

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
October 30, 2012**

AGENDA

9:30	Cancelled	Presentations
10:30	Done	Appointments
10:40	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 1830 Peabody Drive, Falls Church, VA 22043 (Dranesville District)
2	Approved	Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 11388 Dorsey Place, Lorton, VA 22079 (Mount Vernon District)
3	Approved	Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 6629 Spring Valley Drive, Alexandria, VA 22312 (Mason District)
4	Approved	Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Huntsman Lake Dam Rehabilitation (Springfield District)
5	Approved	Streets into the Secondary System (Dranesville, Hunter Mill, Mason, Providence, and Springfield Districts)
6	Approved	Authorization for the Health Department to Apply for and Accept Funding from the Virginia Department of Health (VDH) for the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Grant
7	Approved	Approval of a Resolution to Allow LifeStar Response to Operate One Advanced Life Support Ambulance and One Basic Life Support Ambulance within Fairfax County
8	Approved	Authorization to Advertise a Public Hearing to Establish Parking Restrictions on Draco Street, Thunderbolt Place and Flint Lee Road (Springfield and Sully Districts)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
October 30, 2012**

**ADMINISTRATIVE
ITEMS**

- 9 **(Continued)
Approved** Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding Dunn Loring Residential Permit Parking District, District 3 (Providence District)
- 10 **Approved** Extension of Review Periods for 2232 Review Applications (Dranesville, Providence, and Mount Vernon Districts)
- 11 **Approved w/
addition of a
Resolution** Authorization to Advertise a Public Hearing on Amendments to the Home Child Care Facilities Ordinance, Chapter 30, Articles 1 and 3, of the Fairfax County Code, and Section 10-103 of the Zoning Ordinance
- 12 **Approved w/
amendment** Authorization to Advertise a Public Hearing on the Proposed Creation of a Tysons Transportation Service District
- 13 **Approved** Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 7239 Dell Avenue, Clifton, VA 20124 (Springfield District)
- 14 **Approved** Proposed Addition for Portions of Piney Branch Road / Route 6187 and Pheasant Ridge Road / Route 6461 to the Secondary System of State Highways (Braddock District)

ACTION ITEMS

- 1 **Approved** Approval of a Memorandum of Understanding Between the Fairfax County Police Department and the Department of Justice, Federal Bureau of Investigation
- 2 **Approved** Renewal of a Memorandum of Agreement Between the Fairfax County Police Department and the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives
- 3 **Approved** Endorsement of the Northern Virginia Transportation Authority's TransAction 2040 Long-Range Transportation Plan
- 4 **Approved** Approval of State Litter Prevention and Recycling Grant Funding Transfer to Clean Fairfax Council, Incorporated
- 5 **Approved** Approval of an Amendment to the Code of the County of Fairfax, Chapter 5, Offenses
- 6 **Approved** Approval of the Fare Structure for the Express Connector Routes to Tysons (Braddock, Dranesville, Hunter Mill, Lee, Mount Vernon, and Springfield Districts)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
October 30, 2012**

ACTION ITEMS

(Continued)

- | | | |
|---|----------------------------------|--|
| 7 | Approved w/
amendment | Approval of Testimony for Public Hearing on Commonwealth of Virginia's Six-Year Improvement Program for Interstate, Primary, and Urban Highway Systems and Public Transportation for FY 2014 Through FY 2019 |
| | Approved | |
| 8 | | Authorization of Funding from the Route 28 Highway Transportation Improvement District Project Completion Fund (PCF) for Widening Projects |
| | Approved | |
| 9 | | Authorize the County Executive to Sign the Revised Programmatic Agreement Relative to the Widening of U.S. Route 1 (Richmond Highway) from Telegraph Road to Mount Vernon Memorial Highway (Mount Vernon District) |

**INFORMATION
ITEMS**

- | | | |
|-------|--------------|--|
| 1 | Noted | Fairfax-Falls Church Community Services Board FY 2013 Fee Schedule |
| 2 | Noted | Request for Interest (RFI) - Interim Metrorail Parking in Tysons |
| 10:50 | Done | Matters Presented by Board Members |
| 11:40 | Done | Closed Session |

**PUBLIC
HEARINGS**

- | | | |
|------|--|--|
| 3:30 | Deferred to
11/20/12 at 3:30
p.m. | Public Hearing on RZ 2011-MV-031 (MidAtlantic Realty Partners, LLC) to Rezone from I-5 to PRM to Permit Mixed Use Development and Approval of the Conceptual Development Plans (Mount Vernon District) |
| 3:30 | Deferred to
11/20/12 at 3:00
p.m. | Public Hearing on SE 2012-PR-007 (Sterling Jewelers, Inc. D/B/A Jared the Galleria of Jewelry) to Permit Waiver of Certain Sign Regulations (Providence District) |
| 3:30 | Deferred to
11/20/12 at 3:00
p.m. | Public Hearing on RZ 2011-PR-023 (Cityline Partners LLC) to Rezone from C-3, HC and SC to PTC, HC and SC to Permit Mixed Use Development (Providence District) |

