,944,542 | 785,041 |
| 142 Community Development Block Grant | 17,122,933 | 8,482,381 | (8,640,552) | 6,463,133 | 6,463,133 | 7,816,981 | 0 | 300,851 | 14,580,965 | 8,117,832 |
| 143 Homeowner and Business Loan Programs | 8,629,710 | 3,017,534 | (5,612,176) | 4,514,316 | 4,514,316 | 5,612,176 | 0 | 0 | 10,126,492 | 5,612,176 |
| 144 Housing Trust Fund | 4,235,632 | 77,529 | (4,158,103) | 348,814 | 348,814 | 4,493,042 | 0 | 0 | 4,841,856 | 4,493,042 |
| 145 HOME Investment Partnerships Grant | 9,069,673 | 1,989,720 | (7,079,953) | 2,692,612 | 2,692,612 | 7,494,410 | 0 | 1,547 | 10,188,569 | 7,495,957 |
| 191 School Food & Nutrition Services | 87,778,280 | 71,258,571 | (16,519,709) | 87,846,533 | 87,846,533 | 5,025,033 | 0 | 0 | 92,871,566 | 5,025,033 |
| 192 School Grants & Self Supporting | 96,567,320 | 61,702,129 | (34,865,191) | 63,625,695 | 63,625,695 | 27,496,886 | 0 | 0 | 91,122,581 | 27,496,886 |
| 193 School Adult & Community Education | 11,469,416 | 9,941,797 | (1,527,619) | 10,840,709 | 10,840,709 | 113,600 | 0 | 0 | 10,954,309 | 113,600 |
| **Total Special Revenue Funds** | **$3,500,666,430** | **$2,871,040,755** | **($629,625,675)** | **$2,936,233,562** | **$2,936,233,562** | **$671,620,767** | **$10,809,679** | **$26,907,659** | **$3,645,571,667** | **$709,338,105** |
| **G20 Debt Service Funds** | | | | | | | | | | |
| 200/201 Consolidated Debt Service | $298,986,562 | $287,548,974 | ($11,437,588) | $287,850,034 | $287,850,034 | $0 | $0 | $14,742,544 | $302,592,578 | $14,742,544 |

Updated to reflect School Board action on July 28, 2011

# FY 2011 CARRYOVER EXPENDITURES BY FUND
## SUMMARY OF APPROPRIATED FUNDS

| Fund Type/Fund | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | FY 2012 Revised Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|---|
| **G30 Capital Project Funds** | | | | | | | | | | |
| 301 Contributed Roadway Improvement Fund | $41,453,288 | $594,287 | ($40,859,001) | $0 | $0 | $40,365,503 | $0 | $0 | $40,365,503 | $40,365,503 |
| 302 Library Construction | 18,758,661 | 4,997,368 | (13,761,293) | 0 | 0 | 13,761,293 | 0 | 0 | 13,761,293 | 13,761,293 |
| 303 County Construction | 46,144,454 | 20,712,385 | (25,432,069) | 16,723,869 | 16,723,869 | 109,537,051 | 0 | 3,250,000 | 129,510,920 | 112,787,051 |
| 304 Transportation Improvements | 124,109,947 | 15,676,715 | (108,433,232) | 0 | 0 | 105,648,233 | 0 | 0 | 105,648,233 | 105,648,233 |
| 306 Northern Virginia Regional Park Authority | 2,700,000 | 2,700,000 | 0 | 3,000,000 | 3,000,000 | (3,000,000) | 0 | 0 | 0 | (3,000,000) |
| 307 Pedestrian Walkway Improvements | 4,030,357 | 600,075 | (3,430,282) | 100,000 | 100,000 | 4,087,750 | 0 | 0 | 4,187,750 | 4,087,750 |
| 309 Metro Operations & Construction | 21,920,231 | 16,874,147 | (5,046,084) | 33,965,733 | 33,965,733 | 2,439,101 | 0 | 0 | 36,404,834 | 2,439,101 |
| 311 County Bond Construction | 78,529,272 | 4,439,367 | (74,089,905) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 312 Public Safety Construction | 121,714,044 | 14,364,436 | (107,349,608) | 442,595 | 442,595 | 114,182,107 | 0 | 0 | 114,624,702 | 114,182,107 |
| 314 Neighborhood Improvement Program | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 315 Commercial Revitalization Program | 4,098,234 | 177,966 | (3,920,268) | 0 | 0 | 3,920,268 | 0 | 0 | 3,920,268 | 3,920,268 |
| 316 Pro Rata Share Drainage Construction | 10,404,336 | 3,174,532 | (7,229,804) | 0 | 0 | 6,977,884 | 0 | 0 | 6,977,884 | 6,977,884 |
| 317 Capital Renewal Construction | 40,519,520 | 8,445,360 | (32,074,160) | 15,000,000 | 15,000,000 | 32,461,662 | 0 | 0 | 47,461,662 | 32,461,662 |
| 318 Stormwater Management Program | 16,913,243 | 8,755,236 | (8,158,007) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 319 The Penny for Affordable Housing Fund | 19,864,899 | 10,824,709 | (9,040,190) | 14,668,400 | 14,668,400 | 12,923,884 | 0 | 1,500,000 | 29,092,284 | 14,423,884 |
| 340 Housing Assistance Program | 8,355,876 | 782,786 | (7,573,090) | 515,000 | 515,000 | 7,212,170 | 0 | 0 | 7,727,170 | 7,212,170 |
| 370 Park Authority Bond Construction | 62,736,313 | 16,188,209 | (46,548,104) | 0 | 0 | 47,337,620 | 0 | 0 | 47,337,620 | 47,337,620 |
| 390 School Construction | 575,242,805 | 161,965,907 | (413,276,898) | 163,084,711 | 163,084,711 | 276,662,476 | 0 | 0 | 439,747,187 | 276,662,476 |
| **Total Capital Project Funds** | **$1,197,495,480** | **$291,273,485** | **($906,221,995)** | **$247,500,308** | **$247,500,308** | **$774,517,002** | **$0** | **$4,750,000** | **$1,026,767,310** | **$779,267,002** |
| **TOTAL GOVERNMENTAL FUNDS** | **$6,254,424,777** | **$4,637,668,104** | **($1,616,756,673)** | **$4,707,998,932** | **$4,707,998,932** | **$1,480,529,406** | **$20,716,669** | **$61,404,649** | **$6,270,649,656** | **$1,562,650,724** |
| **PROPRIETARY FUNDS** | | | | | | | | | | |
| **G40 Enterprise Funds** | | | | | | | | | | |
| 401 Sewer Operation and Maintenance | $89,828,572 | $84,646,658 | ($5,181,914) | $93,287,604 | $93,287,604 | ($2,010,528) | $0 | $209,739 | $91,486,815 | ($1,800,789) |
| 402 Sewer Construction Improvements | 50,723,363 | 17,640,761 | (33,082,602) | 29,000,000 | 29,000,000 | 33,082,602 | 0 | 0 | 62,082,602 | 33,082,602 |
| 403 Sewer Bond Parity Debt Service | 19,827,531 | 16,253,905 | (3,573,626) | 26,104,805 | 26,104,805 | 0 | 0 | 0 | 26,104,805 | 0 |
| 406 Sewer Bond Debt Reserve | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 407 Sewer Bond Subordinate Debt Service | 24,910,740 | 24,845,462 | (65,278) | 26,724,284 | 26,724,284 | 0 | 0 | 0 | 26,724,284 | 0 |
| 408 Sewer Bond Construction | 228,100,596 | 68,204,481 | (159,896,115) | 0 | 0 | 171,413,199 | 0 | 0 | 171,413,199 | 171,413,199 |
| **Total Enterprise Funds** | **$413,390,802** | **$211,591,267** | **($201,799,535)** | **$175,116,693** | **$175,116,693** | **$202,485,273** | **$0** | **$209,739** | **$377,811,705** | **$202,695,012** |
| **G50 Internal Service Funds** | | | | | | | | | | |
| 501 County Insurance Fund | $22,111,815 | $21,989,664 | ($122,151) | $21,777,676 | $21,777,676 | $0 | $0 | $11,437 | $21,789,113 | 11,437 |
| 503 Department of Vehicle Services | 77,875,191 | 74,851,647 | (3,023,544) | 69,398,301 | 69,398,301 | 2,445,120 | 500,000 | 7,209,052 | 79,552,473 | 10,154,172 |
| 504 Document Services Division | 7,640,509 | 5,695,292 | (1,945,217) | 6,050,787 | 6,050,787 | 417,750 | 0 | 7,327 | 6,475,864 | 425,077 |
| 505 Technology Infrastructure Services | 30,655,413 | 28,534,770 | (2,120,643) | 29,483,564 | 29,483,564 | 1,319,452 | 70,000 | 55,816 | 30,928,832 | 1,445,268 |
| 506 Health Benefits Fund | 133,712,937 | 124,642,953 | (9,069,984) | 129,853,306 | 129,853,306 | 0 | 0 | 4,895,137 | 134,748,443 | 4,895,137 |
| 590 School Insurance Fund | 17,872,964 | 16,843,118 | (1,029,846) | 18,884,727 | 18,884,727 | 2,576,937 | 0 | 0 | 21,461,664 | 2,576,937 |
| 591 School Health and Flexible Benefits | 323,613,352 | 277,516,304 | (46,097,048) | 336,287,415 | 336,287,415 | (43,450,164) | 0 | 0 | 292,837,251 | (43,450,164) |
| 592 School Central Procurement | 14,000,000 | 12,087,907 | (1,912,093) | 14,000,000 | 14,000,000 | 0 | 0 | 0 | 14,000,000 | 0 |
| **Total Internal Service Funds** | **$627,482,181** | **$562,161,655** | **($65,320,526)** | **$625,735,776** | **$625,735,776** | **($36,690,905)** | **$570,000** | **$12,178,769** | **$601,793,640** | **($23,942,136)** |
| **TOTAL PROPRIETARY FUNDS** | **$1,040,872,983** | **$773,752,922** | **($267,120,061)** | **$800,852,469** | **$800,852,469** | **$165,794,368** | **$570,000** | **$12,388,508** | **$979,605,345** | **$178,752,876** |

Updated to reflect School Board action on July 28, 2011

# FY 2011 CARRYOVER EXPENDITURES BY FUND
## SUMMARY OF APPROPRIATED FUNDS

| Fund Type/Fund | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | FY 2012 Revised Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|---|
| **FIDUCIARY FUNDS** | | | | | | | | | | |
| **G60 Trust Funds** | | | | | | | | | | |
| 600 Uniformed Employees Retirement Trust Fund | $77,763,515 | $70,289,824 | ($7,473,691) | $79,650,095 | $79,650,095 | $0 | $0 | $3,471 | $79,653,566 | $3,471 |
| 601 Fairfax County Employees' Retirement Trust Fund | 213,982,858 | 201,503,402 | (12,479,456) | 220,823,834 | 220,823,834 | 0 | 0 | 16,198 | 220,840,032 | 16,198 |
| 602 Police Retirement Trust Fund | 58,963,783 | 54,106,521 | (4,857,262) | 61,716,542 | 61,716,542 | 0 | 0 | 3,471 | 61,720,013 | 3,471 |
| 603 OPEB Trust Fund | 17,700,229 | 6,766,891 | (10,933,338) | 7,144,556 | 7,144,556 | 0 | 0 | 1,162 | 7,145,718 | 1,162 |
| 691 Educational Employees' Retirement | 170,034,426 | 166,088,063 | (3,946,363) | 179,749,264 | 179,749,264 | 0 | 0 | 0 | 179,749,264 | 0 |
| 692 Public School OPEB Trust Fund | 30,723,000 | 31,496,757 | 773,757 | 32,552,500 | 32,552,500 | 332,000 | 0 | 0 | 32,884,500 | 332,000 |
| **Total Trust Funds** | **$569,167,811** | **$530,251,458** | **($38,916,353)** | **$581,636,791** | **$581,636,791** | **$332,000** | **$0** | **$24,302** | **$581,993,093** | **$356,302** |
| **G70 Agency Funds** | | | | | | | | | | |
| 700 Route 28 Taxing District | $10,646,111 | $8,363,398 | ($2,282,713) | $9,765,406 | $9,765,406 | $0 | $0 | $35,458 | $9,800,864 | $35,458 |
| 716 Mosaic District Community Development Authority [1] | 88,400,000 | 0 | (88,400,000) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Total Agency Funds** | **$99,046,111** | **$8,363,398** | **($90,682,713)** | **$9,765,406** | **$9,765,406** | **$0** | **$0** | **$35,458** | **$9,800,864** | **$35,458** |
| **TOTAL FIDUCIARY FUNDS** | **$668,213,922** | **$538,614,856** | **($129,599,066)** | **$591,402,197** | **$591,402,197** | **$332,000** | **$0** | **$59,760** | **$591,793,957** | **$391,760** |
| **TOTAL APPROPRIATED FUNDS** | **$7,963,511,682** | **$5,950,035,882** | **($2,013,475,800)** | **$6,100,253,598** | **$6,100,253,598** | **$1,646,655,774** | **$21,286,669** | **$73,852,917** | **$7,842,048,958** | **$1,741,795,360** |
| **Less: Internal Service Funds [2]** | **($627,482,181)** | **($562,161,655)** | **$65,320,526** | **($625,735,776)** | **($625,735,776)** | **$36,690,905** | **($570,000)** | **($12,178,769)** | **($601,793,640)** | **$23,942,136** |
| **NET EXPENDITURES** | **$7,336,029,501** | **$5,387,874,227** | **($1,948,155,274)** | **$5,474,517,822** | **$5,474,517,822** | **$1,683,346,679** | **$20,716,669** | **$61,674,148** | **$7,240,255,318** | **$1,765,737,496** |

[1] As part of the *FY 2011 Third Quarter Review*, Fund 716, Mosaic District Community Development Authority, was created to separately account for revenue received from the Mosaic District Community Development Authority.

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

Updated to reflect School Board action on July 28, 2011

# FY 2011 CARRYOVER SUMMARY GENERAL FUND DIRECT EXPENDITURES

| # | Agency Title | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|---|
| **Health and Welfare** | | | | | | | | | | |
| 67 | Department of Family Services | $192,968,722 | $186,142,566 | ($6,826,156) | $187,464,754 | $5,142,471 | $0 | $8,525,027 | $201,132,252 | $13,667,498 |
| 68 | Department of Administration for Human Services | 10,921,764 | 10,846,959 | (74,805) | 10,771,592 | 53,652 | 0 | 495,221 | 11,320,465 | 548,873 |
| 71 | Health Department | 50,415,739 | 46,730,706 | (3,685,033) | 50,928,317 | 3,374,247 | 0 | 340,374 | 54,642,938 | 3,714,621 |
| 73 | Office to Prevent and End Homelessness | 10,237,842 | 8,865,052 | (1,372,790) | 10,460,606 | 964,681 | 400,000 | 857,279 | 12,682,566 | 2,221,960 |
| 79 | Department of Neighborhood and Community Services | 26,261,030 | 25,266,476 | (994,554) | 25,934,861 | 852,149 | 0 | 123,114 | 26,910,124 | 975,263 |
| | **Total Health and Welfare** | **$290,805,097** | **$277,851,759** | **($12,953,338)** | **$285,560,130** | **$10,387,200** | **$400,000** | **$10,341,015** | **$306,688,345** | **$21,128,215** |
| **Parks, Recreation and Libraries** | | | | | | | | | | |
| 51 | Fairfax County Park Authority | $22,112,220 | $21,770,653 | ($341,567) | $21,699,789 | $278,522 | $0 | $239,790 | $22,218,101 | $518,312 |
| 52 | Fairfax County Public Library | 27,276,291 | 25,989,539 | (1,286,752) | 26,035,911 | 682,944 | 235,000 | 429,293 | 27,383,148 | 1,347,237 |
| | **Total Parks, Recreation and Libraries** | **$49,388,511** | **$47,760,192** | **($1,628,319)** | **$47,735,700** | **$961,466** | **$235,000** | **$669,083** | **$49,601,249** | **$1,865,549** |
| **Community Development** | | | | | | | | | | |
| 16 | Economic Development Authority | $6,795,506 | $6,795,498 | ($8) | $7,045,506 | $0 | $0 | $36,394 | $7,081,900 | $36,394 |
| 31 | Land Development Services | 12,491,538 | 11,821,127 | (670,411) | 12,624,026 | 135,924 | 0 | 113,761 | 12,873,711 | 249,685 |
| 35 | Department of Planning and Zoning | 9,561,621 | 8,867,602 | (694,019) | 9,271,412 | 676,980 | 0 | 99,492 | 10,047,884 | 776,472 |
| 36 | Planning Commission | 664,654 | 650,089 | (14,565) | 664,654 | 305 | 0 | 5,276 | 670,235 | 5,581 |
| 38 | Department of Housing and Community Development | 6,030,760 | 5,818,529 | (212,231) | 5,928,757 | 31,961 | 0 | 48,506 | 6,009,224 | 80,467 |
| 39 | Office of Human Rights and Equity Programs | 1,534,570 | 1,434,863 | (99,707) | 1,534,570 | 0 | 0 | 16,408 | 1,550,978 | 16,408 |
| 40 | Department of Transportation | 10,416,178 | 7,508,518 | (2,907,660) | 6,777,644 | 2,790,358 | 0 | 86,747 | 9,654,749 | 2,877,105 |
| | **Total Community Development** | **$47,494,827** | **$42,896,226** | **($4,598,601)** | **$43,846,569** | **$3,635,528** | **$0** | **$406,584** | **$47,888,681** | **$4,042,112** |
| **Nondepartmental** | | | | | | | | | | |
| 87 | Unclassified Administrative Expenses | $8,354,044 | $85,310 | ($8,268,734) | $3,775,000 | $91,643 | $8,146,358 | ($6,070,000) | $5,943,001 | $2,168,001 |
| 89 | Employee Benefits | 253,480,612 | 235,231,831 | (18,248,781) | 264,074,511 | 892,500 | 400,000 | 2,651,225 | 268,018,236 | 3,943,725 |
| | **Total Nondepartmental** | **$261,834,656** | **$235,317,141** | **($26,517,515)** | **$267,849,511** | **$984,143** | **$8,546,358** | **($3,418,775)** | **$273,961,237** | **$6,111,726** |
| **Total General Fund Direct Expenditures** | | **$1,257,276,305** | **$1,187,804,890** | **($69,471,415)** | **$1,236,415,028** | **$34,391,637** | **$9,906,990** | **$15,004,446** | **$1,295,718,101** | **$59,303,073** |

# FY 2011 CARRYOVER EXPENDITURES BY FUND
## SUMMARY OF APPROPRIATED FUNDS

| Fund Type/Fund | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|
| **GOVERNMENTAL FUNDS** | | | | | | | | | |
| **G00 General Fund Group** | | | | | | | | | |
| 001 General Fund | $1,257,276,305 | $1,187,804,890 | ($69,471,415) | $1,236,415,028 | $34,391,637 | $9,906,990 | $15,004,446 | $1,295,718,101 | $59,303,073 |
| **G10 Special Revenue Funds** | | | | | | | | | |
| 090 Public School Operating | $2,248,251,991 | $2,093,292,868 | ($154,959,123) | $2,171,559,534 | $163,851,167 | $0 | $0 | $2,335,410,701 | $163,851,167 |
| 100 County Transit Systems | 101,406,721 | 67,341,759 | (34,064,962) | 98,000,389 | 19,995,417 | 5,329,328 | 0 | 123,325,134 | 25,324,745 |
| 102 Federal/State Grant Fund | 200,527,310 | 76,954,297 | (123,573,013) | 67,818,214 | 124,435,825 | 0 | 0 | 192,254,039 | 124,435,825 |
| 103 Aging Grants & Programs | 10,847,744 | 7,437,652 | (3,410,092) | 0 | 0 | 0 | 0 | 0 | 0 |
| 104 Information Technology | 59,284,918 | 29,244,418 | (30,040,500) | 9,251,579 | 30,393,813 | 0 | 12,900,000 | 52,545,392 | 43,293,813 |
| 105 Cable Communications | 16,384,504 | 9,558,332 | (6,826,172) | 10,950,136 | 1,508,042 | 4,623,605 | 44,791 | 17,126,574 | 6,176,438 |
| 106 Fairfax-Falls Church Community Services Board | 153,586,823 | 149,919,221 | (3,667,602) | 146,255,981 | 17,777 | 0 | (8,692,114) | 137,581,644 | (8,674,337) |
| 108 Leaf Collection | 2,300,780 | 2,229,308 | (71,472) | 2,404,038 | 0 | 0 | 0 | 2,404,038 | 0 |
| 109 Refuse Collection and Recycling Operations | 20,908,316 | 18,646,378 | (2,261,938) | 20,238,318 | 1,712,156 | 0 | 89,773 | 22,040,247 | 1,801,929 |
| 110 Refuse Disposal | 61,407,069 | 48,947,669 | (12,459,400) | 51,244,631 | 3,005,022 | 0 | 87,288 | 54,336,941 | 3,092,310 |
| 111 Reston Community Center | 9,850,107 | 7,745,597 | (2,104,510) | 7,748,352 | 2,492,569 | 0 | 40,362 | 10,281,283 | 2,532,931 |
| 112 Energy Resource Recovery (ERR) Facility | 33,779,516 | 29,521,052 | (4,258,464) | 18,143,313 | 836,897 | 0 | 6,563 | 18,986,773 | 843,460 |
| 113 McLean Community Center | 5,968,797 | 4,919,038 | (1,049,759) | 5,579,357 | 496,202 | 0 | 23,126 | 6,098,685 | 519,328 |
| 114 I-95 Refuse Disposal | 23,540,506 | 8,115,511 | (15,424,995) | 8,211,546 | 14,399,294 | 0 | 27,664 | 22,638,504 | 14,426,958 |
| 115 Burgundy Village Community Center | 44,065 | 32,309 | (11,756) | 44,065 | 0 | 0 | 198 | 44,263 | 198 |
| 116 Integrated Pest Management Program | 3,282,472 | 2,070,117 | (1,212,355) | 3,023,352 | 70,217 | 0 | 10,584 | 3,104,153 | 80,801 |
| 118 Consolidated Community Funding Pool | 9,154,331 | 8,871,622 | (282,709) | 8,970,687 | 282,709 | 0 | 0 | 9,253,396 | 282,709 |
| 119 Contributory Fund | 12,038,305 | 12,001,932 | (36,373) | 12,212,942 | 0 | 0 | 381,100 | 12,594,042 | 381,100 |
| 120 E-911 Fund | 47,068,932 | 34,291,930 | (12,777,002) | 37,245,287 | 10,279,552 | 856,746 | 660,404 | 49,041,989 | 11,796,702 |
| 121 Dulles Rail Phase I Transportation Improvement District | 66,000,000 | 47,300,851 | (18,699,149) | 25,000,000 | 0 | 0 | 20,000,000 | 45,000,000 | 20,000,000 |
| 122 Dulles Rail Phase II Transportation Improvement District | 500,000 | 232,424 | (267,576) | 500,000 | 0 | 0 | 0 | 500,000 | 0 |
| 124 County & Regional Transportation Projects | 142,589,301 | 32,053,872 | (110,535,429) | 22,540,528 | 218,764,669 | 0 | 15,981 | 241,321,178 | 218,780,650 |
| 125 Stormwater Services | 31,869,191 | 19,579,507 | (12,289,684) | 28,800,000 | 20,253,638 | 0 | 98,173 | 49,151,811 | 20,351,811 |
| 141 Elderly Housing Programs | 5,201,767 | 4,263,430 | (938,337) | 4,159,501 | 773,673 | 0 | 11,368 | 4,944,542 | 785,041 |
| 142 Community Development Block Grant | 17,122,933 | 8,482,381 | (8,640,552) | 6,463,133 | 7,816,981 | 0 | 300,851 | 14,580,965 | 8,117,832 |
| 143 Homeowner and Business Loan Programs | 8,629,710 | 3,017,534 | (5,612,176) | 4,514,316 | 5,612,176 | 0 | 0 | 10,126,492 | 5,612,176 |
| 144 Housing Trust Fund | 4,235,632 | 77,529 | (4,158,103) | 348,814 | 4,493,042 | 0 | 0 | 4,841,856 | 4,493,042 |
| 145 HOME Investment Partnerships Grant | 9,069,673 | 1,989,720 | (7,079,953) | 2,692,612 | 7,494,410 | 0 | 1,547 | 10,188,569 | 7,495,957 |
| 191 School Food & Nutrition Services | 87,778,280 | 71,258,571 | (16,519,709) | 87,846,533 | 5,025,033 | 0 | 0 | 92,871,566 | 5,025,033 |
| 192 School Grants & Self Supporting | 96,567,320 | 61,702,129 | (34,865,191) | 63,625,695 | 27,496,886 | 0 | 0 | 91,122,581 | 27,496,886 |
| 193 School Adult & Community Education | 11,469,416 | 9,941,797 | (1,527,619) | 10,840,709 | 113,600 | 0 | 0 | 10,954,309 | 113,600 |
| **Total Special Revenue Funds** | **$3,500,666,430** | **$2,871,040,755** | **($629,625,675)** | **$2,936,233,562** | **$671,620,767** | **$10,809,679** | **$26,007,659** | **$3,644,671,667** | **$708,438,105** |
| **G20 Debt Service Funds** | | | | | | | | | |
| 200/201 Consolidated Debt Service | $298,986,562 | $287,548,974 | ($11,437,588) | $287,850,034 | $0 | $0 | $14,742,544 | $302,592,578 | $14,742,544 |

# FY 2011 CARRYOVER EXPENDITURES BY FUND
## SUMMARY OF APPROPRIATED FUNDS

| Fund Type/Fund | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|
| **G30 Capital Project Funds** | | | | | | | | | |
| 301 Contributed Roadway Improvement Fund | $41,453,288 | $594,287 | ($40,859,001) | $0 | $40,365,503 | $0 | $0 | $40,365,503 | $40,365,503 |
| 302 Library Construction | 18,758,661 | 4,997,368 | (13,761,293) | 0 | 13,761,293 | 0 | 0 | 13,761,293 | 13,761,293 |
| 303 County Construction | 46,144,454 | 20,712,385 | (25,432,069) | 16,723,869 | 109,537,051 | 0 | 3,250,000 | 129,510,920 | 112,787,051 |
| 304 Transportation Improvements | 124,109,947 | 15,676,715 | (108,433,232) | 0 | 105,648,233 | 0 | 0 | 105,648,233 | 105,648,233 |
| 306 Northern Virginia Regional Park Authority | 2,700,000 | 2,700,000 | 0 | 3,000,000 | (3,000,000) | 0 | 0 | 0 | (3,000,000) |
| 307 Pedestrian Walkway Improvements | 4,030,357 | 600,075 | (3,430,282) | 100,000 | 4,087,750 | 0 | 0 | 4,187,750 | 4,087,750 |
| 309 Metro Operations & Construction | 21,920,231 | 16,874,147 | (5,046,084) | 33,965,733 | 2,439,101 | 0 | 0 | 36,404,834 | 2,439,101 |
| 311 County Bond Construction | 78,529,272 | 4,439,367 | (74,089,905) | 0 | 0 | 0 | 0 | 0 | 0 |
| 312 Public Safety Construction | 121,714,044 | 14,364,436 | (107,349,608) | 442,595 | 114,182,107 | 0 | 0 | 114,624,702 | 114,182,107 |
| 314 Neighborhood Improvement Program | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 315 Commercial Revitalization Program | 4,098,234 | 177,966 | (3,920,268) | 0 | 3,920,268 | 0 | 0 | 3,920,268 | 3,920,268 |
| 316 Pro Rata Share Drainage Construction | 10,404,336 | 3,174,532 | (7,229,804) | 0 | 6,977,884 | 0 | 0 | 6,977,884 | 6,977,884 |
| 317 Capital Renewal Construction | 40,519,520 | 8,445,360 | (32,074,160) | 15,000,000 | 32,461,662 | 0 | 0 | 47,461,662 | 32,461,662 |
| 318 Stormwater Management Program | 16,913,243 | 8,755,236 | (8,158,007) | 0 | 0 | 0 | 0 | 0 | 0 |
| 319 The Penny for Affordable Housing Fund | 19,864,899 | 10,824,709 | (9,040,190) | 14,668,400 | 12,923,884 | 0 | 1,500,000 | 29,092,284 | 14,423,884 |
| 340 Housing Assistance Program | 8,355,876 | 782,786 | (7,573,090) | 515,000 | 7,212,170 | 0 | 0 | 7,727,170 | 7,212,170 |
| 370 Park Authority Bond Construction | 62,736,313 | 16,188,209 | (46,548,104) | 0 | 47,337,620 | 0 | 0 | 47,337,620 | 47,337,620 |
| 390 School Construction | 575,242,805 | 161,965,907 | (413,276,898) | 163,084,711 | 276,662,476 | 0 | 0 | 439,747,187 | 276,662,476 |
| **Total Capital Project Funds** | **$1,197,495,480** | **$291,273,485** | **($906,221,995)** | **$247,500,308** | **$774,517,002** | **$0** | **$4,750,000** | **$1,026,767,310** | **$779,267,002** |
| **TOTAL GOVERNMENTAL FUNDS** | **$6,254,424,777** | **$4,637,668,104** | **($1,616,756,673)** | **$4,707,998,932** | **$1,480,529,406** | **$20,716,669** | **$60,504,649** | **$6,269,749,656** | **$1,561,750,724** |
| **PROPRIETARY FUNDS** | | | | | | | | | |
| **G40 Enterprise Funds** | | | | | | | | | |
| 401 Sewer Operation and Maintenance | $89,828,572 | $84,646,658 | ($5,181,914) | $93,287,604 | ($2,010,528) | $0 | $209,739 | $91,486,815 | ($1,800,789) |
| 402 Sewer Construction Improvements | 50,723,363 | 17,640,761 | (33,082,602) | 29,000,000 | 33,082,602 | 0 | 0 | 62,082,602 | 33,082,602 |
| 403 Sewer Bond Parity Debt Service | 19,827,531 | 16,253,905 | (3,573,626) | 26,104,805 | 0 | 0 | 0 | 26,104,805 | 0 |
| 406 Sewer Bond Debt Reserve | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 407 Sewer Bond Subordinate Debt Service | 24,910,740 | 24,845,462 | (65,278) | 26,724,284 | 0 | 0 | 0 | 26,724,284 | 0 |
| 408 Sewer Bond Construction | 228,100,596 | 68,204,481 | (159,896,115) | 0 | 171,413,199 | 0 | 0 | 171,413,199 | 171,413,199 |
| **Total Enterprise Funds** | **$413,390,802** | **$211,591,267** | **($201,799,535)** | **$175,116,693** | **$202,485,273** | **$0** | **$209,739** | **$377,811,705** | **$202,695,012** |
| **G50 Internal Service Funds** | | | | | | | | | |
| 501 County Insurance Fund | $22,111,815 | $21,989,664 | ($122,151) | $21,777,676 | $0 | $0 | $11,437 | $21,789,113 | 11,437 |
| 503 Department of Vehicle Services | 77,875,191 | 74,851,647 | (3,023,544) | 69,398,301 | 2,445,120 | 500,000 | 7,209,052 | 79,552,473 | 10,154,172 |
| 504 Document Services Division | 7,640,509 | 5,695,292 | (1,945,217) | 6,050,787 | 417,750 | 0 | 7,327 | 6,475,864 | 425,077 |
| 505 Technology Infrastructure Services | 30,655,413 | 28,534,770 | (2,120,643) | 29,483,564 | 1,319,452 | 70,000 | 55,816 | 30,928,832 | 1,445,268 |
| 506 Health Benefits Fund | 133,712,937 | 124,642,953 | (9,069,984) | 129,853,306 | 0 | 0 | 4,895,137 | 134,748,443 | 4,895,137 |
| 590 School Insurance Fund | 17,872,964 | 16,843,118 | (1,029,846) | 18,884,727 | 2,576,937 | 0 | 0 | 21,461,664 | 2,576,937 |
| 591 School Health and Flexible Benefits | 323,613,352 | 277,516,304 | (46,097,048) | 336,287,415 | (43,450,164) | 0 | 0 | 292,837,251 | (43,450,164) |
| 592 School Central Procurement | 14,000,000 | 12,087,907 | (1,912,093) | 14,000,000 | 0 | 0 | 0 | 14,000,000 | 0 |
| **Total Internal Service Funds** | **$627,482,181** | **$562,161,655** | **($65,320,526)** | **$625,735,776** | **($36,690,905)** | **$570,000** | **$12,178,769** | **$601,793,640** | **($23,942,136)** |
| **TOTAL PROPRIETARY FUNDS** | **$1,040,872,983** | **$773,752,922** | **($267,120,061)** | **$800,852,469** | **$165,794,368** | **$570,000** | **$12,388,508** | **$979,605,345** | **$178,752,876** |

# FY 2011 CARRYOVER EXPENDITURES BY FUND
## SUMMARY OF APPROPRIATED FUNDS

| Fund Type/Fund | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|
| **FIDUCIARY FUNDS** | | | | | | | | | |
| **G60 Trust Funds** | | | | | | | | | |
| 600 Uniformed Employees Retirement Trust Fund | $77,763,515 | $70,289,824 | ($7,473,691) | $79,650,095 | $0 | $0 | $3,471 | $79,653,566 | $3,471 |
| 601 Fairfax County Employees' Retirement Trust Fund | 213,982,858 | 201,503,402 | (12,479,456) | 220,823,834 | 0 | 0 | 16,198 | 220,840,032 | 16,198 |
| 602 Police Retirement Trust Fund | 58,963,783 | 54,106,521 | (4,857,262) | 61,716,542 | 0 | 0 | 3,471 | 61,720,013 | 3,471 |
| 603 OPEB Trust Fund | 17,700,229 | 6,766,891 | (10,933,338) | 7,144,556 | 0 | 0 | 1,162 | 7,145,718 | 1,162 |
| 691 Educational Employees' Retirement | 170,034,426 | 166,088,063 | (3,946,363) | 179,749,264 | 0 | 0 | 0 | 179,749,264 | 0 |
| 692 Public School OPEB Trust Fund | 30,723,000 | 31,496,757 | 773,757 | 32,552,500 | 332,000 | 0 | 0 | 32,884,500 | 332,000 |
| **Total Trust Funds** | **$569,167,811** | **$530,251,458** | **($38,916,353)** | **$581,636,791** | **$332,000** | **$0** | **$24,302** | **$581,993,093** | **$356,302** |
| **G70 Agency Funds** | | | | | | | | | |
| 700 Route 28 Taxing District | $10,646,111 | $8,363,398 | ($2,282,713) | $9,765,406 | $0 | $0 | $35,458 | $9,800,864 | $35,458 |
| 716 Mosaic District Community Development Authority [1] | 88,400,000 | 0 | (88,400,000) | 0 | 0 | 0 | 0 | 0 | 0 |
| **Total Agency Funds** | **$99,046,111** | **$8,363,398** | **($90,682,713)** | **$9,765,406** | **$0** | **$0** | **$35,458** | **$9,800,864** | **$35,458** |
| **TOTAL FIDUCIARY FUNDS** | **$668,213,922** | **$538,614,856** | **($129,599,066)** | **$591,402,197** | **$332,000** | **$0** | **$59,760** | **$591,793,957** | **$391,760** |
| **TOTAL APPROPRIATED FUNDS** | **$7,963,511,682** | **$5,950,035,882** | **($2,013,475,800)** | **$6,100,253,598** | **$1,646,655,774** | **$21,286,669** | **$72,952,917** | **$7,841,148,958** | **$1,740,895,360** |
| **Less: Internal Service Funds [2]** | **($627,482,181)** | **($562,161,655)** | **$65,320,526** | **($625,735,776)** | **$36,690,905** | **($570,000)** | **($12,178,769)** | **($601,793,640)** | **$23,942,136** |
| **NET EXPENDITURES** | **$7,336,029,501** | **$5,387,874,227** | **($1,948,155,274)** | **$5,474,517,822** | **$1,683,346,679** | **$20,716,669** | **$60,774,148** | **$7,239,355,318** | **$1,764,837,496** |

[1] As part of the *FY 2011 Third Quarter Review*, Fund 716, Mosaic District Community Development Authority, was created to separately account for revenue received from the Mosaic District Community Development Authority.

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

# FY 2011 CARRYOVER EXPENDITURES BY FUND
# SUMMARY OF NON-APPROPRIATED FUNDS

| Fund Type/Fund | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|
| **HUMAN SERVICES** | | | | | | | | | |
| **G10 Special Revenue Funds** | | | | | | | | | |
| 117 Alcohol Safety Action Program | $1,762,300 | $1,732,656 | ($29,644) | $1,687,300 | $0 | $0 | $14,572 | $1,701,872 | $14,572 |
| **NORTHERN VIRGINIA REGIONAL IDENTIFICATION SYSTEM (NOVARIS)** | | | | | | | | | |
| **G70 Agency Funds** | | | | | | | | | |
| 703 Northern Virginia Regional Identification System | $18,599 | $0 | ($18,599) | $34,599 | $0 | $0 | $18,088 | $52,687 | $18,088 |
| **HOUSING AND COMMUNITY DEVELOPMENT** | | | | | | | | | |
| **H94 Other Housing Funds** | | | | | | | | | |
| 940 FCRHA General Operating | $2,505,508 | $2,225,749 | ($279,759) | $2,516,625 | $4,728 | $0 | $15,326 | $2,536,679 | $20,054 |
| 941 Fairfax County Rental Program | 4,873,476 | 4,331,569 | (541,907) | 4,667,664 | 162,209 | 0 | 14,841 | 4,844,714 | 177,050 |
| 945 Non-County Appropriated Rehabilitation Loan | 25,000 | 0 | (25,000) | 25,000 | (24,000) | 0 | 0 | 1,000 | (24,000) |
| 946 FCRHA Revolving Development | 2,092,050 | 9,300 | (2,082,750) | 0 | 955,532 | 0 | 0 | 955,532 | 955,532 |
| 948 FCRHA Private Financing | 3,082,745 | 412,579 | (2,670,166) | 720,962 | 2,651,673 | 0 | 0 | 3,372,635 | 2,651,673 |
| 949 FCRHA Internal Service Fund | 4,499,872 | 3,394,261 | (1,105,611) | 3,864,914 | (672,247) | 0 | 0 | 3,192,667 | (672,247) |
| 950 Housing Partnerships | 2,048,435 | 1,663,555 | (384,880) | 1,740,147 | 128,611 | 0 | 5,801 | 1,874,559 | 134,412 |
| 965 Housing Grants Fund | 651,567 | 297,283 | (354,284) | 0 | 353,636 | 0 | 0 | 353,636 | 353,636 |
| **Total Other Housing Funds** | **$19,778,653** | **$12,334,296** | **($7,444,357)** | **$13,535,312** | **$3,560,142** | **$0** | **$35,968** | **$17,131,422** | **$3,596,110** |
| **H96 Annual Contribution Contract** | | | | | | | | | |
| 966 Section 8 Annual Contribution | $49,373,304 | $48,856,134 | ($517,170) | $50,911,987 | ($794,109) | $0 | $25,646 | $50,143,524 | ($768,463) |
| 967 Public Housing Projects Under Management | 10,155,921 | 9,486,471 | (669,450) | 9,658,684 | 456,294 | 0 | 31,703 | 10,146,681 | 487,997 |
| 969 Public Housing Projects Under Modernization | 3,220,899 | 2,081,267 | (1,139,632) | 0 | 1,139,632 | 0 | 0 | 1,139,632 | 1,139,632 |
| **Total Annual Contribution Contract** | **$62,750,124** | **$60,423,872** | **($2,326,252)** | **$60,570,671** | **$801,817** | **$0** | **$57,349** | **$61,429,837** | **$859,166** |
| **TOTAL HOUSING AND COMMUNITY DEVELOPMENT** | **$82,528,777** | **$72,758,168** | **($9,770,609)** | **$74,105,983** | **$4,361,959** | **$0** | **$93,317** | **$78,561,259** | **$4,455,276** |

# FY 2011 CARRYOVER EXPENDITURES BY FUND
# SUMMARY OF NON-APPROPRIATED FUNDS

| Fund Type/Fund | FY 2011 Estimate | FY 2011 Actual | Increase/ (Decrease) | FY 2012 Adopted Budget Plan | Encumbered Carryover | Unencumbered Carryover | Additional Recommended Adjustments | FY 2012 Revised Budget Plan | Increase/ (Decrease) Over Revised |
|---|---|---|---|---|---|---|---|---|---|
| **FAIRFAX COUNTY PARK AUTHORITY** | | | | | | | | | |
| **P17 Special Revenue - Park Authority** | | | | | | | | | |
| 170 Park Revenue Fund | $41,814,002 | $38,948,795 | ($2,865,207) | $41,244,493 | $0 | $0 | $0 | $41,244,493 | $0 |
| **P37 Capital Projects - Park Authority** | | | | | | | | | |
| 371 Park Capital Improvement Fund | $29,435,814 | $10,541,916 | ($18,893,898) | $0 | $21,120,369 | $0 | $0 | $21,120,369 | $21,120,369 |
| **TOTAL FAIRFAX COUNTY PARK AUTHORITY** | **$71,249,816** | **$49,490,711** | **($21,759,105)** | **$41,244,493** | **$21,120,369** | **$0** | **$0** | **$62,364,862** | **$21,120,369** |
| **TOTAL NON-APPROPRIATED FUNDS** | **$155,559,492** | **$123,981,535** | **($31,577,957)** | **$117,072,375** | **$25,482,328** | **$0** | **$125,977** | **$142,680,680** | **$25,608,305** |

# ATTACHMENT II:

# SUMMARY OF GENERAL FUND RECEIPTS

# SUMMARY OF
# GENERAL FUND RECEIPTS



| Category | FY 2010 Actual | FY 2011 Adopted Budget Plan | FY 2011 Revised Budget Plan | FY 2011 Actual | Over the FY 2011 Revised Budget Plan: Increase/ (Decrease) | Over the FY 2011 Revised Budget Plan: Percent Change |
|---|---|---|---|---|---|---|
| Real Estate Taxes | $2,115,971,076 | $2,009,434,786 | $2,015,748,709 | $2,019,577,631 | $3,828,922 | 0.19% |
| Personal Property Taxes | 507,485,566 | 498,624,865 | 499,324,993 | 512,932,490 | 13,607,497 | 2.73% |
| Other Local Taxes | 460,148,029 | 474,881,301 | 484,667,630 | 504,828,410 | 20,160,780 | 4.16% |
| Permits, Fees and Regulatory Licenses | 28,665,677 | 27,719,593 | 29,888,461 | 34,267,179 | 4,378,718 | 14.65% |
| Fines and Forfeitures | 14,942,650 | 16,868,801 | 16,868,801 | 16,564,578 | (304,223) | -1.80% |
| Revenue from Use of Money/Property | 21,816,673 | 18,309,869 | 21,492,015 | 18,847,424 | (2,644,591) | -12.30% |
| Charges for Services | 62,980,797 | 65,529,312 | 63,228,869 | 64,200,041 | 971,172 | 1.54% |
| Revenue from the Commonwealth and Federal Governments[1] | 132,658,846 | 118,100,303 | 130,487,187 | 136,131,854 | 5,644,667 | 4.33% |
| Recovered Costs/ Other Revenue | 5,940,194 | 8,035,781 | 8,193,764 | 12,516,773 | 4,323,009 | 52.76% |
| **Total Revenue** | **$3,350,609,508** | **$3,237,504,611** | **$3,269,900,429** | **$3,319,866,380** | **$49,965,951** | **1.53%** |
| Transfers In | 12,122,151 | 8,059,238 | 8,059,238 | 8,059,238 | 0 | 0.00% |
| **Total Receipts** | **$3,362,731,659** | **$3,245,563,849** | **$3,277,959,667** | **$3,327,925,618** | **$49,965,951** | **1.52%** |

[1] The portion of the Personal Property Tax reimbursed by the Commonwealth as a result of the Personal Property Tax Relief Act of 1998 is included in the Personal Property Tax category for the purpose of discussion in this section.

General Fund Revenues and Transfers In for FY 2011 are $3,327,925,618, an increase of $49,965,951, or 1.52 percent, over the *FY 2011 Revised Budget Plan* estimate. This increase is primarily the result of increases in Personal Property Tax receipts, Other Local Taxes, including Bank Franchise Taxes, Local Sales Tax and Business, Professional, and Occupational Licenses (BPOL), Recovered Costs, and Revenue from the Commonwealth and Federal Governments, partially offset by decreases in Revenue from the Use of Money and Property, and Fines and Forfeitures.

FY 2012 Revenue Adjustments

Two Administrative Adjustments to FY 2012 General Fund revenue with a net impact of zero have been made. The FY 2012 estimate for Business Professional and Occupational Licenses (BPOL) is increased $8.0 million. FY 2011 BPOL receipts were $145.1 million, an increase of 4.7 percent over FY 2010. Because businesses file and pay BPOL taxes in March, staff relies on econometric models to help project receipts. These models indicate that moderate growth will continue in FY 2012 and an increase to the FY 2012 projection for BPOL is warranted. After the adjustment, the FY 2012 BPOL estimate will be $149.3 million, which represents a projected increase of 2.9 percent over FY 2011.

In addition, $8.0 million is to be held in a Public Service Corporation (PSC) Litigation Reserve in revenue for a potential refund associated with a statewide appeal of PSC property assessments over a multi-year period. Property

owned by Public Service Corporations is assessed by the state for all localities. The appeal was expected to be resolved during FY 2011 and the FY 2011 revenue estimate for PSC had been reduced $7.4 million. The case was not decided by the conclusion of FY 2011 and the additional revenue fell to the General Fund balance. Final resolution of this case is anticipated in FY 2012. The $8.0 million represents the current estimated potential loss including interest.

Aside from adjustments mentioned above and noted in the Administrative Adjustment section, no other adjustments have been made to FY 2012 revenue estimates. Staff is closely monitoring economic conditions to determine the impact on various revenue sources. A few categories such as Sales Tax appear to be improving; however it is unlikely that the significant growth that occurred in the last half of FY 2011 will be sustained into FY 2012. The impact of economic conditions on FY 2012 revenues will be more apparent during the fall 2011 revenue review after several months of actual FY 2012 collections have been received. Any necessary FY 2012 revenue adjustments will be made as part of the fall review or during the *FY 2012 Third Quarter Review*.

## REAL PROPERTY TAXES

### REAL ESTATE TAX-CURRENT AND DELINQUENT

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $2,115,971,076 | $2,009,434,786 | $2,015,748,709 | $2,019,577,631 | $3,828,922 | 0.2% |

Total Real Estate Taxes in FY 2011 are $2,019,577,631, an increase of $3,828,922, or 0.2 percent, over the *FY 2011 Revised Budget Plan*. FY 2011 Current Real Estate Taxes are $2,008,529,108, representing an increase of $2,472,313, or 0.12 percent, over the *FY 2011 Revised Budget Plan*. This net increase is due to variances in tax relief and exonerations, and a higher than projected collection rate. The *FY 2011 Revised Budget Plan* included a projected revenue loss of $25.4 million for tax relief for the elderly and disabled. Actual FY 2011 tax relief for the program's 7,932 participants was $24.5 million, resulting in an increase in revenue of $0.9 million. Lower than projected exonerations increased revenue by $0.6 million. In addition, the budget estimate included a 99.61 percent collection rate and the actual FY 2011 collection rate is 99.66 percent, a slight drop from the 99.71 percent achieved in FY 2010, but the same rate attained in FY 2008 and FY 2009.

FY 2011 Delinquent Real Estate Taxes are $11,048,523, an increase of $1,356,609, or 14.0 percent, over the *FY 2011 Revised Budget Plan* estimate as a result of strong collection efforts of the Department of Tax Administration. Delinquent Real Estate Tax collections are up 6.6 percent over FY 2010 collections.

## PERSONAL PROPERTY TAX

### PERSONAL PROPERTY TAX-CURRENT AND DELINQUENT

| | FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|---|
| **Assessed & Paid Locally** | $267,801,248 | $258,801,943 | $266,825,255 | $273,028,237 | $6,202,982 | 2.3% |
| **Public Service Corp.** | 28,370,374 | 28,508,978 | 21,185,794 | 28,590,309 | 7,404,515 | 35.0% |
| **Reimbursed by State** | 211,313,944 | 211,313,944 | 211,313,944 | 211,313,944 | 0 | 0.0% |
| **Total** | $507,485,566 | $498,624,865 | $499,324,993 | $512,932,490 | $13,607,497 | 2.7% |

Total Personal Property Taxes in FY 2011 are $512,932,490, an increase of $13,607,497, or 2.7 percent,

over the *FY 2011 Revised Budget Plan*. Both Current and Delinquent Personal Property Tax collections were higher than projected.

Actual FY 2011 collections for Current Personal Property Taxes are $501,284,805, an increase of $12,270,065, or 2.5 percent, over the *FY 2011 Revised Budget Plan* estimate. The majority of this increase is due to higher than projected revenue from Public Service Corporations. Based on the potential refund associated with PSC property mentioned earlier, the revenue estimate for PSC property had been reduced $7.4 million. The appeal was not resolved at the end of FY 2011 resulting in additional revenue. An increase of $4.9 million in Current Personal Property Taxes is primarily due to fewer than projected exonerations and larger than expected omitted assessments.

Of the total FY 2011 Current Personal Property Tax revenue, $211.3 million is the portion reimbursed by the Commonwealth of Virginia under the Personal Property Tax Relief Act (PPTRA). A collection rate of 97.75 percent was achieved in FY 2011 on the taxpayer's portion of Personal Property levy, slightly lower than the 97.78 percent that was projected.

Actual FY 2011 collections for Delinquent Personal Property Tax revenue were $11,647,685, which represents an increase of $1,337,432, or 13.0 percent, over the *FY 2011 Revised Budget Plan* estimate. Delinquent Tax collections in FY 2011 are 1.0 percent higher than FY 2010 receipts.

## OTHER LOCAL TAXES

Actual FY 2011 collections for Other Local Taxes are $504,828,410, a net increase of $20,160,780, or 4.2 percent, over the *FY 2011 Revised Budget Plan* estimate of $484,667,630. This increase is primarily due to increases in Local Sales Tax, Current and Delinquent Business, Professional and Occupational License (BPOL) Taxes, and Bank Franchise Taxes, partially offset by a decrease in the Communications Sales and Use Tax.

**LOCAL SALES TAX**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $149,547,338 | $145,763,329 | $150,174,905 | $154,757,415 | $4,582,510 | 3.1% |

Actual FY 2011 Sales Tax receipts are $154,757,415, an increase of $4,582,510, or 3.1 percent, over the *FY 2011 Revised Budget Plan* estimate of $150,174,905. During the *FY 2011 Third Quarter Review*, the estimate for Sales Tax was raised $4.6 million. This estimate was based on collections during the first six months of FY 2011, which were increasing at an average rate of 1.5 percent, and the assumption that collections for the remaining months of the fiscal year would be level with the same period of FY 2010. However, during the last six months of FY 2011, Sales Tax receipts rose at an average rate of 7.3 percent, resulting in an overall 3.5 percent increase for the fiscal year. This increase follows two consecutive years of declines. The FY 2011 level of Sales Tax receipts remains below the FY 2008 level of $160.9 million.

**BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE TAX-CURRENT**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $138,542,613 | $136,431,465 | $138,542,613 | $145,094,542 | $6,551,929 | 4.7% |

Total FY 2011 receipts from Current Business, Professional, and Occupational License (BPOL) Taxes are $145,094,542, an increase of $6,551,929, or 4.7 percent, over the *FY 2011 Revised Budget Plan* estimate. During the fall 2010 revenue review, the FY 2011 estimate for BPOL was increased to the level achieved in FY 2010.

Businesses file and pay their BPOL Taxes simultaneously on March 1 based on the prior year's gross receipts. Because there is little information available until these filings are processed, no adjustment was made to the BPOL estimate during the *FY 2011 Third Quarter Review*. Actual FY 2011 receipts rose 4.7 percent over the FY 2010 level, which had declined 1.0 percent. The Retail category, which represents nearly 18 percent of total BPOL receipts, rose 8.9 percent over FY 2010. The combined Consultant and Business Service Occupations categories, which represent over 46 percent of total BPOL receipts, increased 3.8 percent over FY 2010 revenue. Real estate related categories had mixed results during FY 2011. The Real Estate Broker and Money Lender categories (each representing 0.9 percent of total BPOL receipts) rose 11.0 and 3.1, respectively, while the Builder and Developers component (0.2 percent of total BPOL) declined 11.5 percent in FY 2011.

**BPOL DELINQUENTS**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| ($25,355) | $2,041,264 | $2,041,264 | $5,442,466 | $3,401,202 | 166.6% |

Actual FY 2011 receipts from Delinquent Business, Professional, and Occupational License (BPOL) Taxes are $5,442,466, an increase of $3,401,202, or 166.6 percent, over the *FY 2011 Revised Budget Plan* estimate. This is the highest level of BPOL Delinquent collections since FY 1994. The increase is due to fewer than anticipated refunds and significant discovery efforts by the Department of Tax Administration. Approximately $1.0 million was collected from businesses that had not previously filed BPOL Tax returns.

**BANK FRANCHISE TAX**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $16,817,879 | $6,248,658 | $9,248,658 | $16,523,093 | $7,274,435 | 78.7% |

Actual FY 2011 Bank Franchise Tax revenue is $16,523,093, an increase of $7,274,435, or 78.7 percent, over the *FY 2011 Revised Budget Plan* estimate. Revenue in this category is not received until late May or June, making it a difficult category to project. In FY 2010, collections more than doubled compared to 2009 collections primarily as a result of banks holding significant reserves above those currently required by the Federal Reserve. The excess reserves are a result of federal funds from the Troubled Asset Relief Fund (TARP) and reduced bank lending. As banks repay TARP funds over the next few years, assets will be reduced and the Bank Franchise Tax will decline.

**COMMUNICATIONS SALES AND USE TAX**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $52,075,447 | $52,933,658 | $52,312,013 | $50,569,295 | ($1,742,718) | -3.3% |

Actual FY 2011 revenue from the Communications Sales and Use Tax is $50,569,295, a decrease of $1,742,718, or 3.3 percent, from the *FY 2011 Revised Budget Plan*. The estimate had been reduced $0.6 million during the fall budget review to account for lower than expected monthly collections. The estimate was not adjusted further during the *FY 2011 Third Quarter Review*, as collections were down just 1.0 percent from FY 2010 receipts. However, collections during the last five months of the fiscal year fell 6.4 percent, resulting in an overall decline of 2.8 percent from the FY 2010 level.

## REVENUE FROM THE USE OF MONEY AND PROPERTY

Actual FY 2011 revenue from the Use of Money and Property is $18,847,424, a decrease of $2,644,591, or 12.3 percent, from the *FY 2011 Revised Budget Plan* estimate of $21,492,015, and is due to a decrease in Interest on Investments.

**INVESTMENT INTEREST**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $16,792,303 | $14,438,339 | $17,601,597 | $14,938,934 | ($2,662,663) | -15.1% |

Actual FY 2011 Interest on Investments is $14,938,934, a decrease of $2,662,663, or 15.1 percent, from the *FY 2011 Revised Budget Plan* estimate. Annual revenue in this category is based on a combination of factors including the average portfolio size, average yield, and the percent of interest earnings attributable to the General Fund in FY 2011. The actual FY 2011 average portfolio of $2,770.4 million earned a yield of 0.78 percent. The General Fund's actual percentage of total interest earned on all investment portfolios was 69.9 percent compared to an estimated 70.3 percent.

## PERMITS, FEES AND REGULATORY LICENSES

**PERMITS, FEES AND REGULATORY LICENSES**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $28,665,677 | $27,719,593 | $29,888,461 | $34,267,179 | $4,378,718 | 14.7% |

Actual FY 2011 revenue from Permits, Fees and Regulatory Licenses is $34,267,179, an increase of $4,378,718, or 14.7 percent, over the *FY 2011 Revised Budget Plan.* This increase is primarily due to higher than projected receipts for Building and Inspection Fees, Zoning Fees and Fire Marshal Fees.

Actual FY 2011 revenue from Building and Inspection Fees was $23.3 million, $3.3 million more than estimated. The budget estimate was raised $2.0 million during the *FY 2011 Third Quarter Review* based on an upward trend in permitting activity. Issuance of building permits continued stronger than expected during the latter part of the year and FY 2011 revenues increased 18.5 percent over the FY 2010 level. Revenue collections of Fire Marshal Fees were $0.5 million higher than estimated, also due to the stronger construction activity. Actual FY 2011 Zoning Fees revenue of $2.9 million is $0.5 million more than projected due to higher than expected number of zoning applications.

## RECOVERED COSTS / OTHER REVENUE

**RECOVERED COSTS / OTHER REVENUE**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $5,940,194 | $8,035,781 | $8,193,764 | $12,516,773 | $4,323,009 | 52.8% |

Actual FY 2011 revenue from Recovered Costs/Other Revenue is $12,516,773, an increase of $4,323,009, or 52.8 percent, over the *FY 2011 Revised Budget Plan*. This increase is primarily due to $3.9 million received from the Fairfax County Public Schools for health functions provided by the County's Health Department and reimbursed by the state. This revenue had not been anticipated at the *Third Quarter Review* but was included in the FY 2012 Adopted Budget Plan.

## REVENUE FROM THE COMMONWEALTH AND FEDERAL GOVERNMENT

**REVENUE FROM THE COMMONWEALTH/FEDERAL GOVERNMENT[1]**

| FY 2010 Actual | FY 2011 Adopted | FY 2011 Revised | FY 2011 Actual | Increase/ (Decrease) | Percent Change |
|---|---|---|---|---|---|
| $132,658,846 | $118,100,303 | $130,487,187 | $136,131,854 | $5,644,667 | 4.3% |

[1] Excludes Personal Property Taxes that are reimbursed by the Commonwealth as a result of the Personal Property Tax Relief Act of 1998. See the "Personal Property Tax - Current" heading in this section.

Actual FY 2011 Revenue from the Commonwealth and Federal Government is $136,131,854, a net increase of $5,644,667, or 4.3 percent, over the *FY 2011 Revised Budget Plan*. An increase of $3.0 million is associated with state reimbursable salaries for constitutional officers and staff. This increase is due to the timing of payments from the Compensation Board and as a result of an overestimation of state cuts to the Department of the Sheriff. In addition, an increase of $0.3 million is associated with the County's share of a statewide $60.0 million "flexible cut" which was estimated at $4.8 million, while the actual cut was $4.5 million. This "flexible cut" requires localities to choose the funding stream(s) in which to make the reduction or to remit payment to the state.

Net additional revenue of $1.0 million is due to reimbursable expenditures associated with public assistance programs. An increase of $1.7 million is associated with the Child Care Assistance and Referral program, which was partially offset with decreases totaling $0.7 primarily reflecting lower County expenditures in the Comprehensive Services Act (CSA) program and for adoption subsidies.

Federal funding of $0.6 million was received for holding illegal immigrants in County jails. Due to the uncertainty regarding the amount of the federal appropriation for this program, no revenue estimate had been included in the FY 2011 budget. The FY 2011 amount received for this program by the County is $0.8 million less than that received in FY 2010. In addition, $0.6 million was received from the federal government for reimbursement associated with expenses incurred by the County during the major snowstorms that occurred in December 2009 and February 2010. Additional expenses are under review for potential reimbursement during FY 2012.

# ATTACHMENT III:

# SUMMARY OF SIGNIFICANT GENERAL FUND EXPENDITURE VARIANCES

# GENERAL FUND
# EXPENDITURE VARIANCE

**Attachment III**

The overall General Fund variance in FY 2011 was $119.44 million. Of this amount, $34.39 million represents outstanding encumbrances required to be carried forward, $9.91 million is for unencumbered but previously budgeted items required to be carried forward into FY 2012 (see Attachment IV), and required Managed Reserve adjustments of $0.89 million. It should be noted that encumbrances for the General Fund typically range from $30-$40 million. In addition, an amount of $15.00 million represents the funding set aside by the Board of Supervisors as part of the *FY 2010 Carryover Review* for anticipated FY 2012 retirement cost increases, resulting in a net General Fund balance of $59.25 million. Only General Fund agencies with significant variances are noted in this attachment.

## LEGISLATIVE-EXECUTIVE FUNCTIONS/CENTRAL SERVICES

**Agency 01, Board of Supervisors** **$343,730**

The agency balance of $343,730 is 7.0 percent of the FY 2011 approved funding level. The balance reflects Personnel Services savings of $315,773 due primarily to salary vacancy savings and $27,957 in Operating Expenses due primarily to savings in clerical services, printing costs, supplies, and postage.

**District Supervisors' Offices and Clerk to the Board**

| Supervisory District | FY 2011 Revised Budget Plan | FY 2011 Actual Expenditures | Balance |
|---|---|---|---|
| Chairman's Office | $464,727 | $439,290 | $25,437 |
| Braddock | 417,200 | 409,589 | 7,611 |
| Hunter Mill | 417,200 | 392,579 | 24,621 |
| Dranesville | 417,200 | 379,684 | 37,516 |
| Lee | 417,200 | 400,871 | 16,329 |
| Mason | 417,200 | 381,184 | 36,016 |
| Mt. Vernon | 417,200 | 405,382 | 11,818 |
| Providence | 417,200 | 323,613 | 93,587 |
| Springfield | 417,200 | 394,715 | 22,485 |
| Sully | 417,200 | 397,294 | 19,906 |
| **Subtotal** | **$4,219,527** | **$3,924,201** | **$295,326** |
| Clerk to the Board | 656,860 | 608,456 | 48,404 |
| **Total** | **$4,876,387** | **$4,532,657** | **$343,730** |

**Agency 57, Department of Tax Administration** **$518,342**

The agency balance of $518,342 is 2.3 percent of the FY 2011 approved funding level. Of this amount, $517,183 is included as encumbered carryover in FY 2012.

**Agency 70, Department of Information Technology** **$3,401,583**

The agency balance of $3,401,583 is 11.3 percent of the FY 2011 approved funding level. Of this amount, $3,350,921 is included as encumbered carryover in FY 2012. The remaining balance of $50,662 reflects Personnel Services savings of $16,522 primarily due to salary vacancy savings and Operating Expenses savings of $1,523,006 primarily due to lower than anticipated telecommunications costs. A corresponding reduction of $1,488,866 in Recovered Costs is associated with lower telecommunications charges being recovered from agencies.

**PUBLIC SAFETY**

**Agency 31, Land Development Services** **$1,688,274**

The agency balance of $1,688,274 is 7.7 percent of the FY 2011 approved funding level. Of this amount, $782,924 is included as encumbered carryover in FY 2012. The remaining balance of $905,350 is primarily attributable to a savings of $887,133 in Personnel Services. This savings is due to the agency's management of vacant positions, matching staffing levels to workload requirements in a downturned economy.

**Agency 81, Juvenile and Domestic Relations District Court** **$653,030**

The agency balance of $653,030 is 3.1 percent of the FY 2011 approved funding level. Of this amount, $640,758 is included as encumbered carryover in FY 2012. The remaining balance of $12,272 is primarily attributable to miscellaneous savings in Operating Expenses and Capital Equipment.

**Agency 90, Police Department** **$1,099,700**

The agency balance of $1,099,700 is 0.7 percent of the FY 2011 approved funding level. Of this amount, $1,063,974 is included as encumbered carryover in FY 2012. The remaining balance of $35,726 is primarily due to the agency's efforts to achieve savings in supplies, apparel, repairs and maintenance, telecommunications, and DVS charges.

**Agency 91, Office of the Sheriff** **$2,007,763**

The agency balance of $2,007,763 is 3.3 percent of the FY 2011 approved funding level. Of this amount, $970,062 is included as encumbered carryover in FY 2012. The remaining balance of $1,037,701 is primarily attributable to savings of $1,031,459 in Personnel Services continuing the trend seen in FY 2009 and FY 2010 of decreased position turnover and lower than budgeted overtime spending as the agency continues to experience very low vacancy rates. The remaining savings of $6,242 is in miscellaneous Operating Expenses.

**Agency 92, Fire and Rescue Department** **$5,525,482**

The agency balance of $5,525,482 is 3.3 percent of the FY 2011 approved funding level. Of this amount, $5,306,525 is included as encumbered carryover in FY 2012. The remaining balance of $218,957 is primarily attributable to managed position vacancy and overtime.

**Agency 93, Office of Emergency Management** **$506,604**

The agency balance of $506,604 is 22.1 percent of the FY 2011 approved funding level. Of this amount, $504,493 is included as encumbered carryover in FY 2012. The remaining balance of $2,111 is primarily attributable to telecommunications-related savings in Operating Expenses.

**PUBLIC WORKS**

**Agency 08, Facilities Management Department** **$4,254,325**

The agency balance of $4,254,325 is 8.3 percent of the FY 2011 approved funding level. Of this amount, $2,830,661 is included as encumbered carryover in FY 2012. The remaining balance of $1,423,664 is primarily attributable to savings of $252,994 in Personnel Services due to position vacancies; $919,449 in Operating Expenses

primarily due to savings in lease requirements based on the renegotiation of existing leases and lower than anticipated utility requirements; $238,389 associated with higher than anticipated Recovered Costs due to actual billings associated with work performed for others, and $12,832 in Capital Equipment savings.

**Agency 87, Unclassified Administrative Expenses –Public Works Contingencies** **$803,705**

The agency balance of $803,705 is 18.7 percent of the FY 2011 approved funding level. Of this amount, $411,811 is included as encumbered carryover in FY 2012. The remaining balance of $391,894 is primarily attributable to lower than anticipated operational expenses. This program provides routine community cleanup operations and emergency cleanup services for damages caused by storms, floods and other unforeseen hazardous conditions. Savings resulted because no substantial emergency events occurred during the fiscal year.

**HEALTH AND WELFARE**

**Agency 67, Department of Family Services** **$6,826,156**

The agency balance of $6,826,156 is 3.5 percent of the FY 2011 approved funding level. Of this amount, $5,142,471 is included as encumbered carryover in FY 2011. The remaining balance of $1,683,685 is attributable to savings of $1,144,363 in Personnel Services primarily due to managing vacancies in the Adult and Aging Division and School-Age Child Care (SACC) staffing. In addition, the savings of $1,141,869 in Operating Expenses is primarily due to cost savings in Comprehensive Services Act (CSA) spending and the maximization of Medicaid reimbursement. There is also a slight savings of $3,548 in Capital Equipment. These savings are partially offset by lower than expected Recovered Costs of $606,095.

**Agency 71, Health Department** **$3,685,033**

The agency balance of $3,685,033 is 7.3 percent of the FY 2011 approved funding level. Of this amount, $3,374,247 is included as encumbered carryover in FY 2012. The remaining balance of $310,786 is primarily attributable to Personnel Services savings totaling $290,232 that resulted from utilizing unanticipated one-time grant funding in the areas of immunization and preparedness, as well as a large number of unanticipated vacancies. In addition, the balance of $8,904 in Operating Expenses resulted from miscellaneous savings due to one-time grant opportunities, and the balance of $11,650 in Capital Equipment resulted from bids for a new spectrometer coming in lower than initially budgeted.

**Agency 73, Office to Prevent and End Homelessness** **$1,372,790**

The agency balance of $1,372,790 is 13.4 percent of the FY 2011 approved funding level. Of this amount, $964,681 is included as encumbered carryover in FY 2012. The remaining balance of $408,109 is primarily attributable to savings of $360,840 in Operating Expenses due to a delay in the implementation of the Disability Housing Study due to the need to re-scope the project, slightly lower spending on shelter contracts, and longer than expected time required to resume spending on short term financial assistance funded during the *FY 2011 Third Quarter Review*. The balance of $47,269 in Personnel Services is due to staff vacancies and the leveraging of non-County resources for salary expenses.

**Agency 79, Department of Neighborhood and Community Services** **$994,554**

The agency balance of $994,554 is 3.8 percent of the FY 2011 approved funding level. Of this amount, $852,149 is included as encumbered carryover in FY 2012. The remaining balance of $142,405 is primarily attributable to Personnel Services savings of $78,670 resulting from lower than budgeted spending in all four agency service regions and the County Services Integration, Planning, and Management cost center. The remaining net balance of

savings totaling $63,735 is derived from Operating Expenses and Recovered Cost savings primarily attributable to lower than anticipated expenditures within the Human Services Transportation System.

## PARKS, RECREATION, AND LIBRARIES

**Agency 52, Fairfax County Public Library** **$1,286,752**

The agency balance of $1,286,752 is 4.7 percent of the FY 2011 approved funding level. Of this amount, $682,944 is included as encumbered carryover in FY 2012. The remaining balance of $603,808 is primarily attributable to savings of $294,447 in Personnel Services due to higher than anticipated position vacancies and savings of $299,302 in Operating Expenses due to the renegotiation of contracts at a lower rate, and lower than anticipated expenses associated with newly renovated and expanded libraries (e.g. furniture and fixtures, temporary rent).

## COMMUNITY DEVELOPMENT

**Agency 35, Department of Planning and Zoning** **$694,019**

The agency balance of $694,019 is 7.3 percent of the FY 2011 approved funding level. Of this amount, $676,980 is included as encumbered carryover. The remaining balance of $17,039 is attributable to Personnel Services savings of $8,216 and savings of $8,823 in miscellaneous Operating Expenses.

**Agency 40, Department of Transportation** **$2,907,660**

The agency balance of $2,907,660 is 27.9 percent of the FY 2011 approved funding level. Of this amount, $2,790,358 is included as encumbered carryover in FY 2012, primarily for work in progress on the roadway responsibilities study, Bike Program for Tysons, transportation modeling of County zones, traffic count surveys, Travel Demand Forecasting, consulting support for Tysons transportation planning, Tysons Consolidated Impact Studies, and intersection and pedestrian safety improvements. The remaining balance of $117,302 is primarily attributable to Personnel Services savings based on actual salary costs and higher than anticipated Recovered Costs based on actual billings.

## NON-DEPARTMENTAL

**Agency 87, Unclassified Administrative Expenses - Nondepartmental** **$8,268,734**

The agency balance of $8,268,734 is 99.0 percent of the FY 2011 approved funding level. Of this amount, $91,643 is included as encumbered carryover in FY 2012. The remaining balance of $8,177,091 is primarily attributable to one-time funds received from the state of $7,546,358 held in reserve in Agency 87, Unclassified Administrative Expenses, and carried forward as part of the *FY 2011 Carryover Review* for reallocation to Agency 67, Department of Family Services, to fund Child Care Assistance and Referral (CCAR) program requirements. Of this amount, $2,750,000 is reallocated to the Department of Family Services as part of the *FY 2011 Carryover Review*. Based on these actions, the balance of the CCAR reserve in future years is $4,796,358.

**Agency 89, Employee Benefits** **$18,248,781**

The agency balance of $18,248,781 is 7.2 percent of the FY 2011 approved funding level. Of this amount, $892,500 is included as encumbered carryover in FY 2012. An amount of $15,000,000 represents the funding set aside by the Board of Supervisors as part of the *FY 2010 Carryover Review* for anticipated FY 2012 retirement cost increases. It should be noted that this amount has already been utilized to balance the FY 2012 Adopted Budget Plan. The

remaining balance of $2,356,281 is primarily attributable to savings in group health insurance, Social Security (FICA), contributions to the Virginia Retirement System, and increased reimbursements from capital projects.

# ATTACHMENT IV:

# EXPLANATION OF
# GENERAL FUND UNENCUMBERED

# GENERAL FUND
# UNENCUMBERED CARRYOVER

**Attachment IV**

A total of $9,906,990 for General Fund unencumbered items is required as part of the *FY 2011 Carryover Review*. These items have been carefully reviewed to ensure that they have been previously approved and are mission-essential and cannot be absorbed within the FY 2012 funding level. Details are included in the write-ups which follow:

## LEGISLATIVE /EXECUTIVE

**Agency 15, Office of Elections** **$353,590**

Char. 30: $353,590

Funding of $353,590 is required for expenses associated with the August 23, 2011 primary elections, as well as the purchase of additional optical scan voting equipment and optical scan readers. Of this total, $221,500 is for the primary elections originally anticipated for June 2011 that were delayed by the General Assembly until August 2011, and thus need to be funded in FY 2012. Included in this total are election officer compensation and training materials, supplies, payments to FCPS for school custodial overtime for polling place usage, and payments for use of special polling places, such as churches and other private facilities. The remaining $132,090 is for optical scan equipment and optical scan readers that were funded in FY 2011 but not purchased due to unanticipated delays in contract negotiations with the vendor.

## HEALTH AND WELFARE

**Agency 73, Office to Prevent and End Homelessness** **$400,000**

Char. 30: $400,000

Funding of $400,000 is required including $250,000 to provide financial assistance and stabilization services. As part of the *FY 2011 Third Quarter Review*, $400,000 was reallocated to the Office to Prevent and End Homelessness to support financial assistance and stabilization for families and individuals who are at-risk of homelessness. Due to longer than anticipated time to resume funding this assistance, funding of $250,000 is required in order to provide financial assistance and stabilization services through mid-October 2011In addition, funding of $150,000 is required for implementation of the Disability Housing Study. Funding was appropriated as part of the *FY 2010 Carryover Review*. A Request for Proposal was issued but a contract was not awarded. The study has been re-scoped and additional time is needed to complete the study.

## PARKS AND LIBRARIES

**Agency 52, Fairfax County Public Library** **$235,000**

Char. 30: $235,000

Funding of $235,000 is required to fund maintenance costs associated with the newly installed communications system that provides expanded telecommunications capability in County libraries.

**NONDEPARTMENTAL**

**Agency 87, Unclassified Administrative Expenses** **$8,146,358**

Char. 30: $8,146,358

Funding of $8,146,358 which has been held in reserve in Agency 87, Unclassified Administrative Expenses, is required to be carried forward. Of this amount, $7,546,358 is required for the Child Care Assistance and Referral (CCAR) program. These one-time funds were received from the state and are held in reserve in Agency 87, Unclassified Administrative Expenses, for reallocation to Agency 67, Department of Family Services. As part of the *FY 2011 Carryover Review*, $2,750,000 of this reserve is reallocated to the Department of Family Services to address FY 2012 funding requirements for CCAR. After these adjustments, total funding for the FY 2012 CCAR reserve is $4,796,358.

The balance of $600,000 in unencumbered carryover is funding that has been held in reserve for Emergency Support for Community Organizations. This funding has been held in reserve in Agency 87, Unclassified Administrative Expenses, for one-time grants to community organizations in need of additional assistance as a result of economic stress in order to sustain the organizations' operations and provision of services to the community in the short-term. This amount in unencumbered carryover is in addition to the $1,000,000 that was included in this reserve as part of the FY 2012 Adopted Budget Plan. Of this total of $1.6 million, $850,000 is reallocated to Agency 73, Office to Prevent and End Homelessness, as part of the *FY 2011 Carryover Review* to support financial assistance and stabilization for families and individuals who are at-risk for homelessness. After these adjustments, total funding for the FY 2012 Emergency Support for Community Organizations reserve is $750,000.

**Agency 87, Unclassified Administrative Expenses** **$372,042**

Char. 97: $372,042

Funding of $372,042 is required to provide sufficient funding for paving repairs to Reston South Commuter Lot, already planned, but not encumbered due to a delay in the final contract award.

**Agency 89, Employee Benefits** **$400,000**

Char. 30: $400,000

Funding of $400,000 is required for anticipated benefits-related studies and consultant work in FY 2012. This amount represents the unexpended balance of funding dedicated to task forces in FY 2011 and will represent the full amount available in FY 2012 as no funding for task forces was included in the FY 2012 Adopted Budget Plan. This funding would be available for continued work on the County's comprehensive retirement study, if necessary, as well as reviews of health care reform and post-retirement benefits.

# ATTACHMENT V:

# FEDERAL/STATE GRANT FUND

# FEDERAL/STATE GRANT FUND

**Attachment V**

As part of the *FY 2011 Carryover Review*, the total expenditure level for Fund 102, Federal/State Grant Fund, is increased by $124,435,825 from $67,818,214 to $192,254,039. Of this amount, $30,659,767 represents non-Local Cash Match funding adjustments for existing, supplemental, and new grant awards for the Department of Transportation, the Department of Family Services, the Health Department, the Fairfax-Falls Church Community Services Board, the Department of Neighborhood and Community Services, the Police Department, and the Fire and Rescue Department. In addition, an increase of $93,775,997 represents the carryover of unexpended FY 2011 balances for grants that were previously approved by the Board of Supervisors. In anticipation of the implementation of the County's integrated finance, budget, purchasing and human resources computer system in FY 2012, grants from Fund 103, Aging Grants and Programs, Fund 106, Fairfax-Falls Church Community Services Board and Fund 340, Housing Assistance Program are being consolidated into Fund 102, Federal/State Grant Fund. Please see the "New Awards and Amendments to Existing Grants" section of this attachment for a listing of the specific grants and associated positions. It should also be noted that $396,566 for the Fairfax-Falls Church Community Services Board is included as a result of funding received from the American Recovery and Reinvestment Act of 2009 (ARRA).

The reserve for estimated grant funding in Agency 87, Unclassified Administrative Expenses, is increased by a net of $1,250,194, including an increase of $5,550,798 representing the carryover of unexpended Local Cash Match offset by a decrease of $2,640,298 associated with the Local Cash Match requirements of a new awards in the Department of Family Services and the Department of Transportation and a decrease of $1,660,306 representing FY 2012 awards administratively approved prior to Carryover.

The total revenue level for Fund 102 is increased $81,295,983 from $63,567,362 to $144,863,345. This increase includes $27,296,402 associated with adjustments to existing, supplemental, and new grant awards and $53,999,581 in revenues anticipated to be received in FY 2012 associated with the carryover of unexpended balances.

The General Fund transfer to Fund 102 remains at $4,250,852, representing the new Local Cash Match requirements anticipated in FY 2012. The Reserve for Estimated Local Cash Match totals $6,880,186, an increase of $2,629,334 from the FY 2012 Adopted level of $4,250,852. The increase includes $5,466,862 carried over from the FY 2011 balance of the Reserve and $83,936 in Local Cash Match returned to the Reserve and carried over as the result of closeouts, offset by a decrease of $2,640,298 decrease due to the Local Cash Match requirement of new awards in the Department of Transportation and the Department of Family Services, and a decrease of $281,166 due to Local Cash Match requirements for FY 2012 awards administratively approved prior to Carryover.

An amount of $3,148,767 reflects expenditures associated with the closeout of grants in the agencies listed below, for which expenditure authority is no longer required. Revenue and transfers associated with the closeouts total $3,067,654 and $83,936.

## GRANT CLOSE OUTS

The following grants/program years/phases are closed out as part of regular closeout for prior program years for which expenditure authority is no longer required:

**Economic Development Authority**

16004G Governor's Opportunity Fund Grant
Program Year 2011, Phase 001
Program Year 2011, Phase 003

**Capital Facilities**

26001G Bus Shelters
Program Year 1998, Phase 000

26002G Bus Shelters
Program Year 2002, Phase 001

**Housing and Community Development**

38007G CDBG Set Aside
Program Year 2000, Phase 001
Program Year 2000, Phase 002
Program Year 2000, Phase 004
Program Year 2000, Phase 005

**Office of Human Rights**

39005G US EEOC Contract
Program Year 2007, Phase 000

39006G HUD Fair Housing Complaints Grant
Program Year 2005, Phase 000

**Department of Transportation**

40016G Dulles Corridor Enhancements
Program Year 1999, Phase 000

**Fairfax County Public Library**

52011G E-Rate Reimbursements
Program Year 2010, Phase 000

52025G Staying Connected Training Grant
Program Year 2005, Phase 000

**Department of Family Services**

67201G Women's Business Center
Program Year 2011, Phase 000

67202G Sexual Assault Treatment and Prevention
Program Year 2010, Phase 000
Program Year 2010, Phase 001

67203G V-Stop
Program Year 2010, Phase 000

67204G Domestic Violence Crisis
Program Year 2010, Phase 000

67300G WIA (Workforce Investment Act) Adult Program
Program Year 2009, Phase 001

67304G WIA Dislocated Worker Program
Program Year 2009, Phase 001

67329G Inova Health System
Program Year 2010, Phase 000

67331G Base Realignment and Closure (BRAC)
Program Year 2009, Phase 001

67336G NOVAGATE Initiative
Program Year 2010, Phase 000

67503G Community Housing and Resource Program - Award Three
Program Year 2010, Phase 000

67516G Promoting Safe and Stable Families
Program Year 2010, Phase 000
Program Year 2010, Phase 001
Program Year 2010, Phase 002
Program Year 2010, Phase 003

67600G USDA Child and Adult Care Food Program
Program Year 2010, Phase 000

67601G USDA SACC Snacks
Program Year 2010, Phase 000

67602G Head Start Federal Program Grant
Program Year 2010, Phase 000
Program Year 2010, Phase 001
Program Year 2010, Phase 002

Program Year 2010, Phase 003
Program Year 2010, Phase 004

67603G Child Care Development Block Grant
Program Year 2001, Phase 000

67605G CCAR/Child Care Quality Initiative Program/VACCRRN
Program Year 2011, Phase 000
Program Year 2011, Phase 001
Program Year 2010, Phase 002

67607G VIEW Day Care
Program Year 2011, Phase 000

67610G Early Head Start
Program Year 2010, Phase 000
Program Year 2010, Phase 001
Program Year 2010, Phase 002
Program Year 2010, Phase 003
Program Year 2010, Phase 004
Program Year 2010, Phase 005

67615G Preschool Pilot Grant
Program Year 2008, Phase 000

67619G Virginia ITS Network
Program Year 2011, Phase 000
Program Year 2010, Phase 000

**Health Department**

71006G Immunization Action Plan
Program Year 2010, Phase 000

71014G Tuberculosis Grant
Program Year 2010, Phase 000

**Department of Neighborhood and Community Services**

50012G Joey Pizzano Memorial Fund
Program Year 2010, Phase 000

50025G Intel Computer Clubhouse Technology Refresh
Program Year 2010, Phase 000

79025G UnitedHealth Heroes Service Learning Grant
Program Year 2011, Phase 000

# FEDERAL/STATE GRANT FUND



**Juvenile and Domestic Relations District Court**

81013G Juvenile Accountability Incentive Block Grant
Program Year 2010, Phase 000

81022G Evening Reporting Center
Program Year 2011, Phase 000

**Police Department**

90002G Seized Funds
Program Year 1988, Phase 002
Program Year 1988, Phase 003

90027G I-95/I-495 Patrol Augmentation
Program Year 2009, Phase 001

90069G Target Grant
Program Year 2011, Phase 002

90073G National Initiatives: Enhancing Law Enforcement
Program Year 2010, Phase 000

**Office of the Sheriff**

91005G Bulletproof Vest
Program Year 2006, Phase 001

**Fire and Rescue Department**

92001G Virginia Department of Fire Programs
Program Year 2008, Phase 003
Program Year 2007, Phase 001
Program Year 2007, Phase 002
Program Year 2007, Phase 003

92020G Assistance to Firefighters Act Grant
Program Year 2008, Phase 001
Program Year 2008, Phase 002
Program Year 2007, Phase 001

92021G International Urban Search and Rescue
Program Year 2003, Phase 001
Program Year 2003, Phase 002
Program Year 2003, Phase 003
Program Year 2003, Phase 004
Program Year 2003, Phase 005

92027G Fire Prevention & Safety Grant Program
Program Year 2009, Phase 001
Program Year 2007, Phase 001
Program Year 2007, Phase 002

92029G VDOT Incident Management
Program Year 2009, Phase 001

92106G FEMA National Search and Rescue Response System
Program Year 2009, Phase 001
Program Year 2008, Phase 001
Program Year 2008, Phase 002
Program Year 2008, Phase 003
Program Year 2008, Phase 004

92301G USAID Urban Search and Rescue Assistance
Program Year 2004, Phase 001
Program Year 2004, Phase 003
Program Year 2004, Phase 004
Program Year 2004, Phase 005

92302G USAID Urban Search and Rescue Assistance
Program Year 2005, Phase 001
Program Year 2005, Phase 002
Program Year 2005, Phase 003
Program Year 2005, Phase 004
Program Year 2005, Phase 005

92303G USAID-International Urban Search and Rescue
Program Year 2006, Phase 001
Program Year 2006, Phase 002
Program Year 2006, Phase 003
Program Year 2006, Phase 004
Program Year 2006, Phase 005

92304G USAID-International Urban Search and Rescue
Program Year 2007, Phase 001
Program Year 2007, Phase 002
Program Year 2007, Phase 003
Program Year 2007, Phase 004
Program Year 2007, Phase 005

92305G USAID - Urban Search and Rescue
Program Year 2008, Phase 001
Program Year 2008, Phase 002
Program Year 2008, Phase 003

Program Year 2008, Phase 004
Program Year 2008, Phase 005
Program Year 2008, Phase 006

92401G OFDA Activations - Iranian Earthquake
Program Year 2004, Phase 001

92402G OFDA Activations - Morocco Earthquake
Program Year 2004, Phase 001

92403G USAID - Athens, Greece Activation
Program Year 2005, Phase 001

92404G USAID - Tsunami Activation
Program Year 2005, Phase 001

92405G OFDA - Hurricane Katrina
Program Year 2006, Phase 001

92406G OFDA - Pakistan Earthquake
Program Year 2006, Phase 001

92407G OFDA-Bolivian Flooding
Program Year 2007, Phase 001

92408G OFDA - Bolivian Flooding 2008
Program Year 2008, Phase 001

92409G OFDA-Thailand Burma Cyclone
Program Year 2008, Phase 001

92410G OFDA-China Earthquake
Program Year 2008, Phase 001

92411G OFDA-Haiti School Collapse
Program Year 2009, Phase 001

92412G OFDA-UNDAC Panama Flooding
Program Year 2009, Phase 001

92501G UNDAC Peru Earthquake
Program Year 2008, Phase 001

92502G UNDAC Hurricane Felix, Honduras
Program Year 2008, Phase 001

92503G AST Haiti 2008
Program Year 2009, Phase 001

**Emergency Preparedness**

02912G State Domestic Preparedness Equipment Program
Program Year 2010, Phase 001
Program Year 2008, Phase 003
Program Year 2007, Phase 001

02914G Citizen Corps
Program Year 2002, Phase 002

02917G Urban Areas Security Initiative Grant
Program Year 2009, Phase 007
Program Year 2008, Phase 001
Program Year 2008, Phase 004
Program Year 2008, Phase 005
Program Year 2008, Phase 007
Program Year 2008, Phase 008
Program Year 2008, Phase 015
Program Year 2008, Phase 017
Program Year 2008, Phase 018
Program Year 2007, Phase 000
Program Year 2007, Phase 002
Program Year 2007, Phase 003
Program Year 2007, Phase 005
Program Year 2007, Phase 007
Program Year 2007, Phase 009
Program Year 2007, Phase 014
Program Year 2007, Phase 020
Program Year 2007, Phase 021

**Department of Public Safety Communications**

95001G PSAP Wireless E-911
Program Year 2008, Phase 000

**American Recovery and Reinvestment Act of 2009 (ARRA)**

S6707G SNAP Stimulus - Administrative
Program Year 2010, Phase 000

S6801G TANF Emergency/Contingency Fund
Program Year 2010, Phase 000
Program Year 2010, Phase 001
Program Year 2010, Phase 002

S8201G V-STOP Domestic Violence Grant
Program Year 2010, Phase 000

## NEW AWARDS AND AMENDMENTS TO EXISTING GRANTS

**Department of Housing and Community Development** **$360,920**

An increase of $360,920 to revenues and expenditures in the Department of Housing and Community Development is the result of the following adjustment:

- An increase of $360,920 to both revenues and expenditures is included to transfer Fund 340, Housing Assistance Program grants to Fund 102, Federal/State Grant Fund. In FY 2012, the County will implement an integrated finance, budget, purchasing and human resources computer system. As a result, grants previously held within Fund 340 will be transferred to Fund 102. Funding associated with the following grants (previously classified as projects in Fund 340) are included:

| | | |
|---|---|---|
| 38009G | EDI Richmond Highway | $79,528 |
| 38010G | EDI Magnet Housing | $12,072 |
| 38011G | EDI Housing IT | $33,319 |
| 38012G | EDI SRO Housing | $236,001 |
| | Total | $360,920 |

**Department of Transportation** **$5,705,014**

An increase of $5,705,014 to revenues, expenditures and Local Cash Match in the Department of Transportation is the result of the following adjustment:

- An increase of $5,705,014 to revenue, expenditures and Local Cash Match is included for the Federal Transit Administration (FTA) Richmond Highway Transit Center Grant, 40111G, Program Year 2011. These funds will support the Richmond Highway Public Transportation Initiative (RHPTI) program. The RHPTI was developed as a result of the Route 1 Corridor Bus Study and will provide funding to upgrade transit services and facilities in the Richmond Highway Corridor. This effort will include establishing new transit centers and park-and-ride lots, upgrading bus stops and crosswalks, increasing bus service, and implementing an intelligent transportation system to increase service reliability. Local Cash Match in the amount of $641,003 is available from the Fund 102, Federal/State Grant Fund, Local Cash Match reserve, and in the amount of $500,000 is available from Fund 304, Transportation Improvements. There are no positions associated with this award. Please note the Board of Supervisors approved this award on July 10, 2006.

As a result of this adjustment, the grant closeout listed above, and the carryover of unexpended balances, the *FY 2012 Revised Budget Plan* for the Department of Transportation is $16,811,838.

**Department of Family Services** **$10,476,642**

An increase of $10,476,642 to revenues, expenditures and Local Cash Match in the Department of Family Services is the result of the following adjustments:

- An increase of $967,565 to both revenues and expenditures is included for the WIA (Workforce Investment Act) Youth Program Grant, 67302G, Program Year 2011, as a result of an award from the SkillSource Group, Inc. on behalf of the Northern Virginia Workforce Investment Board. This

program focuses on preparation for post-secondary educational opportunities and employment by linking academic and occupational learning. Programs include tutoring, study skills training, and instruction leading to completion of secondary school, alternative school services, mentoring by adults, paid and unpaid work experience, occupational skills training, leadership development, and support services for disadvantaged youth 14 to 21 years old. The grant period extends from April 1, 2011 through June 30, 2013. Funds will continue to support 6/6.0 SYE existing grant positions. The County is under no obligation to continue funding these positions when the grant funding expires. No Local Cash Match is required.

- An increase of $702,505 to both revenues and expenditures is included for the Base Realignment and Closure Grant, 67331G, Program Year 2011. Fairfax County acts as the fiscal agent in the receipt of this grant from the Virginia Employment Commission, but the Northern Virginia Workforce Investment Board (NWIB) is solely responsible for managing this grant and spending the money on behalf of Fairfax County for the benefit of residents of Fairfax County. Through this funding, NWIB assists individuals impacted by the closure of military bases in Northern Virginia for the period March 1, 2011 through December 31, 2011. No positions are associated with this grant and no Local Cash Match was required to accept the award.

- An increase of $3,238,357 to expenditures is the result of transferring remaining program year 2011 grant balances from Fund 103, Aging Grants and Programs in anticipation of the implementation of the County's integrated finance, budget, purchasing and human resources computer system in FY 2012. The program year 2011 expenditures are fully offset by unrealized program year 2011 revenue and the Fund 103, Aging Grants and Programs FY 2011 ending balance that was transferred as part of the *FY 2011 Carryover Review*. Funding and 23/22.5 SYE positions associated with the following grants are included:

| | | |
|---|---|---|
| 67460G | Community-Based Social Services | $503,357 |
| 67461G | Long Term Care Ombudsman | $43,240 |
| 67462G | Fee-for-Services/Homemaker | $18,224 |
| 67463G | Congregate Meals | $1,873,082 |
| 67464G | Home Delivered Meals | $568,281 |
| 67465G | Care Coordination for the Elderly Virginian | $147,549 |
| 67466G | Caregiver Support | $84,624 |
| | Total | $3,238,357 |

- An increase of $800,613 to expenditures and revenues is included for the Community-Based Social Services Grant, 67460G, Program Year 2012. Funding will provide services to adults age 60 and older to enable them to live as independently as possible in the community. This includes assisted transportation, information and referral, telephone reassurance, volunteer home services, insurance counseling, and other related services. The grant period runs from October 1, 2011 through September 30, 2012. The County is under no obligation to continue funding positions associated with this award when grant funding has expired. No Local Cash Match is required.

- An increase of $656,948 to expenditures, revenues and Local Cash Match is included for the Long Term Care Ombudsman Grant, 67461G, Program Year 2012. Funding will improve the quality of life for the more than 10,000 residents in 110 nursing and assisted living facilities by educating residents and care providers about patient rights and by resolving complaints against nursing and assisted living

facilities, as well as home care agencies, through counseling, mediation and investigation. The grant period runs from October 1, 2011 through September 30, 2012. The County is under no obligation to continue funding positions associated with this award when grant funding has expired. Local Cash Match in the amount of $452,328 is available from the Local Cash Match reserve.

- An increase of $243,007 to expenditures and revenues is included for the Fee-for-Services/Homemaker Grant, 67462G, Program Year 2012. Funding will provide home-based care to adults age 60 and older to enable them to remain in their homes rather than in more restrictive settings. Services are primarily targeted toward those older adults who are frail, isolated, of a minority group, or in economic need. The grant period runs from October 1, 2011 through September 30, 2012. There are no positions associated with this award and no Local Cash Match is required.

- An increase of $1,725,160 to expenditures, revenues and Local Cash Match is included for the Congregate Meals Grant, 67463G, Program Year 2012. Funding provides one meal a day, five days a week. Congregate Meals are provided in 29 congregate meal sites around the County including the County's senior and adult day health centers, several private senior centers and other sites serving older adults such as the Alzheimer's Family Day Center. Congregate Meals are also provided to residents of the five County senior housing complexes. The grant period runs from October 1, 2011 through September 30, 2012. Local Cash Match in the amount of $977,313 is available from the Local Cash Match reserve. There are no positions associated with this award.

- An increase of $1,177,033 to expenditures, revenues and Local Cash Match is included for the Home-Delivered Meals Grant, 67464G, Program Year 2012. Funding will support the Home-Delivered Meal program and the Nutritional Supplement program. Home-Delivered Meals provides meals to frail, homebound, low-income residents age 60 and older who cannot prepare their own meals. The Nutritional Supplement program targets low-income and minority individuals who are unable to consume sufficient calories from solid food due to chronic disabling conditions, dementia, or terminal illnesses. The grant period runs from October 1, 2011 through September 30, 2012. Local Cash Match in the amount of $89,976 is available from the Local Cash Match reserve. There are no positions associated with this award.

- An increase of $613,757 to expenditures, revenues and Local Cash Match is included for the Care Coordination for the Elderly Virginian Grant, 67465G, Program Year 2012. Services are provided to elderly persons at-risk of institutionalization who have deficiencies in two or more activities of daily living. Care Coordination Services include intake, assessment, plan of care development, implementation of the plan of care, service monitoring, follow-up and reassessment. The grant period runs from October 1, 2011 through September 30, 2012. The County is under no obligation to continue funding positions associated with this award when grant funding has expired. Local Cash Match in the amount of $335,568 is available from the Local Cash Match reserve.

- An increase of $351,697 to expenditures, revenues and Local Cash Match is included for the Caregiver Support Grant, 67466G, Program Year 2012. Funding provides education and support services to caregivers of persons 60 and older, or older adults caring for grandchildren. Services include scholarships for respite care, gap-filling respite and bathing services, assisted transportation, assistance paying for supplies and services, and other activities that contribute to the well-being of senior adults and help to relieve caregiver stress. The grant period runs from October 1, 2011 through September 30, 2012. The County is under no obligation to continue funding positions associated with this award when grant funding has expired. Local Cash Match in the amount of $144,110 is available from the

Local Cash Match reserve.

As a result of these adjustments, the grant closeouts listed above, and the carryover of unexpended balances, the *FY 2012 Revised Budget Plan* for the Department of Family Services is $21,007,669.

**Health Department** **$3,189,593**

An increase of $3,189,593 to both revenues and expenditures in the Health Department is the result of the following adjustment:

- An increase of $3,189,593 to both revenues and expenditures is included for the Women, Infants, and Children (WIC) Grant, 71007G, Program Year 2012. The special supplemental food program for women, infants and children (WIC) provides education and supplemental foods to low-income pregnant and breastfeeding women, infants and children up to 5 years of age based on nutritional risk and income eligibility. The primary services provided are health screening, risk assessment, nutrition education and counseling, breastfeeding promotion and referrals to health care. Supplemental food is provided at no cost to participants. Past experience shows that pregnant women who participate in the WIC Program have fewer low birth weight babies, experience fewer infant deaths, see the doctor earlier in pregnancy and eat healthier. In FY 2011, 19,937 individuals were enrolled in WIC. Services provided are highlighted below:

    - Enroll pregnant women and children in the WIC program;
    - Provide nutritious foods to supplement and help improve the diet;
    - Offer nutrition education to all WIC participants or their caregivers;
    - Refer high risk nutrition conditions to a registered dietitian for a nutrition care plan and counseling; and
    - Screen for other health problems and make referrals to other appropriate health and social services.

  The funding period is October 1, 2011 through September 30, 2012. Funding will continue to support 49/49.0 SYE positions. The County is under no obligation to continue funding these positions once the grant has expired. There is no Local Cash Match associated with this award.

As a result of this adjustment, the grant closeouts listed above, and the carryover of unexpended balances, the *FY 2012 Revised Budget Plan* for the Health Department is $5,376,987.

**Fairfax-Falls Church Community Services Board** **$10,483,518**

An increase of $10,483,518 to both revenues and expenditures in the Fairfax-Falls Church Community Services Board (CSB) is the result of the following adjustments:

- An increase of $10,057,303 to both revenues and expenditures is included to transfer Fund 106, Fairfax-Falls Church Community Services Board grants to Fund 102, Federal/State Grant Fund. In FY 2012, the County will implement an integrated finance, budget, purchasing and human resources computer system. As a result, grants previously held within Fund 106 will be transferred to Fund 102. Funding and 51/50.25 SYE positions associated with the following grants are included:

| | | |
|---|---|---|
| Early Intervention Services | | |
| 75043G | Part C | $1,453,302 |
| Alcohol and Drug Services | | |
| 75045G | Probation Parole Day Reporting | $60,455 |
| 75049G | High Intensity Drug Trafficking Area | $827,980 |
| 75055G | Supportive Housing Program | $260,213 |
| 75058G | Jail and Offender Services Initiative | $185,857 |
| 75081G | Al's Pal's | $72,350 |
| Mental Health Services | | |
| 75028G | Homeless Assistance Program | $171,031 |
| 75071G | Virginia Serious and Violent Offender Re-Entry | $134,417 |
| 75072G | Mental Health (MH) State Reinvestment | $2,349,705 |
| 75076G | Regional Discharge Assistance Project | $1,749,374 |
| 75077G | Regional Crisis Stabilization | $773,841 |
| 75082G | Community Recovery Services | $622,392 |
| 75085G | State Jail Diversion | $321,050 |
| 75086G | MH Initiative - State | $172,592 |
| 75087G | MH Juvenile Detention | $110,000 |
| 75088G | MH Transformation | $70,000 |
| 75089G | MH Law Reform | $530,387 |
| 75090G | MH Child and Adolescent Services | $75,000 |
| 75091G | MH Cooperative Employment Program | $65,000 |
| 75093G | Regional Child Commun Behavioral Health Services | $52,357 |
| | Total | $10,057,303 |

- An increase of $94,990 to both revenues and expenditures is included for the Promotion of Wellness and Recovery (POWAR) Project, 75094G, Program Year 2011. This award will increase nurses' knowledge and awareness of hypertension and diabetes; improve the knowledge and health habits of CSB consumers who have hypertension and diabetes; and develop health information exchange strategies to promote appropriate and timely follow-up, monitoring, and case management of consumers with hypertension and diabetes. There are no positions associated with this award and no Local Cash Match is required.

- An increase of $331,225 to both revenues and expenditures is included for the Infant and Toddler Connection, Part C Grant, 75043G, Program Year 2012. This supplemental award supports the Infant & Toddler Connection of Fairfax-Falls Church, which provides evaluations and early intervention services to eligible infants and toddlers who have a developmental delay and who are younger than 3 years old. The County is under no obligation to continue funding positions associated with this award when grant funding has expired. No Local Cash Match is required.

As a result of these adjustments the *FY 2012 Revised Budget Plan* for the Fairfax-Falls Church Community Services Board is $10,483,518.

**Department of Neighborhood and Community Services** **$127,291**

An increase of $127,291 to expenditures in the Department of Neighborhood and Community Services is the result of the following adjustment:

- An increase of $127,291 to expenditures is the result of transferring remaining Program Year 2011 grant balances, 67463G, from Fund 103, Aging Grants and Programs in anticipation of the implementation of the County's integrated finance, budget, purchasing and human resources computer system in FY 2012. The program year 2011 expenditures are fully offset by unrealized program year 2011 revenue and the Fund 103, Aging Grants and Programs FY 2011 ending balance that was transferred as part of the *FY 2011 Carryover Review*.

As a result of this adjustment, the grant closeouts listed above and the carryover of unexpended balances, the *FY 2012 Revised Budget Plan* for the Department of Neighborhood and Community Services is $1,191,467.

**Police Department** **$172,491**

An increase of $172,491 to both revenues and expenditures in the Police Department is the result of the following adjustment:

- An increase of $172,491 to both revenues and expenditures is included for the Seized Funds Grant, 90002G, Program Year 1988, as a result of funds released by the Department of Justice from asset seizures stemming from illegal narcotics, gambling, and other related activities. The expenditure of forfeited funds can only be made for law enforcement purposes. No Local Cash Match is required to accept this award, and no positions are supported by the funding.

As a result of this adjustment, the grant closeouts listed above, and the carryover of unexpended balances, the *FY 2012 Revised Budget Plan* for the Police Department is $8,108,039.

**Fire and Rescue Department** **$2,343,586**

An increase of $2,343,586 to both revenues and expenditures in the Fire and Rescue Department is the result of the following adjustments:

- An increase of $14,551 to both revenues and expenditures is included for the annual Virginia Department of Fire Programs Fund Grant, 92001G, Program Years 2010 and 2011. The Fire Programs Fund provides funding for: fire services training; constructing, improving and expanding regional fire service training facilities; public fire safety education; purchasing firefighting equipment or firefighting apparatus; or purchasing protective clothing and protective equipment for firefighting personnel. Program revenues may not be used to supplant County funding for these activities. The program serves residents of Fairfax County as well as the towns of Clifton and Herndon. This adjustment is a result of interest generated that was not anticipated in FY 2011. These funds will continue to support 11/10.0 SYE existing grant positions. The County is under no obligation to continue these positions once grant funding has expired. No Local Cash Match is required.