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
October 30, 2012**

**PUBLIC
HEARINGS
(Continued)**

- | | | |
|------|--|--|
| 3:30 | Deferred to
11/20/12 at 3:00
p.m. | Public Hearing on PCA 88-D-005-07 (Cityline Partners LLC) to Amend the Proffers for RZ 88-D-005 Previously Approved for Commercial Development (Providence District) |
| 3:30 | Deferred to
11/20/12 at 3:00
p.m. | Public Hearing on PCA 2006-SU-007 (Timber Ridge at EDS, LLC) to Amend the Proffers, Conceptual Development Plans for RZ 2006-SU-007 (Sully District) |
| 3:30 | Deferred to
1/8/13 at 3:00
p.m. | Public Hearing on RZ 2010-PR-019 (Kettler Sandburg, LLC) to Rezone from R-1 to PDH-3 (Providence District) |
| 4:00 | Deferred to
11/20/12 at 3:30
p.m. | Public Hearing on SE 2012-HM-006 (Tysons West Residential, LLC) to Permit Waiver of Certain Sign Regulations (Hunter Mill District) |
| 4:00 | Deferred to
11/20/12 at 3:30
p.m. | Public Hearing on SEA 93-L-014-02 (Burgundy Farm Country Day School, Inc.) to Amend SE 93-L-014 (Lee District) |
| 4:00 | Deferred to
12/4/12 at 3:30
p.m. | Public Hearing on Plan Amendment S12-IV-MVI (Penn Daw CBC, Land Units D & F-1) to Amend Area for Mixed-Use Development to Include Multi-Family Residential Use and Ground Floor Retail and Office Uses (Mount Vernon District) |
| 4:00 | Deferred to
11/20/12 at 3:30
p.m. | Public Hearing on AF 2012-SU-001 (Jon & Kim Hickox) to Permit the Creation of an Agricultural and Forestal District (Sully District) |
| 4:00 | Deferred to
11/20/12 at 3:30
p.m. | Public Hearing to Authorize the Conveyance of a Portion of Board-Owned Property to the Virginia Department of Transportation for the Leesburg Pike Widening Project (Hunter Mill District) |
| 5:00 | Cancelled | Public Comment |



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Tuesday
October 30, 2012

9:30 a.m.

PRESENTATIONS

RECOGNITIONS

- CERTIFICATE – To recognize the student volunteers and representatives of Emmanuel Lutheran, Fairfax Presbyterian and Vienna Presbyterian faith organizations for their efforts to raise awareness of homelessness through the Fast Shacks program. Requested by Chairman Bulova and Supervisor Hudgins.
- CERTIFICATE – To recognize Gail Kinsey for being named Virginia's 2012 National Distinguished Principal by the National Association of Elementary School Principals. Requested by Supervisor Cook.
- CERTIFICATE – To recognize Captain Patrick Horan and his family for his service to our country and the Rebuilding Together and Sears Heroes at Home programs. Requested by Supervisor Foust.

DESIGNATIONS

- PROCLAMATION – To designate November 30, 2012, as Jeans Day in Fairfax County. Requested by Chairman Bulova.

— more —

Board Agenda Item
October 30, 2012

- PROCLAMATION – To designate November 2012, as American Indian Heritage Month in Fairfax County. Requested by Chairman Bulova.

STAFF:

Merni Fitzgerald, Director, Office of Public Affairs

Lindsey Culin, Office of Public Affairs

Board Agenda Item
October 30, 2012

10:30 a.m.

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

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard October 30, 2012

(A final list will be distributed at the Board meeting.)

Attachment 2: Résumé of Nominee to Fairfax-Falls Church Community Services Board

STAFF:

Catherine A. Chianese, Clerk to the Board of Supervisors

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

APPOINTMENTS TO BE HEARD OCTOBER 30, 2012
(ENCOMPASSING VACANCIES PROJECTED THROUGH OCTOBER 31, 2012)
 (Unless otherwise noted, members are eligible for reappointment)

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John Byers; appointed 2/09-1/10 by Hyland) Term exp. 1/13 <i>Deceased</i>	Mount Vernon District Representative		Hyland	Mount Vernon

ADVISORY SOCIAL SERVICES BOARD
(4 years – limited to 2 full consecutive terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Marcus B. Simon (Appointed 3/04-9/08 by Connolly) Term exp. 9/12 <i>Not eligible for reappointment</i>	At-Large Chairman's Representative		Bulova	At-Large Chairman's
VACANT (Formerly held by Narayani Siva; appointed 6/09 b Hudgins) Term exp. 9/13 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

**ADVISORY SOCIAL SERVICES BOARD (4 years – limited to 2 full consecutive terms)
continued**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Gretchen Johnson; appointed 3/08 by Hyland) Term exp. 9/12 <i>Resigned</i>	Mount Vernon District Representative		Hyland	Mount Vernon
VACANT (Formerly held by Sosthenes Klu; Appointed 12/05-9/08 by Frey) Term exp. 9/12 <i>Resigned</i>	Sully District Representative		Frey	Sully

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4 years)

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

AIRPORTS ADVISORY COMMITTEE (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Barbara Kreykenbohm; appointed 1/09 by Gross) Term exp. 1/11 <i>Resigned</i>	Mason District Representative		Gross	Mason

**ARCHITECTURAL REVIEW BOARD
(3 years)**

[NOTE: Members shall be appointed by the Board of Supervisors as follows: at least two (2) members shall be certified architects; one (1) landscape architect authorized to practice in Virginia; one (1) lawyer with membership in the Virginia Bar; six (6) other members shall be drawn from the ranks of related professional groups such as archaeologists, historians, lawyers, and real estate brokers.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Susan W. Notkins (Appointed 11/96-9/03 by Hanley; 9/06 by Connolly; 10/09 by Bulova) Term exp. 9/12	Related Professional Group #3 Representative		By Any Supervisor	At-Large

ATHLETIC COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Michael Champness (Appointed 2/05&3/07 by DuBois; 3/09 by Foust) Term exp. 3/11	Dranesville District Principal Representative		Foust	Dranesville
Clarke Gray Appointed 1/08-9/10 by Smyth) Term exp. 9/12	Providence District Alternate Representative		Smyth	Providence
Christy Winters Scott (Appointed 6/08-7/10 by Hudgins) Term exp. 6/12	Women's Sports Alternate Representative		By Any Supervisor	At-Large

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Regina Jordan; appointed 6/04&6/09 by Hudgins) Term exp. 6/10 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill
Rachel Rifkind (Appointed 5/09-6/09 by Gross) Term exp. 6/11	Mason District Representative		Gross	Mason

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John Byers; appointed 6/09-1/12 by Hyland) Term exp. 6/12 <i>Deceased</i>	Mount Vernon District Representative		Hyland	Mount Vernon
VACANT (Formerly held by Robert McDaniel; appointed 9/10 by Herrity) Term exp. 6/11 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield

**CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS
(1 year – limited to 6 consecutive terms)**

[NOTE: In January of 2002 terms were changed to run from October 1 until September 30.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Peter Murphy, Jr. (Appointed 6/06-9/08 by Connolly; 9/09-9/11 by Bulova) Term exp. 9/12 <i>Not eligible for reappointment</i>	At-Large #4 Representative	Juliann Jordan Clemente (Bulova)	By Any Supervisor	At-Large

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Christina Terpak- Malm; appointed 12/3-9/07 by Frey) Term exp. 9/11 <i>Resigned</i>	Sully District Representative		Frey	Sully

CHILD CARE ADVISORY COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Tammy K. Derenak; appointed 7/02-9/05 by Kauffman; 2/08- 9/11 by McKay) Term exp. 9/13 <i>Resigned</i>	Lee District Representative		McKay	Lee
Judith Falkenrath (Appointed 12/04-9/10 by Gross) Term exp. 9/12	Mason District Representative		Gross	Mason
VACANT (Formerly held by Karen Hecker; appointed 10/03-9/09 by Hyland) Term exp. 9/11 <i>Resigned</i>	Mount Vernon District Representative		Hyland	Mt. Vernon

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**CHILD CARE ADVISORY COUNCIL (2 years)
continued**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Joan C. Holtz; appointed 5/09 by Smyth) Term exp. 9/11 <i>Resigned</i>	Providence District Representative		Smyth	Providence

**CITIZEN CORPS COUNCIL, FAIRFAX COUNTY
(2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Jean Zettler (appointed 11/08-5/10 by Smyth) Term exp. 5/12	Providence District Representative		Smyth	Providence

**COMMUNITY POLICY AND MANAGEMENT TEAM,
FAIRFAX-FALLS CHURCH
(2 years)**

CONFIRMATIONS NEEDED:

- Ms. Sandra M. Porteous as the Private Services Provider #1 Representative
- Mr. Rick Leichtweis as the Private Services Provider #2 Representative

COMMISSION FOR WOMEN (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Mattie Palmore (Appointed 5/12 by Bulova) Term exp. 10/12	At-Large Chairman's Representative		Bulova	At-Large Chairman's
Nancy Krakover (Appointed 11/09 by Cook) Term exp. 10/12	Braddock District Representative		Cook	Braddock
Diane Hoyer (Appointed 4/05 by DuBois; 10/06-10/09 by Foust) Term exp. 10/12	Dranesville District Representative		Foust	Dranesville
Catherine A. Baum (Appointed 11/10 by Hudgins) Term exp. 10/12	Hunter Mill District Representative		Hudgins	Hunter Mill

CONSUMER PROTECTION COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Felicia Boyd; appointed 11/08 by Connolly; 7/09 by Bulova) Term exp. 7/12 <i>Resigned</i>	Fairfax County Resident #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by George Bounacos; appointed 8/09 by Frey) Term exp. 7/12 <i>Resigned</i>	Fairfax County Resident #7 Representative		By Any Supervisor	At-Large

CRIMINAL JUSTICE ADVISORY BOARD (CJAB) (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Mark Cranfill; appointed 12/09 by Bulova) Term exp. 8/12 <i>Resigned</i>	At-Large Representative		By Any Supervisor	At-Large
VACANT (Formerly Held by Theo L. Vaughan; appointed 12/09 by Cook) Term exp. 11/12 <i>Resigned</i>	Braddock District Representative		Cook	Braddock
Rose Miles Robinson (Appointed 7/06-2/09 by Hudgins) Term exp. 2/12	Hunter Mill District Representative		Hudgins	Hunter Mill
Andrew Hunter (Appointed 4/04-2/09 by Gross) Term exp. 2/12	Mason District Representative		Gross	Mason
Glen Robinson (Appointed 11/09 by Smyth) Term exp. 8/12	Providence District Representative		Smyth	Providence

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Patricia Greenberg; appointed 1/11 by Hudgins) Term exp. 1/12 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill
VACANT (Formerly held by Marie Flanagan; appointed 1/10 by Smyth) Term exp. 1/13 <i>Resigned</i>	Providence District Representative		Smyth	Providence