- An increase of $938,936 to both revenues and expenditures is included for the Four-for-Life Grant Program, 92004G, Program Year 2011 and Program Year 2010. The Virginia Department of Health,

Division of Emergency Medical Services Four-for-Life Program is funded from the $4 fee included as part of the annual Virginia motor vehicle registration. Funds are set aside by the state for local jurisdictions for emergency medical services purposes including the training of Emergency Medical Services (EMS) personnel and the purchase of necessary equipment and supplies. Funds are allocated based on the vehicle registrations processed in each locality. These funds do not support any positions and no Local Cash Match is required.

- An increase of $56,171 to both revenues and expenditures is included for the National Urban Search and Rescue Program, Grant 92108G, Program Year 2010, as a result of a supplemental award from the Federal Emergency Management Agency (FEMA). The grant provides funding for a Cooperative Agreement with the Fire Department's Urban Search and Rescue Team (VATF1) for the continued development and maintenance of the National Urban Search and Rescue Response System's resources. These funds will continue to support 4/4.0 SYE existing grant positions. The County is under no obligation to continue funding these positions once grant funding has expired. There is no required Local Cash Match.

- An increase of $1,333,928 to both revenues and expenditures is included for the International Search and Rescue Grant, 92306G, Program Year 2010. A memorandum with the U.S. Agency for International Development (USAID) exists to provide emergency urban search and rescue services internationally and occasionally domestically as requested. This additional funding is for reimbursement for deployments and replenishment of the deployment reserve for the award. Deployments are initially funded from the reserve and activity is tracked under separate grant numbers. Replenishment is made to the reserve for amounts already reallocated to the specific deployments. In addition, amounts are being added to deployments that were partially funded from the reserve. In total, this funding covers the following responses: Haiti Americas Support Team Incident Command Team 2010 (92504G - $7,471), Haiti Cholera Disaster Assessment of Recovery Team 2010 (92505G - $7,088), Israeli Fires 2010 (92506G - $2,452), Columbia Flooding 2010 (92507G - $7,964), New Zealand Earthquake 2011 (92508G - $7,154), Libya Response Management Team 2011 (92509G - $1,799), Japan Earthquake 2011 (92416G - $1,300,000).

As a result of these adjustments, the grant closeouts listed above, and the carryover of unexpended balances, the *FY 2012 Revised Budget Plan* for the Fire and Rescue Department is $16,444,141.

**American Recovery and Reinvestment Act of 2009 (ARRA) $441,011**

An increase of $441,011 to both revenues and expenditures in the Fairfax-Falls Church Community Services Board and the Department of Family Services is the result of the following adjustments:

- An increase $396,566 to both revenues and expenditures is included for the Infant & Toddler Connection, Part C Grant, S7501G, Program Year 2012 as a result of funding received through the American Recovery and Reinvestment Act of 2009. This award will support the Infant & Toddler Connection of Fairfax-Falls Church administered by the Community Services Board, which provides evaluations and early intervention services to eligible infants and toddlers who have a developmental delay and who are younger than 3 years old. There are no positions associated with this award and no Local Cash Match is required.

- An increase of $44,445 to expenditures is the result of transferring remaining ARRA program year 2010 grant balances, S6704G, from Fund 103, Aging Grants and Programs in anticipation of the

implementation of the County's integrated finance, budget, purchasing and human resources computer system in FY 2012. The program year 2010 expenditures are fully offset by unrealized program year 2010 revenue and the Fund 103, Aging Grants and Programs FY 2011 ending balance that was transferred as part of the *FY 2011 Carryover Review*.

As a result of these adjustments, the grant closeouts listed above, and the carryover of unexpended balances, the *FY 2012 Revised Budget Plan* for ARRA Funding is $1,582,369.

## AWARDS APPROVED ADMINISTRATIVELY

### (Since the *FY 2011 Third Quarter Review*)

**Economic Development Authority**

An increase of $84,000 was appropriated to both revenues and expenditures in the Economic Development Authority as a result of the following adjustment:

- On June 29, 2011 (AS 11135), an increase of $84,000 to revenues and expenditures was appropriated for the Governor's Opportunity Fund Grant, 16004G, Program Year 2011, as the result of notification of an award from the Commonwealth of Virginia through the Virginia Economic Development Partnership. The award will be used to assist the County with the headquarters relocation of GeoEye, Inc. This is a performance grant and a performance agreement has been executed to ensure, on behalf of Fairfax County and the Commonwealth of Virginia, that the projected growth occurs. If GeoEye, Inc. does not achieve its performance metrics as described in the Performance Agreement executed between Fairfax County and GeoEye, Inc., then GeoEye, Inc. is responsible for paying that portion of the grant it did not achieve back to Fairfax County. Fairfax County in turn will then refund to the Commonwealth of Virginia the funds received from GeoEye, Inc. Fairfax County will not be held responsible for financial shortfalls associated with performance metrics not met. The Fairfax County Economic Development Authority (FCEDA) will monitor the performance metrics and will provide to the Office of the County Executive information annually on the number of jobs and capital investment achieved during that time. No Local Cash Match is required. However, as part of the Governor's Opportunity Fund grant, Fairfax County must provide road improvements relevant to the firm's location. A future overpass study over the Dulles Toll Road in the Hunter Mill District provides this match. There are no positions associated with this award.

**Capital Facilities**

An increase of $27,830 was appropriated to both revenues and expenditures in Capital Facilities as a result of the following adjustment:

- On March 29, 2011 (AS 11134), an increase of $27,830 to revenues and expenditures was appropriated for the CMAQ Bus Shelters Grant, 26002G, Program Years 2002 and 2007, from the reserve for unanticipated grant awards. This Congestion Mitigation Air Quality (CMAQ) funding supports bus shelter improvements. There are no positions associated with this award and no Local Cash Match is required.

**Department of Family Services**

An increase of $1,940,876 was appropriated to both revenues and expenditures in the Department of Family Services as a result of the following adjustments:

- On February 8, 2011 (AS 11108), an increase of $25,463 to revenues and expenditures was appropriated for the V-Stop Grant, 67203G (formerly 75053G), Program Year 2011, as the result of notification of an award from the Department of Criminal Justice Services, which provides funding for one part-time volunteer coordinator for the Victim Assistance Network (VAN) using federal Violence Against Women Act monies. Volunteers are trained to staff VAN's 24-hour hotline for sexual and domestic violence calls, facilitate support groups, provide community education, and assist with office duties. The funds support 1/0.5 SYE grant position for the time period from January 1, 2011 to December 31, 2011. The County is under no obligation to continue this position when the grant funding expires. No Local Cash Match is associated with this award.

- On May 9, 2011 (AS 11143), an increase of $10,000 to both revenues and expenditures was appropriated for the Fairfax Bridges to Success Grant, 67325G, Program Year 2011, from the reserve for anticipated grant awards. The 1996 Personal Responsibility and Work Opportunity Reconciliation Act requires work in exchange for time limited public assistance and provides support for families moving from welfare to work. Since January 2001, the Fairfax County Department of Family Services has received federal funding through the Virginia Department of Social Services to coordinate and purchase services needed by hard-to-serve families. The grant period runs from October 1, 2010 through June 30, 2011. These supplemental funds will be used to continue to support 3/3.0 SYE existing grant positions. The County is under no obligation to continue these positions when the grant funding expires. There is no Local Cash Match associated with this award.

- On February 9, 2011 (AS 11119), an increase of $52,326 to both revenues and expenditures was appropriated for the Base Realignment and Closure Grant, 67331G, Program Year 2009, from the reserve for anticipated grant awards. Fairfax County acts as the fiscal agent in the receipt of this grant from the Virginia Employment Commission, but the Northern Virginia Workforce Investment Board (NWIB) is solely responsible for managing this grant and spending the money on behalf of Fairfax County for the benefit of residents of Fairfax County. With this funding, NWIB assists individuals impacted by the closure of military bases in Northern Virginia. No positions are associated with this grant and no Local Cash Match is required.

- On May 20, 2011 (AS 11117), an increase of $482,420 to both revenues and expenditures was appropriated for the Base Realignment and Closure Grant, 67331G, Program Year 2010, from the reserve for anticipated grant awards. Fairfax County acts as the fiscal agent in the receipt of this grant from the Virginia Employment Commission, but the Northern Virginia Workforce Investment Board (NWIB) is solely responsible for managing this grant and spending the money on behalf of Fairfax County for the benefit of residents of Fairfax County. With this funding, NWIB assists individuals impacted by the closure of military bases in Northern Virginia. The grant period extends from July 1, 2010 to June 30, 2012. No positions are associated with this grant and no Local Cash Match is required to accept the award.

- On June 27, 2011 (AS 11153), an increase of $38,346 to both revenues and expenditures was appropriated for the Base Realignment and Closure Grant, 67331G, Program Year 2010, from the reserve for anticipated grant awards. Fairfax County acts as the fiscal agent in the receipt of this grant

from the Virginia Employment Commission, but the Northern Virginia Workforce Investment Board (NWIB) is solely responsible for managing this grant and spending the money on behalf of Fairfax County for the benefit of residents of Fairfax County. With this funding, NWIB assists individuals impacted by the closure of military bases in Northern Virginia. The grant period extends from July 1, 2010 to June 30, 2012. No positions are associated with this grant and no Local Cash Match is required to accept the award.

- On February 25, 2011 (AS 11130), an increase of $27,875 to revenues and expenditures was appropriated for the United Way – NOVA Cash Campaign Grant, 67337G, Program Year 2011, from the reserve for unanticipated grant awards. The award is being offered for use in the current tax filing season in the Cities of Alexandria, Fairfax, and Falls Church; and the Counties of Arlington, Fairfax, Loudoun and Prince William. Funds are to be used for increasing the number of Earned Income Tax Credit (EITC) eligible individuals that utilize free tax filing services, specifically Volunteer Income Tax Assistance (VITA) sites that are run by community partners. The Department of Family Services already operates a VITA grant from the Internal Revenue Service. No positions are associated with this grant and no Local Cash Match is required to accept the award.

- On April 20, 2011 (AS 11141), an increase of $50,000 to both revenues and expenditures was appropriated to the Workforce Investment Act (WIA) Client Transportation Assistance Grant, 67340G, Program Year 2011, as a result of an award from the Metropolitan Washington Council of Governments through SkillSource Group, Inc. These funds will provide transportation assistance to Northern Virginia workers as part of the Taxi and Gas Card Voucher Program. No grant positions will be supported by this funding and no Local Cash Match is associated with this award.

- On June 21, 2011 (AS 12001), an increase of $71,411 to revenues and expenditures was appropriated for the Independent Living Initiatives Grant, 67500G, Program Year 2012. This award from the Virginia Department of Social Services provides comprehensive services for youth in residential foster care to develop skills necessary to live productive, self-sufficient, and responsible adult lives. The program serves teenagers over age 16 and under age 19 in foster care who are not eligible for Title IV-E payments. The grant period extends from June 1, 2011 to May 31, 2012. No positions are associated with this award and no Local Cash Match is required.

- On June 21, 2011 (AS 12002), an increase of $276,267 to revenues, expenditures, and Local Cash Match was appropriated for the Foster and Adoptive Parent Training Grant, 67501G, Program Year 2012. This funding, as a result of a Title IV-E award through the Virginia Department of Social Services, enables the enhancement of pre-service training, in-home support, and recruiting of agency-approved foster care providers and adoptive parents. The required Local Cash Match of $176,858 was available from the anticipated Local Cash Match reserve. The grant period extends from June 1, 2011 to May 31, 2012. No positions are associated with this award.

- On June 27, 2011 (AS 12005), an increase of $672,968 to revenues, expenditures and Local Cash Match was appropriated for the Promoting Safe and Stable Families Grant, 67516G, Program Year 2012, from the reserve for anticipated awards. These funds from the Virginia Department of Social Services will be used to develop, expand, and deliver family preservation and family support services. The grant period extends from June 1, 2011 to May 31, 2012. The required 15.5 percent Local Cash Match of $104,308 was available from the anticipated Local Cash Match Reserve. These funds will continue to support 9/8.5 SYE existing grant positions. The County is under no obligation to continue these positions when the grant funding expires.

- On February 28, 2011 (AS 11128), an increase of $20,526 to both revenues and expenditures was appropriated for the Child Care Development Block Grant, 67603G, Program Year 2001, from the reserve for unanticipated awards. This funding from the U.S. Department of Health and Human Services was used to extend service hours and days of care for children enrolled in part-day Head Start classrooms at the Gum Springs Head Start Center. There are no positions associated with this award and no Local Cash Match is required.

- On June 17, 2011 (AS 12004), an increase of $213,274 to revenues and expenditures was appropriated for the Virginia Infant and Toddler Specialist (ITS) Network Grant, 67619G, Program Year 2012, as the result of notification of an award from Child Development Resources, Inc. The award will be used to support a Virginia Infant and Toddler Specialist Network office in the Northern 1 Region (encompassing Arlington County, Fairfax County, Loudoun County, City of Alexandria, City of Fairfax, and City of Falls Church) that provides training and professional development to center-based and family home early care and education programs to strengthen practices and enhance the healthy growth and development of infants and toddlers (birth to 36 months). Funding supports 3/2.5 SYE grant positions for the time period June 1, 2011 to May 31, 2012. The County is under no obligation to continue these positions when the grant funding expires. There is no Local Cash Match associated with this award.

**Health Department**

An increase of $274,444 was appropriated to both revenues and expenditures in the Health Department as a result of the following adjustments:

- On June 17, 2011 (AS 12003), an increase of $269,444 to both revenues and expenditures was appropriated for the Perinatal Health Services Grant, 71010G, Program Year 2012, from the reserve for anticipated grant awards. Funding from the Virginia Department of Health provides nutrition counseling for low-income pregnant women to reduce the incidence of low birth weight in Fairfax County. The grant period extends from July 1, 2011 to June 30, 2012. These funds will continue to support 4/4.0 SYE existing grant positions. The County is under no obligation to continue these positions when the grant funding expires. No Local Cash Match is required to accept this award.

- On May 3, 2011 (AS 11125), an increase of $5,000 to both revenues and expenditures was appropriated for the Medical Reserve Corps (MRC) Capacity Building Grant, 71029G, Program Year 2011. The Fairfax Medical Reserve Corps (MRC) received $5,000 from the National Association of City and County Health Officials (NACCHO), the grant administrator for the U.S. Department of Health and Human Services, Office of the Surgeon General. These funds will be used to build the capacity of the Fairfax MRC unit through recruitment and outreach initiatives. The grant period extends from January 5, 2011 to July 31, 2011. These funds do not support any positions and no Local Cash Match is required.

**Department of Neighborhood and Community Services**

An increase of $170,353 was appropriated to revenues, expenditures, and Local Cash Match in the Department of Neighborhood and Community Services as a result of the following adjustments:

- On February 2, 2011 (AS 11121), an increase of $40,656 to revenues and expenditures was

appropriated for the USDA Summer Lunch Program Grant, 79001G (formerly 50001G), Program Year 2011, from the reserve for anticipated grant awards. The U.S. Department of Agriculture (USDA) Summer Lunch Program provides free lunches to all children 18 years of age or younger who attend eligible sites for Rec Pac/RECQuest or any other approved community location during the summer months. This program distributes nutritious lunches to children throughout the County. The grant period extends retroactively from June 28, 2010 to September 3, 2010. No positions are associated with this award and no Local Cash Match is required.

- On June 27, 2011 (AS 12009), an increase of $74,310 to both revenues and expenditures was appropriated for the Youth Smoking Prevention Program, 79009G (formerly 50009G), Program Year 2012, from the reserve for anticipated grant awards. This grant from the Virginia Foundation for Healthy Youth (formerly known as the Virginia Tobacco Settlement Foundation) enables the Department of Neighborhood and Community Services (DNCS) to fund a comprehensive tobacco, alcohol, and drug prevention program for teens. The program's goals include educating youth about tobacco products and addiction, the negative health consequences of using tobacco, the prevalence of tobacco use among peers, and life skills on resisting substance use by providing them with knowledge and information about the social and health benefits for staying tobacco, alcohol, and drug free. This grant period is July 1, 2011 to June 30, 2012. These funds will continue to support the 1/1.0 SYE existing grant position. The County is under no obligation to continue this position when the grant expires. No Local Cash Match is required.

- On May 11, 2011 (AS 11139), an increase of $51,887 to revenues and expenditures was appropriated for the Joey Pizzano Memorial Fund Grant, 79012G (formerly 50012G), Program Year 2011, from the reserve for anticipated awards. The Joey Pizzano Memorial Fund provides funding for a swim and water safety program for school-age children with disabilities. The program's goals include teaching children how to be safe in and around the water and developing new leisure activities for beginning swimmers with the support of one-on-one volunteers. The funds will continue to support 1/1.0 SYE existing grant position for the time period April 23, 2011 to December 30, 2011. The County is under no obligation to continue this position when the grant funding expires. There is no Local Cash Match associated with this award.

- On February 8, 2011 (AS 11116), an increase of $500 to revenues and expenditures was appropriated for the United Health Heroes Service Learning Grant, 79025G, Program Year 2011, as a result of an award from Youth Service America. This grant ensures that the snacks provided in our after-school and community programs are appealing to teens, culturally appropriate, and healthy. A select group of teen leaders will engage their peers to identify snacks that would be popular among participants. They will educate fellow participants on the importance of good nutrition and how to make healthy choices and develop a menu of healthy and appealing snack foods and drinks which will be presented to teen-serving programs and centers throughout the County. No positions are associated with this award and no Local Cash Match is required.

- On March 3, 2011 (AS 11132), an increase of $3,000 to both revenues and expenditures was appropriated for the Choose Respect Playbook Mini-Grant, 79026G, Program Year 2011, as a result of an award from the Virginia Department of Health, Office of Family Health Services. This grant will provide funding for the Department of Neighborhood and Community Services to implement activities from the Centers for Disease Control and Prevention's Choose Respect Playbook in teen and community centers. Choose Respect activities are designed to educate teens and the community about teen dating violence and provide teens with the skills to engage in healthy and safe relationships.

There are no positions associated with this award and no Local Cash Match is required.

**Juvenile and Domestic Relations District Court**

An increase of $90,893 was appropriated to revenues, expenditures, and Local Cash Match in the Juvenile and Domestic Relations District Court as a result of the following adjustment:

- On April 1, 2011 (AS 11112), an increase of $90,893 to revenues, expenditures and Local Cash Match was appropriated for the Juvenile Accountability Incentive Block Grant, 81013G, Program Year 2011, as a result of an award from the Virginia Department of Criminal Justice Services. The Court plans to use the 2011 JABG award in three areas: Juvenile Drug Treatment Court support, contract treatment services for juvenile offenders and skills training for probation staff. The required Local Cash Match of $9,089 is available from the Local Cash Match reserve. The grant period extends from January 1, 2011 through December 31, 2011. The funding will not be used to support any positions.

**Police Department**

An increase of $27,202 was appropriated to revenues and expenditures in the Police Department as a result of the following adjustment:

- On April 11, 2011 (AS 11138), an increase of $27,202 to both revenues and expenditures was appropriated for the Spay/Neuter Fund--Department of Motor Vehicles (DMV) Animal Friendly License Plate Grant, 96001G, Program Year 0000, as a result of an award from the Virginia DMV. These funds represent Fairfax County's share of Animal Friendly License Plate sales and are used for supporting sterilization programs for dogs and cats. There is no Local Cash Match requirement and no positions are associated with this grant.

**Office of the Sheriff**

An increase of $81,679 was appropriated to revenues, expenditures, and Local Cash Match in the Office of the Sheriff as a result of the following adjustments:

- On June 17, 2011 (AS 11152), an increase of $31,432 to revenue, expenditures and Local Cash Match was appropriated for the Bulletproof Vest Partnership Grant, 91005G, Program Year 2010, from the reserve for anticipated grant awards. The U.S. Department of Justice, Bureau of Justice Assistance provides funding for the purchase of new or replacement ballistic vests for the protection of sworn law enforcement officers. One vest may be purchased per officer per year under the provisions of this program. The required 50 percent Local Cash Match of $15,716 was available from the anticipated Local Cash Match reserve. There are no positions associated with this grant

- On June 6, 2011 (AS 11149), an increase of $50,247 to both revenues and expenditures was appropriated for the Forfeited Asset Sharing Program, 91011G, Program Year 2005, as a result of funds released by the U.S. Department of Justice from asset seizures stemming from illegal narcotics, gambling, and other related activities. The expenditure of forfeited funds can only be made for law enforcement purposes. These funds do not support any positions and no Local Cash Match is required.

**Fire and Rescue Department**

An increase of $185,589 was appropriated to revenues, expenditures, and Local Cash Match in the Fire Department as a result of the following adjustments:

- On May 3, 2011 (AS 11136), an increase of $7,200 to both revenues and expenditures was appropriated for the annual Virginia Department of Fire Programs Fund Grant, 92001G, Program Year 2011. The Fire Programs Fund provides funding for fire services training; constructing, improving, and expanding regional fire service training facilities; public fire safety education; purchasing firefighting equipment or firefighting apparatus; or purchasing protective clothing and protective equipment for firefighting personnel. Program revenues may not be used to supplant County funding for these activities. The program serves residents of Fairfax County as well as the towns of Clifton and Herndon. These funds will continue to support 11/10.0 SYE existing grant positions to oversee the Technical Rescue Operations Team (TROT) programs within the Special Operations Division. The County is under no obligation to continue these positions when grant funding expires. No Local Cash Match is required to accept this award.

- On March 8, 2011 (AS 11131), an increase of $175,282 to revenues, expenditures, and Local Cash Match was appropriated for the Assistance to Firefighters Act Grant, 92020G, Program Year 2010, from the reserve for anticipated grant awards. The primary goal of the Assistance to Firefighters Grants is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical services organizations. Awards are made to local fire departments on a competitive basis. Eligible categories for a specific award period are determined by the Federal Emergency Management Agency (FEMA). Categories include training, wellness and fitness programs, vehicles, equipment, personal protective equipment, and fire prevention programs. This award provides funding for fire and hazmat props for the burn building. The required 20 percent Local Cash Match of $35,056 was available from the Local Cash Match Reserve. The grant covers the time period February 11, 2011 to June 30, 2012. There are no positions associated with this award.

- On June 2, 2011 (AS 11148), an increase of $3,107 to both revenues and expenditures was appropriated for the Interoperable Emergency Communications Grant Program, 92030G, Program Year 2008, from the reserve for unanticipated grant awards. This supplemental funding from the Virginia Department of Emergency Management will be used to maintain public safety communications interoperability cache assets in a state of readiness. These funds will support training to develop a team of certified National Incident Management System Communications personnel capable of rapid deployment, able to perform an incident communications gap analysis, propose solutions to an incident commander, and initiate those solutions. The grant period extends from September 1, 2008 to August 31, 2011. There are no positions associated with this grant and no Local Cash Match is required to accept the award.

**Emergency Preparedness**

An increase of $302,656 was appropriated to revenues and expenditures in Emergency Preparedness as a result of the following adjustments:

- On May 9, 2011 (AS 11142), an increase of $98,571 to both revenues and expenditures was appropriated for the State Domestic Preparedness Equipment Grant, 02912G, Program Year 2009, as a result of an award from the Department of Homeland Security, National Preparedness Directorate through the Virginia Department of Emergency Management. This grant provides funding for heavy

tactical rescue team equipment, exercise, and training for first responders to develop better preparedness to prevent, respond, and recover from potential acts of terrorism for the grant period August 1, 2009 to December 31, 2011. No positions are supported by this grant and no Local Cash Match is required.

- On May 26, 2011 (AS 11147), an increase of $85,681 to both revenues and expenditures was appropriated for the Urban Areas Security Initiative Grant, 02917G, Program Year 2009, from the reserve for unanticipated grant awards. The Department of Homeland Security, through the through the DC Office of Deputy Mayor for Public Safety and Justice, provided supplemental funding to the Office of Emergency Management to support the Web EOC training component. The project period of performance is August 1, 2009 to April 30, 2012. These funds do not support any positions and no Local Cash Match is required.

- On June 17, 2011 (AS 12007), an increase of $82,632 to both revenues and expenditures was appropriated for the Urban Areas Security Initiative Grant, 02917G, Program Year 2009, from the reserve for unanticipated grant awards. The Department of Homeland Security, through the DC Office of Deputy Mayor for Public Safety and Justice, provided funding that will enable Fairfax County Police Department SWAT personnel as well as other jurisdiction's personnel to train-the-trainer across the region in tactical situations. The training will provide a more advanced, standardized, uniform, regional response across jurisdictions to a multiple active shooter scenario. The project period of performance is August 1, 2009 through April 30, 2012. These funds do not support any positions and no Local Cash Match is required.

- On May 24, 2011 (AS 11145), an increase of $35,772 to both revenues and expenditures was appropriated to the Metropolitan Medical Response System (MMRS)/Urban Areas Security Initiative (UASI) Grant, 02919G, Program Year 2008, as a result of supplemental funding from the Department of Homeland Security through the National Capital Region State Administrative Agency and then through the Northern Virginia Regional Commission (NVRC). MMRS is a federally-funded program that is designed to improve the emergency response capabilities of local jurisdictions. This funding will be used to provide a multi-threat standoff detection system that detects radiation, toxic chemical levels and combustible items. These funds do not support any positions and no Local Cash Match is required.

# FEDERAL/STATE GRANT FUND



## FUND STATEMENT

**Fund Type G10, Special Revenue Funds** **Fund 102, Federal/State Grant Fund**

| | FY 2011 Estimate | FY 2011 Actual | Increase (Decrease) (Col. 2-1) | FY 2012 Adopted Budget Plan | FY 2012 Revised Budget Plan | Increase (Decrease) (Col. 5-4) |
|---|---|---|---|---|---|---|
| **Beginning Balance[1]** | **$29,093,113** | **$29,093,113** | **$0** | **$229,520** | **$40,503,112** | **$40,273,592** |
| Revenue: | | | | | | |
| Federal Funds | $109,459,354 | $59,955,181 | ($49,504,173) | $0 | $64,395,865 | $64,395,865 |
| Federal Funds - ARRA[2] | 7,695,662 | 5,805,819 | (1,889,843) | 0 | 1,545,146 | 1,545,146 |
| State Funds | 20,125,379 | 17,457,654 | (2,667,725) | 0 | 12,790,862 | 12,790,862 |
| Other Match | 1,952,644 | 49,408 | (1,903,236) | 0 | 2,398,273 | 2,398,273 |
| Other Non-profit Grants | 121,655 | 95,762 | (25,893) | 0 | 21,341 | 21,341 |
| Seized Funds | 791,980 | 954,041 | 162,061 | 0 | 0 | 0 |
| Interest - Seized Funds | 3,939 | 14,369 | 10,430 | 0 | 0 | 0 |
| Interest - Fire Programs Funds | 46,909 | 49,220 | 2,311 | 0 | 15,443 | 15,443 |
| Miscellaneous Revenue | 1,820,009 | 1,068,841 | (751,168) | 0 | 1,508,193 | 1,508,193 |
| Reserve for Estimated Grant Funding | 26,732,185 | 0 | (26,732,185) | 63,567,362 | 62,188,222 | (1,379,140) |
| Total Revenue | $168,749,716 | $85,450,295 | ($83,299,421) | $63,567,362 | $144,863,345 | $81,295,983 |
| Transfers In: | | | | | | |
| General Fund (001) | | | | | | |
| Local Cash Match[3] | $2,715,098 | $2,888,106 | $173,008 | $0 | $2,280,461 | $2,280,461 |
| Reserve for Estimated Local Cash Match | 198,903 | 25,895 | (173,008) | 4,250,852 | 1,970,391 | (2,280,461) |
| Aging Grants and Programs (103) | 0 | 0 | 0 | 0 | 3,378,991 | 3,378,991 |
| Total Transfers In | $2,914,001 | $2,914,001 | $0 | $4,250,852 | $7,629,843 | $3,378,991 |
| **Total Available** | **$200,756,830** | **$117,457,409** | **($83,299,421)** | **$68,047,734** | **$192,996,300** | **$124,948,566** |

# FEDERAL/STATE GRANT FUND



## FUND STATEMENT

**Fund Type G10, Special Revenue Funds** **Fund 102, Federal/State Grant Fund**

| | FY 2011 Estimate | FY 2011 Actual | Increase (Decrease) (Col. 2-1) | FY 2012 Adopted Budget Plan | FY 2012 Revised Budget Plan | Increase (Decrease) (Col. 5-4) |
|---|---|---|---|---|---|---|
| Expenditures: | | | | | | |
| ARRA Funding[2] | $8,786,183 | $6,844,486 | ($1,941,697) | $0 | $1,582,369 | $1,582,369 |
| Emergency Preparedness[4] | 40,199,686 | 14,408,249 | (25,791,437) | 0 | 25,673,981 | 25,673,981 |
| Office of County Executive | 27,293 | 0 | (27,293) | 0 | 27,293 | 27,293 |
| Economic Development Authority | 4,834,000 | 4,834,000 | 0 | 0 | 0 | 0 |
| Capital Facilities | 11,972,273 | 516,390 | (11,455,883) | 0 | 11,432,014 | 11,432,014 |
| Planning and Zoning | 4,321 | 4,321 | 0 | 0 | 0 | 0 |
| Department of Housing and Community Development | 1,700,277 | 1,248,590 | (451,687) | 0 | 812,607 | 812,607 |
| Office of Human Rights | 853,450 | 279,817 | (573,633) | 0 | 576,457 | 576,457 |
| Department of Transportation | 17,544,907 | 6,438,083 | (11,106,824) | 0 | 16,811,838 | 16,811,838 |
| Fairfax County Public Library | 154,749 | 154,749 | 0 | 0 | 0 | 0 |
| Department of Family Services | 36,282,942 | 26,615,216 | (9,667,726) | 0 | 21,007,669 | 21,007,669 |
| Health Department | 6,262,717 | 4,340,866 | (1,921,851) | 0 | 5,376,987 | 5,376,987 |
| Office to Prevent and End Homelessness | 1,535,763 | 973,050 | (562,713) | 0 | 562,713 | 562,713 |
| Fairfax-Falls Church Community Services Board | 0 | 0 | 0 | 0 | 10,483,518 | 10,483,518 |
| Department of Neighborhood and Community Services | 1,865,499 | 875,633 | (989,866) | 0 | 1,191,467 | 1,191,467 |
| Circuit Court and Records | 9,621 | 9,682 | 61 | 0 | 0 | 0 |
| Juvenile and Domestic Relations District Court | 3,188,186 | 690,918 | (2,497,268) | 0 | 2,465,222 | 2,465,222 |
| Commonwealth's Attorney | 527,431 | 95,170 | (432,261) | 0 | 432,261 | 432,261 |
| General District Court | 696,448 | 694,705 | (1,743) | 0 | 1,742 | 1,742 |
| Police Department | 10,918,083 | 2,481,291 | (8,436,792) | 0 | 8,108,039 | 8,108,039 |
| Office of the Sheriff | 195,313 | 0 | (195,313) | 0 | 195,313 | 195,313 |
| Fire and Rescue Department | 20,769,120 | 5,449,081 | (15,320,039) | 0 | 16,444,141 | 16,444,141 |
| Unclassified Administrative Expenses | 32,199,048 | 0 | (32,199,048) | 67,818,214 | 69,068,408 | 1,250,194 |
| Total Expenditures | $200,527,310 | $76,954,297 | ($123,573,013) | $67,818,214 | $192,254,039 | $124,435,825 |
| **Total Disbursements** | **$200,527,310** | **$76,954,297** | **($123,573,013)** | **$67,818,214** | **$192,254,039** | **$124,435,825** |
| **Ending Balance[5]** | **$229,520** | **$40,503,112** | **$40,273,592** | **$229,520** | **$742,261** | **$512,741** |

[1] The *FY 2012 Revised Budget Plan* Beginning Balance reflects $7,776,048 in Local Cash Match carried over from FY 2011, including $2,215,250 in Local Cash Match previously appropriated to agencies but not yet expended and $5,550,798 in the Reserve for Estimated Local Cash Match consisting of the balance of the Reserve not used during FY 2011 plus Local Cash Match returned to the Reserve as the result of grant closeouts. Thus, the total Reserve for Estimated Local Cash Match in FY 2012 is $6,880,186.

[2] Represents funding received by the Department of Family Services, Department of Administration for Human Services, Health Department, Office to Prevent and End Homelessness, Fairfax-Falls Church Community Services Board, Office of the Commonwealth's Attorney, and the Department of Vehicle Services as part of the American Recovery and Reinvestment Act of 2009 (ARRA).

[3] The FY 2012 Estimated Local Cash Match appropriated to agencies totals $2,921,464 but $641,003 has been taken from available Local Cash Match balances due to unspent funds from previous years.

[4] Emergency Preparedness grant funding is reflected as a separate category in order to centrally identify grant funds earmarked for security and emergency preparedness requirements. Agencies currently involved in this effort include the Office of Public Affairs, Department of Information Technology, Health Department, Police Department, Fire and Rescue Department, and the Office of Emergency Management.

[5] The Ending Balance in Fund 102, Federal/State Grant Fund, fluctuates primarily due to timing, as some revenues received late in the fiscal year have not been by spent by June 30 as the time period for spending grant funds often continues beyond the end of the fiscal year.

# ATTACHMENT VI:

# OTHER FUNDS DETAIL

## APPROPRIATED FUNDS

### Special Revenue Funds

**Fund 100, County Transit Systems** **$25,324,745**

FY 2012 expenditures are recommended to increase $25,324,745 due to encumbered carryover of $19,995,417 and unencumbered carryover of $5,329,328.

FY 2011 actual expenditures reflect a decrease of $34,064,962, or 33.6 percent, from the *FY 2011 Revised Budget Plan* amount of $101,406,721. Of this amount $19,995,417 is included as encumbered carryover in FY 2012 for previously approved Northern Virginia Transportation Commission (NVTC) projects and services not yet billed. In addition, $5,329,328 in unencumbered carryover results from delays in implementation of previously approved infrastructure projects.

Actual revenues in FY 2011 total $28,374,369, a decrease of $5,405,063, or 16.0 percent, from the FY 2011 estimate of $33,779,432 due primarily to lower than anticipated WMATA reimbursements based on actual facility costs at the shared West Ox Bus Operations Center and delayed receipt of funding for a countywide transit network study that will be drawn from NVTC in FY 2012 based on the timing of expenditure requirements.

An amount of $5,329,328 is included as unencumbered carryover. Of this amount, $3,295,102 is included for previously approved NVTC-supported items, for which NVTC revenues were received in FY 2011 and prior years. These items include $2,500,000 for Advanced Public Transit Systems (APTS) design and implementation, $500,000 to study and evaluate the current Connector bus operations contract model to identify potential cost efficient alternatives for the future, and $295,102 to complete critical repairs to the Reston/Herndon Bus Operations Center. An additional $1,500,000 is included as unencumbered carryover for a countywide transit network study, previously approved and fully supported by funds that are already available at NVTC but that were not drawn from NVTC during FY 2011 based on the timing of expenditure requirements. The balance of $534,226 in unencumbered carryover is based on new price requirements for replacement buses. A portion of the Connector fleet is replaced each year based on age and maintenance criteria.

Revenues received from NVTC are increased by $1,500,000 in support of the countywide transit network study which was approved by the Board of Supervisors as part of the *FY 2010 Carryover Review*. This study provides a start to long range planning requirements associated with the need for a countywide connected high quality transit network. It will assess the Enhanced Public Transportation Corridors presently included in the County's Transportation Planning, consider transit-related planning initiatives by other entities and jurisdictions in the region, and assess the transit modes applicable to high speed transit and the logical evolution of transportation modes over time in various transportation corridors.

As a result of the actions discussed above, the FY 2012 ending balance is projected to increase from $0 to $4,835,154. Of this amount, $125,000 will be held in reserve for unanticipated future County maintenance expenditures related to the Bus Shelter Program. The remaining balance of $4,710,154 will be held in reserve for transportation-related requirements, such as fuel and contract requirements.

**Fund 103, Aging Grants and Programs** **$0**

In anticipation of the implementation of the County's integrated finance, budget, purchasing and human resources computer system in FY 2012, the remaining program year 2011 expenditure balance of $3,410,092 is being consolidated in Fund 102, Federal/State Grants Fund. FY 2011 actual expenditures reflect a decrease of $3,410,092 or 31.4 percent from the FY 2011 Revised Budget Plan amount of $10,847,744, which is attributed to unexpended grant balances for Program Year 2011.

Actual revenues in FY 2011 total $3,958,987, a decrease of $281,101 or 6.6 percent from the FY 2011 estimate of $4,240,088 primarily due to three months of unrealized federal revenue, state funds and project income.

The FY 2011 ending balance of $3,378,991 is being transferred to Fund 102, Federal/State Grants Fund in order to partially offset the remaining program year 2011 grant expenditures.

There is no change to the General Fund Transfer as a result of the actions discussed above and the FY 2012 ending balance is $0.

**Fund 104, IT Projects** **$43,293,813**

FY 2012 expenditures are increased $43,293,813 due to carryover of unexpended project balances of $30,040,500 and a net increase due to higher than budgeted FY 2011 revenue of $353,315, partially offset by a $2 reduction reconciliation adjustment for the actual beginning balance. In addition, funding of $10,000,000, supported by an increase in the General Fund transfer, is included to support anticipated milestone payments, infrastructure training, and other obligations for the FOCUS project in FY 2012. An additional $900,000, also supported by an increase in the General Fund transfer, is included for hardware and system infrastructure requirements, application testing, and disaster recovery requirements for major County computer systems. Finally, funding of $2,000,000, supported by a transfer from Fund 105, Cable Communications, is included for deployment of up-to-date technology to support secure access of new web-based social media functionalities as directed by the Board of Supervisors during their deliberations on the FY 2012 Adopted Budget Plan. Project appropriations have been revised accordingly.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $0. The following adjustments are required at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| IT0011 | Imaging Pilot | ($92,428) | Reallocation due to completion of two specific project details within this project. |

| | | | |
|---|---|---|---|
| IT0022 | Tactical Initiatives | 951,826 | General Fund support of $900,000 is included for hardware and system infrastructure requirements, application testing, and disaster recovery associated with major County computer systems. The remaining increase of $51,826 reflects reallocations from completed projects partially offset by an adjustment to reflect lower than budgeted interest income. Funding in this project is used by the Department of Information Technology to respond to out of cycle requests and unanticipated or large-scale County IT requirements or initiatives to improve County program efficiency and effectiveness. |
| IT0024 | Public Access to Information | 7,987 | Increase to help support e-gov program requirements and for additional external facing web applications. |
| IT0039 | Court Modernization Projects | 271,489 | Increase to reflect the appropriation of $131,863 in State Technology Trust Fund revenue to support Circuit Court technology modernization projects and $139,626 in CPAN revenue which supports the Circuit Court's state-mandated redaction project. |
| IT0061 | Information Technology Security | 2,000,000 | Funding from Fund 105, Cable Communications to support the implementation of protected web security gateway infrastructure that will provide secure web access to social media functionalities. In their deliberations on the FY 2012 budget, the Board directed that this project be funded as part of the *FY 2011 Carryover Review*. |
| IT0079 | Legacy System Replacement | 10,000,000 | Additional General Fund support for FOCUS is necessary to meet anticipated milestone payments, infrastructure training, implementation and configuration services, and other obligations in FY 2012. |
| IT 0081 | Housing and Community Development Infrastructure | (901) | Reallocation due to project completion. |
| IT0086 | Fire Station Alerting Technology Replacement | 115,340 | Increase necessary to appropriate revenue from Ft. Belvoir for the Fire Station Alerting project. |
| | **Total** | **$13,253,313** | |

**Fund 105, Cable Communications** **$6,176,438**

FY 2012 expenditures are recommended to increase $6,176,438 due to $1,508,042 in encumbered carryover, an amount of $4,623,605 in unencumbered carryover primarily due to expended funds related to the design and operation of the I-Net, and a 1.52 market rate adjustment of $44,791.

FY 2011 actual expenditures of $9,558,332 reflect a decrease $6,826,172 or 41.7 percent from the *FY 2011 Revised Budget Plan* amount of $16,384,504. Of this amount $1,508,042 is included as encumbered carryover and $4,623,605 is included as unencumbered carryover in FY 2012. The remaining balance of $694,525 is primarily attributable to Personnel Services savings due to higher than projected position vacancies in the Communications Productions Division as well as miscellaneous savings in Operating Expenses. All I-Net funds are annually appropriated to ensure adequate funding as the project continues to completion.

FY 2011 actual revenues of $21,130,020, an increase of $4,204,796 or 24.8 percent over the FY 2011 estimate of $16,925,224 primarily due to greater than anticipated franchise operating fees and I-Net and Equipment Grant fees. This revenue category has steadily increased in recent years, based on the cable franchise portion of the Communication Sales and Use Tax administered by the State.

As a result of the actions discussed above and a transfer out of $2,000,000 to Fund 104, Information Technology, for deployment of up-to-date technology to support secure access of new web-based social media functionalities, the FY 2012 ending balance is projected to be $7,761,077, an increase of $2,854,530.

**Fund 106, Fairfax-Falls Church Community Services Board (CSB)** **($8,674,337)**

FY 2012 expenditures are recommended to decrease $8,674,337 from the FY 2012 Adopted Budget Plan total of $146,255,981 to $137,581,644. Of this amount, $17,777 reflects the carryover of unexpended federal stimulus grant balances and a net decrease of $8,692,114 is associated with other adjustments.

Other adjustments total a net decrease of $8,692,114 and are comprised of: a decrease of $9,576,966 to transfer existing Fund 106 grants to Fund 102, Federal/State Grant Fund in preparation for the implementation of SAP, and a decrease of $105,000 to properly align costs with the Human Services system, partially offset by an increase of $968,982 to fund a market rate adjustment for County employees and an increase of $20,870 to appropriate additional revenue from Alcohol and Drug Services' Dual Diagnosis program for professional contractual services.

FY 2011 actual expenditures of $149,919,221 reflect a decrease of $3,667,602 or 2.4 percent from the *FY 2011 Revised Budget Plan* amount of $153,586,823. The balance is primarily attributable to decreases of $4.8 million for closed out grants; $1.1 million savings in Alcohol and Drug Services primarily due to positions that were held vacant to compensate for budget reductions and lower than anticipated revenue; $498,114 in unexpended grant balances that have been carried forward into FY 2012 ($17,777 in Fund 106 and $480,337 in Fund 102); partially offset by increases of $1.5 million in Early Intervention Services Personnel Services, contract and infrastructure costs due to higher than anticipated growth in the number of clients requiring Part C services and $0.9 million in Intellectual Disability Services due to overtime costs providing coverage to 24-hour group homes and higher than anticipated expenditures in Support Coordination Services and Day Support.

Actual revenue in FY 2011 totals $52,865,662, a decrease of $3,640,774 or 6.4 percent from the *FY 2011 Revised Budget Plan* amount of $56,506,436. This is primarily due to closed out grants and unrealized grant revenue that will carry over into FY 2012, partially offset by an increase in program/client fee revenue collection.

As a result of the actions discussed above the FY 2012 ending balance is projected to be $398,924, an increase of $26,828. The ending balance of $372,096 will continue to be held in reserve for the Josiah H. Beeman Commission; therefore, there is an unreserved ending balance of $26,828.

**Fund 109, Refuse Collection** **$1,801,929**

FY 2012 expenditures are recommended to increase $1,801,929 due to encumbered carryover of $940,443 including $56,503 in Operating Expenses and $883,940 in Capital Equipment, $89,773 in Personnel Services to support a 1.52 percent market rate adjustment, and unexpended project balances of $771,713.

FY 2011 actual expenditures reflect a decrease of $2,261,938 or 10.8 percent from the *FY 2011 Revised Budget Plan* amount of $20,908,316. Of this amount $940,443 is included as encumbered carryover and $771,713 reflects unexpended capital projects that are carried over to FY 2012. The remaining balance of $549,782 is primarily attributable to a savings of $59,546 in Personnel Services achieved by managing position vacancies, a savings of $402,523 in Operating Expenses primarily due to lower than anticipated refuse disposal charges and outside contractor costs, an increase of $38,425 in Recovered Costs based on actual billings, and a savings of $49,288 in Capital Equipment resulting from lower than budgeted equipment costs.

Actual revenues in FY 2011 total $21,412,165, an increase of $1,003,189 or 4.9 percent over the FY 2011 estimate of $20,408,976 primarily due to additional leaf collection-related revenue, increased proceeds from the sale of used collection vehicles, and improved prices for the sale of recyclables.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $9,978,700, an increase of $1,463,198.

**Fund 110, Refuse Disposal** **$3,092,310**

FY 2012 expenditures are recommended to increase $3,092,310 due to encumbered carryover of $1,362,388, an increase of $87,288 in Personnel Services to support a 1.52 percent market rate adjustment, and unexpended project balances of $1,642,634.

FY 2011 actual expenditures reflect a decrease of $12,459,400 or 20.3 percent from the *FY 2011 Revised Budget Plan* amount of $61,407,069. Of this amount $1,362,388 is included as encumbered carryover and $1,642,634 reflects unexpended capital projects that are carried over to FY 2012. The remaining balance of $9,454,378 is primarily attributable to a savings of $219,453 in Personnel Services due to a higher number of vacant positions than anticipated, a savings of $9,232,152 in Operating Expenses due to decreased waste tonnage reflecting the general economic condition of the region as well as savings due to decreased charges by the Department of Vehicle Services and decreased contractor compensation, and a savings of $61,423 in Capital Equipment as one less road tractor was purchased than anticipated. These savings are partially offset by a decrease of $58,650 in Recovered Costs based on actual billings.

Actual revenues in FY 2011 total $50,041,854, a decrease of $7,159,785 or 12.5 percent from the FY 2011 estimate of $57,201,639 primarily due to decreased waste tonnage resulting in lower than projected refuse disposal revenue.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $11,786,916, an increase of $2,207,305.

**Fund 111, Reston Community Center** **$2,532,931**

FY 2012 expenditures are recommended to increase $2,532,931 including encumbered carryover of $75,622 and unexpended project balances of $1,443,960. Other increases include $314,087 in Personnel Services for fringe benefits and additional position costs based on prior year actuals, $40,362 in Personnel Services to support a 1.52 percent market rate adjustment, and new program requirements of $208,900 approved by the RCC Board in March 2011 primarily in the areas of arts and events, media, and learning and leisure. In addition project funding of $450,000 including $150,000 for Hunters Woods upgrades primarily as a result of electrical and other related improvements and $300,000 to provide funding for Americans with Disabilities Act facility upgrades which will be supported by an appropriation from fund balance.

FY 2012 revenues are anticipated to decrease $769,417 primarily as a result of lower projected receipts for tax revenue based on current assessed values and lower interest income due to economic conditions and lower than projected program income due to fewer estimated participants in the Aquatics and General programs.

FY 2011 actual expenditures reflect a decrease of $2,104,510 or 21.4 percent from the *FY 2011 Revised Budget Plan* amount of $9,850,107. Of this amount, $75,622 is included as encumbered carryover. The remaining balance of $2,028,888 is attributable to savings of $231,737 in Personnel Services primarily associated with higher than anticipated position vacancies, savings of $344,191 in Operating Expenses primarily attributable to lower than projected spending on contractual services as well as savings due to program cancellations and deferred costs, savings of $9,000 in Capital Equipment due to deferment of the Aquatics slide purchase and $1,443,960 in unexpended capital project balances which will be carried over to FY 2012.

Actual revenues in FY 2011 total $6,835,270, a decrease of $820,317 or 10.7 percent from the FY 2011 estimate of $7,655,587 primarily due to lower than expected revenue from tax receipts and interest income partially offset by increases in rental income and arts and events receipts.

As a result of the actions discussed above and a negative $1 reconciliation adjustment for the beginning balance, the FY 2012 ending balance is projected to be $4,485,495, a decrease of $2,018,156.

**Fund 112, Energy/Resource Recovery Facility** **$843,460**

FY 2012 expenditures are increased $843,460 due to encumbered carryover of $805,789 in Operating Expenses and $31,108 in Capital Equipment, and an increase of $6,563 in Personnel Services to support a 1.52 percent market rate adjustment.

FY 2011 actual expenditures reflect a decrease of $4,258,464 or 12.6 percent from the *FY 2011 Revised Budget Plan* amount of $33,779,516. Of this amount $836,897 is included as encumbered carryover in FY 2012. The remaining balance of $3,421,567 is primarily attributable to savings in Operating Expenses due to reduced waste being disposed with the contractor resulting in reduced charges as well as lower repair and maintenance charges and other miscellaneous savings.

Actual revenues in FY 2011 total $28,741,298, a decrease of $3,491,266 or 10.8 percent from the FY 2011 estimate of $32,232,564 primarily due to lower than anticipated tons of waste being disposed resulting in a commensurate decrease in disposal revenue and lower than projected interest on investments.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $35,605,432, a decrease of $76,262.

**Fund 113, McLean Community Center** **$519,328**

FY 2012 expenditures are recommended to increase $519,328 due to encumbered carryover of $88,425, unexpended Capital Project balances of $407,777 and an increase of $23,126 in Personnel Services to support a 1.52 percent market rate adjustment.

FY 2011 actual expenditures reflect a decrease of $1,049,759 or 17.6 percent from the *FY 2011 Revised Budget Plan* amount of $5,968,797. Of this amount, $88,425 is included as encumbered carryover and $407,777 reflects unexpended project balances carried over to FY 2012. The remaining balance of $553,557 is primarily attributable to savings in Personnel Services of $80,882 primarily due to higher than anticipated position vacancies and savings of $472,675 in miscellaneous operating expenses primarily professional and contractual services due to program scheduling.

Actual revenues in FY 2011 total $4,952,389, a decrease of $651,566 or 11.6 percent from the FY 2011 estimate of $5,603,955 primarily due lower than anticipated tax receipts and program and interest income.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $11,776,697, a decrease of $121,135.

**Fund 114, I-95 Refuse Disposal** **$14,426,958**

FY 2012 expenditures are recommended to increase $14,426,958 due to encumbered carryover of $891,114, an increase of $27,664 in Personnel Services to support a 1.52 percent market rate adjustment, and unexpended project balances of $13,508,180.

FY 2011 actual expenditures reflect a decrease of $15,424,995, or 65.5 percent from the *FY 2011 Revised Budget Plan* amount of $23,540,506. Of this amount $891,114 is included as encumbered carryover and $13,508,180 reflects unexpended capital projects that are carried over to FY 2012. The remaining balance of $1,025,701 is primarily due to $32,166 in salary savings in Personnel Services, $621,861 in Operating Expenses primarily associated with decreased contractor compensation due to less ash tonnage being received and $371,674 in Capital Equipment primarily due to purchasing a smaller dozer vehicle than the one being replaced based on current operational requirements.

Actual revenues in FY 2011 total $5,958,744, a decrease of $617,070 or 9.4 percent from the FY 2011 estimate of $6,575,814 primarily due to less waste tonnage being disposed and lower than anticipated interest on investments, partially offset by increased revenue from the sale of equipment.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $35,260,713, an increase of $380,967.

**Fund 119, Contributory Fund** **$381,100**

FY 2012 expenditures are recommended to increase $381,100 to provide funding for the Police and Fire World Games, the 150th Anniversary of the Civil War, and the Birmingham Green Feasibility Study. Of the total increase, $131,100 is appropriated from fund balance as a result of savings from previous years, while $250,000 is funded through an increase to the FY 2012 General Fund transfer amount of $12,412,942.

Funding of $250,000 is required to provide ongoing support for the 2015 Police and Fire World Games in Fairfax County. The games are an Olympic-style event held biennially throughout the world to promote friendly competition, camaraderie, and international relationships among the participants. This event is anticipated to generate considerable revenue through the thousands of visitors that will come to Fairfax County for the Games and will stay in local hotels, eat, and shop at County establishments. The 10-day event is projected to bring as many as 10,000 participants and 15,000 visitors to Fairfax County. Additional corporate and private support is also being generated for this effort.

Funding of $81,100 is required to support the planning and preparation for the 150th Anniversary of the Civil War. To commemorate the Civil War Anniversary, several new Civil War trail markers are proposed in various parts of Fairfax County, along with the distribution of a commemorative calendar, book, and brochures. Reenactments of the Battle of Ox Hill and Lincoln at the Crossroads will also take place as part of the event. Total funding of $213,200 will be needed through FY 2014, $81,100 of which is required in FY 2012.

Funding of $50,000 is required for a feasibility study to support the long-term care services provided at Birmingham Green. The County participates along with several other jurisdictions in funding this facility, which provides nursing home and assisted living services to low income residents. The feasibility study would assess opportunities to both improve and expand services and maximize operating reimbursements. Fairfax County provides a large portion of the costs of supporting this facility and opportunities to maximize efficiencies may reduce future County requirements.

FY 2011 actual expenditures reflect a decrease of $36,373, or 0.3 percent from the *FY 2011 Revised Budget Plan* amount of $12,038,305. This balance is primarily attributable to lower than anticipated Metropolitan Washington Council of Governments and Northern Virginia Regional Commission dues.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $147,154, a decrease of $94,727.

**Fund 120, E-911** **$11,796,702**

FY 2012 expenditures are recommended to increase $11,796,702. This amount includes carryover of Information Technology project balances of $8,492,151, encumbered carryover of $1,787,401, unencumbered carryover of $856,746 associated with operating and mobile system administrator requirements as well as delayed workstation maintenance and 9-1-1 telephone equipment upgrades, an adjustment of $418,200 for replacement computers and updated operating software necessary to provide CAD data to 9-1-1 call takers and dispatchers, and a 1.52 percent market rate adjustment of $242,204.

FY 2012 revenues are increased by $306,096, reflecting state wireless grant revenue associated with the NOVA Centerline Routing Project now anticipated to be received in FY 2012.

FY 2011 actual expenditures of $34,291,930 reflect a decrease of $12,777,002 or 27.1 percent from the *FY 2011 Revised Budget Plan* amount of $47,068,932. Of this amount, $8,492,151 reflects unexpended IT Project balances being carried over to FY 2012, while an additional $1,787,401 is encumbered carryover. The remaining balance of $2,497,450 is due primarily to savings of $1,009,595 in Personnel Services based on higher than

projected salary vacancy savings and the remaining $1,487,855 is primarily attributable to savings in IT repair and maintenance and consulting services.

FY 2011 revenues total $22,851,294, an increase of $788,490 or 3.6 percent over the *FY 2011 Revised Budget Plan* amount of $22,062,804. The increase in revenues is due to surpluses of $650,440 in Communications Use and Sales Tax, $301,673 in Wireless E-911 revenue, and $163,122 in Other Revenue, partially offset by a decrease of $306,096 in NOVA Centerline Routing Project revenue not yet fully received in FY 2011 and $20,649 in Interest Income.

As a result of the actions discussed above and an increase in the General Fund transfer of $242,204 to fund the 1.52 percent market rate adjustment, the FY 2012 ending balance is projected to be $2,686,250, an increase of $2,317,090.

**Fund 121, Dulles Rail Phase I Transportation Improvements** **$20,000,000**

FY 2012 expenditures are recommended to increase $20,000,000 due to anticipated construction payments to the Metropolitan Washington Airports Authority (MWAA). The Fairfax County share is approximately 16.1 percent of total costs. The maximum funding contribution permitted under the terms of the Phase I Tax District is $400 million. The cash payments along with a spring 2012 bond sale will allow for the completion of the funding from the tax district. It should be noted that by making cash construction payments from the fund, financing costs are held to a minimum thereby reducing total taxes owed by the tax district.

FY 2011 actual expenditures reflect a decrease of $18,699,149 or 28.3 percent, from the *FY 2011 Revised Budget Plan* amount of $66,000,000. This balance is primarily attributable to delays in the bond sale due to legal challenges which have been resolved. Originally a fall bond sale was anticipated for which debt service expenditures of $13,350,000 were anticipated. Also, construction payments were $5,650,000 less than anticipated during FY 2011 which was partially offset by $300,851 for district legal expenses.

Actual revenues in FY 2011 total $22,591,649, a decrease of $1,176,622 or 5.0 percent from the FY 2011 estimate of $23,768,271 primarily due to less than anticipated interest earnings of $986,898 and slightly less than anticipated real estate taxes of $189,724.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $43,612,401, a decrease of $2,477,473.

**Fund 124, County and Regional Transportation Projects** **$218,780,650**

FY 2012 expenditures are recommended to increase $218,780,650 due to the carryover of unexpended project balances of $105,178,971, encumbered carryover of $4,660,216, an adjustment of $15,981 associated with a market rate adjustment to salaries, and other net project adjustments of $108,925,482**.** These project adjustments include the appropriation of $104,000,000 in anticipated EDA bonds associated with the Public-Private Education Facilities Act (PPEA) for the Reston-Wiehle Avenue Metrorail Station project, as approved by the Board of Supervisors on June 7, 2011, and $6,730,000 in anticipated revenue from the Metropolitan Washington Airports Authority (MWAA) to reimburse the County for pedestrian and road improvements at the Station. This project includes a public parking facility with 2,300 public parking spaces, 10 bus bays, 46 kiss-and-ride spaces and ancillary facilities to serve the new Metrorail station. The Metrorail Station project also includes. In addition, an adjustment to capital projects of $1,804,518 is required due to a decrease of $2,484,779 based on actual FY 2011 tax receipts, partially offset by an increase of $680,261 associated with the appropriation of FY 2011 staffing and operational savings.

FY 2011 actual expenditures reflect a decrease of $110,535,429 or 77.5 percent from the *FY 2011 Revised Budget Plan* amount of $142,589,301. Of this amount $105,178,971 is due to the carryover of unexpended project balances and $4,660,216 is encumbered funding. The remaining expenditure savings is primarily attributable to Personnel Services savings of $636,347 associated with the agency's management of vacant positions, Operating Expenses savings of $250,229 based on actual lease billings in FY 2011, partially offset by a shortfall of $190,334 in Capital Equipment based on the final pricing for new Connector buses approved for purchase in FY 2011 in support of service expansions recommended by the Transit Development Plan.

Actual revenues in FY 2011 total $40,620,771, a decrease of $52,484,779 or 56.4 percent from the FY 2011 estimate of $93,105,550, primarily due to $50,000,000 in EDA bonds anticipated to supplement a variety of Fund 124 projects not yet implemented based on the timing of capital project expenditure requirements. EDA bond project support was approved as part of the *FY 2009 Carryover Review*. This support is anticipated in FY 2012 or future years as projects near implementation.

As a result of the actions discussed above, the FY 2012 ending balance remains at $0. It is noted that a portion of the Fund 124 funding is held in the Construction Reserve Project and is reallocated to individual projects previously endorsed by the Board of Supervisors, as projects are ready for implementation. The following project adjustments are required at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 01240R | Construction Reserve | $8,195,482 | Increase necessary to appropriate $8,195,482 in available funds. This is primarily due to the appropriation of $10,000,000 that is reallocated from the Wiehle Avenue Metrorail Facility project for funds that the Reserve previously advanced to the project that are now being replaced with anticipated EDA bond funding. This increase is offset by a decrease of $1,804,518 to adjust the Construction Reserve balance for actual tax receipts and operational savings in FY 2011. |
| TDULRL | Wiehle Avenue Metrorail Facility | $100,730,000 | Increase necessary to appropriate $104,000,000 in anticipated EDA bond funding and $6,730,000 in MWAA reimbursements, offset by a decrease to reallocate $10,000,000 in funding to the Construction Reserve Project for funds that the Reserve previously advanced to the Wiehle Avenue Metrorail Facility project. The Metrorail project includes a public parking facility with 2,300 public parking spaces, 10 bus bays, 46 kiss-and-ride spaces and ancillary facilities to serve the new Wiehle Metrorail station. On June 7, 2011, the Board of Supervisors approved the sale of EDA Bonds as well as an agreement with MWAA to support this project. |
| | **Total** | **$108,925,482** | |

**Fund 125, Stormwater Services** **$20,351,811**

FY 2012 expenditures are recommended to increase $20,351,811 due to the carryover of unexpended project balances in the amount of $12,070,392, encumbered carryover of $185,181, an adjustment of $98,173 associated with a market rate adjustment to salaries, and other adjustments to capital projects. Based on the elimination of Fund 318, Stormwater Management Program, project balances of $7,633,091 and associated revenue of $525,460 are transferred to Fund 125. The consolidation of stormwater capital project funds in Fund 125 will allow more efficient management of stormwater projects, as well as prepare for the implementation of the Fairfax County Unified System (FOCUS).

This increase is partially offset by a net decrease of $160,486 primarily due to a decrease of $96,424 in actual stormwater service district receipts in FY 2011, a decrease in capital projects to support the $98,173 required for a planned market rate adjustment to salaries in FY 2012, partially offset by operational savings of $34,111 in FY 2011.

The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| AC8000 | Accotink Creek Watershed Projects | 41,283 | Increase necessary to appropriate project balances from Fund 318, Stormwater Management Program. The consolidation of stormwater capital project funds in Fund 125 will allow more efficient management of funding for stormwater projects, as well as prepare for the implementation of the Fairfax County Unified System (FOCUS). |
| AC9000 | Accotink Creek Watershed Plan | 491,930 | See Project Number AC8000 Comments above. |
| CA8000 | Cameron Run Watershed Plan | 925,947 | See Project Number AC8000 Comments above. |
| CU8000 | Cub Run Watershed Projects | 39,815 | See Project Number AC8000 Comments above. |
| DC8000 | Kingstowne Monitoring | 78,905 | See Project Number AC8000 Comments above. |
| DC9000 | Dogue Creek Watershed Plan | 240,285 | See Project Number AC8000 Comments above. |
| DF8000 | Difficult Run Watershed Projects | 78,430 | See Project Number AC8000 Comments above. |
| FS0002 | ARRA Lake Barton | 356,205 | See Project Number AC8000 Comments above. |
| FS0003 | ARRA Woodglen Lake | 500,496 | See Project Number AC8000 Comments above. |

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| FX0000 | Stormwater Capital Projects Reserve | ($159,942) | Net decrease due to a decrease of $96,424 due to lower than anticipated revenues received in FY 2011 associated with the stormwater service district revenues and a decrease in capital projects fund to support $98,173 required for a 1.52 percent Market Rate Adjustment, effective during the pay period beginning September 24, 2011, as agreed upon at the May 3, 2011 Personnel and Reorganization Committee of the Board of Supervisors. These decreases are partially offset by $34,111 in FY 2011 operational savings and the appropriation of miscellaneous revenues of $544 received into Fund 318, Stormwater Management Program that will now be appropriated in Fund 125. |
| FX0001 | Interim Watershed Program | 30,073 | See Project Number AC8000 Comments above. |
| FX1000 | Storm Drainage Improvements and Innovative Projects | 107,835 | See Project Number AC8000 Comments above. |
| FX2000 | Environmental Initiatives Projects | 255,616 | See Project Number AC8000 Comments above. |
| FX3000 | Stormwater Program Support | 116,825 | See Project Number AC8000 Comments above. |
| FX4000 | Dam Safety Projects | 1,131,986 | See Project Number AC8000 Comments above. |
| FX5000 | Stormwater Management Facilities | 574,376 | See Project Number AC8000 Comments above. |
| FX6000 | Infrastructure Reinvestment Program | 422,011 | See Project Number AC8000 Comments above. |
| FX7000 | Municipal Separate Storm Sewer Permit | 397,925 | See Project Number AC8000 Comments above. |
| FX8000 | Emergency Watershed Projects | 169,726 | See Project Number AC8000 Comments above. |
| HC9000 | Horsepen Creek Watershed Plan | 218,660 | See Project Number AC8000 Comments above. |
| LH8000 | Little Hunting Creek Watershed Projects | 129,382 | See Project Number AC8000 Comments above. |
| LO9000 | Lower Occoquan Watershed Plan | 556,097 | See Project Number AC8000 Comments above. |
| LR9000 | Little Rocky/Johnny Moore Watershed Plan | 96,575 | See Project Number AC8000 Comments above. |
| MB9000 | Mill Branch Watershed Plan | 60,891 | See Project Number AC8000 Comments above. |
| MP8000 | Middle Potomac Watershed Projects | 122,372 | See Project Number AC8000 Comments above. |
| PC8000 | Pohick Creek Watershed Projects | 50,326 | See Project Number AC8000 Comments above. |
| PC9000 | Pohick Creek Watershed Plan | 413,742 | See Project Number AC8000 Comments above. |
| PH8000 | Popes Head Creek Watershed Projects | 222,818 | See Project Number AC8000 Comments above. |
| PH9000 | Popes Head Creek Watershed Plan | 65,110 | See Project Number AC8000 Comments above. |
| PM8000 | Pimmit Run Watershed Projects | 44,734 | See Project Number AC8000 Comments above. |

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| PN9000 | Pond Branch Watershed Plan | 150,160 | See Project Number AC8000 Comments above. |
| SC8000 | Scotts Run Watershed Projects | 67,471 | See Project Number AC8000 Comments above. |
| | **Total** | **$7,998,065** | |

**Fund 141, Elderly Housing** **$785,041**

FY 2012 expenditures are recommended to increase $785,041 due to $207,589 in encumbered carryover, an allocation of $566,084 from fund balance to support required capital improvements at the Lincolnia Senior Living Facility that were not completed in FY 2011, and an increase of $11,368 in Personnel Services to support a 1.52 percent market rate adjustment. In addition, FY 2012 revenues are required to increase $80,554 due to a projected increase in rental income.

FY 2011 actual expenditures reflect a decrease of $938,337 or 18.0 percent from the *FY 2011 Revised Budget Plan* amount of $5,201,767. Of this amount $207,589 is included as encumbered carryover in FY 2012. The remaining balance of $730,748 is primarily attributable to lower than anticipated management expenses at the Lincolnia Senior Living Facility that are being deferred to FY 2012; maintenance and operating expenses at all properties; and lower than anticipated Personnel Services.

Actual revenues in FY 2011 total $2,262,661, a decrease of $311,519 or 12.1 percent from the FY 2011 estimate of $2,574,180 primarily due to a decrease in rental income and intergovernmental rental assistance. The General Fund Transfer supporting this fund remained unchanged.

As a result of the actions discussed above, as well as a General Fund Transfer increase of $11,368 to support the market rate adjustment, the FY 2012 ending balance is projected to be $1,318,207, a decrease of $66,301.

**Fund 142, Community Development Block Grant** **$8,117,832**

FY 2012 expenditures are recommended to increase $8,117,832 due to carryover of $8,640,552 in unexpended project balances; appropriation of $237,794 in unanticipated program income received in FY 2011; a General Fund transfer of $284,190 to support programs in Fund 142, Community Development Block Grant (CDBG), that are impacted due to federal budget reductions; offset by a reduction of $1,044,704 due to the amended U.S. Department of Housing and Urban Development (HUD) award approved by the Board of Supervisors on April 26, 2011. In addition, the following project adjustments are recommended at this time

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 003800 | Adjusting Factors | ($325,531) | Decrease necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011, offset by a transfer from Fund 001, General Fund that will be used to support Fund 118, Consolidated Community Funding Pool. |
| 003864 | Home Repair for the Elderly | (22,518) | Decrease necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011, offset by a transfer from Fund 001, General Fund. |

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| 003899 | Contingency Fund | (674,403) | Decrease necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011, offset by an increase to appropriate additional revenue received in FY 2011. |
| 003915 | Planning and Urban Design | (199,022) | Decrease necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 003916 | General Administration | (188,133) | Decrease necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 013872 | Housing Program Relocation | 1,935 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 013887 | Section 108 Loan Payments | 170,371 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 014034 | Fair Housing Program | 25,002 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011 and to appropriate additional revenue received in FY 2011. |
| 014113 | Homeownership Assistance Program | 54,589 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 014129 | Senior/Disabled Housing Development | 238,557 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011 and to appropriate additional revenue received in FY 2011. |
| 014191 | Rehabilitation of FCRHA Properties | 165,383 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 014249 | North Hill | 231,050 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011, to appropriate additional revenue received in FY 2011, and to appropriate the transfer from Fund 001, General Fund. |
| | **Total** | **($522,720)** | |

**Fund 143, Homeowner and Business Loan Program** **$5,612,176**

FY 2012 expenditures are recommended to increase $5,612,176 due to the carryover of FY 2011 balances in the Moderate Income Direct Sales (MIDS) Program, County Rehabilitation Loan Program and Business Loan Program.

FY 2012 revenues are recommended to increase $5,479,365 due to outstanding program income not received in FY 2011.

FY 2011 actual expenditures total $3,017,534, a decrease of $5,612,176 or 65.0 percent from the *FY 2011 Revised Budget Plan* of $8,629,710. The decrease in expenditures is primarily due to decreased program activity in the MIDS Program, the Business Loan Program and the County Rehabilitation Loan Program. These programs had fewer applications for assistance in FY 2011 that are anticipated to be made in FY 2012.

FY 2011 actual revenues total $2,536,613, a decrease of $5,479,365 or 68.4 percent from the FY 2011 estimate of $8,015,978. The decrease is primarily attributable to lower receipts than projected for the MIDS Program and lower than anticipated repayment of loans in the County Rehabilitation Loan Program and Business Loan Program.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $3,263,192, the same level as the FY 2012 Adopted Budget Plan.

**Fund 144, Housing Trust Fund** **$4,493,042**

FY 2012 expenditures are recommended to increase $4,493,042 due to the carryover of unexpended project balances in the amount of $4,158,103 and to appropriate additional program income of $334,939 received in FY 2011. In addition, the following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 013906 | Undesignated Project | $334,939 | Increase necessary to appropriate additional program income received in FY 2011 that is associated with proffers and repayment of loans. |
| | **Total** | **$334,939** | |

**Fund 145, HOME Investment Partnerships Grant** **$7,495,957**

FY 2012 expenditures are recommended to increase $7,495,957 due to carryover of $7,079,953 in unexpended project balances, the appropriation of $724,850 in additional program income revenue received in FY 2011, and a decrease of $308,846 due to the amended U.S. Department of Housing and Urban Development (HUD) award approved by the Board of Supervisors on April 26, 2011. In addition, the following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 013933 | Reston Interfaith Townhouses | $325,531 | Increase necessary based on the appropriation of additional program income received in FY 2011. |

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| 013954 | CHDO Undesignated | 920,000 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011 and the appropriation of program income received in FY 2011. |
| 013971 | Tenant-Based Rental Assistance | (245,584) | Decrease necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 013975 | HOME Administration | 14,574 | Increase necessary based on the net result of an increase to appropriate program income received in FY 2011, offset by an amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 014129 | Senior/Disabled Housing Development | 72,785 | Increase necessary based on the appropriation of additional program income received in FY 2011. |
| 014191 | Rehabilitation of FCRHA Properties | 34,617 | Increase necessary based on the appropriation of additional program income received in FY 2011. |
| 014265 | Partnership for Permanent Housing | (112,048) | Decrease necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 014275 | Silver Lining Initiative | (1,541,827) | Decrease necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 014321 | Non Profit Blueprint Project | 590,324 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 014323 | TBRA Homeless Prevention | 253,327 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| 014327 | TBRA Progress Center RAE | 104,305 | Increase necessary based on the amended FY 2012 HUD award as approved by the Board of Supervisors on April 26, 2011. |
| | **Total** | **$416,004** | |

## Debt Service Funds

**Fund 200 and 201, Consolidated Debt Service** **$14,742,544**

FY 2012 expenditures are recommended to increase $14,742,544 for anticipated debt requirements in FY 2012 associated with bond sales and capital requirements as outlined in the FY 2012-FY 2016 Adopted Capital Improvement Program.

FY 2011 actual expenditures reflect a decrease of $11,437,588, from the *FY 2011 Revised Budget Plan* amount of $298,986,562 primarily attributable to lower than anticipated expenditures for debt service due to lower than anticipated costs for bond sales conducted in FY 2011.

Actual revenues in FY 2011 total $3,694,957, an increase of $3,304,957 over the FY 2011 estimate of $390,000 primarily due to the receipt of $3,182,291 in interest rate subsidy from the sale of Build America Bonds.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $0.

## Capital Project Funds

**Fund 301, Contributed Roadway Improvement Fund** **$40,365,503**

FY 2012 expenditures are recommended to increase $40,365,503 due to the carryover of unexpended project balances in the amount of $40,859,001 and other adjustments reflecting a net decrease of $493,498. These adjustments include a decrease of $744,584 in revenues originally anticipated to be received from the Virginia Department of Transportation (VDOT) for road improvements on Dolley Madison Boulevard. This project is now complete, and based on actual expenditures, no more revenue is anticipated. This decrease is partially offset by an increase of $251,086 based on the appropriation of developer contributions in the amount of $57,675 and higher than anticipated interest earnings of $193,411. Developer contribution revenue fluctuates each year depending on the pace of development; therefore, contributions are only reflected and applied to projects at the end of the fiscal year. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 007700 | Fairfax Center Developer Contributions | $76,660 | Increase due to higher than anticipated proffer receipts of $50,000 and higher than anticipated interest earnings of $26,660. |
| 008800 | Centreville Developer Contributions | 4,842 | Increase due to higher than anticipated interest earnings. |
| 009900 | Countywide Developer Contributions | 99,603 | Increase due to higher than anticipated developer contributions of $7,675 and higher than anticipated interest earnings of $91,928. |
| 009911 | Tysons Corner Developer Contributions | 69,981 | Increase due to higher than anticipated interest earnings. |

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 009913 | Dolley Madison Boulevard | (744,584) | Decrease due to completion of improvements to Dolley Madison Boulevard. A total of $7,602,122 in VDOT grant revenue has been received to date in support of this project. The project is now complete, and based on actual expenditures, the remaining $744,584 is no longer required. Anticipated revenues are reduced by a like amount. |
| | **Total** | **($493,498)** | |

**Fund 303, County Construction** **$112,787,051**

FY 2012 expenditures are recommended to increase $112,787,051 due to the carryover of unexpended balances in the amount of $25,432,069 and adjustments of $87,354,982. This adjustment includes the transfer of revenues in the amount of $53,462,034 and project balances of $27,104,978 associated with the elimination of Fund 311, County Bond Construction. Based on a limited number of active projects in Fund 311, this fund is being eliminated as part of the *FY 2011 Carryover Review* and all balances are transferred to Fund 303. In addition, in preparation for the implementation of the new Fairfax County Unified System (FOCUS), Fund 306, Northern Virginia Regional Park Authority (NVRPA) is also being eliminated. Fund 306 is supported by bonds approved by the voters in fall 2008 in the amount of $12 million. The FY 2012 contribution of $3,000,000 represents the fourth and final payment from the fall 2008 referendum. All NVRPA capital contributions will now be processed through Fund 303.

The adjustment also includes an increase to the General Fund transfer of $3,000,000 to begin to address ADA improvements required as part of the Department of Justice audit and identified in the settlement agreement signed by the Board of Supervisors on January 28, 2011, and $250,000 to begin a seven year plan to fund new federally mandated reflectivity standards for street signs throughout the County. In addition, the adjustment includes the appropriation of $81,260 in revenues received in FY 2011, including: $1,306 in miscellaneous revenues, $15,674 associated with the Strike Force Blight Abatement Program, and $64,280 associated with the Emergency Directives Program. Additional Athletic Service fee revenues of $98,616 and Developer Default revenue of $410,484 are appropriated based on actual receipts in FY 2011. Lastly, both revenues and expenditures are decreased by $52,390 based on the completion of the Hunter Mill Streetlight project.

The following adjustments are required at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 005012 | Athletic Services Fee – Field Maintenance | $29,585 | Increase necessary to appropriate higher than anticipated Athletic Services Fee revenues received in FY 2011. |
| 005013 | Athletic Services Fee – Turf Field Development | 49,308 | Increase necessary to appropriate higher than anticipated Athletic Services Fee revenues received in FY 2011. |
| 005014 | Athletic Services Fee – Custodial Support | 19,723 | Increase necessary to appropriate higher than anticipated Athletic Services Fee revenues received in FY 2011. |

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| 009233 | Mandated Street Sign Upgrades | 250,000 | Increase necessary to fund the first year of a seven year program to address new reflectivity standards for street signs. In March 2011, the County Attorney's Office determined that the revised federal Manual of Uniform Traffic Control Devices (MUTCD) and the federal law that serves as the basis for the MUTCD, requires that the County is mandated to meet new retro-reflectivity standards by January 2018. It is estimated that this program will entail replacing 4,000 green signs and 1,000 sign posts. It will also require inspection and reflectivity testing of up to 50,000 locations within the County. Preliminary estimates indicate a cost of approximately $350 per intersection or approximately $1.75 million. DPWES has developed a seven year program at $250,000 annually to address this unfunded federal mandate. |
| 009399 | ADA Compliance - DPWES | 800,000 | Increase necessary to begin to address improvements required as part of the Department of Justice audit and identified in the settlement agreement signed by the Board of Supervisors on January 28, 2011. The agreement requires an inventory of County maintained trails, sidewalks, and roads to identify the scope of ADA deficiencies. To date, a preliminary assessment indicates that corrective work will be required to address 778 handicap ramps and/or warning strip deficiencies. Funding of $800,000 is included to begin to address the most critical improvements including 90 locations that currently do not have any curb ramps and/or warning strips. The order-of-magnitude cost to address the remaining walkway deficiencies is $1.8 million |

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| 009406 | ADA Compliance (FMD) | 1,200,000 | Increase necessary to begin to address improvements required as part of the Department of Justice audit and identified in the settlement agreement signed by the Board of Supervisors on January 28, 2011. An amount of $200,000 supports additional survey work required by the agreement. The DOJ audit included a survey of 46 buildings out of 180 County maintained facilities and cited required improvements within those buildings. The settlement agreement includes a requirement that the remaining facilities (134 buildings) be surveyed to determine what ADA improvements may be required. The additional $200,000 in funding will allow FMD to contract out this survey work. In addition, $1.0 million is included to begin to address improvements already identified by the DOJ at County facilities. Staff has categorized identified improvements by color: easy, inexpensive (green); more timely and costly (yellow); and difficult, time consuming, and/or expensive (red). Funding included in the FY 2012 Adopted Budget Plan addressed the category green and yellow improvements identified by both FMD and the Park Authority. This additional funding will begin to address FMD's red category improvements. It should be noted that future funding will be required to address remaining category red improvements at both County and Park facilities estimated at over $10 million and additional requirements which may be identified as a result of the building assessment survey. |
| 009614 | ADA Compliance – Park Authority | 1,000,000 | Increase necessary to begin to address improvements required as part of the Department of Justice audit and identified in the settlement agreement signed by the Board of Supervisors on January 28, 2011. Funding included in the FY 2012 Adopted Budget Plan addressed the category green and yellow improvements identified by the Park Authority. This additional funding will begin to address the Park Authority's red category improvements. It should be noted that future funding will be required to address remaining category red improvements at both County and Park facilities estimated at over $10 million and additional requirements which may be identified as a result of the building assessment survey. |

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| 009701 | East County Center | 50,000 | Increase necessary to transfer the project balance from Fund 311, County Bond Construction. Due to a small number of active projects in Fund 311, all revenue and expenditures balances will be reflected in Fund 303 beginning in FY 2012. |
| 009801 | Strike Force Blight Abatement | 15,674 | Increase necessary to appropriate revenue received in FY 2011 associated with the Strike Force Blight Abatement Program. The Department of Code Compliance supports the community through programs pertaining to zoning, building, property maintenance, health, and fire codes, as well as blight and grass ordinances in order to investigate and resolve violations and concerns in both residential and commercial areas. |
| 04A000 | Human Service/Juvenile Detention Bond Projects | 5,661,590 | Increase necessary to transfer the project balance from Fund 311, County Bond Construction. Due to a small number of active projects in Fund 311, all revenue and expenditures balances will be reflected in Fund 303 beginning in FY 2012. |
| 04A003 | Woodburn Mental Health Center | 11,773,163 | Increase necessary to transfer the project balance of $4,473,467 from Fund 311, County Bond Construction. Due to a small number of active projects in Fund 311, all revenue and expenditures balances will be reflected in Fund 303 beginning in FY 2012. In addition, this adjustment includes the appropriation of revenues received in FY 2011 in the amount of $7,299,696. On September 28, 2010, the Board of Supervisors approved a two phase Contract of Sale with Inova Health Systems. The Contract of Sale includes the transfer of approximately 15 acres of land including the Woodburn Mental Health Center and Woodburn Place from the County to Inova. In exchange for this land, Inova will provide the County with an approximate 5 acre parcel/pad site at Willow Oaks II, a $15 million cash payment, and a 10 year lease of 40,000 square feet within the new Mid County Center building. The FY 2011 payment represents the first of two installments on the $15 million cash payment. |

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| 04A006 | County Cemetery | 498,000 | Increase necessary to transfer the project balance from Fund 311, County Bond Construction. Due to a small number of active projects in Fund 311, all revenue and expenditures balances will be reflected in Fund 303 beginning in FY 2012. The County cemetery project was funded during FY 2011 using balances in other Human Service bond projects. The County is mandated to provide burial services for indigent persons, and the current public cemetery has no available spaces. |
| 07A001 | Newington DVS Renovation | 54,705,362 | Increase necessary to transfer the project balance from Fund 311, County Bond Construction. Due to a small number of active projects in Fund 311, all revenue and expenditures balances will be reflected in Fund 303 beginning in FY 2012. |
| 88A002 | West Ox Bus Operations Center | 5,437,076 | Increase necessary to transfer the project balance from Fund 311, County Bond Construction. Due to a small number of active projects in Fund 311, all revenue and expenditures balances will be reflected in Fund 303 beginning in FY 2012. |
| 90A016 | Herndon Monroe Parking Garage Repairs and Maintenance | 1,991,896 | Increase necessary to transfer the project balance from Fund 311, County Bond Construction. Due to a small number of active projects in Fund 311, all revenue and expenditures balances will be reflected in Fund 303 beginning in FY 2012. This project was originally funded by Federal Transportation Authority (FTA) revenues and County General Obligation bonds. |
| CG0000 | Bond Contingency (formerly Fund 311 Contingency) | 449,925 | Increase necessary to transfer the project balance of $359,925 from Fund 311, County Bond Construction. Due to a small number of active projects in Fund 311, all revenue and expenditures balances will be reflected in Fund 303 beginning in FY 2012. In addition, revenue of $90,000 is appropriated based on bond premium received in FY 2011 as part of the January 2011 bond sale. |
| CG0046 | Fund 303 Contingency | 1,306 | Increase necessary to appropriate miscellaneous revenues received in FY 2011. |

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| ED0001 | Emergency Directive Program | 64,280 | Increase necessary to appropriate revenue received in FY 2011 associated with collections from homeowners, banks, or settlement companies, for the abatement services of both emergency and non-emergency directives related to health and safety violations, grass mowing violations and graffiti removal directives. Funding will be used to perform corrective maintenance for code violations under Chapter 46 and Chapter 119 of the Fairfax County code. |
| U0060 | Developer Defaults | 410,484 | Increase necessary to appropriate higher than anticipated developer defaults revenue received in FY 2011 due to an increase in the number of developers in default, as well as an increased effort in staff time to recover funding owed to the County for completed improvements. This project is necessitated by economic conditions surrounding the construction industry that result in some developers not completing required public facilities, including acceptance of roads by the state, walkways, and storm drainage improvements. |
| Z00015 | Hunter Mill Streetlights | (52,390) | Decrease necessary based on the completion of this project. Streetlights have been installed and no further work is required. Anticipated revenue is reduced by a like amount. |
| Z99900 | Northern Virginia Regional Park Authority Contribution | 3,000,000 | Increase necessary based on the elimination of Fund 306, Northern Virginia Regional Park Authority as part of the *FY 2011 Carryover Review*. Fund 306 is being eliminated in anticipation of the implementation of the new Fairfax County Unified System (FOCUS). The Regional Park Authority contribution will now be made from Fund 303, County Construction. All associated FY 2012 project funding as well as supporting bond revenues is moved to Fund 303. The fall 2008 bond referendum approved by voters included $12.0 million to sustain the County's capital contribution to the Northern Virginia Regional Park Authority for four years. FY 2012 represents the fourth of four installments. Including prior sales, a balance of $3.0 million remains in authorized but unissued bonds for the FY 2012 NVRPA contribution. |
| | **Total** | **$87,354,982** | |

**Fund 304, Transportation Improvements** **$105,648,233**

FY 2012 expenditures are recommended to increase $105,648,233 due to the carryover of unexpended project balances in the amount of $108,433,232 and other adjustments reflecting a net decrease of $2,784,999. These adjustments include a decrease of $2,500,000 associated with Virginia National Defense Industrial Authority (VNDIA) grants to consolidate all expenditures and revenues associated with VNDIA grants within Fund 102, Federal/State Grant Fund. VNDIA grants were approved by the Board of Supervisors in FY 2007 to provide spot transportation improvements and travel demand management necessary for the Fort Belvoir Base Realignment. Also included are decreases for state reimbursements that will no longer be received, including $170,244 associated with completed CMAQ program projects, and $1,138,921 in VDOT Secondary Road Program funds that are no longer available for Spot Improvements and Pedestrian Improvements. Decreases are partially offset by the appropriation of bond sale premium in the amount of $1,020,000, received as part of the January 2011 bond sale and the appropriation of miscellaneous revenue of $4,166 received in FY 2011. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 006490 | Construction Reserve | ($166,078) | Decrease necessary due to the completion of Governor's Congestion Relief Program (CMAQ) projects in the amount of $170,244. This program has provided improvements to County intersections to meet air quality standards and relieve traffic congestion. Remaining balances from completed CMAQ projects were moved to the Construction Reserve. Anticipated CMAQ revenues are reduced by a like amount. This decrease is offset by the appropriation of $4,166 in miscellaneous revenue received in FY 2011 |
| 064212 | Spot Improvements | (153,921) | Decrease necessary due to the lack of available state funds under the VDOT Secondary Road Program. No funding remains at the state level to support these expenditures, therefore anticipated revenues and expenditures are reduced. |
| 064267 | Pedestrian Improvements - VDOT | ($985,000) | Decrease necessary due to the lack of available state funds under the VDOT Secondary Road Program. On March 27, 2007 the Board approved an initial agreement with VDOT for the use of these funds for pedestrian improvements. Pedestrian projects funded by Fund 304 are now substantially complete, and no additional funding is anticipated from VDOT. Both anticipated revenues and expenditures are reduced. Additional pedestrian projects will continue with commercial and industrial tax funding already appropriated by the Board in Fund 124, County and Regional Transportation Projects. |

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| 064287 | VNDIA Grant Projects | (2,500,000) | Decrease of $2,500,000 associated with Virginia National Defense Industrial Authority (VNDIA) grants to consolidate all expenditures and revenues associated with VNDIA grants within Fund 102, Federal/State Grant Fund. VNDIA grants were approved by the Board of Supervisors in FY 2007 to provide spot transportation improvements and travel demand management necessary for the Fort Belvoir Base Realignment. |
| 4YP017 | Stringfellow Road Widening | 1,020,000 | Increase necessary to fund requirements associated with this road widening project. An amount of $1,020,000 in bond premium was applied to this fund as part of the January 2011 bond sale. |
| | **Total** | **($2,784,999)** | |

**Fund 306, Northern Virginia Regional Park Authority (NVRPA) ($3,000,000)**

FY 2012 expenditures are recommended to decrease $3,000,000 due to the elimination of this fund. In preparation for the implementation of the Fairfax County Unified System (FOCUS) all capital contributions to the NVRPA will be reflected in Fund 303, County Construction. The fall 2008 bond referendum approved by voters on November 4, 2008 included $12.0 million to sustain the County's capital contribution to the NVRPA for four years. FY 2012 represents the fourth of four installments. Including prior sales, a balance of $3.0 million remains in authorized but unissued bonds for the FY 2012 NVRPA contribution and will be reflected in Fund 303.

**Fund 307, Pedestrian Walkway Improvements $4,087,750**

FY 2012 expenditures are recommended to increase $4,087,750 due to the carryover of unexpended project balances in the amount of $3,430,282 and an adjustment of $657,468 to appropriate an amount of $656,400 in Enhancement Grant Funds from the Virginia Department of Transportation, approved by the Board of Supervisors on May 24, 2011 which will support the continued implementation of the Mason Neck Trail (Segments 2A and 2B) and miscellaneous revenue of $1,068 received in FY 2011. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| X00404 | Sidewalk Contingency | $1,068 | Increase necessary to appropriate miscellaneous revenue received in FY 2011. |
| W00600 | Mason Neck Trail Segment II | 656,400 | Increase due to the amendment of a Supplemental Agreement with the Virginia Department of Transportation (VDOT) that will provide an additional $656,400 in Enhancement Grant Funds for the continued implementation of the Mason Neck Trail Project (Segments 2A and 2B), as approved by the Board of Supervisors on May 24, 2011. |
| | **Total** | **$657,468** | |

**Fund 309, Metro Operations and Construction** **$2,439,101**

FY 2012 expenditures are recommended to increase $2,439,101 based on Metro's approved Capital Improvement Program budget. The Sale of Bonds in support of Metro's capital program decreases in the amount of $7,968,277, as a result of bond funds available in fund balance from FY 2011 due to lower capital expenditure requirements in the prior year, partially offset by the increase required for the FY 2012 capital program.

There is no change to the FY 2012 County expenditure level for the approved Metro Operations budget, supported through the General Fund transfer. However, it is noted that Metro's approved operating budget does result in an increase of $2,295,683 in the total County operating subsidy supported through other sources. This increase results in a corresponding adjustment to the total level of State Aid and Gas Tax applied from the Northern Virginia Transportation Commission (NVTC) as revenue to this fund.

FY 2011 County actual expenditures reflect a decrease of $5,046,084, or 23.0 percent, from the *FY 2011 Revised Budget Plan* amount of $21,920,231. This variance is based on a decrease of $5,038,434 in Metro billings for the Metro capital budget and an increase of $7,650 in revenue from Northern Virginia Transportation District (NVTD) bonds applied to the Metro capital program.

FY 2011 County actual revenues from the Sale of Bonds reflect an increase of $5,361,294, or 36.4 percent, over the FY 2011 estimate of $14,738,706.

These adjustments have no impact on the FY 2011 General Fund transfer of $11,298,296 to this fund.

As a result of the actions discussed above, there is no change to the FY 2012 ending balance of $0.

**Fund 311, County Bond Construction** **$0**

FY 2012 expenditures are recommended to remain the same at $0; however, a decrease in both revenues and project balances of $74,089,905 is required due to the elimination of Fund 311, County Bond Construction. Based on the small number of active projects in this fund, and in preparation for the implementation of the new Fairfax County Unified System (FOCUS), remaining project balances of $27,104,978 and associated anticipated revenues of $46,984,927 are transferred to Fund 303, County Construction. The following adjustments are required at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 04A000 | Human Services/Juvenile Facilities Bond Projects | ($5,661,590) | Decrease due to the elimination of Fund 311, County Bond Construction. The remaining expenditure and revenue balances for this project will be transferred to Fund 303, County Construction. |
| 04A003 | Woodburn Mental Health | (4,473,468) | Decrease due to the elimination of Fund 311, County Bond Construction. The remaining expenditure and revenue balances for this project will be transferred to Fund 303, County Construction. |
| 04A006 | County Cemetery | (498,000) | Decrease due to the elimination of Fund 311, County Bond Construction. The remaining expenditure and revenue balances for this project will be transferred to Fund 303, County Construction. |

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|---|---|---|---|
| 07A001 | Newington DVS Renovations | (54,705,362) | Decrease due to the elimination of Fund 311, County Bond Construction. The remaining expenditure and revenue balances for this project will be transferred to Fund 303, County Construction. |
| 88A002 | West Ox Bus Garage | (5,437,076) | Decrease due to the elimination of Fund 311, County Bond Construction. The remaining expenditure and revenue balances for this project will be transferred to Fund 303, County Construction. |
| 90A015 | East County Center | (50,000) | Decrease due to the elimination of Fund 311, County Bond Construction. The remaining expenditure and revenue balances for this project will be transferred to Fund 303, County Construction. |
| 90A016 | Herndon Monroe Parking Garage | (2,904,485) | Decrease due to the elimination of Fund 311, County Bond Construction. The remaining expenditure and revenue balances for this project will be transferred to Fund 303, County Construction. |
| CG0000 | Fund 311 Contingency | (359,924) | Decrease due to the elimination of Fund 311, County Bond Construction. The remaining expenditure and revenue balances for this project will be transferred to Fund 303, County Construction. |
| | **Total** | **($74,089,905)** | |

**Fund 312, Public Safety Construction** **$114,182,107**

FY 2012 expenditures are recommended to increase $114,182,107 due to the carryover of unexpended project balances in the amount of $107,349,608 and a net adjustment of $6,832,499. This adjustment is primarily due to the appropriation of bond funds in the amount of $6,800,000 approved as part of the fall 2006 Public Safety Bond referendum. Funding in the amount of $5,000,000 is included to support the construction document design phase, permitting and other design costs associated with a replacement Public Safety Headquarters building and $1,800,000 is included to support design work associated with the renovation of the Bailey's Fire Station. This funding is available based on the approval of the fall 2006 Public Safety Bond Referendum and approved to be used to support a variety of public safety requirements including renewal and renovation efforts. After this action, no bond authority will remain from the 2006 Public Safety Bond Referendum. In addition, an amount of $29,276 is appropriated based on FY 2011 interest earnings associated with the sale of Build America Bonds. In October 2009 the County sold $202.2 million of Federally Taxable Build America Bonds. Based on the Internal Revenue Code §54AA Section (g) (2) (A), 100 percent of available project proceeds, which include investment earnings, must be used on capital expenditures. Therefore, interest earnings on Build America Bond proceeds have been allocated to this construction fund. Lastly, an amount of $3,223 is appropriated due to miscellaneous revenues received in FY 2011. The following adjustments are required at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 009051 | Bailey's Crossroads Fire Station | $1,800,000 | Increase necessary to support design work associated with the renovation of the Bailey's Fire Station. This funding is available based on the approval of the fall 2006 Public Safety Bond Referendum which may be used to support a variety of public safety requirements including renewal and renovation efforts. After this action, no bond authority will remain from the 2006 Public Safety Bond Referendum. On February 8, 2010, the roof over the apparatus bay of the Bailey's Volunteer Fire Station collapsed due to the heavy snow load. This facility is over 35 years old; therefore, County staff and members of the Bailey's Volunteer Fire Department agreed that the existing station should be replaced to meet current operational requirements. Additional funding will support both design work for the renovated station as well as the design of the temporary structure which will be used to operate the station during full construction, allowing for the replacement station and the temporary operating quarters to proceed to construction immediately after the anticipated approval of the 2012 Bond Referendum. Construction funding for this project has been proposed for inclusion in the next Public Safety Bond referendum, scheduled for fall 2012. The total cost of this project is estimated at $11.5 million. |

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|---|---|---|---|
| 009230 | Public Safety Headquarters | 5,000,000 | Increase necessary to appropriate bond funds approved for public safety projects as part of the fall 2006 Public Safety Bond Referendum. The County's public safety headquarters is currently located in the 166,777 square foot Massey Building, which was constructed in 1967. The building has many inefficiencies such as: aged lighting fixtures; overloaded electrical systems with no spare capacity for new equipment; aged HVAC components with repair parts often not available; aged plumbing fixtures that cause leaking behind the building walls; roof deficiencies and leaking; obsolete fire alarm systems and no sprinkler system; and asbestos fireproofing throughout the building restricting or prohibiting access to equipment in order to make needed repairs. The building experienced two failures in 2009 due to chiller and associated component breakdowns that required staff in the building to vacate and relocate. Staff has been working on strategies to replace the Massey building and provide a suitable public safety headquarters facility. As part of the *FY 2011 Third Quarter Review,* public safety bond funds of $3,000,000 were appropriated to support the consultant team selection and preliminary design phases for the project. Additional funding will be required to bid the project and fund the construction contract, and construction administration services. It is anticipated that remaining construction funding will be provided through alternative financing methods, most likely Economic Development Authority (EDA) bonds. The total cost of this project is estimated at $176.5 million, including $149 million for the Headquarters building, $13 million for the County data center and $14.5 million for information technology relocation and demolition of the Massey building. |

| | | | |
|---|---|---|---|
| 009203 | Public Safety Contingency | 32,499 | Increase necessary to appropriate revenue received in FY 2011 based on interest earnings associated with the sale of Build America Bonds. In October 2009 the County sold $202.2 million of Federally Taxable Build America Bonds. Based on the internal Revenue Code §54AA Section (g) (2) (A), 100 percent of available project proceeds, which includes investment earnings, must be used on capital expenditures. Therefore, interest earnings on Build America Bond proceeds in the amount of $29,276 have been allocated to this construction fund for construction project use. In addition, an amount of $3,223 is appropriated to this project based on miscellaneous revenues received in FY 2011. |
| | **Total** | **$6,832,499** | |

**Fund 316, Pro Rata Share Drainage Construction** **$6,977,884**

FY 2012 expenditures are recommended to increase $6,977,884 due to the carryover of unexpended project balances of $7,229,804 and a decrease of $251,920. This decrease is required to properly account for current project requirements and pro rata share revenues available after refunds and other adjustments. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| AC8001 | Accotink Creek | ($1,920) | Decrease necessary to properly account for project requirements and pro rata share revenues available after refunds and other adjustments. |
| CU8001 | Cub Run Pro Rata Share Project | (42,000) | Decrease necessary to properly account for project requirements and pro rata share revenues available after refunds and other adjustments. |
| DF8001 | Difficult Run | (208,000) | Decrease necessary to properly account for project requirements and pro rata share revenues available after refunds and other adjustments. |
| | **Total** | **($251,920)** | |

**Fund 317, Capital Renewal** **$32,461,662**

FY 2012 expenditures are recommended to increase $32,461,662 due to the carryover of unexpended project balances in the amount of $32,074,160 and an adjustment of $387,502. This adjustment is due to the appropriation of revenues received in FY 2011 associated with reimbursements from the Virginia Department of Transportation (VDOT) and the Virginia State Police for their share of the operational costs at the McConnell Public Safety and Transportation Operations Center (MPSTOC) as well as the state share of future projected capital renewal requirements at this facility. The MPSTOC is a high-security, state-of-the-art facility which

houses the County's 911 Center and Emergency Operations Center as well as VDOT's Smart Traffic and Signal Centers and the State Police Communications Center. This multi-use facility allows for the cost-effective provision of services through the sharing of land, buildings and technology resources at various levels of state and local government. The County pays for all operational requirements such as security, custodial, landscaping, maintenance, parking lot repairs and snow removal costs and the State reimburses the County for their share of these costs. In addition, the state has begun providing annual funding for future repair and renewal costs to avoid large budget increases for required capital renewal costs in the future. Funding received from the state is appropriated annually at the Carryover Review. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 009703 | State Support for MPSTOC Renewal | $265,613 | Increase necessary to appropriate revenues received in FY 2011. An amount of $265,613 represents the state's annual installment of funds for future repairs and renewal costs in order to avoid large budget increases for capital renewal requirements in the future. This contribution is based on the industry standard of 2 percent of replacement value or $3.00 per square foot. |
| 009704 | County Support for MPSTOC Renewal | 121,889 | Increase necessary to appropriate revenues received in FY 2011. An amount of $121,889 is associated with the state reimbursement for their share of the operational costs for MPSTOC such as security, custodial, landscaping, maintenance, parking lot repairs and snow removal costs. The County pays for all operational requirements and the State reimburses the County for their share of these costs. This funding has been placed in this reserve project to begin to address future capital renewal requirements at MPSTOC. |
| | **Total** | **$387,502** | |

**Fund 318, Stormwater Management Program** **$0**

No FY 2012 expenditures are recommended for this fund. As part of the *FY 2011 Carryover Review*, Fund 318, Stormwater Management Program, is being eliminated and both project balances and revenue are moved to Fund 125, Stormwater Services. The consolidation of stormwater capital project funds in Fund 125 will allow more efficient management of funding for stormwater projects, as well as prepare for the implementation of the Fairfax County Unified System (FOCUS). As part of the *FY 2011 Carryover Review*, $7,633,091 in fund balance is transferred to Fund 125. In addition, $525,460 in remaining revenue for the rehabilitation of Woodglen Lake and Lake Barton, previously anticipated in Fund 318 under the American Recovery and Reinvestment Act of 2009 (ARRA,) will now be received into Fund 125. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| AC8000 | Accotink Creek Watershed Projects | ($41,283) | Decrease due to the elimination of Fund 318, Stormwater Management Program. As part of the *FY 2011 Carryover Review*, all project balances are moved to Fund 125, Stormwater Services to allow more efficient management of funding for stormwater projects. |
| AC9000 | Accotink Creek Watershed Plan | (491,930) | See above. |
| CA8000 | Cameron Run Watershed Projects | (925,947) | See above. |
| CU8000 | Cub Run Watershed Projects | (39,815) | See above. |
| DC8000 | Kingstowne Monitoring | (78,905) | See above. |
| DC9000 | Dogue Creek Watershed Plan | (240,285) | See above. |
| DF8000 | Difficult Run Watershed Projects | (78,430) | See above. |
| FX0001 | Interim Watershed Program | (30,073) | See above. |
| FX1000 | Storm Drainage Improvements and Innovative Projects | (107,835) | See above. |
| FX2000 | Environmental Initiatives Projects | (255,616) | See above. |
| FX3000 | Stormwater Program Support | (116,825) | See above. |
| FX4000 | Dam Safety Projects | (1,988,687) | See above. |
| FX5000 | Stormwater Management Facilities | (574,376) | See above. |
| FX6000 | Infrastructure Reinvestment Program | (422,011) | See above. |
| FX7000 | Municipal Separate Storm Sewer Permit | (397,925) | See above. |
| FX8000 | Emergency Watershed Projects | (169,726) | See above. |
| HC9000 | Horsepen Creek Watershed Plan | (218,660) | See above. |
| LH8000 | Little Hunting Creek Watershed Projects | (129,382) | See above. |
| LO9000 | Lower Occoquan Watershed Plan | (556,097) | See above. |
| LR9000 | LittleRocky/Johnny Moore Watershed Plan | (96,575) | See above. |
| MB9000 | Mill Branch Watershed Plan | (60,891) | See above. |
| MP8000 | Middle Potomac Watershed Projects | (122,372) | See above. |
| PC8000 | Pohick Creek Watershed Projects | (50,326) | See above. |
| PC9000 | Pohick Creek Watershed Plan | (413,742) | See above. |
| PH8000 | Popes Head Creek Watershed Projects | (222,818) | See above. |
| PH9000 | Popes Head Creek Watershed Plan | (65,110) | See above. |
| PM8000 | Pimmit Run Watershed Projects | (44,734) | See above. |
| PN9000 | Pond Branch Watershed Plan | (150,160) | See above. |
| SC8000 | Scotts Run Watershed Projects | (67,471) | See above. |
| | **Total** | **($8,158,007)** | |

**Fund 319, Affordable Housing Fund** **$14,423,884**

FY 2012 expenditures are recommended to increase $14,423,884 due to $9,040,190 in unexpended project balances; $5,000,000 to appropriate accrued program income and savings from Wedgewood Apartments operations; $289,018 to appropriate additional revenue received in FY 2011 from interest payments on Affordable Housing Partnership Program loans made in prior years, and $94,676 to appropriate additional cost of issuance proceeds from Crescent Apartments debt refinancing on May 19, 2011.