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Ann Pimley (Appointed 9/03&11/06 by Frey) Term exp. 11/09 <i>Not eligible for reappointment (need 3 year lapse)</i>	Sully District Representative		Frey	Sully

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL
(2 years)**

CONFIRMATIONS NEEDED:

- Ms. Elizabeth D'Alelio as the Advisory Social Services Board Representative
- Ms. Marie J. Woodard as a Long Term Care Provider
- Mr. Stephen A. Morrison as the Advocacy Organizations #2 Representative
- Ms. Doris Ray as the Advocacy Organizations 3 Representative
- Mr. Thomas B. Bash as the Commission on Aging Representative
- Mr. Steve Yaffe as a Community/Religious Leaders #1 Representative
- Mr. Gerald Hopkins as a Community/Religious Leaders #2 Representative
- Mr. Philip Reeves as a Community/Religious Leaders #5 Representative
- Ms. Sally S. Hottle as a Community/Religious Leaders #7 Representative
- Ms. Betty Ann K. Yurkewitch as a Community/Religious Leaders #9 Representative
- Ms. Jessica S. Burmester as a Constituents/Consumer #1 Representative
- Ms. Maureen Hallman as a Constituents/Consumer #2 Representative
- Ms. Dorothy Keenan as a Constituents/Consumer #3 Representative
- Mr. Tapan Banerjee as the Disability Services Board Representative
- Dr. Michael Behrmann as the Educational Organizations #1 Representative
- Mr. Mark R. Meiners as the Educational Organizations #3 Representative
- Dr. Cathleen Lewandowski as the Educational Organizations #4 Representative
- Ms. Ann L. Long as the Educational Organizations #5 Representative
- Ms. Robin E. Remsburg as the Educational Organizations #6 Representative

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**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL
(2 years)**

CONFIRMATIONS NEEDED:

- Ms. Jocelyn Rappaport as the Fairfax City Representative
- Mr. Albert J. McAloon as the Redevelopment and Housing Authority Representative
- Mr. Ellwood Witt, Jr. as the Fairfax-Falls Church Community Services Board Representative
- Ms. Rosanne L. Rodilosso as the Health Care Advisory Board Representative
- Ms. Patricia D. Williams as a Long Term Care Providers #1 Representative
- Mr. Myles Nienstadt as a Long Term Care Providers #10 Representative
- Ms. Donna A. Golbranson as a Long Term Care Providers #12 Representative
- Ms. April-Lyn Pinch Keeler as a Long Term Care Providers #13 Representative
- Mr. Steve Gurney as a Long Term Care Providers #14 Representative
- Ms. Nancy Mercer as a Long Term Care Providers #19 Representative
- Ms. Judy Seiff as a Long Term Care Providers #3 Representative
- Ms. Karen Brown as a Long Term Care Providers #7 Representative
- Mr. Benjamin Brown as a Medical Community #1 Representative
- Ms. Elizabeth Major as a Medical Community #2 Representative
- Dr. Terrence McCormally as a Medical Community #3 Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

(3 years – limited to 3 full terms)

[NOTE: In accordance with *Virginia Code* Section 37.2-502, "**prior to making any appointment, the appointing authority shall disclose and make available to the public the names of those persons being considered for appointment.** The appointing authority shall also make information on the candidates available to the public, if such information is available to the appointing authority." **Members can be reappointed after 3 year break from initial 3 full terms. VA Code 37.2-502]**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Lynne Schlaaf-Crammer; appointed 9/05-6/08 by Connolly; 7/11 by Bulova) Term exp. 6/14 <i>Resigned</i>	At-Large #4 Representative	Willard Ken Garnes (Résumé attached) (Bulova) <i>(Will be confirmed on November 20, 2012)</i>	By Any Supervisor	At-Large
VACANT (Formerly held by Jean McNeal; appointed 5/06-6/11 by Foust) Term exp. 6/14 <i>Resigned</i>	Dranesville District Representative	Juan Pablo Segura Résumé attached <i>(Nomination announced on September 25, 2012)</i>	Foust	Dranesville
VACANT (Formerly held by Lisa Lynne Kania; appointed 10/11 by Frey) Term exp. 6/13 <i>Resigned</i>	Sully District Representative		Frey	Sully

HEALTH SYSTEMS AGENCY BOARD
(3 years - limited to 2 full terms, may be reappointed after 1 year lapse)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by David Braun; appointed 10/06-6/09 by Smyth) Term exp. 6/12 <i>Resigned</i>	Consumer #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Carol Ann Coryell; appointed 6/05-6/08 by Frey) Term exp. 6/11 <i>Resigned</i>	Consumer #6 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Samuel Jones; appointed 12/09 by Gross) Term exp. 6/12 <i>Resigned</i>	Provider #1 Representative		By Any Supervisor	At-Large
Stephen Goldberger (Appointed 7/04-6/06 by Kauffman; 7/09 by McKay) Term exp. 6/11	Provider #3 Representative		By Any Supervisor	At-Large

HUMAN RIGHTS COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Michael Kwon (Appointed 12/09 by Bulova) Term exp. 9/12	At-Large #1 Representative		By Any Supervisor	At-Large
Victor Dunbar (Appointed 9/91 by Richards; 9/94 by Davis; 7/97-9/03 by Hanley; 9/06 by Connolly; 9/09 by Bulova) Term exp. 9/12	At-Large #3 Representative		By Any Supervisor	At-Large