In particular, the $5,000,000 in program income and savings from Wedgewood Apartments operations accumulated since the purchase of the complex in November 2007. The Fund 319 revenue is a result of accrued program income and savings from Wedgewood Apartments operations accumulated since the purchase of the

complex in November 2007. As the Board will recall, $4.1 million in recurring Wedgewood program income was identified and applied to annually fund the first phases of the Housing Blueprint. However, funding of the Blueprint did not commence until FY 2011. This program revenue and addition efficiencies and strong operations at Wedgewood have resulted in the accrued $5 million. The accumulated funding is being allocated as follows:

Funding of $2,000,000 to support the gap in funding for FY 2012 Housing Blueprint activities equating to services for an additional 194 households as discussed at the Board's Housing Committee on March 1, 2011. This adjustment is consistent with the Board of Supervisors' budget guidance during the markup of the FY 2012 budget which directed staff to review funding requirements for the Housing Blueprint for FY 2012 and identify flexibility so necessary funding adjustments could be made at Carryover. The ongoing requirements will be included in the FY 2013 budget, funded with a combination of program revenue and savings in debt service and operating costs from Wedgewood, Crescent and Olley Glen. As a result, the FY 2012 requirements for the Housing Blueprint are fully funded.

Funding of $1,500,000 to support non-profit organizations to leverage additional funding to provide supportive services to 72 homeless individuals and families and an additional 303 households on the County's affordable housing waiting lists who are receiving rental subsidies through the Bridging Affordability Program, and to take advantage of other funding opportunities through foundations or grants. The Housing Options Group comprised of County agencies and non-profit partners will provide a forum for the planning and the recommended use of these additional funds. In particular, this additional funding will enable the provision of strategic and innovative employment services, as well as other targeted services, to improve the self sufficiency of clients. In doing so, it is anticipated that these clients will no longer require assistance with housing, thereby reducing the County's housing waitlists, and they will be able to function independently in the community. In addition, funding may further enable non-profit organizations to expand services and the affordable housing stock for the benefit of those with very low and extremely low incomes, including the potential relocation of the Lamb Center.

Funding of $1,500,000 to support the rehabilitation and renovation work at the Wedgewood Apartments community center and related facilities. The community center will be made fully accessible given that it is currently located on the second floor and can only be accessed by stairs. The community center improvements will include the addition of an elevator, two accessible bathrooms, and other alterations that will make the facility more accessible for those with physical disabilities. Sprinklers for fire safety are also expected to be incorporated. Additional meeting space will be provided and the improvements will be undertaken in coordination with the Office of Equity Programs to ensure consistency with other countywide Americans with Disabilities Act (ADA) compliance efforts, as well as with the Department of Neighborhood and Community Services as programs and services will primarily be for the residents of Wedgewood Apartments and where appropriate extend to the surrounding community. Any savings remaining after work has been completed will be reprogrammed for Wedgewood Apartments debt service reserve.

In addition, the following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 014196 | Affordable/Workforce Housing Projects | $289,018 | Increase of $289,018 due to appropriation of additional revenue from interest payments on Affordable Housing Partnership Program loans made in prior years. |
| 014239 | Crescent Apartments | 94,676 | Increase of $94,676 due to appropriation of additional revenue from refinancing on May 19, 2011. Reallocations of all savings that resulted from the debt refinancing will be requested as part of the *FY 2012 Third Quarter Review*. |

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|---|---|---|---|
| 014321 | Non Profit Blueprint Project | 2,000,000 | Increase of $2,000,000 due to appropriation of accrued program income and savings from Wedgewood Apartments operations. |
| 014324 | Matching Grants to Non Profits | 1,500,000 | Increase of $1,500,000 due to appropriation of accrued program income and savings from Wedgewood Apartments operations |
| 014326 | Wedgewood Renovation | 1,500,000 | Increase of $1,500,000 due to appropriation of accrued program income and savings from Wedgewood Apartments operations. |
| | **Total** | **$5,383,694** | |

**Fund 340, Housing Assistance Program** **$7,212,170**

FY 2012 expenditures are recommended to increase due to the carryover of unexpended project balances in the amount of $7,573,090, offset by a decrease of $360,920 to transfer remaining project balances to Fund 102, Federal/State Grant Fund in preparation for the implementation of SAP, as grant funding associated with Fund 340 is being consolidated into Fund 102 as part of the *FY 2011 Carryover Review*. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 014242 | Richmond Highway Town Center | ($79,528) | Decrease necessary to close out project due to transfer to Fund 102, Federal/State Grant Fund. |
| 014247 | Magnet Housing | (12,072) | Decrease necessary to close out project due to transfer to Fund 102, Federal/State Grant Fund. |
| 014306 | EDI Housing Information Technology | (33,319) | Decrease necessary to close out project due to transfer to Fund 102, Federal/State Grant Fund. |
| 014314 | EDI-SRO Housing | (236,001) | Decrease necessary to close out project due to transfer to Fund 102, Federal/State Grant Fund. |
| | **Total** | **($360,920)** | |

**Fund 370, Park Authority Bond Construction** **$47,337,620**

FY 2012 expenditures are recommended to increase $47,337,620 due to the carryover of unexpended project balances in the amount of $46,548,104 and the appropriation of $789,516 in revenue received in FY 2011. Bond premium funds in the amount of $680,000 were received as part of the January 2011 bond sale and $100,000 in federal grant revenue was received to support the Huntley Historic site preservation and redevelopment. In addition, in October 2009 the County sold $202.2 million of Federally Taxable Build America Bonds. Based on the Internal Revenue Code §54AA Section (g) (2) (A) 100 percent of available project proceeds, which includes investment earnings, must be used on capital expenditures. Therefore, interest earnings on Build America Bond proceeds in the amount of $9,516 have been allocated to this construction fund. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 474408 | Park and Building Renovation - 2008 | $689,516 | Increase necessary to appropriate revenue received in FY 2011, including bond premium funds in the amount of $680,000 associated with the January 2011 bond sale and $9,516 in interest earnings associated with the sale of Buy America Bonds. In October 2009 the County sold $202.2 million of Federally Taxable Build America Bonds. Based on the Internal Revenue Code §54AA Section (g) (2) (A), 100 percent of available project proceeds, which includes investment earnings, must be used on capital expenditures. Therefore, interest earnings on Build America Bond proceeds have been allocated to this construction fund for construction project use. |
| 475008 | Stewardship – 2008 | 100,000 | Increase necessary to appropriate federal grant revenue received in FY 2011 in support of the preservation and redevelopment of the Huntley Historic site. The Park Authority awarded a $1.76 million contract in April 2010 for the restoration of the exteriors and renovation of the interiors of the manor house and historic out buildings, along with related site improvements. This work is primarily supported by the 2008 Park Bond Program. Work continues in FY 2012 with completion anticipated by mid-August 2011. |
| | **Total** | **$789,516** | |

**Enterprise Funds**

**Fund 400, Sewer Revenue** **$0**

There are no expenditures for this fund. However, FY 2011 transfers are increased by $8,000,000 to Fund 401, Sewer Operation and Maintenance, to support FY 2012 operations. This transfer is required based on the use of one-time balances in FY 2011 that are not available in FY 2012. Expenditures in Fund 401 are dependent on many outside influences, such as the unit price for chemicals used in the treatment of wastewater which include sodium hydroxide, sodium bisulfate and lime, utility and fuel costs associated with running the Plant and professional consultant and contractual services requirements. The Department of Public Works and Environmental Services (DPWES) is continuing to review efficiencies and monitor usage at the Plant.

Actual revenues in FY 2011 total $154,881,205 an increase of $7,866,205 or 5.4 percent over the FY 2011 estimate of $147,015,000. This increase is primarily due to Sewer Service Charges based on actual water consumption and wastewater treatment requirements in the County and in other jurisdictions for which the County provides sewer services. This increase is partially offset by lower than projected Availability Fee revenue due to reduced development activity in the County and lower interest earnings.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $94,206,908, a decrease of $133,795.

**Fund 401, Sewer Operation and Maintenance** **($1,800,789)**

FY 2012 expenditures are recommended to decrease $1,800,789 or 1.9 percent from the FY 2012 Adopted Budget Plan amount of $93,287,604 primarily due to operating expenses savings within the Wastewater Management Program. Operating Expenses are decreased $2,378,991 and are partially offset by an increase of $209,739 associated with a market rate adjustment to salaries and $368,463 in projected capital equipment costs.

FY 2011 actual expenditures reflect a decrease of $5,181,914 or 5.8 percent from the *FY 2011 Revised Budget Plan* amount of $89,828,572. Of this amount, $760,701 is included as encumbered carryover in FY 2012.

The remaining balance of $4,421,213 is primarily due to a savings of $1,040,838 in Personnel Services based on position vacancies and related fringe benefits; and $3,415,426 in Operating Costs. Operating cost savings include: $1,287,931 in sewage treatment supply savings associated with a reduction in the unit price for chemicals used in the treatment of wastewater which include sodium hydroxide, sodium bisulfate and lime, $323,665 in utility savings at the Noman M. Cole, Jr. Pollution Control Plant, $721,410 in lower than anticipated professional consultant and contractual services requirements, $418,558 in savings associated with information technology requirements and operational equipment, and $663,862 in other operational savings such as fuel, vehicle maintenance costs and other repair and maintenance requirements. These reduced operating costs are based on actual usage and invoices. The Department of Public Works and Environmental Services (DPWES) is continuing to review efficiencies and monitor usage. Projecting plant operational requirements is dependent on many outside influences; therefore, balances fluctuate based on current and future needs of the organization. Other savings include $3,479 in Capital Equipment due to actual capital equipment purchases, and a decrease of $38,530 in Recovered Costs due to actual billings.

The Transfer In to Fund 401, Sewer Operations and Maintenance from Fund 400, Sewer Revenue is increased by $8,000,000 from $78,000,000 to $86,000,000. This adjustment is required based on the use of one-time balances to support operations in FY 2011 that are not available in FY 2012.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $154,178.

**Fund 402, Sewer Bond Extension and Improvement** **$0**

FY 2012 expenditures remain unchanged. However, the following adjustments are required at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| I00353 | Pumping Stations | ($5,000,000) | Decrease based on delays in the next scheduled pumping station replacement and resulting cash flow requirements. Revised project schedules will allow for this funding to support the critical rehabilitation requirements at Dogue Creek due to recent pump failures and emergency repairs to the Force Main. Funding of $5,000,000 is reallocated to Project L00117, Dogue Creek Rehabilitation and Replacement to address these critical repairs. |

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|---|---|---|---|
| L00117 | Dogue Creek Rehabilitation and Replacement | 5,078,000 | Increase necessary to provide for the replacement of the Dogue Creek Force Main. Construction estimates are higher than anticipated based on compliance of wetlands construction requirements and project delays due to on-going construction in the area. This Force Main is in critical need of repair based on recent pump failures. |
| T00125 | Rocky Run Pump Station Upgrade | 100,000 | Increase necessary for the replacement of air-release valves at the Rocky Run Pump Station. The air-release valves maintain the system by exhausting and admitting air through the air valves during system operations including start-up, shutdown, and critical power failures or line breaks. This replacement will prevent future repairs or potential disruptions in wastewater flows. |
| X00442 | Robert McMath Facility Improvement | 250,000 | Increase necessary to fund improvements at the Robert P. McMath Facility. A feasibility study was performed in Fall 2009 to identify repairs, replacements, and/or upgrades to this facility. This funding will support interior repairs include the replacement of electrical systems to meet current code requirements. |
| X00828 | Extension and Improvement Projects | 2,931,745 | Increase necessary to partially fund the County's new Extension and Improvement (E&I) Program as approved by the Board of Supervisors on April 12, 2011. This new policy adjusts the Connection Charges such that the future cost of the E&I Program is shared equally between the County's Sewer Fund and the property owners seeking public sewer service. According to the new policy, this cost share will be for extension of sewer in the Approved Sewer Service Area to those properties with failed onsite sewage disposal systems. Payment of Connection Charges is required in full prior to connection of a property to the County's sewer system. The fiscal impact of the proposed Connection Charges will be closely monitored to assure compliance with the Board of Supervisors direction to equally share the cost of the E&I program between the County's Sewer Fund and the property owners connecting to the County's sewer system. This increase will satisfy the annual appropriation requirement for this project. |
| X00903 | Replacement and Transmission Programmed Rehabilitation | (2,000,000) | Decrease due to current cash flow requirements and revised project schedules. Based on delays in various transmission rehabilitation projects, this funding is available to support E&I projects as well as other active projects. |

| | | | |
|---|---|---|---|
| X00904 | Sewer Line Enlargement | (68,139) | Decrease due to project completion. |
| X00905 | Replacement and Transmission | (250,000) | Decrease due to project close out. This project is replaced by Project X00903, Replacement and Transmission Programmed Rehabilitation in order to better track funding requirements for sewer line rehabilitation/replacement projects in one place. |
| X00910 | Replacement and Renewal | (1,878,281) | Decrease due to the current replacement and repair schedule at the Noman M. Cole, Jr. Pollution Control Plant (NMCPCP). Funding is available to support E&I projects as well as other active projects. |
| X00912 | Replacement and Renewal-Treatment | (3,500,000) | Decrease due to actual cash flow requirements and revised project schedules. The Replacement and Renewal Program schedules are currently delayed due to the on-going regulatory compliance construction projects required at the Noman M. Cole, Jr. Pollution Control Plant (NMCPCP). Funding is available to support E&I projects as well as other active projects. |
| X00998 | Sewer Contingency Project | 4,336,675 | Increase based on adjustments included above. This project is used to support continuous, ongoing capital projects and general system improvement projects within the Wastewater Management Program as requirements are identified throughout the year. |
| | **Total** | **$0** | |

**Fund 408, Sewer Bond Construction** **$171,413,199**

FY 2012 expenditures are recommended to increase $171,413,199 due to the carryover of unexpended project balances in the amount of $159,896,115 and an additional adjustment to appropriate fund balance of $11,517,084 to provide funding for future treatment plant and treatment by contract requirements. The following project adjustment is recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| X00907 | Construction Reserve | $11,517,084 | Increase necessary to fund requirements associated with future capital improvement projects at the Noman M. Cole, Jr. Pollution Control Plant (NMCPCP) and treatment by contract requirements according to upgrade and enhancement schedules. In order to meet new water quality standards associated with the Chesapeake Bay and nutrient reduction requirements, the wastewater treatment facility requires additional funding which will address these requirements as the schedules progress. Additional funding became available due to favorable bids on capital projects and is being held in reserve until project schedules require additional funding. |
| | **Total** | **$11,517,084** | |

**Internal Service Funds**

**Fund 501, County Insurance** **$11,437**

FY 2012 expenditures are recommended to increase $11,437 due to a market rate adjustment of 1.52 percent.

FY 2011 actual expenditures reflect a decrease of $122,151, or 0.6 percent, from the *FY 2011 Revised Budget Plan* amount of $22,111,815. The remaining balance is primarily attributable to savings in administrative costs and Self Insurance costs, partially offset by higher Workers' Compensation costs. It should be noted that these figures do not include the required increase or $6,037,049 to the Accrued Liability Reserve, which was determined by the annual actuarial evaluation of the County's Self Insured program. As a result of this increase, the FY 2011 General Fund transfer to County Insurance is increased by $6,037,049.

Actual revenues in FY 2011 total $830,213, a decrease of $65,646, or 7.3 percent, from the FY 2011 estimate of $895,859 primarily due to a decrease in interest earnings from investments.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $48,404,638, an increase of $6,082,117.

**Fund 503, Department of Vehicle Services** **$10,154,172**

FY 2012 expenditures are increased $10,154,172 due to encumbered carryover of $2,445,120 and unencumbered carryover of $500,000 to allow the Fire and Rescue Department to replace a large vehicle supporting the Technical Rescue Operations Team. In addition, adjustments totaling $7,209,052 are included. Of this total, an amount of $6,036,934 is included to allow the Police Department to replace one dual engine helicopter, an additional $1,000,600 is included to allow for the replacement of 37 additional vehicles anticipated to meet age and mileage criteria in FY 2012, and $171,518 is included to fund a 1.52 percent market rate adjustment.

FY 2012 revenues are increased by $1,305,000 reflecting additional revenue associated with the sale of the existing Police Department Helicopter being replaced as noted above.

FY 2011 actual expenditures reflect a decrease $3,023,544 or 3.9 percent from the *FY 2011 Revised Budget Plan* amount of $77,875,191. Of this amount, $2,445,120 is included as encumbered carryover in FY 2012. The remaining balance of $578,424 is due primarily to salary, operating and vehicle replacement savings partially offset by a shortfall in fuel due to recent price increases.

Actual revenues in FY 2011 total $74,688,398, an increase of $5,431,421 or 7.8 percent over the FY 2011 estimate of $69,256,977. The increase is primarily attributable to increased fuel prices, which result in higher fuel billings for all customers, as well as increased helicopter replacement charges, large apparatus replacement charges and ambulance replacement charges.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $31,438,300, a decrease of $394,207.

**Fund 504, Document Services** **$425,077**

FY 2012 expenditures are recommended to increase $425,077 due to encumbered carryover of $417,750 in Operating Expenses and a 1.52 market rate adjustment of $7,327. Included in the encumbered carryover total is $320,922 in the Copier Program and $96,828 in the Print Shop.

FY 2011 actual expenditures reflect a decrease of $1,945,217 or 25.5 percent from the *FY 2011 Revised Budget Plan* amount of $7,640,509. Of this amount, $417,750 is included as encumbered carryover in FY 2012. The remaining balance of $1,527,467 is attributable to a savings of $19,362 in Personnel services due to salary vacancies; savings of $809,260 in Operating Expenses due to decreased use of the Print Shop along with a commensurate decrease in associated expenditures for paper and other printing supplies; and savings of $698,845 in Capital Equipment due to copiers being acquired via an operating lease in lieu of a capital purchase.

Actual revenues in FY 2011 total $3,079,242, a decrease of $510,226 or 14.2 percent from the FY 2011 estimate of $3,589,468 primarily due to unrealized Print Shop revenues.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $1,478,476, an increase $1,009,914.

**Fund 505, Technology Infrastructure** **$1,445,268**

FY 2012 expenditures are recommended to increase $1,445,268 due to encumbered carryover of $1,319,452, a 1.52 percent market rate adjustment of $55,816, and unencumbered carryover of $70,000 to upgrade two mobile units with enhanced communications equipment as well as generators in order to enhance the agency's ability to provide necessary communications support to incident commanders.

FY 2011 actual expenditures reflect a decrease $2,120,643 or 6.9 percent from the *FY 2011 Revised Budget Plan* amount of $30,655,413. Of this amount $1,319,453 is included as carryover in FY 2012. The remaining balance of $801,190 is attributable to savings of $322,372 in Operating Expenses due to reduced costs for software maintenance, hardware maintenance, and data network monitoring and transmission services; savings of $440,873 in Personnel Services due to managing vacancies; and savings of $37,945 in Capital Equipment.

Actual revenues in FY 2011 total $26,563,487, an increase of $312,150 or 1.2 percent over the FY 2011 estimate of $26,251,337 primarily due to increased radio services charges and infrastructure charges to agencies.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $3,947,817, an increase of $987,525.

**Fund 506, Health Benefits Fund** **$4,895,137**

FY 2012 expenditures are recommended to increase $4,895,137 to reflect the carryover of unexpended balances to the premium stabilization reserve which provides the fund flexibility in managing unanticipated increases in claims. This additional funding brings the total reserve available in FY 2012 to $7,254,919.

FY 2011 actual expenditures reflect a decrease of $9,069,984, or 6.8 percent, from the *FY 2011 Revised Budget Plan* amount of $133,712,937. The balance is primarily attributable to the unexpended portion of the FY 2011 premium stabilization reserve of $6,966,065. Claims for the OAP (Open Access Plan) High Option grew 71.7 percent over FY 2010, primarily due to increased enrollment resulting from the January 2011 elimination of the PPO (Preferred Provider Option). Claims for POS (Point-of-Service) plan grew at a modest 2.6 percent, in part because of participant migration to the OAP High Option plan.

Actual revenues in FY 2011 total $124,176,610, a decrease of $3,366,080, or 2.6 percent, from the FY 2011 estimate of $127,542,690. The decrease is primarily due to lower than projected premium revenue from employer contributions, partially offset by higher than projected premium revenue from retirees and additional funding from the Early Retiree Reinsurance Program (ERRP). The ERRP was established as part of the March 2010 passage of comprehensive health care reform legislation to provide reimbursements to participating employers for a portion of the costs of health benefits for early retirees. To date, the County has received $2,005,086 in reimbursements through the program. This funding, in addition to interest earned on these monies of $3,681, has been set aside in reserve. All revenues received under the ERRP will be used to offset increases in health insurance costs for all participants in the County's self-insured plans. While the POS, OAP Low Option and vision plans generated sufficient revenue to cover claims, administrative, IBNR (Incurred But Not Reported claims) and reserve expenses in FY 2011, expenditures and reserve requirements for the OAP High Option plan exceeded revenue by approximately $6.6 million.

It should be noted that when the FY 2012 Adopted Budget Plan was built, final information regarding the January 2011 open enrollment was unavailable. As a result of lower than anticipated enrollment in the OAP Low Option plan, it is anticipated that revenue and expenditures will be higher than amounts currently budgeted. As part of the *FY 2011 Third Quarter Review*, budgetary adjustments will be made to reflect updated enrollment figures and current claims trends, as well as January 2012 premium adjustments.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $21,867,287, an increase of $808,767. The ending balance includes $2,008,767 in the ERRP reserve, with the remaining funding necessary to maintain an unreserved ending balance as a percent of claims paid of 16.7 percent, the equivalent of 2 months of claims.

## Trust & Agency Funds

**Fund 600, 601, 602, Retirement Systems** **$23,140**

FY 2012 expenditures are recommended to increase $23,140 over the FY 2012 Adopted Budget Plan due to a 1.52 percent market rate adjustment compensation increase provided to all employees.

FY 2011 actual expenditures reflect a decrease of $24,810,409 or 7.1 percent from the *FY 2011 Revised Budget Plan* amount of $350,710,156. The balance is primarily attributable to lower than anticipated benefit payments to retirees and lower than projected refunds to terminating employees.

Actual revenues in FY 2011 total $1,326,234,456, an increase of $773,678,439 or 140.0 percent from the FY 2011 estimate of $552,556,017 due to higher than anticipated investment returns offset slightly by lower than projected employee and employer contributions. As the final custodial bank statements are not yet available, these figures only reflect returns on investments through the end of May 2011. Final figures are estimated to be provided by the end of July and will be reflected as audit adjustments to FY 2011. Of the amount received through May, $650,066,812 is due to unrealized gain for investments held but not sold as of June 30, 2011 and $452,780,669 is due to realized return on investment. FY 2011 actual unrealized gain of $650.1 million reflects compliance with GASB Statement 25 and is solely an accounting adjustment to report plan investments at market value. The rates of return for the three systems in FY 2011 through May were 24.8 percent for the Employees' System, 27.0 percent for the Police Officers System, and 25.5 percent for the Uniformed System. Final results for June are not yet available, but based on general market returns in June, the full year results are expected to be lower by 1 to 2 percent. These returns were achieved in a year when markets continued to rebound significantly from the effects of the global financial crisis. Returns for all the major market indices were positive. For the year ending June 30, 2011, the S&P 500 Index was up 30.7 percent, and U.S. small-cap stocks increased 37.4 percent. Among non-U.S. stocks, developed markets increased 30.9 percent and emerging markets rose 28.2 percent. Returns on investments in real assets were also strong, with real estate investment trusts up 34.1 percent and the commodity index up 25.9 percent. Fixed income assets produced moderate returns, with the Barclay's Aggregate Bond Index rising 3.9 percent

It should be noted that even though revenues exceeded projections, while these balances should have a positive impact on the systems' funding ratios, the impact from changes to liabilities will not be known until the actuarial valuation is completed. Thus, the final change in funding ratios cannot be projected at this time. Employer contribution rates and funding ratios are calculated based on a number of actuarial assumptions, including an actuarially determined rate of return. The actuarial rate of return uses smoothing methodology to delay total recognition of a given year's returns above or below the long-term expected rate of 7.5 percent. This is done to mitigate volatility in funding requirements, recognizing the cyclical nature of capital market returns. However, this does not include the impact of any liability gains or losses, which are determined by comparing actual experience, such as rates of retirement and death, against actuarial assumptions. Thus, investment returns could have a positive impact on funding ratios, while a change in liabilities could offset the potential increase.

As a result of the actions discussed above and a $1 reconciliation adjustment to the actual beginning balance, the FY 2012 ending balance is projected to be $5,541,537,626, an increase of $798,465,709.

**Fund 603, OPEB Trust Fund** **$1,162**

FY 2012 expenditures are recommended to increase $1,162 over the FY 2012 Adopted Budget Plan due to a 1.52 percent market rate adjustment compensation increase provided to all County employees.

FY 2011 actual expenditures reflect a decrease of $10,933,338, or 61.8 percent, from the *FY 2011 Revised Budget Plan* amount of $17,700,229. This expenditure level does not reflect expenses related to the implicit subsidy, as an actuarial analysis must be performed after the fiscal year has ended in order to calculate and appropriately reflect benefit payments for the implicit subsidy for retirees. Final figures are estimated to be provided by the end of August and will be reflected as an audit adjustment to FY 2011. Once this adjustment is posted, it is anticipated that FY 2011 expenditures will be in line with the *FY 2011 Revised Budget Plan*.

Actual revenues in FY 2011 total $18,224,734, an increase of $3,090,157, or 20.4 percent, over the FY 2011 estimate of $15,134,577. As with expenditures, this revenue level does not yet reflect the County's contribution for the implicit subsidy for retirees, which will be included as an audit adjustment to FY 2011. Excluding the implicit subsidy from the FY 2011 estimate, revenues were $13,948,157 higher than budgeted, primarily due to higher than anticipated investment returns achieved through the Virginia Pooled OPEB Trust. These figures reflect returns on investments through the end of May 2011. Final figures are estimated to be provided by the end of July and will be reflected as audit adjustments to FY 2011. Of the amount received through May, $13,989,302 is due to unrealized gain for investments held but not sold as of June 30, 2011 and $31,227 is due to realized return on investment. FY 2011 actual unrealized gain of $14.0 million reflects compliance with GASB Statement 25 and is solely an accounting adjustment to report plan investments at market value. The County's portfolio in the Virginia Pooled OPEB Trust returned 13.3 percent during FY 2011. This figure reflects returns on investments through the end of March 2011. As the world economy continues to recover from the global economic crisis, the pace of the Trust has remained in line with and often outperformed its custom benchmarks. In response to the market volatility, the Board of Trustees of the Virginia Pooled OPEB Trust, with advice from its investment consultant, continued to follow a conservative course with a gradual phase-in of the implementation of its asset allocation policy. The addition of actively managed fixed income and hedge fund of funds asset classes continue to add to the portfolio diversification and positively impact the rate of return.

As a result of the actions discussed above and a $1 reconciliation adjustment to the actual beginning balance, the FY 2012 ending balance is projected to be $106,065,181, an increase of $14,022,334, primarily as a result of investment performance as discussed above.

**Fund 700, Route 28 Tax District** **$35,458**

FY 2012 expenditures are recommended to increase $35,458. All monies collected are required to be remitted to the Fiscal Agent on a monthly basis. The $35,458 amount is the amount of remittances that were pending as of the end of the fiscal year.

FY 2011 actual expenditures reflect a decrease of $2,282,713, or 21.4 percent from the *FY 2011 Revised Budget Plan* amount of $10,646,111. This is primarily attributable to less than anticipated revenue collected and available for remittance associated with less than anticipated buy outs from the tax district.

Actual revenues in FY 2011 total $8,398,553, a decrease of $2,247,255 or 21.1 percent from the FY 2011 estimate of $10,645,808 primarily due to less tax revenue and buy out revenue than originally anticipated.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $0, which is no change from the FY 2012 Adopted Budget Plan.

## NON-APPROPRIATED FUNDS

**Fund 371, Park Authority Capital Improvement Fund** **$21,120,369**

FY 2012 expenditures are recommended to increase $21,120,369 due to the carryover of unexpended project balances in the amount of $18,893,898 and adjustments totaling $2,226,471. These adjustments include the appropriation of revenues received in FY 2011 including $127,873 in interest earnings and $2,105,881 in contributions. This fund receives easements, donations, monopole revenue, and proffer revenue in support of capital projects. The following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 004109 | Countywide Trails | $4,382 | Increase necessary to appropriate revenue received in FY 2011 by the Park Authority Foundation to support trails. |
| 004113 | Lee District Telecommunications | 61,665 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004115 | Pimmit Run Stream Valley – Area 1 Maintenance Facility | 87,604 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004116 | Confederate Fortifications Historic Site | 18,034 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004122 | Spring Hill Park – McLean Youth Soccer | 690,134 | Increase necessary to appropriate revenue received in FY 2011 from McLean Youth Soccer for a synthetic turf field. |
| 004128 | Fort Willard Development | 1,485 | Increase necessary to appropriate revenue received in FY 2011 by the Park Authority Foundation to support the development of Fort Willard. |
| 004131 | Mt. Vernon Parks – Districtwide | 100,367 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004145 | Lee Districtwide Parks | 108,135 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004148 | Hunter Mill Districtwide Parks | 23,085 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004149 | CLEMYJONTRI - Liberty Swing | 13,419 | Increase necessary to appropriate revenue received in FY 2011 by the Park Authority Foundation to support CLEMYJONTRI. |
| 004158 | Sully Districtwide Parks | 3,914 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004159 | Telecommunications Administrative Review Fees | 6,000 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004160 | Hunter Mill Districtwide Stuart Road Park Telecommunications | 37,500 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004161 | Laurel Hill | 25,000 | Increase necessary to appropriate revenue received in FY 2011 associated with escrow payments. |
| 004168 | Mt. Eagle Park | 30,000 | Increase necessary to appropriate revenue received in FY 2011 for the construction of a playground. |
| 004349 | South Run Park | 17,784 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |

| | | | |
|---|---|---|---|
| 004493 | Robert E. Lee Recreation Center | 7,500 | Increase necessary to appropriate revenue received in FY 2011 by the Park Authority Foundation for park improvements. |
| 004503 | Cub Run Stream Valley Park | 16,942 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004522 | Frying Pan Park | 53,652 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004528 | Riverbend Park | 2,460 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004534 | Park Contingency | 142,533 | Increase due to the appropriation of $114,538 in interest earnings and $27,995 in gifts and donations received in FY 2011. |
| 004538 | Park Easement Administration | 164,025 | Increase necessary to appropriate revenue received in FY 2011 associated with park easements. |
| 004558 | Park Collections | 46 | Increase necessary to appropriate miscellaneous revenue received in FY 2011. |
| 004567 | Stratton Woods | 165,871 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004592 | Sully Plantation | 20,192 | Increase necessary to appropriate revenue received in FY 2011 associated with donated funds for the Sully Foundation. |
| 004595 | Mason District Park | 53,979 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004596 | Wakefield | 17,624 | Increase necessary to appropriate revenue received in FY 2011 associated with telecommunication leases. |
| 004750 | Park Proffers | 292,725 | Increase necessary to appropriate revenue received in FY 2011 associated with park proffers funds. |
| 004759 | Stewardship Publications | 637 | Increase necessary to appropriate revenue received in FY 2011 for historic publication and education. |
| 004761 | Lawrence Trust | 6,052 | Increase due to the appropriation of interest earnings received in FY 2011. |
| 004763 | Grants | 3,294 | Increase necessary to appropriate revenue received in FY 2011 for various grants. |
| 004769 | Mastenbrook Volunteer Grant Program | 23,182 | Increase necessary to appropriate revenue received in FY 2011 for matching grant funds. |
| 004775 | Open Space Land Preservation Contributions | 27,249 | Increase necessary to appropriate revenue received in FY 2011 associated with donated funds for preservation of open space. |
| | **Total** | **$2,226,471** | |

**Fund 703, Northern Virginia Regional Identification System (NOVARIS)** **$18,088**

FY 2012 expenditures are increased $18,088 due to upcoming NOVARIS training requirements. The increase in operating expenses will be used to provide forensic training for employees in the NOVARIS partner agencies.

FY 2011 actual expenditures reflect a decrease of $18,599 or 100.0 percent from the *FY 2011 Revised Budget Plan* amount of $18,599 as no programs were required in FY 2011; however, they will be necessary in FY 2012.

Actual revenues in FY 2011 total $18,799 a decrease of $511 or 2.6 percent from the FY 2011 estimate of $19,310, which is primarily due to lower than projected interest on investments.

As a result of the actions discussed above, the FY 2012 ending balance is unchanged at $33,132.

**Fund 946, FCRHA Revolving Development** **$955,532**

FY 2012 expenditures are recommended to increase $955,532 due to the carryover of unexpended project balances of $2,082,750 for continuing projects, offset by a decrease of $1,127,218 to close out projects at this time. In addition, the following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 013944 | Gum Springs Community Center | ($2,000) | Decrease necessary to close out project due to a reduction in estimated project expenditures. |
| 013966 | Glenwood Mews | (125,218) | Decrease necessary to close out project due to a reduction in estimated project expenditures. |
| 014137 | Little River Glen III | (1,000,000) | Decrease necessary to close out project due to a reduction in estimated project expenditures. |
| | **Total** | **($1,127,218)** | |

**Fund 948, FCRHA Private Financing** **$2,651,673**

FY 2012 expenditures are recommended to increase a net $2,651,673 due to the carryover of unexpended project balances of $2,670,166 for continuing projects, to appropriate $3,327 in unanticipated investment earnings received in FY 2011, offset by a decrease of $21,820 to align the budget with required Section 108 principal and interest payments. In addition, the following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| 003923 | Undesignated Projects | $3,327 | Increase necessary to appropriate additional revenue earned from interest on investments. |
| 013887 | Section 108 Loan Payments | (21,820) | Decrease necessary to align budget with required principal and interest payments. |
| | **Total** | **($18,493)** | |

**Fund 949, FCRHA Internal Service Fund** **($672,247)**

FY 2012 expenditures are recommended to decrease a net $672,247 and are associated with a decrease of $748,890 due to the Department of Housing and Community Development's transition to move project-specific expenditures from Fund 949 to each project's home fund to minimize project-related expenditures in Fund 949, offset by an increase of $76,643 for encumbered carryover.

FY 2012 revenues will decrease $672,247 to reflect projected receipts from other housing subfunds.

FY 2011 actual expenditures total $3,394,261, a decrease of $1,105,611 or 24.6 percent from the FY 2011 estimate of $4,499,872. This is attributable primarily to lower expenses for professional contracts, supplies, postage, utilities, and building supplies and materials.

Actual revenues in FY 2011 total $3,394,261, a decrease of $1,105,611 or 24.6 percent from the FY 2011 estimate of $4,499,872. This is attributable to a decrease in reimbursements from other participating Department of Housing and Community Development funds as a result of lower expenditures.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $0, the same level as the FY 2012 Adopted Budget Plan.

**Fund 966, Section 8** **($768,463)**

FY 2012 expenditures are recommended to decrease $768,463 due to a decrease of $799,498 for Housing Choice Voucher (HCV) housing assistance payment funding based on the recently released U. S. Department of Housing and Urban Development (HUD) Housing Choice Voucher (HCV) Annual Contributions funding renewal notice received in June 2011, offset by encumbrances of $5,389 for professional contracts, and an increase of $25,646 in Personnel Services to support a 1.52 percent market rate adjustment.

FY 2012 revenues are recommended to decrease $3,030,111 due to a decrease of $2,181,304 in Calendar Year 2011 HUD HCV Annual Contribution funding based on the most recent renewal notice from HUD, and, a decrease of $848,807 to accommodate the decreased leasing of the portability program.

FY 2011 actual expenditures of $48,856,134 reflect a decrease of $517,170 or 1.0 percent of the *FY 2011 Revised Budget Plan* of $49,373,304. The decrease is primarily attributable to savings due to project based budgeting and lower than budgeted administrative expenses including $5,389 in encumbered carryover, offset by an increase in Housing Assistance Payment expenses for the HCV program.

Actual revenues in FY 2011 total $49,422,171, an increase of $488,266 or 1.0 percent over the FY 2011 estimate of $48,933,905 due primarily to the actual annual contribution for calendar year 2011 based on HUD's June 2011 notification.

As a result of the actions discussed above, the FY 2012 ending balance is projected to be $5,205,649, a decrease of $1,256,212.

**Fund 969, Public Housing Projects Under Modernization** **$1,139,632**

FY 2012 expenditures are required to increase $1,139,632 due to the carryover of unexpended project balances. In addition, the following project adjustments are recommended at this time:

| Project Number | Project Name | Increase/ (Decrease) | Comments |
|---|---|---|---|
| VA1900 | 4500 University Drive | ($5,977) | Decrease necessary to reallocate funding to Project VA1951, Tavenner Lane Apartments associated with adjustments for program year expenditures. |
| VA1901 | Audubon Apartments | 2,108 | Increase necessary to appropriate funding from Project VA1934, Westford III associated with adjustments for program year expenditures. |

| | | | |
|---|---|---|---|
| VA1934 | Westford Plaza III | (2,108) | Decrease necessary to reallocate funding to Project VA1901, Audubon Apartments associated with adjustments for program year expenditures. |
| VA1938 | Kingsley Park | (3,556) | Decrease necessary to reallocate funding to Project VA1951, Tavenner Lane Apartments associated with adjustments for program year expenditures. |
| VA1951 | Tavenner Lane Apartments | 9,533 | Increase necessary to appropriate funding reallocated from Project VA1900, 4500 University Drive and Project VA1938, Kingsley Park associated with adjustments for program year expenditures. |
| | **Total** | **$0** | |

# ATTACHMENT VII:

# SAR & FPR

## SUPPLEMENTAL APPROPRIATION RESOLUTION AS 12010

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 September 13, 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 in addition to appropriations made previously for FY 2012, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

**Appropriate to:**

**Fund 001 - General Fund**

AGENCY

| | | |
|---|---|---|
| 01 | Board of Supervisors | |
| | Personnel Services | $49,949 |
| | | **$49,949** |
| 02 | Office of the County Executive | |
| | Personnel Services | $60,754 |
| | Operating Expenses | $43,212 |
| | | **$103,966** |
| 04 | Department of Cable and Consumer Services | |
| | Personnel Services | $15,433 |
| | Operating Expenses | $153,293 |
| | | **$168,726** |
| 06 | Department of Finance | |
| | Personnel Services | $49,131 |
| | Operating Expenses | $284,378 |
| | | **$333,509** |
| 08 | Facilities Management Department | |
| | Personnel Services | $131,838 |
| | Operating Expenses | $3,823,366 |
| | Capital Equipment | $7,295 |
| | | **$3,962,499** |
| 11 | Department of Human Resources | |
| | Personnel Services | $67,252 |
| | Operating Expenses | $177,207 |
| | | **$244,459** |

**Fund 001 - General Fund**

AGENCY

| | | |
|---|---|---|
| 12 | Department of Purchasing and Supply Management | |
| | Personnel Services | $39,462 |
| | Operating Expenses | $197,874 |
| | | **$237,336** |
| 13 | Office of Public Affairs | |
| | Personnel Services | $13,772 |
| | Operating Expenses | $45,231 |
| | | **$59,003** |
| 15 | Office of Elections | |
| | Personnel Services | $24,331 |
| | Operating Expenses | $425,340 |
| | | **$449,671** |
| 16 | Economic Development Authority | |
| | Personnel Services | $36,394 |
| | | **$36,394** |
| 17 | Office of the County Attorney | |
| | Personnel Services | $69,672 |
| | Operating Expenses | $994,295 |
| | | **$1,063,967** |
| 20 | Department of Management and Budget | |
| | Personnel Services | $29,244 |
| | | **$29,244** |
| 25 | Business Planning and Support | |
| | Personnel Services | $12,442 |
| | Operating Expenses | $80,000 |
| | | **$92,442** |
| 26 | Office of Capital Facilities | |
| | Personnel Services | $104,503 |
| | Operating Expenses | $398,767 |
| | | **$503,270** |
| 31 | Land Development Services | |
| | Personnel Services | $194,802 |
| | Operating Expenses | $782,924 |
| | | **$977,726** |

**Fund 001 - General Fund**

AGENCY

| | | |
|---|---|---|
| 35 | Department of Planning and Zoning | |
| | Personnel Services | $99,492 |
| | Operating Expenses | $676,980 |
| | | **$776,472** |
| 36 | Planning Commission | |
| | Personnel Services | $5,276 |
| | Operating Expenses | $305 |
| | | **$5,581** |
| 37 | Office of the Financial and Program Auditor | |
| | Personnel Services | $3,458 |
| | | **$3,458** |
| 38 | Department of Housing and Community Development | |
| | Personnel Services | $48,506 |
| | Operating Expenses | $31,961 |
| | | **$80,467** |
| 39 | Office of Human Rights and Equity Programs | |
| | Personnel Services | $16,408 |
| | | **$16,408** |
| 40 | Department of Transportation | |
| | Personnel Services | $86,747 |
| | Operating Expenses | $2,790,358 |
| | | **$2,877,105** |
| 41 | Civil Service Commission | |
| | Personnel Services | $3,915 |
| | | **$3,915** |
| 51 | Fairfax County Park Authority | |
| | Personnel Services | $239,790 |
| | Operating Expenses | $278,522 |
| | | **$518,312** |
| 52 | Fairfax County Public Library | |
| | Personnel Services | $229,293 |
| | Operating Expenses | $1,108,838 |
| | Capital Equipment | $9,106 |
| | | **$1,347,237** |

**Fund 001 - General Fund**

AGENCY

| | | |
|---|---|---|
| 57 | Department of Tax Administration | |
| | Personnel Services | $184,012 |
| | Operating Expenses | $592,183 |
| | | **$776,195** |
| 67 | Department of Family Services | |
| | Personnel Services | $78,624 |
| | Operating Expenses | $12,260,349 |
| | Recovered Costs | $981,073 |
| | Capital Equipment | $347,452 |
| | | **$13,667,498** |
| 68 | Department of Administration for Human Services | |
| | Personnel Services | $495,221 |
| | Operating Expenses | $53,652 |
| | | **$548,873** |
| 70 | Department of Information Technology | |
| | Personnel Services | $236,844 |
| | Operating Expenses | $3,350,921 |
| | | **$3,587,765** |
| 71 | Health Department | |
| | Personnel Services | $340,374 |
| | Operating Expenses | $2,801,375 |
| | Capital Equipment | $572,872 |
| | | **$3,714,621** |
| 73 | Office to Prevent and End Homelessness | |
| | Personnel Services | $7,279 |
| | Operating Expenses | $2,214,681 |
| | | **$2,221,960** |
| 79 | Department of Neighborhood and Community Services | |
| | Personnel Services | $258,012 |
| | Operating Expenses | $1,654,397 |
| | Recovered Costs | ($937,146) |
| | | **$975,263** |
| 80 | Circuit Court and Records | |
| | Personnel Services | $93,201 |
| | Operating Expenses | $237,799 |
| | | **$331,000** |

**Fund 001 - General Fund**

AGENCY

| | | |
|---|---|---|
| 81 | Juvenile and Domestic Relations District Court | |
| | Personnel Services | $187,500 |
| | Operating Expenses | $640,758 |
| | | **$828,258** |
| 82 | Office of the Commonwealth's Attorney | |
| | Personnel Services | $28,278 |
| | | **$28,278** |
| 85 | General District Court | |
| | Personnel Services | $13,359 |
| | Operating Expenses | $66,353 |
| | | **$79,712** |
| 87 | Unclassified Administrative Expenses | |
| | Operating Expenses | $2,951,854 |
| | | **$2,951,854** |
| 89 | Employee Benefits | |
| | Operating Expenses | $1,652,500 |
| | Fringe Benefits | $2,291,225 |
| | | **$3,943,725** |
| 90 | Police Department | |
| | Personnel Services | $1,562,792 |
| | Operating Expenses | $1,063,974 |
| | | **$2,626,766** |
| 91 | Office of the Sheriff | |
| | Personnel Services | $571,782 |
| | Operating Expenses | $970,062 |
| | | **$1,541,844** |
| 92 | Fire and Rescue Department | |
| | Personnel Services | $1,602,134 |
| | Operating Expenses | $5,306,525 |
| | | **$6,908,659** |
| 93 | Office of Emergency Management | |
| | Personnel Services | $13,689 |
| | Operating Expenses | $504,493 |
| | | **$518,182** |

**Fund 001 - General Fund**

AGENCY

| | | |
|---|---|---|
| 97 | Department of Code Compliance | |
| | Personnel Services | $34,751 |
| | Operating Expenses | $76,753 |
| | | **$111,504** |

**Fund 102 - Federal/State Grants**

AGENCY

| | | |
|---|---|---|
| 02 | Office of the County Executive | |
| | Grant Expenditures | $27,293 |
| 10 | Department of Vehicle Services | |
| | Grant Expenditures | $10,000 |
| 26 | Office of Capital Facilities | |
| | Grant Expenditures | $11,432,014 |
| 30 | Community Services Board Mental Health Services | |
| | Grant Expenditures | $7,292,136 |
| 38 | Department of Housing and Community Development | |
| | Grant Expenditures | $812,607 |
| 39 | Office of Human Rights and Equity Programs | |
| | Grant Expenditures | $576,457 |
| 40 | Department of Transportation | |
| | Grant Expenditures | $16,811,838 |
| 50 | Department of Community and Recreation Services | |
| | Grant Expenditures | $120,457 |
| 56 | Community Services Board Alcohol and Drug Services | |
| | Grant Expenditures | $1,406,855 |
| 67 | Department of Family Services | |
| | Grant Expenditures | $20,545,680 |
| 69 | Department of Systems Management for Human Services | |
| | Grant Expenditures | $136,910 |
| 70 | Department of Information Technology | |
| | Grant Expenditures | $9,963,511 |
| 71 | Health Department | |
| | Grant Expenditures | $5,214,684 |

**Fund 102 - Federal/State Grants**

AGENCY

| | | |
|---|---|---|
| 73 | Office to Prevent and End Homelessness | |
| | Grant Expenditures | $957,248 |
| 79 | Department of Neighborhood and Community Services | |
| | Grant Expenditures | $859,791 |
| 80 | Community Services Board Early Intervention | |
| | Grant Expenditures | $2,181,093 |
| 81 | Juvenile and Domestic Relations District Court | |
| | Grant Expenditures | $2,465,222 |
| 82 | Office of the Commonwealth's Attorney | |
| | Grant Expenditures | $432,261 |
| 85 | General District Court | |
| | Grant Expenditures | $1,742 |
| 87 | Unclassified Administrative Expenses | |
| | Grant Expenditures | $2,910,500 |
| 90 | Police Department | |
| | Grant Expenditures | $15,261,355 |
| 91 | Office of the Sheriff | |
| | Grant Expenditures | $195,313 |
| 92 | Fire and Rescue Department | |
| | Grant Expenditures | $18,598,549 |
| 93 | Office of Emergency Management | |
| | Grant Expenditures | $6,058,352 |
| 96 | Animal Shelter | |
| | Grant Expenditures | $163,957 |
| | Total Fund | $124,435,825 |

| FUND | | |
|---|---|---|
| 100 | County Transit Systems | |
| | Operating Expenses | $24,074,998 |
| | Capital Equipment | $954,645 |
| | Capital Projects | $295,102 |
| | | **$25,324,745** |
| 104 | Information Technology | |
| | IT Projects | $43,293,813 |
| | | **$43,293,813** |
| 105 | Cable Communications | |
| | Personnel Services | $44,791 |
| | Operating Expenses | $5,904,970 |
| | Capital Equipment | $226,677 |
| | | **$6,176,438** |
| 106 | Fairfax-Falls Church Community Services Board | |
| | Personnel Services | ($2,432,093) |
| | Operating Expenses | ($6,400,169) |
| | Recovered Costs | $157,925 |
| | | **($8,674,337)** |
| 109 | Refuse Collection and Recycling Operations | |
| | Personnel Services | $89,773 |
| | Operating Expenses | $56,503 |
| | Capital Equipment | $883,940 |
| | Capital Projects | $771,713 |
| | | **$1,801,929** |
| 110 | Refuse Disposal | |
| | Personnel Services | $87,288 |
| | Operating Expenses | $278,878 |
| | Capital Equipment | $1,083,510 |
| | Capital Projects | $1,642,634 |
| | | **$3,092,310** |
| 111 | Reston Community Center | |
| | Personnel Services | $354,449 |
| | Operating Expenses | $284,522 |
| | Capital Projects | $1,893,960 |
| | | **$2,532,931** |
| 112 | Energy Resource Recovery (ERR) Facility | |
| | Personnel Services | $6,563 |
| | Operating Expenses | $805,789 |
| | Capital Equipment | $31,108 |
| | | **$843,460** |

| FUND | | |
|---|---|---|
| 113 | McLean Community Center | |
| | Personnel Services | $23,126 |
| | Operating Expenses | $88,425 |
| | Capital Projects | $407,777 |
| | | **$519,328** |
| 114 | I-95 Refuse Disposal | |
| | Personnel Services | $27,664 |
| | Operating Expenses | $348,457 |
| | Capital Equipment | $542,657 |
| | Capital Projects | $13,508,180 |
| | | **$14,426,958** |
| 115 | Burgundy Village Community Center | |
| | Personnel Services | $198 |
| | | **$198** |
| 116 | Integrated Pest Management Program | |
| | Personnel Services | $10,584 |
| | Operating Expenses | $70,217 |
| | | **$80,801** |
| 118 | Consolidated Community Funding Pool | |
| | Operating Expenses | $282,709 |
| | | **$282,709** |
| 119 | Contributory Fund | |
| | Operating Expenses | $381,100 |
| | | **$381,100** |
| 120 | E-911 Fund | |
| | Personnel Services | $242,204 |
| | Operating Expenses | $3,062,347 |
| | IT Projects | $8,492,151 |
| | | **$11,796,702** |
| 121 | Dulles Rail Phase I Transportation Improvement District | |
| | Operating Expenses | $20,000,000 |
| | | **$20,000,000** |
| 124 | County & Regional Transportation Projects | |
| | Personnel Services | $15,981 |
| | Capital Equipment | $4,660,216 |
| | Capital Projects | $214,104,453 |
| | | **$218,780,650** |

| FUND | | |
|---|---|---|
| 603 | OPEB Trust Fund | |
| | Personnel Services | $1,162 |
| | | **$1,162** |
| 700 | Route 28 Taxing District | |
| | Operating Expenses | $35,458 |
| | | **$35,458** |

GIVEN under my hand this _____ day of September, 2011

By: _____
Nancy Vehrs
Clerk to the Board of Supervisors

| FUND | | |
|---|---|---|
| 306 | Northern Virginia Regional Park Authority | |
| | Capital Projects | ($3,000,000) |
| | | **($3,000,000)** |
| 307 | Pedestrian Walkway Improvements | |
| | Capital Projects | $4,087,750 |
| | | **$4,087,750** |
| 309 | Metro Operations & Construction | |
| | Operating Expenses | $2,439,101 |
| | | **$2,439,101** |
| 312 | Public Safety Construction | |
| | Capital Projects | $114,182,107 |
| | | **$114,182,107** |
| 315 | Commercial Revitalization Program | |
| | Capital Projects | $3,920,268 |
| | | **$3,920,268** |
| 316 | Pro Rata Share Drainage Construction | |
| | Capital Projects | $6,977,884 |
| | | **$6,977,884** |
| 317 | Capital Renewal Construction | |
| | Capital Projects | $32,461,662 |
| | | **$32,461,662** |
| 319 | The Penny for Affordable Housing Fund | |
| | Capital Projects | $14,423,884 |
| | | **$14,423,884** |
| 340 | Housing Assistance Program | |
| | Capital Projects | $7,212,170 |
| | | **$7,212,170** |
| 370 | Park Authority Bond Construction | |
| | Capital Projects | $47,337,620 |
| | | **$47,337,620** |
| 401 | Sewer Operation and Maintenance | |
| | Personnel Services | $209,739 |
| | Operating Expenses | ($2,378,991) |
| | Capital Equipment | $368,463 |
| | | **($1,800,789)** |

| FUND | | |
|---|---|---|
| 402 | Sewer Construction Improvements | |
| | Capital Projects | $33,082,602 |
| | | **$33,082,602** |
| 408 | Sewer Bond Construction | |
| | Capital Projects | $171,413,199 |
| | | **$171,413,199** |
| 501 | County Insurance Fund | |
| | Personnel Services | $11,437 |
| | | **$11,437** |
| 503 | Department of Vehicle Services | |
| | Personnel Services | $171,518 |
| | Operating Expenses | $32,617 |
| | Capital Equipment | $9,950,037 |
| | | **$10,154,172** |
| 504 | Document Services Division | |
| | Personnel Services | $7,327 |
| | Operating Expenses | $417,750 |
| | | **$425,077** |
| 505 | Technology Infrastructure Services | |
| | Personnel Services | $55,816 |
| | Operating Expenses | $1,053,752 |
| | Capital Equipment | $335,700 |
| | | **$1,445,268** |
| 506 | Health Benefits Fund | |
| | Personnel Services | $4,895,137 |
| | | **$4,895,137** |
| 600 | Uniformed Employees Retirement Trust Fund | |
| | Personnel Services | $3,471 |
| | | **$3,471** |
| 601 | Fairfax County Employees' Retirement Trust Fund | |
| | Personnel Services | $16,198 |
| | | **$16,198** |
| 602 | Police Retirement Trust Fund | |
| | Personnel Services | $3,471 |
| | | **$3,471** |

| FUND | | |
|---|---|---|
| 603 | OPEB Trust Fund | |
| | Personnel Services | $1,162 |
| | | **$1,162** |
| 700 | Route 28 Taxing District | |
| | Operating Expenses | $35,458 |
| | | **$35,458** |

GIVEN under my hand this _____ day of September, 2011

By: _____
Nancy Vehrs
Clerk to the Board of Supervisors

# SUPPLEMENTAL APPROPRIATION RESOLUTION AS 12010

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 September 13, 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 in addition to appropriations made previously for FY 2012, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

**Appropriate to:**

**Schools**

***FUND***

| | | |
|---|---|---|
| 090 | Public School Operating | |
| | Operating Expenditures | $164,751,167 |
| 191 | School Food & Nutrition Services | |
| | Operating Expenditures | $5,025,033 |
| 192 | School Grants & Self-Supporting | |
| | Operating Expenditures | $27,496,886 |
| 193 | School Adult & Community Education | |
| | Operating Expenditures | $113,600 |
| 390 | School Construction | |
| | Capital Projects | $276,662,476 |
| 590 | School Insurance Fund | |
| | Operating Expenditures | $2,576,937 |
| 591 | School Health & Flexible Benefits | |
| | Operating Expenditures | ($43,450,164) |
| 692 | Public School OPEB Trust Fund | |
| | Operating Expenses | $332,000 |

GIVEN under my hand this _____ day of September, 2011

By: _____
Nancy Vehrs
Clerk to the Board of Supervisors

Updated to reflect School Board action on July 28, 2011

**FISCAL PLANNING RESOLUTION**
**Fiscal Year 2011**
**Amendment AS 12900**

At a meeting of the Board of Supervisors of Fairfax County, Virginia, on September 13, 2011, at which time a quorum was present and voting, the following resolution was adopted:

The Fiscal Year 2012 Fiscal Plan Transfers are hereby amended as follows:

| # | Fund | Transfer To: | | From | To | Change |
|---|---|---|---|---|---|---|
| 001 | General Fund | 104 | Information Technology | $5,281,579 | $16,181,579 | $10,900,000 |
| | | 106 | Fairfax-Falls Church Community Services Board | $95,725,326 | $96,589,308 | $863,982 |
| | | 119 | Contributory Fund | $12,162,942 | $12,412,942 | $250,000 |
| | | 120 | E-911 Fund | $14,058,303 | $14,300,507 | $242,204 |
| | | 141 | Elderly Housing Programs | $1,989,225 | $2,000,593 | $11,368 |
| | | 142 | Community Development Block Grant | $0 | $284,190 | $284,190 |
| | | 303 | County Construction | $14,919,369 | $18,169,369 | $3,250,000 |
| | | 501 | County Insurance Fund | $21,017,317 | $27,054,366 | $6,037,049 |
| 090 | Public School Operating | 390 | School Construction | $7,698,711 | $7,671,384 | ($27,327) |
| 103 | Aging Grants & Programs | 102 | Federal/State Grant Fund | $0 | $3,378,991 | $3,378,991 |
| 105 | Cable Communications | 104 | IT Projects | $3,670,000 | $5,670,000 | $2,000,000 |
| 311 | County Bond Construction | 303 | County Construction | $0 | $27,104,978 | $27,104,978 |
| 318 | Stormwater Management Program | 125 | Stormwater Services | $0 | $7,633,091 | $7,633,091 |
| 400 | Sewer Revenue | 401 | Sewer Operation and Maintenance | $78,000,000 | $86,000,000 | $8,000,000 |

A Copy - Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

## SUPPLEMENTAL APPROPRIATION RESOLUTION AS 11155

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 Virginia on July 26, 2011, at which a quorum was present and voting, the following resolution was adopted:

**BE IT RESOLVED** by the Board of Supervisors of Fairfax County, Virginia, that in addition to appropriations made previously for FY 2011, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

**Appropriate to:**

**County Funds**

Fund 501, County Insurance

| | |
|---|---|
| Operating Expenditures | $5,914,898 |
| Total | $5,914,898 |

**Schools Funds**

Fund 692, School OPEB Trust Fund

| | |
|---|---|
| Operating Expenditures | $773,757 |
| Total | $773,757 |

This action reflects year-end adjustments. It does not result in an increase in total expenditures.

A Copy - Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

# ATTACHMENT C:

# FCPS FY 2011 FINAL BUDGET REVIEW AND APPROPRIATION RESOLUTIONS

**Staff Contact:** Susan Quinn, chief financial officer, Department of Financial Services

**Other Staff Present:** Kristen Michael, director, Office of Budget Services

**Meeting Category:** July 28, 2011 – Regular Meeting No. 2

**Subject:** FY 2011 Final Budget Review

**School Board Action Required:** Information

**Key Points:**

All of the FY 2011 accounts have been closed, subject to the annual audit. A summary of the revenue and expenditure variances is provided for each of the ten funds. All comparisons are against the FY 2011 Third Quarter Estimate.

In the School Operating Fund, after accounting for the FY 2012 and FY 2013 budgeted beginning balances as included in the FY 2012 Approved Budget, flexibility reserve, and other commitments, the funds available are $55.4 million.

FY 2011 actual revenue was $1.5 million lower than the estimate or 99.9 percent of the FY 2011 Third Quarter Estimate. State aid is $0.7 million and sales tax projections are $3.4 more than projected. A decrease of $11.7 million in federal revenue is due primarily to $13.5 million in unspent multiyear grant awards that will be carried forward and reappropriated in FY 2012, offset by a net increase in other federal funding comprised primarily of an increase of $1.2 million in Impact Aid. The decreases in federal revenue are offset by increases of $6.2 million in tuition, fees, and other revenue.

After accounting for the flexibility reserve, unexpended grants, and other commitments, FY 2011 actual expenditures were $56.9 million, or 2.5 percent, lower than the FY 2011 Third Quarter Estimate. Greater vacancy and turnover and continued efforts to conserve resources and achieve efficiencies resulted in these savings. The FY 2012 budget has incorporated a recognition of higher turnover through a decrease in the salary base and includes an increase in budgeted lapse.

Changes to other School Board funds are detailed in the attachment.

**Recommendation:**

That the School Board approve the revenue and expenditure adjustments as detailed in the agenda item, including setting aside $4.4 million for a centralized textbook fund and allocating the remaining FY 2011 ending balance from the school operating fund of $50.1 million for the FY 2013 beginning balance.

Attachment**:** FY 2011 Final Budget Review

| | AMOUNT |
|---|---|
| **I. FY 2011 ACTUAL** | |
| **A. Revenue** | |
| **Sales Tax** | **3,378,985** |
| Revenue from sales tax is projected to increase by $3.4 million as compared to the FY 2011 Third Quarter Estimate. The final sales tax payment is received in July after the fiscal year ends. | |
| **State Aid** | **$657,644** |
| As compared to the FY 2011 Third Quarter Estimate, state aid increased $0.7 million primarily due to FCPS' final average daily membership (ADM). | |
| **Federal Revenue** | **(11,740,628)** |
| Unrealized federal revenue is due primarily to $13.5 million in unspent grant awards that will be carried forward and reappropriated in FY 2012; this amount is offset by a net increase of $1.7 million in other federal funding comprised primarily of an increase in Impact Aid payments. | |
| **Other** | **6,169,728** |
| Based on actual receipts, other categories of revenue including Fairfax City, tuition, fees, and miscellaneous revenue exceeded projections by $6.2 million. | |
| **TOTAL AVAILABLE REVENUE** | **($1,534,271)** |
| **B. Expenditures** | |
| **Excluding Federal Grants** | **($43,466,805)** |
| After funding the FY 2012 and FY 2013 budgeted beginning balance, as included in the FY 2012 Approved Budget, the flexibility reserve, and accounting for other commitments, excluding grants, expenditures were $43.5 million less than projected. A majority of this variance results from compensation accounts being less than budgeted due to higher turnover than anticipated, health care expenditures being approximately $5.0 million less than budgeted, and department savings resulting from conservative use of hourly support. Additional savings of $2.3 million resulted from decreased expenditures for contracted student transportation. | |

| | AMOUNT |
|---|---|
| **Federal Grants** | **(13,457,565)** |
| Federal grant award expenditures decreased $13.5 million due to unspent multiyear grant awards. This available funding will be reappropriated and carried forward to FY 2012. | |
| **TOTAL EXPENDITURES** | **($56,924,370)** |
| **FY 2011 TOTAL FUNDS AVAILABLE** | **$55,390,099** |

| | | | AMOUNT | POSITIONS |
|---|---|---|---|---|
| **II.** | **FY 2012 EXPENDITURE ADJUSTMENTS** | | | |
| **X** | **A.** | **Centralized Textbook Fund** | **$4,410,503** | **0.0** |
| | | Beginning in FY 2012, FCPS will centralize textbook purchasing starting with online social studies textbooks for middle and high schools. FCPS will fund the textbook license up front and reduce per-pupil textbook funding allocated to middle and high schools each year. At the end of six years, the up-front funding will be completely replenished. | | |
| **X** | **B.** | **Management Audit Placeholder** | **500,000** | **0.0** |
| | | A placeholder of $0.5 million was established for future School Board directed management audit activities. The School Board will schedule a discussion for the October 17, 2011, work session to define the specifics of the management audit. | | |
| **√** | **C.** | **Academic Support to Suspended Students Placeholder** | **400,000** | **0.0** |
| | | A placeholder of $0.4 million was established to enhance FCPS' efforts to provide academic support to students who are serving out of school suspensions. | | |
| **√** | **D.** | **School Board Auditor** | **0** | **0.0** |
| | | The School Board will create the title of School Board Auditor to replace the current title, Audit Director, for the individual who heads the Office of Internal Audit and transfer the School Board auditor position, and all positions assigned to support that position in the Office of Internal Audit, from the Superintendent's Office to the School Board Office. | | |
| **FY 2012 EXPENDITURE ADJUSTMENTS** | | | **$5,310,503** | **0.0** |

**√-Recurring**
**X-Nonrecurring**

| | |
|---|---|
| **III. SUMMARY** | |
| **FY 2011 AVAILABLE BALANCE** | **$55,390,099** |
| **LESS FY 2012 EXPENDITURE ADJUSTMENTS** | **(5,310,503)** |
| **LESS INCREASE IN FY 2013 BUDGETED BEGINNING BALANCE** | **(50,079,596)** |
| **AVAILABLE ENDING BALANCE** | **$0** |
| **IV. FY 2013 BUDGETED BEGINNING BALANCE** | |
| **FY 2012 APPROVED** | **$1,504,771** |
| **FY 2011 YEAR END** | **50,079,596** |
| **FY 2013 BUDGETED BEGINNING BALANCE** | **$51,584,367** |

| | |
|---|---|
| **V. VRS RESERVE** | |
| **AVAILABLE FOR FY 2013 AND BEYOND** | **$60,600,000** |

## VI. OTHER FUNDS

### FOOD AND NUTRITION SERVICES FUND

Food and Nutrition Services (FNS) Fund revenue was $2.1 million more than the FY 2011 Third Quarter estimate primarily due to increased federal aid offset by decreased food sales. Expenditures were lower than budgeted by $2.9 million, mainly in employee compensation accounts. The net effect of the FY 2011 revenue and expenditure actuals, combined with inventory and undelivered orders, result in an available ending balance of $16.4 million.

In FY 2012, expenditures are projected to increase by $1.7 million as a result of undelivered orders, new equipment requirements identified as part of year end visits to schools, and a required system upgrade to the EZ-PAR vending software. A component of FNS' Operational Expectations is to build a reserve equivalent to three months of operating expenses, which is estimated at approximately $21 million. The FY 2011 ending balance results in an increase in FNS' reserve, bringing the reserve total to $16.9 million in FY 2012. In addition to mitigating increasing food prices, this reserve enables FNS to fund equipment replacement, technology training, as well as other improvements.

### GRANTS AND SELF-SUPPORTING PROGRAMS FUND

The FY 2011 ending balance for the Grants and Self Supporting Programs Fund totals $14.7 million. The ending balance is comprised of $5.9 million for summer school and $8.8 million in grant revenues not yet expended. After funding the FY 2012 budgeted beginning balance of $1.6 million, the FY 2012 budget is increasing by $26.5 million due to the reappropriation of the ending balance and multiyear grant awards.

**Grants Subfund:**
The FY 2011 ending balance for the Grants Subfund totals $8.8 million and reflects grant revenues not yet expended. After accounting for the budgeted beginning balance of $0.3 million, the FY 2012 budget for the Grants Subfund is increasing by $21.9 million due to the reappropriation of the ending balance and multiyear grant awards.

**Summer School Subfund:**
The FY 2011 ending balance in the Summer School Subfund is $5.9 million, primarily due to decreased expenditures of $1.8 million and $4.3 million in reserve funding that was not utilized in FY 2011. Expenditure decreases include $1.0 million in SOL remediation; Online Campus; term graduate hourly funding; $0.3 million in special education hourly funding; $0.1 million in materials and supplies; and $0.4 million in transportation expenditures. Revenue receipts were $0.2 million less than estimated due primarily to lower than projected tuition. After accounting for the budgeted beginning balance of $1.3 million, the FY 2012 budget for the Summer School Subfund is increasing by $4.6 million. This increase is due to the reappropriation of the ending balance to address potential increases in enrollment in the mandatory Special Education Extended School Year Summer Program and assist with funding limited credit recovery courses and SOL remediation for term graduates.

### ADULT AND COMMUNITY EDUCATION FUND

The FY 2011 available ending balance, after accounting for the FY 2012 budgeted beginning balance and undelivered orders, for the Adult and Community Education (ACE) Fund is $80,482. Tuition is the primary revenue source for ACE, and course offerings are determined by community interest and demand. In FY 2011, lower enrollment in courses, such as the trade, industry, and apprenticeship programs, is the primary basis for $1.3 million less revenue than estimated. In addition to tuition declines, state grant reimbursements tied to enrollment in trade and industry and apprenticeship programs were 9.3 percent lower than estimated. Due to lower demand and fewer course offerings, corresponding expenditures, primarily hourly teacher salaries and operating expenditures, were $1.5 million lower than estimated.

## SCHOOL CONSTRUCTION FUND

The FY 2011 ending balance is $75.8 million, primarily due to favorable construction pricing and a delay in the start of the Marshall High School renovation. The $1.9 million increase in Other Donations is mainly for funding for the relocation of the Crouch School, a donation from the Shumway Family Foundation for the technology lab addition at Wolftrap Elementary School, and the Jackson Middle School synthetic turf field proffer. Revenue from Use of Money and Property reflects $0.2 million in interest earnings on the Build America Bonds (BABs) proceeds.

Total costs for multiyear construction projects are allocated when the jobs are contracted, actual project expenditures are recognized as incurred, and unspent balances are carried forward into future years until the projects are complete. The increase of $276.7 million in FY 2012 is mainly due to the project balances being carried forward and reallocated in FY 2012. Efforts are underway to accelerate capital projects to ensure that the FY 2012 beginning balance is drawn down and to take full advantage of the capital funding provided by the Board of Supervisors.

## SCHOOL INSURANCE FUND

After accounting for increases in required restricted reserves for liabilities, the FY 2011 available ending balance in the School Insurance Fund is $7.4 million, which is set aside for allocated reserves. Total receipts at FY 2011 year end are $6.4 million higher than the FY 2011 Third Quarter Estimate primarily due to additional funding of $6.3 million required to address a higher than anticipated net change in accrued liabilities for workers compensation, as determined by the most recent actuarial valuation.

At FY 2011 year end, fund expenditures are $3.3 million lower than the FY 2011 Third Quarter Estimate, primarily as a result of favorable claims experiences in the Other Insurance Subfund. Accrued liabilities in the Workers Compensation Subfund increased by $6.3 million and accrued liabilities in the Other Insurance Subfund increased, by $0.9 million; however, reserves in the Other Insurance Subfund were sufficient to cover the increase. As a result of the FY 2011 experience, the FY 2012 accrued liabilities are budgeted to increase by $2.0 million, and the allocated reserve is budgeted to increase by $0.6 million.

## SCHOOL HEALTH AND FLEXIBLE BENEFITS FUND

After accounting for the FY 2011 actuals, the premium stabilization reserve (PSR) totals $49.7 million in the School Health and Flexible Benefits Fund. Year end revenue is $3.6 million higher than projected primarily due to increased retiree contributions and an increase in Medicare Part D reimbursement from the Early Retirement Reinsurance Program (ERRP) which is part of the Affordable Care Act. These increases were partially offset by lower than projected employer payments and interest income.

FY 2011 expenditures were $0.6 million higher than projected primarily as a result of a slight decrease in claims and premiums paid offset by an increase in liabilities for claims incurred but not yet reported. When revenue and expenditure actuals are combined, the net impact to FY 2012 is an increase in the budgeted PSR of $2.9 million, bringing the FY 2012 projected PSR balance to $41.4 million.

## SCHOOL CENTRAL PROCUREMENT FUND

The FY 2011 ending balance is $0.3 million for the Central Procurement Fund. Additional inventory is purchased during the last few months of each fiscal year so that materials and supplies will be available for schools to purchase in late summer as they restock for the upcoming school year.

## EDUCATIONAL EMPLOYEES' SUPPLEMENTARY RETIREMENT SYSTEM OF FAIRFAX COUNTY FUND

The FY 2011 ending balance for the Education Employees' Retirement System Fund is $1,870.3 million, which is $139.6 million more than estimated, primarily due to investment returns. Income from investments is $139.3 million higher than projected and contributions were $3.7 million lower than projected. As of March 31, 2011, the ERFC one year rate of return on investments was 14.7 percent. ERFC investments continue to outperform both the one year benchmark rate of return of 13.1 percent and other similarly sized plans (funds in excess of $1.0 billion), which averaged a 14.0 percent return. Due to the timing of the FY 2011 Final Budget Review, final transactions from investment activities and the related changes will be included in the FY 2012 Midyear Budget Review.

## SCHOOL OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND

The FY 2011 ending balance for the OPEB Trust Fund is $40.5 million, which is a $1.7 million increase over the FY 2011 Third Quarter Estimate of $38.8 million. Total revenue at year end of $52.5 million is $2.5 million higher than the $50.0 million estimated at third quarter due to higher investment returns. Net investment income of $6.0 million is $1.7 million higher than the $4.3 million estimated. Year end expenditures total $31.5 million, which is $0.8 million higher than the $30.7 million estimated at third quarter. Actual benefits paid total $31.5 million, and administrative costs total $23,902. The $2.5 million increase in revenue is partially offset by a $0.8 million increase in expenditures, resulting in a $1.7 million net increase in the ending balance. Due to the timing of the FY 2011 Final Budget Review, final transactions from investment activities and the related changes will be included in the FY 2012 Midyear Budget Review.

## SCHOOL OPERATING FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, July 1:** | | | | | | |
| Budgeted Beginning Balance | $ 53,500,000 | $ 53,500,000 | $ - | $ 57,314,083 | $ 57,314,083 | $ - |
| Flexibility Reserve | 8,000,000 | 8,000,000 | - | - | 8,000,000 | 8,000,000 |
| Undelivered Orders | 57,485,418 | 57,485,418 | - | - | 53,418,942 | 53,418,942 |
| Automatic Carryover | 31,456,521 | 31,456,521 | - | - | 29,621,444 | 29,621,444 |
| Unencumbered Carryover | 5,341,847 | 5,341,847 | - | - | 6,993,150 | 6,993,150 |
| Grants Carryover | 4,918 | 4,918 | - | - | 1,217 | 1,217 |
| Centralized Textbook Fund | - | - | - | - | 4,410,503 | 4,410,503 |
| **Total Beginning Balance** | **$ 155,788,704** | **$ 155,788,704** | **$ -** | **$ 57,314,083** | **$ 159,759,339** | **$ 102,445,256** |
| Future Year Beginning Balance | $ 33,941,985 | $ 33,941,985 | $ - | $ 1,504,771 | $ 52,484,367 | $ 50,979,596 |
| VRS Reserve | - | - | - | 44,993,007 | 44,993,007 | - |
| Employee Compensation Reserve | - | - | - | 3,000,000 | 3,000,000 | - |
| **Total Reserves** | **$ 33,941,985** | **$ 33,941,985** | **$ -** | **$ 49,497,778** | **$ 100,477,374** | **$ 50,979,596** |
| **RECEIPTS:** | | | | | | |
| Sales Tax | $ 148,084,437 | $ 151,463,422 | $ 3,378,985 | $ 153,068,859 | $ 153,068,859 | $ - |
| State Aid | 297,171,019 | 297,828,663 | 657,644 | 318,998,373 | 318,998,373 | - |
| Federal Aid | 87,716,400 | 75,975,772 | (11,740,628) | 63,197,897 | 76,655,462 | 13,457,565 |
| City of Fairfax Tuition | 35,433,040 | 35,256,195 | (176,845) | 37,044,258 | 37,044,258 | - |
| Tuition, Fees, and Other | 13,795,372 | 20,141,945 | 6,346,573 | 17,269,296 | 17,269,296 | - |
| **Total Receipts** | **$ 582,200,268** | **$ 580,665,997** | **$ (1,534,271)** | **$ 589,578,684** | **$ 603,036,249** | **$ 13,457,565** |
| **TRANSFERS IN:** | | | | | | |
| Combined County General Fund | $ 1,610,334,722 | $ 1,610,334,722 | $ - | $ 1,610,834,722 | $ 1,610,834,722 | $ - |
| County Transfer - Priority School Initiative | 1,255,755 | 1,255,755 | - | - | - | - |
| County Transfer - Cable Communications | - | - | - | 600,000 | 600,000 | - |
| **Total Transfers In** | **$ 1,611,590,477** | **$ 1,611,590,477** | **$ -** | **$ 1,611,434,722** | **$ 1,611,434,722** | **$ -** |
| **Total Receipts & Transfers** | **$ 2,193,790,745** | **$ 2,192,256,474** | **$ (1,534,271)** | **$ 2,201,013,406** | **$ 2,214,470,971** | **$ 13,457,565** |
| **Total Funds Available** | **$ 2,383,521,434** | **$ 2,381,987,163** | **$ (1,534,271)** | **$ 2,307,825,267** | **$ 2,474,707,684** | **$ 166,882,417** |
| **EXPENDITURES:** | $ 2,240,251,991 | $ 2,093,292,868 | $ (146,959,123) | $ 2,219,480,553 | $ 2,328,310,701 | $ 108,830,148 |
| School Board Reserve | 8,000,000 | - | (8,000,000) | - | 8,000,000 | 8,000,000 |
| **Total Expenditures** | **$ 2,248,251,991** | **$ 2,093,292,868** | **$ (154,959,123)** | **$ 2,219,480,553** | **$ 2,336,310,701** | **$ 116,830,148** |
| **TRANSFERS OUT:** | | | | | | |
| School Construction Fund | $ 9,916,150 | $ 9,916,150 | $ - | $ 7,698,711 | $ 7,671,384 | $ (27,327) |
| Grants & Self-Supporting Fund | 14,367,709 | 14,367,709 | - | 14,367,709 | 14,367,709 | - |
| Adult & Community Education Fund | 400,000 | 400,000 | - | 400,000 | 400,000 | - |
| Consolidated County & School Debt Fund | 3,773,723 | 3,773,723 | - | 3,773,523 | 3,773,523 | - |
| **Total Transfers Out** | **$ 28,457,582** | **$ 28,457,582** | **$ -** | **$ 26,239,943** | **$ 26,212,616** | **$ (27,327)** |
| **Total Disbursements** | **$ 2,276,709,573** | **$ 2,121,750,450** | **$ (154,959,123)** | **$ 2,245,720,496** | **$ 2,362,523,317** | **$ 116,802,821** |
| **ENDING BALANCE, JUNE 30** | **$ 106,811,861** | **$ 260,236,713** | **$ 153,424,852** | **$ 62,104,771** | **$ 112,184,367** | **$ 50,079,596** |
| **Less:** | | | | | | |
| VRS Reserve | $ 44,993,007 | $ 44,993,007 | $ - | $ 60,600,000 | $ 60,600,000 | $ - |
| Employee Compensation Reserve | 3,000,000 | 3,000,000 | - | - | - | - |
| Flexibility Reserve | - | 8,000,000 | 8,000,000 | - | - | - |
| Other Commitments | - | 90,034,753 | 90,034,753 | - | - | - |
| FY 2012 Budgeted Beginning Balance* | 53,818,854 | 57,314,083 | 3,495,229 | - | - | - |
| FY 2013 Budgeted Beginning Balance* | 5,000,000 | 1,504,771 | (3,495,229) | | | - |
| FY 2013 Budgeted Beginning Balance | - | 50,979,596 | 50,979,596 | 1,504,771 | 51,584,367 | 50,079,596 |
| Centralized Textbook Fund | - | 4,410,503 | 4,410,503 | - | - | - |
| **Available Ending Balance** | **$ -** | **$ -** | **$ -** | **$ -** | **$ -** | **$ -** |

* As of the FY 2012 Approved Budget Adoption

## FOOD AND NUTRITION SERVICES FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 16,042,275** | **$ 16,042,275** | **$ -** | **$ 13,591,947** | **$ 18,616,980** | **$ 5,025,033** |
| **RECEIPTS:** | | | | | | |
| Food Sales | $ 49,038,246 | $ 46,411,290 | $ (2,626,956) | $ 47,422,168 | $ 47,422,168 | $ - |
| Federal Aid | 21,756,710 | 26,565,963 | 4,809,253 | 25,979,065 | 25,979,065 | - |
| State Aid | 805,500 | 778,151 | (27,349) | 791,612 | 791,612 | - |
| Other Revenue | 135,549 | 77,873 | (57,676) | 61,741 | 61,741 | - |
| **Total Receipts** | **$ 71,736,004** | **$ 73,833,276** | **$ 2,097,271** | **$ 74,254,586** | **$ 74,254,586** | **$ -** |
| **Total Funds Available** | **$ 87,778,279** | **$ 89,875,551** | **$ 2,097,272** | **$ 87,846,533** | **$ 92,871,566** | **$ 5,025,033** |
| **EXPENDITURES:** | $ 74,186,332 | $ 70,927,597 | $ (3,258,735) | $ 74,186,332 | $ 75,932,013 | $ 1,745,681 |
| Change in Inventory | - | 330,974 | 330,974 | - | - | - |
| **Subtotal** | **$ 74,186,332** | **$ 71,258,571** | **$ (2,927,761)** | **$ 74,186,332** | **$ 75,932,013** | **$ 1,745,681** |
| Food and Nutrition Services General Reserve | $ 13,591,947 | $ - | $ (13,591,947) | $ 13,660,201 | $ 16,939,553 | $ 3,279,352 |
| **Total Disbursements** | **$ 87,778,279** | **$ 71,258,571** | **$ (16,519,708)** | **$ 87,846,533** | **$ 92,871,566** | **$ 5,025,033** |
| **ENDING BALANCE, JUNE 30** | **$ -** | **$ 18,616,980** | **$ 18,616,980** | **$ -** | **$ -** | **$ -** |
| **Less:** | | | | | | |
| Undelivered Orders | $ - | $ 885,681 | $ 885,681 | $ - | $ - | $ - |
| Inventory | - | 1,380,185 | 1,380,185 | - | - | - |
| **Available Ending Balance** | **$ -** | **$ 16,351,114** | **$ 16,351,114** | **$ -** | **$ -** | **$ -** |

## GRANTS & SELF-SUPPORTING PROGRAMS FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 13,216,096** | **$ 13,216,096** | **$ -** | **$ 1,583,570** | **$ 14,718,482** | **$ 13,134,912** |
| **RECEIPTS:** | | | | | | |
| State Aid | $ 9,822,665 | $ 8,278,858 | $ (1,543,807) | $ 9,739,355 | $ 9,774,855 | $ 35,500 |
| Federal Aid | 53,986,082 | 35,468,827 | (18,517,255) | 33,615,897 | 46,990,352 | 13,374,455 |
| Tuition | 2,034,042 | 1,600,088 | (433,954) | 2,117,471 | 2,117,471 | - |
| Industry, Foundation, Other | 588,331 | 971,303 | 382,972 | 26,421 | 27,510 | 1,089 |
| **Total Receipts** | **$ 66,431,120** | **$ 46,319,076** | **$ (20,112,043)** | **$ 45,499,144** | **$ 58,910,188** | **$ 13,411,044** |
| **TRANSFERS IN:** | | | | | | |
| School Operating Fund (Grants) | $ 8,865,952 | $ 8,865,952 | $ - | $ 8,865,952 | $ 8,865,952 | $ - |
| School Operating Fund (Summer School) | 5,501,757 | 5,501,757 | - | 5,501,757 | 5,501,757 | - |
| Cable Communications Fund | 2,517,729 | 2,517,729 | - | 3,126,203 | 3,126,203 | - |
| **Total Transfers In** | **$ 16,885,438** | **$ 16,885,438** | **$ -** | **$ 17,493,912** | **$ 17,493,912** | **$ -** |
| **Total Funds Available** | **$ 96,532,654** | **$ 76,420,610** | **$ (20,112,043)** | **$ 64,576,625** | **$ 91,122,581** | **$ 26,545,956** |
| **EXPENDITURES** | **$ 96,532,654** | **$ 61,702,129** | **$ (34,830,525)** | **$ 64,576,625** | **$ 91,122,581** | **$ 26,545,956** |
| **ENDING BALANCE, JUNE 30** | **$ -** | **$ 14,718,482** | **$ 14,718,482** | **$ -** | **$ -** | **$ -** |
| **Less:** | | | | | | |
| FY 2012 Budgeted Beginning Balance | $ - | $ 1,583,570 | $ 1,583,570 | $ - | $ - | $ - |
| Undelivered Orders | - | 1,984,904 | 1,984,904 | - | - | - |
| **Available Ending Balance** | **$ -** | **$ 11,150,008** | **$ 11,150,008** | **$ -** | **$ -** | **$ -** |

## ADULT & COMMUNITY EDUCATION FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 797,797** | **$ 797,797** | **$ -** | **$ 86,271** | **$ 199,871** | **$ 113,600** |
| **RECEIPTS:** | | | | | | |
| State Aid | $ 691,778 | $ 627,631 | $ (64,147) | $ 685,243 | $ 685,243 | $ - |
| Federal Aid | 781,216 | 794,483 | 13,267 | 662,139 | 662,139 | - |
| Tuition and Fees | 8,403,073 | 7,122,070 | (1,281,003) | 8,628,087 | 8,628,087 | - |
| Other | 395,552 | 399,688 | 4,136 | 378,969 | 378,969 | - |
| **Total Receipts** | **$ 10,271,619** | **$ 8,943,872** | **$ (1,327,747)** | **$ 10,354,438** | **$ 10,354,438** | **$ -** |
| **TRANSFERS IN:** | | | | | | |
| School Operating Fund | $ 400,000 | $ 400,000 | $ - | $ 400,000 | $ 400,000 | $ - |
| **Total Transfers In** | **$ 400,000** | **$ 400,000** | **$ -** | **$ 400,000** | **$ 400,000** | **$ -** |
| **Total Receipts and Transfers** | **$ 10,671,619** | **$ 9,343,872** | **$ (1,327,747)** | **$ 10,754,438** | **$ 10,754,438** | **$ -** |
| **Total Funds Available** | **$ 11,469,416** | **$ 10,141,669** | **$ (1,327,747)** | **$ 10,840,709** | **$ 10,954,309** | **$ 113,600** |
| **EXPENDITURES** | **$ 11,469,416** | **$ 9,941,797** | **$ (1,527,619)** | **$ 10,840,709** | **$ 10,954,309** | **$ 113,600** |
| **ENDING BALANCE, JUNE 30** | **$ -** | **$ 199,871** | **$ 199,871** | **$ -** | **$ -** | **$ -** |
| **Less:** | | | | | | |
| FY 2012 Budgeted Beginning Balance | $ - | $ 86,271 | $ 86,271 | $ - | $ - | $ - |
| Undelivered Orders | - | 33,118 | 33,118 | - | - | - |
| **Available Ending Balance** | **$ -** | **$ 80,482** | **$ 80,482** | **$ -** | **$ -** | **$ -** |

## SCHOOL CONSTRUCTION FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 94,573,900** | **$ 94,573,900** | **$ -** | **$ -** | **$ 75,779,874** | **$ 75,779,874** |
| **RECEIPTS:** | | | | | | |
| General Obligation Bonds | $ 130,000,000 | $ 130,000,000 | $ - | $ 155,000,000 | $ 155,000,000 | $ - |
| City of Fairfax | 150,000 | 538,741 | 388,741 | 20,000 | 20,000 | - |
| Miscellaneous Revenue | 36,000 | 66,153 | 30,153 | 36,000 | 36,000 | - |
| PTA/PTO Donations | 150,000 | 405,323 | 255,323 | 150,000 | 150,000 | - |
| Other Donations | 100,000 | 2,019,287 | 1,919,287 | 100,000 | 100,000 | - |
| Revenue from Use of Money and Property | - | 226,227 | 226,227 | - | - | - |
| **Total Receipts** | **$ 130,436,000** | **$ 133,255,731** | **$ 2,819,731** | **$ 155,306,000** | **$ 155,306,000** | **$ -** |
| **AUTHORIZED BUT UNISSUED BONDS** | $ 340,316,755 | $ - | $ (340,316,755) | $ - | $ 200,989,929 | $ 200,989,929 |
| **Total Referendums** | **$ 340,316,755** | **$ -** | **$ (340,316,755)** | **$ -** | **$ 200,989,929** | **$ 200,989,929** |
| **TRANSFERS IN:** | | | | | | |
| **School Operating Fund** | | | | | | |
| Building Maintenance | $ 6,449,030 | $ 6,449,030 | $ - | $ 6,449,030 | $ 6,449,030 | $ - |
| Classroom Equipment | 3,097,119 | 3,097,119 | - | 649,681 | 649,681 | - |
| Facility Modifications | 370,001 | 370,001 | - | 600,000 | 572,673 | (27,327) |
| **Total Transfers In** | **$ 9,916,150** | **$ 9,916,150** | **$ -** | **$ 7,698,711** | **$ 7,671,384** | **$ (27,327)** |
| **Total Receipts and Transfers** | **$ 480,668,905** | **$ 143,171,881** | **$ (337,497,024)** | **$ 163,004,711** | **$ 363,967,313** | **$ 200,962,602** |
| **Total Funds Available** | **$ 575,242,805** | **$ 237,745,781** | **$ (337,497,024)** | **$ 163,004,711** | **$ 439,747,187** | **$ 276,742,476** |
| **EXPENDITURES AND COMMITMENTS:** | | | | | | |
| Expenditures | $ 234,926,050 | $ 161,965,907 | $ (72,960,143) | $ 163,004,711 | $ 238,757,258 | $ 75,752,547 |
| Additional Contractual Commitments | 340,316,755 | - | (340,316,755) | - | 200,989,929 | 200,989,929 |
| **Total Disbursements** | **$ 575,242,805** | **$ 161,965,907** | **$ (413,276,898)** | **$ 163,004,711** | **$ 439,747,187** | **$ 276,742,476** |
| **ENDING BALANCE, JUNE 30** | **$ -** | **$ 75,779,874** | **$ 75,779,874** | **$ -** | **$ -** | **$ -** |

## SCHOOL INSURANCE FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 27,909,626** | **$ 27,909,626** | **$ -** | **$ 27,600,355** | **$ 37,322,183** | **$ 9,721,828** |
| **RECEIPTS:** | | | | | | |
| Workers' Compensation | | | | | | |
| School Operating Fund | $ 7,926,080 | $ 13,998,141 | $ 6,072,061 | $ 9,238,928 | $ 9,238,928 | $ - |
| School Food & Nutrition Serv. Fund | 277,166 | 489,499 | 212,333 | 277,166 | 277,166 | - |
| Other Insurance | | | | | | |
| School Operating Fund | 4,468,127 | 4,468,127 | - | 4,468,127 | 4,468,127 | - |
| Insurance Proceeds/ Rebates | 50,000 | 155,017 | 105,017 | 50,000 | 50,000 | - |
| **Total Receipts** | **$ 12,721,373** | **$ 19,110,784** | **$ 6,389,411** | **$ 14,034,221** | **$ 14,034,221** | **$ -** |
| **Total Funds Available** | **$ 40,630,999** | **$ 47,020,410** | **$ 6,389,411** | **$ 41,634,576** | **$ 51,356,404** | **$ 9,721,828** |
| **EXPENDITURES:** | | | | | | |
| Workers' Compensation | | | | | | |
| Claims Paid | $ 5,806,450 | $ 5,006,394 | $ (800,057) | $ 6,883,339 | $ 6,883,339 | $ - |
| Administration | 607,500 | 613,691 | 6,191 | 875,246 | 875,246 | - |
| Claims Management | 761,250 | 701,512 | (59,738) | 686,132 | 686,132 | - |
| Other Insurance | 5,855,444 | 3,376,630 | (2,478,814) | 5,921,615 | 5,921,615 | - |
| Allocated Reserves | 4,842,320 | - | (4,842,320) | 4,518,395 | 5,071,642 | 553,247 |
| **Subtotal Expenditures** | **$ 17,872,964** | **$ 9,698,227** | **$ (8,174,737)** | **$ 18,884,727** | **$ 19,437,974** | **$ 553,247** |
| Net change in accrued liabilities-Worker's Comp | $ - | $ 6,284,395 | $ 6,284,395 | $ - | $ 1,500,656 | $ 1,500,656 |
| Net change in accrued liabilities-Other Insurance | - | 860,496 | 860,496 | - | 523,034 | 523,034 |
| **Subtotal Net Change in Accrued Liability** | **$ -** | **$ 7,144,891** | **$ 7,144,891** | **$ -** | **$ 2,023,690** | **$ 2,023,690** |
| **ENDING BALANCE, JUNE 30** | **$ 22,758,035** | **$ 37,322,183** | **$ 14,564,148** | **$ 22,749,849** | **$ 31,918,430** | **$ 9,168,581** |
| **Restricted Reserves** | | | | | | |
| Workers Comp Accrued Liability | $ 19,426,073 | $ 25,710,468 | $ 6,284,395 | $ 19,426,073 | $ 27,211,124 | $ 7,785,051 |
| Other Insurance Accrued Liability | 3,323,776 | 4,184,272 | 860,496 | 3,323,776 | 4,707,306 | 1,383,530 |
| Allocated Reserves | - | 7,427,443 | 7,427,443 | - | - | - |
| **Total Reserves** | **$ 22,749,849** | **$ 37,322,183** | **$ 14,572,334** | **$ 22,749,849** | **$ 31,918,430** | **$ 9,168,581** |

## SCHOOL HEALTH AND FLEXIBLE BENEFITS FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 49,660,180** | **$ 49,660,180** | **$ -** | **$ 46,713,537** | **$ 49,696,817** | **$ 2,983,280** |
| **RECEIPTS:** | | | | | | |
| Employer Contributions | $ 174,935,211 | $ 173,453,684 | $ (1,481,527) | $ 179,150,531 | $ 179,150,531 | $ - |
| Employee Contributions | 50,341,073 | 50,725,035 | 383,962 | 52,923,848 | 52,923,848 | - |
| Retiree/Other Contributions | 35,566,516 | 38,981,334 | 3,414,818 | 39,339,515 | 39,339,515 | - |
| Medicare Part D | 2,400,000 | 5,364,782 | 2,964,782 | 2,773,827 | 2,773,827 | - |
| Interest Income/ Rebates | 4,260,479 | 2,080,339 | (2,180,140) | 3,571,200 | 3,571,200 | - |
| **Subtotal** | **$ 267,503,279** | **$ 270,605,174** | **$ 3,101,896** | **$ 277,758,921** | **$ 277,758,921** | **$ -** |
| Flexible Accounts Withholdings | $ 6,449,893 | $ 6,947,767 | $ 497,874 | $ 6,814,957 | $ 6,814,957 | $ - |
| **Total Receipts** | **$ 273,953,172** | **$ 277,552,941** | **$ 3,599,769** | **$ 284,573,878** | **$ 284,573,878** | **$ -** |
| **Total Funds Available** | **$ 323,613,352** | **$ 327,213,121** | **$ 3,599,769** | **$ 331,287,415** | **$ 334,270,695** | **$ 2,983,280** |
| **EXPENDITURES/PAYMENTS:** | | | | | | |
| Health Benefits Paid | $ 205,900,000 | $ 206,790,389 | $ 890,389 | $ 217,553,940 | $ 217,553,940 | $ - |
| Premiums Paid | 52,800,000 | 51,036,956 | (1,763,044) | 55,788,480 | 55,788,480 | - |
| Claims Incurred but not Reported (IBNR) | 16,886,697 | 19,463,000 | 2,576,303 | 19,550,000 | 20,630,000 | 1,080,000 |
| IBNR Prior Year Credit | (16,030,000) | (17,325,000) | (1,295,000) | (18,446,000) | (19,463,000) | (1,017,000) |
| Health Administrative Expenses | 10,817,541 | 10,740,727 | (76,814) | 11,512,874 | 11,512,874 | - |
| **Subtotal** | **$ 270,374,239** | **$ 270,706,072** | **$ 331,833** | **$ 285,959,294** | **$ 286,022,294** | **$ 63,000** |
| Flexible Accounts Reimbursement | $ 6,404,575 | $ 6,684,094 | $ 279,519 | $ 6,689,875 | $ 6,689,875 | $ - |
| FSA Administrative Expenses | 121,000 | 126,138 | 5,138 | 125,082 | 125,082 | - |
| **Subtotal** | **$ 6,525,575** | **$ 6,810,232** | **$ 284,657** | **$ 6,814,957** | **$ 6,814,957** | **$ -** |
| **Total Expenditures** | **$ 276,899,814** | **$ 277,516,304** | **$ 616,490** | **$ 292,774,251** | **$ 292,837,251** | **$ 63,000** |
| **ENDING BALANCE, JUNE 30** | **$ 46,713,537** | **$ 49,696,817** | **$ 2,983,280** | **$ 38,513,164** | **$ 41,433,444** | **$ 2,920,280** |
| **Less:** | | | | | | |
| Premium Stabilization Reserve | $ 46,713,537 | $ 49,696,817 | $ 2,983,280 | $ 38,513,164 | $ 41,433,444 | $ 2,920,280 |
| **Available Ending Balance** | **$ -** | **$ -** | **$ -** | **$ -** | **$ -** | **$ -** |

## SCHOOL CENTRAL PROCUREMENT FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 457,516** | **$ 457,516** | **$ -** | **$ 457,516** | **$ 261,493** | **$ (196,023)** |
| **RECEIPTS:** | | | | | | |
| Sales to Schools/Departments | $ 14,000,000 | $ 11,891,884 | $ (2,108,116) | $ 14,000,000 | $ 14,000,000 | $ - |
| **Total Funds Available** | **$ 14,457,516** | **$ 12,349,400** | **$ (2,108,116)** | **$ 14,457,516** | **$ 14,261,493** | **$ (196,023)** |
| **EXPENDITURES** | **$ 14,000,000** | **$ 12,087,907** | **$ (1,912,093)** | **$ 14,000,000** | **$ 14,000,000** | **$ -** |
| **ENDING BALANCE, JUNE 30** | **$ 457,516** | **$ 261,493** | **$ (196,023)** | **$ 457,516** | **$ 261,493** | **$ (196,023)** |

## EDUCATIONAL EMPLOYEES' SUPPLEMENTARY RETIREMENT SYSTEM OF FAIRFAX COUNTY FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 1,607,613,266** | **$ 1,607,613,266** | **$ -** | **$ 1,730,695,809** | **$ 1,870,254,112** | **$ 139,558,303** |
| **RECEIPTS:** | | | | | | |
| Contributions | $ 97,997,288 | $ 94,285,240 | $ (3,712,048) | $ 103,851,702 | $ 103,851,702 | $ - |
| Investment Income | 195,119,682 | 334,443,669 | 139,323,987 | 212,881,558 | 212,881,558 | - |
| **Total Receipts** | **$ 293,116,970** | **$ 428,728,909** | **$ 135,611,939** | **$ 316,733,260** | **$ 316,733,260** | **$ -** |
| **Total Funds Available** | **$ 1,900,730,236** | **$ 2,036,342,175** | **$ 135,611,939** | **$ 2,047,429,069** | **$ 2,186,987,372** | **$ 139,558,303** |
| **EXPENDITURES** | **$ 170,034,426** | **$ 166,088,063** | **$ (3,946,363)** | **$ 179,749,264** | **$ 179,749,264** | **$ -** |
| **ENDING BALANCE, JUNE 30** | **$ 1,730,695,809** | **$ 1,870,254,112** | **$ 139,558,303** | **$ 1,867,679,805** | **$ 2,007,238,108** | **$ 139,558,303** |

## SCHOOL OPEB TRUST FUND STATEMENT

| | FY 2011 Estimate | FY 2011 Actual | Variance | FY 2012 Approved | FY 2012 Revised | Variance |
|---|---|---|---|---|---|---|
| **BEGINNING BALANCE, JULY 1** | **$ 19,562,623** | **$ 19,562,623** | **$ -** | **$ 37,002,623** | **$ 40,516,941** | **$ 3,514,318** |
| **REVENUE:** | | | | | | |
| Employer Contributions | $ 45,663,000 | $ 46,472,855 | $ 809,855 | $ 42,864,000 | $ 42,864,000 | $ - |
| Net Investment Income | 4,300,000 | 5,978,220 | 1,678,220 | 4,500,000 | 4,500,000 | - |
| **Total Revenue** | **$ 49,963,000** | **$ 52,451,075** | **$ 2,488,075** | **$ 47,364,000** | **$ 47,364,000** | **$ -** |
| **TOTAL FUNDS AVAILABLE** | **$ 69,525,623** | **$ 72,013,698** | **$ 2,488,075** | **$ 84,366,623** | **$ 87,880,941** | **$ 3,514,318** |
| **EXPENDITURES:** | | | | | | |
| Benefits Paid | $ 30,663,000 | $ 31,472,855 | $ 809,855 | $ 32,784,000 | $ 32,784,000 | **$ -** |
| Administrative Expenses | 60,000 | 23,902 | (36,098) | 100,500 | 100,500 | - |
| **Total Expenditures** | **$ 30,723,000** | **$ 31,496,757** | **$ 773,757** | **$ 32,884,500** | **$ 32,884,500** | **$ -** |
| **ENDING BALANCE, JUNE 30** | **$ 38,802,623** | **$ 40,516,941** | **$ 1,714,318** | **$ 51,482,123** | **$ 54,996,441** | **$ 3,514,318** |

Updated to reflect School Board action on July 28, 2011

Attachment A

## SUPPLEMENTAL APPROPRIATION RESOLUTION
### FY 2012

**BE IT RESOLVED** that the Fairfax County School Board requests the county Board of Supervisors to amend the FY 2012 Appropriation Resolution for the following School Board funds:

**Appropriate to:**

**County Schools**

| Fund | Fund Name | From | To | Change |
|---|---|---|---|---|
| 090 | Public Schools Operating<br>Operating Expenditures | $2,171,559,534 | $2,336,310,701 | $164,751,167 |
| 191 | School Food & Nutrition Services<br>Operating Expenditures | $87,846,533 | $92,871,566 | $5,025,033 |
| 192 | School Grants & Self-Supporting<br>Operating Expenditures | $63,625,695 | $91,122,581 | $27,496,886 |
| 193 | School Adult & Community Education<br>Operating Expenditures | $10,840,709 | $10,954,309 | $113,600 |
| 390 | School Construction<br>Operating Expenditures | $163,084,711 | $439,747,187 | $276,662,476 |
| 590 | Public Schools Insurance Fund<br>Operating Expenditures | $18,884,727 | $21,461,664 | $2,576,937 |
| 591 | School Health and Flexible Benefits Trust Fund<br>Operating Expenditures | $336,287,415 | $292,837,251 | ($43,450,164) |
| 592 | Central Procurement Fund<br>Operating Expenditures | $14,000,000 | $14,000,000 | $0 |
| 691 | School Educational Employees' Supplementary Retirement System Trust Fund<br>Operating Expenditures | $179,749,264 | $179,749,264 | $0 |
| 692 | School Other Post Employment Benefits Trust Fund<br>Operating Expenditures | $32,552,500 | $32,884,500 | $332,000 |

**I certify the above is a true and correct copy of a resolution adopted by the School Board of Fairfax County, Virginia, as part of the FY 2011 Final Budget Review, at a regular meeting held on July 28, 2011, at Luther Jackson Middle School, Falls Church, Virginia.**

_____
Date

_____
Pamela Goddard, Clerk
County School Board of
Fairfax County, Virginia

Attachment B

**FISCAL PLANNING RESOLUTION**
**FY 2012**

**BE IT RESOLVED** that the Fairfax County School Board requests the county Board of Supervisors to amend the FY 2012 Fiscal Planning Resolution for the following School Board funds:

| Fund | Fund Name | Transfer To | From | To | Change |
|---|---|---|---|---|---|
| 090 | Public Schools Operating | | | | |
| | | 192 School Grants & Self Supporting | $14,367,709 | $14,367,709 | $0 |
| | | 193 School Adult & Community Education | $400,000 | $400,000 | $0 |
| | | 200/201 Consolidated Debt Service | $3,773,523 | $3,773,523 | $0 |
| | | 390 School Construction | $7,698,711 | $7,671,384 | ($27,327) |

**I certify the above is a true and correct copy of a resolution adopted by the School Board of Fairfax County, Virginia, as part of the FY 2011 Final Budget Review, at a regular meeting held on July 28, 2011, at Luther Jackson Middle School, Falls Church, Virginia.**

_____
Date

_____
Pamela Goddard, Clerk
County School Board of
Fairfax County, Virginia

Attachment C

**Grants Development**
**Office of Budget Services**

**Quarterly Report**
**Date: June 30, 2011**

**Update for FY 2011 Grants**

This report provides the status of competitive grants for FY 2011:

- Competitive grants submitted: $4.2 million (32 grants)
- Competitive grants awarded: $0.8 million (16 grants)
- Competitive grants denied: $0.5 million (4 grants)
- Competitive grants pending: $2.9 million (12 grants)

The status of FY 2011 entitlement grants is as follows:

- Entitlement grants submitted: $87.4 million* (30 grants)
- Entitlement grants awarded: $51.4 million (22 grants)
- Entitlement grants pending: $35.7 million (8 grants)

*Award amounts can differ from original submissions

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Board Agenda Item
September 13, 2011

11:00 a.m.