HUMAN SERVICES COUNCIL (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John Byers; appointed 6/07-7/08 by Hyland) Term exp. 7/12 <i>Deceased</i>	Mount Vernon District #1 Representative		Hyland	Mount Vernon

**INDUSTRIAL DEVELOPMENT AUTHORITY
(4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Robert Surovell (Appointed 9/84 by Scott; 11/88-10/08 by Hyland) Term exp. 10/12	At-Large #1 Representative		By Any Supervisor	At-Large
Charles Watson (Appointed 3/05-2/09 by Smyth) Term exp. 10/12	At-Large #7 Representative	Charles Watson (Smyth)	By Any Supervisor	At-Large

LIBRARY BOARD (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Stephanie Abbott; appointed 6/00-6/08 by Hudgins) Term exp. 6/12 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

**NORTHERN VIRGINIA REGIONAL PARK AUTHORITY
(4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Stella M. Koch (Appointed 3/10 by Bulova) Term exp. 10/12	Fairfax County #2 Representative		By Any Supervisor	At-Large

**OVERSIGHT COMMITTEE ON DRINKING AND DRIVING
(3 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Adam Parnes; appointed 9/03-6/12 by Hudgins) Term exp. 6/15 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Braddock
VACANT (Formerly held by Ronald Miner; appointed 8/02-6/11 by Frey) Term exp. 6/14 <i>Resigned</i>	Sully District Representative		Frey	Sully

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

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

TENANT LANDLORD COMMISSION (3 years)

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Kevin Denton; appointed 4/10&1/11 by Smyth) Term exp. 1/14 <i>Resigned</i>	Tenant Member #3 Representative		By Any Supervisor	At-Large

TREE COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Jeanne Kadet (Appointed 2/12 by Cook) Term exp. 10/12	Braddock District Representative		Cook	Braddock
Robert Vickers (Appointed 4/07 by DuBois; 11/09 by Foust) Term exp. 10/12	Dranesville District Representative		Foust	Dranesville
Ron Rubin (Appointed 1/05-11/09 by Hudgins) Term exp. 10/12	Hunter Mill District Representative		Hudgins	Hunter Mill

Continued on next page

TREE COMMISSION (3 years)
continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Andrew J. Bernick (Appointed 1/10 by McKay) Term exp. 10/12	Lee District Representative		McKay	Lee
VACANT (Formerly held by Marie Flanagan; appointed 12/09 by Smyth) Term exp. 10/11 <i>Resigned</i>	Providence District Representative		Smyth	Providence

TRESPASS TOWING ADVISORY BOARD (3 years)

[Note: Advisory board created effective 7/1/06 to advise the Board of Supervisors with regard to the appropriate provisions of Va. Code Section 46.2-1233.2 and Fairfax County Code 82.5-32.]

Membership: Members shall be Fairfax County residents. A towing representative shall be defined as a person who, prior to the time of his or her appointment, and throughout his or her term, shall be an operator of a towing business in Fairfax County.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Ronald P. Miner; appointed 6/06 by Connolly; 9/09 by Bulova) Term exp. 9/12 <i>Resigned</i>	Citizen Alternate Representative		By Any Supervisor	At-Large

WETLANDS BOARD (5 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Edward J. Bentz, Jr.; appointed 10/85-2/87 by McConnell; 12/88 by Hyland; 11/92-11/02 by McConnell; 5/08 by Herrity) Term exp. 12/13 <i>Resigned</i>	Springfield District Representative	Clyde Wilber	Herrity	Springfield

YOUTH BASKETBALL COUNCIL ADVISORY BOARD (1 year)

CONFIRMATIONS NEEDED:

- Mr. E. J. Thomas as the Treasurer and Vienna Youth Incorporated Representative
- Mr. Dave Vennergrund as the Chairman
- Mr. Gordon Austin as the Commissioner and the Burke Basketball Representative
- Mr. Eric Cooksey as the Secretary and the Herndon Optimist Club Representative
- Mr. David Maher as the Arlington County Recreation Representative
- Mr. James Bosley as the Member At-Large Representative
- Mr. Grady Bryant as the Member At-Large Representative
- Mr. Frank DeLatour as the Parliamentarian
- Mr. Charles Chandler as the Scheduler
- Mr. Christopher Pulley as the Fairfax County Recreation Representative
- Ms. Kate Sciorra as the Boys Deputy Commissioner
- Mr. Marvin Elliott as the Alexandria City Recreation Representative

YOUTH BASKETBALL COUNCIL ADVISORY BOARD (1 year)

Continued

CONFIRMATIONS NEEDED:

- Mr. Lezone Kenney as the Annandale Boys and Girls Club Representative
- Mr. Lezone Kenney as the Annandale Boys and Girls Club Alternate Representative
- Mr. Phil McConnell as the Arlington County Alternate Representative
- Mr. Daryl Lucas as the Baileys Community Center Representative
- Mr. Soan Gibson as the Baileys Community Center Alternate Representative
- Mr. Chris D'Anna as the Braddock Road Youth Club Representative
- Mr. Jim Watson as the Braddock Road Youth Club Alternate Representative
- Mr. Mark Tavernier as the Girls Deputy Commissioner and the Burke Basketball Alternate Representative
- Mr. David Posz as the Chantilly Youth Association Representative
- Mr. Rick Shryock as the Chantilly Youth Association Alternate Representative
- Mr. Marcos Poole as the Fairfax Police Youth Club Representative
- Mr. Kirk Intermill as the Fairfax Police Youth Club Alternate Representative
- Mr. Chris Madison as the Falls Church Parks and Recreation Representative
- Mr. Danny Schlitt as the Falls Church Parks and Recreation Alternate Representative
- Mr. Alton Greene as the Fort Belvoir Youth Services Representative
- Mr. Herb Marshall as the Fort Belvoir Youth Services Alternate Representative