Items Presented by the County Executive

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Board Agenda Item
September 13, 2011

ADMINISTRATIVE - 1

Authorization for the Fairfax County Police Department to Apply for and Accept Grant Funding from the Office of Justice Programs Edward Byrne Memorial Justice Assistance Grant

ISSUE:
Board approval for the Police Department to apply for and accept funding, if received, from the Office of Justice Programs (OJP) Edward Byrne Memorial Justice Assistance Grant in the amount of $110,500. Funding in the amount of $110,500 will be used for semi-automatic rifles, weapons of mass destruction detection equipment, and crime analysis program technology improvements. The grant period for this award is October 1, 2011 through September 30, 2014. No Local Cash Match is required. If the actual award received is significantly different from the application amount, another item will be submitted to the Board requesting appropriation of grant funds. Otherwise, staff will process the award administratively as per Board policy.

RECOMMENDATION:
The County Executive recommends that the Board authorize the Police Department to apply for and accept funding, if received, from the OJP Edward Byrne Memorial Justice Assistance Grant. Funding in the amount of $110,500 will be used for semi-automatic rifles, weapons of mass destruction detection equipment, and crime analysis program technology improvements.

TIMING:
Due to a July 21, 2011 application submission deadline, the application was submitted pending Board approval. If the Board does not approve this request, the application will be immediately withdrawn.

BACKGROUND:
The projects to be funded by the grant support important Police Department strategic objectives: ensure officer safety, ensure emergency readiness and response, and analyze data to fight crime effectively.

The grant will support officer safety and emergency readiness and response by improving the capabilities of the Organized Crime and Narcotics Division and the Operation Support Bureau. Funding of $45,000 will be used to purchase sixteen M6A2 semi-automatic rifles to enhance officer safety in high-risk situations. Funding of

$31,308 will be used to purchase two Wireless ChemRAE Portable Chemical Warfare Agent devices to enhance emergency readiness and response to suspicious packages and public events where bio-hazard materials may be a threat. In addition, funding of $34,192 will support technology improvements in the Police Department's crime analysis program.

FISCAL IMPACT:
Grant funding in the amount of $110,500 has been requested from the OJP Edward Byrne Memorial Justice Assistance Grant. These funds will be used for semi-automatic rifles, crime analysis program technology improvements, and weapons of mass destruction detection equipment. No Local Cash Match is required. This action does not increase the expenditure level in Fund 102, Federal/State Grant Fund, as funds are held in reserve for grant awards in FY 2012. This grant does not allow the recovery of indirect costs.

CREATION OF NEW POSITIONS:
No positions will be created by this grant award.

ENCLOSED DOCUMENTS:
Attachment 1: Grant Application, Excerpt

STAFF:
Robert A. Stalzer, Deputy County Executive
Colonel David M. Rohrer, Chief of Police
Major Jack Hurlock, Commander, Patrol Bureau Division I
Captain Dave Russell, Commander, Organized Crime/Narcotics Division
Major David Moyer, Commander, Operations Support Bureau
PFC Gene Taitano, Operations Support Bureau
Karen L. Gibbons, Senior Assistant County Attorney

# BJA FY 11 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation 2011-H3424-VA-DJ



| **APPLICATION FOR FEDERAL ASSISTANCE** | **2. DATE SUBMITTED** | **Applicant Identifier** |
|---|---|---|
| **1. TYPE OF SUBMISSION**<br>Application Construction | **3. DATE RECEIVED BY STATE** | **State Application Identifier** |
| | **4. DATE RECEIVED BY FEDERAL AGENCY** | **Federal Identifier** |

| **5.APPLICANT INFORMATION** | |
|---|---|
| **Legal Name**<br>County of Fairfax | **Organizational Unit**<br>Police Department |
| **Address**<br>4100 Chain Bridge Road<br>10th Floor FRD<br>Fairfax, Virginia<br>22030-7002 | **Name and telephone number of the person to be contacted on matters involving this application**<br>Guth, Bruce<br>(703) 246-7525 |
| **6. EMPLOYER IDENTIFICATION NUMBER (EIN)**<br>54-0787833 | **7. TYPE OF APPLICANT**<br>County |
| **8. TYPE OF APPLICATION**<br>New | **9. NAME OF FEDERAL AGENCY**<br>Bureau of Justice Assistance |
| **10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE**<br>NUMBER: 16.738<br>CFDA TITLE: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM | **11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT**<br>FCPD Equipment Needs: OCN Semi-Automatic Rifles, Crime Analysts Program Upgrade, WMD Portable Devises |
| **12. AREAS AFFECTED BY PROJECT**<br>Organized Crime/Narcotics Crime Analyst Bureau Operation Support Bureau, Weapons of Mass Destruction | |
| **13. PROPOSED PROJECT**<br>Start Date: October 01, 2011<br>End Date: September 30, 2014 | **14. CONGRESSIONAL DISTRICTS OF**<br>a. Applicant<br>b. Project VA10 VA08 VA11 |
| **15. ESTIMATED FUNDING**<br>Federal $110,500 | **16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER** |

| | | |
|---|---|---|
| Applicant | $0 | **12372 PROCESS?** |
| State | $0 | Program is not covered by E.O. 12372 |
| Local | $0 | |
| Other | $0 | |
| Program Income | $0 | **17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?** |
| TOTAL | $110,500 | N |
| **18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.** | | |

Continue

## PROJECT BUDGET NARRATIVE

| | |
|---|---|
| **Sixteen LWRCi M6A2 5.56 Caliber Rifles** | **$45,000** |
| **Crime Analysis CompStat Program Improvements** | **$34,192** |
| **Two ChemRAE, Portable, Wireless, CWA Detectors** | **$31,308** |
| **Total:** | **$110,500** |

### OCN Semi-Automatic Rifles $45,000

**Equipment - Sixteen LWRCi M6A2 5.56 Caliber Rifles**

FCPD requests funding in the amount of $45,000 to purchase sixteen (16) LWRCi M6A2 5.56 caliber rifles equipped with Aimpoint Micro H-1 optics, Surefire light, vertical foregrip and a rifle case for OCN detectives who are regularly deployed during high-risk operations. OCN's current rifles are outdated and have been identified as having a serious safety defect. The rifles are designed with optics mounted on top of the non-detachable carrying handle which produces a sight picture offset at close range. The requested LWRCi M6A2 5.56 caliber rifles are designed to allow mounting of the optics to produce a co-witnessed sight pattern with the rear site. This will eliminate the safety concern faced with the current, outdated rifles.

### Crime Analysis CompStat Program Improvements $34,192

FCPD requests funding in the amount of $34,192 for Crime Analysis CompStat program technology improvements. Geospatial tracking software, wireless projectors, and intelligence-led policing resource materials are required to improve analysis, communication and collaboration and implement newly developed analytical methods.

**Equipment - Dell 4320 Wireless Projector & Peripherals** **$13,761**

Grant funding of $13,761 will be used to purchase the Dell 4320 Wireless Projector for twelve (12) analysts. The Dell 4320 is designed to allow for diagonal projection sizes up to 32.81 ft. with wireless networking capabilities, while allowing up to 4 different computers to project different presentations at the same time. The Multi-PC session also allows up to 30 PC's to connect to the device at once for easier onscreen collaboration. The projector, cables, remote, case, and wireless dongle are included in the cost.

**Software - ArcGIS Tracking Analyst**

**$18,000**

Requested for the support of geospatial analysis products is $18,000 for eight (8) Tracking Analyst extensions. This extension will be incorporated into the CAU's use of the ArcGIS mapping application, which will enable analysts to construct time series visualizations to analyze information relative to time and location in a geospatial environment. Out of a collection of specified random data, ArcGIS Tracking Analyst creates a visible path, or track, showing

movement through space and time of the phenomena being analyzed. This allows the user the ability to view complex time series and spatial patterns in an integrated ArcGIS system.

**Resource Materials** **$2,431**

Requested for the support of the CAU's analytical capabilities are the below listed resources in the amount of $2,431 to support twelve (12) crime analysts.

| | |
|---|---|
| Tactical Crime Analysis: Research and Investigation | 4 copies |
| Show Me the Numbers: Designing Tables and Graphs to Enlighten | 12 copies |
| Now You See It: Simple Visualization Techniques for Quantitative Analysis | 12 copies |
| The Data Warehouse Toolkit: The Complete Guide to Dimensional Modeling | 12 copies |
| Environmental Criminology and Crime Analysis | 2 copies |
| The Technology of Policing: Crime Mapping, IT and the Rationality of Crime Control | 12 copies |
| Risk Terrain Modeling Manual: Spatial Risk Assessment for Crime Analysis | 2 copies |
| ArcGIS 10 Tutorial Workbooks 1, 2 and 3 | 2 copies |

**WMD Detection Equipment** **$31,308**

**Equipment - Two ChemRAE, Portable, Wireless, CWA Detectors** **$31,308**

FCPD requests funding in the amount of $31,308 to purchase two ChemRAE, Portable, Wireless, CWA Detectors. The ChemRAE is the latest in state-of-the art handheld Chemical Warfare Agent detection and identification systems. The ChemRAE uses an improved Ion Mobility Cell™, which provides enhanced selectivity and sensitivity. It is designed to detect Chemical Warfare Agents (CWA's) and toxic industrial chemicals (TIC's). The ChemRAE can be used as a standalone portable monitor or integrated into an AreaRAE network by using a RAELink2 modem. The display provides the operator with agent class, a bar graph of agent concentration and relative time-based dose. The ChemRAE stores agent alarm information for retrieval at a later time in order to provide a historical log of events. ChemRAE Systems Inc., will provide training in the setup, field use and maintenance of the ChemRAE, Portable, Wireless, CWA Detector. Completion of this training is required to properly and safely utilize the instrument.

Board Agenda Item
September 13, 2011

ADMINISTRATIVE – 2

Extension of Review Periods for 2232 Review Applications (Mount Vernon, Providence, 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: application FS-V11-23 to November 13, 2011; application FSA-S00-94-1 to November 17, 2011; and application 2232-P11-11 to March 13, 2012.

TIMING:
Board action is required on September 13, 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 period for applications FS-V11-23 and FSA-S00-94-1 which were accepted for review by the Department of Planning and Zoning (DPZ) on June 16, 2011 and June 20, 2011 correspondingly. 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
September 13, 2011

The Board should extend the review period for application 2232-P11-11 which was accepted for review by the DPZ on July 20, 2011. This application is for a non-telecommunication public facility, and thus is not subject to the State Code provision for extending the review period by no more than sixty additional days.

The review periods for the following applications should be extended:

| | |
|---|---|
| FS-V11-23 | Sprint<br>Antenna collocation on existing lightpole/monopole<br>2709 Popkins Lane - Bryant Alternative High School<br>Mount Vernon District |
| FSA-S00-94-1 | AT&T Mobility<br>Antenna collocation on existing monopole<br>9509 Old Burke Lake Road – Burke Volunteer Fire Department<br>Springfield District |
| 2232-P11-11 | Washington Metropolitan Area Transit Authority<br>Kiss and ride lot<br>Tysons Corner area – location TBA<br>Providence District |

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

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
None

STAFF:
Robert A. Stalzer, Deputy County Executive
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Chris B. Caperton, Chief, Facilities Planning Branch, Planning Division, DPZ
Sandi M. Beaulieu, Planner, Facilities Planning Branch, Planning Division, DPZ

Board Agenda Item
September 13, 2011

ADMINISTRATIVE - 3

Authorization to Advertise a Public Hearing to Consider Amending the Parking Restriction Time of the Northern Virginia Community College Residential Permit Parking District, District 39 (Braddock District)

ISSUE:
Board authorization to advertise a public hearing for October 18, 2011, at 4:00 p.m., to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to modify the restriction time of the Northern Virginia Community College (NVCC) Residential Permit Parking District (RPPD), District 39.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing for October 18, 2011, at 4:00 p.m., to consider adopting an amendment (Attachment I) to Appendix G, of *The Code of the County of Fairfax*, *Virginia*, to modify the restriction time of NVCC RPPD, District 39.

TIMING:
The Board should take action on September 13, 2011, to advertise a public hearing for October 18, 2011, at 4:00 p.m.

BACKGROUND:
On June 1, 2009, when the Board approved the establishment of the NVCC RPPD, District 39, the time of the restricted parking was from 7:00 a.m. to 7:00 p.m., Monday through Friday. The restriction time was selected based on the start of the first and last classes offered by the College. Since then, classes have been offered with start times that extend beyond the current parking restriction hours. The students that attend these later classes can now park without any restriction and create parking problems for residents. Hence the residents requested that the restriction time be changed to 7:00 a.m. to 8:30 p.m., Monday through Friday.

A petition requesting the time change was received from the current residents of the RPPD. The signatures on the petition represent more than 60 percent of the district addresses and more than 50 percent of the district addresses on each block face, thereby satisfying Code petition requirements.

FISCAL IMPACT:
The cost of sign face removal and reinstallation is estimated at $2,500 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Amendment to *The Code of the County of Fairfax, Virginia*

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
Selby Thannikary, Chief, Traffic Operations Section, FCDOT
Maria Turner, FCDOT
Hamid Majdi, FCDOT

Attachment I

PROPOSED CODE AMENDMENT

THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA
APPENDIX G

Amend *The Code of the County of Fairfax*, *Virginia,* by Changing Restriction Time to Appendix G-39, Sections (c)(2) and (d), Northern Virginia Community College Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

(c) *District Provisions*.

(2) Parking is prohibited along the residential portions of the described street blocks, both sides, except as otherwise provided herein. Within the Northern Virginia Community College Residential Permit Parking District, parking is prohibited from ~~7:00 a.m. to 7:00 p.m.~~ 7:00 a.m. to 8:30 p.m., Monday through Friday, except as permitted by the provisions of Article 5A, of Chapter 82.

(d) *Signs*. Signs delineating Northern Virginia Community College Residential Permit Parking District shall indicate the following:

NO PARKING
~~7:00 a.m. - 7:00 p.m.~~
7:00 a.m. - 8:30 p.m.
Monday through Friday
Except by Permit
District 39

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Board Agenda Item
September 13, 2011

ADMINISTRATIVE - 4

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Northern Virginia Community College Residential Permit Parking District, District 39 (Braddock District)

ISSUE:
Board authorization to advertise a public hearing for October 18, 2011, at 4:00 p.m., to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Northern Virginia Community College (NVCC) Residential Permit Parking District (RPPD), District 39.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing for October 18, 2011, at 4:00 p.m., to consider adopting an amendment (Attachment I) to Appendix G, of *The Code of the County of Fairfax*, *Virginia*, to expand the NVCC RPPD, District 39.

TIMING:
The Board should take action on September 13, 2011, to advertise a public hearing for October 18, 2011, at 4:00 p.m.

BACKGROUND:
Section 82-5A-4(a) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish RPPD restrictions encompassing an area within 2,000 feet walking distance from the pedestrian entrances and/or 1,000 feet from the property boundaries of an existing or proposed high school, existing or proposed rail station, or existing Virginia college or university campus if: (1) the Board receives a petition requesting the establishment or expansion of such a District, (2) such petition contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block face of the proposed District, and (3) the Board determines that 75 percent of the land abutting each block within the proposed District is developed residential. In addition, an application fee of $10 per address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

Petitions requesting expansion of the RPPD were received to include the following street blocks: Briar Creek Drive from Wakefield Chapel Road to Stone Gate Drive; Stone Gate Drive from Briar Creek Drive to Random Court; The Midway from Duncan Drive to the west end; and Saint Jerome Drive from The Midway to the end, all of which are subject to an RPPD based on their vicinity to the NVCC. The signatures on the petitions represent more than 60 percent of the eligible addresses of the proposed District expansion and represent more than 50 percent of the eligible addresses on each block face of the proposed District expansion, thereby satisfying Code petition requirements. More than 75 percent of the land abutting each block of the proposed District expansion is developed residential, thereby satisfying Code land use requirements. The required application fees were submitted thereby satisfying Code fee requirements.

FISCAL IMPACT:
The cost of sign installation is estimated at $3,400 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Amendment to *the Code of the County of Fairfax, Virginia*
Attachment II: Map Depicting Proposed Limits of RPPD Expansion

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
Selby Thannikary, Chief, Traffic Operations Section, FCDOT
Maria Turner, FCDOT
Hamid Majdi, FCDOT

Attachment I

Proposed Amendment

Amend *The Code of the County of Fairfax*, *Virginia*, by adding the following streets to Appendix G-39, Section (b), (2), Northern Virginia Community College Residential Permit Parking District, in accordance with Article 5A, of Chapter 82:

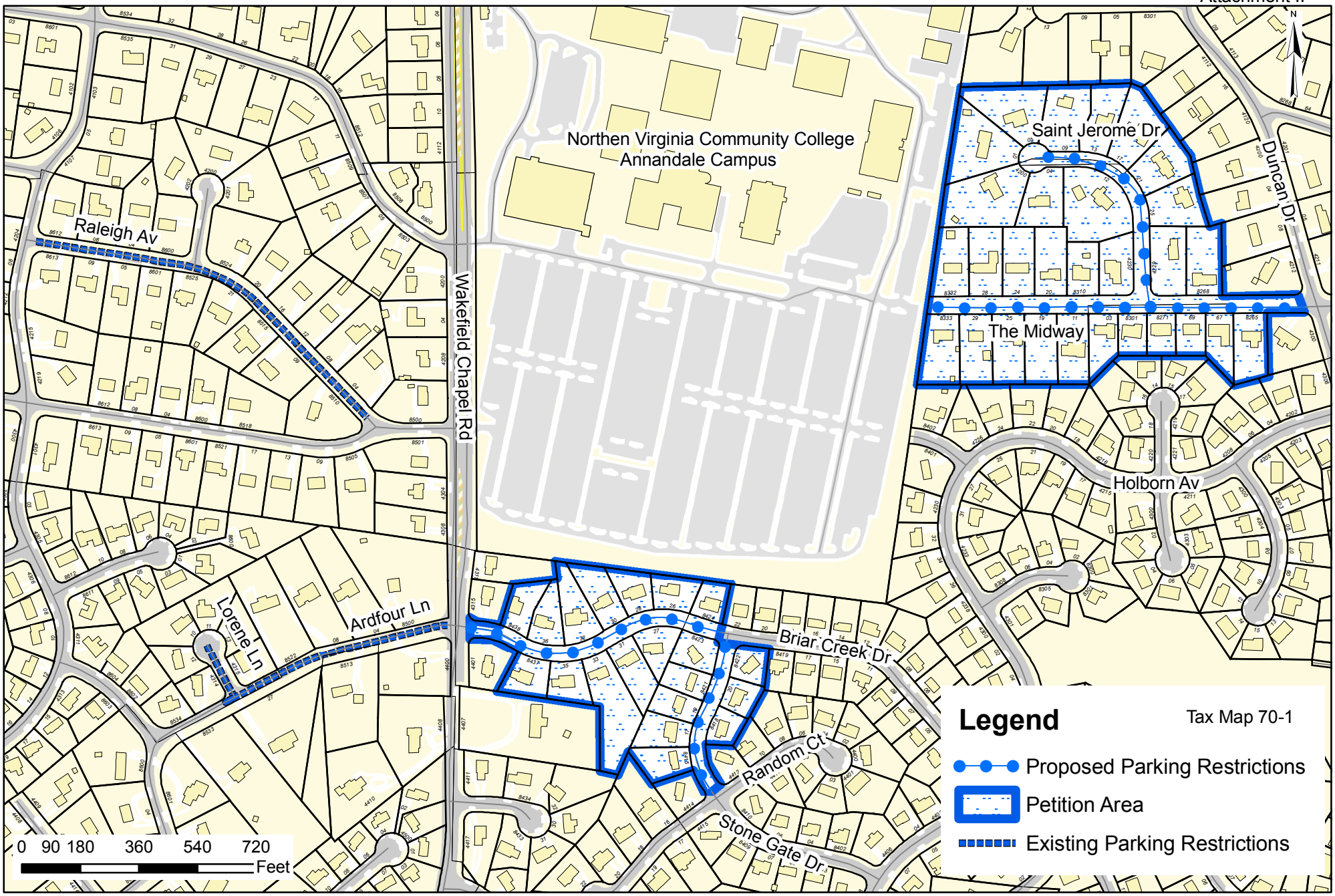
*Briar Creek Drive (Route 4495)*
From Wakefield Chapel Road to Stone Gate Drive.

*Stone Gate Drive (Route 4688)*
From Briar Creek Drive to Random Court.

*The Midway (Route 2454)*
From Duncan Drive to the west end.

*Saint Jerome Drive (Route 2455)*
From The Midway to the end.

Attachment II




Fairfax County Department of Transportation
Traffic Operations Section
RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)
Northern Virginia Community College (NVCC) # 39
Braddock District

July 29, 2011

Board Agenda Item
September 13, 2011

ADMINISTRATIVE - 5

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the McLean Residential Permit Parking District, District 21 (Dranesville District)

ISSUE:
Board authorization to advertise a public hearing for October 18, 2011, at 4:00 p.m., to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the McLean Residential Permit Parking District (RPPD), District 21.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing for October 18, 2011, at 4:00 p.m., to consider adopting an amendment (Attachment I) to Appendix G, of *The Code of the County of Fairfax*, *Virginia*, to expand the McLean RPPD, District 21.

TIMING:
The Board should take action on September 13, 2011, to advertise a public hearing for October 18, 2011, at 4:00 p.m.

BACKGROUND:
Section 82-5A-4(a) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish or expand RPPD restrictions encompassing an area within 2,000 feet walking distance from the pedestrian entrances and/or 1,000 feet from the property boundaries of an existing or proposed high school, existing or proposed rail station, or existing Virginia college or university campus if: (1) the Board receives a petition requesting the establishment or expansion of such a District, (2) such petition contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block face of the proposed District, and (3) the Board determines that 75 percent of the land abutting each block within the proposed District is developed residential. In addition, an application fee of $10 per address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

A petition requesting expansion of the RPPD was received to include the following street blocks: Warner Avenue from Kurpiers Court to Westbury Road; Warner Avenue east side only from Westbury Road to the north end; and Westbury Road from Warner Avenue to the west end, all of which are subject to an RPPD based on their vicinity to McLean High School. The signatures on the petition represent more than 60 percent of the eligible addresses of the proposed District expansion and represent more than 50 percent of the eligible addresses on each block face of the proposed District expansion, thereby satisfying Code petition requirements. More than 75 percent of the land abutting each block of the proposed District expansion is developed residential, thereby satisfying Code land use requirements. The required application fees were submitted, thereby satisfying Code fee requirements.

FISCAL IMPACT:
The cost of sign installation is estimated at $1,200 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Amendment to *the Code of the County of Fairfax, Virginia*
Attachment II: Map Depicting Proposed Limits of RPPD Expansion

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
Selby Thannikary, Chief, Traffic Operations Section, FCDOT
Maria Turner, FCDOT
Hamid Majdi, FCDOT

Attachment I

Proposed Amendment

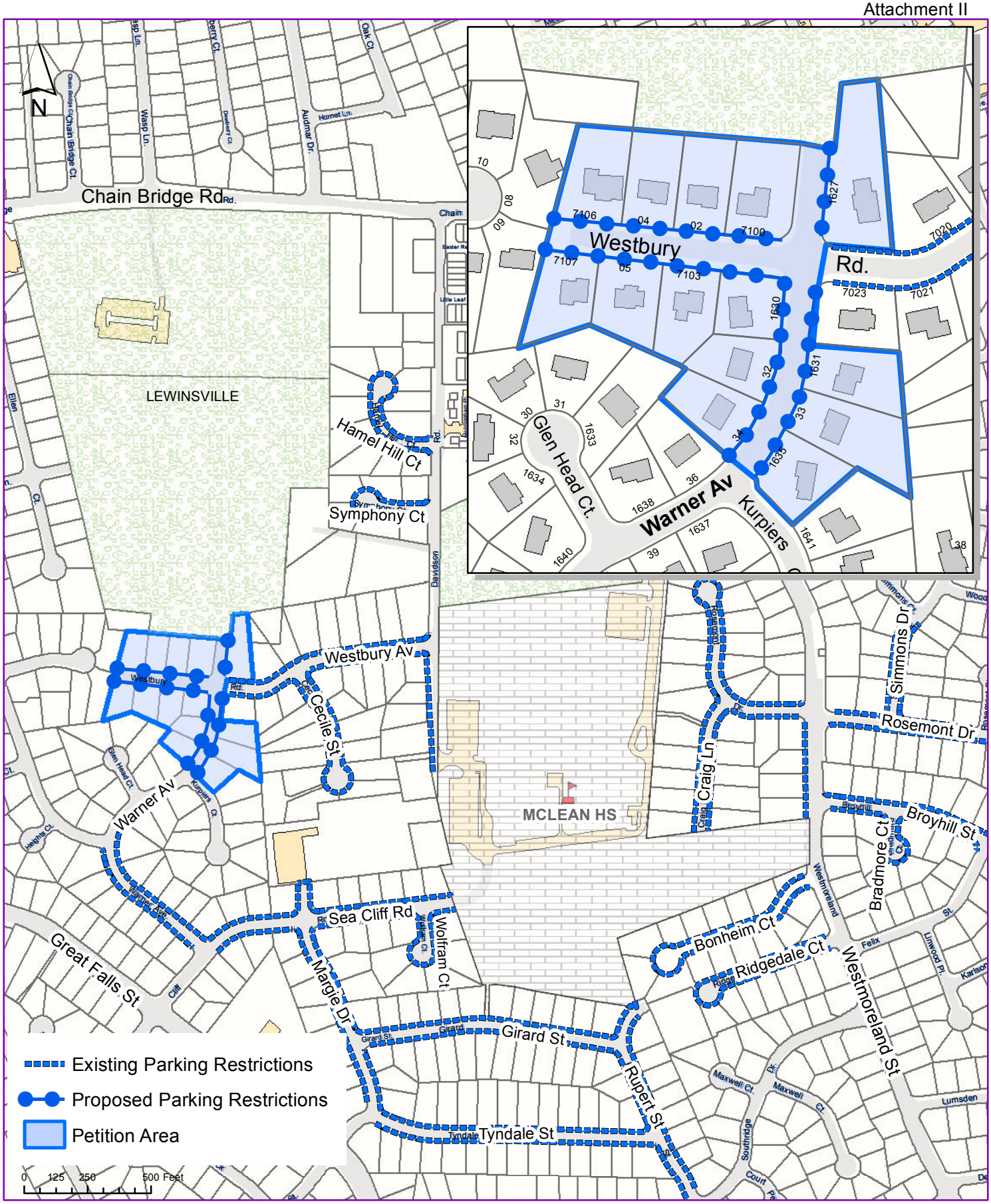
Amend *The Code of the County of Fairfax*, *Virginia*, by adding the following streets to Appendix G-21, Section (b), (2), McLean Residential Permit Parking District, in accordance with Article 5A, of Chapter 82:

*Warner Avenue (Route 2075)*
From Kurpiers Court to Westbury Road.

*Warner Avenue east side only (Route 2075)*
From Westbury Road to the north end.

*Westbury Road (Route 3237)*
From Warner Avenue to the west end.

Attachment II




**Fairfax County Department of Transportation**
**Traffic Operations Section**
**Residential Permit Parking District (RPPD)**
**McLean # 21**
**Dranesville District**

August 9, 2011

Tax Map 30-3, 30-4

Board Agenda Item
September 13, 2011

ADMINISTRATIVE - 6

Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Reston Avenue as Part of the Residential Traffic Administration Program (Hunter Mill District)

ISSUE:
Board authorization to advertise a public hearing to be held on Tuesday, October 18, 2011, 4:30 p.m., for the purpose of endorsing the following road to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction:

- Reston Avenue between Leesburg Pike and Wiehle Avenue

RECOMMENDATION:
The County Executive recommends the Board authorize advertisement of a public hearing for the purpose of endorsing Reston Avenue between Leesburg Pike and Wiehle Avenue, to be included in the RTAP for a through truck traffic restriction.

TIMING:
The Board should take action on September 13, 2011, to provide sufficient time for advertisement of the proposed public hearing scheduled for October 18, 2011, 4:30 p.m.

BACKGROUND:
In a correspondence dated June 8, 2011, Supervisor Hudgins requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Reston Avenue due to continuing safety concerns of residents regarding through trucks utilizing Reston Avenue as a shortcut between Leesburg Pike and Wiehle Avenue. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is from Reston Avenue and Leesburg Pike to the intersection of Leesburg Pike and Reston Parkway, and from the intersection of Leesburg Pike and Reston Parkway to the intersection of Reston Parkway and Wiehle Avenue and then onto the intersection of Wiehle Avenue and Reston Avenue (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 a portion of this road (Attachment III) 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.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Resolution to Restrict Through Truck Traffic on Reston Avenue
Attachment II: Area Map of Proposed Through Truck Traffic Restriction

STAFF:
Robert A. Stalzer, Deputy County Executive
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
RESTON AVENUE
HUNTER MILL DISTRICT

**WHEREAS**, the residents who live along Reston Avenue have expressed concerns regarding the negative impacts associated with through truck traffic on this road; and

**WHEREAS**, a reasonable alternate route has been identified from Reston Avenue and Leesburg Pike to the intersection of Leesburg Pike and Reston Parkway, and from the intersection of Leesburg Pike and Reston Parkway to the intersection of Reston Parkway and Wiehle Avenue and then onto the intersection of Wiehle Avenue and Reston Avenue; 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 Reston Avenue between Leesburg Pike and Wiehle Avenue, as part of the County's Residential Traffic Administration Program (RTAP).

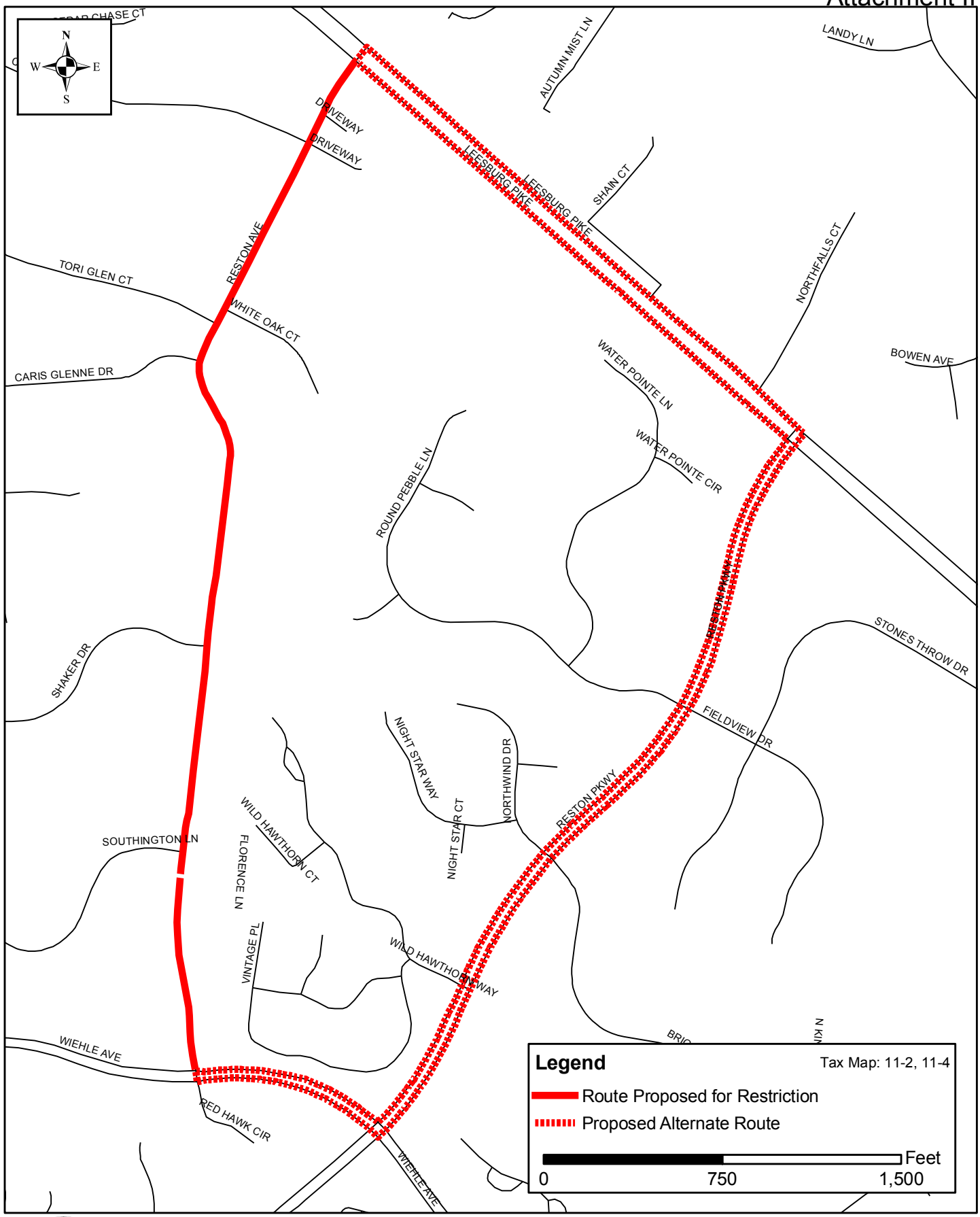
**FURTHER BE IT RESOLVED**, that the Commonwealth Transportation Board is hereby formally requested to take necessary steps to enact this prohibition.

**ADOPTED** this 18th day of October, 2011.

A Copy Teste:

_____
Nancy Vehrs
Clerk to the Board of Supervisors

Attachment II




**Fairfax County Department of Transportation**
**RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)**
**PROPOSED THROUGH TRUCK RESTRICTION**
**RESTON AVENUE**
**Hunter Mill District**

6/20/2011

Board Agenda Item
September 13, 2011

ADMINISTRATIVE - 7

Authorization to Advertise a Public Hearing on Proposed Transportation Enhancement Program Projects

ISSUE:
Board authorization to advertise a public hearing for October 18, 2011, at 4:30 p.m., to solicit comments and input on proposed FY 2013 Transportation Enhancement projects.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement and posting of a notice of intent to conduct a public hearing.

TIMING:
The Board should take action on September 13, 2011, to advertise a public hearing for October 18, 2011, at 4:30 p.m.

BACKGROUND:
The Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) continues the Enhancement Program that was established in the Intermodal Surface Transportation Efficiency Act (ISTEA), that provides ten percent of funds apportioned to a state under the Surface Transportation Program (STP) be made available for transportation enhancement activities. It is estimated that approximately $21 million will be available statewide for enhancement projects this year. In FY 2012, approximately $30.3 million was available in this program. This amount represents the federal 80 percent share and does not include the 20 percent local match. For the FY 2012 submission, the County applications requested $1,567,888 and received $1,513,000.

The Virginia Department of Transportation (VDOT) staff announced that the Commonwealth Transportation Board (CTB) will accept applications for new and existing enhancement projects. This is different from the FY 2012 guidance. In FY 2012, VDOT only accepted/considered applications requesting additional funding for existing transportation enhancement projects. Therefore, staff recommends that the County proceed with the public hearing process necessary to solicit funding requests for existing and proposed transportation enhancement projects. A list of projects approved by the CTB for FY 2012 enhancement funds is provided as Attachment I.

Under VDOT guidelines, enhancement projects may be initiated by any group or individual, but need to be formally endorsed by a local jurisdiction or public agency.

Transportation enhancement projects are financed with up to 80 percent STP funds, and require a minimum 20 percent local match. Any project endorsed by the Board must have an identified source of funding for the 20 percent match. VDOT will generally administer an enhancement project, if it is located within the VDOT right-of-way. Last year, VDOT implemented new requirements for jurisdictional sponsors (like Fairfax County) to provide technical guidance and oversight throughout project development. Additionally, the sponsor must ensure that the budget accurately reflects project cost and accept responsibility for future maintenance and operating cost of the completed project.

Final selection of projects will be made by the CTB working with the VDOT Programming and Scheduling Division. The deadline to submit potential projects for FY 2013 funds to Fairfax County for inclusion in the October 18, 2011 Board item is September 20, 2011. The deadline for submitting final applications to Fairfax County is October 24, 2011 in order to meet the November 1, 2011 VDOT submission deadline.

Staff proposes the following schedule for the FY 2013 enhancement grant program:

| | |
|---|---|
| September 13, 2011 | Board Authorization to Advertise a Public Hearing on Enhancement Requests |
| September 20, 2011 | Deadline to Submit Projects for Board Consideration |
| October 18, 2011 | Board Public Hearing |
| October 18, 2011 | Board Endorsement of Recommended Projects |
| October 20, 2011 | Letters to Applicants Announcing Applications Endorsed by the Board. |
| October 24, 2011 | Applications due to FCDOT |
| November 1, 2011 | VDOT Submission Deadline |

Criteria for Project Eligibility

Transportation enhancements are activities or improvements that increase the value or growth of a project, or make it more aesthetically pleasing. In other words, the project is "enhanced" by doing something that is not a common practice. Eligible transportation enhancement activities are:

1. Provision of facilities for bicycles and/or pedestrians;

2. Provision of safety and educational activities for pedestrians and bicyclists;

3. Acquisition of scenic easements and scenic or historic sites;

4. Scenic or historic highway programs;

5. Landscaping and other scenic beautification;

6. Historic preservation;

7. Rehabilitation and operation of historic transportation buildings, structures, or facilities including historic railroad facilities and canals;

8. Preservation of abandoned railway corridors, including the conversion and use thereof for pedestrian and bicycle trails;

9. Control and removal of outdoor advertising;

10. Archaeological planning and research;

11. Environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and

12. Establishment of transportation museums.

The Federal Highway Administration (FHWA) has determined that the above list is exclusive. Only those activities listed are eligible for transportation monies.

FISCAL IMPACT:
Transportation enhancement projects require a minimum 20 percent local match. Any project endorsed by the Board must have an identified source of funding for the 20 percent match. VDOT has implemented new requirements for jurisdictional sponsors (like Fairfax County) to provide technical guidance and oversight throughout project development. Additionally, the sponsor must ensure that the budget accurately reflects project cost and accept responsibility for future maintenance and operating cost of the completed project.

ENCLOSED DOCUMENTS:
Attachment I: List of projects approved by CTB for FY 2012 enhancement funds

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
Jay Guy, Senior Transportation Planner, Coordination and Funding Division, FCDOT
Ken Kanownik, Transportation Planner, Coordination and Funding Division, FCDOT

**2011 Final Enhancement Allocations (FY12)**

| Project Applicant and Description | | Funding Amounts | |
|---|---|---|---|
| McLean Revitalization Corporation | proje | ct cost | $2,315,400 |
| Pedestrian and streetscape improvements at the Chain Bridge Road / Old | | request amount | $ 200,000 |
| Dominion Drive intersection | allocation | | $ 200,000 |
| Fairfax County Park Authority | proje | ct cost | $1,045,300 |
| Construction of a shared use path connecting mass transit options including | | request amount | $ 396,240 |
| VRE stations and bus routes to residential areas, schools and local businesses | | allocation | $ 396,000 |
| Great Falls Trail Blazers | proje | ct cost | $1,555,633 |
| Construction of an asphalt trail between Utterback Store Road and Falls Chase | | request amount | $ 417,748 |
| Court along Georgetown Pike | allocation | | $ 417,000 |
| Lorton Arts Foundation, Inc. | proje | ct cost | $2,328,841 |
| Construction of a multi-use trail connecting Occoquan Regional Park and the | | request amount | $ 500,000 |
| Laurel Hill Greenway as part of the Cross County Trail system | | allocation | $ 500,000 |
| Mason Neck Citizens | proje | ct cost | $2,909,722 |
| Phase II Construction of the Mason Neck Trail | | request amount | $ 58,900 |
| | | allocation | $ 0 |
| County Totals | proje | ct costs | $7,245,174 |
| total | | requested | $1,567,888 |
| total | | allocated | $1,513,000 |

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Board Agenda Item
September 13, 2011

ADMINISTRATIVE – 8

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

ISSUE:
Board of Supervisors' action to reinstate into active status an individual who has completed his continuing education requirements pursuant to the adopted criteria and recommendation of the Advisory Plans Examiner Board.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors (the Board) take the following action:

- Reinstate the following individual, identified with his registration number, as Plans Examiner:

  Gary D. Newlen DPE #155 on 6/23/97– Inactive on 7/21/08

TIMING:
Routine.

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.

Reinstatement of Plans Examiner Status: 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 June 29, 2011, this individual has applied for reinstatement as an active DPE. Upon review of his application and finding that the continuing education requirements have been satisfied, the APEB recommends reinstatement to active DPE status.

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

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment I – Letter dated June 29, 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

# Engineers & Surveyors Institute

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Blake A. Smith, P.E.
Smith Engineering

EXECUTIVE DIRECTOR
Terrance C. Ryan, PhD., P.E.


June 29, 2011


Received

JUL - 8 2011

Land Development Services
Director's Office


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.

Gary D. Newlen – DPE #155 on 6/23/97 --- Inactive on 7/21/08

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., LS.
Chairman
Fairfax County Advisory Plans Examiner Board

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Board Agenda Item
September 13, 2011

ADMINISTRATIVE – 9

Streets into the Secondary System (Dranesville, Lee, Mason 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.

| **Subdivision** | **District** | **Street** |
|---|---|---|
| Linway Estates | Dranesville | Linway Terrace (Route 689)<br>(Additional Right-of-Way (ROW) Only) |
| McLean Cove | Dranesville | Davidson Road (Route 975)<br>(Additional ROW Only) |
| Ashby Heights | Lee | Telegraph Road (Route 611)<br>(Additional ROW Only) |
| | | Old Telegraph Road (Route 634)<br>(Additional ROW Only) |
| Metro Park Phase Five Part of Lot 2 (Beulah Street Right Turn Lane) | Lee | Beulah Street (Route 613)<br>(Additional ROW Only) |
| Shurgard Storage Centers, Inc. | Lee | Holly Hill Road (Route 1408)<br>(Additional ROW Only) |
| Silver Springs Lot 6A – Chevy Chase Bank | Lee | Franconia Road (Route 644)<br>(Additional ROW Only) |
| | | Gum Street (Route 3567)<br>(Additional ROW Only) |

Board Agenda Item
September 13, 2011

| **Subdivision** | **District** | **Street** |
|---|---|---|
| Shirley Industrial Park<br>Parcels V, W-1 and Y<br>(Avis Budget) | Mason | Backlick Road (Route 617)<br>(Additional ROW Only)<br><br>Commercial Drive (Route 4007)<br>(Additional ROW Only) |
| Lee Plaza – 11725 Lee Highway | Springfield | Lee Highway Service Drive<br>(Route 10332)<br>(Additional ROW Only) |

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

Attachment 1

Print Form

# Street Acceptance Form For Board Of Supervisors Resolution - June 2005

(209)

**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 PERMITS MANAGER, FAIRFAX, VIRGINIA**

REQUEST TO THE PERMITS MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

**PLAN NUMBER:** 5160-SD-02

**SUBDIVISION PLAT NAME:** Linway Estates

**COUNTY MAGISTERIAL DISTRICT:** Dranesville

**PERMITS MANAGER:**

**BY:** Nalia Alphonsi

**FOR OFFICIAL USE ONLY**

**DATE OF VDOT INSPECTION APPROVAL:** 05/13/2011

| STREET NAME | LOCATION | | LENGTH MILE |
|---|---|---|---|
| | FROM | TO | |
| Linway Terrace (Route 689) (Additional Right-of-Way Only) | 200' W CL Kirby Road (Route 695) | 200' W to Section Line | 0.0 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | **TOTALS:** | 0.0 |

**NOTES:**

168' of 4' Concrete Sidewalk on South Side to be maintained by VDOT.

Print Form

# 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 PERMITS MANAGER, FAIRFAX, VIRGINIA**

REQUEST TO THE PERMITS MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

**PLAN NUMBER:** 1286-SP-003

**SUBDIVISION PLAT NAME:** McLean Cove

**COUNTY MAGISTERIAL DISTRICT:** Dranesville

**PERMITS MANAGER:**

**BY:** Nellie Alphonse

**FOR OFFICIAL USE ONLY**

**DATE OF VDOT INSPECTION APPROVAL:** 05/26/2011

| STREET NAME | LOCATION | | LENGTH MILE |
|---|---|---|---|
| | FROM | TO | |
| Davidson Road (Route 975) (Additional Right-of-Way Only) | 35' S CL Chain Bridge Road (Route 3547) | 429' S to Section Line | 0.0 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | TOTALS: | 0.0 |

**NOTES:**

All Sidewalks to be maintained by the H.O.A.

Print Form

# 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 PERMITS MANAGER, FAIRFAX, VIRGINIA**

REQUEST TO THE PERMITS MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

**PLAN NUMBER:** 1881-SD-01

**SUBDIVISION PLAT NAME:** Ashby Heights

**COUNTY MAGISTERIAL DISTRICT:** Lee

**PERMITS MANAGER:**

**BY:** Nadia Alphonse

**FOR OFFICIAL USE ONLY**

**DATE OF VDOT INSPECTION APPROVAL:** 05 - 19 - 2011

| STREET NAME | LOCATION | | LENGTH MILE |
|---|---|---|---|
| | FROM | TO | |
| Telegraph Road (Route 611) (Additional Right-of-Way Only) | 15' NE CL Old Telegraph Road (Route 634) | 800' NE to Section Line | 0.0 |
| Old Telegraph Road (Route 634) (Additional Right-of-Way Only) | 30' NE CL Telegraph Road (Route 611) | 887' NE to Section Line | 0.0 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | **TOTALS:** | 0.0 |

**NOTES:**

Telegraph Road: 800' of 8' Asphalt Trail on North Side to be maintained by Fairfax County.

Old Telegraph Road: 450' of 5' Asphalt Trail on East Side to be maintained by Fairfax County.

Print Form

# Street Acceptance Form For Board Of Supervisors Resolution - June 2005

(212)

**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:** 6836-SP-12

**SUBDIVISION PLAT NAME:** Metro Park Phase5 Part of Lot2 (Beulah Street Right Turn Lane)

**COUNTY MAGISTERIAL DISTRICT:** Lee

**ENGINEERING MANAGER:**

**BY:** Nadia Alphonse

**FOR OFFICIAL USE ONLY**

**DATE OF VDOT INSPECTION APPROVAL:** 05/19/2011

| STREET NAME | LOCATION | | LENGTH MILE |
|---|---|---|---|
| | FROM | TO | |
| Beulah Street (Route 613) (Additional Right-of-Way Only) | 414' S CL Walker Lane (Route 10026) | 234' S to Section Line | 0.0 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | **TOTALS:** | 0 |

**NOTES:**

190' of 5' Concrete Sidewalk on West Side to be maintained by VDOT.

Print Form

# Street Acceptance Form For Board Of Supervisors Resolution - June 2005

(213)

**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:** 9644-SP-02

**SUBDIVISION PLAT NAME:** Shurgard Storage Centers, Inc.

**COUNTY MAGISTERIAL DISTRICT:** Lee

**ENGINEERING MANAGER:**

**BY:** Nadia Alphonse

**FOR OFFICIAL USE ONLY**

**DATE OF VDOT INSPECTION APPROVAL:** 05/23/2011

| STREET NAME | LOCATION | | LENGTH MILE |
|---|---|---|---|
| | FROM | TO | |
| Holly Hill Road (Route 1408) (Additional Right-of-Way Only) | 303' W CL Richmond Highway (Route 1) | 170' W to Section Line | 0.0 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | **TOTALS:** | 0 |

**NOTES:**

170' of 5' Concrete Sidewalk on South Side to be maintained by VDOT

Print Form

# Street Acceptance Form For Board Of Supervisors Resolution - June 2005

(214)

**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:** 7648-SP-001-2

**SUBDIVISION PLAT NAME:** Silver Springs Lot 6A - Chevy Chase Bank

**COUNTY MAGISTERIAL DISTRICT:** Lee

**ENGINEERING MANAGER:**

**BY:** Nidia Alphonsp

**FOR OFFICIAL USE ONLY**

**DATE OF VDOT INSPECTION APPROVAL:** 05/23/2011

| STREET NAME | LOCATION | | LENGTH MILE |
|---|---|---|---|
| | FROM | TO | |
| Franconia Road (Route 644) (Additional Right-of-Way Only) | 25' W CL Gum Street (Route 3567) | 175' W to Section Line | 0.0 |
| Gum Street (Route 3567) (Additional Right-of-Way Only) | 40' S CL Franconia Road (Route 644) | 176' S to Section Line | 0.0 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | **TOTALS:** | 0.0 |

**NOTES:**

Franconia Road: 175' of 5' Concrete Sidewalk on South Side to be maintained by VDOT.

Gum Street: 146' of 5' Concrete Sidewalk on West Side to be maintained by VDOT.

Print Form

# Street Acceptance Form For Board Of Supervisors Resolution - June 2005

(215)

**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:** 3593-SP-005

**SUBDIVISION PLAT NAME:** Shirley Industrial Park Parcels V,W-1&Y (Avis Budget)

**COUNTY MAGISTERIAL DISTRICT:** Mason

**ENGINEERING MANAGER:**

**BY:** Nadia Alphonse

**FOR OFFICIAL USE ONLY**

**DATE OF VDOT INSPECTION APPROVAL:** 06/02/2011

| STREET NAME | LOCATION | | LENGTH MILE |
|---|---|---|---|
| | FROM | TO | |
| Backlick Road (Route 617) (Additional Right-of-Way Only) | 220' N CL Industrial Road (Route 2723) | 193' N to Section Line | 0.0 |
| Commercial Drive (Route 4007) (Additional Right-of-Way Only) | 30' NE CL Industrial Road (Route 2723) | 649' NE to Section Line | 0.0 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | **TOTALS:** | 0 |

**NOTES:**

Backlick Road: 163' of 8' Asphalt Trail on East Side to be maintained by Fairfax County.

Commercial Drive: 619' of 5' Concrete Sidewalk on West Side to be maintained by VDOT.

Print Form

# Street Acceptance Form For Board Of Supervisors Resolution - June 2005

(216)

**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.**

**PERMITS MANAGER:**

**BY:** Nadia Alphonsy

**VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE PERMITS MANAGER, FAIRFAX, VIRGINIA**

REQUEST TO THE PERMITS MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

**PLAN NUMBER:** 1741-SP-01

**SUBDIVISION PLAT NAME:** Lee Plaza - 11725 Lee Highway

**COUNTY MAGISTERIAL DISTRICT:** Springfield

**FOR OFFICIAL USE ONLY**

**DATE OF VDOT INSPECTION APPROVAL:** 05/23/2011

| STREET NAME | LOCATION | | LENGTH MILE |
|---|---|---|---|
| | FROM | TO | |
| Lee Highway Service Drive (Route 10332) (Additional Right-of-Way Only) | 665' NE CL Robertson Farm Circle (Route 10275) | 16' NE to Section Line | 0.0 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | TOTALS: | 0.0 |

**NOTES:**

Board Agenda Item
September 13, 2011

ACTION - 1

Approval of the FY 2012 State Performance Contract Between the Fairfax-Falls Church Community Services Board and the Virginia Department of Behavioral Health and Developmental Services

ISSUE:
Board approval for the Fairfax-Falls Church Community Services Board's acceptance of funds and approval of the FY 2012 State Performance Contract with the Virginia Department of Behavioral Health and Developmental Services.

RECOMMENDATION:
The County Executive recommends that the Board approve the FY 2012 State Performance Contract between the Virginia Department of Behavioral Health and Developmental Services and the associated acceptance of funds.

TIMING:
Immediate.

BACKGROUND:
By law, the Fairfax-Falls Church Community Services Board (CSB) must make its proposed State Performance Contract available for public review prior to the CSB Board's final recommendations and approval and prior to the CSB submitting the State Performance Contract for review and approval by Fairfax County and the Cities of Fairfax and Falls Church.

The proposed FY 2012 State Performance Contract was available for thirty days for public review and comment. Copies of the FY 2012 State Performance Contract were disseminated to County Regional Libraries, two City Councils, the CSB, CSB outpatient treatment sites and Board of Supervisors District Offices. Notices were sent to the CSB distribution list and posted on the CSB's Web page. Comments were received until July 27, 2011.

On July 27, 2011, the CSB Board approved the FY 2012 State Performance Contract, following which the FY 2012 State Performance Contract is being presented for review and approval by Fairfax County and the Cities of Fairfax and Falls Church.

The contract transfers $37,728,396 in state-controlled funds to the CSB, which is the total estimate of $18,805,957 in State funds, $5,551,445 in Federal funds, $11,110,780 in Medicaid State Plan Option funds and $2,260,214 in MR Waiver funds.

FISCAL IMPACT:
This is the contractual mechanism used by the State to receive $37,728,396 in state-controlled funds to the CSB. This is $595,951 or 1.6% greater than the FY 2011 annual contract amount of state-controlled funds, largely attributable to the new estimated revenues to support the Intensive Community Treatment Teams.

ENCLOSED DOCUMENT:
Attachment A-1: FY 2012 Attached CSB-Specific Information
Attachment A-2: FY 2012 Community Services Performance Contract
(This document can be found in the Office of the Clerk to the Board and online at: http://www.dbhds.virginia.gov/documents/occ-2012-PerformanceContract.pdf)

STAFF:
Patricia Harrison, Deputy County Executive
George Braunstein, Executive Director, Fairfax-Falls Church Community Services Board

# FY 2012 Community Services Performance Contract
## Exhibit A: Resources and Services
## CSB 100 Mental Health Services
## Fairfax-Falls Church Community Services Board

**Report for Form 11**

| Core Services Code | Costs |
|---|---|
| 250 Acute Psychiatric or SA Inpatient Services | $1,075,345 |
| 310 Outpatient Services | $10,869,661 |
| 350 Assertive Community Treatment | $2,157,936 |
| 320 Case Management Services | $10,869,659 |
| 410 Day Treatment/Partial Hospitalization | $2,293,978 |
| 425 Rehabilitation or Habilitation | $2,266,500 |
| 430 Sheltered Employment | $192,222 |
| 465 Group Supported Employment | $366,475 |
| 460 Individual Supported Employment | $316,096 |
| 501 Highly Intensive Residential Services | $2,912,646 |
| 510 Residential Crisis Stabilization Services | $3,318,695 |
| 521 Intensive Residential Services | $3,858,936 |
| 551 Supervised Residential Services | $8,662,849 |
| 581 Supportive Residential Services | $3,983,685 |
| 610 Prevention Services | $0 |
| **Total Costs** | **$53,144,683** |

# FY 2012 Community Services Performance Contract
## Exhibit A: Resources and Services
## CSB 200 Developmental Services
## Fairfax-Falls Church Community Services Board

**Report for Form 21**

| Core Services Code | Costs |
|---|---|
| 320 Case Management Services | $6,411,710 |
| 425 Rehabilitation or Habilitation | $7,585,270 |
| 430 Sheltered Employment | $2,412,897 |
| 465 Group Supported Employment | $6,244,410 |
| 460 Individual Supported Employment | $861,047 |
| 521 Intensive Residential Services | $13,074,333 |
| 551 Supervised Residential Services | $3,377,140 |
| 581 Supportive Residential Services | $1,140,278 |
| **Total Costs** | **$41,107,085** |

# FY 2012 Community Services Performance Contract
## Exhibit A: Resources and Services
## CSB 300 Substance Abuse Services
## Fairfax-Falls Church Community Services Board

**Report for Form 31**

| Core Services Code | Costs |
|---|---|
| 260 Community-Based SA Medical Detox Inpatient (Hospital) Services | $436,732 |
| 310 Outpatient Services | $3,261,170 |
| 320 Case Management Services | $2,694,127 |
| 410 Day Treatment/Partial Hospitalization | $2,643,617 |
| 501 Highly Intensive Residential Services | $3,078,813 |
| 521 Intensive Residential Services | $9,866,721 |
| 610 Prevention Services | $1,808,382 |
| **Total Costs** | **$23,789,562** |

# FY 2012 Community Services Performance Contract
## Exhibit A: Resources and Services
## CSB 400 Services Available Outside of a Program Area
## Fairfax-Falls Church Community Services Board

**Report for Form 01**

| Core Services Code | Costs |
|---|---|
| 100 Emergency Services | $4,873,453 |
| 390 Consumer Monitoring Services | $2,438,337 |
| 720 Assessment and Evaluation Services | $5,574,302 |
| 620 Early Intervention Services | $1,479,551 |
| 730 Consumer Run Services | $557,784 |
| **Total Costs** | **$14,923,427** |

# FY 2012 Community Services Performance Contract Supplement

## Table 1: Board of Directors Membership Characteristics

| | | | | | |
|---|---|---|---|---|---|
| **Name of CSB:** | **Fairfax-Falls Church Community Services Boar** | | | | |
| **Total Appointments:** | 16 | **Vacancies:** | 1 | **Filled Appointments:** | 15 |
| **Number of Consumers:** | 1 | | | **Number of Family Members:** | 8 |

# FY 2012 Community Services Performance Contract

## Exhibit D: CSB Board of Directors Membership List

### Fairfax-Falls Church Community Services Board

| Name | Address | Phone Number | Start Date | End Date | Term No. |
|---|---|---|---|---|---|
| Renee M. Alberts | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 8/6/2001 | 6/30/2011 | 3 |
| Pamela Barrett | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 9/14/2009 | | 1 |
| Mary Ann Beall | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 4/25/2005 | | 2 |
| Susan Beeman | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 9/25/2006 | | 2 |
| Jessica Burmester | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 7/31/2009 | | 1 |
| Lynne Crammer | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 9/26/2005 | | 1 |
| Mark L. Gross | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 5/25/2004 | | 2 |
| Diane Hofstadter | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 7/1/2010 | | 2 |
| Glenn Kamber | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 6/22/2009 | | 2 |
| Martha Lloyd | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 6/22/2009 | | 1 |
| Jean P. McNeal | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 5/1/2006 | | 1 |
| Mattie L. Palmore | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 1/9/2006 | | 2 |
| Major Mark Sites | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 7/25/2008 | | U |
| Lori Stillman | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 10/17/2005 | | 1 |
| Woody Witt | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 9/22/1008 | | U |
| Jane Woods | 12011 Government Center Parkway; Suite 836 Fairfax,VA | (703) 324-7000 | 11/17/2008 | | 1 |

# FY 2012 Community Services Performance Contract Supplement

## Table 2: Board Management Salary Costs

**Name of CSB:** **Fairfax-Falls Church Community Services Board** **FY 2012**

| Table 2a: Management Position Title | FY 2012 Beginning | Salary Range Ending | Budgeted Tot. Salary Cost | Tenure (yrs) |
|---|---|---|---|---|
| Administrative/Finance Director | $69,106.00 | $115,177.00 | $115,177.00 | 14.00 |
| Deputy/Assistant Executive Director | $87,709.00 | $146,181.00 | $140,000.00 | 0.50 |
| Developmental Services Director | $83,452.00 | $139,237.00 | $134,146.00 | 10.00 |
| Executive Director | $105,820.00 | $176,366.00 | $165,000.00 | 2.50 |
| Management Information System Director | $76,026.00 | $126,711.00 | $126,711.00 | 8.00 |
| Medical/Psychiatric Services Director | $106,385.00 | $177,309.00 | $177,309.00 | 9.00 |
| Prevention Services Director | $72,455.00 | $120,759.00 | $116,461.00 | 7.00 |
| Quality Assurance Director | $76,026.00 | $126,711.00 | $126,711.00 | 18.00 |
| Substance Abuse Services Director | $83,452.00 | $139,237.00 | $133,073.00 | 9.00 |

# FY 2012 Community Services Performance Contract Supplement

Fairfax-Falls Church Community Services Board

## Table 2: Board Management Salary Costs

| Explanations for Table 2a |
|---|
| |

### Table 2b: Community Service Board Employees

| 1. | 2. | 3. | 4. | 5. | 6. | 7. |
|---|---|---|---|---|---|---|
| No. of FTE CSB Employees | MH | DV | SA | Srv Outside Pgm | ADMIN | TOTAL |
| Consumer Service FTEs | 367.00 | 158.00 | 222.00 | 128.00 | | 875.00 |
| Peer Staff Service FTEs | 2.00 | 0.00 | 2.00 | 1.00 | | 5.00 |
| Support Staff FTEs | 59.00 | 15.00 | 31.00 | 0.00 | 32.00 | 137.00 |
| TOTAL FTE CSB Employees | 428.00 | 173.00 | 255.00 | 129.00 | 32.00 | 1,017.00 |

# FY 2012 Performance Contract Financial Summary

Exhibit A: Resources and Services

Mental Health (MH) Services

## Fairfax-Falls Church Community Services Board

| Funding Sources | Funds |
|---|---|
| **FEES** | |
| MH Medicaid Fees | 7,837,668 |
| MH Fees: Other | 2,977,536 |
| Total MH Fees | 10,815,204 |
| MH Transfer Fees In/(Out) | 0 |
| MH NET FEES | **10,815,204** |
| **FEDERAL FUNDS** | |
| MH FBG SED Child & Adolescent (93.958) | 235,636 |
| MH FBG SMI (93.958) | 890,940 |
| MH FBG SMI PACT (93.958) | 0 |
| MH FBG SMI SWVMH Board (93.958) | 0 |
| Total MH FBG SMI Funds (Adult) | 890,940 |
| MH FBG Geriatrics (93.958) | 0 |
| MH FBG Consumer Services (93.958) | 0 |
| Total MH FBG Adult Funds | 890,940 |
| MH Federal PATH (93.150) | 30,287 |
| MH Other Federal - DBHDS | 0 |
| MH Other Federal - CSB | 275,161 |
| TOTAL MH FEDERAL FUNDS | **1,432,024** |
| **STATE FUNDS** | |
| **Regional Funds** | |
| MH Acute Care (Fiscal Agent) | 1,635,801 |
| MH Regional DAP (Fiscal Agent) | 1,749,374 |
| MH Crisis Stabilization (Fiscal Agent) | 1,242,321 |
| MH Recovery (Fiscal Agent) | 622,391 |
| MH Other Regional (Fiscal Agent) | 760,153 |
| MH Total RegionalTransfer In/(Out) | -1,240,306 |
| Total MH Regional Funds | 4,769,734 |
| **Children's Funds** | |
| MH Child & Adolescent Services Initiative | 515,529 |
| MH Children's Outpatient | 75,000 |
| Total Restricted MH Children's Funds | 590,529 |
| MH State Children's Services | 0 |
| MH Juvenile Detention | 111,724 |
| MH Demo Proj-System of Care (Child) | 0 |
| Total Unrestricted MH Children's Funds | 111,724 |
| Total MH Children's Funds | 702,253 |
| **Other State Funds** | |

# FY 2012 Performance Contract Financial Summary

## Exhibit A: Resources and Services

## Mental Health (MH) Services

## Fairfax-Falls Church Community Services Board

| Funding Sources | Funds |
|---|---|
| MH Law Reform | 530,387 |
| MH Pharmacy - Medication Supports | 1,665,990 |
| MH Jail Diversion/Service | 75,000 |
| Total Restricted MH Other State Funds | 2,271,377 |
| MH State Funds | 5,372,035 |
| MH State Regional Deaf Services | 23,750 |
| MH State NGRI Funds | 0 |
| MH PACT | 700,000 |
| MH Discharge Assistance (DAP) | 1,318,699 |
| MH Geriatric Services | 0 |
| Total Unrestricted MH Other State Funds | 7,414,484 |
| Total MH Other State Funds | 9,685,861 |
| TOTAL MH STATE FUNDS | **15,157,848** |
| OTHER FUNDS | |
| MH Other Funds | 311,050 |
| MH Federal Retained Earnings | 0 |
| MH State Retained Earnings | 0 |
| MH State Retained Earnings - Regional Prog | 0 |
| MH Other Retained Earnings | 0 |
| TOTAL MH OTHER FUNDS | **311,050** |
| LOCAL MATCHING FUNDS | |
| MH In-Kind | 0 |
| MH Contributions | 0 |
| MH Local Other | 0 |
| MH Local Government | 36,281,064 |
| TOTAL MH LOCAL FUNDS | **36,281,064** |
| TOTAL MH FUNDS | **63,997,190** |
| ONE-TIME FUNDS | |
| MH FBG SMI (93.958) | 0 |
| MH FBG SED Child & Adolescent (93.958) | 0 |
| MH State Funds | 0 |
| TOTAL MH ONE-TIME FUNDS | **0** |
| TOTAL All MH FUNDS | **63,997,190** |

# FY 2012 Performance Contract Financial Summary

## Exhibit A: Resources and Services

## Developmental (DV) Services

## Fairfax-Falls Church Community Services Board

| Funding Sources | Funds |
|---|---|
| **FEES** | |
| DV Medicaid Fees | 5,938,148 |
| DV Medicaid ICF/MR | 0 |
| DV Fees: Other | 599,236 |
| Total DV Fees | 6,537,384 |
| DV Transfer Fees In/(Out) | 0 |
| DV NET FEES | 6,537,384 |
| **FEDERAL FUNDS** | |
| DV Other Federal - DBHDS | 0 |
| DV Other Federal - CSB | 0 |
| TOTAL DV FEDERAL FUNDS | 0 |
| **STATE FUNDS** | |
| DV State Funds | 0 |
| DV OBRA | 0 |
| Total DV Unrestricted State Funds | 0 |
| DV Crisis Stabilization (Restricted) | 0 |
| TOTAL DV STATE FUNDS | 0 |
| **OTHER FUNDS** | |
| DV Workshop Sales | 0 |
| DV Other Funds | 0 |
| DV State Retained Earnings | 0 |
| DV Other Retained Earnings | 0 |
| TOTAL DV OTHER FUNDS | 0 |
| **LOCAL MATCHING FUNDS** | |
| DV In-Kind | 0 |
| DV Contributions | 0 |
| DV Local Other | 0 |
| DV Local Government | 34,731,557 |
| TOTAL DV LOCAL FUNDS | 34,731,557 |
| TOTAL DV FUNDS | 41,268,941 |
| **ONE-TIME FUNDS** | ---------- |
| TOTAL ALL DV FUNDS | 41,268,941 |

# FY 2012 Performance Contract Financial Summary

Attachment A-1

## Exhibit A: Resources and Services

## Substance Abuse (SA) Services

## Fairfax-Falls Church Community Services Board

| Funding Sources | Funds |
|---|---|
| **FEES** | |
| SA Medicaid Fees | 112,000 |
| SA Fees: Other | 1,163,933 |
| Total SA Fees | 1,275,933 |
| SA Transfer Fees In/(Out) | 0 |
| SA NET FEES | **1,275,933** |
| **FEDERAL FUNDS** | |
| SA FBG Alcohol/Drug Trmt (93.959) | 1,840,441 |
| SA FBG SARPOS (93.959) | 207,611 |
| SA FBG Jail Services (93.959) | 159,802 |
| SA FBG Co-Occurring (93.959) | 120,000 |
| SA FBG New Directions (93.959) | 0 |
| SA FBG Recovery (93.959) | 0 |
| Total SA FBG A/D Trmt Funds | 2,327,854 |
| SA FBG Women (Includes LINK at 6 CSBs) (93.959) | 443,444 |
| SA FBG Prevention-Women (LINK) (93.959) | 0 |
| Total SA FBG Women Funds | 443,444 |
| SA FBG Prevention (93.959) | 507,823 |
| SA FBG Prev-Strengthening Families (93.959) | 0 |
| Total SA FBG Prevention Funds | 507,823 |
| SA Fed "Returning to Work" (93.243) | 0 |
| SA Other Federal - DBHDS | 0 |
| SA Other Federal - CSB | 840,300 |
| TOTAL SA FEDERAL FUNDS | **4,119,421** |
| **STATE FUNDS** | |
| **Regional Funds** | |
| SA Facility Reinvestment (Fiscal Agent) | 0 |
| SA Facility Reinvestment Transfer In/(Out) | 0 |
| SA Net Facility Reinvestment Funds | 0 |
| **Other State Funds** | |
| SA Women (Includes LINK at 4 CSBs) - Restricted | 129,200 |
| SA State Funds | 3,081,319 |
| SA Region V Residential | 0 |
| SA Jail Services/Juv Detention | 243,526 |
| SA MAT - Medically Assisted Treatment | 0 |
| SA SARPOS | 148,528 |
| SA Recovery | 0 |
| SA HIV/AIDS | 45,536 |
| Total Unrestricted SA Other State Funds | 3,518,909 |
| Total SA Other Funds | 3,648,109 |
| TOTAL SA STATE FUNDS | **3,648,109** |

# FY 2012 Performance Contract Financial Summary

Attachment A-1

## Exhibit A: Resources and Services

## Substance Abuse (SA) Services

## Fairfax-Falls Church Community Services Board

| Funding Sources | Funds |
|---|---|
| **OTHER FUNDS** | |
| SA Other Funds | 60,455 |
| SA Federal Retained Earnings | 0 |
| SA State Retained Earnings | 0 |
| SA State Retained Earnings-Regional Prog | 0 |
| SA Other Retained Earnings | 0 |
| TOTAL SA OTHER FUNDS | 60,455 |
| **LOCAL MATCHING FUNDS** | |
| SA In-Kind | 0 |
| SA Contributions | 0 |
| SA Local Other | 0 |
| SA Local Government | 19,594,402 |
| TOTAL SA LOCAL FUNDS | 19,594,402 |
| TOTAL SA FUNDS | 28,698,320 |
| **ONE TIME FUNDS** | |
| SA FBG Alcohol/Drug Trmt (93.959) | 0 |
| SA FBG Women (includes LINK at 6 CSBs) (93.959) | 0 |
| SA FBG Prevention (93.959) | 0 |
| SA State Funds | 0 |
| TOTAL ONE TIME SA FUNDS | 0 |
| TOTAL ALL SA FUNDS | 28,698,320 |

Quarter C

## FY2012 Community Services Performance Contract

### Exhibit A: Resources and Services

### Fairfax-Falls Church Community Services Board

| Consolidated Budget (Pages AF-3 through AF-7) | | | | |
|---|---|---|---|---|
| Revenue Source | Mental Health Services | Developmental Services | Substance Abuse Services | TOTAL |
| State Funds | 15,157,848 | 0 | 3,648,109 | 18,805,957 |
| Local Matching Funds | 36,281,064 | 34,731,557 | 19,594,402 | 90,607,023 |
| Total Fees | 10,815,204 | 6,537,384 | 1,275,933 | 18,628,521 |
| Transfer Fees In/(Out) | 0 | 0 | 0 | 0 |
| Federal Funds | 1,432,024 | 0 | 4,119,421 | 5,551,445 |
| Other Funds | 311,050 | 0 | 60,455 | 371,505 |
| State Retained Earnings | 0 | 0 | 0 | 0 |
| Federal Retained Earnings | 0 | | 0 | 0 |
| Other Retained Earnings | 0 | 0 | 0 | 0 |
| **Subtotal Funds** | **63,997,190** | **41,268,941** | **28,698,320** | **133,964,451** |
| State Funds One-Time | 0 | | 0 | 0 |
| Federal Funds One-Time | 0 | | 0 | 0 |
| **Subtotal One -Time Funds** | **0** | **0** | **0** | **0** |
| **TOTAL ALL FUNDS** | **63,997,190** | **41,268,941** | **28,698,320** | **133,964,451** |

| | | | | |
|---|---|---|---|---|
| **Cost for MH/DV/SA** | **53,144,683** | **41,107,085** | **23,789,562** | **118,041,330** |
| **Cost for Services Available Outside of a Program Area (SAOPA) (AP-4)** | | | | **14,923,427** |

| | |
|---|---|
| **Total Cost** | **132,964,757** |

| Local Match Computation | |
|---|---|
| **Total State Funds** | 18,805,957 |
| **Total Local Matching Funds** | 90,607,023 |
| **Total State and Local Funds** | 109,412,980 |
| **Total Local Match % (Local/Total State + Local)** | **82.81%** |

| Administrative Expenses | |
|---|---|
| **Total Admin. Expenses** | 3,148,254 |
| **Total Expenses** | 132,964,757 |
| **Administrative Percent** | **2.37%** |

**FY 2012 Community Services Performance Contract**

**Exhibit A: Resources and Services**

**Local Government Tax Appropriations**

## Fairfax-Falls Church Community Services Board

| City/County | Tax Appropriation |
|---|---|
| Falls Church City | 575,084 |
| Fairfax City | 1,268,785 |
| Fairfax County | 88,763,154 |
| **Total Local Government Tax Funds:** | 90,607,023 |

*FY2012 Community Services Performance Contract*
*Exhibit A: Resources and Services*
*Fairfax-Falls Church Community Services Board*
*Financial Comments*

| | |
|---|---|
| *Comment1* | MH Fees Other = $895,331 consumer pay + $715,142 insurances + $1,342,113 CSA + |
| *Comment2* | $24950 State courts |
| *Comment3* | MH Other Fed-CSB = $134,417 VASAVOR + $140,744 10-month PATH estimate. |
| *Comment4* | MH Other Funds = $65,000 DRS-Cooperative Employment + $246,050 Y315 Jail Divers. |
| *Comment5* | MH Total Regional Transfer In/Out is detailed on Regional Funds Worksheet. |
| *Comment6* | ID Fees Other = consumer pay |
| *Comment7* | SA Fees Other = $952,691 consumer pay + $24,955 insurances + $31,287 LRP fees + |
| *Comment8* | $155,000 Fees from other CSBs. |
| *Comment9* | SA Other Fed- CSB = $180,087 food stamp electronic benefits retailer + $260,213 |
| *Comment10* | HUD + $400,000 HIDTA |
| *Comment11* | SA Other Funds = Day Reporting |
| *Comment12* | Administration Expenses reflect current presentation of management infra- |
| *Comment13* | structure/business supports in a consolidated central administrative cost center |
| *Comment14* | |
| *Comment15* | |
| *Comment16* | |
| *Comment17* | |
| *Comment18* | |
| *Comment19* | |
| *Comment20* | |
| *Comment21* | |
| *Comment22* | |
| *Comment23* | |
| *Comment24* | |
| *Comment25* | |

Board Agenda Item
September 13, 2011

ACTION - 2

Approval of Interim Closing Cost Assistance Program for Purchasers in the First-Time Homebuyers Program

ISSUE:
Board approval of an interim grant program to provide closing cost assistance to qualified first-time homebuyers is requested due to recent changes in the mortgage industry that have made it difficult to obtain financing when purchasing in the Fairfax County First-Time Homebuyers Program. This issue relates to the recent limited availability of Federal Housing Administration (FHA) financing for those purchasing homes with restrictive covenants under the First-Time Homebuyers Program, which is administered by the Fairfax County Redevelopment and Housing Authority (FCRHA).

RECOMMENDATION:
The County Executive recommends that the Board approve the use of $141,902 from Fund 319, The Penny for Affordable Housing Fund to implement an interim closing cost assistance program for purchasers within the Fairfax County First-Time Homebuyers Program.

TIMING:
Board action is requested on September 13, 2011, to enable the immediate funding of closing cost assistance to purchasers of homes in the First-Time Homebuyers Program.

BACKGROUND:
In April 2010, the Virginia Housing Development Authority (VHDA) informed Fairfax County and other jurisdictions that restrictions within their Affordable Dwelling Unit (ADU) programs were not in compliance with the criteria for FHA loans, as specified in Mortgagee Letter 94-2 from the Federal Housing Commissioner. This Mortgagee Letter effectively limits restrictive covenants surviving foreclosure by a financial institution. While the Mortgagee Letter is over a decade old, FHA is in a more risk-averse mode and is enforcing the letter more strenuously than in the past. As a result, in July 2010, the Department of Housing and Community Development (HCD) received notice from three of the five lending institutions on the Homeownership Division's qualified lender's list that they would no longer be able to make FHA-insured loans to homebuyers participating in Fairfax County's First-Time Homebuyers Program. While HCD and the Office of the County Attorney are working with other national organizations to seek

regulatory changes from FHA, the issue still remains and first-time homebuyers have few financing options. This leaves conventional financing as the only option for participating first-time homebuyers.

The overall tightening of the mortgage market has necessitated higher down payments from home purchasers. Conventional first trust mortgages typically require a sizable down payment of up to 20 percent of the sales price. Currently, there are conventional products coming onto the market requiring lower down payments ranging from three (3) to five (5) percent for purchasers with good to excellent credit. The buyer must use their own funds with the requirement that no gift funds may be allowed. The FCRHA does currently require purchasers to put three (3) percent of their own funds toward down payment assistance. The FCRHA also requires that purchasers have at least one month of household expenses in a reserve account at the time of purchase. There is still a need for closing costs assistance, which this interim program will address.

Approval is requested to provide grant funds for closing cost assistance in an amount up to five (5) percent of the price of the home. The closing costs funded by the FCRHA will be grants of up to five (5) percent of the sales price of the home.

The First-Time Homebuyers Program properties have sales prices ranging from approximately $90,000 to $175,000. Five (5) percent of the price of homes in this range would provide grants from $4,500 to $8,750. The allowable closing costs will be the following:

- One (1) percent for a loan origination fee plus two additional points on the loan (two (2) percent of the loan amount);
- County tax certificate, transfer charges, revenue stamps and recordation charges;
- Title examination, settlement and attorney fees;
- Notary fees and fees associated with preparation of a deed of conveyance, a deed of trust or mortgage, and the deed of trust or mortgage note; and
- Appraisal fees and credit report charges.

It is anticipated that approximately 21 grants will be provided to purchasers in the First-Time Homebuyers Program on a need basis as evaluated by staff in Fiscal Year 2012.

FISCAL IMPACT:
Funding in the amount of $141,902 is available in Fund 319, The Penny for Affordable Housing Fund's Project 014275 (Silver Lining Initiative) for the closing cost assistance program and will be reallocated to Project 014325 (Closing Costs Grants).

Board Agenda Item
September 13, 2011

ENCLOSED DOCUMENTS:
None

STAFF:
Patricia Harrison, Deputy County Executive
Paula C. Sampson, Director, Department of Housing and Community Development, (HCD)
John Payne, Deputy Director, Real Estate, HCD
Barbara Silberzahn, Director, Homeownership and Relocation Services Division, HCD

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Board Agenda Item
September 13, 2011

ACTION - 3

Endorsement of Design Plans for Bridge Replacement at Beach Mill Road (Route 603) Over Nichols Run (Dranesville District)

ISSUE:
Board endorsement of the Virginia Department of Transportation (VDOT) design plans to replace the bridge superstructure for Beach Mill Road (Route 603) over Nichols Run from 0.55 miles west of Springvale Road to 0.45 miles west of Springvale Road in Dranesville District.

RECOMMENDATION:
The County Executive recommends that the Board endorse the VDOT design plans for the replacement of the superstructure of Beach Mill Road (Route 603) Bridge over Nichols Run, including one 16-foot lane wood deck, generally as presented at the June 27, 2011, Public Hearing, with the following conditions:

- The community strongly supports the one-lane bridge option. FCDOT staff has confirmed with the Fire and Rescue Department and Schools that the one-lane bridge will be acceptable, if the approaches are adequately designed to accommodate larger vehicles.
- The bridge design should include aesthetic treatments, in keeping with the character of the surrounding Great Falls community.
- The design should be a single lane bridge which is no more than 16 feet of clear road across and which is of a rustic style. Specifically, it should be a slip resistant wood decking/railing treatment similar to that constructed on Leigh Mill Road.

TIMING:
The Board should take action on this matter as soon as possible to allow VDOT to proceed with final approval by the Chief Engineer.

BACKGROUND:
Beach Mill Road (Route 603) Bridge over Nichols Run is a structurally deficient and functionally obsolete bridge. The current bridge was built in 1940, and is in overall poor condition. It carries approximately 1,600 vehicles per day. The bridge's current sufficiency rating is 43.8 on a scale of 0 (poor) to 100 (good). These ratings, developed by the Federal Highway Administration (FHWA), serve as a prioritization tool to allocate funds. The rating considers adequacy, whether the bridge is functionally obsolete, and its

service level to the public.

The new crossing would be approximately 36 feet long, 16 feet wide, single span, to stay within current right-of-way, reduce cost, and remain consistent with the community's character. The roadway elevation would be raised approximately one foot. The expected service life of the new span is 50-75 years. Four options for lane configuration and appearance were presented at the Public Hearing Meeting: two lanes with concrete slab, two lanes with wood deck, single lane with concrete slab and single lane with wood deck.

VDOT and County staff have coordinated the design plans with the Fairfax County Public Schools and Fire and Rescue, community members and citizens of Great Falls and other local groups. The plans were presented at a Public Hearing held on June 27, 2011, at Forestville Elementary School.

A copy of the public hearing brochure is attached. VDOT Northern Virginia District Environmental Section reviewed the social, economic and environmental impacts of the project on the local community and surrounding area. As a result of the review, VDOT has determined that this project will not result in any significant impacts.

Public Hearing Comments

A public hearing was held on June 27, 2011, from 5-8 p.m. Approximately 34 people attended the public hearing, and a total of 67 written comments were submitted. Of the comments received, 59 supported the project, and 8 were opposed.

The following represents a summary of the major concerns expressed at the public hearing for the project:

- A strong majority supported a one-lane bridge
- A few supported a two-lane bridge
- A number commented that the bridge should have aesthetic treatment, so that it blends with the surrounding community
- A number specifically supported wood railings

Project Cost and Schedule

The current estimated project cost is $1.28 million, which includes $275,000 for design and $825,000 -$1,025,000 million for construction (includes cost of permanent drainage and temporary construction easements). This design/build project is fully funded for design, right-of-way, and construction through the VDOT Six Year Improvement Program (SYIP).

The latest schedule is:

| | |
|---|---|
| Design | Currently Underway |
| Public Hearing | June 2011 |
| Request for Design- Build Proposals (RFP) | October 2011 |
| Begin Construction | June 2012 |
| Complete Construction | August 2012 |

FISCAL IMPACT:
No County funds are required. This project is fully funded through the VDOT SYIP.

ENCLOSED DOCUMENTS:
Attachment I: Location and Design Public Hearing Brochure

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
Karyn Moreland, Chief, Capital Projects Section, FCDOT
Kinnari Radadiya, Capital Projects Section, FCDOT

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VDOT

www.VirginiaDOT.org

Design Public Hearing

# Beach Mill Road Bridge over Nichols Branch Fairfax County

Monday, June 27, 2011, 5 – 8 p.m.
Forestville Elementary School
1085 Utterback Store Road, Great Falls, VA

## Public Meeting

**Welcome to the Virginia Department of Transportation's (VDOT) public hearing on proposed improvements to the Beach Mill Road (Route 603) bridge over Nichols Branch. We look forward to your active participation.**

This public hearing is being held to provide an opportunity for citizens and organizations to give VDOT comments and/or suggestions on the proposed project. VDOT strives to ensure that all members of the community have the opportunity to participate in public decisions on transportation projects and programs affecting them.

VDOT representatives are present to discuss the project and answer your questions.

A comment sheet is included in the handouts for this meeting, and your input is encouraged. All oral and written comments received on this project will be included in a transcript for review by VDOT personnel, citizens and other interested parties.

VDOT staff will address questions and concerns raised as a result of this meeting before the project is presented to VDOT's chief engineer for consideration.

## Project Overview

*Beach Mill Road bridge over Nichols Branch, existing condition.*

**Purpose** – To replace the structurally deficient and functionally obsolete Beach Mill bridge over Nichols Branch.
**From** – 0.55 mile west of Springvale Road
**To** – 0.45 mile west of Springvale Road
**Total length** – 0.1 mile
**Improvements** – Replace, lengthen and possibly widen the bridge.

State Project – 603-029-718, P101, C501, B603 Federal Project – BROS-5401(981) (UPC 84385)

# PROJECT DESCRIPTION

This project will replace the bridge carrying Beach Mill Road over Nichols Branch in Fairfax County.

The existing bridge was built in 1940, and is in overall poor condition. It carries approximately 1,600 vehicles per day. The bridge's current sufficiency rating is 43.8 on a scale of 0 (poor) to 100 (very good). These ratings, developed by the Federal Highway Administration, serve as a prioritization tool to allocate funds. The rating considers adequacy, whether the bridge is functionally obsolete, and its service level to the public.

The new crossing would be a small, single span to stay within current right-of-way, reduce cost, and remain consistent with the community's character. Roadway elevation would remain unchanged. The expected service life of the new span is 50-75 years.

Several options for lane configuration and appearance will be presented tonight:

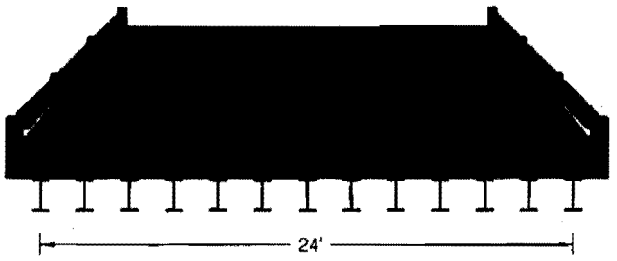
**Single-lane and two-lane designs** are represented below. A two-lane design was first pursued as Beach Mill Road is a two-lane facility. A single-lane option is also being considered, after initial community feedback leaned toward retaining a single-lane structure.

The community will also have the opportunity to comment on **material and appearance**, of either a timber deck supported by steel beams *(left below)*, or a pre-cast concrete slab with asphalt surface *(right below)*.

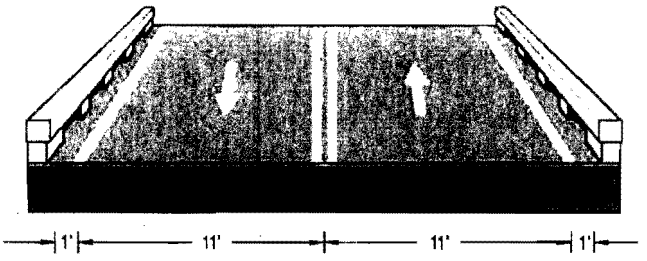
VDOT is considering design-build contracting for this project to expedite the overall schedule. This method can accelerate the schedule and achieve the desired results with room for innovation in design and construction.

## Project Graphic

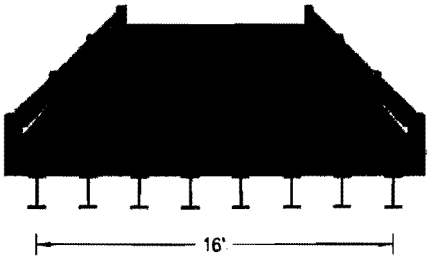
**Beach Mill Road Bridge Replacement**
**Single-lane, two-lane, wood and concrete designs**



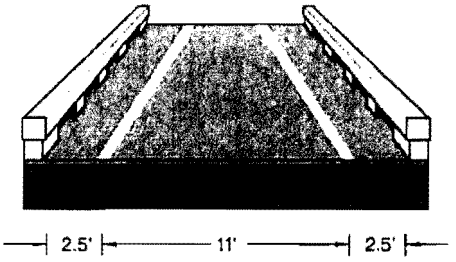

TWO LANE W/WOOD DECK




TWO LANE W/CONCRETE SLAB




SINGLE LANE W/WOOD DECK




SINGLE LANE W/CONCRETE SLAB

## Estimated Project Cost

Total Cost:

**$1.1 million – $1.3 million**

Engineering of Roadway Plans:

$275,000

Construction:

$825,000 - $1,025,000 (Includes cost for permanent drainage and temporary construction easements)

*Ranges account for single to two-lane design costs.*

*The project will be financed using federal funds. Costs are subject to change as development of the project is in the early design stage.*

## Civil Rights

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. For more information or for special assistance for persons with disabilities or limited English proficiency, contact VDOT's Civil Rights Division at 800-FOR-ROAD (367-7623) or TTY/TDD 711.

## Right of Way

Displays at this meeting show the right of way that may be needed as the project is currently proposed. As the design is further developed, additional easements and right of way may be required beyond what is shown in the preliminary plans. Property owners will be informed of the exact location of the easements during the right of way acquisition process and prior to construction.

Information on the acquisition process is discussed in VDOT's brochure, "Right of Way and Utilities: a Guide for Property Owners and Tenants." Copies of this brochure are available here from a VDOT right of way agent.

## Anticipated Schedule

**The following schedule is proposed:**

- **Public hearing** – June 2011
- **Request for design-build proposals** – October 2011
- **Begin construction** – June 2012
- **Complete construction** – August 2012

## Environmental Review

Since federal aid is anticipated for this project, a Programmatic Categorical Exclusion (PCE) was prepared to fulfill the requirements of the National Environmental Policy Act (NEPA).

VDOT's Northern Virginia District environmental section reviewed the social, economic and environmental impacts of the project on the local community and surrounding area. The project was coordinated with the appropriate federal, state and local officials. As a result of this review, it has been determined that construction of the project will not result in any significant impacts.

In compliance with the National Historic Preservation Act, Section 106 and 36 CFR Part 800, information concerning the potential effects of the proposed improvements on properties listed in or eligible for listing in the National Register of Historic Places is available at the hearing.

During construction, all reasonable efforts will be made to protect the environment with respect to dust control, siltation and erosion. Construction will conform to VDOT specifications and special provisions and the Virginia Department of Soil and Water Conservation regulations

VDOT representatives will review and evaluate any information received as a result of the public hearing. The comment sheet in this brochure is provided to assist in making your comments. You may leave the sheet or any other written comments in the comment box, or mail/e-mail your comments to the addresses below.

Comments must be postmarked, e-mailed or delivered to VDOT by **July 8, 2011** to be included in the public hearing record.

Mailed comments may be sent to Mr. Nicholas J. Roper, P.E. at the address below. Email comments may be sent to meeting_comments@vdot.virginia.gov. Please include "Beach Mill Road Bridge Replacement" in the subject line.

Project information shared here, including a summary of comments received during the comment period, will be available at www.virginiadot.org/projects and at VDOT's Northern Virginia District Office.

## Contact Information


**Primary Contact:**
**Nicholas J. Roper, P.E.**
Nicholas.Roper@VDOT.Virginia.gov

VDOT Northern Virginia
Bridge Engineer

4975 Alliance Drive
Fairfax, VA 22030

703-259-1953

**Leslie Martin**
**Leslie.Martin@VDOT.Virginia.gov**

**4975 Alliance Drive**
**Fairfax, VA 22030**


**TTY/TDD Dial 711**

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Board Agenda Item
September 13, 2011

ACTION – 4

Presentation of the Delinquent Tax List for Tax Year 2010 (FY 2011)

ISSUE:
Presentation to the Board of the annual list of delinquent real estate, personal property, and business, professional, occupational license (BPOL) taxes; presentation of the annual list of small uncollectible accounts.

RECOMMENDATION:
The County Executive recommends that (1) staff continue to pursue the collection of delinquent taxes found in Attachment A; and, (2) the Board remove certain small uncollectable overdue accounts listed in Attachments B and C pursuant to Virginia Code § 58.1-3921.

TIMING:
Routine.

BACKGROUND:
In accordance with State Code, the Department of Tax Administration (DTA) has prepared a list of delinquent taxpayers for tax year 2010 (FY 2011) for Board consideration (Attachment A). The Board previously discontinued the practice of making this list available in public libraries because it had no effect on the collection of delinquent taxes. DTA and its agents will continue to pursue the collection of all taxes and other charges due.

The list being presented to the Board is a "snapshot" of outstanding delinquent taxes as of June 30, 2011. This includes delinquent taxpayers who may be on a payment plan with DTA, and delinquencies of taxpayers in bankruptcy.

Staff will continue collection efforts on all accounts that are within the statute of limitations, in accordance with Virginia Code §§ 58.1-3933 and 58.1-3940. Presented below is a summary of delinquent taxes still outstanding for Tax Year 2010.

Tax year 2010 (FY 2011)
(First Year Delinquent)
As of June 30, 2011

| | Number of Accounts | Local Tax Amount |
|---|---|---|
| Real Estate | 3,124 | $ 7,565,210 |
| Personal Property – Vehicles | 39,684 | $ 4,600,167 |
| Business Personal Property | 1,894 | $ 1,455,481 |
| Public Service Corp. Properties | 3 | $ 3,240 |
| BPOL | 2,609 | $ 2,302,642 |
| Total | 47,314 | $ 15,926,740 |

For perspective, the total amount of all unpaid current year taxes, or $15.92 million, represents less than 1% of the levy for Tax Year 2010 (FY 2011). This is consistent with prior years. Of the $4,600,167 in delinquent vehicle taxes, $1,366,386 is from business owned and used vehicles, and $3,233,781 is from personal property taxes on personally owned and used vehicles.

Throughout FY 2011, DTA aggressively collected delinquent accounts using its broad array of collection tools which includes computer-generated letters; telephone calls; statutory summons authority; payment plans; liens; and set-offs against income tax refunds. In FY 2011, DTA took more than approximately 15,000 collection actions on delinquent accounts.

With outstanding support in FY 2011 from the Sheriff's Office, the Police Department and the Office of the County Attorney, DTA also utilized booting or towing of vehicles, seizure of equipment, and cash "till taps" to collect more difficult tax accounts. The Sheriff's Office handled 1,451 vehicle boot and levy orders in FY 2011, and the Police Department also assisted in the collection effort by towing vehicles as necessary.

Although most of the County Attorney collections were outsourced following the FY 2010 Lines of Business (LOB's), the County Attorney's Office still directly handles bankruptcy collection cases. A total of 476 new bankruptcy collection cases were opened in FY 2011, and $2.3 million was collected from all bankruptcy matters. Additionally, the County Attorney's Office collected approximately $518,086 in delinquent BPOL accounts.

During FY 2011, DTA again continued a program of broadcasting the names of certain delinquent taxpayers on cable TV's Channel 16. Each taxpayer was sent a letter *before* his or her name was aired in order to give each taxpayer another

opportunity to avoid having their name included in the cable presentation. This program accounted for FY 2011 collections totaling $634,280.

In accordance with Virginia law, DTA also has an agreement with the Virginia Department of Motor Vehicles (DMV) whereby vehicle registrations are withheld from citizens who have delinquent personal property taxes. In FY 2011, $7,208,416 was collected from 49,602 DMV holds.

FY 2011 also represents the second year of a major outsourcing of delinquent collections for DTA. As authorized by Virginia Code § 58.1-3958 and by prior Board action, private law firms and/or private collection agencies hired to represent the County in the collection of delinquent taxes and other County charges are compensated by a 20% fee added to the total delinquency. Outsourcing the bulk of collections has been a productive partnership and overall the initiative has been very successful.

Effective July 1, 2011, the General Assembly amended Virginia Code § 58.1-3919-1 and § 58.1-3934 to accelerate how quickly delinquencies can be placed with private agents. Beginning in FY 2012, DTA is now able to place delinquencies with private collectors after an account is three months past due. Prior to this DTA had to wait six months before outsourcing a delinquent account. Earlier placement is expected to be a positive collection enhancement for the coming year.

DTA has a contract with a Fairfax County collection agency, Nationwide Credit Corporation (NCC), which collected $5 million in delinquent revenue in FY 2011. This result was achieved through a robust collection program that included 700,000 telephone calls using automated outbound dialing technology. In addition, NCC sent more than 57,000 dunning letters, issued more than 29,000 bank and wage liens, and processed just over 1,400 boot and tow orders in coordination with the Sheriff's Office. In FY 2011, NCC together with their private collection attorney also instituted lawsuits to obtain judgments in the Fairfax County General District Court to enforce the payment of delinquent personal property taxes as authorized by Virginia Code § 58.1-3919.1. DTA staff provides direct authorization and oversight of all NCC seizure activities. DTA also provides account research, reconciliation and adjudication in support of the collection effort.

As another means of revenue collection in FY 2011, the County Attorney's Office contracted with the private law firm of Taxing Authority and Consulting Services (TACS) which is based in Richmond, Virginia. TACS has substantial experience in Virginia collections, and collected approximately $4.5 million in delinquent real estate taxes for Fairfax County in FY2011. Additionally, the County Attorney's Office referred 159 prior judgments to TACS totaling $2.8 million in zoning and property

maintenance enforcement and developer default cases. Of this amount, TACS collected $93,181 in FY 2011. Like other collection agents, TACS is essentially compensated from the delinquent taxpayers by the 20% fee added to the amounts due the County.

Thanks to these combined efforts, the County collected more than $28 million in net delinquent taxes in FY 2011 for all prior tax years. In partnership with its third party collection agents, staff will continue collection efforts in FY 2012 on all delinquent taxes and other charges authorized by law.

Strong collection efforts are also reflected in the current year tax collection rates. For example, pending completion of the year-end audit, the current year collection rates achieved in FY 2011 are shown below:

| | FY 2011 |
|---|---|
| Real Estate | 99.66 % |
| Personal Property (local share) | 97.75 % |
| BPOL | 98.80 % |

It should also be noted that FY 2011 represents the first year of imposing the local vehicle registration fee without a physical decal, pursuant Section 4-17.2 of the Fairfax County Code. A total of $27.5 million in registration fees were collected during the fiscal year. The lack of a physical decal appears to have had no material impact on the success of collections.

In addition to delinquent taxes, most parking ticket collections were also outsourced starting in FY 2010. DTA's principal parking ticket agent has been Citation Management, a division of Duncan Solutions. FY 2011 ticket collections totaled approximately $3.1 million. Part of this revenue came from placing DMV holds against vehicle registrations. More than 9,600 DMV holds were placed in FY 2011 for outstanding parking tickets. This generated approximately $503,000 in ticket revenue, a 78% increase from the prior year. This success was based on a 2010 amendment to Virginia Code § 46.2-752, whereby the ability to place DMV holds was expanded to include non-County residents.

Starting in FY 2012, delinquent ticket collections will be consolidated with other collections to NCC pursuant to a competitively bid RFP awarded at the end of FY 2011. Citation Management will continue to handle front end ticket processing and current collections. Attachment D provides a breakdown of the amount of tickets remaining to be collected as of the end of FY 2011. A significant amount of the uncollected revenue is from single-issue tickets and from violators outside of Fairfax County.

In addition to taxes and tickets, DTA also facilitates the collection of Grass Mowing Fees. A copy of the last quarterly report is provided in Attachment E.

Finally, Virginia Code §§ 58.1-3921 and 58.1-3924 state that upon submission to the Board of a list of small tax amounts for which no bills were sent and a list of small uncollected balances of previously billed taxes, credit shall be given for these uncollected taxes. These lists are presented in Attachments B and C, and the total value of taxes therein is shown below. These small amounts average to about $1.99 per account:

| | Number of Accounts | Dollars |
|---|---|---|
| Real Estate | 7,804 | $ 1,678 |
| Personal Property | 24,656 | $ 62,788 |
| TOTAL | 32,460 | $ 64,466 |

The Virginia Code provides that such small tax accounts be “less than twenty dollars each.” It should be noted, however, that the County lists show accounts that are less than five dollars each to reflect DTA’s actual billing practice.

FISCAL IMPACT:
None. As described above, collection agents collect their fee directly from the delinquent taxpayers, not to exceed 20% of the amount collected plus administrative costs as specified by law.

ENCLOSED DOCUMENTS:
Attachment A - Delinquent Taxpayers for Tax Year 2010 (FY 2011)
Attachment B - Tax Year 2010 accounts valued less than $5 that were not billed
Attachment C - Tax Year 2010 "balance due" accounts of less than five dollars
(Attachments A-C listed above are computer printouts which will be made available in the Board Conference Room on September 13, 2011, from 9:00 A.M. - 4:30 P.M.)
Attachment D - Statistical Profile of Unpaid Tickets
Attachment E - Status of Grass Mowing Collections

STAFF:
Susan W. Datta, Chief Financial Officer
Kevin C. Greenlief, Director, Department of Tax Administration
Julio A. Vargas, Director, Revenue Collection Division, DTA
E. Scott Sizemore, Assistant Director, Revenue Collection Division, DTA
Nancy F. Loftus, Assistant County Attorney

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## ATTACHMENT D

| Unpaid Ticket Category, FY 2011 | Tickets | Amount |
|---|---|---|
| In Fairfax | 13,437 | 1,188,408 |
| In VA/Outside FFX | 3,299 | 287,480 |
| Outside VA | 6,212 | 537,167 |
| **Subtotal:** | **22,948** | **2,013,055** |
| **Average Amount Due Per Ticket:** | | **$88** |

| Unpaid Ticket Aging Report - FY 2011 | Tickets | Amount |
|---|---|---|
| < 60 days | 2,057 | $161,565 |
| 61-90 days | 1,294 | $108,895 |
| 91-120 days | 1,058 | $91,895 |
| 120-150 days | 884 | $74,542 |
| 150-180 days | 826 | $69,560 |
| Over 180 days | 16,829 | $1,506,598 |
| | **22,948** | **$2,013,055** |

[Excludes tickets still pending DMV match]

(As of 6/30/2011)

Attachment E

# County of Fairfax, Virginia

## MEMORANDUM

**Date:** August 8, 2011

**To:** Jeff Blackford, Director
Department of Code Compliance

**From:** E. Scott Sizemore, Assistant Director
Revenue Collection Division
Department of Tax Administration

**Subject:** Grass Mowing Collections – Quarterly Status Report

The following is the status of our Grass Mowing Collections in support of DPW&ES. Since program inception in April, 2008:

- DTA has received a total of 582 invoices from DPW&ES, totaling $163,596
- DTA has collected on 500 invoices totaling $140,495
- DTA is still pursuing collection on 82 invoices totaling $23,101
- Collection rate for mowing charges referred to DTA is currently 86%

We continue to bill unpaid mowing fees on a monthly basis. DTA will also attempt to collect on these fees using a combination of telephone calls, collection letters, bank liens, wage liens and boots/tows before referring unpaid fees to our collection attorney for further collection action.

It is my understanding that DPW&ES is to provide the Board with a status on collections as appropriate. In the meantime DTA will include an update to the Board in our annual report on tax collections in September. Our next report will be to you in November 2011. Please contact Juan Rengel of my staff, at 703-324-2558, if you have any questions in this regard.

JBR/ess

**DEPARTMENT OF TAX ADMINISTRATION (DTA)**
**REVENUE COLLECTION DIVISION**
12000 Government Center Parkway, Suite 223
Fairfax, VA 22035
Phone: 703-324-2550
TTY 703-222-7594; Fax: 703-324-3935
www.fairfaxcounty.gov/dta

cc: Susan W. Datta, Chief Financial Officer
Robert A. Stalzer, Deputy County Executive
Kevin C. Greenlief, Director, DTA
Julio A. Vargas, Director, Revenue Collection Division, DTA
Juan Rengel, Collections Manager, DTA
Kimberly Sebunia, Delinquent Collection Manager, DTA
James W. Patteson, Director, DPW&ES
Steve Aitcheson, Director, Maintenance & Stormwater Management Div., DPW&ES
Randy Bartlett, Director, Stormwater Management Program, DPW&ES
Karen McClellan, Operations Manager, Code Compliance, DCC
Steve Mason, Supervisor, Code Compliance, DCC
Cathy Wenk, Management Analyst II, DPW&ES
Janet L. Grubb-Webber, Engineer III, DPW&ES
Marcia Wilds, Revenue & Economic Analysis Coordinator, DMB
Nancy Loftus, Assistant County Attorney, OCA

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Board Agenda Item
September 13, 2011

ACTION - 5

Renewal of a Memorandum of Understanding Between the Fairfax County Police Department and the United States Department of Justice Drug Enforcement Administration Task Force

ISSUE:
Board approval of the renewal of a Memorandum of Understanding between the Fairfax County Police Department and the United States Department of Justice Drug Enforcement Administration (DEA) Task Force authorizing the assignment of one detective to the DEA Task Force (Washington Division Group 21) and one detective to the Hagerstown Resident Office. Both detectives will be physically detailed to and working out of the Northern Virginia area office.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors authorize the Chief of Police to sign the Memorandum of Understanding between the Police Department and the DEA Task Force (Washington Division Group 21 and Hagerstown Resident Office).

TIMING:
Board action is requested on September 13, 2011.

BACKGROUND:
In supporting the regional effort toward intervention and suppression of trafficking in narcotics and dangerous drugs, the Fairfax County Police Department recognizes the need to continue to be a lead agency within the Drug Enforcement Administration Task Force. Participating in a partnership with the Task Force will allow the department to meet some fixed expenses such as rental vehicles, radios and some overtime.

Under this agreement renewal, DEA Task Force and the Fairfax County Police will work to facilitate sharing information in an effort to suppress and disrupt drug trafficking, gather and report intelligence data relative to narcotics activities, and conduct undercover operations that are associated with the culture of illegal narcotics and drug trafficking.

The assigned Fairfax County detectives will be a member of the DEA Task Force engaged in specific, directed investigations and intelligence gathering designed to

support the prosecution and disruption of narcotics crime in the Northern Virginia area. While assigned for accounting purposes to the Division Group 21 and the Hagerstown Resident Offices, both Fairfax County detectives will remain in their current assigned task force group located in the Northern Virginia area.

FISCAL IMPACT:
None

ENCLOSED:
Attachment 1: State and Local Task Force Agreement between Fairfax County Police Department and the Drug Enforcement Administration

STAFF:
Robert A. Stalzer, Deputy County Executive
Colonel David M. Rohrer, Chief of Police
Karen L. Gibbons, Senior Assistant County Attorney

# STATE AND LOCAL TASK FORCE AGREEMENT

**Fairfax County Police Department**

This agreement is made this 30th day of September, 2011, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and the Fairfax County Police Department (hereinafter "FCPD").

WHEREAS there is evidence that trafficking in narcotics and dangerous drugs exists in the Washington, DC area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of Washington, DC, the parties hereto agree to the following:

1. The Washington Division Group 21 and the Hagerstown Resident Office will perform the activities and duties described below:

a. disrupt the illicit drug traffic in the Washington, DC area by immobilizing targeted violators and trafficking organizations;

b. gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and

c. conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of Virginia.

2. To accomplish the objectives of the Washington Division Group 21 and the Hagerstown Resident Office, the FCPD agrees to detail two (2) experienced officers, one to Washington Division Group 21 and one to the Hagerstown Resident Office, for a period of not less than two years. During this period of assignment, the FCPD officers will be under the direct supervision and control of DEA supervisory personnel assigned to the Task Force.

3. The FCPD officers assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.

4. The FCPD officers assigned to the Task Force shall be deputized as Task Force Officers of DEA pursuant to 21 U.S.C. 878.

5. To accomplish the objectives of the Washington Division Group 21 and the Hagerstown Resident Office, DEA will assign three (3) Special Agents to the Task Force. DEA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special Agents and FCPD officers assigned to the Task Force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.

6. During the period of assignment to the Washington Division Group 21 and the Hagerstown Resident Office the FCPD will remain responsible for establishing the salary and benefits, including overtime, of the officers assigned to the Task Force, and for making all payments due them. DEA will, subject to availability of funds, reimburse the FCPD for overtime payments made by it to the two officers assigned to the Washington Division Group 21 and the Hagerstown Resident Office for overtime, up to a sum equivalent to 25 percent of the salary of a GS-12, step 1, (RUS) Federal employee (currently $17,202.25), per officer.

7. In no event will the FCPD charge any indirect cost rate to DEA for the administration or implementation of this agreement.

8. The FCPD shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.

9. The FCPD shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The FCPD shall maintain all such reports and records until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this agreement, whichever is sooner.

10. The FCPD shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H and I.

11. The FCPD agrees that an authorized officer or employee will execute and return to DEA the attached OJP Form 4061/6, Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The FCPD acknowledges that this agreement will not take effect and no Federal funds will be awarded to the FCPD by DEA until the completed certification is received.

12. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, the FCPD shall clearly state: (1) the percentage of the total cost of the program or project which will be financed with Federal money and (2) the dollar amount of Federal funds for the project or program.

13. The term of this agreement shall be effective from the date in paragraph number one (1) until September 30, 2012. This agreement may be terminated by either party on thirty days' advance written notice. Billings for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by FCPD during the term of this agreement.

For the Drug Enforcement Administration:

_____ Date:

Name: Ava A. Cooper-Davis

Title: Special Agent in Charge
Washington Division

For the FCPD:

_____ Date:

Name: Colonel David M. Rohrer

Title: Chief
Fairfax County Police Department

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

# CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this from. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Department and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

## 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriate funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

## 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Prt 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510-

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

## 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The dangers of drugs abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, country, state, zip code)

_____

_____

_____

Check ☐ if there are workplace on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in condition any activity with the grant; and

B. If convinced of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

---

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

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Board Agenda Item
September 13, 2011

ACTION - 6

Approval of Head Start/Early Head Start Policy Council Bylaws, Memorandum of Understanding Between Policy Council and Board of Supervisors, Self-Assessment Report, and Response to Federal Monitoring Review

ISSUE:
Board approval of the Head Start/Early Head Start Policy Council Bylaws, memorandum of understanding between Policy Council and Board of Supervisors, self-assessment report, and response to the federal monitoring review in order to comply with federal regulations.

RECOMMENDATION:
The County Executive recommends that the Board approve the Head Start/Early Head Start Policy Council Bylaws, memorandum of understanding between Policy Council and Board of Supervisors, self-assessment report, and response to the federal monitoring review.

TIMING:
The Board should act on this recommendation as soon as possible in order to meet federal Head Start Performance Standards.

BACKGROUND:
Existing requirements and changes as a result of the Head Start Act of 2007 require that the Board of Supervisors, as the County's governing body, approve:

- the composition of the Head Start parent Policy Council and the procedures by which members are chosen;
- procedures describing how the Board and Policy Council implement shared decision-making;
- the Head Start program's annual self assessment report, including actions that are being taken by the program as a result of the self-assessment review; and
- actions that are being taken by the program as a result of federal monitoring reviews.

Board approval of the following attachments will satisfy the above compliance requirements: 1) Policy Council Bylaws, 2) Memorandum of Understanding between the

Policy Council and Board, 3) Self Assessment Report, and 4) response to the federal on-site monitoring review of February 13-18, 2011.

**1. Policy Council Bylaws**

The Head Start parent Policy Council provides a formal structure of shared governance through which parents can participate in policy making and other decisions about the program. The Board of Supervisors approved the current version of the Policy Council Bylaws on June 22, 2009. The Bylaws of the Policy Council were developed based on the federal Head Start Performance Standards on program governance and outline the composition and selection criteria to ensure equal representation for all programs and that at least 51 percent of Policy Council members are parents of currently enrolled children, as required.

The Bylaws have been amended to update and clarify certain items (e.g., vFOIA). The Policy Council has reviewed the amended Bylaws.

**2. Memorandum of Understanding**

The attached Memorandum of Understanding between the Board of Supervisors, as the County's governing body, and the Policy Council, as the primary vehicle for involving parents in decision-making about the Head Start program, documents current practices and procedures regarding how the two bodies implement shared decision-making, as required by federal Head Start Performance Standards. The Memorandum of Understanding outlines the roles and responsibilities of each group, the interactions between the two, the joint communications they receive, and the approvals both groups provide.

**3. Self Assessment Report**

The Fairfax County Head Start/Early Head Start program conducts a self-assessment of their effectiveness and progress in meeting program goals and objectives and in implementing federal regulations every year, as required by federal Head Start Performance Standards. In the months of March and April of 2011, the Fairfax County Head Start/Early Head Start program conducted their 2011 annual self-assessment. The attached Self-Assessment Report outlines the strengths and areas to be addressed that were identified during this year's self-assessment process, as well as any actions being taken to address them.

Board Agenda Item
September 13, 2011

**4. Response to Federal On-Site Monitoring Review**

The federal Office of Head Start conducted an on-site monitoring review of Fairfax County's Head Start and Early Head Start programs from February 13, 2011 to February 18, 2011. Out of over 1,800 federal Performance Standards, laws, regulations, and policy requirements, no instances of non-compliance were found in the areas of education, health, parental involvement, nutrition, social services, or financial management. The review, however, identified three areas that need to be addressed by the Board of Supervisors in order to ensure full compliance with federal regulations. These include: the system for reporting on program operations to the Board; review and approval of the program's annual self-assessment report; and training on Head Start governance. The attached response outlines the actions that will be implemented in order to address these items.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment 1 – Fairfax County Head Start/Early Head Start Policy Council Bylaws
Attachment 2 – Memorandum of Understanding between Policy Council and Board of Supervisors
Attachment 3 – Fairfax County Head Start/Early Head Start 2011 Self Assessment Report
Attachment 4 – Fairfax County Head Start/Early Head Start Response to 2011 Federal On-Site Monitoring Review

STAFF:
Patricia Harrison, Deputy County Executive
Nannette M. Bowler, Director, Department of Family Services
Anne-Marie D. Twohie, Director, Office for Children

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# FAIRFAX COUNTY OFFICE FOR CHILDREN
# HEAD START/EARLY HEAD START POLICY COUNCIL
# BYLAWS

## ARTICLE I. NAME

The name of the organization shall be the Policy Council of the Fairfax County Head Start/Early Head Start Program.

## ARTICLE II. PURPOSE

The purpose of the Fairfax County Head Start/Early Head Start Policy Council shall be to:

A) Encourage maximum participation of parents and community representatives in the planning, operation and evaluation of Fairfax County Head Start/Early Head Start Programs.

B) Serve as a link with local programs, the grantee agency – Fairfax County Board of Supervisors Office for Children (OFC), public and private agencies and the community.

C) Approve grant applications and service area plans for the grantee agency.

D) Initiate suggestions and ideas for program improvements.

E) Establish a procedure for hearing complaints against the Fairfax County Head Start/Early Head Start Program.

F) Carry out specific duties and responsibilities as stated in the Federal Head Start Performance Standards, which will govern the overall activities of the Policy Council.

## ARTICLE III. MEMBERSHIP

Policy Council members should be committed to being representatives for the total Fairfax County Head Start/Early Head Start Program. They should be team players, be willing to learn the duties and responsibilities of the Policy Council and represent the Council in a positive and supportive manner at all times and in all places.

Section 1. The Fairfax County Head Start/Early Head Start Policy Council shall consist of four (4) parent representatives and two (2) alternates from each program, Greater Mount Vernon Community Head Start (GMVCHS), Fairfax County Public Schools (FCPS), and Higher Horizons (HiHo) Head Start /Early Head Start Programs and at least two (2) community representatives, who must be residents of/or employed in Fairfax County. All program options must be represented.

Section 2. Parent representatives and alternates shall be elected to the Policy Council at the program level by the program's respective policy or parent committee. Community representatives shall be recruited by the Head Start Director and the Policy Council Chairperson and elected by the Policy Council.

Section 3. Community representatives may include representation from other child care programs, neighborhood community groups (public and private), higher education institutions, program boards, and community or professional organizations which

have a concern for children and families in the Head Start/Early Head Start Program and can contribute to the development of the program.

Section 4. Voting members must resign from the Policy Council if they or a family member become employed, temporarily (for sixty (60) days) or permanently, by the Fairfax County Head Start/Early Head Start Program. Voting members may substitute occasionally (as defined by each program) in the Fairfax County Head Start/Early Head Start Program.

Section 5. Policy Council members shall be elected to serve a one (1) year term and may not serve more than three (3) years. Members may voluntarily terminate their membership at any time by giving written notice to the Council. The resigning member is responsible for notifying an alternate, who will attend the meeting in their place until a new member is elected by the appropriate program. In the event of termination or resignation of a community representative, the Head Start Director and the Policy Council Chairperson will recruit a replacement. Election of a new community representative shall take place within one month of resignation or termination of the member.

Section 6. Any member who misses two (2) consecutive meetings without notifying the Office for Children Head Start Program Administrative Office, neglects responsibility, and/or abuses the privilege of office may be terminated by the Policy Council with a majority vote of the quorum. Written notification will be sent to the terminated member under signature of the Policy Council Chairperson.

## ARTICLE IV. MEETINGS

Section 1. Fairfax County Head Start/Early Head Start Policy Council meetings shall be held on the fourth (4th) Thursday of each month with dinner being served at 6:00 p.m. and call to order at 6:30 p.m. If the fourth (4th) Thursday is a legal holiday, the meeting may be rescheduled to the third Thursday of the month.

Section 2. All meetings shall be conducted in compliance with the Virginia Freedom of Information Act, Virginia Code §§ 2.2-3700 – 2.2-3714 ("VFOIA"). As required by VFOIA, the public will be given notice of the date, time, and location of the meetings at least three working days before each Policy Council meeting, except in case of an emergency. The Head Start administrative staff and/or Chairperson will provide the information to the County's Office of Public Affairs so that it can provide the public notice. All meetings shall be held in places that are accessible to persons with disabilities, and all meetings shall be conducted in public buildings whenever practical.

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.

Copies of meeting agendas and other materials that are given to members shall be made available to the public at the same time, unless VFOIA allows otherwise. Anyone may photograph, film, or record meetings, so long as they do not interfere with any of the proceedings.

The Secretary shall keep meeting minutes, which 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. The minutes are public records and subject to inspection and copying by citizens of the Commonwealth or by members of the news media. The minutes from the previous meeting shall be sent to members at least seven (7) calendar days prior to the regular meeting.

Section 3. Special call meetings can be called by the Chairperson and the Head Start Director and scheduled when deemed necessary. Written and/or telephone contacts will be made to inform members of the meeting no less than seventy-two (72) hours before a special call meeting and public notice will be given as required by VFOIA.

Section 4. Policy Council members who are voted to represent the Council at conferences must meet the following criteria:

1) Be an active participant in good standing at their Parent/Policy Committee for at least 2 consecutive meetings.
2) Be able to give either an oral summary or submit a written report (whether still a member or not) at the next regularly scheduled meeting.

Section 5. In the event of inclement weather Policy Council will adhere to the Fairfax County Public Schools closure schedule. The Head Start administrative staff and/or Chairperson will contact members regarding a rescheduled date and will comply with the public notice requirements above.

## ARTICLE V. OFFICERS

Section 1. The Officers of the Policy Council shall be: Chairperson, Vice-Chairperson, Secretary, Treasurer, and Parliamentarian. These officers shall perform the duties prescribed by the Federal Head Start Performance Standards, by these Bylaws and by the current Roberts Rules of Order, adopted by the Policy Council.

Section 2. In September, the Chairperson will appoint a Nominating Committee consisting of a representative from each delegate/grantee agency. It shall be the duty of this committee to present a slate of candidates for the offices at the October meeting. Before the election at the November meeting additional nominations from the floor shall be permitted.

Section 3. The officers shall serve a one (1) year election term or until their successors are elected. Their term of office shall begin at the close of the Council meeting at which they are elected.

Section 4. No member shall hold more than one (1) office at a time, and no member shall be eligible to serve more than three (3) terms.

Section 5. Should the Chair position become vacant, the Vice-Chairperson shall become the Chairperson for the remainder of the term. The Council shall elect a replacement for Vice-Chairperson at its next regular meeting to serve the balance of the term.

In the absence of the Chairperson and Vice-Chairperson, responsibilities of the Chair are assumed by the Treasurer and the Parliamentarian will maintain order. The Policy Council Secretary continues to record minutes.

Section 6. The duties of officers are as follows:

1) Chairperson – Presides at all Policy Council and Executive Committee meetings; may act as a spokesperson for the Council in events concerning the Head Start program.
2) Vice-Chairperson – Assumes the duties of the Chairperson in the absence of the Policy Council Chairperson; performs other duties as assigned by the Chairperson.
3) Secretary – Records minutes of the Policy Council meetings with assistance from Grantee staff; makes the appropriate corrections to meeting minutes as directed; compiles and keeps current list of all voting members and records their attendance; keeps on file all minutes of the Policy Council; reads minutes and other correspondence at meetings, calls members about absence from meetings, reminds members about meetings and training and tabulates votes.
4) Treasurer – Maintains the Council's financial records, prepares Treasurer's report and balances the checkbook; serves on the Budget Subcommittee; prepares for signature and distributes reimbursements, stipends, and payment of invoices; coordinates out-of-town travel funds for Policy Council members, who would be assisted by the grantee staff.
5) Parliamentarian – Keeps order during the meetings in accordance with the Policy Council Bylaws and in accordance with the current edition of Roberts' Rules of Order.

## ARTICLE VI. EXECUTIVE COMMITTEE

Section 1. Officers of the Policy Council shall constitute the Executive Committee. The Executive Officers will meet one week prior to the regular Policy Council meetings on an as-needed basis. The purpose for meeting is to establish agenda items and

agree upon recommendations to present to the full Policy Council of items needing approval/disapproval. Meetings of the Executive Committee are public meetings and shall comply with VFOIA.

**ARTICLE VII. GRIEVANCES**

Section 1. A standard grievance procedure to hear and resolve parent and community complaints about Head Start is approved annually by the Policy Council and will be used to address complaints not resolved at the center level and at the grantee agency.

**ARTICLE VIII. PARLIAMENTARY AUTHORITY**

Section 1. The rules contained in the current edition of Roberts' Rules of Order Newly Revised shall govern the Policy Council in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules or order the organization may adopt.

**ARTICLE IX. AMENDMENT OF BYLAWS**

Section 1. These Bylaws shall be reviewed annually and recommendations presented to the Council for approval. The Policy Council will be given thirty (30) days to review recommendations.

Section 2. The Bylaws may be amended at any regular meeting of the Policy Council or at a special meeting called for such purpose by majority vote of the Council members present, provided that representatives from each delegate agency are present and voting.

Section 3. Amendments to the Bylaws will be presented to the Fairfax County Board of Supervisors for approval, and will become effective upon approval by the Board of Supervisors.

**ARTICLE X. VOTING**

Section 1. All matters shall be decided on by vote of the members. Alternate members may vote only when attending a meeting in the place of a regular member who is not present. The vote of a majority of the quorum is needed to authorize any action. Seven (7) Council members (with at least two (2) representatives from each program and one (1) community representative) constitute a quorum. All votes shall be taken during a public meeting, and no vote shall be taken by secret or written ballot or by proxy. Voting may be by aye/nay, show of hands. Approved matters must be recorded in the minutes of the meeting. The Policy Council

Secretary tabulates the votes, along with a designated staff/Policy Council member.

**ARTICLE XI. TRAINING**

Section 1. The Council and its officers shall receive annual training which includes: Head Start Performance Standards, Roberts' Rules of Order, VFOIA, roles and responsibilities of members and officers, subcommittee functions, budget and finance, personnel procedures and conference travel procedures.

**ARTICLE XII. ACTIONS**

Section 1. A motion must be made when the Council is required to take action and/or make decisions.

**ARTICLE XIII. STIPENDS**

Section 1. Stipends in the amount of Fifteen Dollars and 00/100 ($15.00) will be given to voting members except for community representatives at regularly scheduled Policy Council meetings.

Section 2. Alternates will receive a Fifteen Dollars and 00/100 ($15.00) stipend only when taking the place of voting members.

# MEMORANDUM OF UNDERSTANDING

**THIS** Memorandum of Understanding is entered into by and between the Fairfax County Board of Supervisors (hereafter called the **"Board"**) and the Policy Council of the Fairfax County Head Start/Early Head Start Program (hereafter called the **"Council"**).

In accordance with CFR 1304.50 (d)(1)(ii), this MOU describes the processes and procedures regarding how the Board, its designee agency Department of Family Services Office for Children (OFC), and the Council implement share decision-making for the Fairfax County Head Start/Early Head Start program.

The period of this agreement will be for three years from the date of approval by the Board.

**THE PARTIES TO THIS UNDERSTANDING ARE MUTUALLY AGREED THAT:**

## 1. SHARED GOVERNANCE

a. Definition – Shared governance is an established working partnership between the Board of Supervisors, Policy Council, Policy Committees, Parent Committees, Delegate Boards, and key OFC management staff to develop, review, and approve or disapprove Head Start/Early Head Start policies and procedures.

b. Roles/Responsibilities

i. Board of Supervisors – As the grantee, the Board assumes the overall legal and fiduciary responsibility to ensure that the county's Head Start/Early Head Start program operates in compliance with the Federal Head Start Program Performance Standards and other applicable laws, regulations, and policy requirements. The Board has established a system of committees of Board members to help manage its oversight responsibilities. The Board's Human Services Committee is responsible for oversight of all County human services programs, including Head Start/Early Head Start, and the Board assigns the chairperson of the Human Services Committee as its liaison to Policy Council and OFC.

ii. Department of Family Services Office for Children – The Board delegates the administrative operations of the Head Start/Early Head Start program to OFC, who works closely with the Board liaison and the Policy Council.

iii. Policy Council – The Council provides a formal structure through which parents can participate in policy making and other decisions about the program. The Council's roles and responsibilities are governed by its Bylaws, which are reviewed and approved by the Board.

c. Interaction – The Board and Council have open meetings for reciprocal attendance at any time and the Council has standing invitations for the Board liaison to conduct the annual swearing in of new officers and to deliver acknowledgements during the end of the year recognition ceremony. The Board liaison and Head Start director meet on a quarterly basis, or more often as needed, to exchange information and the Policy Council Chairperson has a standing invitation to attend such meetings.

d. Joint Communications – Both the Board, through its assigned liaison, and the Policy Council receive regular reports from OFC to include the following information:

A) Monthly financial statements, including credit card expenditures
B) Monthly program information summaries
C) Program enrollment reports
D) Monthly reports of meals and snacks provided through the United States Department of Agriculture (USDA) Child and Adult Care Food Program
E) Annual financial audit
F) Annual self-assessment
G) Communitywide strategic planning and needs assessment
H) Communication and guidance from the federal government
I) Program Information Reports (PIR)

The Board liaison shall share information from these reports with the Board at scheduled meetings of its Human Services Committee.

e. Joint Approval – The two governing bodies, the Fairfax County Board of Supervisors and the Head Start/Early Head Start Policy Council, as partners in the governance of the program, both approve the following items:

A) Applications for funding and amendments to applications for funding (Board approval governed by Fairfax County's Grants Board Item Policy effective September 1, 2004)
B) Head Start program's annual self-assessment report, including actions that may result from the self-assessment review, or responses to findings from Federal monitoring reviews
C) Policy Council Bylaws

**ACCEPTED BY:**

| | |
|---|---|
| _____ | _____ |
| Sharon Bulova, Chairman Date | Mauricio Barraza, Chairperson Date |
| Fairfax County Board of Supervisors | Fairfax County Head Start/Early Head Start Policy Council |

**FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES**
**OFFICE FOR CHILDREN**
**HEAD START/EARLY HEAD START PROGRAM**
**SELF ASSESSMENT REPORT 2011**
**Date: March and April, 2011**

Per 45 CFR 1304.51(i)(1), Head Start/Early Head Start programs, with the consultation and participation of policy groups and other community members as appropriate, must conduct an annual self-assessment of their effectiveness and progress in meeting program goals and objectives and in implementing Federal regulations.

In the months of March and April of 2011, all Fairfax County Head Start/Early Head Start programs, including those operated directly by Fairfax County Office for Children—Greater Mount Vernon Community Head Start (GMVCHS) and Family Child Care—as well as those operated contractually by delegate agencies—Higher Horizons Day Care Center and Fairfax County Public Schools (FCPS)—conducted their annual self-assessments. The programs engaged the services of other program staff, community members, and parents. The annual self-assessment allows for the continuous improvement of program plans and service delivery, providing an opportunity for involving parents and community stakeholders.

Below are the results of the 2011 Self-Assessment by service area:

**Program Design and Management**

- Service area found to be in full-compliance.
- Identified strengths: Technology is widely used by all staff to support each facet of program business. County government provides infrastructure support to the program in the areas of facilities, human resources, information technology, finance/budget, procurement, etc.

**Financial Management**

- Service area found to be in full-compliance.
- Identified strengths: Proficient and organized fiscal management of the program's multiple funding streams.

**Eligibility, Recruitment, Selection, and Enrollment**

- Service area found to be in full-compliance.
- Identified strengths: Staff uses the community assessment as a marketing and recruiting tool and had useful input on areas where demographics, such as language, were changing.

**Mental Health**

- Service area found to be in full-compliance.
- Identified strengths: Mental health consultants work with children, providers, and families to address issues and identify adaptive strategies for the learning environment and home.

**Health**

- Areas to be Addressed: Some records, at the point in time in which they were reviewed: did

not indicate a primary healthcare provider and/or health insurance for some children; did not reflect that all children were up-to-date on their primary and preventive health care at 90 days after enrollment; and did not document follow up/treatment for some children with a known/observable/suspected health problem.

- Action: All children's health records have been brought up-to-date and the areas of non-compliance corrected.
- Identified strengths: 100% compliance with medication policy, improved collaboration with family services and parents for children with health conditions, and improved documentation for meeting health and safety needs of children, pregnant women and new parents.

**Nutrition**

- Service area found to be in full-compliance.
- Identified strengths: Health history forms, dietary questionnaires, classroom observation, and communication with other specialty or health service providers are all used in the nutrition assessment and planning process.

**Transportation, Facilities and Safe Environments**

- Service area found to be in full-compliance.
- Identified strengths: The preschool transportation zoning system at GMVCHS has continued to be more cost effective than the previous system.

**Education/Disabilities**

- Areas to be Addressed: Regarding staff credentialing, one GMVCHS HS teachers' Child Development Associate (CDA) credential has expired and one FCPS EHS teacher does not have the required credential.
- Action: One staff member is enrolled in the coursework necessary to renewing the CDA and the program is working with the other staff member on developing a plan to obtain the required credential.
- Identified strengths: Language modeling, positive teacher/child and peer interactions, dual language support, and gross and fine motor skills support.

**Family Services and Parent Involvement**

- Service area found to be in full-compliance.
- Identified strengths: Strong parent involvement at Higher Horizons, including an active male involvement program.

**FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES**
**OFFICE FOR CHILDREN**
**HEAD START/EARLY HEAD START PROGRAM**
**RESPONSE TO 2011 FEDERAL ON-SITE MONITORING REVIEW**

The federal Office of Head Start (OHS) has the statutory requirement to conduct oversight reviews of all Head Start and Early Head Start programs around the country. Per Section 641A of the Head Start Act, monitoring reviews are intended to determine whether Head Start/Early Head Start programs meet performance standards, including standards related to the areas of education, health, parental involvement, nutrition, social services, administrative and financial management, and standards related to facilities used to conduct Head Start programs. Reviews are also intended to help Head Start/Early Head Start programs identify strengths as well as areas for improvement.

As such, OHS conducted an on-site monitoring review of Fairfax County's Head Start and Early Head Start programs, including those operated directly by the Department of Family Services, Office for Children—Greater Mount Vernon Community Head Start (GMVCHS) and Family Child Care—as well as those operated contractually by its delegate agencies—Higher Horizons Day Care Center and Fairfax County Public Schools (FCPS)—from February 13, 2011 to February 18, 2011. The review also encompassed the county's Early Head Start expansion program funded by the American Reinvestment and Recovery Act (ARRA).

Out of over 1,800 federal Performance Standards, laws, regulations, and policy requirements, no instances of non-compliance were found in the areas of education, health, parental involvement, nutrition, social services, or financial management. The report, however, identifies three areas that need to be addressed by the Board of Supervisors in order to ensure full compliance with the standards. These include: the system for reporting on program operations to the Board; review and approval of the program's annual self-assessment report; and training on Head Start governance.

The following actions will be implemented in order to address these items:

1. Staff will continue to disseminate monthly reports on program operations, as well as other information required by Sec. 642(d)(2) of the Head Start Act of 2007, to the Board's designated liaison to Head Start (i.e., the chairperson of the Board's Human Services Committee), as well as continue to meet regularly with the Board liaison.
2. The Board liaison will share pertinent Head Start information with the Board of Supervisors on a regular basis at scheduled Human Services Committee meetings.
3. The Board of Supervisors will approve:
   a. the annual self-assessment report;
   b. the Head Start Parent Policy Council Bylaws, including composition of the Policy Council and Policy Council selection criteria as outlined in the Bylaws;
   c. responses to federal monitoring reviews; and
   d. Memorandum of Understanding between Board and Policy.
4. The Board of Supervisors will be provided with training opportunities at:
   a. individual meetings with Board members;
   b. Head Start Awareness Month (October) events that will include touring program

sites, informational presentations, and dissemination of materials; and

c. regularly scheduled meetings of the Board of Supervisors Human Services Committee.

As noted above, the On-Site Monitoring Review found all other areas of the program, including financial management, eligibility/recruitment/selection/enrollment, mental health, health, nutrition, transportation/facilities/safe environments, education/disabilities, and family services/parent involvement, to be in compliance with all applicable federal Performance Standards, laws, regulations, and policy requirements.

Board Agenda Item
September 13, 2011

ACTION – 7

Approval of a Draft Board of Supervisors' Meeting Schedule for Calendar Year 2012

ISSUE:
Board approval of a draft meeting schedule for January through December, 2012.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors approve the draft meeting schedule for January through December, 2012.

TIMING:
The Board should take action on September 13, 2011, in order that accommodations to implement this calendar can proceed in advance of January.

BACKGROUND:
The *Code of Virginia*, Section 15.2-1416, requires the governing body to establish the days, times and places of its regular meetings at the annual meeting, which is the first meeting of the year. Therefore, the schedule for the entire 2012 calendar is presented for Board approval. The section further states that "meetings shall be held on such days as may be prescribed by resolution of the governing body but in no event shall less than six meetings be held in each fiscal year."

Scheduled meetings may be adjourned and reconvened as the Board may deem necessary, and the Board may schedule additional meetings or adjust the schedule of meetings approved at the annual meeting, after notice required by Virginia law, as the need arises.

At the first meeting of the Board of Supervisors in January, staff will bring the 2012 meeting calendar to the Board for formal adoption.

ENCLOSED DOCUMENTS:
Attachment 1 - January-December, 2012 Schedule for Board of Supervisors' Meetings

STAFF:
Catherine A. Chianese, Assistant County Executive

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# 2012 Board of Supervisors Meeting Schedule

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| **January 10, 2012** |
| **January 24, 2012** |
| **February 14, 2012** |
| **February 28, 2012**<br>**Public Comment** |
| **March 6, 2012** |
| **March 20, 2012** |
| **April 10, 2012**<br>**9:30 to 6:00 pm Board Meeting** |
| **April 10-April 12, 2012**<br>**6:00 pm – Budget Public Hearings** |
| **April 24 2012**<br>**Budget Markup** |
| **May 1, 2012**<br>**Budget Adoption/**<br>**Public Comment** |
| **May 22, 2012** |

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| **June 5, 2012** |
| **June 19, 2012**<br>**Public Comment** |
| **July 10, 2012** |
| **July 31, 2012**<br>**Public Comment** |
| **September 11, 2012** |
| **September 25, 2012** |
| **October 16, 2012** |
| **October 30, 2012**<br>**Public Comment** |
| **November 20, 2012** |
| **December 4, 2012**<br>**Public Comment** |

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Board Agenda Item
September 13, 2011

ACTION - 8

Approval of a Memorandum of Agreement with the Virginia Department of Transportation for Adoption of the Transportation Design Standards for the Tysons Corner Urban Center, and for Adoption of Policies Guiding Private Maintenance of Enhanced Streetscaping in Tysons Corner

ISSUE:
Board approval of the Memorandum of Agreement with the Virginia Department of Transportation for adoption of the Transportation Design Standards for the Tysons Corner Urban Center, and for adoption of policies guiding private maintenance of enhanced streetscaping in Tysons Corner.

RECOMMENDATION:
The County Executive recommends that the Board approve, in substantial form, the Memorandum of Agreement with the Virginia Department of Transportation for:

- Adoption of the Transportation Design Standards for the Tysons Corner Urban Center, and

- Adoption of policies guiding private maintenance of enhanced streetscaping in Tysons Corner.

TIMING:
The Board should take action on this matter on September 13, 2011, to ensure that current and future planned developments within the Tysons Corner Urban Center will be able to utilize these new context sensitive design standards, and create an urban, walkable grid of streets that will conform to the Tysons Corner Comprehensive Plan.

BACKGROUND:
In April 2010, the General Assembly of Virginia enacted HB 222 (Watts), “Design standards for state secondary highway system components” (presently codified at Va. Code Ann. Section 33.1-69.001, which required the Virginia Department of Transportation to work in conjunction with Fairfax County to develop new context sensitive, urban design standards for the county.

Board Agenda Item
September 13, 2011

In June 2010, the Board of Supervisors adopted the Tysons Corner Comprehensive Plan which established requirements for building a walkable, multi-modal grid of urban streets that would serve four new Metrorail stations and their surrounding high-density, mixed-use land development projects.

County staff worked with VDOT and Tysons Corner stakeholders to develop context sensitive design standards that will implement the comprehensive plan. The Memorandum of Agreement (MOA) and Transportation Design Standards represent nearly a year's effort to reach general consensus on a radically different set of design standards for Tysons Corner. While the standards do not address every single condition encountered, they do provide significant flexibility, and will substantially reduce the number of design exceptions/waivers that VDOT would require under its existing Secondary Street Standards.

The MOA and Design Standards address transportation issues only, and are intended to replace or supplement VDOT's current design manual where applicable. Examples include: lower design speeds; closer intersection spacing to promote development of a grid of streets; narrower travel lanes and shorter curve radii to promote lower vehicle speeds; smaller sight distance triangles that are reflective of the lower design speeds; wider sidewalk and pedestrian zones; and bulb-outs at street intersections to improve pedestrian visibility and safety.

The Design Standards do not address aesthetic or architectural infrastructure requirements. The Office of Community Revitalization and Reinvestment is working on a separate design manual for these. As such, the focus was to create a set of standards that would allow for enhanced infrastructure within the public right-of-way without compromising public safety, and more importantly would allow for private maintenance of this enhanced infrastructure.

The MOA establishes policies that will allow for construction of enhanced or architectural street furniture within the public right-of-way, and allow for private maintenance of this infrastructure. Enhanced features may include decorative sidewalk pavers; special landscape materials; innovative drainage features, such as rain gardens; and street furniture, such as benches and outside seating areas.

It is expected that the design standards may need to be amended periodically, and the agreement allows for such. The agreement does not terminate, so it will be in effect throughout the implementation of the comprehensive plan. Procedures that are in place and being used today by VDOT will be used to issue maintenance permits to private land owners, but nothing in the agreement precludes the Board's ability to change maintenance responsibilities in the future. It is also anticipated these standards

will serve as a template for development of similar standards in other growth and revitalization areas in Fairfax County.

County staff is currently reviewing a number of zoning applications, and are working on conceptual roadway designs in Tysons Corner that will substantially benefit from the adoption of the design standards. The Standards will not only reduce the number of design exceptions/waivers required by VDOT, but are imperative for long-term implementation of the comprehensive plan, and development of an urban city center with a walkable grid of public streets in Tysons Corner.

FISCAL IMPACT:
There is no fiscal impact associated with this item.

ENCLOSED DOCUMENTS:
Attachment I: Memorandum of Agreement with VDOT
Attachment II: Transportation Design Standards for Tysons Corner

STAFF:
Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)
Eric M. Teitelman, P.E., Chief, Capital Projects and Operations Division, FCDOT

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**MEMORANDUM OF AGREEMENT**
**Between**
**BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA**
**And**
**COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION**
**For**
**DESIGN STANDARDS AND RELATED RESPONSIBILTIES FOR MAINTENANCE OF STREETS IN THE TYSONS CORNER URBAN CENTER**

THIS MEMORANDUM OF AGREEMENT ("**Agreement**") made and executed this ____ day of _____, 2011, by and between the BOARD OF SUPERVISORS, FAIRFAX COUNTY, VIRGINIA, hereinafter referred to as the "**COUNTY,**" and the COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "**DEPARTMENT,**" acting by its Commissioner. The COUNTY and the DEPARTMENT are sometimes hereinafter jointly referred to as "**Parties**". Such Parties are sometimes hereinafter referred to individually as "**Party**".

WITNESSETH

WHEREAS, the DEPARTMENT is responsible for the operation and maintenance of all State maintained streets in the COUNTY which have been accepted to the Secondary System of State Highways, hereinafter referred to as "**System**," pursuant to the Code of Virginia, and

WHEREAS, the COUNTY has adopted an amendment to the Fairfax County Comprehensive Plan for the Tysons Corner Urban Center, as identified in Attachment C and hereinafter referred to as "**Area**," that provides for a highly urban environment, and

WHEREAS, the COUNTY desires that streets lying within the Area have a distinctly urban character that creates a pedestrian friendly environment, and actively promotes multi-modal and non-motorized travel modes, and

WHEREAS, a critical component of the Comprehensive Plan for this Area is the creation of an urban street grid that is characterized by small grid blocks and high street connectivity in all directions, and

WHEREAS, the implementation of such a grid will occur in stages as new development and redevelopment occurs, and

WHEREAS, special procedures governing the acceptance of new streets into the System have been incorporated into the Virginia Administrative Code through the Secondary Street Acceptance Requirements, hereinafter referred to as "**SSAR**," and

WHEREAS, the SSAR procedures explicitly recognize the desirability of providing an interconnected roadway network and the frequent necessity of constructing this network in stages as new development and redevelopment occurs, and

WHEREAS, the SSAR procedures establish public benefit criteria for acceptance of secondary streets, including phased and stubbed streets into the System, and

WHEREAS, the creation of a grid of streets that will be phased in as new development and redevelopment occurs establishes a public benefit and necessity of acceptance of phased and stubbed streets into the System for maintenance; and

WHEREAS, the COUNTY desires that the streets within the Area, including phased and stubbed streets be maintained by the DEPARTMENT, and have ownership and usage rights comparable to other State maintained streets in the COUNTY, and

WHEREAS, the existing Road and Bridge Standards in use by the DEPARTMENT do not sufficiently accommodate many of the urban features associated with the adopted Comprehensive Plan, and

WHEREAS, both the COUNTY and the DEPARTMENT agree that waivers of the Road and Bridge Standards, as explicitly permitted by that document, are necessary to accomplish the objectives of the adopted Comprehensive Plan, and

WHEREAS, §33.1-69.001 of the Code of Virginia directs the DEPARTMENT to work in conjunction with COUNTY and the Department of Rail and Public Transport to review new design standards for secondary streets in urban areas, and

WHEREAS, the COUNTY in partnership with the DEPARTMENT has developed Transportation Design Standards for the Tysons Corner Urban Center, dated _____ _____, attached herewith as Attachment D, hereinafter referred to as "**Tysons Standards**," and

WHEREAS, the Tysons Standards will supplement, as applicable, the existing Road and Bridge Standards, or, as applicable, the provisions of the Road and Bridge Standards shall be waived and the Tysons Standards shall control; and

WHEREAS, the Tysons Standards will facilitate implementation of the Comprehensive Plan for the Tysons Corner Urban Center; and.

WHEREAS, the Tysons Standards have been reviewed by staff of the COUNTY and the DEPARTMENT and are found to be acceptable,

NOW, THEREFORE, in consideration of the mutual premises contained herein, the Parties agree as follows:

SECTION 1

The DEPARTMENT shall:

(a) Adopt the Tysons Standards for all non-limited access streets lying within the Area that are accepted into the System and maintained by the DEPARTMENT, including those existing at the date of this agreement, and those that may hereafter be submitted for acceptance into the System. The Tysons Standards may be updated periodically consistent with §33.1-69.001 of the Code of Virginia.

(b) Review plans for new streets, and modifications to existing streets within the Area that will be maintained by the DEPARMENT, for conformance with the Tysons Standards.

(c) Approve plans for new streets, and modifications to existing streets within the Area that conform to the Tysons Standards, are in accordance with the established procedures for the DEPARTMENT's maintained streets, and that are consistent with the standards of other Departments of the Commonwealth. Pursuant to this paragraph, the Tysons Standards, Attachment D, are recognized as the adopted standards for streets within the Tysons Area, Attachment C, and shall supplement as applicable, the existing Road and Bridge Standards, or, as applicable, the provisions of the Road and Bridge Standards shall be waived and the Tysons Standards shall control.

(d) Accept new streets into the System within the Area that conform to the Tysons Standards, including phased and stubbed streets that conform to the SSAR, provided that temporary vehicle turnarounds for maintenance and public safety vehicles are accommodated in accordance with the SSAR, and provided that any maintenance of new streets not performed by the DEPARTMENT is assured through separate Permits or other agreements in accordance with SECTION 3 of this Agreement. For purposes of this Agreement, pursuant to the discretionary authority provided in 24VAC30-92-100 and 24VAC30-92-110, the criteria definitions within the SSAR used to bring streets into the secondary system for maintenance are expanded to recognize that creation of a grid of streets within the Tysons Corner Urban Center is an acceptable criterion to establish public benefit and necessity for acceptance of the phased and stubbed streets.

(e) If Permit conditions and requirements of DEPARTMENT are met, DEPARTMENT shall not withhold, and agrees to issue Permits to the COUNTY and/or private parties, hereinafter referred to as "**Permitees**," for work to be performed on existing or future streets in the Area if such is in conformance with the Tysons Standards, and the provisions of this Agreement.

(f) Maintain existing streets in the Area that have been accepted into the Primary and Secondary System as of the date of this Agreement in accordance with the DEPARTMENT's established guidelines for these streets, subject to the special provisions enumerated in SECTION 3 of this Agreement.

(g) Maintain future streets in the Area, including phased and stubbed streets that have been accepted into the Primary and Secondary system in accordance with the SSAR, and in

accordance with the DEPARTMENT's established guidelines for these streets, subject to the special provisions enumerated in SECTION 3 of this Agreement.

(h) Ensure that its employees and contractors exercise all reasonable care and diligence in protecting specialized and architectural ancillary features and appurtenances within the right-of-way, consistent with standard practice.

(i) On Secondary Collector and Local Streets where the right-of-way has been dedicated in fee simple to the COUNTY, review permit applications for, and give consideration to, placement of subsurface and overhead structures that are not listed in Attachments A and B, such as parking garages, pedestrian or vehicular tunnels, stairway access portals, utility and ventilation shafts, building awnings, and pedestrian bridges and their supporting structures, when such structures are permitted pursuant to development plans approved by the County. Such consideration shall be subject to review and approval by DEPARTMENT, will require issuance of a separate agreement or permit, and is subject to special conditions, waivers of liability, and indemnification. The DEPARTMENT is not obligated to construct, install, operate, maintain, or replace any such feature.

SECTION 2

The COUNTY shall:

(a) Adopt the Tysons Standards for all non-limited access streets lying with the Area that are accepted into the System and maintained by the DEPARTMENT, including those existing at the date of this agreement, and those that may hereafter be submitted for acceptance into the System.

(b) Ensure through its development review and approval processes that development that occurs within the Area is in conformance with the Tysons Standards.

(c) Ensure through its development review and approval process that sufficient provisions and access rights are provided on any new street constructed as a phased or stubbed street, to allow for maintenance and public safety vehicles on such streets to safely turn around at the terminus of the street.

(d) If requested by DEPARTMENT, ensure that on-street parking is restricted on emergency snow routes in inclement weather such that snow and other material that is removed from roadway surfaces during such periods can be stored in a fashion that does not obstruct travel lanes.

SECTION 3

The PARTIES respectively further agree as follows:

(a) This Agreement does not place any additional obligation on the COUNTY or the DEPARTMENT to maintain, repair or replace any structure or facility, or any portion thereof, not already existing within the State maintained street right-of-way which has been accepted into the state system of highways.

(b) This Agreement does not commit the COUNTY or the DEPARTMENT to removal of snow from sidewalks and parking bays.

(c) The placement of assets including pavement, curb-and-gutter, drainage, signs, signals and signal control systems, structures, and other ancillary features within the street right-of-way shall conform to the Tysons Standards, and the DEPARTMENT's standards for maintenance in effect at the time of site plan review, except as otherwise set forth in paragraph (d).

(d) The placement of certain ancillary features and appurtenances within the street right-of-way that are not conventionally part of the current standards of the DEPARTMENT as described in paragraph (c) of this section are subject to review and approval by the DEPARTMENT solely to ensure that such features do not adversely affect the safety of the users of this right-of-way. The DEPARTMENT shall not review these ancillary features and appurtenances for architectural or aesthetic appearance. Bus shelters and other structures placed within the right-of-way may require review and/or approval by the State Architecture Review Board, Department of General Services. Facilities and materials included in this paragraph may consist of, but are not exclusively limited to those identified on Attachments A and B of this Agreement. Such facilities when approved by the Department shall be subject to the following:

1. Any feature described in this paragraph shall be allowed only through the issuance of appropriate permits by the DEPARTMENT and submittal by Permitee of required maintenance bond or other financial security. DEPARTMENT shall establish a reasonable amount for the bond or financial security to cover maintenance of certain ancillary features and appurtenances within the street right-of-way that are not conventionally part of the current standards of the DEPARTMENT.

2. The DEPARTMENT is not obligated to construct, install, operate, maintain, or replace any such feature.

3. That all such features will be operated and maintained by the holder of the DEPARTMENT permit for such feature, in a fashion that does not adversely affect the safety of the users of the State maintained street right-of-way.

(e) The DEPARTMENT will operate and maintain all features meeting the DEPARTMENT's standards as described in paragraph (c), or as may be permitted

pursuant to paragraph (d) in a fashion consistent with the maintenance and operations practices and procedures followed by the DEPARTMENT throughout Fairfax County.

(f) In the case where any such feature is altered, damaged, or otherwise rendered unsafe or poses a potential hazard to users of the State maintained street right-of-way such that emergency repair or replacement is necessary, or in the case where in the judgment sole discretion of the DEPARTMENT the operation and maintenance of the feature by others poses a potential hazard, the DEPARTMENT will remedy the immediate safety hazard through provision of its standard materials, procedures and practices. Such remedial measures shall be non-destructive to surrounding infrastructure, temporary in nature, and will remain in place until suitable replacements are provided and installed by the Permitee under the applicable Permit issued by the DEPARTMENT. Materials provided by the DEPARTMENT installed on an emergency basis that can be re-used will be returned to the DEPARTMENT.

(g) The DEPARTMENT shall not restrict, prohibit or otherwise hinder the COUNTY's ability to enter into separate agreements with private parties or contractors to maintain, replace, or reconstruct those facilities and materials included in Attachments A and B, in as much as the DEPARTMENT is ultimately not responsible for these activities pursuant to the terms of this agreement, and that such separate agreements shall require compliance with the provisions of paragraph (d).

(h) All notices shall be in writing, addressed as provided below. All notices shall be made, and be deemed effective, when personally delivered, given by prepaid United States registered or certified mail, return receipt requested, addressee only, or given by overnight mail service, accepted by the addressee or by an employee at the addressee's office. Notices may also be given to such other address or contact person as either Party may direct in writing.

If to COUNTY:
County Executive

Fairfax County, Virginia
12000 Government Center Pkwy
Fairfax, Virginia 22035

With a copy to:
Director, Fairfax County
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, Virginia 222033

If to DEPARTMENT:

District Administrator
Northern Virginia District
Virginia Department of Transportation
4975 Alliance Drive
Fairfax, Virginia 22030

(i) All of the obligations of the Parties, as the case may be, under this Agreement are subject to the annual appropriation of funds by the General Assembly of Virginia and the Fairfax County Board of Supervisors, as applicable, for the purpose of satisfying the payment and performance of such obligations.

(j) No provision of this Agreement shall be construed as either Party, explicitly or implicitly, agreeing to indemnify or hold harmless the other Party or any third persons or entities for liability of any nature, except to the extent permitted by Virginia law and required by the laws and regulations of the Commonwealth.

(k) The failure or delay by one Party to enforce its rights pursuant to this Agreement against the other Party shall not constitute a waiver of such rights.

(l) The Parties mutually agree and acknowledge that in entering this Agreement that the individuals acting on behalf of the Parties are acting within the scope of their official authority and no breach or violation of the terms of this Agreement shall subject any official, officer, employee or agent of either Party to any personal liability or consequence and no suit to enforce the terms and conditions of this agreement shall be brought against any such individual in his personal capacity by either Party. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.

(m) Unless otherwise provided herein, the Recitals and Attachments are hereby incorporated into this Agreement.

(n) This Agreement contains the entire agreement of the Parties. No representations, inducements or agreements, oral or otherwise, between the Parties not contained in this Agreement shall be of any force or effect.

(o) This Agreement shall be construed, interpreted and applied according to the laws of the Commonwealth of Virginia.

(p) Each provision of this Agreement shall be valid and enforced to the fullest extent permitted by law. If any provision of this Agreement or the application thereof shall be held invalid or unenforceable by a court of competent jurisdiction, then the remaining provisions shall not be affected thereby.

(q) The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this Agreement or otherwise.

SECTION IV

(a) This Agreement shall be effective on the date when it is executed by the Commissioner hereto ("**Effective Date**").

(b) Nothing in this Agreement shall be construed as a waiver of the COUNTY's or the Commonwealth of Virginia's sovereign immunity.

(c) The COUNTY and DEPARTMENT acknowledge and agree that this Agreement has been agreed to by the Parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any Party.

(d) This Agreement, when properly executed, shall be binding upon Parties, their successors, and assigns.

(e) This Agreement may be modified in writing by mutual agreement of both Parties when such modification is executed by duly authorized individuals on behalf of such Parties.

IN WITNESS WHEREOF, each Party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

In the presence of:

BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA

_____
As to BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA

By: _____
Title

In the presence of:

COMMONWEALTH OF VIRGINA
DEPARTMENT OF
TRANSPORTATION

_____
As to the Commonwealth

By: _____
District Administrator

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## Attachment A

## Facilities not included in the standards employed by the DEPARTMENT

1. Decorative and ornamental area and spot lighting features;

2. Decorative and ornamental traffic signals, or other decorative and ornamental traffic appurtenances;

3. Special landscaping materials, planting beds, raised planters, street trees, root cell structures, tree cages, and other decorative landscaping materials (See Attachment B for conceptual graphic examples);

4. Special and decorative roadway or sidewalk paving materials such as stamped concrete or stone pavers, and porous paving;

5. Special drainage features, underground storage and mechanical vault structures, and innovative drainage features such as rain gardens (See Attachment B for conceptual graphic examples);

6. Special signage, such as way finding signs;

7. Street furniture such as benches, trash receptacles, kiosks, outside seating areas, and other similar items;

8. Bus shelters and other transit-related facilities;

9. Parking meters; and

10. Decorative, not standard retaining walls.

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## Attachment B

## Conceptual graphic examples of special drainage features and street tree root cell structures not included in the standards employed by the DEPARTMENT

NOTE: Images are for graphic purposes only and are intended to provide examples of possible building techniques that are allowed in the streetscape. Actual design elements will vary with site conditions, materials used, and with evolving technology.

### Special Drainage Features

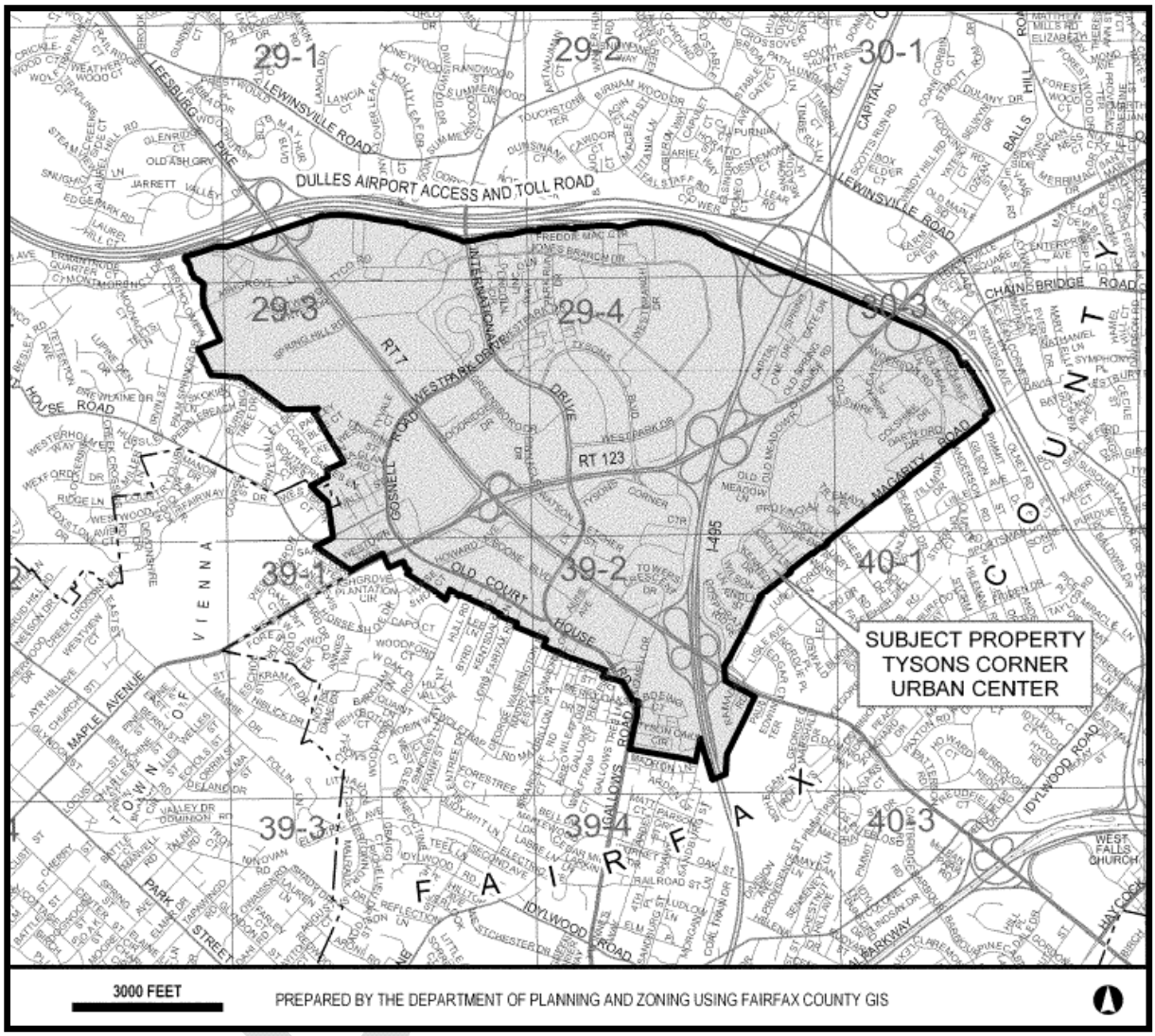
Image: HOK Product Design

Image: District of Columbia, Department of Transportation

### Tree Root Cell Structures

**Attachment C**

**Tysons Corner Urban Center Boundary**
**As contained in the Fairfax County Comprehensive Plan**



**Attachment D**

**Transportation Design Standards for Tysons Corner Urban Center**

(remove this page and insert transportation design standards)

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**Attachment D**

# TRANSPORTATION DESIGN STANDARDS FOR TYSONS CORNER URBAN CENTER

**VIRGINIA DEPARTMENT OF TRANSPORTATION**
**IN PARTNERSHIP WITH THE**
**FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION**

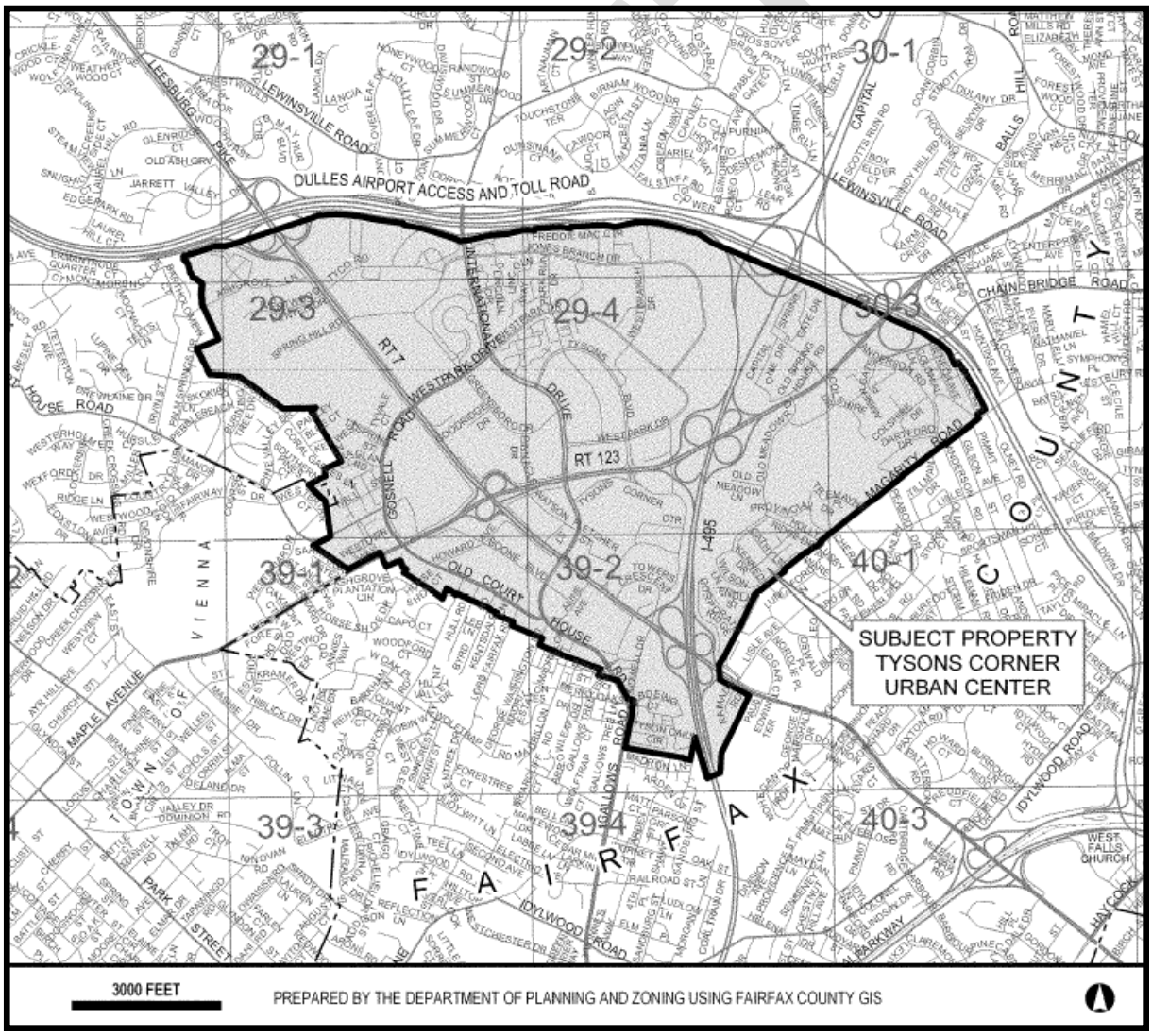


**Figure 1** – Tysons Corner Urban Center Boundary

As contained in the Fairfax County Comprehensive Plan

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**Table 1 Recommended Functional Classifications and Right-of-Way Limits**

| Recommended Functional Classification | Tysons Corner Comprehensive Plan Functional Classification | ITE Functional Classification | VDOT/Federal Highway Function Classification |
|---|---|---|---|
| **Low Speed Boulevard** | Boulevard | Low Speed Boulevard | Principal Arterial |
| **Avenue** | Avenue | Avenue | Minor Arterial or Collector |
| **Collector** | Collector | N/A | Collector or Local |
| **Local Street** | Local Street | Local | Local |
| **Service Street** | Service Street | Alley/Rear Lane | N/A |

Table Notes:

A. This table contains a matrix of functional classifications defined by VDOT/Federal Highway Administration, the Institute of Transportation Engineers, and Fairfax County.

B. Routes 7 and 123 are classified as Low Speed Boulevards. They are also classified by VDOT as Primary Streets, and are classified by the Federal Highway Administration as National Highway System routes (NHS).

C. All other Avenue and Collector Streets in Tysons Corner are classified as Secondary Streets, and are not currently part of the NHS routes.

D. Unless otherwise agreed, all Local Streets are classified as Secondary Streets.

E. Service Streets are classified as private streets.

F. The Recommended Functional Classifications in this table correspond with Figure 2 (Map 7 of the Tysons Corner Urban Center Comprehensive Plan). That map is conceptual in nature, and it is expected that functional classifications may be amended to fit changing conditions in the Tysons Corner land-use area.

G. The Functional Classifications in this table will be used for the application of design standards in the Tysons Corner Urban Center.

H. The right-of-way for Primary Streets, Low Speed Boulevards shall be placed at a minimum, 18 inches behind the face of curb, and shall be dedicated in fee simple to Fairfax County, with ultimate conveyance to VDOT. In addition, a contiguous right-of-way for the Streetscape Zone shall be dedicated in fee simple to Fairfax County Board, and shall extend at a minimum to the back of sidewalk (See Figure 9).

I. The right-of-way for Secondary Streets, Avenues, Collectors, and Local Streets shall be placed at a minimum at the back of the sidewalk, and shall be dedicated in fee simple to Fairfax County (See Figure 9).

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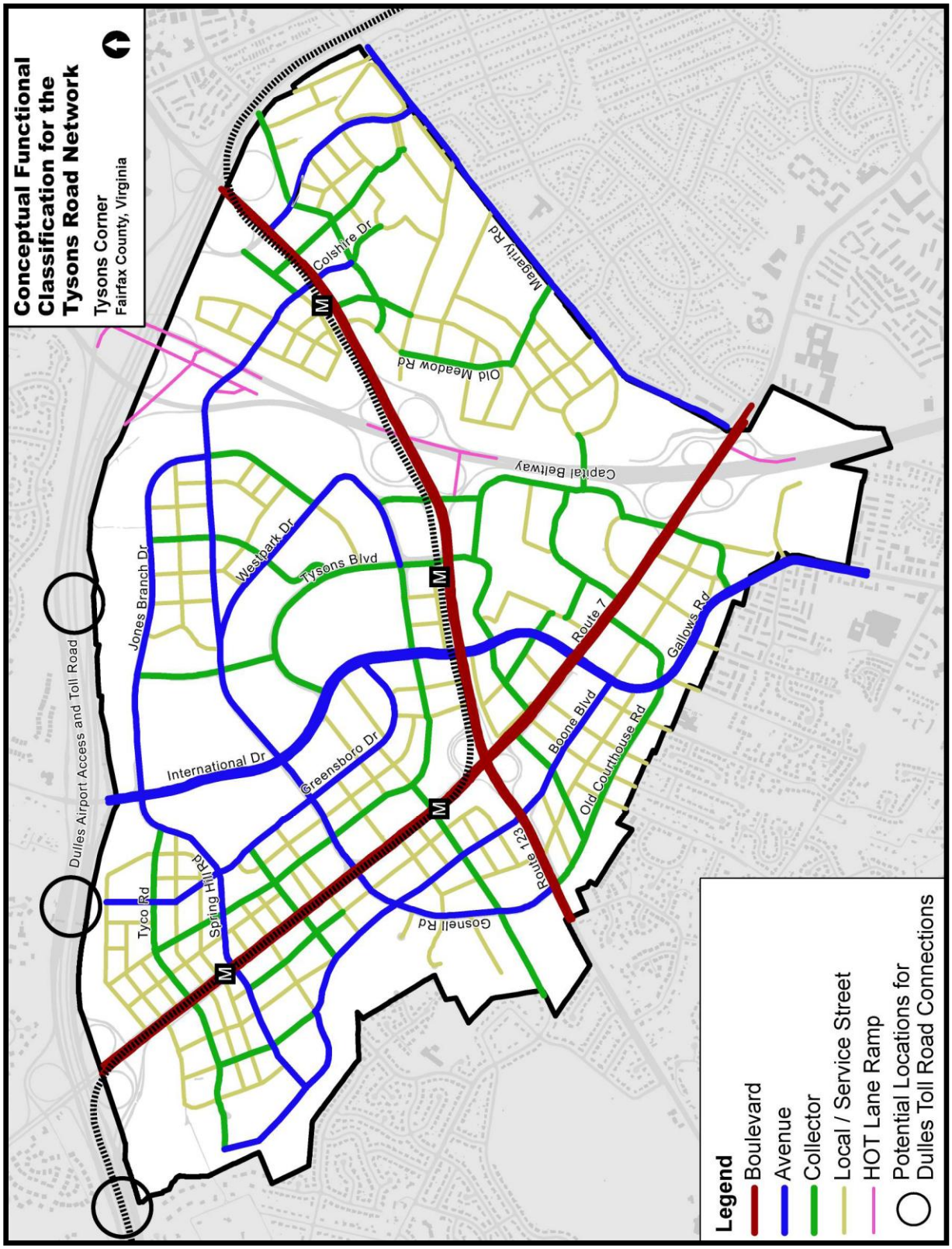


**Figure 2** – Tysons Corner Conceptual Functional Classifications

Tysons Corner Urban Center Comprehensive Plan, Map 7

## Table 2 Level of Service Standards

| Recommended Functional Classification | Level of Service Standards |
|---|---|
| **Low Speed Boulevard** | D/E [(1)] |
| **Avenue** | E [(2)] |
| **Collector** | E [(2)] |
| **Local Street** | E [(2)] |
| **Service Street** | N/A |

References:

i. U.S. Department of Transportation, Federal Highway Administration, United States Code (U.S.C.) 23 part 109, Level of Service Design Criteria Requirements for projects on the National Highway System (NHS); reference to document listed in 23 CFR 625.4, AASHTO, A Policy on Geometric Design of Highways and Streets, 2004.

ii. Tysons Corner Urban Center Comprehensive Plan.

Table Notes:

A. The vehicular Level of Service (LOS) standards need to be balanced with a high level of service for walkability, cycling, transit, and other multi-modal users within the Tysons Corner Urban Center. In addition, the LOS needs to be balanced with the economic development objectives of the Tysons Urban Center Comprehensive Plan (see Figures 3 and 4).

B. Applying the vehicular LOS requires a high degree of professional discretion on the part of VDOT and Fairfax County, and in many instances policy input. Factors such as queue spill back that might disrupt pedestrian and vehicle movement, safety, potential for gridlock, and backups onto Low Speed Boulevards will be taken into consideration.

C. Along Low Speed Boulevards it will be important to maintain vehicular progression, limit queuing and spill back issues that will deteriorate vehicular progression, and maintain ingress and egress to the grid of streets within the Tysons Corner Urban Center.

D. To provide the balance described in Section A, it is necessary to apply the tiered approach as stipulated in Sections I and J below, to intersections and other locations where the results from any applicable Operational Analysis indicates that said intersections and locations do not meet the LOS standards.

E. When applying the LOS as part of a development application, such as a zoning request, the following important factors must be considered:

1. Development potential in the vicinity of the project;
2. Background traffic growth rates within the affected network area;
3. The level of improvement that is necessary to provide an acceptable LOS and vehicular mobility, while at the same time promoting pedestrian, cycling, transit, and other multi-modal mobility;

4. The likely extent of pedestrian activity in the vicinity of the project, particularly with respect to movement of pedestrians to and from rail or transit stations; and

5. Evaluation of the development in context of the tiered approach discussed in the Tysons Corner Comprehensive Plan.

F. An Operational Analysis, where required, may include a traffic analysis, safety analysis, or preliminary or conceptual site engineering of an individual or isolated intersection, a corridor, or a network of streets and intersections within a defined area.

G. A traditional or consolidated Traffic Impact Analysis (TIA or CTIA) for development purposes may suffice to meet the requirements of an Operational Analysis.

H. The scope and depth of the Operational Analysis will be determined by a joint consultation with VDOT and Fairfax County, and in discussion with the applicant.

I. Where an Operational Analysis is being considered as part of a development application, such as a zoning request, a tiered approach as follows shall be applied to mitigate problem locations:

1. Analyze the problem areas not meeting the LOS standards within the affected network area to determine whether the LOS standards can be obtained without widening the streets or providing left or right-turn lanes.

2. Reanalyze the streets by providing aggressive, measurable TDM mitigation measures over those already accounted for in Table 5 of the Tysons Corner Comprehensive Plan, or by providing additional transit services, pedestrian improvements, or bicycle improvements that improve LOS.

3. Evaluate whether additional grid links, including offsite grid links can be constructed to create diversionary paths for vehicles, and in doing so decrease the traffic volumes at problem areas, improve the LOS and traffic circulation, and improve pedestrian, cycling, transit, and other multi-modal mobility.

4. At the discretion of VDOT and Fairfax County, temporary traffic mitigation measures can be evaluated and considered, such as interim capacity improvements that can be easily constructed within the standard street cross-section and not require additional right-of-way, and that can be removed or modified once certain specified grid links, TDMs, transit, or vehicle capacity projects are constructed that directly mitigate traffic impacts within the affected network area.

5. At the discretion of VDOT and Fairfax County, permanent traffic mitigation measures can be evaluated and considered that are ultimately required to be in place once build-out of the grid system is completed within a specified area.

6. After all of the above options have been applied, a determination must be made as to whether an acceptable balance has been achieved between LOS and pedestrian, cycling, transit, and other multi-modal mobility. If an acceptable balance has not been achieved, then the following additional mitigation measures may be considered:

   i. Phase the development to coincide with future built or implemented transportation improvements, including TDM, transit, and vehicle capacity projects that will directly mitigate traffic impacts within the affected network area.

   ii. Make adjustments to the land-use mix that will decrease single-occupant vehicle trips and/or increase modal split.

   iii. As determined by VDOT and Fairfax County, provide financial contributions to Fairfax County that are committed to mitigating deficiencies in the Tysons area.

7. After all of the above options have been applied, a second determination must be made as to whether an acceptable balance has been achieved between LOS and pedestrian, cycling, transit, and other multi-modal mobility. If an acceptable balance has not been achieved, then the

following additional mitigation measures may be considered at the discretion of VDOT and Fairfax County:

i. Evaluate other traffic mitigation measures.

ii. Analyze whether certain through, left, or right-turn lane improvements can be constructed that will benefit traffic circulation and improve the LOS without seriously compromising pedestrian, bicycle, and transit mobility. In particular, it will be important to evaluate the impact that turn lanes will have on pedestrian safety and mobility.

8. There may remain circumstances after application of the tiered approach above that the LOS Standard cannot be met, and that other alternative criteria may be considered at the discretion of VDOT and Fairfax County. When making this consideration, VDOT and Fairfax County will take into account the existing LOS of the street or intersection.

J. Where an Operational Analysis is not being considered as part of a development application, a tiered approach as follows shall be applied to mitigate problem locations:

1. Analyze the problem areas not meeting the LOS standards within the affected network area to determine whether the LOS standards can be obtained without widening the streets or providing left or right-turn lanes.

2. Evaluate whether additional grid links, including offsite grid links can be constructed to create diversionary paths for vehicles, and in doing so decrease the traffic volumes at problem areas, improve the LOS and traffic circulation, and improve pedestrian, cycling, transit, and other multi-modal mobility.

3. At the discretion of VDOT and Fairfax County, temporary traffic mitigation measures can be evaluated and considered, such as interim capacity improvements that can be easily constructed within the standard street cross-section and not require additional right-of-way, and that can be removed or modified once certain specified grid links, TDMs, transit, or vehicle capacity projects are constructed that directly mitigate traffic impacts within the affected network area.

4. At the discretion of VDOT and Fairfax County, permanent traffic mitigation measures can be evaluated and considered that are ultimately required to be in place once build-out of the grid system is completed within a specified area.

5. After all of the above options have been applied, a determination must be made as to whether an acceptable balance has been achieved between LOS and pedestrian, cycling, transit, and other multi-modal mobility. If an acceptable balance has not been achieved, then the following additional mitigation measures may be considered at the discretion of VDOT and Fairfax County:

i. Evaluate other traffic mitigation measures.

ii. Analyze whether certain through, left, or right-turn lane improvements can be constructed that will benefit traffic circulation and improve the LOS without seriously compromising pedestrian, bicycle, and transit mobility. In particular, it will be important to evaluate the impact that turn lanes will have on pedestrian safety and mobility.

6. There may remain circumstances after application of the tiered approach above that the LOS Standard cannot be met, and that other alternative criteria may be considered at the discretion of VDOT and Fairfax County. When making this consideration, VDOT and Fairfax County will take into account the existing LOS of the street or intersection.

K. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

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Footnotes:

(1) The minimum recommended standard for National Highway System (NHS) designated streets is LOS 'D', while the target standard recommended in the Tysons Corner Urban Center Comprehensive Plan is LOS 'E'. However, the VDOT District Administrator may accept a lower standard for NHS routes upon review of an Operational Analysis. Where the LOS 'D/E' standard cannot be achieved, mitigation measures must be considered in accordance with Sections I and J above. A Level of Service (LOS) Waiver for NHS routes is required, and is administered by the VDOT District Administrator at the district level. When considering the waiver, VDOT will take into account the existing LOS of the street or intersection.

(2) Where the LOS 'E' standard cannot be achieved, mitigation measures must be considered in accordance with Sections I and J above. These streets are not part of the NHS routes, and a Level of Service (LOS) Waiver is not required.

**Figure 3** – Illustration of Typical Context Sensitive Thoroughfare

An ITE Recommended Practice – Designing Walkable Urban Thoroughfares:
A Context Sensitive Approach, 2010

**Figure 4** – Illustration of Typical Context Sensitive Thoroughfare

An ITE Recommended Practice – Designing Walkable Urban Thoroughfares:
A Context Sensitive Approach, 2010

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## Table 3 Design and Operating Speed

| Recommended Functional Classification | Number of Through Lanes | Design Speed [1] (mph) | Operating Speed [2] (mph) |
|---|---|---|---|
| **Low Speed Boulevard** | 4-8 | 40 | 35 |
| **Avenue** | 4-6 | 30-35 | 25-30 |
| **Collector** | 2-4 | 25-30 | 25-30 |
| **Local Street** | 2 | 25 | 25 |
| **Service Street** | 2 | ≤ 25 | ≤ 25 |

References:

i. An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010.

ii. Tysons Corner Urban Center Comprehensive Plan.

Table Notes:

A. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

Footnotes:

(1) The Design Speed, if available is the primary control for determining minimum intersection sight distance, minimum sight distance on horizontal and vertical curves, and horizontal and vertical curvature. If not available then the operating speed or 85th percentile speed may be used.

(2) The Operating Speed should be achieved through a combination of measures that include one or more of the following, depending on the classification of the street:

a. Setting an appropriate and realistic speed limit;
b. Providing narrower travel lanes;
c. Including physical measures such as curb extensions and medians to narrow the traveled way;
d. Including design elements such as on-street parking to create side friction;
e. Eliminating superelevated curves;
f. Using smaller curb return radii at intersections;
g. Minimizing the use of high-speed channelized right-turn lanes; and
h. Setting signal timing for moderate progressive speeds.

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## Table 4 Access Management

| Recommended Functional Classification | Access Management | Operational Analysis [1] | Signalized Intersection Spacing | Unsignalized Intersection Spacing (full access) | Unsignalized Intersection Spacing (partial access) [7] | Driveway Spacing |
|---|---|---|---|---|---|---|
| **Low Speed Boulevard** | Moderate | Required | Operational Analysis [2][3] | Operational Analysis [2][3] | 325'-660' | Restricted Access |
| **Avenue** | Low | Discretionary | 525'-660' [4] | 200'-660' [6] | 200'-660' | 200' |
| **Collector** | Low | Discretionary | 425'-660' [4] | 200'-660' [6] | 155'-660' | 155' |
| **Local Street** | Very Low | N/A | 325'-660' [5] | 100'-660' | N/A | 50' |
| **Service Street** | N/A | N/A | N/A | N/A | N/A | N/A |

References:

i. An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010.

ii. VDOT Access Management Design Standards for Entrances and Intersections.

iii. Tysons Corner Urban Center Comprehensive Plan.

Table Notes:

A. Design of new intersections must be done with consideration for vehicular and pedestrian safety, intersection sight distance, the functional operating area of the intersection, and operation of upstream and downstream intersections.

B. Existing intersections are exempt from the Access Management standards except as necessary to mitigate a safety or Level of Service (LOS) deficiency. See Table 2 for LOS criteria.

C. Intersection Functional Operating Area Definition: The area beyond the physical intersection that comprises decision and maneuver distance, plus any required vehicle storage length, and is protected through corner clearance standards and connection spacing standards.

D. Intersection spacing needs to balance vehicle capacity with the walkability objectives of the Tysons Corner Urban Center Comprehensive Plan, and must allow for development of a highly-connected, multi-modal circulation network.

E. Intersection spacing in this table represents a minimum and maximum range in order to implement the street grid policies in the Tysons Corner Comprehensive Plan.

F. With the exception of Unsignalized Avenues and Collectors as further defined in Footnote [5], the intersection spacing shall not be less than the minimum unless a Design Exception/Waiver is requested from VDOT. The intersection spacing shall also not exceed the maximum unless a waiver is granted by the Fairfax County Department of Transportation. Said waiver will only be approved on certain rare and limited occurrences for severe hardships created by topographic or redevelopment constraints, and not due to any cost of construction or right-of-way acquisition, for example, in limited instances where a site may be constrained by circumstances such as the retention of existing buildings and/or topography. A Design Exception/Waiver is not required.

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G. Consideration should be given to providing a marked midblock crossing when intersections are spaced greater than 600 feet apart. The target spacing for pedestrian crossings in more intensive urban areas is every 200 to 300 feet. Consideration must be given for pedestrian safety.

H. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

Footnotes:

(1) See Table 2 for procedures and standards pertaining to the Operational Analysis.

(2) The spacing of new signalized or full access unsignalized intersections along a Low Speed Boulevard must be demonstrated through an Operational Analysis. As a general guideline, a spacing pattern of between 880 to 1,320 feet should be considered in the analysis. See Table 2 for procedures and standards pertaining to the Operational Analysis. Preparation of an Operational Analysis does not guarantee approval of a new access to a Low Speed Boulevard.

(3) The spacing standards of new intersections and driveways along a Low Speed Boulevard that are near interchange ramps should focus on safe ramp exit and entry movements onto the Low Speed Boulevard. This would be demonstrated through an Operational Analysis of the intersections. See Table 2 for procedures and standards pertaining to the Operational Analysis.

(4) An Operational Analysis is required for new signalized intersections located on an Avenue or Collector that are within 660 feet of a Low Speed Boulevard. Preparation of an Operational Analysis does not guarantee approval of a new signalized access within 660 feet of a Low Speed Boulevard.

(5) Traffic signals on local streets, if warranted, may be necessary on occasion to accommodate heavier traffic conditions. However, consideration must first be given to alternate traffic control techniques, such as multi-way stops and roundabouts where applicable.

(6) The Tysons Corner Urban Center Comprehensive Plan establishes a preferred block spacing of between 400 to 600 feet. To allow for redevelopment of properties, and to account for existing topographical and boundary line constraints, a shorter spacing of less than 400 feet, but no less than 200 feet per VDOT standards, may be allowed if demonstrated through an Operational Analysis. See Table 2 for procedures and standards pertaining to the Operational Analysis. A Design Exception/Waiver is not required.

(7) Partial Access Definition: Entrance with movements limited to right-in or right-out or both, with or without left-in movements. Commercial entrance channelization islands are discouraged as they can hinder safe pedestrian movement, and utilization of appropriate median treatments should be considered to control movements.

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## Table 5 Lane Widths and On-Street Parking

| Recommended Functional Classification | Lane Width [1][2] | On-Street Parking [4][5][6][7] | On-Street Parking Width [10] |
|---|---|---|---|
| **Low Speed Boulevard** | 11’ | Restricted | N/A |
| **Avenue** | 10’-11’ [3] | Required | 8’ |
| **Collector** | 10’-11’ [3] | Required | 8’ |
| **Local Street** | 10’ | Required [8] | 7’-8’ [11] |
| **Service Street** | 10’ | Restricted [9] | N/A |

References:

i. An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010.

ii. Tysons Corner Urban Center Comprehensive Plan.

Table Notes:

A. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

Footnotes:

(1) Lane width does not include shy distance from barrier curb. Shy distance is 1 foot for an inside median or island curb, and 2 feet from an outside curb and gutter section where the travel lane is adjacent to the curb, and there is no bike lane or on-street parking buffer.

(2) Fire apparatus streets shall have an unobstructed width of not less than 20 feet (6096mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115mm). The Fire Marshal shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations. Source: Sections 503.2.1-2, Statewide Fire Prevention Code, incorporating the International Fire Code; 2009 edition.

(3) The 10-foot Lane Width is recommended for streets that are residential in character and do not carry a significant number of commercial trucks or transit vehicles, whereas the 11-foot width is intended for streets that are commercial or mixed-use in character.

(4) On-street parking must comply with recommended guidelines for ADA accessibility within public right-of-ways. At least one accessible parking space must be provided for every 25 at grade parking spaces, or at least one accessible parking space must be provided for a full square city block (typically 400’-600’ in length), even if there are fewer than 25 parking spaces on that square block.

(5) Parking may be restricted in areas where there are conflicts with traffic operations that create extraordinary safety or capacity constraints. Parking may also be restricted in the vicinity of street intersections and major driveways if there are concerns with sight distance triangles or traffic operations, including circulator routes.

(6) Parking lanes may be time restricted during certain peak conditions to allow for through traffic and/or right-turn movements. Conversely, outside travel lanes may be used for on-street parking during non peak conditions. Approval for parking lane conversion will be done on a case-by-case basis.

(7) On-street loading and maneuvering areas may be allowed within the curb parking area in commercial zones or mixed-use zones with street level commercial activity.

(8) Commercial driveways and loading areas adjacent to local streets may require commercial vehicles to maneuver within the street area.

(9) Some limited parking for utility and service vehicles may be allowed on a case-by-case basis provided the parking does not interfere with emergency vehicle access.

(10) On-Street Parking Width includes the gutter pan width.

(11) The 7-foot On-Street Parking Width is recommended for streets that are residential in character, whereas the 8-foot width is intended for streets that are commercial or mixed-use in character.

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## Table 6 Median Islands and Turn Lanes

| Recommended Functional Classification | Raised/Landscaped Median [1] | Median Width [3][4] (with circulator) | Left and Right Turn Lanes | Left and Right Turn Lane Widths [7] |
|---|---|---|---|---|
| **Low Speed Boulevard** | Required | 16'-20' | Optional [5] | 11' |
| **Avenue** | Optional [2] | 16'-20' (24'-36') | Optional [6] | 10'-11' [8] |
| **Collector** | Optional [2] | 4'-8' (24'-36') | Optional [6] | 10'-11' [8] |
| **Local Street** | N/A | N/A | Optional [6] | 10' |
| **Service Street** | N/A | N/A | N/A | N/A |

References:

i. An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010.

ii. Tysons Corner Urban Center Comprehensive Plan.

Table Notes:

A. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

Footnotes:

(1) See Table 12 for planting requirements within the sight distance triangle.

(2) Raised/landscaped medians are discouraged, but may be evaluated on a case-by-case basis, and should only be considered in areas where there is a need to channelize traffic, restrict left-turn movements, or provide for pedestrian refuge areas. Raised/landscaped medians for 2-lane streets are restricted due to width constraints for emergency vehicles. See Table 6 for median widths.

(3) A 4-foot wide median island is the minimum width for control of left-turn movements. A 6-foot wide median is the minimum width for provision of a pedestrian refuge, and 8 feet should be used as a minimum on higher volume and higher speed streets where pedestrians are likely to cross the street in multiple signal phases.

(4) The minimum planting width for street trees is 8 feet.

(5) Right-turn lanes are discouraged on Low Speed Boulevards, but are recognized as more of a necessity due to the importance of maintaining vehicle progression and access and ingress to the Tysons Corner Urban Center. Right-turn lanes on Low Speed Boulevards must be justified through an Operational Analysis. See Table 2 for procedures and standards pertaining to the Operational Analysis. The warrant or determination for installation of a left or right-turn lane shall be based on capacity and Level of Service (LOS), as determined through an Operational Analysis, not speed based or turning volume ratio based nomographs. See Table 2 for LOS criteria. If justified, the length of storage will be determined by the Operational Analysis. Left and right turn deceleration, acceleration, and continuous center or right turn lanes are restricted.

(6) Left-turn, and in particular right-turn lanes are discouraged, except where the need for the same are justified through an Operational Analysis. See Table 2 for procedures and standards pertaining to the



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Operational Analysis. The warrant or determination for installation of a left or right-turn lane shall be based on capacity and Level of Service (LOS), as determined through an Operational Analysis, not speed based or turning volume ratio based nomographs. See Table 2 for LOS criteria. If justified, the length of storage will be determined by the Operational Analysis. Left and right turn deceleration, acceleration, and continuous center or right turn lanes are restricted.

(7) Turn lane width does not include shy distance from barrier curb. Shy distance is 1 foot for an inside median or island curb, and 2 feet from an outside curb and gutter section where the turn lane is adjacent to the curb.

(8) The 10-foot Turn Lane Width is recommended for streets that are residential in character, and do not carry a significant number of commercial trucks or transit vehicles, whereas the 11-foot width is intended for streets that are commercial or mixed-use in character.

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## Table 7 Turn Lane Lengths

| Design Speed (mph) | Minimum Taper Length Ratio [1] | Minimum Deceleration Length [2] Percent Slope (road gradient) | | | | |
|---|---|---|---|---|---|---|
| | | -5% to -6% | -3% to -4% | Level | +3% to +4% | +5% to +6% |
| **20** | 1:5 | 0’ | 0’ | 0’ | 0’ | 0’ |
| **25** | 1:5 | 7’ | 6’ | 5’ | 5’ | 4’ |
| **30** | 1:5 | 47’ | 42’ | 35’ | 32’ | 28’ |
| **35** | 1:5 | 101’ | 90’ | 75’ | 68’ | 60’ |
| **40** | 1:8 | 169’ | 150’ | 125’ | 113’ | 100’ |

Reference:

i. Design of Turn Lane Guidelines, Minnesota Department of Transportation Research Services, Office of Policy Analysis, Research and Innovation, July 2010, Prepared by Howard Preston, P.E., CH2M Hill, Final Report #2010-25.

Table Notes:

A. Left Turn or Right Turn Lane Length (ft) = Storage (ft) + Min. Taper (ft) + Min. Deceleration (ft).

B. The length of storage will be determined by the Operational Analysis. See Table 2 for procedures and standards pertaining to the Operational Analysis. The minimum storage length for a left turn lane is 60 feet, and for a right turn lane is 40 feet.

C. The taper, storage and deceleration lengths may be reduced to match location constraints and to provide corridor consistency. For example where the block lengths are short, i.e. 300 to 400 feet.

Footnotes:

[1] Length (ft) = Width of Offset (ft) x Ratio. The Maximum length is 100 feet for a single turn lane, and 150 feet for a dual turn lane.

[2] Assumes a 10 mph deceleration in the through lane to a speed of 15 mph.

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## Table 8 Horizontal Radius

| Design Speed (mph) | Minimum Radius (standard crown) | Minimum Radius $e_{max}$ = 0.02 (superelevation) |
|---|---|---|
| **20** | 107’ | 92’ |
| **25** | 198’ | 183’ |
| **30** | 333’ | 273’ |
| **35** | N/A | 408’ |
| **40** | N/A | 593’ |

Reference:

i. AASHTO, A Policy on Geometric Design of Highways and Streets, 2004; Side Friction Factors Assumed for Design – Low Speed Urban Streets.

Table Notes:

A. A standard crown road section is recommended for all urban street designs up to 30 mph. However, in certain circumstances, and due to topographical or redevelopment constrains, it may be necessary to provide a maximum superelevation rate of up to 4 percent.

B. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

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## Table 9 Length of Vertical Curvature

| Design Speed (mph) | Minimum Rate of Curvature (K) | |
|---|---|---|
| | Crest Vertical Curves | Sag Vertical Curves |
| **20** | 7 | 17 |
| **25** | 12 | 26 |
| **30** | 19 | 37 |
| **35** | 29 | 49 |
| **40** | 44 | 64 |

Reference:

i. AASHTO, A Policy on Geometric Design of Highways and Streets, 2004.

Table Notes:

A. Vertical curvature shall meet minimum stopping sight distance per AASHTO recommended guidelines.

B. Length of Vertical Curve (ft) = K x A, where K = Rate of Curvature from table, and A = Algebraic Grade Difference (percent). A = g2 – g1, where g1 = percent of tangent grade entering the vertical curve (-downgrade, +upgrade), and g2 = percent of tangent grade leaving the vertical curve (-downgrade, +upgrade).

C. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

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## Table 10 Design and Control Vehicles for Designing Street Intersections

| Recommended Functional Classification | Low Speed Boulevard | | Avenue | | Collector | | Local Street | | Service Street | |
|---|---|---|---|---|---|---|---|---|---|---|
| | DV | CV | DV | CV | DV | CV | DV | CV | DV | CV |
| **Low Speed Boulevard** | WB-62 | WB-62 | | | | | | | | |
| **Avenue** | CITY-BUS | WB-50 | CITY-BUS | WB-50 | | | | | | |
| **Collector** | CITY-BUS | WB-50 | CITY-BUS | WB-50 | CITY-BUS | WB-50 | | | | |
| **Local Street** | SU | WB-50 | SU | WB-50 | SU | WB-50 | P | WB-50 | | |
| **Service Street** | SU | WB-50 | SU | WB-50 | SU | WB-50 | P | WB-50 | P | WB-50 |

References:


i. Wadell, E., Gingrich, M.A., Lenters, M. (February 2009). Trucks in Roundabouts: Pitfalls in Design and Operations, ITE Journal (volume 79), pages 40–45.

ii. Olson, D., Schroedel, C. (Manual Managers). (2009). Washington State Department of Transportation Design Manual, Chapter 910. Washington State Department of Transportation: Design Office, Engineering and Regional Operations Division.

iii. Choosing the Right Design Vehicle for Urban Roundabouts, Abstract by Victor Salemann, PE, and Scott Soiseth, PE.


Table Notes:

A. Consideration must be given to the trade-offs between the traffic safety and operational effects of infrequent large vehicles, and the safety of pedestrians.

B. DV represents the Design Vehicle, and CV represents the Control Vehicle.

C. WB-50 or WB-62 represents a semi-trailer, either 50 feet or 62 feet in length; CITY-BUS represents an intercity transit vehicle; SU represents a single-unit truck, typically 30-feet in length, and P represents a passenger car.

D. Consideration must be given to both the Design Vehicle and Control Vehicle:

   1. The Design Vehicle is one that must be accommodated without encroachment into the opposing traffic lanes.

   2. The Control Vehicle is one that is infrequent but must be accommodated by allowing either encroachment into opposing traffic lanes if there is no raised median, minor encroachment into the streetside area if it does not impact critical infrastructure such as traffic signal poles, or as a last option, multiple-point turns of the vehicle.

E. For a dual turn-lane lane condition, the Design Vehicle shall be used turning simultaneously with a Passenger Car.

F. For a U-Turn condition where there is no raised median, use a Passenger Car for both the Design Vehicle and Control Vehicle. Where there is a raised median, use a Passenger Car for the Design Vehicle only.

G. A minimum Actual curb return radius of 10 to 15 feet should be used where most, if not all of the following conditions occur (See Figure 5):

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1. High pedestrian volumes are present or reasonably anticipated;
2. Volumes of turning vehicles are relatively low;
3. The width of the receiving intersection approach can accommodate a turning passenger vehicle without encroachment into the opposing lane;
4. Passenger vehicles constitute the majority of turning vehicles;
5. Bicycle lanes and parking lanes may create additional space to accommodate the effective turning radius of vehicles (see Figure 5). A shy distance of 1 to 2 feet should be retained from the face of curb;
6. Low turning speeds are required or desired; and
7. Occasional encroachment of turning school bus, moving van, fire truck, or oversized deliver truck into an opposing lane is acceptable.

H. Where the minimum Actual curb return radius must exceed 15 feet, compound curves or curve taper combinations are required in order to reduce pedestrian crossing distances. Three-centered symmetric or asymmetric compound curves are preferred. An intersection diagram utilizing Auto Turn or AASHTO vehicle turning templates will be required with all submissions.

I. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

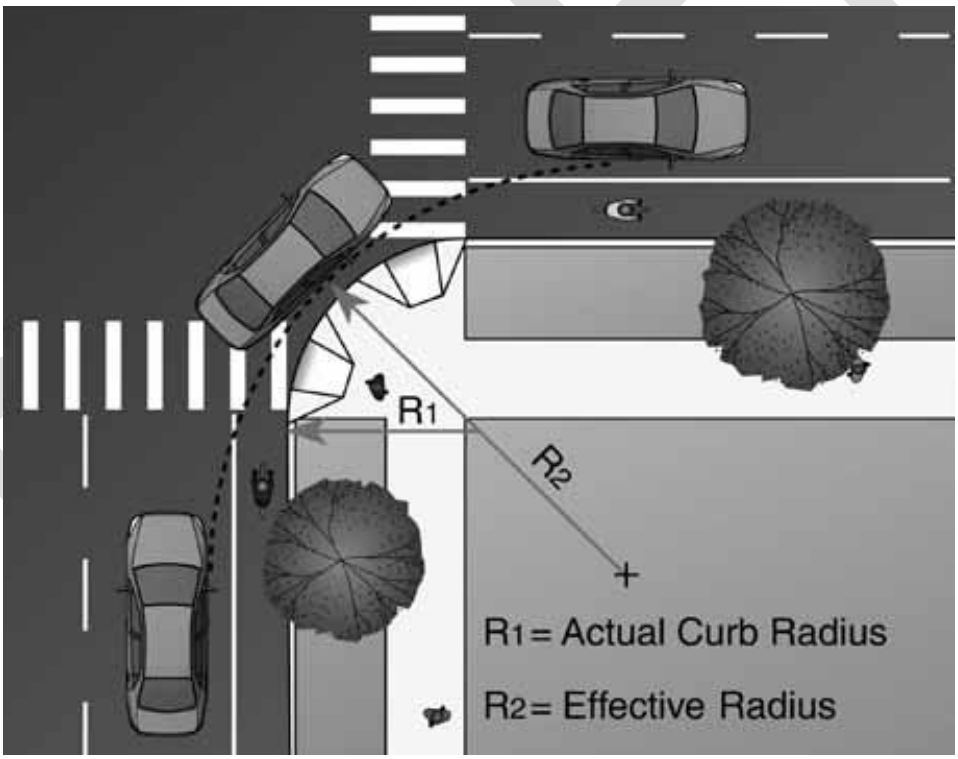


**Figure 5** – Effective Turning Radius

Source: An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010

## Table 11 Driveway Widths

| Driveway Type | Maximum Driveway Width |
|---|---|
| Two-Way | 24’ |
| One-Way | 14’ |

Reference:

i. An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010.

Table Notes:

A. Driveway widths shown are pavement/lane widths, and do not include curb transition panels or curb returns.

B. To promote pedestrian safety and mobility, urban drop or flared driveway transitions (CG-9E) shall be used except in conditions where heavy vehicular and/or commercial truck access may require installation of a radius curb-return driveway transition (CG-11).

C. Driveways that carry more than 500 directional peak hour trips may be widened to allow for an additional reversible, or an additional ingress or egress lane. Added lanes should range from 10 to 11 feet in width depending on whether their composition is mostly passenger cars or commercial truck traffic. .

D. Driveways that carry frequent commercial truck traffic may require either widening to a maximum width of 30 feet, or require entrance curb returns. Where the minimum curb return radius exceeds 15 feet, then compound curves or curve taper combinations are required in order to reduce pedestrian crossing distances.

E. A maximum width of 20 feet is applicable to narrow service streets.

F. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

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## Table 12 Intersection Sight Distance

| Design Speed (mph) | Minimum Intersection Sight Distance Road Gradient (percent slope) | | | | | | |
|---|---|---|---|---|---|---|---|
| | -9% | -6% | -3% | Level | +3% | +6% | +9% |
| **20** | 130’ | 120’ | 120’ | 115’ | 110’ | 110’ | 105’ |
| **25** | 175’ | 165’ | 160’ | 155’ | 150’ | 145’ | 140’ |
| **30** | 230’ | 215’ | 205’ | 200’ | 200’ | 185’ | 180’ |
| **35** | 290’ | 275’ | 260’ | 250’ | 240’ | 230’ | 225’ |
| **40** | 385’ (355’ SSD) | 385’ (335’ SSD) | 385’ (315’ SSD) | 385’ (305’ SSD) | 385’ (290’ SSD) | 385’ (280’ SSD) | 385’ (270’ SSD) |

Reference:

i. AASHTO formulas, A Policy on Geometric Design of Highways and Streets, 2004.

ii. 2006 FDOT Design Standards, Index No. 546, Florida Department of Transportation.

Table Notes:

A. Minimum Intersection Sight Distance is used to establish sight distance triangles at intersections or major commercial driveways, for the purpose of maintaining a clear driver field of vision for both other vehicles and pedestrians (see Figure 6).

B. For streets with a design speed of 35 mph or less, the intersection sight distance will be based on AASHTO Minimum Stopping Sight Distance (SSD) criteria, with provision taken into account for road gradient. Unless otherwise approved, for Low Speed Boulevards and streets with a design speed greater than 35 mph, the intersection sight distance will be based on AASHTO Decision Sight Distance as follows:

1. Unsignalized Intersections – Case B2 avoidance maneuver, Right-Turn from the Minor Road, Intersections with Stop Control on the Minor Road; and

2. Signalized Intersections – Case D, Intersections with Traffic Signal Control, which do not require approach or departure sight triangles per AASHTO, should provide Case B2 avoidance maneuver Decision Sight Distance for pedestrian and permissive right-turning vehicle visibility.

C. Intersection sight distances are measured along the center of the approaching travel lanes, is observed from a point 14.5 feet back from the edge of the traveled way, and is measured from an eye height of 3.5 feet, to an object height of 3.5 feet.

D. In order to facilitate redevelopment in more challenging situations, intersection skews up to 30$^{\circ}$ may be allowed provided that minimum intersection sight distance can be achieved.

E. Planting material within the sight distance triangle shall be limited as follows:

1. Ground Covers – Plant selection of low growing vegetation which at maturity does not attain a height greater than 18 inches below the sight line datum (See Figure 7).

2. Trunked Plants – Plant selection of mature single or multi-stemmed trunk diameter, with each individual trunk up to 4 inches, measured at 6 inches above the ground. Canopy or high borne foliage shall not be lower than 5 feet above the sight line datum (See Figure 7). These selections shall be spaced no closer than 20 feet apart.

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3. Trees – Plant selection of mature single trunk diameter between 4 inches and 11 inches, measured 6 inches above the ground. Canopy or high borne foliage shall not be lower than 5 feet above the sight line datum (See Figure 7). These selections shall be spaced no closer than 22 feet for design speeds up to 30 mph, no closer than 27 feet for design speeds up to 35 mph, and no closer than 33 feet for design speeds up to 40 mph. If the design speeds is not available then the operating speed or 85$^{th}$ percentile speed may be used. Plant selection shall not cast greater than a 6-foot wide shadow band on a vehicle entering the intersection (See Figure 8). Preliminary or conceptual site engineering of individual or isolated intersections may be required to verify the maximum allowable shadow band.