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YOUTH BASKETBALL COUNCIL ADVISORY BOARD (1 year)

Continued

CONFIRMATIONS NEEDED:

- Mr. Jack Lohrer as the Fort Hunt Youth Athletic Association Representative
- Mr. Chip Gately as the Fort Hunt Youth Athletic Association Alternate Representative
- Mr. Brian Miller as the Gainesville Basketball Association Representative
- Mr. Jason Knight as the Gainesville Basketball Association Alternate Representative
- Mr. Richard Warrick as the Great Falls Basketball Representative
- Ms. Ayannah Arrington as the Gum Springs Community Center Representative
- Mr. Chris Watari as the Herndon Optimist Club Alternate Representative
- Mr. Jimmy Bernardez as the James Lee Community Center Representative
- Ms. Kim Thompson as the Lee District Basketball Representative
- Mr. Dennis McMinn as the Lee District Basketball Alternate Representative
- Mr. Brian Sales as the Lee Mount Vernon Sports Club Representative
- Mr. Wes Peterson as the Lee Mount Vernon Sports Club Alternative Representative
- Mr. Jeff Goettman as the McLean Youth Incorporated Representative
- Mr. Gerry Megas as the McLean Youth Incorporated Alternate Representative
- Mr. David Fields as the Mount Vernon Youth Association Representative
- Ms. Stacey Johnson as the Mount Vernon Youth Association Alternate Representative
- Mr. Mitch Kalman as the Reston Youth Basketball League Representative

Continued on next page

YOUTH BASKETBALL COUNCIL ADVISORY BOARD (1 year)

Continued

CONFIRMATIONS NEEDED:

- Mr. John Schmid as the Reston Youth Basketball League Alternate Representative
- Mr. Ed Knox as the Southwestern Youth Association Representative
- Mr. Bob Korman as the Southwestern Youth Association Alternate Representative
- Mr. Chris Spera as the Springfield Youth Club Representative
- Mr. Mike Mastrota as the Turnpike Basketball Club Representative
- Mr. Tom Stepka as the Turnpike Basketball Club Alternate Representative
- Ms. Taylor Roberts as the Vienna Youth Incorporated Alternate Representative

WILLARD K. GARNES, MSW

SUMMARY OF QUALIFICATIONS

- Project Manager, FOCUS Project, Fairfax County, Virginia
- Director, Department of Administration for Human Services, Fairfax County, Virginia.
- Lieutenant Colonel, United States Army Reserves, (Ret.).
- Human Resources (Business Area) Manager, Department of Administration for Human Services, Fairfax County, Virginia.
- More than 30 years of experience in public administration and service delivery in human services in both civilian and military settings.
- Highly effective working relationship with human services staff, health professionals, community leaders, and elected officials.

PROFESSIONAL BACKGROUND

I. CIVILIAN EXPERIENCE

Project Manager, FOCUS Project

July 2010 – Present

As the county's project manager, I jointly manage with the Fairfax County Public Schools the Enterprise Resource Planning (ERP) project, known as FOCUS, to replace the legacy systems supporting finance, budget, human resources, and procurement. This new system will enhance integration of systems, reduce duplicate entries, and create a seamless operational workflow.

Director, Department of Administration for Human Services, Fairfax County, Virginia

September 2000 – January 2010

Member of the Fairfax County Human Services Leadership Team. Worked collaboratively to set the organizational goals, objectives, and strategic planning processes. Initiated and maintained partnerships with program areas. Provided staff support to Human Services Council and Consolidated Community Funding Pool. Served as the County Executive's designee to the Alcohol Safety Action Program (ASAP). Provided oversight to the Department of Administration for Human Services and coordinated the work carried out in the business areas. These areas included:

1. **Financial Management**, prepared and monitored human services department budgets with expenditures totaling more than \$430 million, including an estimated 50 General Fund grants, and performed accounts receivable functions for human services agencies. Financial staff forecast and collected revenues from the state and federal governments, clients, third-party payers, local jurisdictions and other organizations that were anticipated to offset county expenditures by more than \$163 million in FY 2007. The Financial Management division actively participated in resource development and management initiatives to support program growth and development where service demands required it.

2. ***Human Resources***, provided personnel administrative support, including recruitment, staffing, risk management, employee relations, payroll, employee benefits, and training for 3,500 human services employees. In conjunction with the Department of Management and Budget and the Department of Human Resources, staff conducted workforce planning, during which classification and compensation issues were addressed in order to meet the goals of strategic plans.
3. ***Contracts Management***, supported development and administration of contractual agreements with public and private providers for human services. In FY 2007, the value of services handled by Contracts Management was approximately \$135 million, generated by nearly 1,000 contracts. Staff worked with county human services departments to develop programs and mechanisms for arrangement of services. Staff also monitored vendor compliance with contract terms and conditions and required performance outcomes. Staff provided technical assistance to providers doing business with Fairfax County through development and delivery of training, provider forums, information exchanges, site visits, and other support.
4. ***Physical Resources***, which involved support services essential to the efficient delivery of services to county residents achieved through 370 facilities, of which 50 were offices and 320 were residential and recreational facilities, as well as 150 vehicles located throughout the county. Additional functions included timely processing of nearly 23,000 transactions for purchasing supplies, materials, and services at a competitive cost; processing nearly 148,000 payments to vendors from whom the county purchased supplies, materials, and services; and maintaining an updated inventory of fixed assets for all human services agencies.
5. ***Information Technology Strategic Planning for Human Services***, which provided overall IT planning for human services and encompassed six program areas as well as the Department of Systems Management for Human Services and the Department of Administration for Human Services.

Human Resources Manager for the Department of Administration for Human Services: April 1995 – September 2000

Managed and directed all human resource support for human services systems and provided supervision for 29 human resources staff members. Coordinated human resources staff support for six program areas: 1) Health Department, 2) Fairfax-Falls Church Community Services Board, 3) Community and Recreation Services, 4) Department of Family Services, 5) Juvenile and Domestic Relations District Court, and 6) Housing and Community Development. Also coordinated human resources staff support for two system-wide support organizations: the Department of Systems Management for Human Services and the Department of Administration for Human Services. Coordinated and managed the recruitment, hiring, compensation, employee relations, and payroll of approximately 3,500 human services employees. Oversaw daily operations for human resources and conducted all performance measurements on a routine basis. Coordinated small, team-based work groups focusing on human resources redesign efforts and continuous improvement models. Conducted briefings and presentations to the Human Services Leadership Team. Coordinated the Department of Administration Cultural Diversity Plan and United Way Plan. Served as the agency's liaison regarding the Americans with Disabilities Act. Served as the liaison to the Fairfax County Department of Human Resources.

Project Management Staff to the Fairfax County Human Services Redesign

September 1994 – April 1995

Provided team-based coordination and management of redesign projects, which pertained to the overall human services system. Coordinated meetings and conducted briefings to the Leadership Team. Managed contracts and conducted contract negotiations for human services redesign. Assisted in developing the FY 1996 Addendum Budget package. Developed and implemented internal processes for tracking personnel actions, position vacancy management, and requisition processing. Served as human services liaison to the Department of Human Resources for managing and tracking hiring and reclassification requests. Coordinated action steps to implement the Human Services Strategic Plan.

Coordinator for Clinical and Community Support Services, Office of Mental Health Services, Fairfax-Falls Church Community Services Board

August 1983 – September 1994

Served as program assistant to the Director of Mental Health Services, whose programs involved approximately 350 staff members and served more than 16,000 clients yearly. Developed and managed contracts for commitment and detention, mental health evaluations, emergency housing, outpatient/case management, and residential services for seriously ill clients. Coordinated and evaluated nursing home screening (Level II) for the Community Services Board in accordance with the Omnibus Reconciliation Act of 1987. Ensured that all services adhered to the Americans with Disabilities Act. Provided central case management coordination for difficult-to-place clients who required multiple agency planning. Collected and analyzed statistical data using the automated management information system for directly operated and contract mental health programs. Represented the Community Services Board on the Community Interface Panel, Western State Hospital. Contact person for program issues regarding admissions to DeJarnette Center for Children. Member of the Community Services Board Internal Audit Team, and Chairman of the Community Services Board Affirmative Action Committee.

Clinical Social Worker, Central State Hospital, Petersburg, Virginia

October 1974 – August 1983

Responsible for all social service activities with the Forensic Unit (a treatment and evaluation facility that provided inpatient services to patients who had been charged with a crime). Coordinated admission and supervised diagnostic staffing. Received specialized training from the Institute of Law and Psychiatry, University of Virginia, in conducting forensic evaluations including all aspects of competency (pre- and post-trial sentencing and mental-status-at-the-time-of-offense cases). Provided individual and group therapy to inmates transferred from the Department of Corrections to the hospital for inpatient psychiatric treatment. Provided inpatient treatment for more than 200 patients. Served as Program Manager for the Director of the Forensic Unit. Responsible for the hiring, supervision, and tracking of personnel actions for 75 staff members.

II. MILITARY EXPERIENCE (Active Duty and Reserve)

Social Work Officer (Army Reserve), 309th Medical Group, Rockville, Maryland

May 1993 – March 2004

Developed social work operating procedures within the unit. Provided social work consultation to six subordinate units. Served as advisor to the Commander on training and planning activities regarding social work functions. Served as the Alcohol and Drug Coordinator, Family Support Coordinator,

and Chief of Mental Health Activities. Holds a DOD SECRET security clearance for managing sensitive and classified materials.

**Patient Administration Division Officer; Social Worker Officer (Army Reserves), 56th Station Hospital, Richmond, Virginia
September 1991 – May 1993**

Managed the Hospital Patient Administration Division and wrote Standard Operating Procedures. Provided budget input for the Patient Administration Division for inclusion in the overall unit budget submission. Provided input for the yearly training schedule. Supervised eight enlisted personnel and two officers assigned to the administration section. Coordinated the administrative functions at the Medical Examination Station in Richmond, Virginia, which included conducting orientation briefings, assisting personnel in completing the administrative portion of physical examinations, and entering data into the automated data system. Served as an advisor to the Commander on issues related to patient administration and procedures for implementing social services to more than 450 personnel. Supervised four Behavioral Science Specialists and coordinated Family Day activities.