F. If in the Engineer's judgment, landscaping or other objects interfere with the line of sight corridor prescribed in these standards; the Engineer may rearrange, relocate, or eliminate plantings or other objects.

G. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

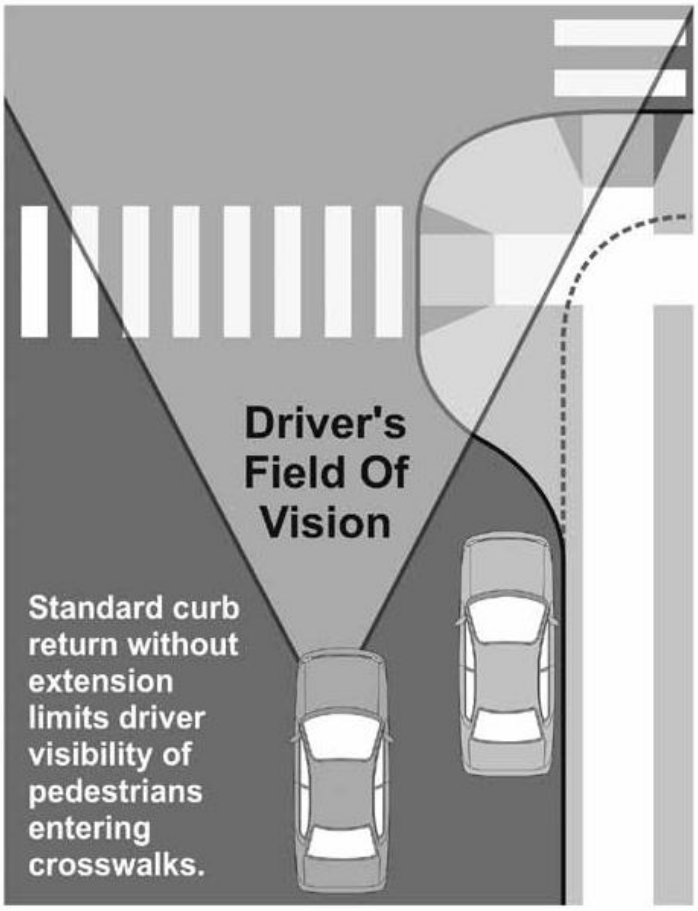


**Figure 6** – Driver Field of Vision and Pedestrian Visibility

An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010

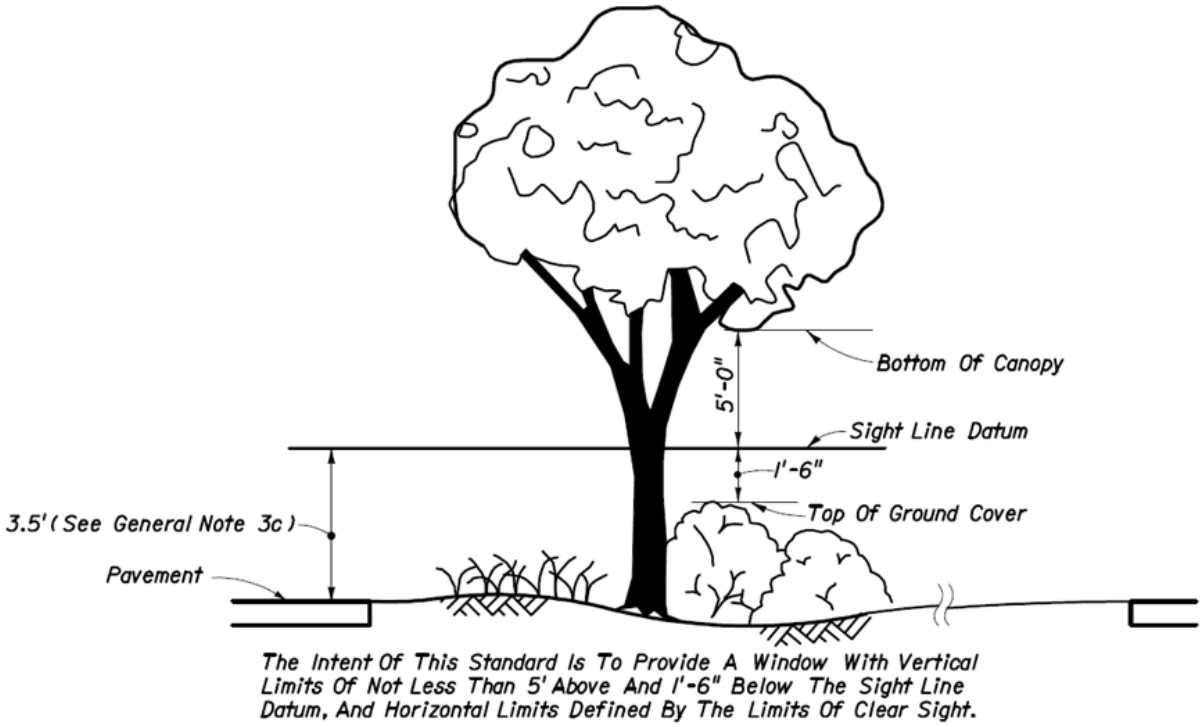


**Figure 7** – Sight Line Datum Window

2006 FDOT Design Standards, Florida Department of Transportation

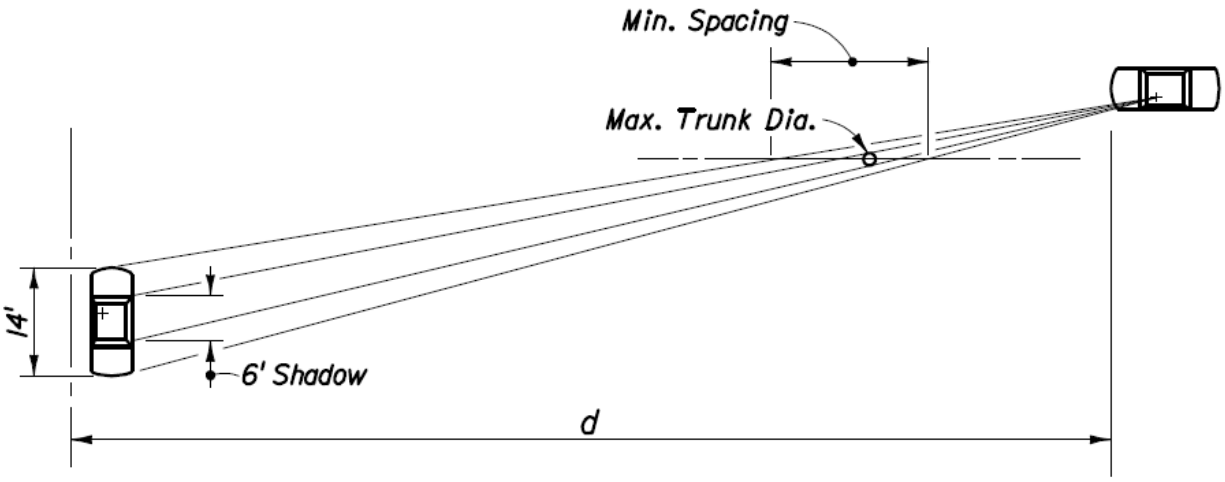


**Figure 8** – Shadow Band Diagram

2006 FDOT Design Standards, Florida Department of Transportation

## Table 13 Multi-Modal Design Characteristics

| Recommended Functional Classification | Circulator Route [1] | Transit Service | Freight Movement |
|---|---|---|---|
| **Low Speed Boulevard** | N/A | Express and Local | Regional and Local Truck Routes |
| **Avenue** | Yes (select routes) | Local | Local Deliveries |
| **Collector** | Yes (select routes) | Local | Local Deliveries |
| **Local Street** | N/A [2] | Local | Local Deliveries |
| **Service Street** | N/A | N/A | Local Deliveries |

References:

i. An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010.

ii. Tysons Corner Urban Center Comprehensive Plan.

Footnotes:

[1] The Tysons Corner Urban Center Comprehensive Plan identifies a system of circulator routes to connect most of Tysons Corner. The first phase serving the Metrorail stations after opening will be bus service operating with existing traffic in existing right-of-ways. Over time, the system is envisioned to convert to a fixed guideway or light rail (street car) system operating in exclusive right-of-ways. The Comprehensive Plan is conceptual, and final location of the circulator will be established by more detailed engineering and service demand studies.

[2] Circulator routes may be accommodated on local streets under special circumstances in order to provide for efficient circulation and connectivity.

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## Table 14 Pedestrian Facilities

| Recommended Functional Classification | Streetscape Zone Width [(1)(2)] | Min/Max Building Zone Width | Minimum Sidewalk Width | Minimum Landscape Amenity Panel Width [(3)(4)] |
|---|---|---|---|---|
| **Low Speed Boulevard** | 33’ | 15’ | 10’ | 8’ |
| **Avenue** | 20’-28’ | 4’ – 12’ | 8’ | 8’ |
| **Collector** | 20’-28’ | 4’ – 12’ | 8’ | 8’ |
| **Local Street** | 16’-24’ | 4’ – 12’ | 6’ | 6’ |
| **Service Street** | N/A | N/A | 5’ | N/A |

References:

i. An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010.

ii. Tysons Corner Urban Center Comprehensive Plan.

Table Notes:

A. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

Footnotes:

(1) The Streetscape Zone is comprised of the following (see Figure 9):

a. Building Zone;
b. Sidewalk; and
c. Landscape Amenity Panel, including Lateral Offset (horizontal clearance).

The Building Zone is the space between the Sidewalk and the building face. The Sidewalk is the area in which pedestrians travel. The Landscape Amenity Panel is a multi-purpose area that serves as a buffer between the Sidewalk and vehicular area, and provides space for streetside appurtenances such as street trees, street furniture, and bus shelters. The Lateral Offset is an 18 inch space behind the face of curb, and is incorporated within the Landscape Amenity Panel. The Lateral Offset provides space for door swing from parked vehicles, or a recovery area for vehicles that run up against the barrier curb.

(2) It is expected that sites will be designed in such a manner as to provide the Streetscape Zone Width specified in the chart and that modifications to the width shall generally not apply to sites that will be redeveloped. Modifications to the Streetscape Zone Width may be permitted only in circumstances where topography, the presence of existing buildings that will be retained and/or other conditions preclude the provision of the specified width as determined by Fairfax County. In such instances, the reduction in the streetscape width shall be the minimum necessary, and shall be taken first from the building zone.

(3) Above ground utilities and streetside appurtenances should be placed no closer than 18 inches from the face of curb.

(4) See Table 12 for planting requirements within the sight distance triangle.

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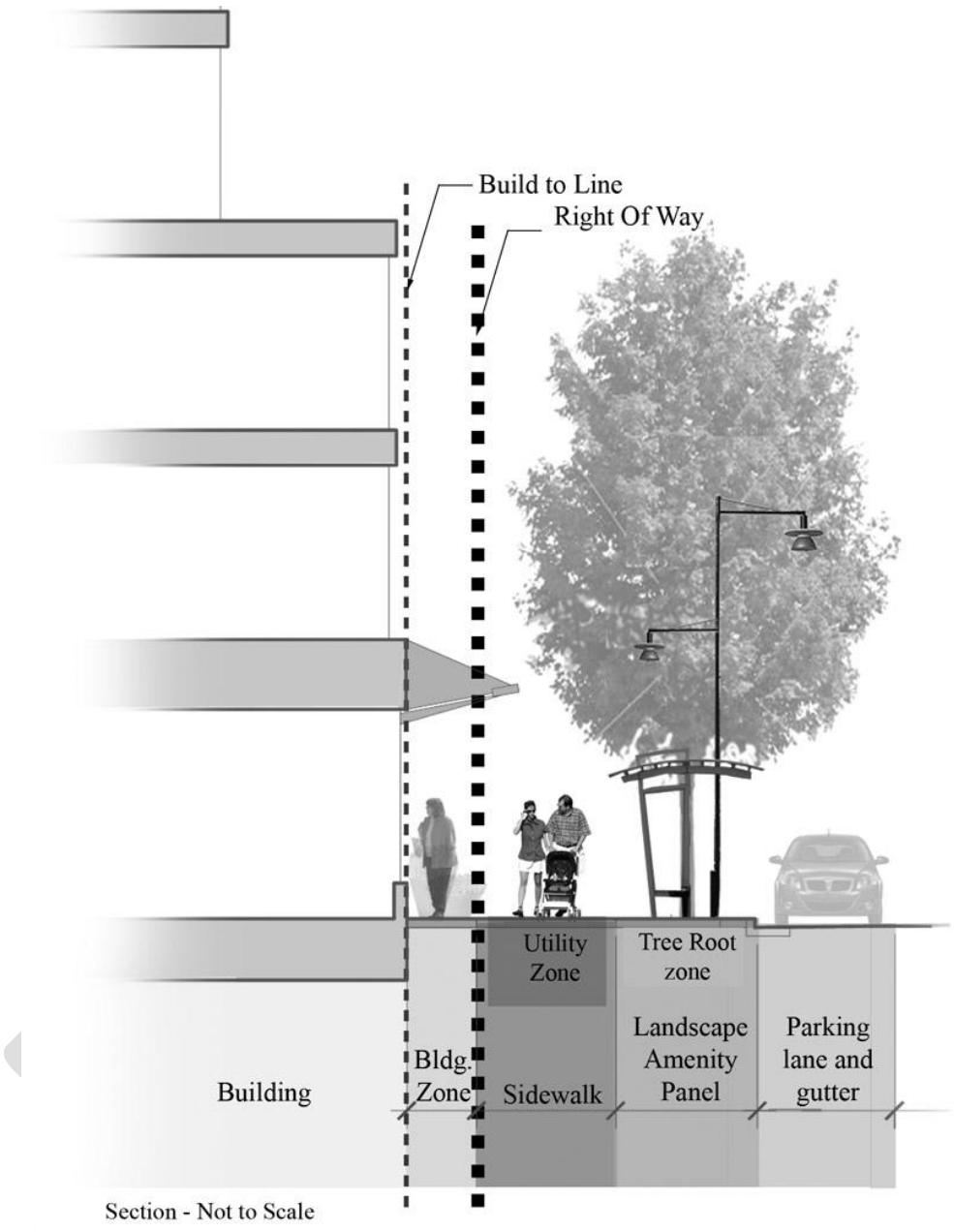


**Figure 9** – Streetscape Zone Diagram

Tysons Corner Urban Center Comprehensive Plan

## Table 15 Bicycle Facilities

| Recommended Functional Classification | Bicycle Facilities [(1)(2)] | Bike Lane Width Adjacent to Curb [(3)] | Bike Lane Width Adjacent to Right-Turn Lane | Bike Lane Width Adjacent to Parking Lane |
|---|---|---|---|---|
| **Low Speed Boulevard** | N/A | N/A | N/A | N/A |
| **Avenue** | On-Street Bike Lane | 4’ | 5’ | 5’-6’ [(4)(5)] |
| **Collector** | On-Street Bike Lane | 4’ | 5’ | 5’-6’ [(4)(5)] |
| **Local Street** | N/A | N/A | N/A | N/A |
| **Service Street** | N/A | N/A | N/A | N/A |

References:

i. An ITE Recommended Practice – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010.

ii. Tysons Corner Urban Center Comprehensive Plan.

Table Notes:

A. Except as otherwise noted, and where a Design Exception/Waiver is required, any Design Exception/Waiver shall be submitted to the Fairfax County Department of Transportation for their concurrent review and approval with VDOT.

Footnotes:

(1) Fairfax County has an updated Bicycle Master Plan for the Tysons Corner Urban Center. The new plan replaces the Conceptual Bicycle Facilities Map in the Comprehensive Plan, and serves as the basis for where, and what type of bicycle facilities are to be placed on each street in Tysons Corner.

(2) A wider bicycle lane is more beneficial on uphill steep grades.

(3) The width of the bike lane is measured from the lip of gutter to the center of the edge line. Where there is no gutter pan, the width of the bike lane is 5 feet as measured from the face of curb to the center of the edge line.

(4) The bike lane width shall be 6 feet minimum when adjacent to a 7 foot on-street parking lane, and may be 5 feet when adjacent to an 8 foot on-street parking lane.

(5) In constrained topographical or redevelopment situations, an absolute minimum bike lane width of 5 feet may be allowed.

DRAFT

## Table 16 Utility Placement

| Utility | Location | | | |
|---|---|---|---|---|
| | Streetscape Zone | Curb Zone | Parking Lane | Travel Lane [4] |
| **Storm Drainage** | | ✓ | ✓ | ✓ |
| **Sanitary Sewer** | | | | ✓ |
| **Water** | | | | ✓ |
| **Natural Gas** [1] | | | ✓ | ✓ |
| **Electrical** [2][3] | ✓ | | ✓ | |
| **Telecommunications** [3] | ✓ | | ✓ | |

Table Notes:

A. Utilities should be placed underground, and should be coordinated with future street improvements and sidewalks to foster a pedestrian-friendly environment. To achieve this goal, detailed site analysis should take place early in the development process to avoid conflicts between utilities and proposed street tree locations and root zone cell structures.

B. Underground transformers and switch gear may be placed within the public right-of-way provided these features do not conflict with root zone cell structures, or restrict safety and mobility of the traveling public.

C. Installation of utilities may also include placement of blank conduits and vaults that will be used with future developments.

D. Utility vaults or manholes placed within the street or parking lane must be installed with traffic rated lids.

E. Utility vaults and manholes should be placed outside of the sidewalk area to minimize slipping and tripping hazards. When placed anywhere within the Streetscape Zone where there are hard walking surfaces, the utility vault lids must be installed with ADA compliant non-slip surfaces.

F. Consideration should be given to placement of alternative storm water management facilities within the right-of-way, such as underground storage vaults and mechanical treatment units.

Footnotes:

(1) Can be located anywhere within the roadway area.

(2) Larger transmission lines, such as 230-kv lines are allowed within the travel lane area.

(3) Can be placed within the Streetscape Zone only if there is no parking lane.

(4) The utility should be located within the center of the travel lane so that manholes and valve covers are not within the wheel path area.

DRAFT

Board Agenda Item
September 13, 2011

ACTION – 9

Adoption of a Resolution that Confirms the Declaration of Local Emergency for Hurricane Irene, Consents to those Actions Taken by the Director of Emergency Management and County Staff During that Emergency, and Confirms the Termination of that Declared Local Emergency

ISSUE:
Board adoption of a resolution that (1) confirms the declaration of local emergency by the County Executive on August 27, 2011, to respond to Hurricane Irene; (2) consents to all actions taken by the County Executive and County staff pursuant to that declared local emergency, and (3) confirms the termination of that local emergency by the County Executive on August 28, 2011.

RECOMMENDATION:
The County Executive recommends that the Board adopt the enclosed draft resolution as set forth in Attachment 1.

TIMING:
Virginia law requires Board action on September 13, 2011, which is the next regularly scheduled meeting of the Board following the declaration of local emergency on August 27, 2011.

BACKGROUND:
As Hurricane Irene moved onshore and up the Mid-Atlantic coast, and in anticipation of the possible wind and flood damage that such a storm can cause, the County Executive, acting in his capacity as Director of Emergency Management, signed a Declaration of Local Emergency, effective August 27, 2011. That Declaration officially activated the County's Emergency Operations Plan and authorized the furnishing of aid and assistance under the Plan in order to mitigate the expected results of the hurricane. Before that action, the Governor of Virginia declared a state emergency in preparation of Hurricane Irene on August 25, 2011, and the federal government declared an emergency for Virginia on August 26, 2011, in preparation to support the Commonwealth during Hurricane Irene. The County Executive terminated the local emergency effective August 28, 2011, at 2:00 p.m., after determining that all coordinated local government emergency actions had been

taken, and it was no longer necessary for the Declaration of Local Emergency to remain in effect.

The Commonwealth of Virginia Emergency Services and Disaster Law of 2000, codified at Virginia Code §§ 44-146.13 through 44-146.28.1, authorizes the County Director of Emergency Management to declare the existence of a local emergency when the governing body cannot convene. Any such declaration is subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within fourteen days of the declaration, whichever occurs first. Virginia Code § 44-146.21(a). As September 13, 2011, is the Board's next regularly scheduled meeting following the Declaration of a Local Emergency, staff requests the Board to adopt a Resolution (Attachment 1) to confirm the Declaration of Local Emergency, the termination of the local emergency, and to approve and consent to all actions taken by the Director of Emergency Management and County staff pursuant to the declaration and the Fairfax County Emergency Operations Plan following the declaration of a local emergency for the preservation of life or other emergency mitigation, response, or recovery.

FISCAL IMPACT:
While the damage in the County caused by Hurricane Irene was relatively and fortunately small in comparison to some previous hurricanes, this declaration of a local emergency by the Board will permit the County to seek funds as appropriate for evaluation, recovery, and clean-up actions. However, at this time, it does not appear that the County sustained enough damage to be eligible for reimbursement.

ENCLOSED DOCUMENTS:
Attachment 1 – Draft Board Resolution confirming the Declaration of Local Emergency and the Termination of Local Emergency
Attachment 2 – Declaration of Local Emergency by the County Executive on August 27, 2011
Attachment 3 – Termination of Declared Local Emergency by the County Executive on August 28, 2011
Attachment 4 – News Release of Virginia Declaration of Emergency
Attachment 5 – News Release of Federal Declaration

STAFF:
Anthony Griffin, County Executive
David M. McKernan, Coordinator, Office of Emergency Management
Michael Long, Deputy County Attorney

**Resolution Confirming The**
**Declaration Of Local Emergency**

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, September 13, 2011, at which a quorum was present and voting, the following resolution was adopted:

**WHEREAS**, the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, codified at Virginia Code §§ 44-146.13 through 44-146.28.1, authorizes the Director of Emergency Management to declare the existence of a local emergency when the governing body cannot convene, subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within fourteen days of the declaration; and

**WHEREAS**, Hurricane Irene threatened Fairfax County, Virginia, with potentially dangerous circumstances of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship, or suffering threatened or caused thereby; and

**WHEREAS**, the potential of such an emergency necessitated the Declaration of a Local Emergency by the Director of Emergency Management, effective August 27, 2011, through 2:00 p.m. on August 28, 2011; and

**WHEREAS,** circumstances did not permit the governing body to convene to consent to the declaration of a local emergency; and

**WHEREAS,** the Director of Emergency Management determined that all coordinated local government emergency actions had been taken and that it was not necessary to extend the Declaration of Local Emergency beyond August 28, 2011; and

**WHEREAS,** the Board of Supervisors of Fairfax County seeks to confirm the Declaration of Local Emergency and to approve and consent to all actions taken by the Director of Emergency Management and County staff pursuant to the declaration and the Fairfax County Emergency Operations Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Fairfax County

1. Confirms the Declaration of Local Emergency on August 27, 2011; and

2. Approves and consents to all actions taken by the Director of Emergency Management and County staff pursuant to the Declaration of Local Emergency and the Fairfax County Emergency Operations Plan.

3. Confirms the termination of the Declaration of Local Emergency at 2:00 p.m. on August 28, 2011.

A Copy Teste:

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Nancy Vehrs
Clerk of the Board of Supervisors

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**Declaration Of A Local Emergency**

**WHEREAS**, due to Hurricane Irene, Fairfax County, Virginia, is facing dangerous conditions of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused thereby; and

**WHEREAS**, the conditions of extreme peril to life and property necessitate the proclamation of the existence of a local emergency; and

**WHEREAS,** circumstances do not permit the governing body to convene to consent to the declaration of a local emergency;

**NOW, THEREFORE,** subject to confirmation by the Board of Supervisors, which is the governing body of Fairfax County, Virginia, in accordance with Virginia Code § 44-146.21, the Director of Emergency Management declares and proclaims the existence of a local emergency in Fairfax County; and

It is further proclaimed and ordered that during the existence of said emergency, in order to mitigate the effects of said emergency, the powers, functions, and duties of the Director of Emergency Management and the Emergency Management organization of Fairfax County shall be those proclaimed by Virginia law and by the ordinances, resolutions, and approved plans of the government of Fairfax County, Virginia.

Dated: August 27, 2011

Director of Emergency Management

**Termination of a Declared Local Emergency**

**WHEREAS**, due to Hurricane Irene, Fairfax County, Virginia, faced dangerous conditions of sufficient severity and magnitude to necessitate the proclamation of the existence of a local emergency on August 27, 2011; and

**WHEREAS**, such a declaration of a local emergency was issued on August 27, 2011, subject to confirmation by the Board of Supervisors, which is the governing body of Fairfax County, in accordance with Virginia Code § 44-146.21; and

**WHEREAS**, all coordinated local government emergency actions necessary to prevent or alleviate the damage, loss, hardship or suffering threatened or caused by Hurricane Irene have been taken, and it is no longer necessary for that declaration of a local emergency to remain in effect;

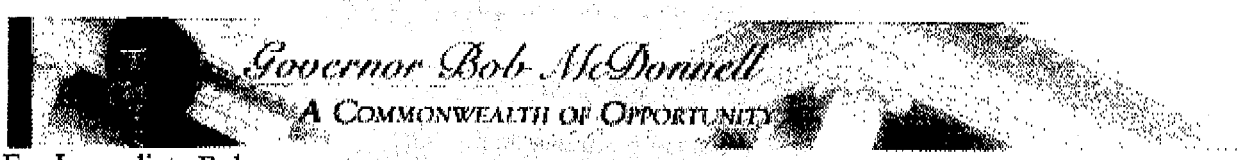
**NOW, THEREFORE,** that previously declared local emergency is hereby terminated effective 2 p.m. on August 28 2011.

All actions taken by the Director of Emergency Management, including, but not limited to, the Declaration of a Local Emergency issued on August 27, 2011, and this termination of that declared local emergency shall be subject to confirmation by the Board of Supervisors of Fairfax County pursuant to Virginia Code § 44-146.21.

Dated: August 28, 2011

Director of Emergency Management

# Governor McDonnell Declares State of Emergency Ahead of Hurricane Irene




For Immediate Release
Contact
August 25, 2011

**Jeff Caldwell**
Press Secretary
(804) 786-2211

**Bob Spieldenner**
Virginia Department of Emergency Management
(804) 674-2400
www.vaemergency.virginia.gov

## Governor McDonnell Declares State of Emergency Ahead of Hurricane Irene

**RICHMOND** - Governor Bob McDonnell has declared a state of emergency in Virginia in preparation for Hurricane Irene, which is anticipated to affect the Commonwealth over the weekend. Depending on the storm's final track, there is the potential for flooding from both rainfall and storm surge in the eastern part of the state. Winds could potentially reach hurricane strength in the Hampton Roads area; tropical storm force winds could extend much further inland. The ultimate impact of Irene on the Commonwealth will be dependent upon the storm's exact track, which continues to be subject to change over the next 48 hours prior to landfall. A slight deviation by Irene to the east or west would have a significant impact on observable weather in the state.

Eastern Virginia residents who live in low-lying areas should be ready to evacuate ahead of the storm. Citizens should listen to local TV and radio stations for instructions, such as an evacuation order for specific areas, details about evacuation routes and locations of evacuation shelters. If an evacuation is ordered for your area, take your emergency supplies with you, including all medications. For a list of suggested emergency supplies you should collect for your family, visit: http://www.vaemergency.gov/readyvirginia/getakit.

The Commonwealth does not plan to reverse lanes on Interstate 64. Residents should review the evacuation routes for their area to determine the best route for their families. In the event that a mandatory evacuation is necessary in specific areas, citizens will be provided further instructions through local and state authorities.

A state of emergency is declared under state law so that state resources can be made available. The governor's emergency declaration ensures a fully coordinated state response to support local initial recovery efforts. A declaration also decreases time needed to get personnel, equipment and supplies on scene.

Speaking about the State of Emergency, Governor McDonnell noted, "We are issuing this state of emergency today as a precautionary measure in order to ensure that we are ready for any potential effects of Hurricane Irene in the Commonwealth. Over the last 24 hours, a number of weather models have shifted the forecasted track of Irene slightly to the west, increasing the potential for inclement weather and potentially dangerous conditions in portions of Virginia. At this time, I encourage all Virginians to gather items they may need this weekend in case of power outages and disruptions in public services and to make sure their family members and friends are also prepared for this storm. In conjunction with our federal, state and local partners we are monitoring Irene closely, and we will issue further statements and orders as necessary in accordance with the final projected path of the hurricane. At this time, 48 hours before any possible impact of Irene, it is imperative that, in an abundance of caution, all Virginians, state agencies and localities prepare for this storm."

State agencies are preparing by in the following ways:

- The Commonwealth has activated the Virginia Evacuation Coordination Team for Operational Response to assess the storm's potential impact and to take necessary actions.
- The Virginia Emergency Operations Center is coordinating the state's response with increased staffing available 24 hours a day and is now at Response Condition, due to Tuesday's earthquake.
- Virginia State Police personnel have been placed on stand-by and will be pre-positioned to the areas where they will be needed based on the final projected path of the hurricane. The Virginia State Police Swift Water Rescue Team is standing by in strategic locations.
- Chainsaw crews from the Virginia Department of Forestry are standing by with emergency response personnel and to help with debris removal.
- Virginia Department of Transportation crews are ready to clear roads and ensure roads are safe for travel.
- The Virginia National Guard has been authorized to bring personnel on state active duty and begin prepositioning resources.
- The Virginia Department of Health is coordinating with hospitals and long-term care facilities to ensure that they are prepared for storm impacts.

Emergency preparedness is everyone's responsibility. For information about preparing for Hurricane Irene, visit http://www.vaemergency.gov/. For general information about the storm, dial 211.

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FEMA

# President Declares Emergency For Virginia

Release Date: August 27, 2011
Release Number: HQ-11-142

» More Information on Virginia Hurricane Irene

» En Español

WASHINGTON -- The U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) announced that federal aid has been made available to Commonwealth of Virginia to supplement the commonwealth and local response efforts in the area due to the emergency conditions resulting from Hurricane Irene beginning on August 26, 2011, and continuing.

The President's action authorizes the Department of Homeland Security, Federal Emergency Management Agency (FEMA), to coordinate all disaster relief efforts which have the purpose of alleviating the hardship and suffering caused by the emergency on the local population, and to provide appropriate assistance for required emergency measures, authorized under Title V of the Stafford Act, to save lives and to protect property and public health and safety, and to lessen or avert the threat of a catastrophe in the counties of Accomack, Northampton, Isle of Wight, James City, Lancaster, Mathews, Middlesex, Northumberland, Richmond, Westmoreland, and New Kent and the independent cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg.

Specifically, FEMA is authorized to identify, mobilize, and provide at its discretion, equipment and resources necessary to alleviate the impacts of the emergency. Emergency protective measures, including direct federal assistance, will be provided at 75 percent federal funding.

Donald L. Keldsen has been named as the Federal Coordinating Officer for federal recovery operations in the affected area.

Follow FEMA online at blog.fema.gov, www.twitter.com/fema, www.facebook.com/fema, andwww.youtube.com/fema. Also, follow Administrator Craig Fugate's activities at www.twitter.com/craigatfema.

The social media links provided are for reference only. FEMA does not endorse any non-government websites, companies or applications.

FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

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Board Agenda Item
September 13, 2011

ACTION – 10

Adoption of a Resolution that Confirms the Declaration of Local Emergency for Heavy Rains and Flooding on September 8, 2011, Consents to those Actions Taken by the Director of Emergency Management and County Staff During that Emergency, and Confirms the Termination of that Declared Local Emergency

ISSUE:
Board adoption of a resolution that (1) confirms the declaration of local emergency by the County Executive on September 8, 2011, to respond to heavy rains and flooding; (2) consents to all actions taken by the County Executive and County staff pursuant to that declared local emergency, and (3) confirms the termination of that local emergency by the County Executive on September 10, 2011.

RECOMMENDATION:
The County Executive recommends that the Board adopt the enclosed draft resolution as set forth in Attachment 1.

TIMING:
Virginia law requires Board action on September 13, 2011, which is the next regularly scheduled meeting of the Board following the declaration of local emergency on September 8, 2011.

BACKGROUND:
Due to significant rainfall and flooding that resulted from the remnants of Tropical Storm Lee, the County Executive, acting in his capacity as Director of Emergency Management, signed a Declaration of Local Emergency, on September 8, 2011. That Declaration officially activated the County's Emergency Operations Plan and authorized the furnishing of aid and assistance under the Plan in order to mitigate the results of the heavy rains and flooding. The County Executive terminated the local emergency effective September 10, 2011, at 1:00 p.m., after determining that all coordinated local government emergency actions had been taken, and it was no longer necessary for the Declaration of Local Emergency to remain in effect.

The Commonwealth of Virginia Emergency Services and Disaster Law of 2000, codified at Virginia Code §§ 44-146.13 through 44-146.28.1, authorizes the County Director of Emergency Management to declare the existence of a local emergency

when the governing body cannot convene. Any such declaration is subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within fourteen days of the declaration, whichever occurs first. Virginia Code § 44-146.21(a). As September 13, 2011, is the Board's next regularly scheduled meeting following the Declaration of a Local Emergency, staff requests the Board to adopt a Resolution (Attachment 1) to confirm the Declaration of Local Emergency, the termination of the local emergency, and to approve and consent to all actions taken by the Director of Emergency Management and County staff pursuant to the declaration and the Fairfax County Emergency Operations Plan following the declaration of a local emergency for the preservation of life or other emergency mitigation, response, or recovery.

FISCAL IMPACT:
This declaration of a local emergency by the Board will permit the County to seek funds as appropriate for evaluation, recovery, and clean-up actions, should such funds become available.

ENCLOSED DOCUMENTS:
Attachment 1 – Draft Board Resolution confirming the Declaration of Local Emergency and the Termination of Local Emergency
Attachment 2 – Declaration of Local Emergency by the County Executive on September 8, 2011
Attachment 3 – Termination of Declared Local Emergency by the County Executive on September 10, 2011

STAFF:
Anthony Griffin, County Executive
David M. McKernan, Coordinator, Office of Emergency Management
Marilyn S. McHugh, Assistant County Attorney

**Resolution Confirming The**
**Declaration Of Local Emergency**
**(September 8, 2011 Flood)**

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, September 13, 2011, at which a quorum was present and voting, the following resolution was adopted:

**WHEREAS**, the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, codified at Virginia Code §§ 44-146.13 through 44-146.28.1, authorizes the Director of Emergency Management to declare the existence of a local emergency when the governing body cannot convene, subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within fourteen days of the declaration; and

**WHEREAS**, heavy rains and flooding associated with the remnants of Tropical Storm Lee threatened Fairfax County, Virginia, with potentially dangerous circumstances of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship, or suffering threatened or caused thereby; and

**WHEREAS**, the potential of such an emergency necessitated the Declaration of a Local Emergency by the Director of Emergency Management, effective September 8, 2011, through 1:00 p.m., on September 10, 2011; and

**WHEREAS,** circumstances did not permit the governing body to convene to consent to the declaration of a local emergency; and

**WHEREAS,** the Director of Emergency Management determined that all coordinated local government emergency actions had been taken and that it was not

necessary to extend the Declaration of Local Emergency beyond September 10, 2011; and

**WHEREAS,** the Board of Supervisors of Fairfax County seeks to confirm the Declaration of Local Emergency and to approve and consent to all actions taken by the Director of Emergency Management and County staff pursuant to the declaration and the Fairfax County Emergency Operations Plan;

**NOW, THEREFORE**, **BE IT RESOLVED** that the Board of Supervisors of Fairfax County

1. Confirms the Declaration of Local Emergency on September 8, 2011; and

2. Approves and consents to all actions taken by the Director of Emergency Management and County staff pursuant to the Declaration of Local Emergency and the Fairfax County Emergency Operations Plan.

3. Confirms the termination of the Declaration of Local Emergency at 1:00 p.m., on September 10, 2011.

A Copy Teste:

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Nancy Vehrs
Clerk of the Board of Supervisors

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**Declaration Of A Local Emergency**

**WHEREAS**, due to heavy rains and flooding, the County of Fairfax is facing dangerous conditions of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused thereby; and

**WHEREAS**, the conditions of extreme peril to life and property necessitate the proclamation of the existence of a local emergency; and

**WHEREAS,** circumstances do not permit the governing body to convene to consent to the declaration of a local emergency;

**NOW, THEREFORE,** subject to confirmation by the Board of Supervisors, which is the governing body of Fairfax County, Virginia, in accordance with Virginia Code § 44-146.21, the Director of Emergency Management declares and proclaims the existence of a local emergency in Fairfax County; and

It is further proclaimed and ordered that during the existence of said emergency the powers, functions, and duties of the Director of Emergency Management and the Emergency Management organization of the County of Fairfax shall be those proclaimed by State law and the ordinances, resolutions, and approved plans of the County of Fairfax in order to mitigate the effects of said emergency.

Dated: September 8, 2011

Director of Emergency Management

**Termination of a Declared Local Emergency**

**WHEREAS,** due to heavy rains and flooding on September 8, 2011, Fairfax County, Virginia, faced dangerous conditions of sufficient severity and magnitude to necessitate the declaration of a local emergency on September 8, 2011; and

**WHEREAS**, such a declaration of a local emergency was issued on September 8, 2011, subject to confirmation by the Board of Supervisors, which is the governing body of Fairfax Coounty, in accordance with Virginia Code § 44-146.21; and

**WHEREAS,** all coordinated local government emergency actions necessary to prevent or alleviate the damage, loss, hardship or suffering threatened or caused by the heavy rains and flooding have been taken, and it is no longer necessary for that declaration of local emergency to remain in effect;

**NOW, THEREFORE,** that previously declared local emergency is hereby terminated effective 1 pm on September 10, 2011.

All actions taken by the Director of Emergency Management, including, but not limited to, the Declaration of a Local Emergency issued on September 8, 2011, and this termination of that declared local emergency shall be subject to confirmation by the Board of Supervisors of Fairfax County pursuant to Virginia Code § 44-146.21.

Dated: September 10, 2011

Director of Emergency Management

Board Agenda Item
September 13, 2011

INFORMATION – 1

County Holiday Schedule – Calendar Year 2012

A proposed calendar year 2012 Holiday Schedule for Fairfax County Government has been prepared. County employees are authorized 11 ½ holidays in each calendar year

The proposed holiday schedule for 2012 lists the Federal Government holidays as well as those of the Fairfax County Public Schools. State employees and the Courts observe the Commonwealth of Virginia designated holidays.

Unless otherwise directed by the Board of Supervisors, the enclosed will be adopted as the holiday schedule for calendar year 2012.

ENCLOSED DOCUMENTS:
Attachment 1 – Proposed Holiday Schedule – 2012

STAFF
Anthony H. Griffin, County Executive
Susan Woodruff, Director, Human Resources

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## Proposed Holiday Schedules – Calendar Year 2012

| HOLIDAY | OBSERVED DAY - DATE | FAIRFAX COUNTY GOVERNMENT | FAIRFAX COUNTY PUBLIC SCHOOLS* | FEDERAL GOVERNMENT |
|---|---|---|---|---|
| New Year's Day | Monday Jan 2 | X | X | X |
| Lee-Jackson Day | Friday Jan 13 | regular work day | regular work day | regular work day |
| Martin Luther King, Jr. Day | Monday Jan 16 | X | X | X |
| George Washington's Day | Monday Feb 20 | X | X | X |
| Memorial Day | Monday May 28 | X | X | X |
| Independence Day | Wednesday July 4 | X | X | X |
| Labor Day | Monday Sept 3 | X | X | X |
| Columbus Day | Monday Oct 8 | X | X | X |
| Veterans Day | Monday Nov 12 | X | regular work day | X |
| Thanksgiving Day | Thursday Nov 22 | X | X | X |
| Day after Thanksgiving | Friday Nov 23 | X | X | regular work day |
| Christmas Eve Day | Monday Dec 24 | X (half day) | X | regular work day |
| Christmas Day | Tuesday Dec 25 | X | X | X |
| Floating Holiday/Additional Time Off | Wednesday Dec 26 | regular work day | X | regular work day |
| Total Holidays | | 11½ | 12 | 10 |

* **Holidays for the FY2013 school calendar that fall in calendar year 2012 (July 1, 2012 – December 31, 2012) have not been finalized. The actual date of some holidays may change to accommodate the student calendar.**

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Board Agenda Item
September 13, 2011

INFORMATION – 2

Work Plan Agreement Between the Natural Resources Conservation Service, the Northern Virginia Soil and Water Conservation District, and Fairfax County for the Rehabilitation of Pohick Creek Dam Site Number 8, Huntsman Lake (Springfield District)

Pohick Creek Dam Site Number 8, known locally as Huntsman Lake, was constructed in 1973. The project was a joint effort between the Soil Conservation Service, now the Natural Resources Conservation Service (NRCS), the Northern Virginia Soil and Water Conservation District, and Fairfax County. The Huntsman Lake dam does not meet current NRCS or the Virginia Division of Dam Safety performance standards.

In November of 2000, the "Small Watershed Rehabilitation Amendments of 2000" revised Public Law 83-566 to establish a cost-share rehabilitation program whereby a sponsoring community having dams constructed by the NRCS could receive federal assistance for the rehabilitation of these facilities. Under this program, the NRCS provides up to 65% of the total project cost, with the sponsoring community contributing 35% of the total cost.

A rehabilitation plan for Huntsman Lake was completed by the NRCS in August 2011. The plan recommends armoring the auxiliary spillway with articulated concrete blocks, and also building earthen embankments that direct water toward the auxiliary spillway and prevent erosion of the dam embankment. The plan also requires replacement of the existing open top principal spillway riser with a closed top baffle type riser. The final design for this project is expected to be completed by June 2012, with construction projected to begin in the fall of 2012, subject to the federal allocation of the necessary funding. The total estimated project cost is $2,814,000. This work plan agreement is the initial step that is required in order for NRCS to provide the County with 65% ($1,829,000) of the total project cost.

According to the NRCS rehabilitation plan, the structure will have a project life expectancy of 75 years after construction is complete. The NRCS has identified 13 residential properties in the dam breach inundation zone. Additionally, there are three roads and four utility lines in the inundation zone.

Unless otherwise directed by the Board of Supervisors, the County Executive, on behalf of the County, will sign the Work Plan Agreement with the Natural Resources Conservation Service and the Northern Virginia Soil and Water Conservation District for the rehabilitation of Pohick Creek Dam Site Number 8.

FISCAL IMPACT:
The estimated cost-sharable amount of the project is $2,814,000. The NRCS will pay 65% of the cost or approximately, $1,829,000, with the County required to fund 35% or approximately, $985,000. Currently, $3,287,087 is available in Fund 125, Stormwater Services, Project FX0400, Dam Safety and Facility Rehabilitation. If additional funding is required based on actual design and construction costs, funding will be reallocated from existing appropriations in Fund 125.

ENCLOSED DOCUMENTS:
Attachment 1: Work Plan Agreement

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

# POHICK CREEK WATERSHED AGREEMENT

Supplemental Watershed Plan Agreement
(Supplement No. 6)

between the

Fairfax County Board of Supervisors
Northern Virginia Soil and Water Conservation District
(herein referred to collectively as "Sponsors")
Commonwealth of Virginia

and the

Natural Resources Conservation Service
United States Department of Agriculture
(herein referred to as "NRCS")

**Whereas**, the Watershed Work Plan Agreement for the Pohick Creek Watershed, Commonwealth of Virginia, authorized under the Watershed Protection and Flood Prevention Act (Public Law 83-566, 16 U.S.C. 1001 et seq.) and executed by the Sponsors named therein and the Soil Conservation Service (which is now NRCS, pursuant to section 246 of the Department of Agriculture Reorganization Act of 1994, 7 U.S.C. 6862), became effective the 1st day of April 1969; and

**Whereas**, Supplement No. 1, which modified the Watershed Plan Agreement, was developed through cooperative efforts of the Sponsors and the Soil Conservation Service and became effective on the 25th day of September 1970; and

**Whereas**, Supplement No. 2, which modified the Watershed Plan Agreement, was developed through cooperative efforts of the Sponsors and the Soil Conservation Service and became effective on the 18th day of October 1971; and

**Whereas**, Supplement No. 3, which modified the Watershed Plan Agreement, was developed through cooperative efforts of the Sponsors and NRCS and became effective on the 25$^{th}$ day of September 2006; and

**Whereas**, Supplement No. 4, which modified the Watershed Plan Agreement, was developed through cooperative efforts of the Sponsors and NRCS and became effective on the 30$^{th}$ day of June 2008; and

**Whereas**, Supplement No. 5, which modified the Watershed Plan Agreement, was developed through cooperative efforts of the Sponsors and NRCS and became effective on the 31$^{th}$ day of August 2009; and

Whereas, application has heretofore been made to the Secretary of Agriculture by the Sponsors for assistance in preparing a plan for rehabilitation of the works of improvement for the Pohick

Creek Dam No. 8 located in Fairfax County, Commonwealth of Virginia, under the authority of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. Sections 1001 to 1008, 1010, and 1012); and

**Whereas**, the responsibility for administration of the Watershed Protection and Flood Prevention Act has been assigned by the Secretary of Agriculture to NRCS; and

**Whereas**, through the cooperative efforts of the Sponsors and NRCS, a Supplemental Watershed Plan and Environmental Assessment has been developed to rehabilitate the Pohick Creek Dam No. 8, Commonwealth of Virginia, hereinafter referred to as the Watershed Project Plan or Plan, which Plan is annexed to and made a part of this agreement; and

**Whereas**, in order to provide for rehabilitation of Pohick Creek Dam No. 8, it has become necessary to modify the Supplemental Watershed Plan Agreement;

**Now**, therefore, in view of the foregoing considerations, the Secretary of Agriculture, through NRCS and the Sponsors hereby agree on this Supplemental Watershed Plan and that the works of improvement for this project will be installed, operated, and maintained in accordance with the terms, conditions, and stipulations provided for in this Supplemental Watershed Agreement and including the following:

1. **Term.** The term of this agreement is for the installation period and evaluated life of the project (77 years) and does not commit the NRCS to assistance of any kind beyond the end of the evaluated life.

2. **Costs.** The costs shown in this plan are preliminary estimates. Final costs to be borne by the parties hereto will be the actual costs incurred in the installation of works of improvement.

3. **Real property.** The Sponsors will acquire such real property as will be needed in connection with the works of improvement. The amounts and percentages of the real property acquisition costs to be borne by the Sponsors and NRCS are as shown in the Cost-Share table in Section 5 hereof. The Sponsor acknowledges the potential risk of flood damages for the real property between the flowage rights elevation and the top of dam elevation.

4. **Uniform Relocation Assistance and Real Property Acquisition Policies Act.** The Sponsors hereby agrees to comply with all of the policies and procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 U.S.C. 4601 et. seq. as further implemented through regulations in 49 C.F.R. Part 24 and 7 C.F.R. Part 21) when acquiring real property interests for this federally assisted project. If the Sponsors are legally unable to comply with the real property acquisition requirements, it agrees that, before any Federal financial assistance is furnished; it will provide a statement to that effect, supported by an opinion of the chief legal officer of the state containing a full discussion of the facts and law involved. This statement may be accepted as constituting compliance.

5. **Cost-share for Rehabilitation Project.** The following table will be used to show cost-share percentages and amounts for Watershed Project Plan implementation.

| Works of Improvement | NRCS | | Sponsors | | Total |
|---|---|---|---|---|---|
| **Cost-Sharable Items** | **Percent** | **Cost** | **Percent** | **Cost** | **Cost** |
| Rehabilitation of the dam (construction costs): | 86.4% | $1,829,000 | 13.6% | $287,000 | $2,116,000 |
| Relocation, Replacement in-kind: | 0% | $0 | 0% | $0 | $0 |
| Relocation, Required Decent, Safe, Sanitary: | 0% | $0 | 0% | $0 | $0 |
| Sponsors' Planning Costs: | n/a | n/a | 100% | $248,000 | $248,000 |
| Sponsors' Engineering Costs: | n/a | n/a | 100% | $360,000 | $360,000 |
| Sponsors' Project Administration Costs: | n/a | n/a | 100% | $80,000 | $80,000 |
| Land Rights Acquisition Costs: | n/a | n/a | 100% | $10,000 | $10,000 |
| **Subtotals: Cost-Sharable Costs: Cost-Share Percentages:**[a/] | (65%) | **$1,829,000** | (35%) | **$985,000** | **$2,814,000** (100%) |
| | | | | | |
| **Non Cost-Sharable Items (per PL-106-472 and NRCS policy)**[b/] | --- | --- | --- | --- | --- |
| NRCS Engineering and Project Administration Costs: | 100% | $110,000 | n/a | n/a | $110,000 |
| Natural Resource Rights: | n/a | n/a | 0% | $0 | $0 |
| Federal, State and Local Permits: | n/a | n/a | 100% | $1,000 | $1,000 |
| Relocation, Beyond Required Decent, Safe, Sanitary | n/a | n/a | 0% | $0 | $0 |
| **Subtotals: Non-Cost-Sharable Costs:** | **100%** | **$110,000** | **100%** | **$1,000** | **$111,000** |
| **Total Cost-Sharable Cost** | **n/a** | **$1.939,000** | **n/a** | **$986,000** | **$2,925,000** |
| **Total Installation Cost** [c/] | **n/a** | **$1.939,000** | **n/a** | **$738,000** | **$2,677,000** |

a/ The maximum NRCS cost-share is 65% of the cost-sharable items not to exceed 100% of the construction cost. Total eligible project costs include construction, land rights, relocation, project administration, and planning services provided by the Sponsors. Not included are NRCS engineering technical assistance costs of $100,000 and NRCS project administration costs of $10,000;
b/ If actual non-cost-sharable item expenditures vary from these estimates, the responsible party will bear the change in costs.
c/ The Total Installation Cost excludes the Sponsors' Planning Cost of $248,000.

6. **Land treatment agreements.** Approximately 79% of the drainage area above Pohick Dam No. 8 is urban with the remaining 21% in zoned woodland. It is expected to remain as such. Therefore, there is no need for additional erosion control measures in the watershed. Thus,

there is no requirement for the Sponsors to obtain agreements for protection of the upstream watershed.

7. **Floodplain Management.** Before construction of any project for flood prevention, the Sponsors shall agree to participate in and comply with applicable Federal floodplain management and flood insurance programs.

8. **Water and mineral rights.** The Sponsors will acquire or provide assurance that landowners or resource users have acquired such water, mineral, or other natural resources rights pursuant to State law as may be needed in the installation and operation of the works of improvement. Any costs incurred shall be borne by the Sponsors and these costs are not eligible as part of the Sponsors' cost-share.

9. **Permits.** The Sponsors will obtain and bear the cost for all necessary Federal, State, and local permits required by law, ordinance, or regulation for installation of the works of improvement. These costs are not eligible as part of the Sponsors' cost-share.

10. **NRCS assistance.** This agreement is not a fund-obligating document. Financial and other assistance to be furnished by NRCS in carrying out the rehabilitation plan is contingent upon the fulfillment of applicable laws and regulations and the availability of appropriations for this purpose.

11. **Additional agreements.** A separate agreement will be entered into between NRCS and the Sponsors before either party initiates work involving funds of the other party. Such agreements will set forth in detail the financial and working arrangements and other conditions that are applicable to the specific works of improvement.

12. **Amendments.** This plan may be amended or revised only by mutual agreement of the parties hereto, except that NRCS may de-authorize or terminate funding at any time it determines that the Sponsors have failed to comply with the conditions of this agreement or when the program funding or authority expires. In this case, NRCS shall promptly notify the Sponsors in writing of the determination and the reasons for de-authorization of project funding, together with the effective date. Payments made to the Sponsors or recoveries by NRCS shall be in accord with the legal rights and liabilities of the parties when project funding has been de-authorized. An amendment to incorporate changes affecting a specific measure may be made by mutual agreement between NRCS and the Sponsors having specific responsibilities for the measure involved.

13. **Prohibitions.** No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this plan, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

14. **Operation and Maintenance (O&M).** The Sponsors will be responsible for the operation, maintenance, and any needed replacement of the works of improvement by actually performing the work or arranging for such work, in accordance with an O&M agreement. An O&M agreement will be entered into before Federal funds are obligated and continue for the project life (75 years). Although the Sponsors' responsibility to the Federal Government for O&M ends when the O&M agreement expires upon completion of the evaluated life of

measures covered by the agreement, the Sponsors acknowledge that continued liabilities and responsibilities associated with works of improvement may exist beyond the evaluated life.

15. **Emergency Action Plan.** Prior to construction, the Sponsors shall prepare an Emergency Action Plan (EAP) for each dam or similar structure where failure may cause loss of life or as required by state and local regulations. The EAP shall meet the minimum content specified in Part 500.52 of the NRCS Title 180, National Operation and Maintenance Manual (NOMM), Part 500, Subpart F, Section 500.52, and meet applicable State agency dam safety requirements. The NRCS will determine that an EAP is prepared prior to the execution of fund obligating documents for rehabilitation of the structure. The EAP shall be reviewed and updated by the Sponsors annually.

16. **Nondiscrimination provisions.** The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410 or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

    By signing this agreement, the recipient assures the U.S. Department of Agriculture that the program or activities provided for under this agreement will be conducted in compliance with all applicable Federal civil rights laws, rules, regulations, and policies.

17. **Certification Regarding Drug-Free Workplace Requirements** (7 CFR Part 3021). By signing this watershed agreement, the Sponsors are providing the certification set out below. If it is later determined that the Sponsors knowingly rendered a false certification, or otherwise violated the requirements of the Drug Free Workplace Act, the NRCS, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

    *Controlled Substance* means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

    *Conviction* means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

    *Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacturing, distribution, dispensing, use, or possession of any controlled substance;

*Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) all direct charge employees; (ii) all indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantees' payroll; or employees of sub-recipients or subcontractors in covered workplaces).

**Certification:**

A. The Sponsors certify that they will or will continue to provide a drug-free workplace by:

(1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(2) Establishing an ongoing drug-free awareness program to inform employees about—
   (a) The danger of drug abuse in the workplace;
   (b) The grantee's policy of maintaining a drug-free workplace;
   (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
   (d) The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace;

(3) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);

(4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will--
   (a) Abide by the terms of the statement; and
   (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(5) Notifying the NRCS in writing, within ten calendar days after receiving notice under paragraph (4)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(6) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (4) (b), with respect to any employees who is so convicted--
   (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

(7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1),(2),(3),(4),(5),and (6).

B. The Sponsors may provide a list of the site(s) for the performance of work done in connection with a specific project or other agreement.

C. Agencies shall keep the original of all disclosure reports in the official files of the agency.

**18. Certification Regarding Lobbying (7 CFR 3018)**

A. The Sponsors certify to the best of their knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sponsors, to any person for influencing or attempting to influence an officer or employee of an agency, Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress , an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The Sponsors shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

B. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, of the U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

**19. Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions (7 CFR 3017).**

A. The Sponsors certify to the best of their knowledge and belief, that they and their principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (A)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the primary Sponsor is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this agreement.

**20. Clean Air and Water Certification**

A. The project Sponsoring organizations signatory to this agreement certify as follows:

(1) Any facility to be utilized in the performance of this proposed agreement is (__), is not (_X_) listed on the Environmental Protection Agency List of Violating Facilities.

(2) To promptly notify the NRCS-State Administrative Officer prior to the signing of this agreement by NRCS, of the receipt of any communication from the Director, Office of Federal Activities, U.S. Environmental Protection Agency, indicating that any facility which is proposed for use under this agreement is under consideration to be listed on the Environmental Protection Agency List of Violating Facilities.

(3) To include substantially this certification, including this subparagraph, in every nonexempt sub-agreement.

B. The project Sponsoring organization(s) signatory to this agreement agrees as follows:

(1) To comply with all the requirements of section 114 of the Clean Air Act as amended (42 U.S.C. Section 7414) and section 308 of the Federal Water Pollution Control Act (33 U.S.C. Section 1318), respectively, relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in section 114 and section 308 of the Air Act and the Water Act, issued there under before the signing of this agreement by NRCS.

(2) That no portion of the work required by this agreement will be performed in facilities listed on the EPA List of Violating Facilities on the date when this agreement was signed by NRCS unless and until the EPA eliminates the name of such facility or facilities from such listing.

(3) To use their best efforts to comply with clean air standards and clean water standards at the facilities in which the agreement is being performed.

(4) To insert the substance of the provisions of this clause in any nonexempt subagreement.

C. The terms used in this clause have the following meanings:

(1) The term "Air Act" means the Clean Air Act, as amended (42 U.S.C. Section 7401 et seq.).

(2) The term "Water Act" means Federal Water Pollution Control Act, as amended (33 U.S.C. Section 1251 et seq.).

(3) The term "clean air standards" means any enforceable rules, regulations, guidelines, standards, limitations, orders, controls, prohibitions, or other requirements which are contained in, issued under, or otherwise adopted pursuant to the Air Act or Executive Order 11738, an applicable implementation plan as described in section 110 of the Air Act (42 U.S.C. Section 7414) or an approved implementation procedure under section 112 of the Air Act (42 U.S.C. Section 7412).

(4) The term "clean water standards" means any enforceable limitation, control, condition, prohibition, standards, or other requirement which is promulgated pursuant to the Water Act or contained in a permit issued to a discharger by the Environmental Protection Agency or by a State under an approved program, as authorized by section 402 of the Water Act (33 U.S.C. Section 1342), or by a local government to assure compliance with pretreatment regulations as required by section 307 of the Water Act (33 U.S.C. Section 1317).

(5) The term "facility" means any building, plan, installation, structure, mine, vessel, or other floating craft, location or site of operations, owned, leased, or supervised by a Sponsor, to be utilized in the performance of an agreement or subagreement. Where a location or site of operations contains or includes more than one building, plan, installation, or structure, the entire location shall be deemed to be a facility except where the Director, Office of Federal Activities, Environmental Protection Agency, determines that independent facilities are collocated in one geographical area.

**21. Assurances and Compliance.** As a condition of the grant or cooperative agreement, the Sponsors assure and certify that they are in compliance with and will comply in the course of the agreement with all applicable laws, regulations, Executive orders and other generally applicable requirements, including those set out below which are hereby incorporated in this agreement by reference, and such other statutory provisions as specifically set forth herein.

State, Local, and Indian Tribal Governments: 2 CFR 225 (OMB Circular A-87, A-129, and A-133); 7 CFR Parts 3015, 3016, 3017, 3018, 3021, and 3052; and OMB Circular A-102.

Nonprofit Organizations, Hospitals, Institutions of Higher Learning: 2 CFR 215 (OMB Circular A-110), 2 CFR 230 (OMB Circular A-122, A-129, and A-133); and 7 CFR Parts 3015, 3017, 3018, 3019, 3021, and 3052.

22. **Examination of Records.** The Sponsors shall give the NRCS or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to this agreement, and retain all records related to this agreement for a period of three years after completion of the terms of this agreement in accordance with the applicable OMB Circular.

**Fairfax County Board of Supervisors**

12000 Government Center Parkway, Suite 552
Fairfax, Virginia 22035–2531

By: _____
ANTHONY H. GRIFFIN

Title: County Executive

Date: _____

The signing of this supplemental watershed agreement was authorized by the governing body of the Fairfax County Board of Supervisors at a meeting held on

_____.

_____
County Clerk

12000 Government Center Parkway,
Suite 533
Fairfax, Virginia 22035–0072

Date: _____

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**Northern Virginia Soil and Water Conservation District**

12055 Government Center Parkway, Suite 905
Fairfax, Virginia 22035-5512

By: _____
JEAN R. PACKARD

Title: Chairperson

Date: _____

The signing of this supplemental watershed agreement was authorized by the governing body of the Northern Virginia Soil and Water Conservation District at a meeting held on

_____.

_____
District Administrator

12000 Government Center Parkway,
Suite 533
Fairfax, Virginia 22035–0072

Date: _____

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**Natural Resources Conservation Service**
**United States Department of Agriculture**

Approved by:

_____
JOHN A. BRICKER
State Conservationist

Date: _____

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Board Agenda Item
September 13, 2011

INFORMATION - 3

Submission of Testimony in the Application of Virginia Electric And Power Company for a 2011 Biennial Review of the Rates, Terms, and Conditions for the Provision of Generation, Distribution, and Transmission Services, State Corporation Commission Case No. PUE-2011-00027

On June 21, 2011, the Board authorized staff of the Public Utilities Branch to file testimony in the Application of Virginia Electric And Power Company (a.d.b.a. "Dominion Virginia Power") for a 2011 Biennial Review of the Rates, Terms, and Conditions for the Provision of Generation, Distribution, and Transmission Services, in State Corporation Commission (SCC) Case No. PUE-2011-00027.

Staff reviewed the company's filing and determined that the major issue in this case was Dominion's requested increase in its rate of return on equity (ROE). Dominion's filing requested an increase in its ROE from 11.9 percent to 12.5 percent. The ROE determined in this proceeding will apply prospectively to the general rate of return not only on base rates, but also on the various riders on the customers' bills. These riders or adders permit Dominion to recover costs for various generation projects, conservation and efficiency programs, and other initiatives that may not yet have been announced by Dominion. The power stations for which costs are recovered from customers through riders include the $619 million Bear Gardens Power Station in Buckingham County, the $1.8 billion Virginia City Hybrid Energy Center in Wise County, and a new power station in Warren County, which was the subject of a recent filing by Dominion on May 2, 2011, with an estimated construction cost of $1.09 billion.

Staff's analysis and testimony recommends that the currently allowed ROE of 11.9 percent should be decreased, and that an appropriate ROE should fall within the range of 9.0 percent to 10.0 percent. If the SCC were to rule that a reasonable rate of return fell within this range, the resulting rate reductions for Dominion customers in Virginia could range from $120 million to $180 million per year, and from $22 million to $32 million per year for Fairfax County customers.

Testimony in this case was filed July 20, 2011 at the SCC. The hearing in this case begins September 20, 2011 in Richmond, Virginia. Staff from the Utilities Branch and the County Attorney's office will represent the County at the hearing.

FISCAL IMPACT:
None.

Board Agenda Item
September 13, 2011

ENCLOSED DOCUMENTS:
Attachment 1: Testimony of Stephen D. Sinclair.

STAFF:
David J. Molchany, Deputy County Executive
Michael Liberman, Director, Department of Cable and Consumer Services
Marilyn McHugh, Assistant County Attorney
Stephen D. Sinclair, Chief, Utilities Branch, Department of Cable and Consumer Services
Susan Hafeli, Utilities Analyst, Department of Cable and Consumer Services

# County of Fairfax, Virginia

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

Office of the County Attorney
Suite 549, 12000 Government Center Parkway
Fairfax, Virginia 22035-0064
Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov


July 20, 2011

FOR ELECTRONIC FILING

Mr. Joel H. Peck, Clerk
State Corporation Commission
c/o Document Control Center
P.O. Box 2118
Richmond, Virginia 23218-2118

Re: *Application of Virginia Electric and Power Company for a 2011 biennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1 A of the Code of Virginia*
Case No. PUE-2011-00027

Dear Mr. Peck:

Enclosed for filing on behalf of the Board of Supervisors of Fairfax County are the Direct Testimony and Exhibits of Stephen D. Sinclair. If you have any questions, please contact me at 703-324-2608 or Nancy Loftus at 703-324-2421.

Thank you for your assistance and best regards.

Sincerely,

Marilyn S. McHugh

Marilyn S. McHugh
Assistant County Attorney

Enclosures
cc: (w/enclosures)
Counsel of Record, Parties on Service List

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by mail, postage prepaid, on the 20th day of July, 2011, to:

Karen L. Bell, Esquire
William H. Baxter II
Dominion Resources Services, Inc.
120 Tredegar Street
Richmond, Virginia 23219

Joseph K. Reid, III, Esquire
Kristian M. Dahl, Esquire
Elaine S. Ryan, Esquire
McGuire Woods LLP
One James Center, 901 East Cary Street
Richmond, Virginia 23219-4030

William H. Chambliss, Esquire
Arlen K. Bolstad, Esquire
K.B. Clowers, Esquire
Office of General Counsel
State Corporation Commission
Tyler Building, 10th Floor
1300 E. Main Street
Richmond, Virginia 23219

C. Meade Browder, Jr.
Senior Assistant Attorney General
Office of Attorney General
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Richmond, Virginia 23219

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Preti, Flaherty, Beliveau & Pachios
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Senior Trial Attorney – Litigation Office
Department of Navy
Naval Facilities Engineering Command
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Washington Navy Yard, D.C. 20374-5051

Frann G. Francis
Senior Vice President and General Counsel
Apartment & Office Building Association
of Metropolitan Washington
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MeadWestvaco Corporation
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New York, NY 10171

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Public Utilities Specialist
Naval Facilities Engineering Command
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Washington Navy Yard, D.C. 20374-5065

Kay Davoodi
Director of Utilities Rates/Studies Office
Naval Facilities Engineering
Command Headquarters
1322 Patterson Avenue, S.E., Suite 1000
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Robert A. Vanderhye
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Washington, D.C. 20002-4292

Frank Rambo, Esquire
Caleb Jaffe, Esquire
Angela Navarro, Esquire
Southern Environmental Law Center
201 West Main Street, Suite 14
Charlottesville, VA 22902-5065

Michel A. King, President
Old Mill Power Company
2530 Wyngate Road
Charlottesville, VA 22901

Marilyn S. McHugh

Marilyn S. McHugh

COMMONWEALTH OF VIRGINIA

BEFORE THE

STATE CORPORATION COMMISSION

Application of

Virginia Electric and Power Company

For a 2011 biennial review of the rates, terms and conditions

for the provision of generation, distribution and transmission

services pursuant to § 56-585.1.A of the Code of Virginia

Case No. PUE-2011-00027

Direct Testimony and Exhibits of

Stephen D. Sinclair

on behalf of

The Board of Supervisors of

Fairfax County, Virginia

July 20, 2011

1. Q. PLEASE STATE YOUR NAME, ADDRESS AND OCCUPATION.

A. My name is Stephen D. Sinclair, my business address is 12000 Government Center Parkway, Fairfax, Virginia, and I am an Economist employed as the Senior Utilities Analyst and Chief of the Public Utilities Branch by the Fairfax County Department of Cable and Consumer Services.

2. Q. WOULD YOU BRIEFLY SUMMARIZE THE RESPONSIBILITIES OF YOUR POSITION?

A. One of my major responsibilities is to review economic and regulatory issues associated with the rates of all public utilities serving Fairfax County or any segment thereof and forward appropriate recommendations to the County Board of Supervisors (the "Board"). In cases before the Virginia State Corporation Commission ("SCC" or "Commission") or any other regulatory body, the Board's authorization to participate is requested. When the Board's approval is obtained, I am responsible for developing statements, testimony and exhibits, as necessary, for presentation before the regulatory body on behalf of the Board. I also prepare special studies related to utilities, taxicab regulation, energy efficiency and conservation and other issues as required for the Board of Supervisors, the Consumer Protection Commission, or other County officials upon request.

3. Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE COMMISSION?

A. Yes, I have previously presented testimony on behalf of the Fairfax County Board of Supervisors on numerous occasions before this Commission.

4. Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE ANY OTHER REGULATORY BODIES OR PRESENTED YOUR PROFESSIONAL VIEWS ON MATTERS OF REGULATORY IMPORT?

A. Yes, I have participated in public hearings at the Virginia Department of Environmental Quality on the development of the Clean Air Interstate Rule (2005 and 2006), and represented the U.S. Environmental Protection Agency at public hearings related to the economic impact of proposed water effluent regulations for the coil coating, porcelain enameling and aluminum forming industries. In addition, I have made numerous presentations to industry as well as government groups detailing methodological approaches utilized for estimating the economic and financial impact of government regulations upon affected industries.

5. Q. WHAT ARE YOUR PROFESSIONAL QUALIFICATIONS AND EXPERIENCE?

A. In 1973, I received a Bachelor of Arts in History from Clemson University in Clemson, S.C., and in 1977 I received a Master of Science in Agricultural (Resource) Economics from Clemson University. My educational experience includes extensive graduate work in economics, econometrics, statistics, and finance. In addition, I have attended two-day intensive seminars on Determining the Cost of Capital for Regulated Utilities and Fundamentals of Utility Finance, the 1984 NARUC Annual Regulatory Studies Program and the 1986 and 1988 NARUC Advanced Regulatory Studies Program. I have also attended Michigan State's Institute of Public Utilities Annual Regulatory Policy Conference from 1994 through 2007, the 2006 and 2007, 2008 and 2010 Energy Virginia Conference (and its successors), and the Virginia National Regulatory Conference from 1995 through 2010. I am also Chairman of the Virginia Energy Purchasing Governmental Association (VEPGA), which is a joint purchasing association composed of over 175 counties, cities, towns and political subdivisions in Dominion's service territory in Virginia. The primary purpose of VEPGA is to

negotiate rates, terms and conditions of electric service with Dominion Virginia Power on behalf of its members.

My experience in determining economic and financial impacts of government regulations upon affected industries began in 1977 when I became employed as an economic analyst with JRB, Associates, in McLean, Virginia. In July, 1981, I accepted a position as an economist with CONSAD Research Corporation in Vienna, Virginia. During these periods, I performed economic impact analyses for the U.S. Environmental Protection Agency, U.S. Department of Labor and the Department of Energy. In March, 1984, I accepted the position of Utilities Analyst with Fairfax County's Department of Consumer Affairs. In 2006, I accepted the position as Chief of the Public Utilities Branch.

6. Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to present my recommendations on the cost of equity capital for Virginia Electric and Power Company ("Virginia Power", "Dominion Virginia Power", "VEPCO" or "the company") in this proceeding. Additionally, my testimony will address the issue of establishing the Company's peer group of investor owned utilities and the return on equity floor established from that "peer group" analysis as set forth in Va. Code § 56-585.1.

7. Q. IS YOUR TESTIMONY SUPPLEMENTED WITH ANY EXHIBITS IN THIS PROCEEDING?

A. Yes, Exhibit SDS ___ consisting of Schedules (1) to (8) supplements my testimony.

## COST OF EQUITY ANALYSIS

8. Q. HAVE YOU PERFORMED A STUDY OF THE COST OF COMMON EQUITY CAPITAL FOR VEPCO?

A. Yes I have.

9. Q. WHAT ARE YOUR CONCLUSIONS BASED ON THAT STUDY?

A. The Virginia Electric and Power Company, or VEPCO, should be allowed to earn in the range of 9.0% to 10.0% on the common equity portion of its capital structure.

10. Q. WHAT APPROACHES DID YOU UTILIZE TO ESTIMATE THE COST OF CAPITAL?

A. I used two methods: 1) the discounted cash flow ("DCF") method as the primary means to determine the cost of common equity capital for VEPCO; and 2) a risk premium analysis.

11. Q. WHY IS THE DCF ANALYSIS THE PREFERABLE APPROACH TO ESTIMATE THE COST OF CAPITAL?

A. The DCF method is the preferable approach for estimating the cost of equity capital for several reasons: 1) investors are forward looking, as is the DCF model, 2) the estimates derived are company specific, 3) the estimates can be derived for particular industries (such as public utilities) or by sub-groups of particular industries (in this case companies of similar risk), and 4) it is a widely utilized method published by investment advisory services for use by investors. The DCF methodology is firm specific in nature and utilizes data and techniques readily available to most investors. For a particular company, the DCF method can be used to estimate investors' expected or required rate of return on common equity, based upon market prices, expected dividend streams, and expected capital gains.

The DCF method is derived from the theory of present value. The theory is based on the concept that rational individuals place a higher value on a dollar received today than on a dollar received in the future. Stated more typically, individuals discount (place a lower value on) future cash streams. Calculating the present value of an investment (or the income it provides over time) allows one to compare a quantity of dollars in hand today with a quantity of dollars to be received during some future time period. Consider the present value theory as it applies to common stocks. The following formula will help to visualize this concept:

$$P_o = \frac{D_1}{(1+r)} + \frac{D_2}{(1+r)^2} + \ldots + \frac{D_n}{(1+r)^n} + \frac{P_n}{(1+r)^n}$$

The net present value of the stock is expressed by its current market price, $P_o$, and is a function of the flow of dividends, D; the investor's required return, r; and the final price of the stock, $P_n$. The present value formula is equivalent to saying that the net present value of a stock is a function of the return expected from current dividends and in stock price, discounted for the decrease in value over time.

The DCF formula may be obtained by solving for r, the required rate of return, and is normally stated as:

$$r = D_1/P_o + g_n$$

where *g* is the expected rate of growth, and the time period n is assumed to be infinite. The expression $D_1/P_o$ is generally viewed as the company's expected yield, where $D_1$ is the expected dividend for the next period and $P_o$ is the (average) stock price for the current period.

With this DCF formula, the investor's required return is equal to the sum of the expected dividend yield and the expected growth rate in dividends. Calculation of the expected dividend yield is usually fairly straightforward, though not without occasional controversy. It is determined by dividing the expected annualized dividends per share (over the next twelve month period) by the average market

price of the stock. However, the determination of an appropriate growth rate ($g_n$) is less obvious. Investors in utility companies' common stock are generally most interested in the expected future growth in dividends, since dividends constitute the ultimate source of value to the investor. Thus, the estimation of future growth in dividends, as well as earnings, rests upon determining the most reasonable predictor of dividend growth. Careful consideration of the company's dividend and earnings prospects for the future, along with a reference to past growth rates, can provide a range of growth rates which may be used as an estimate of investors' expectations.

12. Q. PLEASE EXPLAIN YOUR DCF ANALYSIS FOR VEPCO.

A. VEPCO (Dominion Virginia Power) is a wholly owned subsidiary of Dominion Resources, Inc. (DRI), which owns extensive regulated and unregulated energy service operations. Under its regulated services, DRI serves 2.4 million electric customers in Virginia and North Carolina, and with its Consolidated Natural Gas subsidiary, the company has over 1.3 million natural gas customers. VEPCO however does not have separately issued publicly traded stock (outside of DRI) and data does not exist to estimate the cost of equity of VEPCO as an entity. In addition, the recent sales of several DRI owned merchant power plants and its gas and oil exploration businesses suggest that DRI's recent business activity would not be a reasonable proxy for determining the cost of equity for VEPCO. The screens I used for selecting the comparable companies are as follows:

1. Companies whose principal line of business are electric utility operations that also own generation assets.
2. Companies having a relatively large capitalization and revenues (a least $3 billion). Value Line's May 27, 2011 issue lists DRI's capitalization at $28 billion.
3. Companies that have not announced a pending major merger or acquisition or not engaged in recent (last 5 years) major merger or acquisition and did not cut their dividends.
4. Companies with investment grade bond ratings (Standard and Poor's BBB

or higher).

5. Data availability going back at least 5 years from sources such as Value Line, Zack's, Yahoo Finance, etc.

I believe that these screens serve as a reasonable proxy for estimating the cost of equity capital for VEPCO. Exhibit SDS___Exhibit 1 contains a list of the 18 electric utility companies that satisfy these screens, and various comparative measures of their business risk. All 18 companies have Value Line Beta's between .55 and .85, and have investment grade Standard and Poor's bond ratings.

This group of 18 comparable electric utility companies differs only slightly from witness Harris' group of 20 electric utility companies. I elected to not include two of witness Harris' comparable electric companies. The first company I did not include was CenterPoint Energy, since I could find no evidence in the company's 10K that they owned generation. The second company I did not include was Exelon Corporation, due to their announced planned acquisition of Constellation Energy.

13. Q. HOW DID YOU DETERMINE THE DIVIDEND YIELD FOR THE COMPARABLE ELECTRIC UTILITY COMPANIES?

A. First, I determined the $P_o$ (market price) of the comparable group of electric utility companies. For this value, I used the three month average price for the period March 1, 2011 through May 31, 2011 to calculate the $P_o$ (market price) of the comparable group of electric utility companies. To determine the current dividend over the past 12 months ($D_o$), I used the record of Quarterly Dividends data, found in Value Line's March 25, 2011 and May 27, 2011 editions.

Second, recognizing that an investor's valuation process is forward looking, I utilized the expected dividend payments for the next 12 month period. To develop the expected dividend component ($D_1$), I calculated the expected dividend

utilizing projected growth rates in dividends reported by Value Line (see Exhibit SDS___Schedule 2). The calculations of the comparable group companies expected dividends and resulting dividend yields (see also Exhibit SDS____Schedule 5) resulted in the derivation of the expected dividend yield ($D_1/P_o$) of:

$$D_1/P_o = 4.3\%$$

14. Q. HOW DID YOU ARRIVE AT THE APPROPRIATE GROWTH COMPONENT (*g*) TO USE IN THE DCF FORMULA?

A. Since investors are forward looking, forecasts of growth rates in dividends and earnings provide the most appropriate basis for estimating required returns. The forecasted growth rates are derived by analysts based on their conclusions concerning the company's prospects, after consideration of a number of important investment factors. For these reasons, I believe analysts' growth rates should be the principal method for estimating the growth (*g*) component in the DCF analysis.

My analysis involved review of information and growth forecasts from three investment advisory services. These include: the Value Line Investment Survey, Zack's Research ("Zack's), and Yahoo Finance Investment Services ("Yahoo"). For projections on five year growth rates in dividends, I utilized Value Line data. For projections of growth rates in earnings, I cite three sources: Value Line, Zack's, and Yahoo (see Exhibit SDS___Schedule 3).

While the use of historical growth rate data as a tool for estimating future growth is becoming increasingly less relevant to investors, historical growth rates do provide a useful tool for reference. Exhibit SDS___Schedule 4 contains five year historical growth rates in dividends and earnings for the 18 comparable group companies. For earnings, the five year group average historical average growth rate in earnings (6.3%) far exceeded the past growth rate in dividends (3.8%).

15. Q. WHAT RANGE OF GROWTH IS SUGGESTED BASED ON YOUR REVIEW OF ANALYSTS' FORECASTS FOR FUTURE GROWTH IN EARNINGS AND DIVIDENDS PER SHARE FOR THE COMPARABLE ELECTRIC UTILITY COMPANIES?

A. Exhibit SDS ____ Schedule 2 contains an estimates of the projected growth rate in dividends of 4.6%. Schedule 3 contains three estimates of earnings growth projections obtained from Value Line, Zack's, and Yahoo Finance, with all three sets of estimates averaging 5.1%, with the consensus estimate also at 5.1%.

16. Q. WHAT IS THE RANGE OF REQUIRED RETURNS FOR VEPCO WHEN BOTH ANALYSTS' FORECASTS OF DIVIDENDS AND EARNINGS ARE USED FOR THE GROWTH COMPONENT IN THE DCF EQUATION?

A. Exhibit SDS ____ Schedule 5 contains the full range of calculations used to develop the discounted cash flow cost of equity estimates for the 18 electric utility comparable group companies. Included in this Exhibit is data used to develop the DCF analysis including: average 3 month price ($P_o$), current dividend (Do), current dividend yield ($D_o/P_o$), expected dividend ($D_1$) based on Value Line's projections in dividend growth, expected dividend yield ($D_1/P_o$), and the company specific and group average DCFs using projected growth in dividends (Value Line) and consensus growth estimates for earnings. Use of the full range of growth rates derived from the dividend and earnings projected growth methods results in calculation of required rates of return on equity (r) for VEPCO ( where $r = D_1/P_o + g_n$ ) within the range of:

<u>Dividends growth projections:</u> $r = 4.3\% + 4.6\% = 8.9\%$

<u>Earnings growth projections average</u>: $r = 4.3\% + 5.1\% = 9.4\%$

17. Q. WHAT THEN ARE YOUR CONCLUSIONS FOR THE DCF ANALYSIS FOR VEPCO?

A. The apparent required cost of equity for VEPCO lies within the range of 8.9% to 9.4%.

18. Q. WHAT OTHER METHOD DID YOU USE TO ESTIMATE THE COST OF CAPITAL FOR AVERAGE STOCKS AND GAUGE THE REASONABLENESS OF THE DCF ANALYSIS?

A. I used the risk premium method, which recognizes that common equity capital is more risky than debt from an investor's standpoint, and that historically investors require higher returns on stocks than they do on bonds to compensate for this additional risk. The Risk Premium approach allows investors to view expected returns on average stock over a long time period (in this case back to 1926 when the data first was calculated), and what a reasonable return would be on stocks for each year up until the most recent year. The risk premium approach is fairly straightforward. First, determine the historical spread of actual returns between returns on equity and returns on debt. Then, add this spread to the current debt yield to derive an estimate of current equity requirements. An advantage to this approach is that while equity return requirements may not be easily measured at any point in time, returns on bonds can be determined at any point in time.[1] Thus if the size of the risk premium between equity and bonds is known, an estimate of the required or expected rate of return on equity for an average company's stock can be derived.

The risk premium analysis can be stated as follows:

$$K_e = K_d + \text{historical bond-equity spread}$$

where $K_e$ = cost of common equity

[1] A disadvantage to the risk premium approach is that this method measures historical risk premiums for an average stock (in this case large company stocks) and not for a particular firm.

$K_d$ = cost of debt (risk free)

19. Q. WHAT ELEMENTS DID YOU UTILIZE IN YOUR RISK PREMIUM ANALYSIS?

A. I utilized a long-term return instrument for measuring a risk premium because investment in utility capital is a long-term not a short-term investment. I used the 30 year Treasury ("T") Bond as my risk-free bond instrument. The 30 year T Bond, which was first issued in 1977, was discontinued in February 2002, and then re-issued in February of 2006. To determine equity premiums, I cite Ibbotson's Total Returns on Large Stocks[2] for all yearly holding periods since 1926. Exhibit SDS___Schedule 6 contains the yield on 30 year T Bonds since the first issue, Ibbotson's calculation of Total Returns on Large Company Stocks for all holding periods, and the resulting risk premiums from stocks over bonds between 1977 to 2010 (with the exception of 2003 to 2005).

20. Q. WHAT WAS THE RESULT OF YOUR RISK PREMIUM ANALYSIS?

A. Utilizing the formula for computing the risk premium of:

$K_e = K_d +$ historical bond-equity spread

where $K_e$ = cost of common equity

$K_d$ = bond yield

The indicated cost of equity for the most recent full year period (2010) bond yield is:

$K_e$ = 4.25% (30 year treasury bond yield) + 5.65% (bond equity spread)

---

2 Ibbotson SBBI, Market Results for Stocks, Bonds, Bills and Inflation: 2011 Yearbook.

$K_e$ = 9.9 %

Exhibit SDS___Schedule 6 also contains the average yield on 30 year T Bonds as of June 28, 2011, for partial year 2011. The 30 year T Bond yield rose in the first quarter of the year, to as high as 4.76%, and then declined in the second quarter to as low as 4.17%, with average for the year at 4.45% (as of June 28, 2011).

The indicated cost of equity for the most recent partial year period (2011) bond yield is:

$K_e$ = 4.45% (30 year treasury bond yield) + 5.65% (2010 bond equity spread)

$K_e$ = 10.1 %

21. Q. ARE THERE FACTORS THAT SUGGEST A REQUIRED EQUITY RISK PREMIUM FOR THE GROUP OF COMPARABLE ELECTRIC UTILITY COMPANIES MAY BE LOWER THAN FOR AN AVERAGE STOCK?

A. Yes, a basic investment principle is that higher risk requires a higher expected return. Thus, lower risk companies should on average require lower risk premiums than higher risk companies. The Value Line data contained in Exhibit SDS ___ Schedule 1 suggest that the group of 18 comparable electric utility companies have considerably less risk than the average stock. For instance, a Beta of .75 indicates a stock tends to rise (or fall) 25% less than the New York Stock Exchange Composite Index. The Beta coefficient is a generally recognized measure of risk. In general, firms with a Beta less than 1 would be less than average risk, a relative measure of the historical sensitivity of the stock's price to overall fluctuations in the New York Stock Exchange Composite Index. The average for the group of comparable electric utilities is .68, suggesting very low volatility and risk. Similar conclusions can be made about the group for Safety ratings. The 18 group comparable firm Safety rating average is 2. Safety ratings range from 1 to 5, with 1 being the safest and 5 the least safe. Clearly, this group

is less risky than the market as a whole. Thus, I believe the required risk premium for the proxy group of 18 electric utility companies is likely to be lower than for the average risk stock as shown in the Ibbotson data, and the results of the risk premium analysis may overstate the cost of equity for companies of lower risk, such as found in the comparable electric utility group of 18 companies.

22. Q. WHAT IS THE RANGE OF RETURNS INDICATED IN YOUR COST OF EQUITY ANALYSIS FOR VEPCO?

A. The results of the **DCF** analysis suggest a required rate of return (r) for the comparable electric utility companies and for VEPCO in the range of:

**r = 8.9% to 9.4%.**

The results of the **Risk Premium** analysis for estimating the cost of equity based on the yield the 30 year Treasury bond and the historical risk premium of stocks over bonds falls within the range of **9.9% and 10.1%.**

Therefore the full range of results from my cost of equity analysis suggests that the cost of equity for the comparable group of electric utilities lies within the range of **8.9% to 10.1%.**

23. Q. WHAT IS YOUR FINAL RECOMMENDATION ON SETTING THE REQUIRED RETURN ON EQUITY FOR VEPCO?

A. With narrowing the range of my recommendations to 100 basis points, I am recommending that the allowed rate of return on common equity for VEPCO lies within the range indicated by the DCF and Risk Premium analyses of **9.0% to 10.0%.** Setting the required rate of return at this level should allow the continuation of financial soundness of the company, and should be adequate under prudent management to assure confidence in the financial integrity of the company, so as to maintain its credit and attract capital.

ESTABLISHMENT OF A COST OF EQUITY FLOOR

24. Q. STATUTORY PROVISIONS THAT ESTABLISH A COST OF EQUITY FLOOR WERE ESTABLISHED IN THE 2007 SESSION OF THE GENERAL ASSEMBLY. PLEASE DESCRIBE THOSE PROVISIONS.

A. The statutory provisions enacted in 2007 established unprecedented changes to the method the Commission must use to establish an authorized rate of return for electric utilities in Virginia. Section 56-585.1. A.2. establishes the method that the Commission must use to establish a cost of equity floor:

> 2. Subject to the provisions of subdivision 6, fair rates of return on common equity applicable separately to the generation and distribution services of such utility, and for the two such services combined, shall be determined by the Commission during each such biennial review, as follows:
>
> a. The Commission may use any methodology to determine such return it finds consistent with the public interest, but such return shall not be set lower than the average of the returns on common equity reported to the Securities and Exchange Commission for the three most recent annual periods for which such data are available by not less than a majority, selected by the Commission as specified in subdivision 2 b, of other investor-owned electric utilities in the peer group of the utility subject to such biennial review, nor shall the Commission set such return more than 300 basis points higher than such average.
>
> b. In selecting such majority of peer group investor-owned electric utilities, the Commission shall first remove from such group the two utilities within such group that have the lowest reported returns of the group, as well as the two utilities within such group that have the highest reported returns of the group, and the Commission shall then select a majority of the utilities remaining in such peer group. In its final order regarding such biennial review, the Commission shall identify the utilities in such peer group it selected for the calculation of such limitation. For purposes of this subdivision, an investor-owned electric utility shall be deemed part of such peer group if (i) its principal operations are conducted in the southeastern United States east of the Mississippi River in either the states of West Virginia or Kentucky or in those states south of Virginia, excluding the state of

Tennessee, (ii) it is a vertically-integrated electric utility providing generation, transmission and distribution services whose facilities and operations are subject to state public utility regulation in the state where its principal operations are conducted, (iii) it had a long-term bond rating assigned by Moody's Investors Service of at least Baa at the end of the most recent test period subject to such biennial review, and (iv) it is not an affiliate of the utility subject to such biennial review.

25. Q. HAVE YOU DETERMINED A GROUP OF UTILITIES THAT MEET THE CRITERIA ESTABLISHED IN THE CODE TO BE INCLUDED IN THE PEER GROUP FOR DETERMINING THE EQUITY FLOOR?

A. Yes I have. I believe that the following group of 12 utilities meets the statutory criteria for inclusion in the Peer Group: Alabama Power, Appalachian Power, Duke Energy, Entergy Mississippi, Florida Power and Light, Georgia Power, Gulf Power, Mississippi Power, Progress Energy Carolinas, Progress Energy Florida, South Carolina Electric and Gas, and Tampa Electric.

26. Q. HAVE YOU CALCULATED THE THREE YEAR RETURNS ON COMMON EQUITY FOR THIS PEER GROUP?

A. Yes, I have, and the results of that analysis are contained in Exhibits SDS____Schedule 7 and 8. Exhibit SDS____Schedule 7 contains a summary of the analysis, and ranks the companies on the basis of average returns on equity for the three year period 2008 to 20010. Exhibit SDS____Schedule 8 contains the data elements used for the ROE calculations for each of the peer companies for 2008, 2009 and 2010.

The statute calls for removal from the peer group, the two utilities that have the lowest returns of the group, and the two utilities that have the highest returns of the group. Those utilities are so indicated in Schedule 7 as "excluded". The average of the remaining 8 utilities for the three year period is 10.4%.

The statute (subsection 2.b) says that after removing the two highest and the two lowest, "the Commission shall then select a majority of the utilities remaining…", which in this case would be five companies, of the remaining utilities in the peer group. I have also indicated in Schedule 7 the average of the lowest five companies (9.7%), and the average of the highest five companies (11.0%).

27. Q. WHICH MAJORITY SET OF REMAINING COMPANIES IN THE PEER GROUP FALLS WITHIN THE REQUIRED RATE OF RETURN ANALYSIS THAT YOU CITED EARLIER IN YOUR TESTIMONY?

A. The majority (five) of companies having the lowest average returns (9.7%) falls within my recommended range of required rate of return on equity for the group of comparable electric utility companies to VEPCO of 9.0% to 10.0%.

28. Q. ON WHAT BASIS DO YOU MAKE A RECOMMENDATION ON SETTING THE REQUIRED FLOOR FOR THE ALLOWED RETURN ON EQUITY?

A. A basic premise of public utility regulation is the setting of rates that are just and reasonable. One way of measuring rates in this manner is by establishing a fair and reasonable rate of return. Several landmark Supreme Court cases[3] have established the underlying notion of a fair rate of return. From the *Hope* case, the Court stated:

> From the investor or company point of view it is important that there be enough revenue not only for operating expenses but also for capital costs of the business. These include service on the debt and dividends on the stock…*By that standard the return to the equity owner should be commensurate with returns on investments in other enterprises having corresponding risks*. That return, moreover, should be sufficient to assure confidence in the financial integrity of the enterprise, so as to maintain its credit and attract

[3] *Bluefield Water Works and Improvement Co. v Public Service Commission of West Virginia* 262 U.S. 679, (1923), *Federal Power Comm'n v. Hope Natural Gas Company* 320 U.S. 591, (1944).

capital. (emphasis added)

On the basis of fair rate of return regulation established in regulatory principles noted above, and in the use of a comparable risk group of electric utilities in establishing a recommended return on common equity, I am recommending that the **peer group floor** be set on the basis of the average of the group of 5 utilities with the lowest realized return on equity for the most recent 3 year period. This average of returns on equity of **9.7%** falls twenty basis points above the middle of the range in my recommended range of required rate of return on equity for the group of comparable electric utility companies for VEPCO (9.0% to 10.0%), and meets the statutory criteria of determining a fair rate of return for the company.

29. Q. DOES THAT CONCLUDE YOUR TESTIMONY?

A. Yes, it does.

EXHIBITS

Exhibit SDS___ Schedule 1

# Comparable Group Electric Utility Companies
# Various Measures of Risk

| Company | VL Beta | VL Safety | VL Fin Strength | Bond Ratings S&P | Bond Ratings Moody's |
|---|---|---|---|---|---|
| Alliant Energy | 0.70 | 2 | A | BBB+ | Baa1 |
| American Electric Power | 0.70 | 3 | B++ | BBB | Baa2 |
| Con. Ed | 0.60 | 1 | A+ | A- | Baa1 |
| DTE Energy | 0.75 | 3 | B+ | BBB+ | Baa2 |
| Entergy | 0.70 | 2 | A | BBB | Baa3 |
| FPL Group (Nextera Energy) | 0.75 | 2 | A | A- | Baa1 |
| NSTAR | 0.65 | 1 | A | A+ | A2 |
| Northeast Utilities | 0.70 | 3 | B+ | BBB+ | Baa2 |
| OGE Energy Corp. | 0.75 | 2 | A | BBB+ | Baa1 |
| PG&E | 0.55 | 2 | B++ | BBB+ | Baa1 |
| P. S. Enterprises Group | 0.75 | 2 | A | BBB | Baa2 |
| Progress | 0.60 | 2 | B++ | BBB+ | Baa2 |
| SCANA | 0.65 | 2 | A | BBB+ | Baa2 |
| Sempra | 0.80 | 2 | A | BBB+ | Baa1 |
| Southern Co. | 0.55 | 1 | A | A | Baa1 |
| TECO Energy | 0.85 | 3 | B+ | BBB+ | Baa3 |
| Wisconsin Energy | 0.60 | 2 | B++ | A- | A3 |
| XCEL Energy | 0.65 | 2 | B++ | A- | Baa1 |
| **Average** | 0.68 | 2 | | | |
| Dominion | 0.70 | 2 | B++ | A- | Baa1 |

Sources: "Value Line, Ratings and Reports", March 25 and May 27, 2011. S&P and Moody's (Argus) Recent Reports.

# Comparable Group Electric Utility Companies Projected Growth Rates in Dividends

| Company | Value Line Projected 5 Year Dividend Growth |
|---|---|
| Alliant Energy | 5.0% |
| American Electric Power | 4.0% |
| Con. Ed | 1.0% |
| DTE Energy | 3.5% |
| Entergy | 3.0% |
| FPL Group (Nextera Energy) | 5.5% |
| NSTAR | 6.0% |
| Northeast Utilities | 7.0% |
| OGE Energy Corp. | 4.0% |
| PG&E | 5.5% |
| P. S. Enterprises Group | 1.5% |
| Progress | 1.0% |
| SCANA | 2.0% |
| Sempra | 8.5% |
| Southern Co. | 4.0% |
| TECO Energy | 4.5% |
| Wisconsin Energy | 13.5% |
| XCEL Energy | 3.0% |
| **Average** | **4.6%** |
| Dominion | 6.0% |

Source:"Value Line Investment Survey", March 25 and May 27, 2011.

# Comparable Group Electric Utility Companies
# Analysts' Projected Growth Rates in Earnings

| Company | Projected Earnings | | |
|---|---|---|---|
| | Value Line | Zack's | Yahoo |
| Alliant Energy | 7.0% | 6.00% | 8.26% |
| American Electric Power | 3.5% | 4.00% | 3.65% |
| Con. Ed | 3.0% | 3.00% | 3.63% |
| DTE Energy | 5.5% | 5.00% | 4.88% |
| Entergy | 1.0% | 1.50% | 0.87% |
| FPL Group (Nextera Energy) | 4.5% | 6.70% | 5.54% |
| NSTAR | 7.0% | 6.10% | 4.80% |
| Northeast Utilities | 7.5% | 8.40% | 7.53% |
| OGE Energy Corp. | 6.5% | 5.00% | 7.17% |
| PG&E | 7.0% | 5.00% | 4.98% |
| P. S. Enterprises Group | 1.0% | 2.00% | -0.01% |
| Progress | 3.5% | 4.50% | 3.88% |
| SCANA | 3.0% | 4.80% | 4.90% |
| Sempra | 3.5% | 7.00% | 6.77% |
| Southern Co. | 6.0% | 5.00% | 5.51% |
| TECO Energy | 10.5% | 5.00% | 7.45% |
| Wisconsin Energy | 7.5% | 8.00% | 7.26% |
| XCEL Energy | 5.0% | 4.90% | 5.59% |
| Average | **5.1%** | **5.1%** | **5.1%** |
| Consensus Average | **5.1%** | | |
| | | | |
| Dominion | 4.5% | 3.80% | 2.20% |

Sources: "Value Line Investment Survey," March 25 and May 27, 2011.
Zack's Research June 16, 2011; Yahoo Finance, June 16, 2011.

# Comparable Group Electric Utility Companies
# Historical Growth Rates

| Company | Dividends 5 yr | Earnings 5 yr |
|---|---|---|
| Alliant Energy | 0.5% | 9.0% |
| American Electric Power | -2.5% | 2.0% |
| Con. Ed | 1.0% | 4.0% |
| DTE Energy | 0.5% | -1.5% |
| Entergy | 10.5% | 10.0% |
| FPL Group (Nextera Energy) | 7.5% | 12.0% |
| NSTAR | 8.0% | 5.5% |
| Northeast Utilities | 8.0% | 13.5% |
| OGE Energy Corp. | 1.5% | 9.0% |
| PG&E | 0.0% | 7.0% |
| P. S. Enterprises Group | 4.0% | 12.0% |
| Progress | 1.5% | -1.0% |
| SCANA | 5.0% | 2.0% |
| Sempra | 7.5% | 5.0% |
| Southern Co. | 4.0% | 2.5% |
| TECO Energy | -0.5% | 12.0% |
| Wisconsin Energy | 7.0% | 7.0% |
| XCEL Energy | 4.0% | 4.0% |
| **Average** | **3.8%** | **6.3%** |
| Dominion | 5.5% | 9.0% |

Source: "Value Line, Ratings and Reports," March 25 and May 27, 2011.

# VEPCO DCF Cost of Equity Estimate, Comparable Group of Electric Utilities
# VEPCO

| Company | Avg. 3 mo. Price Po | Current Div. Do | Current Div. Yield Do/Po | VL Expected Div. D1 | VL Expected Div. Yield D1/Po | DCF D1/Po+g Proj. Dividends | DCF D1/Po+g Proj. Earnings |
|---|---|---|---|---|---|---|---|
| Alliant Energy | $38.66 | $1.6100 | 4.2% | $1.6905 | 4.4% | 9.4% | 11.4% |
| AEP | $36.05 | $1.7600 | 4.9% | $1.8304 | 5.1% | 9.1% | 8.6% |
| Con. Ed | $51.31 | $2.3900 | 4.7% | $2.4139 | 4.7% | 5.7% | 7.7% |
| DTE Energy | $49.55 | $2.1800 | 4.4% | $2.2563 | 4.6% | 8.1% | 10.1% |
| Entergy | $68.46 | $3.3200 | 4.8% | $3.4196 | 5.0% | 8.0% | 6.0% |
| FPL | $55.89 | $2.0500 | 3.7% | $2.1628 | 3.9% | 9.4% | 8.4% |
| NSTAR | $45.65 | $1.6500 | 3.6% | $1.7490 | 3.8% | 9.8% | 10.8% |
| NE Utls | $34.76 | $1.0625 | 3.1% | $1.1369 | 3.3% | 10.3% | 10.8% |
| OGE Energy | $50.47 | $1.4625 | 2.9% | $1.5210 | 3.0% | 7.0% | 9.5% |
| PG&E | $44.81 | $1.8200 | 4.1% | $1.9201 | 4.3% | 9.8% | 11.3% |
| P. S. Ent. | $31.90 | $1.3700 | 4.3% | $1.3906 | 4.4% | 5.9% | 5.4% |
| Progress | $46.59 | $2.4800 | 5.3% | $2.5048 | 5.4% | 6.4% | 8.9% |
| SCANA | $40.12 | $1.9100 | 4.8% | $1.9482 | 4.9% | 6.9% | 7.9% |
| Sempra | $53.79 | $1.6500 | 3.1% | $1.7903 | 3.3% | 11.8% | 6.8% |
| Southern Co. | $38.66 | $1.8375 | 4.8% | $1.9110 | 4.9% | 8.9% | 10.9% |
| TECO Energy | $18.68 | $0.8300 | 4.4% | $0.8674 | 4.6% | 9.1% | 15.1% |
| Wisc. Energy | $30.52 | $0.8600 | 2.8% | $0.9761 | 3.2% | 16.7% | 10.7% |
| XCEL Energy | $24.16 | $1.0100 | 4.2% | $1.0403 | 4.3% | 7.3% | 9.3% |
| **Group Average** | | | **4.1%** | | **4.3%** | **8.9%** | **9.4%** |
| Dominion Res. | 45.72 | 1.865 | 4.1% | $1.9769 | 4.3% | 10.3% | 8.8% |

Po = three month average price based on March 1 through May 31, 2011

# Risk Premium Analysis
# VEPCO

| Year | Yield on 30 Year Treasury Bond* (Percent) | Total Returns Large Stocks** (Percent) | Risk Premium (Percent) |
|---|---|---|---|
| 1977 | 7.75 | 8.9 | 1.15 |
| 1978 | 8.49 | 8.9 | 0.41 |
| 1979 | 9.28 | 9.0 | -0.28 |
| 1980 | 11.27 | 9.4 | -1.87 |
| 1981 | 13.45 | 9.1 | -4.35 |
| 1982 | 12.76 | 9.3 | -3.46 |
| 1983 | 11.18 | 9.6 | -1.58 |
| 1984 | 12.41 | 9.5 | -2.91 |
| 1985 | 10.79 | 9.8 | -0.99 |
| 1986 | 7.78 | 10.0 | 2.22 |
| 1987 | 8.59 | 9.9 | 1.31 |
| 1988 | 8.96 | 10.0 | 1.04 |
| 1989 | 8.45 | 10.3 | 1.85 |
| 1990 | 8.61 | 10.1 | 1.49 |
| 1991 | 8.14 | 10.4 | 2.26 |
| 1992 | 7.67 | 10.3 | 2.63 |
| 1993 | 6.59 | 10.3 | 3.71 |
| 1994 | 7.37 | 10.2 | 2.83 |
| 1995 | 6.88 | 10.5 | 3.62 |
| 1996 | 6.71 | 10.7 | 3.99 |
| 1997 | 6.61 | 11.0 | 4.39 |
| 1998 | 5.58 | 11.2 | 5.62 |
| 1999 | 5.87 | 11.3 | 5.43 |
| 2000 | 5.94 | 11.0 | 5.06 |
| 2001 | 5.49 | 10.7 | 5.21 |
| 2002 | 5.43 | 10.2 | 4.77 |
| 2003 | na | 10.4 | |
| 2004 | na | 10.4 | |
| 2005 | na | 10.4 | |
| 2006 | 4.91 | 10.4 | 5.49 |
| 2007 | 4.8 | 10.4 | 5.60 |
| 2008 | 4.22 | 9.6 | 5.38 |
| 2009 | 4.02 | 9.8 | 5.78 |
| 2010 | 4.25 | 9.9 | 5.65 |
| 2011 | 4.45 | | |

* US Department of Treasury, Daily Treasury Yield Curve Rates", (note 2011 average yield through June 28, 2011).
**Ibbotson SBBI, "Market Returns for Stocks, Bonds, Bills and Inflation", Large Company Stocks for All Holding Periods, 1926 - 2011

## Virginia Code: Establishment of Peer Group of Companies to be Used for Establishing a Cost of Equity Floor

| Rank | Company | 2008 to 2010 Average Return on Equity | |
|---|---|---|---|
| Lowest 1 | Appalachian Power | 5.2% | excluded |
| Lowest 2 | SCE&G | 8.8% | excluded |
| | | | |
| 1 | Duke Energy Carolinas | 9.1% | included |
| 2 | Tampa Electric | 9.4% | included |
| 3 | FPL | 9.8% | included |
| 4 | Entergy Miss. | 10.2% | included |
| 5 | Progress Energy Florida | 10.3% | included |
| 6 | Georgia Power | 11.4% | included |
| 7 | Gulf Power | 11.5% | included |
| 8 | Progess Energy Carolinas | 11.7% | included |
| | | | |
| Highest 1 | Miss. Power | 12.4% | excluded |
| Highest 2 | Ala Power | 12.9% | excluded |
| | | | |
| | **Average w/o 2 highest and 2 lowest companies** | **10.4%** | |
| | | | |
| | **Average 5 lowest** | **9.7%** | |
| | **Average 5 highest** | **11.0%** | |

# Peer Group Analysis Return on Equity Analysis
# VEPCO

Exhibit SDS____ Schedule 8

| | Company | Net Income (thousands) | | | Common Shareholders Equity | | | Return on Equity End of Year | | | 2008 to 2010 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 2008 | 2009 | 2010 | 2008 | 2009 | 2010 | 2008 | 2009 | 2010 | Average |
| 1 | Appalachian Power | $122,863 | $155,814 | $136,668 | $2,376,591 | $2,771,477 | $2,821,679 | 5.17% | 5.62% | 4.84% | 5.21% |
| 2 | Ala Power | $615,959 | $670,000 | $707,000 | $4,854,310 | $5,237,000 | $5,393,000 | 12.69% | 12.79% | 13.11% | 12.86% |
| 3 | Georgia Power | $902,927 | $814,000 | $950,000 | $6,879,243 | $7,903,000 | $8,741,000 | 13.13% | 10.30% | 10.87% | 11.43% |
| 4 | Gulf Power | $98,345 | $111,233 | $121,511 | $822,092 | $1,004,292 | $1,075,036 | 11.96% | 11.08% | 11.30% | 11.45% |
| 5 | Miss. Power | $85,960 | $84,967 | $80,217 | $636,451 | $658,522 | $737,368 | 13.51% | 12.90% | 10.88% | 12.43% |
| 6 | SCE&G | $266,000 | $272,000 | $290,000 | $2,704,000 | $3,259,000 | $3,541,000 | 9.84% | 8.35% | 8.19% | 8.79% |
| 7 | Duke Energy Carolinas | $690,000 | $702,000 | $838,000 | $7,349,000 | $8,304,000 | $8,938,000 | 9.39% | 8.45% | 9.38% | 9.07% |
| 8 | Tampa Electric | $162,700 | $192,100 | $242,900 | $2,090,600 | $2,103,800 | $2,158,200 | 7.78% | 9.13% | 11.25% | 9.39% |
| 9 | FPL | $789,000 | $831,000 | $945,000 | $8,089,000 | $8,436,000 | $9,791,000 | 9.75% | 9.85% | 9.65% | 9.75% |
| 10 | Progress Energy Carolinas | $531,000 | $513,000 | $600,000 | $4,301,000 | $4,660,000 | $5,180,000 | 12.35% | 11.01% | 11.58% | 11.65% |
| 11 | Progress Energy Florida | $383,000 | $460,000 | $451,000 | $3,399,000 | $4,490,000 | $4,890,000 | 11.27% | 10.24% | 9.22% | 10.25% |
| 12 | Entergy Miss. | $56,882 | $74,808 | $80,859 | $665,257 | $688,765 | $726,224 | 8.55% | 10.86% | 11.13% | 10.18% |

Source: Company 10Ks

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Board Agenda Item
September 13, 2011

11:30 a.m.

Matters Presented by Board Members

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Board Agenda Item
September 13, 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, et al. v. City of Falls Church*, Case No. CL-2010-0018232 (Fx. Co. Cir. Ct.) (County-wide); *Board of Supervisors of Fairfax County, Virginia v. City of Falls Church*, Case No. CL-2011-1953 (Arlington Co. Cir. Ct.) (County-wide)

2. *Glenn S. Ovrevik, Mary R. Ovrevik, and James H. Wessels v. Board of Supervisors of Fairfax County, Virginia, and Hilltop Sand and Gravel Company, Inc.*, Case No. CL-2009-0005160 (Fx. Co. Cir. Ct.) (Lee District)

3. *Dr. Charles M. Anderson, P.E. v. Virginia Department of Professional and Occupational Regulation and Department of Public Works, Fairfax County, Virginia*, Record No. 110597 (Va. Sup. Ct.) (Providence District)

4. *The Newberry Station Homeowners Association, Inc., Brandon Farlander, and Michael Miller v. Board of Supervisors of Fairfax County, Virginia, Iskalo CBR LLC, and the Washington Metropolitan Area Transit Authority*, Case No. CL-2011-0005030 (Fx. Co. Cir. Ct.) (Lee District)

5. *Mary Getts Bland v. Fairfax County, Virginia*, Case No.1:10cv01030 (E.D. Va.)

6. Waiver from the Federal Communications Commission Requiring Sprint to Pay Additional Costs for Rebanding the County's 800 MHz Public Safety Voice Radio System, WT Docket No. 02-55 (Federal Communications Commission)

7. Application of Northern Virginia Electric Cooperative, PUE-2010-00044 (Va. State Corp. Comm'n) (Sully and Springfield Districts)

8. *EMH Environmental, Inc. v. Fairfax County Board of Supervisors, et al.*, Case No. CL-2011-0010944 (Fx. Co. Cir. Ct.) (Mount Vernon District)

9. *Xuli Zhang v. Police S. Regan and Police PEC [sic] M. Green, Mason Station, Fairfax County Police Department*, Civil Action No. 1:10-cv-1329 (E.D. Va.)

10. *Karen Rompalo v. Fairfax County Public Schools*, Case No. GV11020800 (Fx. Co. Gen. Dist. Ct.)

11. *Amir M. Taha v. Master Police Officer J. A. Woolf*, Case No. GV11020054 (Fx. Co. Gen. Dist. Ct.)

12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rosa E. Martinez***,** Case No. CL-2010-0011285 (Fx. Co. Cir. Ct.) (Mason District)

13. *SNSA, Inc., d/b/a Fast Eddies Billiard Cafe v. County of Fairfax*, (Fx. Co. Bd. of Building Code Appeals and Bd. of Zoning Appeals) (Mount Vernon District)

14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Edward E. Ankers, Jr., and Edward E. Ankers, III*, Case No. CL-2006-0010511 (Fx. Co. Cir. Ct.) (Hunter Mill District)

15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mohammed J. Abdlazez*, Case No. CL-2008-0006965 (Fx. Co. Cir. Ct.) (Mason District)

16. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Toetie Jones*, Case No. CL-2010-0010295 (Fx. Co. Cir. Ct.) (Braddock District)

17. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jorge Alberto Broide***,** Case No. CL-2010-0017885 (Fx. Co. Cir. Ct.) (Providence District)

18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Khanh Quach and Dao Tran*, Case No. CL-2010-0014970 (Fx. Co. Cir. Ct.) (Mason District)

19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Thomas L. Smith and Leanne D. Smith*, Case No. CL-2011-0011317 (Fx. Co. Cir. Ct.) (Braddock 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 v. Henry Wilson and Mary R. Wilson*, Case No. CL-2010-0007946 (Fx. Co. Cir. Ct.) (Mount Vernon District)

22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Abbas Y. Abutaa, a.k.a. Yousef Abutaa, Hamid R. Hosseinian, Hossein Goal, and Donna L. Goal*, Case No. CL-2010-0016245 (Fx. Co. Cir. Ct.) (Mason District)

23. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Aminullah A. Arsala*, Case No. CL-2010-0014719 (Fx. Co. Cir. Ct.) (Mason District)

24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Kyu H. Choe*, Case No. CL-2008-0014034 (Fx. Co. Cir. Ct.) (Lee District)

25. *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)

26. *Eileen M. McLane, Fairfax County Zoning Administrator v. MD S. Alam Elahee*, Case No. CL-2011-0003735 (Fx. Co. Cir. Ct.) (Lee District)

27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Saghi Tehran*, Case No. CL-2011-0007474 (Fx. Co. Cir. Ct.) (Dranesville District)

28. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Anil K. Sareen and Vandana Sareen*, Case No. CL-2011-0009277 (Fx. Co. Cir. Ct.) (Providence District)

29. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Hite W. Sweeny, Jr., and Dianne C. Sweeny*, Case No. CL-2011-0001535 (Fx. Co. Cir. Ct.) (Mount Vernon District)

30. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Catherine M. Norton*, Case No. CL-2010-0012438 (Fx. Co. Cir. Ct.) (Lee District)

31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jacqueline Stapleton and Jorge J. Vivanco*, Case No. CL-2011-0002182 (Fx. Co. Cir. Ct.) (Mason District)

32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Kevin M. Ferguson and C. Nicole Ferguson*, Case Nos. CL-2010-0007746 and CL-2010-0012837 (Fx. Co. Cir. Ct.) (Mount Vernon District)

33. *Eileen M. McLane, Fairfax County Zoning Administrator v. Cheryl A. Padilla*, Case No. CL-2011-0005000 (Fx. Co. Cir. Ct.) (Mason District)

34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ross Spagnolo*, Case No. CL-2011-0005847 (Fx. Co. Cir. Ct.) (Providence District)

35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jose Maldonado*, Case No. CL-2011-0003849 (Fx. Co. Cir. Ct.) (Lee District)

36. *Eileen M. McLane, Fairfax County Zoning Administrator v. Earle M. McConn, Jr., and Glenda B. Cohen-McConn*, Case No. CL-2010-0015752 (Fx. Co. Cir. Ct.) (Sully District)

37. *Eileen M. McLane, Fairfax County Zoning Administrator v. EP Company, LC, a/k/a E.P. Mowing and Landscaping, Inc.*, Case No. CL-2010-0006228 (Fx. Co. Cir. Ct.) (Mount Vernon District)

38. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Anna Tran*, Case No. CL-2011-0008870 (Fx. Co. Cir. Ct.) (Sully District)

39. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ghassem Sharifi and Souren Hakopian*, Case No. CL-2011-0005857 (Fx. Co. Cir. Ct.) (Providence District)

40. *Eileen M. McLane, Fairfax County Zoning Administrator v. Teresa D. Cruz and Walter Y. Pereira*, Case No. CL-2010-0005538 (Fx. Co. Cir. Ct.) (Lee District)

41. *Eileen M. McLane, Fairfax County Zoning Administrator v. Laurence A. Rieder and Edwina Irene Rieder*, Case No. CL-2011-0000627 (Fx. Co. Cir. Ct.) (Lee District)

42. *Eileen M. McLane, Fairfax County Zoning Administrator v. Howard Michael Love*, Case No. CL-2011-0009968 (Fx. Co. Cir. Ct.) (Mason District)

43. *Eileen M. McLane, Fairfax County Zoning Administrator v. Santos Gutierrez*, Case No. CL-2011-0003448 (Fx. Co. Cir. Ct.) (Lee District)

44. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sonia Soledad Nina*, Case No. CL-2011-0003916 (Fx. Co. Cir. Ct.) (Mason District)

45. *Eileen M. McLane, Fairfax County Zoning Administrator v. Aubrey H. Burrow, Jr.*, Case No. CL-2010-0016330 (Fx. Co. Cir. Ct.) (Lee District)

46. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mark Bedell Stamer, Trustee of the Mark Bedell Stamer Trust*, Case No. CL-2011-0005846 (Fx. Co. Cir. Ct.) (Providence District)

47. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Reynaldo C. Medrano and Carla Munoz-Lopez*, Case No. CL-2011-0002181 (Fx. Co. Cir. Ct.) (Mason District)

48. *Eileen M. McLane, Fairfax County Zoning Administrator v. Roberta Couver*, Case No. CL-2011-0007717 (Fx. Co. Cir. Ct.) (Sully District)

49. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Gary Steven Pisner*, Case No. CL-2010-0002555 (Fx. Co. Cir. Ct.) (Springfield District)

50. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Great Falls Haven, LLC***,** Case No. CL-2011-0007764 (Fx. Co. Cir. Ct.) (Dranesville District)

51. *Eileen M. McLane, Fairfax County Zoning Administrator v. Winkal Holdings, L.L.C., Burcin Kalendar, and La Despensa Grocery and Butcher Shop, Inc.***,** Case No. CL-2011-0010764 (Fx. Co. Cir. Ct.) (Lee District)

52. *Eileen M. McLane, Fairfax County Zoning Administrator v. Andrea Viski and Brian Lucas*, Case No. CL-2011-0010109 (Fx. Co. Cir. Ct.) (Mount Vernon District)

53. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Iglesias Paco, LLC*, Case No. CL-2011-0010178 (Fx. Co. Cir. Ct.) (Mount Vernon District)

54. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wallace Lee Oden*, Case No. CL-2011-0010556 (Fx. Co. Cir. Ct.) (Mount Vernon District)

55. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Barry Road, LLC*, Case No. CL-2011-0010552 (Fx. Co. Cir. Ct.) (Lee District)

56. *Eileen M. McLane, Fairfax County Zoning Administrator v. John B. Gardiner and Patricia S. Compton*, Case No. CL-2011-0010554 (Fx. Co. Cir. Ct.) (Braddock District)

57. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Joseph I. Vallieres*, Case No. CL-2011-0010553 (Fx. Co. Cir. Ct.) (Mount Vernon District)

58. *Eileen M. McLane, Fairfax County Zoning Administrator v. Selim Eslaquit and Hamdi Eslaquit***,** Case No. CL-2011-0010916 (Fx. Co. Cir. Ct.) (Mount Vernon District)

59. *Eileen M. McLane, Fairfax County Zoning Administrator v. Randy G. Curtis and Karen L. Curtis*, Case No. CL-2011-0010963 (Fx. Co. Cir. Ct.) (Providence District)

60. *Eileen M. McLane, Fairfax County Zoning Administrator v. Vandana Sareen*, Case No. CL-2011-0011743 (Fx. Co. Cir. Ct.) (Braddock District)

61. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marcelo Y. Peredo*, Case No. CL-2011-0011181 (Fx. Co. Cir. Ct.) (Dranesville District)

62. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tony Hieu Pham*, Case No. CL-2011-0011180 (Fx. Co. Cir. Ct.) (Lee District)

63. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marco A. Monzon and Teresita D. Monzon*, Case No. CL-2011-0011581 (Fx. Co. Cir. Ct.) (Mason District)

64. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Nestor Fernandez*, Case No. CL-2011-0011580 (Fx. Co. Cir. Ct.) (Mason District)

65. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lee Graham Shopping Center, Limited Partnership*, Case No. CL-2011-0011630 (Fx. Co. Cir. Ct.) (Providence District)

66. *Eileen M. McLane, Fairfax County Zoning Administrator v. Teodoro Claure and Epifanio Argote*, Case No. CL-2011-0011747 (Fx. Co. Cir. Ct.) (Mason District)

67. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert H. Digges, Trustee and Robert H. Digges Revocable Trust*, Case No. CL-2011-0011748 (Fx. Co. Cir. Ct.) (Dranesville District)

68. *Eileen M. McLane, Fairfax County Zoning Administrator v. Demetrios Demetriou and Androulla Demetriou*, Case No. CL-2011-0011868 (Fx. Co. Cir. Ct.) (Mount Vernon District)

69. *Eileen M. McLane, Fairfax County Zoning Administrator v. Fairfax Petroleum Realty, LLC*, Case No. CL-2011-0012048 (Fx. Co. Cir. Ct.) (Dranesville District)

70. *Eileen M. McLane, Fairfax County Zoning Administrator v. Old Dominion Nominee Trust, Donna R. Wiesner and David A. Keene, Trustees*, Case No. CL-2011-0012323 (Fx. Co. Cir. Ct.) (Mason District)

71. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jose B. Ramirez*, Case No. CL-2011-0012447 (Fx. Co. Cir. Ct.) (Lee District)

72. *Eileen M. McLane, Fairfax County Zoning Administrator v. Beverly Harris*, Case Nos. GV11018511 and GV11018512 (Fx. Co. Gen. Dist. Ct.) (Providence District)

73. *Eileen M. McLane, Fairfax County Zoning Administrator v. Manzoor Ul-Haq Sheikh and Shafufta A. Sheikh*, Case No. GV11019721 (Fx. Co. Gen. Dist. Ct.) (Lee District)

74. *Eileen M. McLane, Fairfax County Zoning Administrator v. Patrick L. Reich*, Case No. GV11020098 (Fx. Co. Gen. Dist. Ct.) (Mason District)

Board Agenda Item
September 13, 2011

3:30 p.m.

Public Hearing on RZ 2010-MV-011 (Memorial Venture, LLC) to Rezone from PRM, CRD and HC to C-8, CRD and HC to Permit Commercial Development with an overall Floor Area Ratio of 0.11 and Modifications and Waivers in a CRD, Located on Approximately. 1.23 Acres, Mount Vernon District

The application property is located at the southeast quadrant of the intersection of East Lee. Avenue and Richmond Hwy. Tax Map 93-1 ((18)) (D) 117, 126, 130 and 138.

PLANNING COMMISSION RECOMMENDATION:
On Wednesday, July 20, 2011, the Planning Commission voted 10-0-2 (Commissioners Donahue and Hall abstaining) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2010-MV-011, subject to the execution of the proffers dated July 19, 2011;
- Modification of the transitional screening and barrier requirements along the eastern and southern property lines;
- Modification of the peripheral parking lot landscaping requirements along the northern, eastern, and southern property lines;
- Modification of the Richmond Highway Commercial Revitalization District streetscape requirements along Richmond Highway and East Lee Avenue, in favor of that shown on the Generalized Development Plan;
- Approval of a deviation from the tree preservation requirement target to that shown on the Generalized Development Plan;
- Waiver of the minimum lot width; and,
- Waiver of the service drive requirement along Richmond Highway.

ENCLOSED DOCUMENTS:
Attachment 1 - Verbatim
Staff Report previously furnished and available online at
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4352515.PDF

Board Agenda Item
September 13, 2011

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Kelli-Mae Goddard-Sobers, Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting Attachment 1
July 20, 2011
Verbatim Excerpt

RZ 2010-MV-011 – MEMORIAL VENTURE, LLC

Decision only During Commission Matters
(Public Hearing held on June 23, 2011)

Commissioner Flanagan: Well, I'm sure – I hope this goes a little faster than the public hearings, but – yes, Mr. Chairman, I think the first item I want to bring up would be the deferral motion for Memorial Venture. That's RZ 2010-MV-011. If you remember, we had the public hearing not only with staff recommending denial of this application, but also the Land Use Committee of the Mount Vernon Council was also recommending denial. And on top of that, the applicant came in and during their testimony offered an alternate to the proposal as it was presented in the staff report, so consequently that was the basis for my recommending that we defer the decision until tonight. And so we're at this point now. I would like to say that I think that the community has spent many, many times on this and finally I have the support of the Land Use Committee of the Mount Vernon Council and we have the support of the staff as well, so I MOVE THAT THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2010-MV-011, SUBJECT TO THE EXECUTION OF THE PROFERS DATED JULY 19, 2011.

Commissioners Litzenberger and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Litzenberger and Mr. Sargeant. Is there a discussion of the motion?

Commissioner Litzenberger: Mr. Chairman?

Chairman Murphy: Mr. Litzenberger, please.

Commissioner Litzenberger: Thank you, Mr. Chairman. I would like to make an important point on this application in that when I was on the Housing Authority, one of our big concerns was urban blight, especially along the Route 1 corridor. And in the past we've had plenty of federal dollars on how to fight that kind of fight. Those dollars have gone away, yet this proposal to rezone will improve the tax base, make the citizens happy, and also not cost the taxpayers a cent. So I just want to put that in the record.

Chairman Murphy: Thank you very much. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2010-MV-011, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Flanagan?

Commissioner Hall: Abstain. Not present.

Chairman Murphy: All right, Ms. Hall abstains. Not present for the public hearing.

Commissioner Donahue: Mr. Chairman? Also, Mr. Chairman, I abstain.

Chairman Murphy: Yes, Mr. Donahue abstains. Not present for the hearing.

Commissioner Sargeant: Mr. Chairman? May I make a note? I was not present for the public hearing, but I did review the video of that entire public hearing. So I am available.

Chairman Murphy: So noted. Mr. Flanagan?

Commissioner Flanagan: Just a request of the Chair. I have six more motions. Is it possible to make them a part of an omnibus motion?

Chairman Murphy: Sure.

Commissioner Flanagan: Okay, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE EASTERN AND SOUTHERN PROPERTY LINES. AND I ALSO RECOMMEND THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE PERIPHRIAL PARKING LOT LANDSCAPING REQUIREMENTS ALONG THE NORTHERN, EASTERN, AND SOUTHERN PROPERTY LINES. AND I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE RICHMOND HIGHWAY COMMERCIAL REVITALIZATION DISTRICT STREETSCAPE REQUIREMENTS ALONG RICHMOND HIGHWAY AND EAST LEE AVENUE, IN FAVOR OF THAT SHOWN ON THE GENERALIZED DEVELOPMENT PLAN. AND I ALSO MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A DEVIATION FROM THE TREE PRESERVATION TARGET REQUIREMENT TO THAT SHOWN ON THE GDP. I NEXT MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE MINIMUM LOT WIDTH REQUIREMENT. AND FINALLY, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF CONSTRUCTION OF THE SERVICE DRIVE REQUIRED ALONG RICHMOND HIGHWAY.

Commissioner Litzenberger: Second.

Chairman Murphy: Second by Mr. Litzenberger. Is there a discussion of them there motions? All those in favor of the motions as articulated by Mr. Flanagan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried by votes of 10-0-2 with Commissioners Donahue and Hall abstaining.)

JLC

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Board Agenda Item
September 13, 2011

3:30 p.m.

Public Hearing on RZ 2010-MA-017 (UPIA, LLC) to Rezone from R-2 and R-5 to PDH-5 to Permit Residential Development at a Density of 4.7 Dwelling Units Per Acre (du/ac) and Approval of the Conceptual Development Plan, Located on Approximately 3.17 Acres, Mason District

The application property is located on the east side of Backlick Rd. opposite its intersection with Beverly St. Tax Map 71-1 ((1)) 125 and 126; 71-1 ((40)) 1-6 and A.

PLANNING COMMISSION RECOMMENDATION:
On Wednesday, July 20, 2011, the Planning Commission voted unanimously to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2010-MA-017, subject to the executed proffers dated July 11, 2011;
- Modification of the open space requirement;
- Modification of the major paved trail requirement for Backlick Road, in favor of the five-foot wide concrete sidewalk;
- Waiver of the on-road bike lane requirement for Backlick Road.

The Commission also voted unanimously to approve FDP 2010-MA-017, subject to the Board of Supervisors approval of RZ 2010-MA-017.

ENCLOSED DOCUMENTS:
Attachment 1 - Verbatim
Staff Report previously furnished and available online at
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4355554.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Suzianne Zottl, Staff Coordinator, Zoning Evaluation Division, DPZ

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Planning Commission Meeting Attachment 1
July 20, 2011
Verbatim Excerpt

RZ/FDP 2010-MA-017 – UPIA, LLC

After the Close of the Public Hearing

Commissioner Hall: Thank you, Mr. Chairman. In our package, there is the proffer statement for this application, but it is just the signed copy. These are the same proffers that were included on the 12th. So, there's nothing new in that particular document. Let me have staff shake their head. Good. So, we're all set there. The application does enjoy the support of the Mason District Land Use Committee. It's pretty straightforward. They are just connecting the next development to an existing one and therefore, I WOULD MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THIS REZONING NUMBER 2010-MA-017, SUBJECT TO THE EXECUTED PROFFERS DATED JULY 11, 2011.

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-MA-017, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION APPROVE THE FDP 2010-MA-017, SUBJECT TO THE BOARD OF SUPERVISORS APPROVAL OF THE REZONING 2010-MA-017.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Discussion? All those in favor of the motion to approve FDP 2010-MA-017, subject to the Board's approval of the rezoning, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: Moving along and having fun as we do it, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE OPEN SPACE REQUIREMENT.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: If you like that, here comes another one. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE MAJOR PAVED TRAIL REQUIREMENT FOR BACKLICK ROAD, IN FAVOR OF THE FIVE-FOOT WIDE CONCRETE SIDEWALK.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: Lastly, but not least, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE ON-ROAD BIKE LANE REQUIREMENT FOR BACKLICK ROAD.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously.)

JLC

Board Agenda Item
September 13, 2011

4:00 p.m.

Public Hearing on Proposed Revisions to Sections 3-1-1 and 3-1-21 of Chapter 3 of the Code of Fairfax County

ISSUE:
Public hearing on the proposed revisions to Sections 3-1-1 and 3-1-21 of Chapter 3 of the Code of Fairfax County. The proposed revisions update the term *handicap* and add genetic information as a basis for protection from discrimination.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors approve the proposed revisions to Chapter 3 of the County Code. The Personnel and Reorganization committed reviewed and approved these revisions at the June 28, 2011 meeting.

TIMING:
Board action is requested on September 13, 2011. The public hearing was authorized on July 12, 2011.

BACKGROUND:
These revisions to the Code of Fairfax County ensure compliance with the Genetic Information Nondiscrimination Act of 2008. The following summarizes the proposed changes:

*Section 3-1-1 – Purposes of Article; definitions.*
This change updates the term handicap to disability and adds genetic information as a basis for protection from discrimination. (Attachment 1)

*Section 3-1-21 – Prohibited practices.*
This change mirrors changes in section 3-1-1 and establish such discrimination as a prohibited practice. (Attachment 1)

FISCAL IMPACT:
None.

Board Agenda Item
September 13, 2011

ENCLOSED DOCUMENTS:
Attachment 1: Proposed revisions to Chapter 3 of the Fairfax County Code

STAFF:
Susan Woodruff, Director, Department of Human Resources
Peter D. Andreoli, Jr., Deputy County Attorney, Office of the County Attorney

# ARTICLE 1

# PERSONNEL ADMINISTRATION

## Section 3-1-1. Purposes of Article; definitions.

(a) *Purposes.* The purposes of this Article are:

(1) To place personnel administration on a merit basis in order to attract and retain for public service in the County Government employees with integrity and superior ability;

(2) To strengthen the effectiveness of the County Government through the improvement of personnel administration;

(3) To provide for a County merit system under which recruitment, appointment, and advancement of covered employees will be on a competitive basis, free of discrimination on the basis of race, color, national origin, religion, sex, age, political affiliation, ~~or handicap~~disability, or genetic information, and which will be administered in conformity with the Merit Principles set forth by the U.S. Office of Personnel Management (5 CFR 900) under authority of the Intergovernmental Personnel Act of 1970, as amended;

(4) To provide for an exempt service which will be limited to positions so designated in accordance with this Article or by Personnel Regulations.

(b) *Authority.* The authority for this article is contained in *Va. Code Ann.* § 15.2-1506, which reads, in part, as follows: "Notwithstanding any other provision of law to the contrary, the governing body of every county, city and town which has more than fifteen employees shall establish by June thirty, nineteen hundred seventy-four, a grievance procedure for its employees to afford an immediate and fair method for the resolution of disputes which may arise between such public employer and its employees and a personnel system including a classification plan for service and uniform pay plan for all employees;" and *Va. Code Ann.* §15.2-807, which reads, in part, as follows: "All appointments shall be on the basis of ability, training and experience of the appointees which fit them for the work which they are to perform." 1

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1 As to appointment, tenure, suspension or removal and compensation of officers and employees, see Va. Code Ann., § 15.2-807, 15.2-808 and 15.2-809.

(c) *Applicability.*

(1) This Article applies to all employees in the administrative service of the County who are appointed by the Board of Supervisors, County Executive or the head of a department, as provided in *Va. Code Ann.* §15.2-807. 2

(2) This Article and any regulations or administrative directives or procedures issued under its authority also may be applied to designated employees of other public agencies within the County, pursuant to written agreements between the heads or governing boards of such agencies and the Human Resources Director of the County, subject to approval of the County Executive and Board of Supervisors, to the effect that the conditions of employment of such employees are to be administered under this Article in the same manner as if those employees were in the administrative service of the County.3

(d) *Severability.* Should any article, section, subsection, sentence, clause, or phrase of this ordinance, for any reason, be held unconstitutional or invalid for any reason, such decision or holding shall have no effect on the validity of the remaining portions hereof. It is the intent of the Board of Supervisors to enact or have enacted each section, and portion thereof, individually, and each such section shall stand alone, if necessary, and be in force regardless of the determined invalidity of any other section or provision.

(e) Definitions.

(1) *Personnel Regulations.* A body of rules governing County personnel administration issued under authority of this Article by the Board of Supervisors after consideration of the recommendation of the County Civil Service Commission, and having the effect of ordinance.

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2 Wherever used in this Article, the term "department" means "department," "office," "agency," or other administrative unit, the director of which reports to the County Executive, either directly or via a deputy county executive. Elected officials, persons appointed to fill vacancies in elective offices, and members of boards, authorities and commissions appointed by the Board of Supervisors are not employees in the sense of this article, although they may be compensated and receive such other benefits as State law or regulations, County ordinance or the Board of Supervisors may authorize.

3 Public agencies authorized to execute such agreements include (but are not limited to) the offices of Constitutional Officers and individual members of the Board of Supervisors, the School Board, the Library Board, the Park Authority, the Housing Authority, the Fairfax/Falls Church Community Services Board, the Economic Development Authority, the Water Authority, the Industrial Authority, similar agencies established by the Board of Supervisors in the future, community centers and other service agencies established in small districts under authority of the Board of Supervisors, and State agencies located in and serving the County where such agreements are consistent with State law and regulations. Employees whose conditions of employment are to be administered pursuant to such agreements may be either merit system or exempt employees, as defined in this Article, whichever is specified in the applicable agreement.

(2) *Competitive service.* All positions not specifically designated as exempt positions in accordance with this Article, and the employees appointed to fill such positions. Competitive positions must be filled in accordance with merit principles. Persons in the competitive service are considered career employees. They have all rights, benefits, privileges, protections and obligations set forth in this Article and Personnel Regulations.

(3) *Exempt service.* Positions which are specifically so designated in accordance with this article and Personnel Regulations, and employees appointed to fill such positions. Exempt personnel are not merit employees. They may be appointed, classified, promoted to other exempt positions, demoted to other exempt positions and discharged without regard to the restrictions contained in this Article and Personnel Regulations, which apply to the competitive service. They are entitled to only such employee rights and benefits as are provided for various categories of exempt personnel elsewhere in this Article and Personnel Regulations or by the Board of Supervisors or in procedural directives issued by the County Executive or his or her designee.

(4) *Full-time position.* Any position, whether authorized for the competitive service or exempt, which is authorized to be filled for at least 2080 scheduled hours in 12 consecutive months.

(5) *Part-time position.* Any position, whether authorized for the competitive service or exempt, which does not meet the above criteria for full-time positions.

(6) *Full-time employee.* Any employee, whether in the competitive service or exempt, who is regularly scheduled to work at least 2080 hours in 12 consecutive months.

(7) *Part-time employee.* Any employee, whether in the competitive service or exempt, who does not meet the above criteria for full-time employees.

(8) *Probationary employee.* Any employee in the competitive service serving in a probationary appointment as defined in § 3-1-13 of this Article and Personnel Regulations.

(9) *Merit system.* The system of personnel administration applicable to the competitive service. It includes the provisions of this Article, other applicable provisions of County ordinances, County Personnel Regulations and all applicable and lawful personnel management directives of the Board of Supervisors, County Executive or Human Resources Director.

(10) *Merit employee.* Any employee in the competitive service.

(11) *Department Head.* An employee appointed by the Board of Supervisors to oversee, direct, or manage a major functional division of County government, whether formally known as a department or not, under the general direction of the County Executive, and to act as the appointing authority for the positions assigned to that organization. All department head positions are assigned to the exempt service. All persons appointed as department heads on or after July 1, 1987, are exempt employees. Any department head appointed as a department

head on or after July 1, 1987, may be removed by the Board of Supervisors with or without cause and in any event, may not grieve his or her removal under the County's grievance procedures. (7-87-3; 32-8-3; 26-98-3; 35-05-3.)

## Section 3-1-2. County service and divisions thereof.

(a) The County service shall be divided into an exempt service and a competitive service. Exempt employees shall not be appointed to positions in the competitive service except through the competitive process specified in this Article and in Personnel Regulations. A member of the exempt service may become a member of the competitive service only through appointment to a position in the competitive service through the competitive selection process specified in this Article and in the Personnel Regulations. Thus, service in the exempt service shall not by itself permit an employee to become a member of the competitive service.

(b) The following employees shall constitute the exempt service.

(1) The County Executive, County Attorney, deputy county executives, assistant county executives, executive assistants to the County Executive, department heads appointed after July, 1987 and office staffs of members of the Board of Supervisors.

(2) Employees who are engaged under contracts.

(3) Employees appointed under the provisions of the procedural directives governing the exempt service, with hours limited to 1,560 in one calendar year if employed in an exempt-benefits-eligible position, or 900 in one calendar year if employed in an exempt-temporary position.

(4) Employees administered pursuant to an agreement executed in accordance with § 3-1-1(c)(2) of this Article, provided that they are designated exempt in such an agreement.

(5) Assistant registrars and all election officials employed by the Electoral Board.

(6) Employees who are providing services pursuant to requirements contracts such as fee class instructors.

(c) The County Executive shall issue procedural directives, with the approval of the Board of Supervisors, for administration of the exempt service. Only such provisions of this Article and of Personnel Regulations, which specifically state that they are applicable to exempt employees, or which are made applicable through procedural directives provided herein, shall apply to the exempt service.

(d) All other employees to whom this Article applies are in the competitive service, except as otherwise provided by state law or regulation. They shall be appointed, promoted, demoted, transferred or dismissed solely on the basis of merit and fitness in accordance with the provisions of this Article and Personnel Regulations. (7-87-3; 32-89-3; 10-92-3; 26-98-3; 35-05-3.)

## Section 3-1-3. Existing employees to retain positions; acceptance of non-competitive appointment by a merit system employee.

(a) All persons in the County service holding positions included within the competitive service, as defined in this Article, on May 18, 1987 shall be continued in their respective positions, without further examination. All persons appointed competitively before May 18, 1987 to positions which become exempt as a result of this amendment or later amendments to this Article shall have the rights, privileges, benefits and protection of the merit system while serving in the positions they occupied on the date of such amendment, unless they subsequently elect to accept exempt appointments. Any such employees who may become subject to removal for disciplinary reasons shall be removed in accordance with the provisions of this Article and the Personnel Regulations adopted thereunder.

(b) Except as otherwise provided in Personnel Regulations, any employee in the competitive service who accepts an appointment to an exempt position thereby forfeits the rights, privileges, benefits and protections accorded to competitive service employees and shall be entitled to only such rights, privileges, benefits and protections as are authorized for the exempt position which the employee has accepted; provided that:

(1) Upon termination of the exempt appointment for any reason other than misconduct, the employee may be reinstated in his or her former merit system class, grade and salary, as provided in Personnel Regulations. Any appointment to a different class within the competitive service shall be on a competitive basis, except that an appointment to a lower ranked class within the same series shall be considered a reinstatement.

(2) If the employee's merit system position and the exempt position are covered by different retirement systems, the provisions of later Articles of this Chapter which govern those retirement systems will apply upon acceptance of the exempt appointment and, if applicable, upon reinstatement or reappointment to any merit system position. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-4. Responsibility and duties of County Executive.

(a) In the administration of the personnel system established by this Article, the County Executive shall have the authority and shall be required:

(1) To administer the merit system, through both his or her general authority as administrative head of the County and through his or her authority to supervise the Human Resources Director, subject to the Personnel Regulations adopted hereunder.

(2) To recommend proposed Personnel Regulations to the County Civil Service Commission and the Board of Supervisors.

(3) In the event of a vacancy in the position of Human Resources Director, to designate a qualified member of the County staff temporarily to perform the duties of the Human Resources Director.

(4) To cooperate with and render necessary assistance to the County Civil Service Commission.

(5) To confer with and receive advice and counsel from the Employees Advisory Council upon the Personnel Regulations and such other matters as may be deemed appropriate. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-5. Human Resources Director; qualifications; appointment.

(a) The Human Resources Director shall be a person trained and skilled in personnel administration, with knowledge of and interest in public personnel administration.

(b) The Human Resources Director shall be appointed by the Board of Supervisors upon the recommendation of the County Executive. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-6. Human Resources Director, responsibility and function.

(a) The Human Resources Director shall serve as head of the Department of Human Resources.

(b) The Human Resources Director shall have the following functions and responsibilities:

(1) To give leadership and to issue procedural instructions and interpretations of this ordinance and Personnel Regulations to department heads and other officials to ensure that the personnel function is administered in accordance with law, regulations and sound principles of public personnel management. To ensure compliance with equal employment opportunity laws and regulations. To stimulate all supervisory personnel to use the most effective methods of utilization and coordination of employee abilities and skills.

(2) To conduct open competitive assembled, unassembled or other types of examinations for all original appointments in the competitive service and promotional examinations for all promotional appointments in the competitive service. To conduct appropriate examinations for original and promotional appointments for certain exempt positions, including all project positions and any other exempt positions for which the appointing authority requests such examinations. To publicize all competitive examinations. To recruit qualified personnel for the County's competitive service; provided, that in formulating examinations appointing authorities shall be consulted concerning their personnel requirements and the qualifications necessary to perform the work. With the concurrence of the County Executive and subject to the availability of appropriated funds, to offer monetary awards, up to but not exceeding $5,000.00, or five percent of the employee's annual salary, whichever is greater, to current County employees for referring qualified applicants for critical vacant positions in the County service who are subsequently hired and remain in such positions for

such period of time as determined by the Director of Human Resources and to successful applicants for such critical positions who remain employed in such period of time as determined by the Director of Human Resources.

(3) To establish and as necessary to maintain eligible lists, based on such examinations, for each class of positions in the competitive service to which appointments are to be made when, in the opinion of the Human Resources Director, the volume of appointments warrants the establishment and maintenance of such lists.

(4) With the approval of the County Executive, to enter into agreements with other public personnel departments or agencies (local, regional, state or federal) for the joint administration of examinations and the joint use of eligible lists resulting therefrom.

(5) To maintain the Position Classification Plan and to prepare and recommend to the County Executive amendments to the Plan.

(6) To maintain the Compensation Plan and to prepare and recommend to the County Executive amendments to the Plan.

(7) To administer the Position Control and Payroll System.

(8) To maintain a roster of central personnel records for all employees in the competitive and exempt services which shall specify as to each such person the class title of all positions held; the current salary or pay rate; any changes in class title, salary or pay; records of performance evaluations, formal disciplinary actions, commendations or awards; and such other data as may be deemed useful or significant in the development of a career service.

(9) To direct and enforce the maintenance by all departments of the County of such personnel records of employees in the competitive service as he or she shall prescribe, and to specify the kinds of personnel records to be kept by other public agencies for which the Department of Human Resources provides personnel administration services in accordance with § 3-1-1(c)(2) of this Article.

(10) To certify approved appointments and ensure that no payments shall be made to any person through the payroll system unless so certified.

(11) To assist department heads in developing systematic programs of in-service training for members of the competitive service, for the purpose of bettering their performance and of qualifying them when practicable for consideration when vacancies occur in the service of the County.

(12) To develop and administer a system of employee performance evaluation and to make information about individual employee performance available to appointing authorities when requested in connection with selection of personnel for appointment, promotion, training, assignment, or other personnel actions and to the Civil Service Commission when requested in connection with appeals or grievance hearings.

(13) To coordinate employee relations.

(14) To provide and administer a grievance system as required by State law, and to investigate alleged violations of this Ordinance, Personnel Regulations and other laws and regulations applicable to personnel administration with the Fairfax County Government.

(15) To develop and administer employee health, safety and welfare activities.

(16) To confer with the Employees Advisory Council and to cooperate with that council in provision of voluntary recreational, welfare, educational and related activities for the benefit of employees.

(17) To investigate the operation and effect of this Article, and any amendments thereto hereafter adopted by the Board of Supervisors and the Personnel Regulations adopted thereunder, and report his or her findings and recommendations to the County Executive at least annually.

(c) The Human Resources Director shall administer all employee benefits programs which may be established by ordinance, under the Personnel Regulations or by a plan adopted by resolution of the Board of Supervisors, unless some other officer, employee, or entity is specifically designated to do so.

(1) The term "Employee Benefits Program" shall include, but is not limited to group medical insurance and group term life insurance, and all benefit options offered under a "cafeteria plan" under U.S. Internal Revenue Code § 125, which may be adopted by the Board of Supervisors.

(2) The Human Resources Director is specifically delegated the authority, with respect to any employee benefit program established by a plan adopted by the Board of Supervisors by resolution, to make such changes in the benefit options and conditions offered as may be in the interest of the County and its employees, within the limits of funds appropriate and available for such purposes; provided however, no such change shall be of any effect until approved by the Board of Supervisors. In any event, any such change which requires a change in the salary reduction amount under a duly enacted "cafeteria plan" under I.R.C. § 125 shall be of no effect until an appropriate amendment has been made to the Compensation Plan.

(d) Notwithstanding any other provision of this Code to the contrary, and in addition to any other provisions thereof, the Board authorizes, subject to the availability of appropriated funds, the payment of monetary incentives, awards and bonuses to employees in the County service for exceptional services rendered by employees. Such incentives, awards or bonuses may not exceed $5,000.00, or five percent of the employee's annual salary whichever is greater. Such incentives, awards and bonuses may be offered and paid for such exceptional services as defined in the procedural directives issued by the County Executive or his/her designee, including, but not necessarily limited to, any or all of the following purposes:

(1) Individual incentive awards,

(2) Special recognition awards,

(3) Work group/excellence awards,

(4) Certification/proficiency attainment bonuses,

(5) Organization-wide awards,

(6) Outstanding performance awards,

(7) Managerial excellence awards,

(8) Departmental honors awards,

(9) Peer awards,

(10) Spot incentives/awards,

(11) Suggestion awards, and

(12) Lead worker incentives

The Human Resources Director shall administer the incentive award and bonus program. The types of incentives, awards and bonuses and the types of exceptional services for which they may be granted, the amount of particular incentives, awards and bonuses, and the selection criteria and process for particular incentives, awards and bonuses shall be set forth in the procedural directives issued by the County Executive. (7-87-3; 26-98-3; 17-01-3; 35-05-3.)

## Section 3-1-7. County Civil Service Commission established.

There is established the Fairfax County Civil Service Commission. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-8. County Civil Service Commission; jurisdiction.

The jurisdiction of the County Civil Service Commission shall be limited to the competitive service. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-9. County Civil Service Commission; quorum; qualifications; term of office; compensation; political activities; removal of members and staffing.

(a) The County Civil Service Commission shall be composed of 12 persons who are qualified voters in the County, who have had broad experience in management or public affairs, and who are in full agreement with the application of merit principles in public employment. At least three members of the Commission shall be male, three members

shall be female and three shall be a member of a minority group; provided that three members shall constitute a quorum for hearing an appeal whether or not any seat on the Commission shall be vacant, and two of the three members of a panel must vote in favor of a party or its position on a motion or objection for that party to prevail. Each member of the Commission shall be required to attend annual training on pertinent matters, including, but not limited to, the content of Personnel Regulations and procedural memoranda, the conduct of appeal hearings, and the evaluation of evidence.

(b) The Commission shall meet in panels of three members each as needed to conduct panel hearings to hear and decide those matters determined to be grievable under the grievance procedure. Members of the Commission shall receive a fee for attendance at panel hearings and at public hearings in an amount as set by resolution of the Board of Supervisors. The Commission shall, conduct panel hearings in a timely manner and such panel hearings shall be held whenever possible during the County's regular business day. Members of the Commission shall be required to attend such panel hearings to which they have been assigned at the designated time and place. Failure to regularly attend such meetings shall constitute good cause for removal pursuant to part (f) below.

(c) Members of the Commission shall hold no paid office or employment under the government of the County, or in any other public agency for which the Department of Human Resources provides personnel services in accordance with § 3-1-1(c)(2) of this Article, while serving as members of the Commission.

(d) Members of the Commission shall be appointed by the Board of Supervisors for terms of two years from the date of appointment. Members of the Commission previously appointed to serve a four year term shall complete their current term of office. Thereafter, any re-appointment to the Commission shall be for a two year term.

(e) The Board of Supervisors shall designate one member of the Commission to serve as chair, and the Board of Supervisors may change that designation if it chooses to do so.

(f) Any member of the Commission may be removed for good cause shown by majority vote of the Board of Supervisors, but only after the Board of Supervisors has given the member a statement, in writing, of the reasons for such removal and an opportunity to be heard before a public session of the Board of Supervisors.

(g) No member of the Commission, while serving, shall become a candidate for election to public office; nor shall any serving Commissioner be an officer in any organization which actively sponsors and works for the election of candidates to public office.

(h) The Civil Service Commission's staff shall include an Executive Director. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-10. County Civil Service Commission; responsibility and duties.

The County Civil Service Commission shall have the responsibility and shall be required:

(a) To represent the public interest in the improvement of personnel administration in the County service.

(b) To advise the Board of Supervisors, the County Executive and the Human Resources Director in the formulation of policies concerning personnel administration in the competitive service.

(c) To act as an impartial hearing body for appeals and grievances as required by*Va. Ann. Code* §§ 15.2-1506 and 15.2-1507, under procedures set forth in Personnel Regulations. The Commission shall only hear an appeal of, and shall render a final and binding decision on matters determined to be grievable under the grievance procedure by sitting, hearing, and deciding such cases in panels consisting of three Commissioners.

(d) To make at least annually a report of its findings and recommendations concerning the application of this Article. The annual report of the Commission shall be made available to the public concurrently upon presentation to the Board of Supervisors.

(e) To make specific recommendations to the Board of Supervisors concerning changes in state legislation affecting personnel administration.

(f) To perform other duties as set forth elsewhere in this Article or as specified by the Board of Supervisors. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-11. Adoption, legal status and scope of Personnel Regulations.

(a) This article shall be implemented and expanded upon by Personnel Regulations, which shall be issued and maintained by the Human Resources Director after approval by the Board of Supervisors as provided below.

(b) From time to time, the Human Resources Director shall draft proposed changes to Personnel Regulations, consulting affected appointing authorities, the Employees Advisory Council and the County Executive as appropriate. Such proposed changes shall be forwarded to the Civil Service Commission by the Human Resources Director.

(c) The Commission shall schedule a public hearing on all such proposed changes no later than 90 days after receipt of such proposals from the Human Resources Director. The Commission shall cause to be published, at least once in a newspaper of general circulation in the County, a notice of the time and place of the public hearing, to take place not less than 30 days after the publication of such notice. Copies of such proposed changes shall be made available to the public, heads of departments and the Employees Advisory Council by the Commission.

(d) Following the public hearing before the County Civil Service Commission, the Commission shall make its recommendation thereon to the Board of Supervisors.

(e) The Board of Supervisors shall adopt Personnel Regulations after full consideration of the views of the County Executive, the Human Resources Director, the Employees Advisory Council and the Commission; provided, however, that notwithstanding any

provision contained hereinabove to the contrary, the Board of Supervisors may on its own motion adopt or amend the Personnel Regulations if it deems such action to be in the best interest of sound public personnel administration, and provided further that in such event said adopted regulations shall be referred to the County Executive, the Human Resources Director and the Employees Advisory Council for comment, and to the Civil Service Commission for public hearing in accordance with the provisions of subsections (c) and (d) herein, and for review and recommendations to be forwarded to the Board of Supervisors for consideration.

(f) To the extent that they are consistent with this Article, and the *Virginia Code*, Personnel Regulations and amendments thereof so adopted shall have the force of law. Any provision of Personnel Regulations which conflicts with this Article or with any future amendments to this article shall be without effect until it has been amended to conform to this Article; but such suspension of effect shall relate only to specific provisions which conflict with this Article and shall not affect other provisions of Personnel Regulations which are not so in conflict.

(g) Among other things, the Personnel Regulations shall provide for equal employment opportunity; the method of holding competitive examinations; the establishment, maintenance, consolidation, and cancellation of eligible lists; certification and appointment of applicants; the administration of the Position Classification Plan and the Compensation Plan; methods of promotion and the application of service ratings thereto; probationary periods of employment; transfers of employees; hours of work, annual leave, sick leave, military leave, and other leaves of absence; overtime pay; temporary appointments; employee performance evaluation; the order and manner in which lay-offs shall be effected; procedures governing discipline and separation; maintenance of personnel records; procedure for appeals and grievances; and such other matters as may be necessary to provide adequate and systematic handling of the personnel affairs of the County. (7-87-3; 26-98-3; 14-00-3; 35-05-3.)

## Section 3-1-12. Appointing authorities.

(a) Appointing authority means the officer, board, commission, person or group of persons having the power by virtue of State law or County ordinance to make appointments. The appointing authority or his or her designee is the responsible official or body to whom the Human Resources Director certifies lists of eligibles from which appointments shall be made. The appointing authority is generally responsible for personnel administration within a given department. For the purposes of this Article, appointing authorities are described as follows:

(1) The Board of Supervisors shall be the appointing authority for the County Executive, deputy county executives, the County Attorney and department heads under the control of the County Executive. The Board of Supervisors shall consult the County Executive with regard to all such appointments.

(2) The department heads in the above departments are delegated the authority to appoint all employees in their respective department.

(3) The appointing authority for other public agencies within the County which may have executed agreements to administer their personnel under this Article,

as provided by section 3-1-1(c)(2) of this Article, shall be the person or body designated as such in the applicable agreement, unless otherwise specified by law or regulation.

(4) Except as otherwise provided in this section or elsewhere by law, the County Executive shall be the appointing authority for the staff, if any, of the Planning Commission, the Civil Service Commission and all boards and commissions whose functions are primarily advisory rather than operating. In making such appointments, the County Executive shall consider the recommendations of the respective boards and commissions.

(b) For any positions not covered by the above descriptions, the County Executive shall be the appointing authority. For new departments, which may be created, the Board of Supervisors shall be the appointing authority for the department head. The appropriate department head shall be the appointing authority for all other employees. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-13. Probationary appointments, personnel actions and employee rights of appeal.

(a) Merit employees shall be subject to such personnel actions as may be ordered or approved by the County Executive or the Human Resources Director, in accordance with Personnel Regulations.

(b) All original appointments in the competitive service shall be made from lists of qualified candidates certified by the Human Resources Director. All original appointments shall be made for a probationary period, the conditions of which shall be governed by the Personnel Regulations. Prior to the conclusion of the probationary period of any employee, his or her service may be terminated by the appointing authority, if in the opinion of the appointing authority the employee does not demonstrate the level of performance required by the position to which he or she was appointed.

(c) Personnel Regulations shall provide procedures for disciplinary actions including suspension, demotion and dismissal.

(d) Merit employees shall be entitled to appeal personnel matters in accordance with the grievance procedures adopted by the Board of Supervisors. (7-87-3; 32-89-3; 26-98-3; 35-05-3.)

## Section 3-1-14. Promotions.

(a) Vacancies in higher positions in the competitive service shall be filled as far as practicable by promotion from lower classes. When the County Executive or the Human Resources Director determines that there is an insufficient number of well-qualified eligibles within the service, or to achieve a balanced work force in accordance with an Affirmative Action Plan approved by the Board of Supervisors, he or she may direct that the competitive examination for such positions shall be open not only to members of the competitive service but also to all other qualified persons.

(b) All examinations for promotions shall be conducted by the Human Resources Director in accordance with the Personnel Regulations. The qualified candidates shall be certified to the appointing authority as specified in Personnel Regulations and all promotional appointments shall be made from among the persons so certified. A change from a position in any class to a position in another class for which a higher minimum rate of pay is prescribed shall be considered a promotion if such change is the result of a competitive process as provided in this Article and Personnel Regulations.

(c) All promotional appointments shall be made for a probationary period, the conditions of which shall be governed by Personnel Regulations. Prior to the conclusion of the probationary period of any promoted employee, he or she may be demoted under conditions specified in Personnel Regulations if, in the opinion of the appointing authority, concurred in by the Human Resources Director, the employee does not demonstrate the level of performance required by the position to which he or she was promoted. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-15. Position classification plan.

(a) All positions in the competitive and exempt services shall be classified by the Human Resources Director and allocated to an appropriate class in accordance with the character, difficulty and responsibility of assigned duties. Personnel Regulations shall provide for the preparation and administration of the Position Classification Plan.

(b) It shall be the duty of the Human Resources Director to review specifications for each class of positions, on a recurring basis so that approximately one-fifth of all classes are reviewed each year and every class is reviewed at least once every five years. Appointing authorities may be consulted where appropriate. Based upon such review, the Human Resources Director shall submit recommendations to the County Executive for modifying class specifications, if such be found necessary. Except as provided below, such modifications shall take effect and become part of the Position Classification Plan when approved by the County Executive.

(c) Where such recommendations include abolition of one or more classes within the merit system, the County Executive shall forward them to the Board of Supervisors for final approval.

(d) Where such recommendations include creation of one or more classes within the merit system, the County Executive shall review them, and if he or she concurs in the recommendations, such recommendations shall take effect. The County Executive shall inform the Board of such changes on a quarterly basis.

(e) Upon the recommendation of the Human Resources Director, the County Executive may approve specifications for exempt classes or classes which will be used to classify positions in non-County agencies for which the County provides payroll services but does not provide a full personnel administration system.

(f) No person shall be appointed to or employed in a position in the competitive service under any class title, which has not been approved in accordance with the provisions of this Article.

(g) Employees who feel that they have been adversely affected by the allocation or reallocation of a position to a class or by any changes in the Classification Plan shall be afforded a right of appeal under Personnel Regulations.

(h) No position in the competitive service shall be filled other than on a temporary appointment basis by any person who does not meet the qualification requirements for that position as set forth in the class specifications which are a part of the Position Classification Plan, except that the Human Resources Director may approve such an appointment on a training basis at a reduced rate of pay for a longer period in accordance with a written agreement as provided in Personnel Regulations. (7-87-3; 26-98-3; 24-99-3; 35-05-3.)

## Section 3-1-16. Compensation plan.

(a) There shall be a Compensation Plan consisting of two parts. The first part shall assign a pay grade to each class in the Position Classification Plan. The second part shall assign a pay range to each such grade. Pay ranges for non-public safety classes shall provide for a minimum, mid-point and maximum rate of pay and shall provide for annual percentage increases not to exceed seven (7) percent, following an employee's annual performance review, depending on how the employee failed to meet, met or exceeded the performance standards established for such increases. Pay ranges for public safety classes shall provide for a minimum and a maximum rate of pay and shall provide for regular increments within such range to be earned by length of service and performance exceeding minimum standards for satisfactory work performance. Each such pay grade and range shall be determined with due regard to the pay practices which are competitive with public and private organizations in the Washington, D.C. metropolitan area with whom the County competes for talent; pay ranges for other classes the duties of which are similar or of equal difficulty or responsibility; minimum qualifications required; and any other factors that may properly be considered to have a bearing upon the fairness or adequacy of the pay range. The Compensation Plan shall also provide for the payment of bonuses not to exceed five percent of an employee's salary on an annual basis to those nonpublic safety employees who are at the maximum rate of pay in their pay grade and who, following their annual performance review, met or exceeded the performance standards set for the award of such bonuses.

(b) The Compensation Plan adopted by the Board of Supervisors in effect May 18, 1987 shall continue in effect until amended in accordance with the provisions of this Article.

(c) At least once each fiscal year, the Human Resources Director shall review the Compensation Plan and forward such recommendation for change as he or she may have to the County Executive. Except as otherwise provided in subsection (d) of this Section, the County Executive's recommendations for amendment or revision shall be forwarded to the Board of Supervisors. The Board of Supervisors may seek the advice of the Civil Service Commission on compensation matters where it considers the public interest sufficiently involved. The Board of Supervisors shall not increase or decrease any individual salaries but shall act solely with respect to the Position Classification and Compensation Plans. Any action affecting a class or pay grade and salary shall affect all employees in that class or grade and salary; provided however, that this sub-section does not preclude an employee and the County from entering into a salary reduction

agreement pursuant to a duly enacted employee benefit "cafeteria plan" under U.S. Internal Revenue Code § 125. If an employee benefit "Cafeteria Plan" pursuant to I.R.C § 125 is adopted by the Board of Supervisors, the Compensation Plan shall include a table detailing the salary reduction amount required for each benefit option offered. Such table may be amended from time to time in accordance with the provisions of this Article.

(d) The County Executive may assign any new class established by him or her pursuant to Section 3-1-15(c) to the appropriate pay grade on an existing pay schedule and may reassign any single position class to a different grade on any existing pay schedule. In making such assignments or re-assignments of pay grades to such classes, the County Executive shall give due regard to the pay practices which are competitive with public and private organizations in the Washington, D.C. metropolitan area with whom the County competes for talent; pay ranges for other classes the duties of which are similar or of equal difficult or responsibility; minimum qualifications required; and any other factors that may properly be considered to have a bearing upon the fairness or adequacy of the pay range.

(e) The above provisions shall not be taken to preclude the adoption of more than one pay schedule within the Compensation Plan, provided that each pay schedule as adopted conforms to the requirements and standards of this Article. (7-87-3; 26-98-3; 24-99-3; 14-00-3; 17-01-3; 35-05-3.)

## Section 3-1-17. Employees' advisory council; members; duties.

(a) There shall be an Employees Advisory Council to provide a continuing medium through which all employees in the competitive service may contribute their advice and suggestions for the improvements of a career merit system and other aspects of the administration of the government of Fairfax County. Rules for election of Council members and the Council's by-laws shall be subject to approval of the Civil Service Commission.

(b) In addition to conferring with the Human Resources Director and the County Executive, and the Commission, the Employees Advisory Council may undertake to sponsor such voluntary recreational, welfare, educational and related activities as will contribute to employee well-being and to building harmonious and effective relations among all employees of Fairfax County and their families. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-18. Retirement systems; continuous; amendments.[4]

The retirement systems for employees of the County heretofore established shall continue in force and effect, subject to the right of the Board of Supervisors to amend such systems by subsequent ordinance. (7-87-3; 26-98-3; 35-05-3.)

4 See Articles 2, 3, 4, 7 and 8 of this Chapter.

**Section 3-1-19. Protection of legitimate political activity of employees; restrictions.**

(a) For the purposes of this Section:

(1) "Political campaign" means activities engaged in for the purposes of promoting a political issue, for influencing the outcome of an election for local or state or federal office, or for influencing the outcome of a referendum or a special election.

(2) "Political candidate" means any person who has made known his or her intention to seek, or campaign for, local or state or federal office in a general, primary, or state election.

(3) "Political party" means any party organization or group having as its purpose the promotion of political candidates or political campaigns.

(4) "Political activities" includes, but is not limited to, voting, registering to vote; soliciting votes or endorsements on behalf of a political candidate or political campaign; expressing opinions, privately or publicly, on political subjects and candidates; displaying a political picture, sign, sticker, badge, or button; participating in the activities of, or contributing financially to, a political party, candidate, or campaign or an organization that supports a political candidate or campaign; attending or participating in a political convention, caucus, rally, or other political gathering; initiating, circulating or signing a political petition; engaging in fund-raising activities for any political party, candidate or campaign; acting as a recorder, watcher, challenger, or similar officer at the polls on behalf of a political party, candidate or campaign; or becoming a political candidate.

(5) "Employee" means any person in the competitive or exempt service of the County, including, but not limited to, firefighters, emergency medical technicians, police officers, and deputies, appointees, and employees of the Commonwealth's Attorney, the Clerk of the Circuit Court, and the Sheriff.

(b) All employees shall be protected against any unwarranted infringement of their rights as American citizens to vote as they choose, to express their opinions, and to join any legitimate political organization whose purposes are not inconsistent with their loyalty to the United States. It is the intent of this Section to grant employees the full latitude to participate in political activities provided by state statute, subject to all of the restrictions placed on such participation by state law, including, but not limited to, Va. Code Ann. § 15.2-1512.2, in a manner that is consistent with the proper and efficient performance of their duties as employees.

(1) To this end, all employees may participate in political activities while they are off duty, out of uniform, and not on the premises of their employment with the County.

(2) It is prohibited for any employee to engage in political activities while on duty, in uniform, or on the premises of their employment with the County;

provided, however, employees may attend or participate in a candidate forum or debate sponsored by a non-partisan organization held on County premises; and provided further that employees who are not on duty and not in uniform may engage in political activities on County-owned or leased premises under the same circumstances and subject to the same terms and conditions that apply to members of the general public.

c) It shall be unlawful for any person in the service of the County or of a constitutional officer to reward or to discriminate against any applicant for a position as an employee or any employee because of his or her political affiliations or political activities as permitted by this Section, except as such affiliation or activity may be established by law as disqualification for employment by the County or by the constitutional officer.

(d) The County Executive is hereby authorized and directed to acquaint employees with the provisions of this Article protecting them against intimidation, coercion and discrimination on account of such legitimate political activities. The County Executive is also hereby authorized to promulgate such procedural directives as he or she deems appropriate to administer the provisions of this Section.

(e) Any employee who has access to the grievance procedure and who feels that he or she has been discriminated or retaliated against in violation of the provisions of this Section because of his or her participation or failure to participate in political activities shall be entitled to file a grievance concerning such action under the County's grievance procedure.

(f) The appointing authority, the County Executive, and the Human Resources Director shall give no consideration to any endorsements or recommendations from any national, state or local political party or officer thereof in making appointments, promotions or dismissals or in any other personnel action.

(g) Employees are prohibited from using their official authority to coerce or attempt to coerce a subordinate employee to pay, lend, or contribute anything of value to a political party, candidate, or campaign, or to discriminate against any employee or applicant for employment because of that person's political affiliations or political activities, except as such affiliation or activity may be established by law as disqualification for employment.

(h) Employees are prohibited from discriminating in the provision of public services, including, but not limited to firefighting, emergency medical, or law enforcement services, or responding to requests for such services on the basis of the political affiliations or political activities of the person or organization for which such services are provided or requested.

(i) Employees are prohibited from suggesting or implying that any county, city, or town has officially endorsed a political party, candidate, or campaign.

(j) If an employee violates a provision of this Section, the employee shall be subject to disciplinary action, up to and including dismissal. It shall be unlawful for a person other than an employee to violate any provision of this Section.

(k) It shall be an affirmative defense to a criminal charge or a disciplinary action under this Section that, prior to engaging in the activity giving rise to the criminal charge or disciplinary action, the officer or employee or person who is not an employee had requested and received from the County Executive a determination that his or her participation in the proposed activity under the facts and circumstances described in his or her request did not fall under any of the prohibitions of this Section. Such determination is a defense only to the extent that the officer or employee fully and completely disclosed all material facts and circumstances in his or her request for determination. Requests for such a determination shall be in writing. The County Executive shall render his or her determination in writing no sooner than (10) days after receipt of the request and after obtaining the opinion of the County Attorney. Such determinations shall be kept on file in the office of the Clerk of the Board of Supervisors.

(l) Nothing in this Section shall be construed as relieving an employee from complying with the provisions of any applicable federal law, including, but not limited to, the Hatch Act, 5 U.S.C. §§ 1501, et seq.

## Section 3-1-20. Off-duty employment of police officers.

The Chief of Police shall promulgate reasonable rules and regulations which permit law enforcement officers to engage in off-duty employment which may occasionally require the use of their police powers in the performance of such employment. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-21. Prohibited practices.

(a) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification, promotion, reduction, removal or appointment held or made under the provisions of this Article or in any manner commit or attempt to commit any fraud preventing the impartial execution of the Personnel Regulations adopted pursuant to this Article.

(b) No person shall, either directly or indirectly, pay, render or give any money, service or other valuable thing to any person for, on account of or in connection with any test, appointment, promotion, reduction or removal in which he or she is concerned.

(c) No officer or employee of the County shall knowingly defeat, deceive or obstruct any person in his or her right to examination, eligibility certification or appointment under this Article or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the competitive service.

(d) No officer or employee of the County shall discriminate against any employee or applicant for employment with regard to recruitment, application, testing, certification, appointment, assignment, performance evaluation, training, working conditions, promotion, demotion, discipline, lay-off, discharge, or retirement on the basis of race, color, sex, creed, religion, national origin, age, ~~or handicap~~disability, or genetic information.

(e) No officer or employee of the County shall retaliate against any employee with regard to recruitment, application, testing, certification, appointment, assignment, performance evaluation, training, working conditions, promotion, demotion, discipline, lay-off, discharge, or retirement because the employee has used or has participated in the County's grievance procedure, has complied with any law of the United States, or of the Commonwealth, or has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States or the General Assembly, or has reported an incidence of fraud, abuse, or gross mismanagement to the Board of Supervisors, the County Executive, or other governmental authority. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-22. Penalties for violation of Article and Personnel Regulations.

(a) Willful violation of the provisions of § 3-1-19 or § 3-1-21 of this Article or of Personnel Regulations shall constitute grounds for dismissal from the County competitive service. In the discretion of the appointing authority, a lesser penalty may be imposed under extenuating circumstances, but in no case shall the penalty for willfully engaging in prohibited political activities be established at less than thirty days' suspension from duty without pay.

(b) Any person not in the competitive service of the County who by himself or herself or with others willfully violates any provisions of this Article or of the Personnel Regulations hereunder shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished as provided in § 1-1-12.

(c) Any person who is convicted under this Section shall, for a period of five years, be ineligible for appointment to or employment in a position in the service of the County, and, if her or she be an officer or employee of the County, shall immediately forfeit the office or position he or she holds. (7-87-3; 26-98-3; 35-05-3.)

## Section 3-1-23. Criminal history record check and fingerprinting; appointment to sensitive positions.

(a) *Finding*. The Board of Supervisors of Fairfax County, Virginia, hereby finds that it is necessary in the interest of public welfare and safety to determine whether the past criminal conduct of a person conditionally offered employment in a sensitive position in the County's competitive or exempt service is directly related to such position and would be compatible with the nature of such employment.

(b) *Intent*. It is the intent of the Board of Supervisors in enacting this section to comply with the provisions of *Va. Code Ann.* §§ 15.2-1503.1, 15.2-1505.1 and 19.2-389(A)(7), as amended, to be able to access criminal history record information regarding those persons conditionally offered employment in sensitive positions in the County service in order to determine whether the past criminal conduct of such persons would be compatible with the nature of such employment. Further, the provisions of this section are intended to be in addition to, and not in derogation of all other federal and state statutes and County ordinances providing for access to criminal history record information concerning applicants for, and persons offered, positions in the County service, including, but not limited to, *Va. Code Ann.* §§ 18.2-389(A)(25) and 37.1-197.2,

concerning direct consumer care positions assigned to the Fairfax-Falls Church Community Services Board.

(c) *Definitions*.

(1) As used in this section, a *sensitive position* is a position in the county service that meets one or more of the following criteria and is designated as such by the County Executive in accordance with the provisions of sub-section (e)(1)(A) of this section:

(A) Where the employee is responsible for providing services to further the health, safety, and welfare of minors, persons with disabilities, the elderly, or other persons unable to care for themselves.

(B) Where the employee, as part of his or her duties, must enter person's residences or businesses.

(C) Where the employee has the capability of making changes to County technology systems,

(D) Where the employee is employed in a position involved in water or wastewater treatment,

(E) Where the employee is required as part of his or her duties to operate a vehicle requiring a Commercial Drivers License or an aircraft,.

(F) Where the employee handles cash or has the ability to effect transfers of County funds or funds of others, or otherwise is accountable for County funds,.

(G) Where the employee has access to public records, records containing personal information as defined in *Va. Code Ann.* § 2.2-3801(2), and/or records that are made confidential by state or federal statute,

(H) Where the employee needs to enter secured County facilities, or

(I) Where the employee is otherwise directly responsible for the health, safety, and welfare of the general populace and/or the protection of critical infrastructure.

(2) As used in this section, the phrase *conditionally offered employment* shall include a conditional offer of initial employment in a sensitive position, a conditional offer to laterally transfer, promote, or demote an employee to a sensitive position, or the conditional offer of a sensitive position in the County's competitive service to an employee in its exempt service or of a sensitive position in the County's exempt service to an employee in its competitive service.

(d) *Policy*. All persons conditionally offered employment in a sensitive position in the County service, shall as a condition of their employment, prior to the effective date of such employment, submit to fingerprinting and provide personal descriptive information

to be forwarded to the Central Criminal Records Exchange and the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding them. All offers of employment in sensitive positions in sensitive positions are conditioned upon the person offered such employment submitting to fingerprinting and providing personal descriptive information as described above. Failure of the person conditionally offered employment in a sensitive position to submit to fingerprinting and to provide personal descriptive information shall disqualify the person from employment in the position.

(e) *Responsibilities.*

(1) The County Executive:

(A) After consultation with the Human Resources Director and department heads, shall establish and maintain the list of sensitive positions that are subject to the provisions of this section. He or she may list a position as a sensitive position by job classification under the County's Classification Plan, by the department or sub-division of the department to which the position is assigned, by work location, by position number, or any combination thereof. The County Executive may, from time to time, as may be necessary, add or remove positions from the list of sensitive positions.

(B) Unless and until removed from the list of sensitive positions by the County Executive, those positions listed in the former version of this section under sub-section (a), as reflected in Ordinance 48-92-3, as amended by Ordinance 12-99-3, shall be deemed sensitive positions on such list.

(C) Shall receive the report from the Central Criminal Records Exchange concerning whether the person conditionally offered employment has no criminal history record information or the record of criminal history information. He or she may designate the Human Resources Director to receive such reports.

(2) The Human Resources Director shall:

(A) Ensure that the class specifications, position descriptions, and announcements of sensitive positions reflect that the positions are sensitive positions that are subject to the provisions of this section; provided, however, that his or her failure to do so shall not change the status of the position as a sensitive position subject to the provisions of this section.

(B) Upon receipt of the report from the Central Criminal Record Exchange concerning a person conditionally offered employment that indicates that the person has a criminal history record, and after consulting with the appointing authority, determine whether the conviction or convictions on the record directly relate to the sensitive position, whether the past criminal conduct contained in the record is compatible with the nature of the employment in the sensitive position, and whether

such conviction or convictions disqualifies the person from employment in that sensitive position. In determining whether a criminal conviction directly relates to a sensitive position, the Human Resources Director shall consider the following criteria:

(i) The nature and seriousness of the crime,

(ii) The relationship of the crime to the work to be performed in the position applied for,

(iii) The extent to which the position applied for might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved,

(iv) The relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the position being sought,

(v) The extent and nature of the person's past criminal activity,

(vi) The age of the person at the time of the commission of the crime,

(vii) The amount of time that has elapsed since the person's last involvement in the commission of a crime,

(viii) The conduct and work activity of the person prior to and following the criminal activity, and

(ix) Evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release.

(C) Notify in writing all persons who are denied employment in a sensitive position because of the information appearing in his or her criminal history record that information obtained from the Central Criminal Records Exchange contributed to such denial and inform him or her of his or her right to obtain a copy of his or her criminal history record from the Central Criminal Records Exchange.

(D) Shall issue procedural instructions and promulgate all forms necessary to carry out the provisions of this section.

(3) Department heads shall:

(A) Upon making a conditional offer of employment in a sensitive position, notify the County Executive, or his or her designee, and the Human Resources Director, or his or her designee, of the extension of such offer; provided, however, that his or her failure to do so shall not change the status of the position as a sensitive position subject to the provisions of this section.

(B) Upon making a conditional offer of employment in a sensitive position, inform the offeree in writing that he or she must, as a condition of employment, submit to fingerprinting and provide personal descriptive information to be forwarded along with the applicant's fingerprints to the Central Criminal Records Exchange and the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding him or her; provided, however, that his or her failure to do so shall not change the status of the position as a sensitive position subject to the provisions of this section.

(f) Nothing in this section shall be construed as prohibiting the voluntary disclosure by an applicant for a sensitive position of his or her criminal history record information and information relevant to the criteria set forth in sub-section (e)(2)(B) during the application, examination, certification, and selection processes, or prohibiting the solicitation of such voluntary disclosure by applicants. (48-92-3; 12-99-3; 5-04-3.)

## Section 3-1-24. Right of employees to contact elected officials.

(a) For the purposes of this Section, "matters of public concern" mean matters of interest to the community as a whole, whether for social, political, or other reasons, and shall include discussions that disclose any (1) evidence of corruption, impropriety or other malfeasance on the part of government officials, (2) violations of law, or (3) incidence of fraud, abuse, or gross mismanagement.

(b) Nothing in this Article shall be construed to prohibit or otherwise restrict the rights of any employee in the County service to express opinions to federal, state, or local elected officials on matters of public concern, nor shall any such employee be subjected to any acts of retaliation because the employee has expressed such opinions.

(c) Nothing in this Section shall be construed as prohibiting the County from designating and limiting who may speak on its behalf or on behalf of its departments.

APPENDIX

An Ordinance to Establish

A

MERIT SYSTEM

of

PERSONNEL ADMINISTRATION

in

Fairfax County, Virginia

Adopted by the Board of County Supervisors
of Fairfax County, Virginia on January 2,
1957, and concurred in by the School Board
of Fairfax County on June 4, 1957. BE IT
ORDAINED by the Board of County Supervisors
of Fairfax County, Virginia, as follows:

(CHAPTER 3, ARTICLES 1,2,3,4 and 5 OF THE
CODE OF THE COUNTY OF FAIRFAX)

MAY 1987

Amended February 24, 1992
Amended July 27, 1998
Amended July 12, 1999
Amended April 24, 2000
Amended May 7, 2001

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Board Agenda Item **REVISED**
September 13, 2011

4:00 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 09-IV-12LP, Located West of Telegraph Road, East of Pohick Estates Park, and North of Southgate Woods Townhouse Development (Mount Vernon District)

ISSUE:
Area Plans Review (APR) Item 09-IV-12LP addresses an approximately 69 acre area comprised of Tax Map Parcels 108-1 ((1)) 1C, 1D, 1E, 1F, 1G, 1H, 1J, 1K, 1M, 1N, 2A, 3C, 3D; 108-1 ((10)) all. The parcels are located west of Telegraph Road in the vicinity of Lockport Place. The Comprehensive Plan recommends the subject area for industrial use at an intensity up to 0.35 FAR. The subject property is developed in accordance with the adopted Comprehensive Plan guidance, containing approximately one million square feet of warehouse, light industrial/flex space, and wholesale/distribution uses.

The nomination proposes to add an option for a mix of hotel, office, industrial/flex, retail, and civic/institutional uses at an intensity up to 0.70 FAR. The nomination proposes adding another option for the same mix of uses at an intensity up to 0.80 FAR with LEED Silver certification, resulting in a development potential of approximately 2.4 million square feet.

PLANNING COMMISSION RECOMMENDATION:
On July 28, 2011, the Planning Commission voted 9-0-1 (Commissioner Hart abstaining, Commissioners Alcorn and Donahue not present for the vote) to recommend that the Board of Supervisors adopt a Planning Commission alternative, shown in Attachment II, to add an option for a mix of office with limited hotel, light industrial, and civic uses at an intensity up to 0.65 FAR with several conditions, including reducing peak hour trips to a level that is 20 percent below that which would be generated by office development at an intensity of 0.50 FAR. Other conditions relate to site design, tapering of density and building heights, impacts to the viewshed of Pohick Church, and environmental considerations. Development at 0.65 FAR results in a development potential of approximately 2.0 million square feet.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors adopt the staff recommendation to retain the adopted Comprehensive Plan as found in **Attachment III.** The proposed nomination would change the planned and developed industrial character of the subject area and introduce a level of development that greatly exceeds planned

intensities in the Lorton-South Route 1 Suburban Center as a whole, including the Town Center focused at the Lorton-VRE station. Adding an option for office-oriented, mixed-use development would diminish the County's ability to provide services and goods that require industrial settings, and pressure to redevelop other industrial areas may be created as a consequence. As noted in the Fairfax County Economic Advisory Commission Strategic Plan dated February 1, 2011, one strategy to maintain a vital community and economic prosperity is to provide sufficient opportunities for industrial use.

With respect to transportation, impacts to the roadway network are proposed to be managed primarily by reducing the number of peak-hour single-occupant vehicle (SOV) trips. This would be achieved through the implementation of an extensive transportation demand management (TDM) program. The high trip reduction goal, comparable to those for sites within transit station areas, combined with distances to rail transit stations and minimal bus service within the corridor, suggests this technique may not be viable. If the reduction goal is not met, construction a grade-separated interchange at Richmond Highway and a six-lane segment of Telegraph Road would be expedited.

The subject area is outside the nearby Springfield and Richmond Highway Revitalization Areas. The proposed nomination competes with efforts to encourage economic development activities in the County's older commercial centers.

TIMING:
Planning Commission public hearing: June 16, 2011
Planning Commission decision: July 28, 2011
Board of Supervisors public hearing: September 13, 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.

FISCAL IMPACT:
None

Board Agenda Item **REVISED**
September 13, 2011

ENCLOSED DOCUMENTS:
Attachment I: Planning Commission Verbatim
Attachment II: Planning Commission Amended Plan Recommendation
Attachment III: Staff Report for South County APR Item 09-IV-12LP and Fairfax County Department of Transportation (FCDOT) memo with comments regarding the Chapter 527 Traffic Impact Analysis (and available online at http://www.fairfaxcounty.gov/dpz/comprehensiveplan/amendments/09-iv-12lp.pdf)
Attachment IV: Mount Vernon District APR Task Force Report and recommendation for APR Item 09-IV-12LP (and available online at http://www.fairfaxcounty.gov/dpz/apr/2009southcounty/taskforcereports/12lp.pdf)

STAFF:
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Marianne R. Gardner, Acting Director, Planning Division (PD), DPZ
Thomas W. Burke, Senior Transportation Planner, Transportation Planning Section, FCDOT
Jennifer C. Lai, Planner II, Policy and Plan Development Branch, PD, DPZ

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Planning Commission Meeting Attachment I
July 28, 2011
Verbatim Excerpt

APR 09-IV-12LP – SOUTH COUNTY ANNUAL PLAN REVIEW ITEM

Decision Only During Commission Matters
(Public Hearing held on June 16, 2011)

Commissioner Flanagan: I have a decision only. It's the first item on the agenda and at the June 16 – I'd just like to go back a little bit if you humor me for a little bit here. At the June 16, 2011 meeting of the Planning Commission, the decision on APR item 09-IV-12LP was deferred to allow time for additional community comment. The site is part of Land Unit D in the Lorton Route 1 Community Planning Sector and is planned for industrial use at an intensity up to 0.35 FAR, but it's zoned I-4 with a by-right FAR of 0.50. The BRAC at – in fact the BRAC Task Force dealt with this issue previously. As you'll recall, this South County APR item proposes to re-plan the 69-acre portion of the industrial area surrounding Lockport Place west of Telegraph Road to support office redevelopment with limited hotel, limited retail, and light industrial uses. The nominator originally proposed an intensity of 1.0 as a BRAC APR. The BRAC Task Force recommended an APR instead of 0.80, but the applicant withdrew the application and resubmitted as a standard APR nomination. This nomination, as a part of the APR, proposed an intensity of 0.80, which basically was the one that the Task Force – the BRAC Task Force had recommended, but following discussion with the community, reduced the proposed intensity to 0.65 FAR. The nomination was reviewed by the South County Federation and the Mount Vernon APR Task Force in 2010. The Federation voted not to oppose and the APR Task Force supported the nomination. Both groups individually added conditions limiting intensity as well as addressing access from Telegraph Road, other transportation improvements, and tapering and buffering to protect residential areas nearby. All of these conditions are included in the draft text I am providing tonight. The nomination was last reviewed on July 19, 2011 by the South County Federation's Land Use Committee, which voted to support the nomination, once again with additional conditions. These conditions, which are also included in the proposed text, recommend reducing trip generation to 20 percent below that which would be generated by office use at 0.5 FAR. Phasing development to ensure needed transportation improvements are concurrently in place by limiting retail and hotel use to no more than five percent of the development. Other conditions supported by the Committee will provide amenities designed to enhance the development through open space and urban design amenities as recommended by Commissioner Lawrence at the public hearing and protecting the view shed of the Historic Pohick Church. I concur with the findings of the Mount Vernon APR Task Force, the South County Federation, and the Federation's Land Use Committee and believe that the intensity of 0.65 FAR will provide incentive to avoid office development at 0.50, which could occur under the present Zoning District, thereby benefiting the community, by assuring its involvement in the rezoning process and through the ultimate development design. Lastly, I believe that the redevelopment will provide a significant development to Fairfax County as a whole by providing

office space near Fort Belvoir that will be convenient to those in support of its mission – changing mission. Therefore, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE COMPREHENSIVE PLAN TEXT FOR APR ITEM 09-IV-12LP, AS SHOWN IN MY HANDOUT DATED JULY 28, 2011.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there a discussion of the motion?

Commissioners Hart and Sargeant: Mr. Chairman?

Chairman Murphy: Yes, Mr. Hart, then Mr. Sargeant.

Commissioner Hart: I'm going to be abstaining; not present for the public hearing.

Chairman Murphy: All right. Mr. Sargeant?

Commissioner Sargeant: Thank you, Mr. Chairman. Question – clarification for staff on the Comprehensive Plan language dated July 28 for this evening. I'm looking at the bullet point starting with the quote: "The TDM program should reduce peak hours." This references: "Reduction target should be achieved with each phase of development." Just to refresh my memory, have we identified phase – phasing in this – in this application?

Marianne Gardner, Planning Division, Department of Planning and Zoning: No sir, Mr. Sargeant. That would be determined at the rezoning.

Commissioner Sargeant: Okay, so the rezoning will determine each phase of development. Is it helpful or beneficial to identify rezoning as part of that description? Just so everybody's clear as to what we're doing and when?

Chairman Murphy: Anybody?

Ms. Gardner: I don't-

Chairman Murphy: It's a jump ball, we call it.

Ms. Gardner: Excuse me. Yes or no. I don't really think it's necessary. I believe that it's understood that it would be determined at rezoning. However, if you would feel more comfortable adding that, I don't think it would take away from the text.

Commissioner Sargeant: Okay. How does staff's reaction to these updates – does staff concur with this, in terms of the TDM plan?

Tom Burke, Fairfax County Department of Transportation: The TDM plan – at a 0.65 FAR, it would – to meet the traffic levels of the 0.5 office minus 20 percent, they would have to achieve approximately 27 percent TDM, which we don't think for this area is realistic.

Commissioner Sargeant: Is that for the total development? Or is that for incremental development phasing?

Mr. Burke: I mean - that is based on the total build-out, based on the trip generation from the 527, but if we're looking at each phase, I suppose we could monitor and make sure they're achieving it. We just – we're not sure that's an achievable goal.

Commissioner Sargeant: Okay. What is – just for clarification – in terms of monitoring each phase? How do we do that, based on this language?

Ms. Gardner: I'm sorry, I forgot to introduce myself. I'm Marianne Gardner with the Department of Planning and Zoning and with me is Tom Burke with the Department of Transportation. What would need to happen is at the time of rezoning, a plan would be set up that would establish how the targets would be met. Would it shuttle buses or some other opportunities to encourage people not to drive alone? And then there would need to be an effort that would track the achievement of those goals, whether it's by having cars counted on a daily basis or some other feature. I would expect that there would be provisions to determine what would happen if these goals were not met. The basis of it, though, if the project were phased and we had the 20 percent reduction based on the 0.5 in each phase, the developer would be unable to go to the next phase. But we would also need to have text or proffers that would describe how remediation or improvement would occur to reach that, even within that phase if it's not being met.

Commissioner Sargeant: We are to add the reference under that TDM plan following each phase of development at the time of rezoning? Would that be helpful to ensure some additional review as this application moves forward?

Ms. Gardner: Yes, we could ADD: "TO BE DETERMINED AT THE TIME OF REZONING."

Commissioner Sargeant: Acceptable?

Commissioner Flanagan: THAT'S ACCEPTABLE TO ME, yes.

Commissioner Sargeant: All right. All right, if you ACCEPT THAT AS A FRIENDLY AMENDMENT?

Commissioner Flanagan: YES.

Commissioner Sargeant: All right. Thank you.

Chairman Murphy: Mr. Litzenberger? Do you concur?

Commissioner Litzenberger: Yes.

Chairman Murphy: All right. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors to adopt APR 09-IV-12LP with the language that's been amended this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hart: Abstain.

Chairman Murphy: Yes, Mr. Hart abstains. Not present for the public hearing.

//

(The motion carried by a vote of 9-0-1 with Commissioner Hart abstaining; Commissioners Alcorn and Donahue absent from the meeting.)

JLC

Attachment II

Comprehensive Plan Language
For APR 09-IV-12LP
As adopted by Planning Commission
on July 28, 2011

Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Lower Potomac Planning District, Amended through 6-21-2011, LP2-Lorton-South Route 1 Community Planning Sector, Land Unit D, page 83:

Additions are shown underlined and deletions are shown with strikethrough

Land Unit D

"This land unit is surrounded by Accotink Creek, Pohick Estates and Rose Heights subdivision and Southgate Woods and Worthington Woods townhouse developments (see Figure 32). The area is characterized by existing industrial uses. Primary uses are wholesale/warehouse activities.

Land Unit D is planned for industrial use. New or infill development should be compatible with existing industrial uses up to .35 FAR and should provide for substantial buffering when located adjacent to planned or existing residential uses.

The area generally adjacent to Accotink Creek is planned for public park.

As an option, the approximately 69 acres west of Telegraph Road may be appropriate for a mix of uses consisting of office, hotel, retail, civic and light industrial uses at an intensity up to .65 FAR if the following conditions are satisfied:

- Density for any redevelopment proposal should be based solely on the area brought forward for the particular development application;

- Parcels are substantially and logically consolidated. If all parcels are not consolidated, the site design should allow for or demonstrate the compatible integration of unconsolidated parcel(s) at a later date;

- Site design should provide:
  - an internal street grid;
  - a second street connection to Telegraph Road north of Lockport Place in a location determined in consultation with relevant Fairfax County agencies and the Virginia Department of Transportation;
  - pedestrian, bicycle and/or transit circulation systems to connect places within and outside the development;
  - a system of useable open spaces and urban parks; and
  - a unified landscape, streetscape, signage and architectural theme;

- Retail and hotel uses are limited to a maximum of 5 percent of each development proposal. Civic and community space should comprise at least 5,000 gross square feet and be provided with the first phase of development. Office use should encompass approximately 95 percent of total development but light industrial uses may replace up to 10 percent of office uses. Heavy industrial uses are prohibited;

- Retail uses are located in the ground-level of office or hotel buildings. Free-standing retail uses should be limited. With the exception of banks, drive-through uses are not appropriate;

- Density and height tapers down closer to the surrounding residential development, with buffers and landscaping along edges closest to residential development;

- Structure height is consistent with the treeline to reduce visual instrusion on the adjacent residential community and to avoid impacting the viewshed of Pohick Church. Building height should not exceed 8 stories or 90'. Under no circumstances should structure height impair the viewshed of Pohick Church. Measures are incorporated to enhance the urban design and visual appeal of the area through measures such as high quality façade treatments and streetscapes;

- All parking structures are well landscaped with trees and shrubs. Façade treatments of parking structures should be considered as a component of the site design and architectural theme of development;

- Proposed buildings are approved by the Federal Aviation Administration (FAA) to assure no interference with operations at Davison Army Airfield;

- Lighting is located, directed, and designed to reduce glare and minimize impact to adjacent residential development;

- Buildings are designed to accommodate telecommunications antennas and equipment cabinets in a way that is compatible with the building's architecture and conceals the antennas and equipment from surrounding properties and roadways by flush mounting or screening antennas and concealing related equipment behind screen walls or building features;

- Right-of-way is dedicated along Telegraph Road in anticipation of the potential need for additional capacity associated with this option;

- Development will not degrade traffic below acceptable level of service (LOS) for streets impacted by the development;

- The TDM program should reduce peak hour trips to a level that is 20 percent below that which office development at a 0.5 FAR would generate, based on

Institute of Transportation Engineers (ITE) trip generation rates. This trip reduction target should be achieved with each phase of development as determined at the time of zoning. Coordination with any existing TDM program and existing shuttle bus service in the area is encouraged. Specifically, the development should provide shuttle service to the Joe Alexander Transportation Center, and/or the Lorton Virginia Railway Express (VRE) Station or other destinations in the nearby area, such as Fort Belvoir.

- Provision of environmentally sensitive elements in the design, siting, and construction of development, including office buildings designed to meet the criteria for LEED Silver or equivalent green building certification. Optimization of green buildings performance beyond the certification level is encouraged;

- Inclusion of Low Impact Development (LID) development measures into stormwater management controls to reduce runoff and improve surface waters over existing conditions. Innovative measure and controls should be used to mitigate the impact of development on water quality and quantity. Redevelopment should also include other sustainable practices in accordance with the Environment section of the Policy Plan;

- Dedication of Resource Protection Area (RPA) and Environmental Quality Corridor (EQC) acreage to Fairfax County;

- Mitigation of the impacts on parks and recreation per policies contained in Objective 6 of the Park & Recreation section of the Policy Plan, including the construction of a publicly available urban park that meets Fairfax County Park Authority (FCPA) standards.

**MODIFY Transportation Plan Map:** Show Telegraph Road as planned for six lanes from Richmond Highway to the Fairfax County Parkway. It is currently shown as planned for four lanes.

A Publication of the County of Fairfax, Virginia
Department of Planning & Zoning
For additional information about this amendment, call 703-324-1380
To request this information in an alternate format, call 703-324-1334, TTY 711

# STAFF REPORT
# 2009-2010 SOUTH COUNTY AREA PLANS REVIEW

**SUPERVISOR DISTRICT:** Mount Vernon **APR ITEM:** 09-IV-12LP

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**NOMINATOR:** David R. Gill on behalf of WRIT NVIP, LLC

**ACREAGE:** 69.4

**TAX MAP I.D.:** 108-1((1))1C, 1D, 1E, 1F, 1G, 1H, 1J, 1K, 1M, 1N, 2A, 3C, 3D; 108-1((10)) all

**GENERAL LOCATION:** West of Telegraph Road, east of Pohick Estates Park, north of Southgate Woods townhouse development.

**PLANNING AREA(S):** IV
**District(s):** Lower Potomac
**Sector:** Lorton-South Route 1 (LP2)
**Special Area(s):** Lorton-South Route 1 Community Planning Sector

**ADOPTED PLAN MAP:** Industrial, public parks

**ADOPTED PLAN TEXT:** Industrial use up to 0.35 FAR. For complete Plan text see http://www.fairfaxcounty.gov/dpz/comprehensiveplan/area4/lowerpotomac.pdf

**PROPOSED PLAN AMENDMENT:** The nomination proposes amending the Comprehensive Plan for a mix of non-residential uses consisting primarily of office use with a hotel, industrial/flex space, retail, and civic/institutional uses at an intensity up to 0.70 FAR. The nomination also proposes adding an option for the same mix and proportion of uses at an intensity up to 0.80 FAR with LEED Silver certification.

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**SUMMARY OF STAFF RECOMMENDATION**:

____ Approve Nomination as submitted
____ Approve Staff Alternative
__X_ Retain Adopted Plan

---

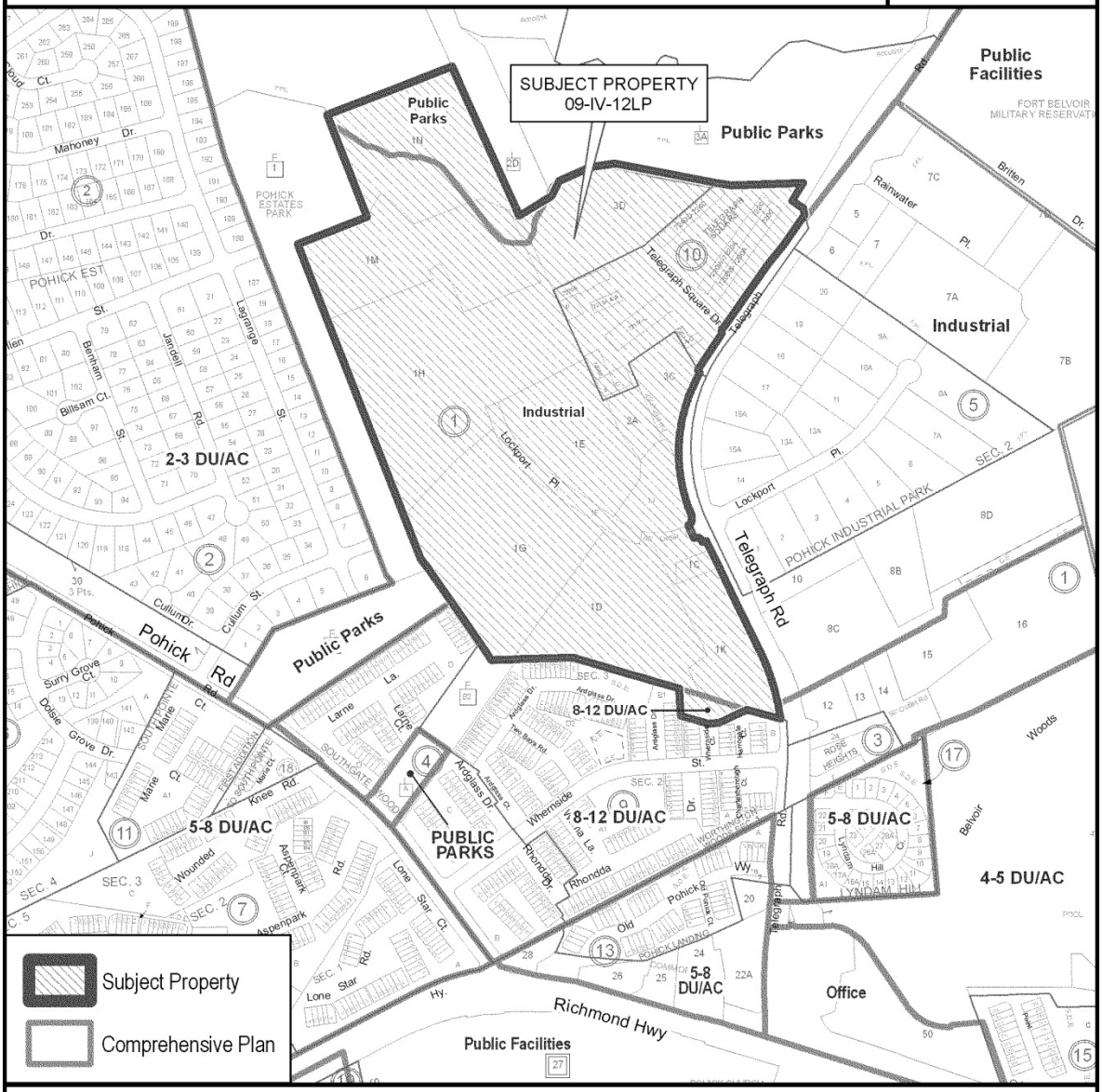
Staff recommends the adopted Comprehensive Plan be retained. The subject area is developed as a warehouse and wholesale area and is one of two locations in the Lorton-South Route 1 Planning Sector specifically recommended to support light industrial/flex activities. The proposed amendment to the Comprehensive Plan is inconsistent with the County's land use strategy of encouraging mixed-use development in areas advantageously served by planned and/or existing transit service, notably Metrorail. The subject area is located over six miles from the nearest

Metrorail station, the Franconia-Springfield station, and is nearly two miles away from the Lorton Virginia Railway Express (VRE) station. In terms of compatibility with surrounding uses, the approximately two million square feet of development proposed by the nomination is not consistent with the scale and character of the nearby existing low-density uses, particularly the stable residential communities surrounding the subject area to the south and west.

---

**CURRENT PLAN AND NOMINATED PLAN CHANGE**
PARCEL LOCATION MAP SHOWING CURRENT PLAN AND NOMINATED CHANGE FOR SUBJECT PROPERTIES AND CURRENT PLAN MAP FOR ADJACENT AREAS

**2009-2010 SOUTH COUNTY APR #**
**09-IV-12LP**
**MT. VERNON**




**Subject Property Current Plan**: Industrial use at an intensity up to .35 FAR.

**Nominated Plan Change**: Mix of non-residential uses consisting of office, industrial/flex, hotel, retail, and civic/institutional uses up to 0.70 FAR. Option for same mix up to 0.80 FAR with LEED Silver certification.

**Staff Recommendation**: Retain adopted Plan.

600 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING USING FAIRFAX COUNTY GIS
PARCEL INFORMATION CURRENT TO JANUARY 2011

## CONTEXT

**General Location:** The subject property is located west of Telegraph Road and east of Pohick Estates Park and Pohick Estates subdivision. Lockport Place bisects the property. Southgate Woods townhouse development is located to the southwest of the subject property.

### Existing and Planned Land Use and Zoning

**Subject Property**
**Land Use:** Approximately one million square feet of wholesale, warehousing, storage, and flex space in several low-rise buildings is currently developed on the subject property. Parking is provided by surface parking lots.

**Planned Land Use and Zoning:** The Plan recommendation for light industrial use at an intensity up to 0.35 FAR is fully realized by existing uses. The Comprehensive Plan recommends substantial buffering if new or infill development is located adjacent to planned or existing residential uses to recognize the existing industrial character and industrial-oriented activities that are prevalent within the land unit and the subject property.

The subject property is predominantly zoned for industrial use under the I-4 and I-5 zoning designations. Thirteen percent of parcel 108-1 ((1)) 3C, or approximately 4,125 square feet is zoned R-1. Twelve percent of parcel 108-1 ((1)) 1K, or approximately 7,564 square feet is zoned R-12. The existing industrial zoning permits a development intensity up to 0.50 FAR. Up to 1.5 million square feet of industrial and/or office use could be developed since office use is also permitted in I-4 and I-5 districts. Therefore, the subject area contains an additional development potential of about 500,000 square feet over existing development according to existing zoning.

**Adjacent Area**

**North:** A portion of Pohick Estates Park, under ownership of the Fairfax County Park Authority, is located to the north of the subject property. Accotink Stream Valley is contiguous with the northeastern boundary of the nomination area.

**West:** Pohick Estates subdivision is located to the west of the subject area. Parkland serves as a buffer between the nomination area and this residential subdivison.

**South:** Southgate Woods townhouse development is located to the southwest of the subject property and is zoned R-12.

**Southeast/East:** Warehousing, storage space, and industrial/flex space is located on the east side of Telegraph Road across from the subject property. This area is a part of the same land unit as the nomination area, and therefore is also planned for industrial use at an intensity up to 0.35 FAR. The current zoning designation for this portion of Land Unit D is I-4,which permits medium intensity industrial use.

## PLANNING HISTORY

A similar nomination (08-IV-2LP) was submitted during the 2008-2009 Base Realignment and Closure (BRAC) APR process. The nomination proposed primarily office use with some industrial/flex space, hotel, retail, and civic/institutional uses at an intensity up to 1.0 FAR. Staff recommended retaining the adopted Comprehensive Plan due to concerns similar to those raised by

this nomination. Staff concluded there was surplus opportunity to accommodate BRAC-related contractors as a result of other adopted nominations and Plan Amendments that added new recommendations for office use. The intensity of development proposed by nomination 08-IV-12LP is more appropriate for an activity center located close to a Metrorail station, or in a location that could complement revitalization efforts.

The BRAC APR Task Force recommended an alternative that supported a lower intensity up to 0.80 FAR with conditions including tapering building heights away from residential neighborhoods and maintaining undisturbed resource protection area (RPA) and environmental quality corridor (EQC). The nomination was withdrawn by the nominator prior to the Planning Commission public hearing.

**ADOPTED COMPREHENSIVE PLAN TEXT**

Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Lower Potomac Planning District amended through 10-19-2010; LP2 Lorton-South Route 1 Community Planning Sector, pages 67 and 82:

"RECOMMENDED LAND USE PLAN

Industrial Areas

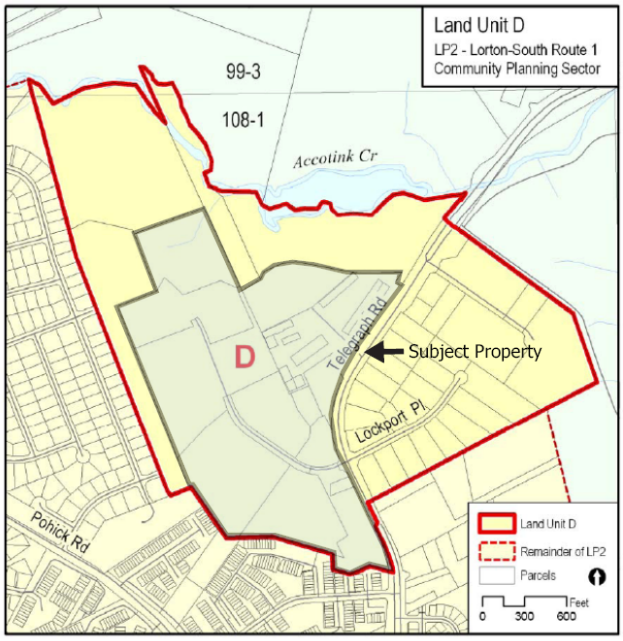
The Plan for the Lorton-South Route 1 area recognizes two areas appropriate for industrial uses. The industrial area in the north central portion of the sector near Lockport Place contains warehouse/wholesale activities. The Plan recommends that infill and new development in this area be in industrial uses of a compatible scale and character and at a floor area ratio up to .35.."

"RECOMMENDATIONS

Land Use

**Land Unit D**

This land unit is surrounded by Accotink Creek, Pohick Estates and Rose Heights subdivisions and Southgate Woods and Worthington Woods townhouse developments (see Figure 31). The area is characterized by existing industrial uses. Primary uses are wholesale/ warehouse activities.




Land Unit D is planned for industrial use. New or infill development should be compatible with existing industrial uses up to .35 FAR and should provide for substantial buffering when located adjacent to planned or existing residential uses.

The area generally adjacent to Accotink Creek is planned for public park."

## NOMINATED PLAN AMENDMENT

The nomination proposes amending the Comprehensive Plan to recommend development at an intensity up to 0.80 FAR with attainment of LEED Silver certification. The predominant use proposed is office with some warehousing/industrial flex space, hotel, retail, and civic/institutional uses. The nomination proposes adding an option with the same mix of uses at a lesser intensity of 0.70 FAR without LEED certification. For the purposes of assessing the most significant impacts of the nomination, the 0.80 FAR scenario is evaluated by staff.

## ANALYSIS

**Land Use:** As show in Figure 1, development of the subject area at an intensity up to 0.80 FAR would result in approximately 2.4 million square feet (sf) of non-residential use. Most of the development is envisioned to be office use, accounting for nearly 2 million square feet or approximately 83 percent of the total development. The nomination also proposes hotel, retail and civic/institutional uses be added to approximately 240,000 square feet of industrial use that is planned to be retained.

*Figure 1: Development Potential of nomination 09-IV-12LP*

| | **Non-Residential Use** | | | | | |
|---|---|---|---|---|---|---|
| Proposed Plan | Retail (sf) | Office (sf) | Industrial (sf) | Hotel (sf) | Civic/Institutional (sf) | Total sf |
| Mixed non-residential use up to .8 FAR* | 48,348 | 1,999,447 | 241,741 | 120,875 sf - 300 rooms | 7,000 | 2,417,411 |
| *The most intense development scenario is used to assess most significant impacts<br>* Office includes approximately 50,000 sf of support office retail<br>*hotel - estimate 400 sf per room | | | | | | |

The subject area is currently developed in accordance with the Comprehensive Plan guidance for industrial use up at an intensity up to 0.35 FAR. The existing light industrial, warehousing, and wholesale/distribution uses have been developed in a way that provides suitable transition and compatible relationship to adjacent residential neighborhoods. The portion of Land Unit D across from the subject property on the east side of Telegraph Road also contains warehousing, storage space, and industrial/flex space. Higher intensity development and certain proposed uses that may generate noise, lighting, and 24-hour activity could have a negative impact on adjacent neighborhoods. A proposed hotel use would be affected by highway noise from Telegraph Road and helicopter traffic from Davison Airfield situated east of Telegraph Road across from this nomination. No current noise contours exist for the Airfield. As a noise sensitive use, a hotel may not be appropriate at this location without acceptable mitigation. This site falls within the 219' elevation safety surface for Davison Airfield, therefore structures should not exceed 219' in height.

The introduction of the nominated uses may also cause the existing industrial uses to be viewed as less desirable, which could create pressure for redevelopment and result in further loss of industrial use. The importance of preserving industrial use is found both in the Comprehensive Plan and in a Fairfax County Economic Advisory Commission (EAC) report released in February 2011, which outlines 15 strategies to "maintain and enhance a strong and vital

community that will sustain our economic prosperity."[1] One recommended approach is to provide strategically located opportunities for industrial uses by developing policies that provide sufficient opportunities for industrial uses.[2] The Fairfax County Policy Plan also recommends the County maintain a supply of land sufficient to meet the need for all land use types, including industrial use.

With respect to intensity, the nomination greatly exceeds the intensity of development recommended for any portion of the 3,519 acre area that comprises the Lorton South-Route 1 Community Planning Sector, including the strategically located "Town Center" core area envisioned in Land Unit E7 near the Lorton VRE station. For example, the Town Center is recommended to include a variety of housing types, retail, open space, and hotel use with a non-residential development intensity of 0.30 FAR.

The nomination states the current industrial recommendation for the subject area conflicts with the demands created by the BRAC relocations. However, adopted BRAC APR nominations and amendments to the Franconia-Springfield Area provide ample opportunities for office, retail, and hotel use. Land Unit I of the Franconia-Springfield Area, the site of the Springfield Mall, is recommended to be redeveloped as a town center with a maximum intensity up to 1.82 FAR. This redevelopment option recommends up to 1.5 million square feet of office use.

Many planned mixed-use areas, including the Springfield town center, contain a residential component as part of a fully integrated mixed-use development and fulfill the following planning principles as noted in the Policy Plan: create a land use pattern which encourages transit use by concentrating development near transit in the form of mixed-use development; encourage a diverse housing stock to enhance opportunities for County residents to live in proximity to mass transit; ensure that redevelopment is consistent with the provision of adequate transportation and other public facilities; and concentrate most future development in mixed-use Centers and Transit Station Areas to enhance opportunities for employees to live close to their workplace.

**Transportation:** The level of development proposed triggered a requirement for the nominator to undertake and submit a transportation impact analysis (TIA) to the Virginia Department of Transportation and Fairfax County Department of Transportation. Impacts at 0.65 FAR and 0.80 FAR were evaluated. The lower intensity reflects the Mount Vernon APR Task Force alterative to the nomination. The results of both scenarios are discussed in this section. The memo and analysis completed by the Fairfax County Department of Transportation (FCDOT) is shown as Attachment A.

Development at an intensity of 0.80 FAR would create approximately 18,157 *additional* daily trips, with 2,060 additional morning peak hour trips, and 1,964 additional afternoon peak hour trips above the current Comprehensive Plan level. The Task Force recommended scenario would create approximately 13,132 *additional* daily trips, with 1,467 morning peak hour trips, and 1,328 afternoon peak hour trips above the current Comprehensive Plan level. See Figure 2 for the Trip Generation summary table.

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[1] Fairfax County Economic Advisory Commission, *Fairfax County: Preserving our Quality of Life Requires Maintaining a Strong Economy."* 1 February 2011, page 6.
[2] Fairfax County Economic Advisory Commission, *Fairfax County: Preserving our Quality of Life Requires Maintaining a Strong Economy."* 1 February 2011, page 6.

*Figure 2: Trip Generation Summary*

| Scenario / Land Use | Amount | Units | AM In | AM Out | AM Total | PM In | PM Out | PM Total | Daily |
|---|---|---|---|---|---|---|---|---|---|
| **Current Comprehensive Plan – 0.35 FAR Industrial (1,057,615 Square Feet)** | | | | | | | | | |
| Light Industrial | 1,057,615 | SF | 1,020 | 139 | 1,159 | 163 | 1,192 | 1,355 | 7,798 |
| **Total** | | | **1,020** | **139** | **1,159** | **163** | **1,192** | **1,355** | **7,798** |
| **APR Nomination – 0.80 FAR Non-Residential Mixed-Use (2,417,447 Square Feet)** | | | | | | | | | |
| Office | 1,999,447 | SF | 2,487 | 333 | 2,820 | 439 | 2,173 | 2,612 | 19,265 |
| Retail | 48,384 | SF | 46 | 29 | 75 | 144 | 149 | 293 | 3,175 |
| Hotel | 300 | RM | 67 | 43 | 110 | 83 | 75 | 158 | 1,408 |
| Industrial Park | 241,741 | SF | 166 | 37 | 203 | 48 | 180 | 228 | 1,947 |
| Recreational Community Center | 7,000 | SF | 7 | 4 | 11 | 10 | 18 | 28 | 160 |
| **Total** | | | **2,773** | **446** | **3,219** | **724** | **2,595** | **3,319** | **25,955** |
| ***Trips Above Current Comprehensive Plan*** | | | ***1,753*** | ***307*** | ***2,060*** | ***561*** | ***1,403*** | ***1,964*** | ***18,157*** |
| **Task Force Recommendation – 0.65 FAR Non-Residential Mixed-Use (1,964,147 Square Feet)** | | | | | | | | | |
| Office | 1,614,858 | SF | 2,014 | 267 | 2,281 | 354 | 1,762 | 2,116 | 15,572 |
| Retail | 25,000 | SF | 31 | 20 | 51 | 92 | 96 | 188 | 2,068 |
| Hotel | 300 | RM | 67 | 43 | 110 | 83 | 75 | 158 | 1,408 |
| Industrial Park | 196,414 | SF | 142 | 31 | 173 | 41 | 152 | 193 | 1,722 |
| Recreational Community Center | 7,000 | SF | 7 | 4 | 11 | 10 | 18 | 28 | 160 |
| **Total** | | | **2,261** | **365** | **2,626** | **580** | **2,103** | **2,683** | **20,930** |
| ***Trips Above Current Comprehensive Plan*** | | | ***1,241*** | ***226*** | ***1,467*** | ***417*** | ***911*** | ***1,328*** | ***13,132*** |

* Trips Generated Have Been Adjusted to Reflect Internal Synergy, Retail Pass-By and Mode-Split Reductions

The Comprehensive Plan (Transportation Plan Map) currently calls for a grade separated interchange at the intersection of Richmond Highway and Telegraph Road. Figure 3 shows the estimated level of service (LOS) and delay at Richmond Highway/Telegraph Road/Old Colchester Road and the potential effect of increasing development intensity, as proposed. While intersection LOS and delay are projected to be deficient in 2030 with or without the nomination, conditions would diminish significantly in both the morning and afternoon peak hours with the inclusion of the nomination at either development scenario. As indicated in Figure 3, implementation of the nomination at the proposed 0.80 FAR would increase delays by 110% in the morning over the projected delays in 2030, or a total delay of 260 seconds, and an increased delay of 114% in the afternoon, or a 184 second delay.

*Figure 3: LOS & Delay at Richmond Highway / Telegraph Road / Old Colchester Road*

| Peak Hour | 2008 Existing | 2030 Background without APR | 2030 with APR @ 0.65 FAR | 2030 with APR @ 0.80 FAR |
|---|---|---|---|---|
| AM | LOS D<br>42.4 seconds | LOS F<br>124.0 seconds | LOS F<br>215.7 seconds<br>*+74%* | LOS F<br>260.1 seconds<br>*+110%* |
| PM | LOS D<br>45.9 seconds | LOS F<br>86.0 seconds | LOS F<br>149.0 seconds<br>*+73%* | LOS F<br>183.9 seconds<br>*+114%* |

The TIA recommends the implementation of the grade separated interchange in order to address future traffic demand, since development at either the 0.65 FAR or 0.80 FAR scenario would likely cement the need and require implementation of the interchange. Although the grade separated interchange is shown on the Transportation Plan Map, it may be possible to meet future traffic

demand without implementing this improvement. Existing Comprehensive Plan recommendations, however, would likely need to be maintained. The implementation of the interchange would have negative impacts on at least two historic features: Old Colchester Road, a registered Virginia Scenic Byway, and Pohick Church, located on the southwest corner of Richmond Highway and Old Colchester Road.

A number of additional transportation mitigation measures are recommended by the nominator to address the impacts to the surrounding road network under either scenario. One major mitigation measure is to widen Telegraph Road from four lanes to six lanes from Richmond Highway to the Fairfax County Parkway. Similar to the grade separated interchange, this is another improvement that may be required long term, with or without the nomination. However, the need for six lanes would be accelerated under either scenario. This widening is not a recommendation on the Transportation Plan Map.

Other significant modifications recommended to support the proposed development include a 3rd eastbound turn lane on Lorton Road at Richmond Highway, a 4th auxiliary eastbound lane on Richmond Highway west of Pohick Road to Telegraph Road, and a 2nd eastbound turn lane on the Fairfax County Parkway eastbound off ramp at Telegraph Road. Lastly, implementation of a Transportation Demand Management (TDM) program and adjustment of traffic signal timings are proposed. While turn lanes and traffic signal timing are traditionally addressed during the rezoning process, it is important to recognize that the cumulative impacts of each individual mitigation measure will generate substantial impacts.

Either the Task Force recommended or nominated scenario would require one additional site access provided on Telegraph Road, a condition also recommended by the Task Force. The number of trips that would be generated by the site would overwhelm the only existing site access at Telegraph Road and Lockport Place. In addition to a second access, an internal road system would need to be developed to distribute trips within the site. Internal circulation and connectivity with external streets and nearby neighborhoods may also be recommended if the Plan is amended.

Fairfax Connector Route 171 provides bus service along the Telegraph Road Corridor. Development of this magnitude may require new bus stops and/or enhanced services. A TDM program would need to be implemented in addition to significant road improvements to ensure that employees and visitors have options other than the automobile to travel to and from the site. In addition to shuttle bus service, carpools and vanpools should be provided along with pedestrian and transit options.

**Environment**: Accotink Creek traverses the nomination area in an east-west direction on the northern portion of the site. The subject property contains approximately six acres of EQC area associated with the Accotink Stream Valley. This stream valley is considered Resource Protection Area (RPA) as well as 100 year floodplain and Environmental Quality Corridor (EQC). New development is not permitted in the RPA/EQC, and redevelopment of the site should accommodate the restoration of any RPA/EQC areas which are currently developed or disturbed. Marine clay and other hydric soils types exist in the general vicinity of this nomination and could influence the proposed intensity of development by limiting the buildable area.

**Parks and Recreation:** The parks within the Lower Potomac Planning District do not currently meet standards established by the Park Authority through the Needs Assessment study. The existing nearby local parks (Pohick Estates and Southgate) meet only a portion of the demand for parkland

generated by development in the service area of the nomination. In addition to parkland, the recreational facilities in greatest need in the Lower Potomac Planning District include basketball courts, playgrounds, rectangle fields, diamond fields, picnic shelters with amenities, and trails. The nomination should include contributions toward constructing master planned park facilities and replacing aging park facilities at nearby parks within the district to meet the needs of the workforce and hotel guests. The addition of an urban park would serve the active recreation needs of residents in the Lower Potomac Planning district. The provision of indoor recreation facilities for employees and hotel guests is also appropriate.

**Heritage Resources:** A portion of parcel 108-1 ((1)) 1K lies within the subject area and is in the Pohick Church Historic Overlay District. Parcels 108-1 ((1)) 1D and 1G, also part of the subject area, abut the historic district. The nominated area is located within the viewshed from Pohick Church. The low rise buildings of the industrial park are not visible from the church; therefore, existing development does not impact the viewshed from the church. However, office use at the intensity proposed by the nomination could result in significantly taller building being constructed within the viewshed from Pohick Church. Viewsheds from architecturally and historically significant properties should be protected whenever possible and should not be impaired or diminished by the introduction of buildings or structures. Retaining the current Plan for low-rise industrial/flex space and warehouses serves to protect the viewshed from Pohick Church.

## RECOMMENDATION

Staff recommends retaining the adopted Comprehensive Plan. The intensity of development proposed is appropriate for transit-oriented development; however, the nomination area is not served by transit and would rely heavily on automobile dependency when compared to locations within walking distance to rail transit stations. The effect of this level of development outside an area with a more robust transit system is clearly shown by the major road improvements that would be needed to support the nominated development, which would require considerable public investment.

The erosion of industrial use is a concern highlighted in current studies, and preservation of areas planned for industrial use is recommended by the adopted Comprehensive and Policy Plans to prevent industrial businesses from seeking locations further west. Re-planning the subject area for mixed-use development could create pressure for other industrial areas to be redeveloped, further reducing the supply of land able to accommodate industrial use. The Area Plans guidance and Policy Plan recommend infill development that is of compatible use and intensity to protect and maintain stability in established residential neighborhoods. The nomination may have the effect of destabilizing the surrounding area, as it could create visual and lighting intrusion that would adversely affect both the neighborhoods and the viewshed from Pohick Church. The implementation of major transportation projects could negatively impact and disrupt surrounding residential neighborhoods, such as the widening of Telegraph Road that is not recommended on the Transportation Plan Map.

# County of Fairfax, Virginia

**MEMORANDU**

**DATE:** April 6, 2011

**TO:** Jennifer Lai
Policy & Plan Development Branch, DPZ

**FROM:** Thomas Burke
Transportation Planning Section, TPD, DOT

**SUBJECT:** South County APR 09-IV-12LP (Northern Virginia Industrial Park)

The Department of Transportation (DOT) has reviewed the proposed South County Area Plans Review (APR) Nomination No. 09-IV-12LP (Northern Virginia Industrial Park) and supporting Chapter 527 Traffic Impact Analysis (TIA), re-submitted in February 2011. Our comments on the APR and TIA are provided below.

The nomination includes several parcels, covering a total area of 69 acres, approximately. The proposal requests a change in allowable land use from industrial to non-residential mixed-use and an increase in allowable development intensity from a 0.35 Floor Area Ratio (FAR) to a 0.70 FAR. Achieving LEED Silver certification would allow a further increase to 0.80 FAR. This increase would allow expansion of the existing Northern Virginia Industrial Park from its current 1,057,615 square feet to 2,417,411 square feet. The Mount Vernon APR Task Force recommended a 0.65 FAR in 2010, with LEED Silver certification, allowing up to 1,964,147 square feet of mixed-use development. The nominator has provided analysis for both the 0.80 and 0.65 FAR scenarios.

Our review has found there to be significant traffic issues within the study area in 2030. Numerous transportation mitigation measures (added lanes, turn lanes, grade separated interchanges, traffic signal modifications, etc.) have been identified as being needed to satisfy future demand. The proposed APR nomination would have a significant impact upon an already deficient portion of Fairfax County's transportation network.

Based on review of the subject APR and TIA, we offer the following comments:

- Based on either the APR nominated 0.80 FAR or task force recommended 0.65 FAR, an increase in trips will occur. The 0.80 FAR development intensity would create an additional 18,157 daily trips, 2,060 a.m. peak hour trips and 1,964 p.m. peak hour trips above the current comprehensive plan levels. The 0.65 FAR development intensity would create an additional 13,132 daily trips, 1,467 a.m. peak hour trips and 1,328 p.m. peak hour trips above the current comprehensive plan levels. A trip generation summary table is provided. Note that the trip generation figures account for Internal Synergy, Retail Pass-By and Mode-Split reductions.

**Fairfax County Department of Transportation**
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
www.fairfaxcounty.gov/fcdot

**APR 09-IV-12LP (Northern Virginia Industrial Park)**
**Trip Generation Summary**

| Scenario / Land Use | Amount | Units | AM In | AM Out | AM Total | PM In | PM Out | PM Total | Daily |
|---|---|---|---|---|---|---|---|---|---|
| **Current Comprehensive Plan – 0.35 FAR Industrial (1,057,615 Square Feet)** | | | | | | | | | |
| Light Industrial | 1,057,615 | SF | 1,020 | 139 | 1,159 | 163 | 1,192 | 1,355 | 7,798 |
| **Total** | | | **1,020** | **139** | **1,159** | **163** | **1,192** | **1,355** | **7,798** |
| **APR Nomination – 0.80 FAR Non-Residential Mixed-Use (2,417,447 Square Feet)** | | | | | | | | | |
| Office | 1,999,447 | SF | 2,487 | 333 | 2,820 | 439 | 2,173 | 2,612 | 19,265 |
| Retail | 48,384 | SF | 46 | 29 | 75 | 144 | 149 | 293 | 3,175 |
| Hotel | 300 | RM | 67 | 43 | 110 | 83 | 75 | 158 | 1,408 |
| Industrial Park | 241,741 | SF | 166 | 37 | 203 | 48 | 180 | 228 | 1,947 |
| Recreational Community Center | 7,000 | SF | 7 | 4 | 11 | 10 | 18 | 28 | 160 |
| **Total** | | | **2,773** | **446** | **3,219** | **724** | **2,595** | **3,319** | **25,955** |
| ***Trips Above Current Comprehensive Plan*** | | | ***1,753*** | ***307*** | ***2,060*** | ***561*** | ***1,403*** | ***1,964*** | ***18,157*** |
| **Task Force Recommendation – 0.65 FAR Non-Residential Mixed-Use (1,964,147 Square Feet)** | | | | | | | | | |
| Office | 1,614,858 | SF | 2,014 | 267 | 2,281 | 354 | 1,762 | 2,116 | 15,572 |
| Retail | 25,000 | SF | 31 | 20 | 51 | 92 | 96 | 188 | 2,068 |
| Hotel | 300 | RM | 67 | 43 | 110 | 83 | 75 | 158 | 1,408 |
| Industrial Park | 196,414 | SF | 142 | 31 | 173 | 41 | 152 | 193 | 1,722 |
| Recreational Community Center | 7,000 | SF | 7 | 4 | 11 | 10 | 18 | 28 | 160 |
| **Total** | | | **2,261** | **365** | **2,626** | **580** | **2,103** | **2,683** | **20,930** |
| ***Trips Above Current Comprehensive Plan*** | | | ***1,241*** | ***226*** | ***1,467*** | ***417*** | ***911*** | ***1,328*** | ***13,132*** |

* Trips Generated Have Been Adjusted to Reflect Internal Synergy, Retail Pass-By and Mode-Split Reductions

- Based on their analysis, the nominator has recommended a number of transportation mitigation measures to address impacts. Some of these mitigation measures will likely be addressed at the time of rezoning, but others would require modifications to the Fairfax County Comprehensive Plan Transportation Plan Map.

  - Provide a grade separated interchange at Richmond Hwy/Telegraph Rd
    *(Currently included in the Comprehensive Plan Transportation Plan Map)*
  - Widen Telegraph Rd to six (6) lanes, Richmond Hwy to Fairfax County Pkwy
    *(Not currently included in the Comp Plan Transportation Plan Map)*
  - Provide a 3rd EB left turn lane on Lorton Rd at Richmond Hwy
    *(Turn lanes generally not identified on Comp Plan Transportation Plan Map)*
  - Provide a 4th Auxiliary EB lane on Richmond Hwy, West of Pohick Rd to Telegraph Rd
    *(Auxiliary lanes generally not identified on Comp Plan Transportation Plan Map)*
  - Provide a 2nd EB right turn lane on Fairfax County Pkwy EB Off Ramp at Telegraph Rd
    *(Turn lanes generally not identified on Comp Plan Transportation Plan Map)*
  - Implement a Transportation Demand Management (TDM) program
  - Adjust traffic signal timings

  The interchange and widened Telegraph Road are comprehensive plan items. The turn lanes, TDM and traffic signal timing items would most likely be addressed at time of rezoning.

- The grade separated interchange at Richmond Highway and Telegraph Road/Old Colchester Road is already included in the Comprehensive Plan Transportation Plan Map. Implementation, however, would likely be problematic as it would have negative impacts on at least two historic features: Old Colchester Road, a registered Virginia Scenic Byway; and the Pohick Church, located on the southwest corner of Richmond Highway and Old Colchester Road.

- The analysis reveals that projected intersection delays at Richmond Highway and Telegraph Road/Old Colchester Road would be at Level of Service (LOS) F levels in 2030 with or without the proposed APR. Delays would increase significantly, however, in both the a.m. and p.m. peak hours, should the additional development intensity be approved and implemented. The 0.65 FAR intensity would increase delays by 74% in the a.m. and 73% in the p.m. peak hour above the 2030 background without APR. The 0.80 FAR intensity would increase delays by 110% in the a.m. and 114% in the p.m. See summary table below.

**APR 09-IV-12LP (Northern Virginia Industrial Park)**
**LOS & Delay at Richmond Highway / Telegraph Road / Old Colchester Road**

| Peak Hour | 2008 Existing | 2030 Background without APR | 2030 with APR @ 0.65 FAR | 2030 with APR @ 0.80 FAR |
|---|---|---|---|---|
| AM | LOS D<br>42.4 seconds | LOS F<br>124.0 seconds | LOS F<br>215.7 seconds<br>*+74%* | LOS F<br>260.1 seconds<br>*+110%* |
| PM | LOS D<br>45.9 seconds | LOS F<br>86.0 seconds | LOS F<br>149.0 seconds<br>*+73%* | LOS F<br>183.9 seconds<br>*+114%* |

It should be noted that the eastbound left turn movement is particularly deficient with a.m. delays of 75.4 seconds in 2008, 309.6 seconds in 2030 (without the APR), 592.0 seconds in 2030 (with the APR at 0.65 FAR) and 707.9 seconds in 2030 (with APR at 0.80 FAR). This movement likely cannot be "fixed" without the interchange in place.

The nominator does recommend interim improvements at this intersection, including an EB right turn lane (i.e., the EB auxiliary lane) and adjusted signal timing. These improvements decrease delay with both the 0.65 and 0.80 FAR APR scenarios. It stands to reason, however, that these same improvements could also be applied to the 2030 background scenario, <u>without</u> the APR, to reach passing (or near passing) levels of service.

- The widening of Telegraph Road is not on the Comprehensive Plan Transportation Plan Map and would require a modification/addition should the proposed task force recommended 0.65 FAR or APR nominated 0.80 FAR development intensity be approved. As with the grade separated interchange, the analysis indicates a likely need for additional capacity on Telegraph Road with or without the proposed APR. Congestion on Telegraph Road would increase significantly, however, in both the a.m. and p.m. peak hours, should the additional development intensity be approved and implemented.

The 0.65 FAR intensity would increase volume to capacity ratios up to 80% in the a.m. and 53% in the p.m. peak hour above the 2030 background without APR. The 0.80 FAR intensity would increase volume to capacity ratios by up to 115% in the a.m. and 82% in the p.m. See summary table below.

Should Telegraph Road be widened to 6 lanes, as recommended by the nominator, volume to capacity ratios would be reduced in 2030 to at or near 1.0 with either the 0.65 or 0.80 FAR scenarios.

**APR 09-IV-12LP (Northern Virginia Industrial Park)**
**Volume to Capacity Ratios for Telegraph Road**

| **Peak Hour** | | **2008 Existing** | **2030 Background without APR** | **2030 with APR @ 0.65 FAR** | **2030 with APR @ 0.80 FAR** |
|---|---|---|---|---|---|
| **North of Richmond Highway** | | | | | |
| AM | NB | 0.77 | 1.13 | 1.49<br>*+32%* | 1.63<br>*+44%* |
| | SB | 0.17 | 0.32 | 0.38<br>*+19%* | 0.41<br>*+28%* |
| PM | NB | 0.22 | 0.41 | 0.53<br>*+29%* | 0.57<br>*+39%* |
| | SB | 0.78 | 1.06 | 1.32<br>*+25%* | 1.46<br>*+38%* |
| **South of Fairfax County Parkway** | | | | | |
| AM | NB | 0.89 | 1.29 | 1.35<br>*+5%* | 1.37<br>*+6%* |
| | SB | 0.25 | 0.41 | 0.74<br>***+80%*** | 0.88<br>***+115%*** |
| PM | NB | 0.28 | 0.45 | 0.69<br>***+53%*** | 0.82<br>***+82%*** |
| | SB | 1.16 | 1.60 | 1.71<br>*+7%* | 1.74<br>*+9%* |

- One additional site access should be provided on Telegraph Road. Whether at 0.65 or 0.80 FAR, the number of trips generated by the site will likely overwhelm the one, existing site access at Telegraph Road and Lockport Place. In addition to a second access, an internal collector road system should be developed onsite to distribute trips within. Internal circulation and connectivity with external streets and nearby neighborhoods should be considered in the development of the site plan.

- A major regional trail, major paved trail and on-road bicycle path are all planned for the Telegraph Road corridor per the Fairfax County Countywide Trails Plan. In addition, there is a minor paved trail planned from La Grange Street, through the site, to Telegraph Road. Any development of this site should accommodate connections to these trails. There are trails planned in close proximity to the north (Stream Valley Trail) and south (Richmond Highway). Efforts should be made to connect internal bicycle/pedestrian facilities with existing and planned County facilities.

- The Fairfax Connector currently provides bus service (Route 171) along the Telegraph Road corridor. Development of this site should accommodate efficient transit operations within the corridor and vicinity. For a development this size, further review and analysis is likely necessary at rezoning to determine if new bus stops and/or enhanced services are needed.

- The original 2008 BRAC APR nomination contained language noting that the developer would offer shuttle service between the subject site, the Lorton Virginia Railway Express (VRE) station, and Fort Belvoir; and possibly the Fort Belvoir Engineer Proving Grounds (EPG) location. Should this nomination be approved, the plan should contain language requiring such shuttle service to manage transportation demand to and from the location. In addition, it is recommended that shuttle service be provided to and from the proposed DeWitt hospital and US Army Museum sites at Fort Belvoir and to the Franconia-Springfield Metro station, as the nominator noted the proposed hotel could accommodate visitors to the US Army Museum.

- As mentioned by the nominator, a Travel Demand Management (TDM) program should be implemented on site, ensuring that employees and visitors have options other than the automobile for traveling to and from the site. Above and beyond the shuttle bus service mentioned above, carpools and vanpools should be promoted, in addition to bicycle, pedestrian and transit options. Employees should be allowed to participate in an Alternative Work Schedule (AWS) program, teleworking, staggered shifts, etc.

- Adequate right-of-way (ROW) will need to be reserved for any mitigation measures that have frontage adjacent to the subject site.

If approved, numerous transportation mitigation measures will be required, as stated above and documented in the TIA. Certain components of the area transportation network are projected to be deficient in 2030 based on current comprehensive plan development levels. The proposed APR, at either 0.65 or 0.80 FAR, would worsen the operations even further.

The grade separated interchange at Richmond Highway and Telegraph Road and a six-lane Telegraph Road (in addition to other recommended improvements) may or may not be necessary at some point in the future, but the addition of the proposed development intensity would certainly make those needs more definitive and required in a shorter time span.

Please feel free to contact me at Thomas.Burke@fairfaxcounty.gov or (703) 877-5681 should you have any questions or need clarification on any of these comments.

CC: Dan Rathbone, Department of Transportation
Leonard Wolfenstein, Department of Transportation
Angela Rodeheaver, Department of Transportation
Marianne Gardner, Department of Planning and Zoning

# MOUNT VERNON APR TASK FORCE RECOMMENDATION
## 2009-2010 SOUTH COUNTY AREA PLANS REVIEW

**APR ITEM #** 09 MV 12 LP

**DATE(S) REVIEWED BY TASK FORCE:** 4-27-10
**NOMINATOR(S):** David G. 11

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**SUMMARY TASK FORCE RECOMMENDATION:**

Approve Nomination as submitted ____
Approve Nomination with Modification ✓
Retain Adopted Plan ____

---

**VOTE TALLY**

In favor: 15
Opposed: 3
Abstentions: 2

**Task Force member(s) who recused themselves from the vote:**

---

**TASK FORCE EXPLANATION/COMMENTS:**

See Attached

Task Force Chairman (initials): AH

Suggested Comprehensive Plan Language
APR 09-MV-12LP

Fairfax County Comprehensive Plan, 2003 Edition, Area IV, Lower Potomac Planning District, LP-2 Lorton-South Route 1 Community Planning Sector:

Land Unit D

This land unit is surrounded by Accotink Creek, Pohick Estates and Rose Heights subdivision and Southgate Woods and Worthington Woods townhouse developments. The area is characterized by existing industrial uses. Primary uses are wholesale/warehouse activities.

Land Unit D is planned for industrial use. New or infill development should be compatible with existing industrial uses up to .35 FAR and should provide for substantial buffering when located adjacent to planned or existing residential uses.

The area generally adjacent to Accotink Creek is planned for public park.

Optional Comprehensive Plan Text

For the approximately 69 acres west of Telegraph Road, as an option, office/mixed-use, including hotel, civic, and light industrial at a base density ~~of 0.7~~ may be appropriate if the following conditions are satisfied: up to .65

- Ensure density and height tapers as it gets closer to the adjacent residential development;
- Ensure adequate buffers and landscaping are provided next to the adjacent residential development;
- Heavy Industrial Uses are prohibited, light industrial uses may be up to 10% of total gross floor area;
- Development shall be consistent with the treeline of the adjacent residential community to reduce its visual impact; under no circumstances shall building height ~~shall~~ exceed 8 stories or 90';
- The impact on parks and recreation should be mitigated per policies contained in Objective 6 of the Park and Recreation section of the Policy Plan;
- Provision of a unified site design, the buildings and hardscape elements should share similar architectural features;

- Approval of the proposed buildings by the Federal Aviation Administration (FAA) to assure no interference with operations at Davison Airfield;

- The parcels in the land unit are substantially and logically consolidated. If all parcels cannot be consolidated, it must be demonstrated that the unconsolidated parcel(s) can be compatibly integrated into the existing development; density for any redevelopment proposal should be based solely on the area brought forward for the particular development application;

- All parking structures are well landscaped with trees and shrubs in order to provide a buffer to the residential development on the southwestern edge of the area;

- Lighting is located, directed, and designed to reduce glare and minimize impact to adjacent residential development;

- Support retail uses located in the ground-level of office or hotel buildings is encouraged but not required in every building;

- Buildings should be designed to accommodate telecommunications antennas and equipment cabinets in a way that is compatible with the building's architecture and conceals the antennas and equipment from surrounding properties and roadways by flush mounting or screening antennas and concealing related equipment behind screen walls or building features;

- A street connection ~~between Lockport Place and~~ Telegraph Road shall be provided, generally near Rainwater Place, final location determined in consultation with the ~~both~~ the Fairfax County ~~Depart of Planning and Zoning~~ and the Virginia Department of Transportation;

- Right-of-way is dedicated as may be needed along Telegraph Road to support this option;

- A Transportation Demand Management Program (TDM) is implemented that reduces trips and mitigates traffic on surrounding streets, including Telegraph Road, by encouraging the use of transit, carpooling, or other alternatives to single occupant vehicle commuting. Such TDM program shall ~~endeavor~~ to reduce trips to a comparable level to office development at a 0.5 FAR;

- Any traffic mitigation measures at the intersection of Telegraph Rd & Pohick Church Rd and Richmond Hwy should be sensitive to the Historic Lorton Overlay District

- Coordination with any existing TDM program and any existing shuttle bus service in the area is encouraged;

~~Further, density of up to a 0.8 FAR may be appropriate if the following additional conditions are satisfied:~~

- Provision of environmental elements into the design, including buildings designed to meet the criteria for LEED Silver or equivalent green building certification;

- Dedication of Resource Protection Area (RPA) acreage to Fairfax County;
- Development of a publically available civic or community space of at least 5,000 sq. ft.;
- The development should provide shuttle service to the Joe Alexander Transportation Center, and/or the Virginia Railway Express Station or other destinations in the nearby area;
- Development is feasible only if the private sector contributes a proportional share of transportation improvements and/or funding to meet the transportation needs of the area;
- Demonstration that development will not degrade traffic below acceptable level of service (LOS) for streets impacted by the development;
- Phasing of development in such a way that road improvements and effective traffic mitigation measures will be in place prior to the issuance of occupancy permits for completed phases prior to proceeding with future development phases.

\9886227.2

Board Agenda Item
September 13, 2011

4:00 p.m.

Public Hearing on a Proposal to Prohibit Through Truck Traffic on Backlick Road as Part of the Residential Traffic Administration Program (Mount Vernon 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:

- Backlick Road between Fairfax County Parkway and Richmond Highway

RECOMMENDATION:
The County Executive recommends that the Board approve the attached resolution endorsing this road to be included in the RTAP for a through truck traffic restriction.

TIMING:
On July 26, 2011, the Board authorized advertisement of a public hearing scheduled for September 13, 2011, 4:00 p.m.

BACKGROUND:
In a memorandum dated February 28, 2011, Supervisor Hyland requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Backlick Road due to continuing safety concerns of residents regarding through trucks utilizing Backlick Road as a shortcut between Fairfax County Parkway and Richmond Highway. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is via Fairfax County Parkway to Richmond Highway, from the intersection of Backlick Road and Fairfax County Parkway to the intersection of Fairfax County Parkway and Richmond Highway and then onto the intersection of Backlick Road and 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
September 13, 2011

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Resolution to Restrict Through Truck Traffic on Backlick Road
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

ATTACHMENT I

**RESOLUTION**

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
THROUGH TRUCK TRAFFIC RESTRICTION
BACKLICK ROAD
MOUNT VERNON DISTRICT

**WHEREAS**, the residents who live along Backlick 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 Fairfax County Parkway to Richmond Highway, from the intersection of Backlick Road and Fairfax County Parkway to the intersection of Fairfax County Parkway and Richmond Highway and then onto the intersection of Backlick Road and Richmond Highway; 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 Backlick Road between Fairfax County Parkway and Richmond Highway, as part of the County's Residential Traffic Administration Program (RTAP).

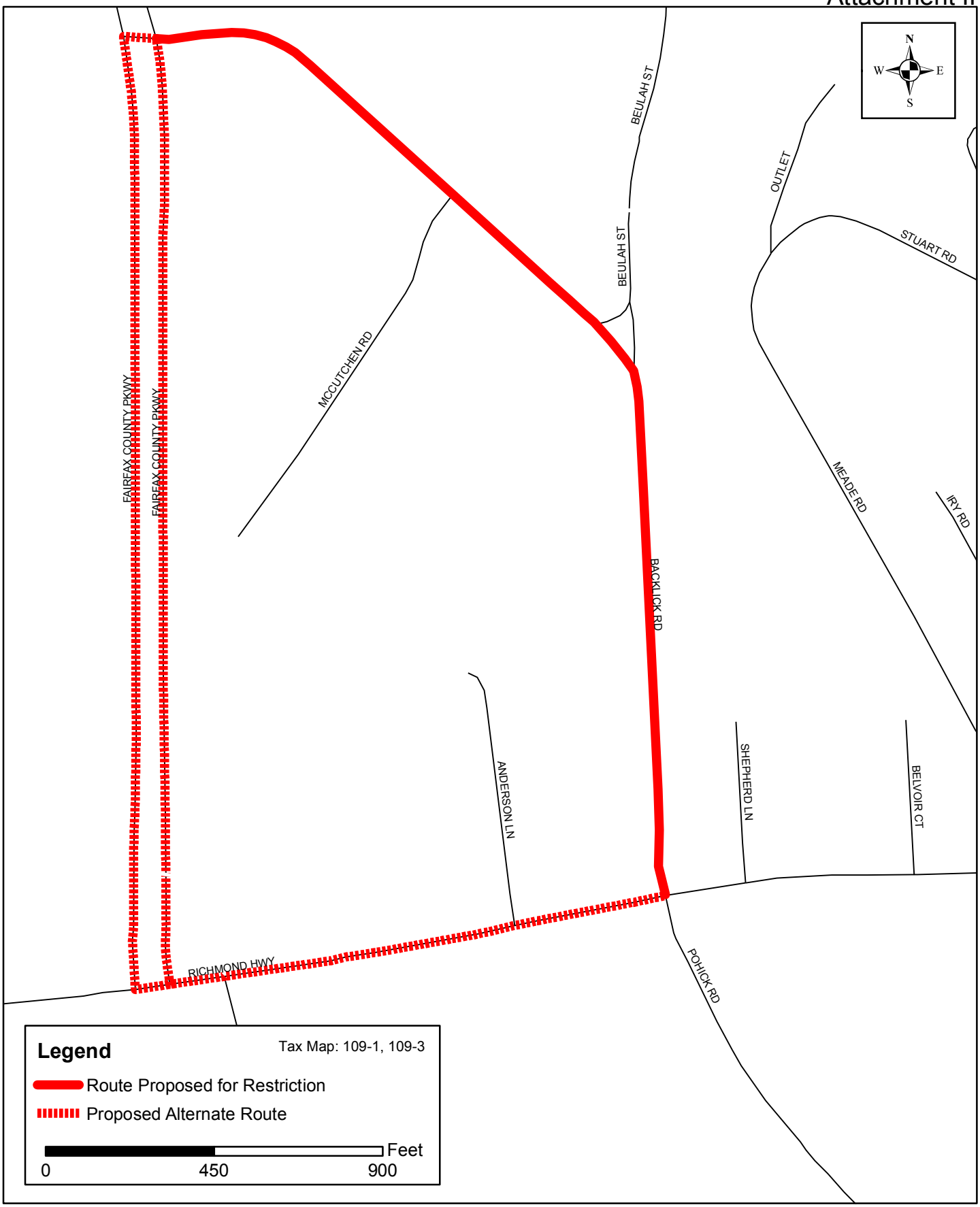
**FURTHER BE IT RESOLVED**, that the Commonwealth Transportation Board is hereby formally requested to take necessary steps to enact this prohibition.

**ADOPTED** this 13th day of September, 2011.

A Copy Teste:

_____
Nancy Vehrs
Clerk to the Board of Supervisors

Attachment II




**Fairfax County Department of Transportation**
**RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)**
**PROPOSED THROUGH TRUCK RESTRICTION**
**BACKLICK ROAD**
**Mount Vernon District**

04/26/2011

(480)

Board Agenda Item
September 13, 2011

4:00 p.m.

Public Hearing on a Proposal to Prohibit Through Truck Traffic on Northbourne Drive and Cabells Mill Drive as Part of the Residential Traffic Administration Program (Sully District)

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:

- Northbourne Drive and Cabells Mill Drive between Stringfellow Road and Walney Road

RECOMMENDATION:
The County Executive recommends that the Board approve the attached resolution endorsing these roads to be included in the RTAP for a through truck traffic restriction.

TIMING:
On July 26, 2011, the Board authorized advertisement of a public hearing scheduled for September 13, 2011, 4:00 p.m.

BACKGROUND:
In a memorandum dated February 12, 2010, Supervisor Frey requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Northbourne Drive and Cabells Mill Drive due to continuing safety concerns of residents regarding through trucks utilizing Northbourne Drive and Cabells Mill Drive as a shortcut between Stringfellow Road and Walney Road. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is via Stringfellow Road to Route 29 and then to Route 28, from the intersection of Northbourne Drive and Stringfellow Road to the intersection of Stringfellow Road and Route 29 and then to the intersection of Route 29 and Route 28 and then onto the intersection of Route 28 and Walney 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.

Board Agenda Item
September 13, 2011

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Resolution to Restrict Through Truck Traffic on Northbourne Drive and Cabells Mill Drive
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

ATTACHMENT I

**RESOLUTION**

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
THROUGH TRUCK TRAFFIC RESTRICTION
NORTHBOURNE DRIVE AND CABELLS MILL DRIVE
SULLY DISTRICT

**WHEREAS**, the residents who live along Northbourne Drive and Cabells Mill Drive 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 Stringfellow Road to Route 29 and then to Route 28, from the intersection of Northbourne Drive and Stringfellow Road to the intersection of Stringfellow Road and Route 29 and then to the intersection of Route 29 and Route 28 and then onto the intersection of Route 28 and Walney 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 Northbourne Drive and Cabells Mill Drive between Stringfellow Road and Walney Road, as part of the County's Residential Traffic Administration Program (RTAP).

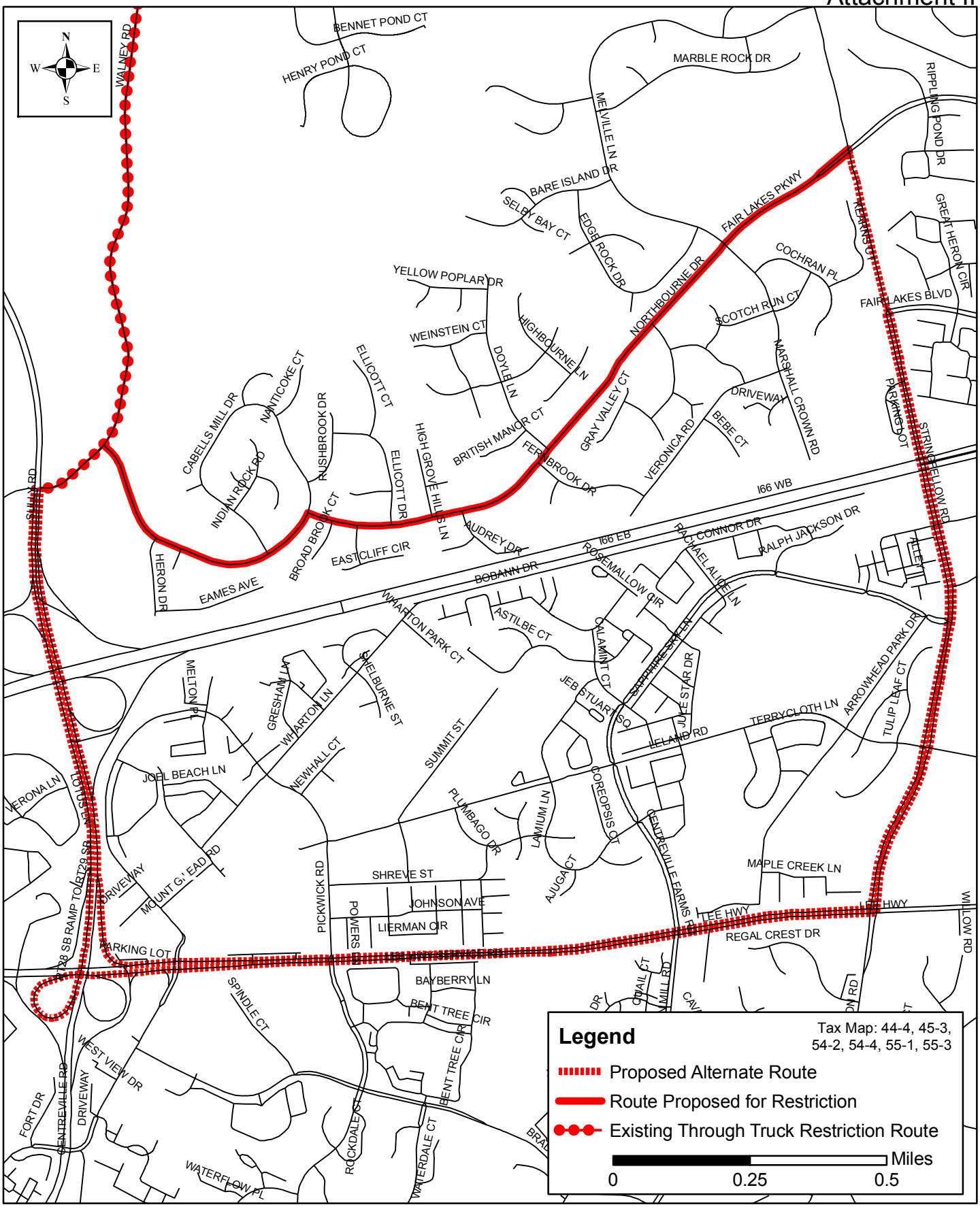
**FURTHER BE IT RESOLVED**, that the Commonwealth Transportation Board is hereby formally requested to take necessary steps to enact this prohibition.

**ADOPTED** this 13th day of September, 2011.

A Copy Teste:

_____
Nancy Vehrs
Clerk to the Board of Supervisors

Attachment II




**Fairfax County Department of Transportation**
**RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)**
**PROPOSED THROUGH TRUCK RESTRICTION**
**NORTHBOURNE DRIVE & CABELLS MILL DRIVE**
**Sully District**

COUNTY OF FAIRFAX 1742 VIRGINIA

FCDOT Serving Fairfax County for 25 Years and More

 07/02/2010

Board Agenda Item
September 13, 2011

4:30 p.m.

Public Hearing on Proposed Plan Amendment S11-IV-RH1, Located on the South Side of Castlewellan Drive, East of South Van Dorn Street (Lee District)

ISSUE:
Plan Amendment (PA) S11-IV-RH1 proposes to amend the Comprehensive Plan guidance for a 1.77-acre subject area, located along Castlewellan Drive in the RH4 Lehigh Community Planning Sector, Rose Hill Planning District. The subject area is currently planned for residential use at a density of 3-4 dwelling units per acre (du/ac). The amendment proposes to add an option for a funeral home use on the subject property.

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission public hearing is scheduled for Thursday, September 8, 2011. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors adopt PA S11-IV-RH1, as shown in the staff report, dated August 25, 2011 (Attachment I).

TIMING:
Planning Commission public hearing – September 8, 2011
Board of Supervisors' public hearing – September 13, 2011

BACKGROUND:
On April 26, 2011, the Fairfax County Board of Supervisors authorized PA S11-IV-RH1 for Tax Map parcel 81-4 ((1)) 56A, along the south side of Castlewellan Drive, east of South Van Dorn Street. The 1.77-acre subject area is currently developed with the Jefferson Funeral Chapel, an approximately 11,000-square-foot facility used for funeral services. The area is planned for residential use at a density of 3-4 du/ac.

The Plan amendment proposes to add an option for a funeral home use on the subject property, with conditions related to residential appearance and outdoor storage.

Board Agenda Item
September 13, 2011

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment 1: Staff Report for S11-IV-RH1 (and available online at: http://www.fairfaxcounty.gov/dpz/comprehensiveplan/amendments/s11-iv-rh1.pdf)
Attachment 2 – Planning Commission Verbatim (To be distributed under separate cover following the Planning Commission meeting)

STAFF:
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Marianne R. Gardner, Acting Director, Planning Division (PD), DPZ
Kimberly M. Rybold, Planner II, Policy and Plan Development Branch, PD, DPZ

Attachment I

# PROPOSED COMPREHENSIVE PLAN AMENDMENT

**ITEM:** S11-IV-RH1
August 25, 2011

**GENERAL LOCATION:** South side of Castlewellan Drive, east of South Van Dorn Street.

**SUPERVISOR DISTRICT:** Lee

**PLANNING AREA:** Area IV

**PLANNING DISTRICT:** Rose Hill Planning District

**SUB-DISTRICT DESIGNATION:**
Lehigh Community Planning Sector (RH4)

**PARCEL LOCATION:** 81-4 ((1)) 56A

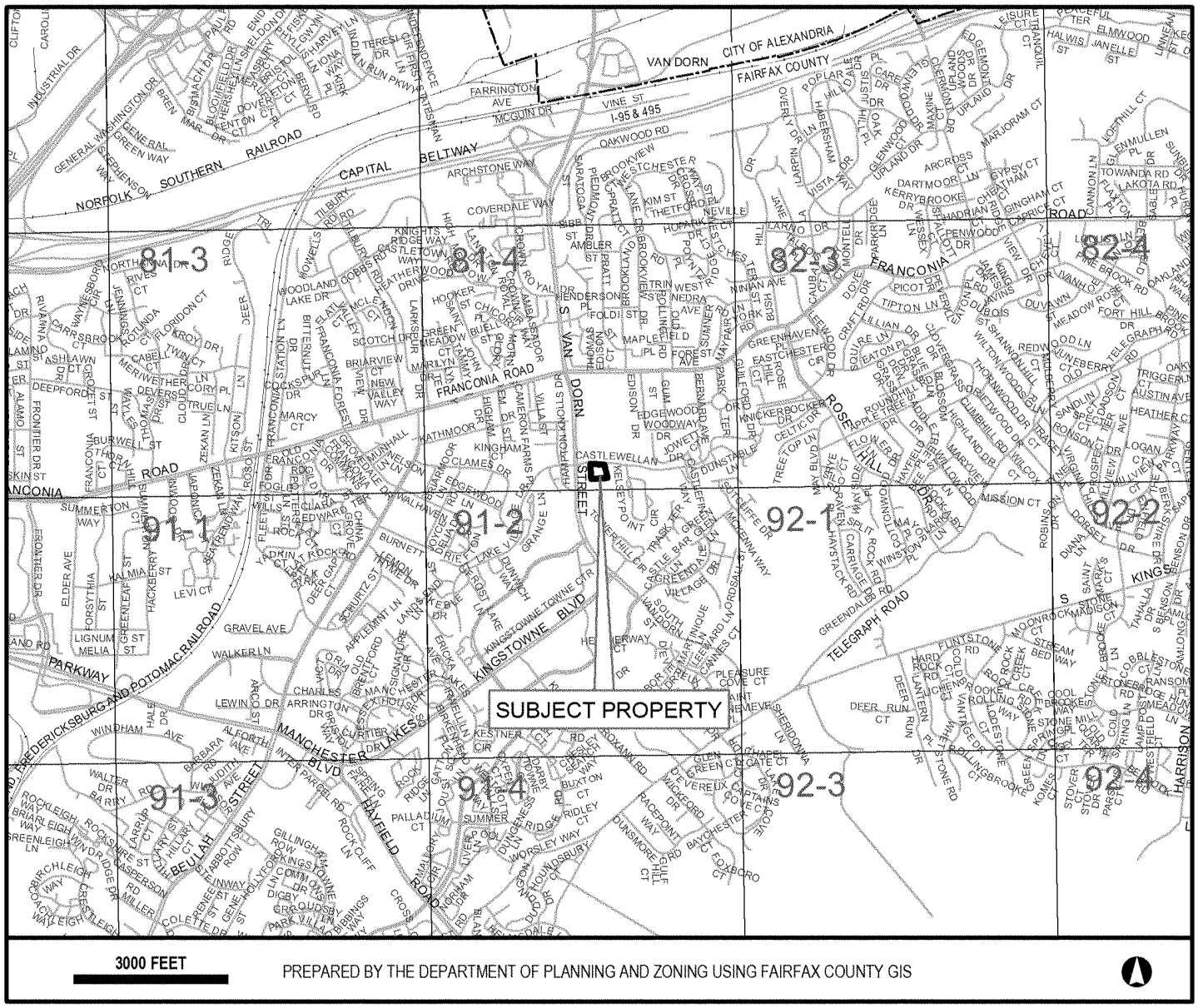
**PLANNING COMMISSION PUBLIC HEARING:**
Thursday, September 8, 2011 @ 8:15 P.M.

**BOARD OF SUPERVISORS PUBLIC HEARING:**
Tuesday, September 13, 2011 @ 4:30 P.M.

**PLANNING STAFF DOES RECOMMEND THIS ITEM FOR PLAN AMENDMENT**

For additional information about this amendment call (703) 324-1380.

Reasonable accommodation is available upon 7 days advance notice. For additional information about accommodation call (703) 324-1334.

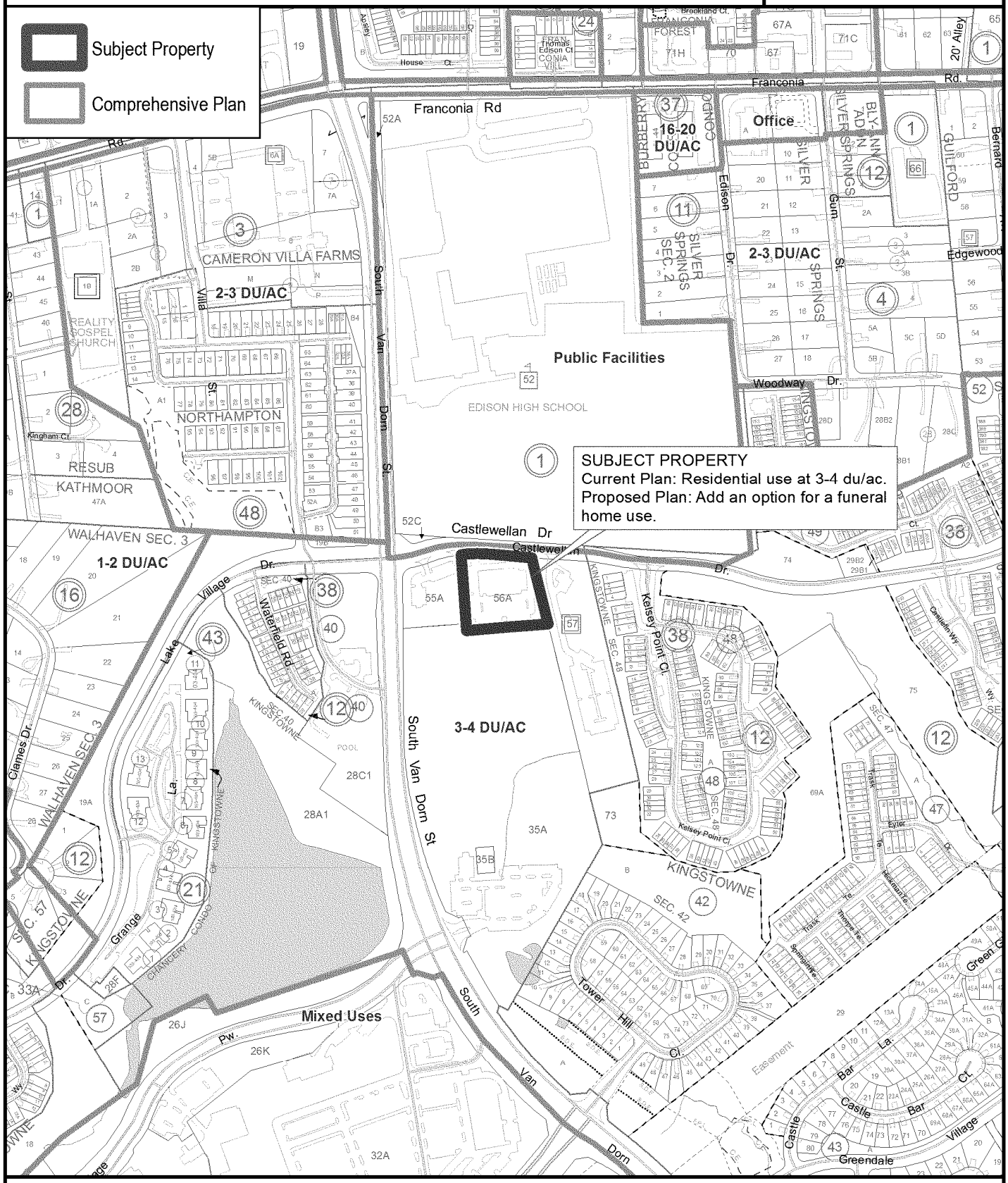



PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING USING FAIRFAX COUNTY GIS

# CURRENT PLAN AND PROPOSED PLAN CHANGE

PARCEL LOCATION MAP SHOWING CURRENT PLAN AND PROPOSED CHANGE FOR SUBJECT PROPERTIES AND CURRENT PLAN MAP FOR ADJACENT AREAS

ITEM: S11-IV-RH1
August 25, 2011




400 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING USING FAIRFAX COUNTY GIS
PARCEL INFORMATION CURRENT TO JUNE 2011

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# STAFF REPORT FOR PLAN AMENDMENT S11-IV-RH1

## BACKGROUND

On April 26, 2011, the Fairfax County Board of Supervisors (Board) authorized Plan Amendment (PA) S11-IV-RH1 for Tax Map Parcel 81-4((1))56A, which is located at 5755 Castlewellan Drive, Alexandria VA 22315-5516. The proposed Plan amendment requests the addition of an option for a funeral home use on the subject property. A pending rezoning application (RZ 2011-LE-015) requests the subject property be rezoned from R-1 to C-6 to allow for a funeral home use. The following staff report for the Plan amendment does not reflect a staff position on the merits of the rezoning application.

## CHARACTER OF THE SITE

The approximately 1.77-acre subject area is located along the south side of Castlewellan Drive, east of South Van Dorn Street. The subject area is currently developed with the Jefferson Funeral Chapel, an approximately 11,000-square-foot facility used for funeral services. The subject area is planned for residential use at 3-4 dwelling units per acre (du/ac), as indicated on the Comprehensive Land Use Plan Map. There are no site-specific recommendations for the subject property, which is zoned R-1.

## CHARACTER OF THE AREA

Similar to the subject property, the existing uses surrounding the subject area are non-residential in nature. Properties to the east and west are developed with a church and child care center, both of which are located in individual buildings served by surface parking. A golf driving range is located to the south of the subject property. As with the subject property, these areas are planned for residential use at 3-4 du/ac and are zoned R-1. Edison High School, to the north of the subject property across Castlewellan Drive, is planned for public facilities and is zoned R-2.

## PLANNING HISTORY

There have been no Plan amendments proposed for the subject property within the last 15 years. A special exception (SE 97-L-059) was approved on January 12, 1998 to allow for a funeral chapel use on the subject property.

## ADOPTED COMPREHENSIVE PLAN TEXT

There is no parcel-specific Plan text for the subject property. Infill development in the Lehigh Community Planning Sector should be of a compatible use, type and intensity and in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Fairfax County Comprehensive Plan, Policy Plan, 2011 Edition, Land Use, Amended through September 22, 2008

Page 5:
"**Objective 8: Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.**
Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.
Policy b. Discourage commercial development within residential communities unless the commercial uses are of a local serving nature and the intensity and scale is compatible with surrounding residential uses."

Page 9:
"**Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.**
Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.
Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening."

## PROPOSED PLAN AMENDMENT

The proposed Plan amendment requests the consideration of a Plan option for funeral home use on the subject property. The Plan amendment is intended to support a rezoning for a funeral home use so that embalming services could be performed on the subject property. No building or site modifications are anticipated.

## ANALYSIS

### Land Use

The Plan amendment proposes to add an option for a funeral home use to the subject property. The change from the existing use as a funeral chapel to a funeral home is desired to enable the addition of on-site embalming services. While a funeral chapel is a special exception use in the R-1 district, changing the use of the existing building to a funeral home use requires a rezoning of the subject property to a commercial district. Both this property and surrounding parcels, while planned for 3-4 du/ac, have developed with low-intensity, non-residential uses, at a scale and appearance compatible with existing residential communities to the east and west, as shown in Figure 1. The addition of

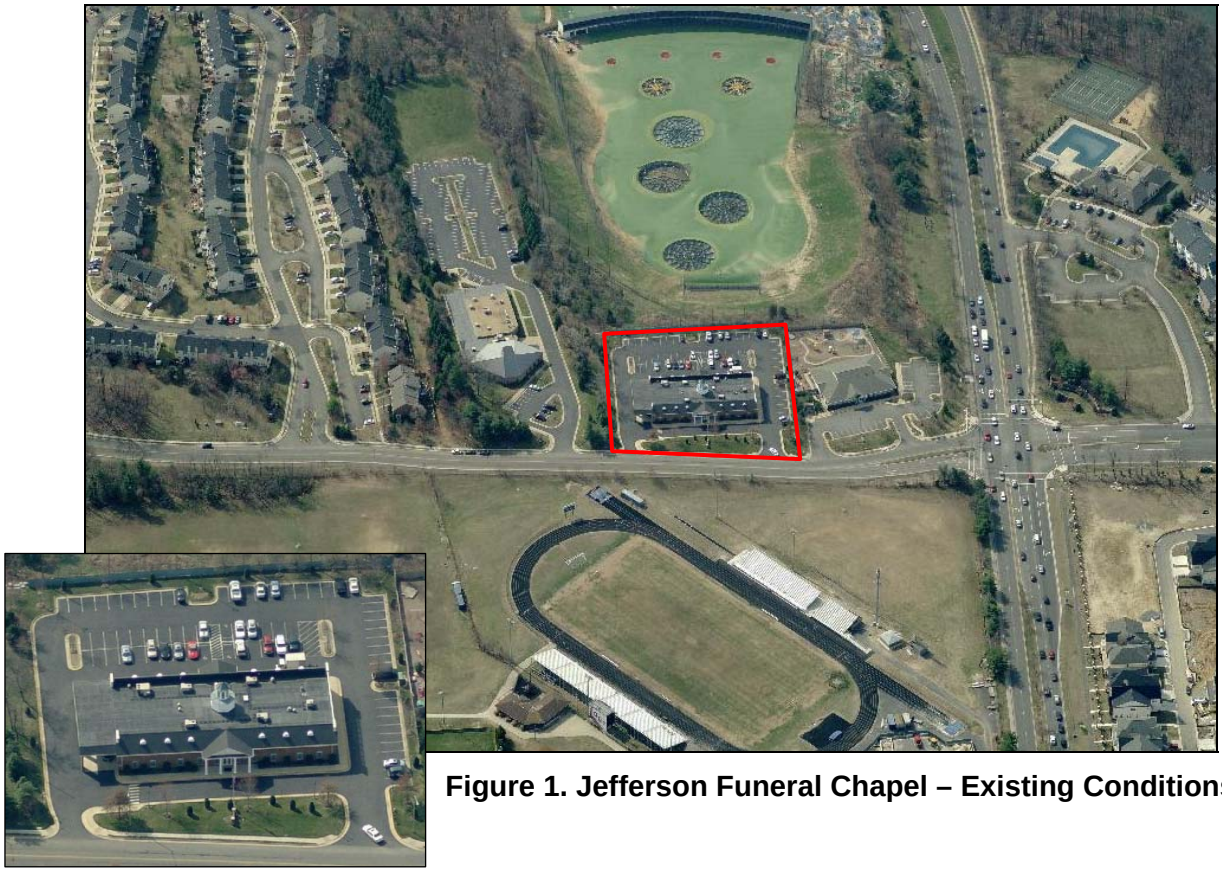

**Figure 1. Jefferson Funeral Chapel – Existing Conditions**

embalming services will not require any exterior modifications to the existing building; however, to ensure compatibility with the existing surrounding development, additional vehicle or merchandise storage outside of the building should be discouraged.

**Transportation**

Since there is no proposed increase in intensity or exterior modification to the existing building, and the proposed use is generally the same as the existing use, it is not expected that the addition of this Plan option will have a significant impact to the transportation network surrounding the subject property.

## CONCLUSION

The subject property is currently developed as a funeral chapel, and no exterior or site modifications would be required for the existing building to be used as a funeral home. Due to the similarity of the two uses, there would not be a significant impact to the surrounding transportation network. A Plan amendment to support the use of the existing building as a funeral home would be appropriate, provided that the change in use does not have a negative impact on the compatibility of the subject property with the surrounding community.

## RECOMMENDATION

Staff recommends the Comprehensive Plan be modified as shown below to add an option for a funeral home use on the subject property. Text proposed to be added is shown as underlined and text proposed to be deleted is shown with a ~~strikethrough~~.

**ADD:** Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Rose Hill Planning District, as amended through March 9, 2010, RH4-Lehigh Community Planning Sector, Land Use, Recommendations, a new recommendation (#57), page 73:

> "57. Parcel 81-4((1))56A is planned for residential use at 3-4 dwelling units per acre. As an option, a funeral home use may be appropriate if the residential appearance of the existing building is maintained. Outdoor storage of funeral vehicles should be limited, and there should be no outdoor storage of funeral-related merchandise and supplies. The existing building and footprint are planned to be retained."

**MODIFY:** Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Rose Hill Planning District, as amended through March 9, 2010, RH4-Lehigh Community Planning Sector, Figure 29, "Land Use Recommendations, General Locator Map," page 67 to add the new recommendation (#57) to the figure.

**THE PLAN MAP:** The Comprehensive Plan Map will not change.

Board Agenda Item
September 13, 2011

4:30 p.m.

Public Hearing on the Interim Agreement (Laurel Hill) Between the Board of Supervisors and The Alexander Company, Under the Provisions of the Public-Private Education and Infrastructure Act of 2002

ISSUE:
Public hearing on the proposed Interim Agreement between the County and The Alexander Company for the purpose of The Alexander Company pursuing Land Use Entitlement Approvals for the Adaptive Reuse of the former Lorton Reformatory and Penitentiary, per the "Master Plan for the Laurel Hill Adaptive Reuse Site" approved by the Board on May 11, 2010.

RECOMMENDATION:
The County Executive recommends that the Board approve the proposed Interim Agreement and authorize the County Executive to sign the proposed Interim Agreement.

TIMING:
The Board should take action on September 13, 2011 to allow the County and The Alexander Company to continue to negotiate a Master Development Agreement and to allow The Alexander Company to begin pursuing Land Use Entitlement Approvals.

BACKGROUND:
On August 31, 2007, the Department of Purchasing and Supply Management (DPSM) issued Request for Proposal 08-943415-40 soliciting qualified firms to enter into a Public-Private Partnership contract for the planning and development of the Former Lorton Reformatory and Penitentiary, also known as the Laurel Hill Adaptive Reuse Area. In accordance with the provisions of the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA), DPSM sought qualified developers to prepare Phase I – the Master Plan. The contract was awarded to The Alexander Company of Madison, Wisconsin, a development firm with experience in historic preservation and adaptive reuse. On May 11, 2010, the Board approved the Adaptive Reuse Master Plan of the former Lorton Reformatory and Penitentiary, and authorized staff to proceed with Phase II of the planning process, developer negotiations. Phase II negotiations commenced in June 2010, between County staff and The Alexander Company.

The proposed Interim Agreement authorizes The Alexander Company to commence with certain design, engineering, and zoning activities and further determine the financial costs,

and financial gap, of the project. The Alexander Company is responsible for all costs associated with the Land Use Entitlement process (estimated at $1.3M).

In the event of termination during the Interim Agreement, the County will reimburse The Alexander Company for its actual costs expended toward certain deliverables, up to a cap of $700,000. A post-termination reimbursement request must be accompanied by documentation and a tangible deliverable (work product). Legal fees are not reimbursable. The Alexander Company assigns all rights and work products to the County under a termination.

All parties agree to pursue negotiations of a Master Development Agreement during the Interim Agreement time period. The Interim Agreement stipulates an approval of the Master Development Agreement prior to the rezoning of the property. The Master Development Agreement will describe, among other things:

a. Project phasing
b. Ownership/leasing structure
c. Funding mechanisms for public improvements
d. County contribution, if any
e. Final budget
f. Identification of possible other parties

The County and The Alexander Company must reach agreement on a Master Development Agreement by March 31, 2013, unless mutually extended to a later date, or the Interim Agreement automatically terminates. The Interim Agreement, under the provisions of the PPEA, requires a 30-day comment period prior to execution, which has been fulfilled.

FISCAL IMPACT:
In the event of termination during the Interim Agreement, the County will reimburse The Alexander Company for its actual costs expended toward certain deliverables, up to a cap of $700,000.

ENCLOSED DOCUMENTS:
Attachment I: Interim Agreement (Laurel Hill)

STAFF:
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Chris Caperton, Laurel Hill Project Coordinator, DPZ
Leonard Wales, Department of Management and Budget
Alan Weiss, Assistant County Attorney, Office of the County Attorney (OCA)
Cathy Muse, Director, Department of Purchasing and Supply Management

# INTERIM AGREEMENT
## (Laurel Hill)

This Interim Agreement ("Agreement") is entered into as of the _____ day of _____, 2011, by and between the BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia in its proprietary capacity, and not in its governmental or regulatory capacity (the "County") and THE ALEXANDER COMPANY, INC., a Wisconsin corporation ("Alexander").

## RECITALS

R-1 On July 11, 2002, the County acquired approximately 2,323 acres of land located in Fairfax County, Virginia (such land, the "Master Deed Land"), pursuant to that certain Quitclaim Deed executed by the United States General Services Administration ("GSA") and the County and recorded among the land records of Fairfax County, Virginia in Deed Book 13112, Page 2170 (the "Master Deed").

R-2 The future development of the Master Deed Land is governed by, inter alia, (a) various restrictive covenants contained in the Master Deed itself, (b) the Fairfax County Reuse Plan, adopted on July 26, 1999 and as amended to date (the "Reuse Plan"), and (c) that certain Memorandum of Agreement dated June 29, 2001 by and between GSA, the County, the Bureau of Land Management, the Fairfax County Park Authority, Fairfax County Public Schools, the Federation of Lorton Communities, the Lorton Heritage Society, the Northern Virginia Regional Park Authority, the Virginia Department of Historic Resources, and the Advisory Council of Historic Preservation (the "MOA"). The Reuse Plan is reflected in the Fairfax County, Virginia Comprehensive Plan (the "Comprehensive Plan").

R-3 As reflected on the Reuse Plan, the Master Deed Land includes an adaptive re-use site, identified as Fairfax County Tax Map Number 107-1-((1))-9 and being further described on Exhibit A attached hereto (the "Property"), on which is situated a former reformatory and penitentiary. The Master Deed, the Reuse Plan, and the MOA require the County to adaptively re-use these prison structures as part of any County development of the Property.

R-4 The County contracted with Alexander to prepare a development plan for the Property in accordance with the Reuse Plan, in which Alexander, potentially together with one or more other developers, would be primarily responsible for the construction of new residential, commercial, and retail uses as well as the adaptive re-use of historic structures for residential, commercial, and retail uses (such proposed development, the "Project"). This work culminated in a master plan for the Property showing desired land use, budget and densities (the "Master Plan"). The Master Plan was approved by the Board of Supervisors on May 11, 2010. Such Master Plan identified the need to explore options for financing the public improvements related to the Project, including, for example and without limitation, private equity, tax revenue including possible special district taxes, tax increment financing, or a combination thereof.

R-5 Following the adoption of the Master Plan, Alexander has entered into an arrangement with Elm Street Development/Elm Street Communities ("Elm Street") whereby Elm

Street will assist Alexander in the planning and rezoning processes described hereinbelow and, in the event the County eventually enters into an MDA (as defined below) with respect to the Project, be responsible for the construction of portions of the new market rate residential portions of the project.

R-6 The County, Alexander and Elm Street have been working together to further refine the Master Plan as it applies to the Property and have been discussing possible structures for the Project.

R-7 Given the complexity of the potential development of the Property and the need to commence certain design- and zoning-related work and obtain various approvals before the parties can obtain a more accurate estimate of the cost of the Project, the parties hereby agree that it is necessary to file the necessary applications for zoning and land use approvals prior to execution of a final agreement for the Project.

R-8 Notwithstanding that the parties do not have a final agreement regarding the Project and with full recognition that the parties may be unsuccessful in concluding a final agreement regarding the Project, the County has agreed to allow Alexander the exclusive right to pursue the Land Use Entitlement Approvals (as defined herein) with respect to the Property and the Project in accordance with the terms hereof.

NOW, THEREFORE, in consideration of the Recitals, which are hereby incorporated into this Agreement by reference, the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Term of Agreement. This Agreement shall commence on the date hereof and, unless otherwise terminated in accordance with the terms of Section 5 below, shall terminate upon the execution by the parties hereto of the MDA (as defined below).

2. Designation of Alexander as Agent.

a. The County hereby designates Alexander as its agent for the limited purpose of pursuing the Land Use Entitlement Approvals with respect to the Property and the Project, subject to the terms and conditions set forth in this Agreement, and Alexander hereby accepts such designation.

b. The County hereby acknowledges and agrees that Alexander, as the County's agent, is hereby authorized to commence land use planning, design, and other work activities necessary to obtain the following with respect to the Property and the Project (collectively, the "Land Use Entitlement Approvals"):

i. An amendment to the Comprehensive Plan;

ii. A Conceptual Development Plan and Final Development Plan;

iii. A rezoning of the Property in connection with the Project;

iv. GSA's approval of the Project in connection with the Reuse Plan;

v. Any approvals required under the terms of the MOA; and

vi. Any other approvals necessary in connection with (i) through (iii) above.

c. Alexander hereby acknowledges and agrees that the agency created hereby is temporary and shall immediately terminate upon any termination of this Agreement in accordance with the terms of Section 5 below. Upon such termination of the agency created hereby, Alexander shall immediately cease all work with respect to the Land Use Entitlement Approvals and, thereafter, Alexander shall have no further duty or obligation to pursue the Land Use Entitlement Approvals on behalf of the County.

3. Agreement Regarding Land Use Entitlement Approval Process.

a. Alexander shall consult and coordinate with the County regarding the design of the Project and regarding all submissions to be made in connection with the Land Use Entitlement Approvals. Unless otherwise waived or modified in writing by the County Executive, or his designee, Alexander shall provide the County, in its proprietary capacity, a copy of all submissions to be made in connection with the Land Use Entitlement Approvals for the County's review and approval fifteen (15) business days prior to Alexander's anticipated filing with or submission of the same to the applicable governmental agencies. Approval of such submission shall be in the County's sole discretion; provided, however, that the County's approval of any and all such submissions shall not be unreasonably withheld on the basis of County comments that do not reasonably reflect refinement of the scope and substance of prior approved submissions, unless such comments are in response to issues or questions raised by the County, in its governmental / regulatory capacity, as part of the Land Use Entitlement Approval process. If the County fails to notify Alexander in writing of either its approval or disapproval of any such submissions within fifteen (15) business days after its receipt of the same from Alexander, then Alexander may proceed with the submission of the same; however it shall be understood that such submission shall not be deemed to be approved by the County. Any County approval of submissions by Alexander shall be in the County's capacity as land owner, and shall not be construed to imply approval as a regulator.

b. The County shall be obligated to diligently pursue any consent of the Board of Supervisors that may be required in connection with the Land Use Entitlement Approvals and to otherwise cooperate with Alexander in the pursuit of the Land Use Entitlement Approvals.

c. It is further acknowledged and understood that the rezoning of the Property will require execution of proffered conditions by Alexander and the County. The County and Alexander shall consult and coordinate as to the substance of such proffered conditions. The County's approval and execution of the proffered conditions shall be in the

County's sole discretion; provided, however, that such approval and execution shall not be unreasonably withheld with respect to proffered conditions that (i) are reasonably related to elements of Land Use Entitlement Approval submissions previously approved by the County, in its proprietary capacity, and (ii) otherwise reflect the obligations of this Agreement.

d. In performing its obligations hereunder, Alexander shall at all times comply with, and cause its submissions in connection with the Land Use Entitlement Approvals to comply with, the requirements of the Master Deed, the MOA, and, to the extent possible, the Master Plan.

e. Alexander shall be responsible for all costs associated with the Land Use Entitlement Approvals (such costs, less those costs identified in Section 3(f) below as "County Costs", the "Alexander Costs"). A preliminary budget for the Alexander Costs is attached hereto as Exhibit B (the "Preliminary Budget").

f. During the term of this Agreement, the County shall be responsible for those costs identified on Exhibit C attached hereto (collectively, the "County Costs").

g. During the term of this Agreement, Alexander and its agents may access the Property upon reasonable advance notice to the County in order to conduct such activities as Alexander reasonably determines are necessary or appropriate in connection with the Land Use Entitlement Approvals process. Alexander shall, and shall cause any of its employees or agents entering onto the Property to, deliver to the County certificates of insurance listing the County as an additional insured and evidencing general liability insurance coverage in the amount of $1,000,000.00. Alexander shall further (i) repair and restore any damage to the Property or the improvements thereon caused by Alexander's activities (or those of its employees or agents) under this Section 3(g), and (ii) indemnify, defend, and hold the County harmless from and against any and all liability, cost, or expense, including any damage to the Property or the improvements thereon, resulting or arising from Alexander's activities (or those of its employees or agents) under this Section 3(g), except to the extent caused by the negligence or willful act or omission of the County, its agents, or employees. Notwithstanding anything herein to the contrary, neither this Section 3(g), nor any portion thereof, nor any other provision in this Agreement shall constitute a waiver of the County's sovereign immunity.

4. Pursuit of Master Development Agreement.

a. The parties agree to pursue negotiations, diligently and in good faith, of a master development agreement (an "MDA") to fully provide for the development of the Project, with the expectation of concluding negotiations by March 31, 2013, unless such date should be extended by the mutual agreement of the parties. The parties further agree that execution of the MDA, by all parties, and the approval of the MDA by the Board of Supervisors of Fairfax County, Virginia are both to occur prior to the rezoning of the Property. The MDA will provide, inter alia, a comprehensive agreement for the rights and responsibilities of each party regarding the entire development of the Project, including, without limitation:

i. The phasing of the Project and the projected timing of completion of each development phase;

ii. The resulting ownership structure of each phase of the Project and the transactions necessary in connection therewith are anticipated to be long term (99 year) leases for Property occupied by historic structures and fee simple transfer of other Property, or other ownership approaches that may be in the mutual interest of the parties and reflected in the MDA;

iii. Funding mechanism(s) for the public improvements necessary for the Project;

iv. A proposed budget for all phases of the Project (the "Final Budget"), including an allocation of Project costs among the parties, the parties acknowledging that the County's contribution shall be a capped amount to be mutually agreed upon by the parties (the "County Contribution"); and

v. Financing or projected financing arrangements for each phase of the Project.

vi. The possible addition of other parties to the MDA, and/or provisions for Alexander to later assign all or a portion of its obligations thereunder to other parties to best facilitate development of the Project, subject to County approval, such approval to be based on reasonable criteria and not to be unreasonably withheld, conditioned, or delayed.

b. If the parties reach agreement upon the terms and conditions of the MDA by the date set forth in Section 4(a) above, then the County's gap contribution set forth in the Master Plan shall be reduced in the Final Budget by the aggregate reduction in (i) those County Costs actually incurred by the County during the Land Use Entitlement Approvals process; (ii) any agreement by the County to reduce and/or waive any fees customarily charged by the County, acting in its governmental capacity, in connection with the Land Use Entitlement Approvals process or in connection with the subsequent permitting processes for the Project; and (iii) any reduction in typically proffered costs imposed as part of the Land Use Entitlement Approvals process.

c. Until the Board of Supervisors shall have approved the MDA, Alexander shall have the right to withdraw the rezoning application from consideration for final approval by the Board of Supervisors.

5. Termination.

a. In the event the parties are unable to reach agreement upon the terms and conditions of the MDA by 11:59 p.m. eastern time on March 31, 2013 (or such later date as may be mutually agreed upon, in writing, by the parties), this Agreement shall automatically terminate as of such date and the parties hereto shall have no further rights or obligations hereunder, except as otherwise expressly provided herein. Alexander may also terminate this Agreement at an earlier date if it reasonably determines that the project is infeasible based on the

inability to obtain approvals for its intended reuse and provides the County with written notice describing in detail the basis for such determination. In the event of such termination, the County shall, within fifteen (15) business days thereafter, pay to Alexander an amount equal to the sum of those Alexander Costs actually incurred by Alexander during the Land Use Entitlement Approvals process, subject to the following:

- With respect to any given line item / deliverable described in the Preliminary Budget, the County shall reimburse Alexander Costs pertaining to such line item / deliverable up to, but, absent prior written approval of the County, not in excess of, the amount set forth on the Preliminary Budget (it being understood and agreed that any Alexander Cost reimburseable under this Section 5(a) must pertain to a Preliminary Budget line item / deliverable); provided, however, that (i) such reimbursement shall be contingent upon Alexander assigning to the County all of its rights and interests to, and providing the County with, the deliverable(s) described in such line item, and (ii) with respect to line item / deliverables with a "1 / 2" appearing in the Notes column of the Preliminary Budget, the County shall reimburse up to the amount set forth for such line item / deliverable less any amounts expended by the County in connection therewith;

- The County shall not reimburse Alexander for any Alexander Costs pertaining to any Preliminary Budget line item / deliverable with a "3" appearing by such line item in the "Notes" column; and

- The total amount reimburseable by County pursuant to this Section 5(a) shall not exceed $700,000.00.

The parties hereto acknowledge and agree that such amount shall represent fair and just compensation to Alexander for the work performed by Alexander during the Land Use Entitlement Approvals process, and, simultaneously with Alexander's receipt of such payment from the County, Alexander shall (i) provide documentation supporting its claimed amount of reimbursable Alexander Costs, as reasonably requested by the County, (ii) assign all of its rights and interests (if any) in and to any obtained Land Use Entitlement Approvals to the County, and (iii) assign to the County all of its rights and interests to, and provide the County with, any and all work product produced by Alexander and its contractors and consultants associated with the Project, including any market studies pertaining to the Project, together with any third-party consents necessary therefor. The foregoing obligations of the County and Alexander shall survive the termination of this Agreement.

Thereafter, the parties hereto shall have no further rights or obligations hereunder, except as otherwise expressly provided herein; provided, however, that Alexander shall not be entitled to reimbursement under this Section 5(b) in connection with any termination of this Agreement pursuant to this Agreement under Section 5(a) hereof, or (ii) termination by the County pursuant to Section 5(c) hereof.

b. In the event of any breach of this Agreement by the County which is not cured within thirty (30) days after the County's receipt of written notice of such breach from Alexander, Alexander shall have the right to either (i) terminate this Agreement and obtain

reimbursement from the County for those Alexander Costs actually incurred by Alexander through the date of such termination, including the direct time and expense of Alexander and its agents and assigns incurred in connection with efforts to obtain the Land Use Entitlement Approvals, or (ii) pursue any and all other remedies available to Alexander at law or in equity.

c. In the event of any breach of this Agreement by Alexander which is not cured within thirty (30) days after Alexander's receipt of written notice of such breach from the County, the County shall have the right to either (i) terminate this Agreement or (ii) pursue any and all other remedies available to the County at law or in equity.

6. Notice. Any notices required or permitted to be given hereunder shall be deemed to have been properly given when received or refused if sent by United States certified or registered mail, return receipt requested; national overnight courier service; or delivered in hand; in each case as follows:

If to the County:

Board of Supervisors of Fairfax County, Virginia
Attention: County Executive
12000 Government Center Parkway
Fairfax, Virginia 22035-0064

With copies to:

Department of Planning and Zoning, Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035
Attention: Chris Caperton

And:

Office of the County Attorney
12000 Government Center Parkway, Suite 549
Fairfax, Virginia 22035
Attention: County Attorney

If to Alexander:

David Vos
The Alexander Company
145 E. Badger Road, Suite 200
Madison, Wisconsin 53713

7. Miscellaneous.

a. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors, and their permitted assigns. No party hereto may assign its rights or delegate its obligations hereunder without the prior written consent of each of the other parties hereto, which may be withheld in such party's sole and absolute discretion.

b. Failure by either party to insist upon or enforce any of its rights hereto shall not constitute a waiver thereof. This Agreement shall not be modified, amended, or altered except by a written agreement signed by each of the parties hereto.

c. This Agreement shall be governed by and construed under the laws of the Commonwealth of Virginia.

d. This Agreement may be executed in two or more counterpart originals, in which case each counterpart original shall be for all purposes considered an original of this Agreement.

e. Any and all of the County's financial obligations under this Agreement are subject to appropriations by the Fairfax County Board of Supervisors.

f. During the term of this Agreement, the County covenants and agrees not to solicit the development of the Property or any portion thereof with any third parties and not to accept any offer to develop or acquire the Property or any portion thereof from any third parties.

[Signatures appear on the following pages.]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first written above.

**COUNTY:**

**BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA,** acting in its proprietary capacity and not in its governmental or regulatory capacity

By: _____

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

Subscribed and sworn to before me this ____ day of _____, 2011, by _____.

_____
Notary Public

My Commission Expires: _____
Registration Number: _____

[Additional signatures appear on the following pages.]

**ALEXANDER:**

**ALEXANDER DEVELOPMENT COMPANY,** a _____

By: _____

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

Subscribed and sworn to before me this ____ day of _____, 2011, by _____.

_____
Notary Public

My Commission Expires: _____
Registration Number: _____

[Additional signatures appear on the following pages.]

# EXHIBIT A – LEGAL DESCRIPTION OF PROPERTY

# County of Fairfax, Virginia

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

DESCRIPTION OF THE REMAINDER OF PARCEL "D"
LORTON CORRECTIONAL COMPLEX (LCC)
PLAT OF DIVISION, D.B. 13116, PG. 2200
TAX MAP # 107-1 ((1)) 9, FAIRFAX COUNTY, VIRGINIA

Commencing at the intersection of Lorton Road – Rt. 642 and Silverbrook Road – Rt. 600, thence ± 2800' in northerly direction along the westerly line of the Right of Way of Silverbrook Road to the line common with Parcel A, Laurel Crest (formerly Gunston Corner), D.B. 12207, PG. 1394; the Point of Beginning being the eastern most corner of the land herein described. Said Point of Beginning being in the westerly prescriptive Right of Way of Silverbrook Road and 6.8' from the North-Westerly corner of Laurel Crest.

From the Point of Beginning, departing the prescriptive Right of Way of Silverbrook Road, coincident with the common line of Laurel Crest; S 12° 08' 05", W 394.75' to a concrete monument found;

Thence N 63° 26' 55" W, 297.76' to a concrete monument found;

Thence S 27° 10' 53" W, 520.17' to a concrete monument found in the line common with The Highland at Gunston Corner a Condominium, D.B. 8835, PG. 1869;

Thence S 26° 55' 00" E, 126.83' to an iron pipe found in the line common with Parcel E, Lorton Correctional Complex (LCC), D.B. 13116, PG. 2200;

Thence departing the common line of The Highland at Gunston Corner a Condominium; coincident with Parcel E, Lorton Correctional Complex (LCC) the following courses and distances:

S 58° 04' 10" W, 442.96' to an iron pipe found;
N 29° 07' 44" W, 234.63' to a nail found;
S 72° 03' 48" W, 196.32' to an iron pipe found;
S 84° 22' 57" W, 460.26' to an iron pipe found;
S 88° 52' 06" W, 612.83' to an iron pipe found;
N 78° 11' 51" W, 131.58' to an iron pipe found;
N 69° 26' 38" W, 197.09' to a nail found;
N 21° 32' 02" W, 382.32' to a nail found;
N 08° 54' 59" W, 471.88' to the line common with Spring Hill Senior Campus, Phase 1, D.B. 16822, PG. 1709;

**Department of Public Works and Environmental Services**
**Capital Facilities, Construction Management Division, Land Survey Branch**
12000 Government Center Parkway, Suite 147
Fairfax, VA 22035-0088
Ph. 703-324-5151, TTY 1-800-828-1120, Fax 703-324-5575
www.fairfaxcounty.gov

Thence departing Parcel E, Lorton Correctional Complex (LCC) coincident with Spring Hill Senior Campus, Phase 1 the following courses and distances:

N 55° 51' 37" E, 587.21';
S 81° 13' 06" E, 378.98';
S 08° 46' 54" W, 95.71';
S 81° 13' 06" E, 447.56';
N 08° 28' 57" E, 958.10';
N 49° 13' 35" E, 60.86';
S 80° 57' 53" E, 197.44';
N 50° 14' 14" E, 311.17' to the Right of Way of Silverbrook Road, as recorded at D.B. 16722, PG. 1059;

Thence defining the Right of Way of Silverbrook Road, 4.40' along the arc of a curve to the left, whose radius is 857.00', chord bearing and distance are, S 44° 48' 49" E, 4.40' to the point of reverse curvature;

Thence departing Silverbrook Road, defining the Right of Way of White Spruce Way, 68.62' along the arc of a curve to the right, whose radius is 40.00', chord bearing and distance are, S 04° 11' 12" W, 60.51' to the point of compound curvature;

Thence 120.92' along the arc of a curve to the right, whose radius is 507.00', chord bearing and distance are, S 60° 10' 00" W, 120.64' to the point of compound curvature;

Thence 13.98' along the arc of a curve to the right, whose radius is 25.00', chord bearing and distance are, S 83° 01' 03" W, 13.80' to the point of tangency;

Thence the following courses and distances:
N 80° 57' 53" W, 26.15';
S 09° 02' 07" W, 84.00';
S 80° 57' 53" E, 6.32' to the point of curvature;

Thence 17.28' along the arc of a curve to the right, whose radius is 25.00', chord bearing and distance are, S 61° 09' 52" E, 16.94' to the point of reverse curvature;

Thence 137.96' along the arc of a curve to the left, whose radius is 55.00', chord bearing and distance are, N 66° 46' 44" E, 104.53' to the point of reverse curvature;

Thence 28.72' along the arc of a curve to the right, whose radius is 25.00', chord bearing and distance are, N 27° 49' 44" E, 27.16' to the point of reverse curvature;

Thence 108.86' along the arc of a curve to the left, whose radius is 563.00', chord bearing and distance are, N 55° 11' 47" E, 108.69' to the point of reverse curvature;

Thence 57.22' along the arc of a curve to the right, whose radius is 39.85', chord bearing and distance are, S 89° 12' 28" E, 52.43' to the point of tangency in the Right of Way of Silverbrook Road as recorded at D.B. 13400, PG. 1422;

Thence S 48° 17' 19" E, 6.68' to the point of curvature;

Thence 365.05' along the arc of a curve to the right, whose radius is 755.00', chord bearing and distance are, S 34° 36' 11" E, 361.50' to the point of tangency;

Thence S 20° 45' 06" E, 467.10' to the point of curvature;

Thence 248.14' along the arc of a curve to the left, whose radius is 865.00', chord bearing and distance are, S 28° 58' 12" E, 247.29' to the point of tangency;

Thence the following courses and distances:
S 23° 10' 34" E, 56.69' to the South-Westerly line of the prescriptive Right of Way of Silverbrook Road;
S 31° 55' 18" E, 53.00';
S 44° 40' 55" E, 50.33';
S 57° 25' 33" E, 46.67';
S 66° 42' 48" E, 15.52'to the Point of Beginning.

Encompassing 78.532 acres of land.

The Metes and Bounds described herein are resulting from a boundary survey prepared under my supervision. All bearings recited herein are based on the VCS 1983 North Zone.

COMMONWEALTH OF VIRGINIA
V. McEntire
VICKIE L. McENTIRE
Lic. No. 002449
3/18/11
LAND SURVEYOR

**Department of Public Works and Environmental Services**
**Capital Facilities, Construction Management Division, Land Survey Branch**
12000 Government Center Parkway, Suite 147
Fairfax, VA 22035-0088
Ph. 703-324-5151, TTY 1-800-828-1120, Fax 703-324-5575
www.fairfaxcounty.gov

# EXHIBIT B – PRELIMINARY BUDGET

Exhibit - 'B'
Preliminary Budget

| | | Cost Estimate | Notes: |
|---|---|---|---|
| **Civil Engineering Services** | | | |
| Utility, Stormwater, Grading, and related Plans and Designs | | $ 45,000.00 | 1 |
| Tree Preservation Plan, Existing Vegetation Map | | $ 30,000.00 | 1 / 2 |
| Boundary & Topography Survey Services | | $ 45,000.00 | 1 / 2 |
| CDP/FDP/CPA | | $ 105,000.00 | 1 |
| Meetings | | $ 20,000.00 | 3 |
| Reimbursables | | $ 15,000.00 | 3 |
| | Sub-Total | $ 260,000.00 | |
| **Traffic Engineering Services** | | | |
| VDOT 527 Traffic Impact Study | | $ 35,100.00 | 1 / 2 |
| Miscellaneous Analysis | | $ 10,000.00 | 3 |
| | Sub-Total | $ 45,100.00 | |
| **Geotechnical Engineering Services** | | | |
| Preliminary Geotechnical Testing and Reports | | $ 35,000.00 | 1 / 2 |
| | Sub-Total | $ 35,000.00 | |
| **Structural Engineering Services** | | | |
| Preliminary Structural Plans and Designs | Sub-Total | $ 15,000.00 | 1 |
| **Architectural Services** | | | |
| Elevations, Renderings, Models | | $ 50,000.00 | 1 |
| Reimbursables | | $ 10,000.00 | 3 |
| | Sub-Total | $ 60,000.00 | |
| **Tax Credit Services** | | | |
| Historic Preservation Tax Credit Part 1 and Part 2 Plans & Submittals | | $ 240,000.00 | 1 / 5 |
| Reimbursables | | $ 10,000.00 | 3 |
| | Sub-Total | $ 250,000.00 | |
| **Wetland/RPA Services** | | | |
| Wetland, RPA and Environmental Plans & Reports | | $ 55,000.00 | 1 / 2 |
| Reimbursables | | $ 4,000.00 | 3 |
| | Sub-Total | $ 59,000.00 | |
| **Dry Utility Design Services (Electric & Communications)** | | | |
| Preliminary Design Plans and Plats | | $ 35,000.00 | 1 |
| Reimbursables | | $ 5,000.00 | 3 |
| | Sub-Total | $ 40,000.00 | |
| **Landscape Architect Services** | | | |
| Landscape & Hardscape Designs & Plans | | $ 30,000.00 | 1 |
| Meetings | | $ 5,000.00 | 3 |
| Reimbursables | | $ 5,000.00 | 3 |
| | Sub-Total | $ 40,000.00 | |

## Land-Use Counsel

| | | | |
|---|---|---|---|
| Legal fees | | $ 195,000.00 | 3 |
| Reimbursable expenses | | $ 5,000.00 | 3 |
| | Sub-Total | $ 200,000.00 | |

## Developer Overhead Expenses

| | | | |
|---|---|---|---|
| Internal Costs and Expenses | | $ 300,000.00 | 3 |
| | TOTAL SERVICES | $ 1,304,100.00 | |

## Fairfax County Rezoning Application Fee

| | | | |
|---|---|---|---|
| P-District Rezoning concurrent with CDP/FDP: $26,460 + ($1,305/ac x 79ac) = | | $ 129,735.00 | 4 |
| | GRAND TOTAL | $ 1,433,835.00 | |

Notes:

1. Activity, or portion of activity, performed by Developer and eligible for reimbursement under termination conditions.
2. Activity, or portion of activity, potentially performed by County, or paid for by County, and credited towards County contribution. Portions paid for by the Developer are treated as a "1".
3. Activity, or expenses, not eligible for reimbursment by the County.
4. Fee, or portion of fee, potentially waived by BOS and credited towards County contribution. If the fee or portion of the fee is paid by the Developer it is treated as a "1".
5. Part 1 (Evaluation of Significance) Deliverables
- Up to seven (7) Part 1 Applications; one for each of the anticipated lots containing historic structures
- Floor plans with photo keys and labeled photos for each structure
- Research documentation indicating each building's contribution and significance to the historic district and period of significance
- Survey and description of the remaining contributing historic fabric and existing noncontributing alterations for each structure

Part 2 (Description of Rehabilitation) Deliverables
- Up to seven (7) Part 2 Applications; one for each of the anticipated lots containing historic structures
- Building surveys to determine location and time period of historic fabric
- Schematic floor plans, elevations sections and specifications detailing the proposed rehabilitation of each structure
- Detailed site plans indicating hard-scapes, landscaping and exterior lighting and signage
- Floor plans with photo key plan and labeled photos for each structure

**EXHIBIT C – COUNTY COSTS**

1. Costs of obtaining boundary and topographic surveys of the Property or any portion thereof.

2. Costs of obtaining tree surveys and wetlands delineations.

3. Costs of demolishing any buildings and structures on the Property identified for demolition by the County, plus the costs of removing all debris associated with such demolition.

4. Costs of routine maintenance and stabilization of the Property and any and all buildings and structures located thereon during the term of this Agreement.

5. Any payments due and owing to the GSA in connection with the Project.

6. Amounts toward any other line item / deliverable on the Preliminary Budget with a "1 / 2" in the "Notes" column thereon, at the County's election, until the sum of County and Alexander expenditures with respect to such line item / deliverable equal the amount set forth in such line item / deliverable.

Board Agenda Item
September 13, 2011

4:30 p.m.

Public Hearing to Consider the Local Property Tax Exemption for Affordable Housing of NOVACO Pursuant to Article 27, Chapter 4, of the Fairfax County Code

ISSUE:
Public hearing to consider adoption of local property tax exemption for NOVACO as they are a non-profit entity providing affordable housing.

RECOMMENDATION:
The County Executive recommends that the Board adopt the attached Appendix S exempting NOVACO pursuant to Article 27, Chapter 4, of the Fairfax County Code.

TIMING:
On July 26, 2011, the Board authorized advertisement of a public hearing to be held on September 13, 2011, at 4:30 p.m.

BACKGROUND:
On June 21, 2011, the Board adopted Article 27, Chapter 4, of the Fairfax County Code. This ordinance addressed a limitation under existing law in that non-profit affordable housing properties currently with tax exempt status would lose their existing tax exemption if the property were conveyed to another non-profit entity. With the adoption of Article 27, the new non-profit entity can likewise benefit from tax exempt status and thus promote continuation of existing affordable housing offered by the private sector. The Northern Virginia Coalition (NOVACO) has made application to the Department of Tax Administration (DTA) to obtain tax exempt status on five condominiums:

| Address | District | Tax Map # |
|---|---|---|
| 8509 Barrington Ct., Apt. R, Springfield | Braddock | 079-1-1304-R |
| 5811 Cove Landing Rd., #304, Burke | Braddock | 077-2-16-06-0304-A |
| 10204 Bushman Dr., #302, Oakton | Providence | 047-4-16-12-0302 |
| 3320 Woodburn Village Dr., #T2, Annandale | Providence | 059-1-29-18-0002 |
| 12103 Greenwood Ct., #144, Fairfax County (mailing address #102) | Providence | 046-3-15-0144 |

These parcels were all conveyed on July 5, 2011 to NOVACO from the Lutheran Social Services of the National Capital Areas, Inc. (LSS). LSS was granted tax exempt status on these properties at the 2002 Session of the Virginia General Assembly. These

properties have been exempt from Fairfax County real estate taxes since that time. LSS has now conveyed the properties to NOVACO, and NOVACO desires to continue operating these properties as affordable housing for survivors of domestic abuse, thus providing a bridge from homelessness to self-sufficiency.

NOVACO was first incorporated in 2002 and holds a non-profit designation from the Internal Revenue Service. All documents required by Section 4-27-4 (2) – (13) have been submitted, are in order and support the requested exemption. The last requirement under the ordinance is for the applicant to obtain HCD's certification that their operation qualifies as "Affordable Housing." NOVACO submitted the pertinent rent information to HCD, and HCD approved certification on July 19, 2011.

FISCAL IMPACT:
None. There is no additional fiscal impact as a result of the Board granting NOVACO tax exempt status on these five parcels. These properties have been tax exempt under LSS and by the Board's adoption of Appendix S these parcels will remain tax exempt under NOVACO, as of their acquisition date of July 5, 2011. It is estimated that the effective annual tax liability for these five condominiums would total approximately $9,634. This equates to just under 2% of NOVACO's annual revenue from grants and donations. NOVACO presently has no business personal property tax liability.

ENCLOSED DOCUMENTS:
Attachment 1: Proposed Appendix S of the Fairfax County Code, Exempting NOVACO

STAFF:
Kevin C. Greenlief, Director, Department of Tax Administration
Paula C. Sampson, Director, Department of Housing and Community Development
Corinne N. Lockett, Assistant County Attorney

**ATTACHMENT 1**

**ORDINANCE TO ADD A NEW APPENDIX S RELATING TO THE EXEMPTION FROM PROPERTY TAXES ON FIVE CONDOMINIUMS OWNED BY THE NORTHERN VIRGINIA COALITION (NOVACO) AND USED TO PROVIDE AFFORDABLE HOUSING**

AN ORDINANCE to amend the Fairfax County Code by adding a new Appendix S relating to the classification and designation of certain property as being exempt from real and personal property taxes.

Be it ordained by the Board of Supervisors of Fairfax County:

**1. That the Fairfax County Code is hereby amended to add Appendix S as follows:**

**APPENDIX S**

**Section 1 - Exempt Entities.**

(a) *NOVACO.* The Northern Virginia Coalition (NOVACO) is hereby exempt from Real and Personal Property taxes that may be assessed on the following properties:

(1) 8509 Barrington Ct., Apt. R, Springfield (079-1-1304-R)
(2) 5811 Cove Landing Rd., #304, Burke (077-2-16-06-0304-A)
(3) 10204 Bushman Dr., #302, Oakton (047-4-16-12-0302)
(4) 3320 Woodburn Village Dr., #T2, Annandale (059-1-29-18-0002)
(5) 12103 Greenwood Ct., #144, Fairfax County (046-3-15-0144) (mailing address #102)

(b) The effective date of this exemption is July 5, 2011 (date of acquisition).
(c) This exemption shall be effective as long as NOVACO continues to hold an Internal Revenue Code non-profit designation of 501(C)(3) and uses the properties in accordance with the provisions of this ordinance.

**2. That this ordinance amendment shall become effective on adoption.**

Given under my hand this _____ day of _____, 2011

_____

Nancy Vehrs
Clerk to the Board of Supervisors