**Detachment Commander, 56th Station Hospital, Richmond, Virginia (Army Reserves)
May 1991 – September 1991**

Responsible for day-to-day accountability, operations, budget preparation, administrative processing, and disciplinary actions for more than 500 medical personnel. Served as Special Project Officer to the Commander during deactivation of the unit. Assisted the Commander in reviewing personnel job classifications and developing plans to transfer displaced soldiers to other units.

**Provisional Detachment Commander, 98th General Hospital, Nurnberg, Germany
Operation Desert Shield/Desert Storm (Army Active-Duty)
January 1991 – May 1991**

Responsible for the medical unit's day-to-day accountability, operations, budget preparation, administrative processing, disciplinary and personnel actions (e.g., tracking transfers, discharges, sick leave, emergency leave, promotions, assignments, reassignments, and morale monitoring) for more than 600 Active-Duty and Reserves personnel assigned in six different medical facilities throughout Germany. Awarded the Army Commendation Medal.

**Social Work Officer, 56th Station Hospital, Richmond, Virginia – Commissioned February 1984
(Army Reserves)
February 1984 – January 1991**

Assigned to the Virginia Veterans Administration Hospital, Richmond, Virginia. Responsible for inpatient social work activities (discharge planning and collaboration with other hospital staff and civilian agencies) in a team-based environment. Supervised two enlisted personnel and participated in staff briefings.

**Behavioral Science Specialist, 56th Station Hospital, Richmond, Virginia (Army Reserves)
October 1974 – February 1994**

Provided a full range of counseling and family support services to more than 500 Reserve component service members and their families. Services ranged from individual counseling to serving as a liaison for families who needed to link with the community for aftercare services. Assisted the Officer-in-Charge with Social Work Policy development. Prepared and conducted briefings to the Unit Commander and staff.

Behavioral Science Specialist, Fort Polk U.S. Army Hospital, Fort Polk, Louisiana (Army Active-Duty)

October 1972 – October 1974

Coordinated an aftercare program in a team-based service delivery system with a variety of agencies, including local, state, and federal units. Provided individual and group therapy intervention to inpatients and their family members. Specialized in providing comprehensive therapy to soldiers returning from Vietnam who needed psychological intervention.

EDUCATION

August 1994	Combined Arms and Services Staff School Diploma	Command and General Staff College Ft. Leavenworth, Kansas
May 1982	Master of Social Work	Virginia Commonwealth University Richmond, Virginia
May 1972	Bachelor of Arts Degree	St. Paul's College Lawrenceville, Virginia

BOARDS, AUTHORITIES, AND COMMISSIONS

- Alcohol Safety Action Program (ASAP) Board, 2000-2010
- Board of Directors, Comprehensive Health Investment Project (CHIP) of Virginia, 2009-2012
- Fairfax County Human Services Council (HSC), 2000-2010

AWARDS

CIVILIAN	1990	Fairfax County Employee Outstanding Performance Award
MILITARY	2002	Promoted to the rank of Lieutenant Colonel (USAR)
	1996	Promoted to the rank of Major (USAR)
	1993	Army Commendation Medal
	1992	Army Commendation Medal (Desert Shield/Desert Storm)
	1991	Overseas Service Ribbon
	1990	Army Achievement Medal
	1989	Army Achievement Medal
	1986	Army Achievement Medal
	1984	Army Forces Reserve Medal
	1984	Commissioned as 2 nd Lieutenant, Medical Services Corps
	1982	Army Reserve Component Medal
	1981	Army Service Ribbon
	1980 – 1981	Army Reserve Component Medals
	1974	Good Conduct Medal
	1973	National Defense Medal

Board Agenda Item
October 30, 2012

10:40 a.m.

Items Presented by the County Executive

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ADMINISTRATIVE - 1

Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 1830 Peabody Drive, Falls Church, VA 22043 (Dranesville District)

ISSUE:

Board authorization to advertise a public hearing to consider adoption of a Spot Blight Abatement Ordinance for 1830 Peabody Drive, Falls Church, VA 22043 (Tax Map No. 040-1 ((03)) 0433).

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing.

TIMING:

Authorization to advertise on October 30, 2012, a public hearing to be held Tuesday, November 20, 2012, at 4:00 P.M.

BACKGROUND:

Va. Code Ann. § 36-49.1:1 (2011) (Spot Blight Abatement Statute) allows the Board, by ordinance, to declare a blighted property a nuisance, thereby enabling abatement in accordance with Va. Code Ann. § 15.2-900 (2012) or Va. Code Ann. § 15.2-1115 (2012) (Abatement of Nuisance Statutes). The Abatement of Nuisance Statute permits the County to compel the abatement or removal of nuisances. If, after reasonable notice, the owner(s) fails to abate or obviate the nuisance the County may abate the nuisance in which event the property owner(s) may then be charged for the costs of abatement, which may be collected from the property owner(s) in any manner provided by law for the collection of state or local taxes.

Properties are considered "blighted" under the Spot Blight Abatement Statute as defined in Va. Code Ann. 36-3 (2011) as any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted pursuant to § 36-49.1:1, under the process for determination of "spot blight."

In November 1996, the Board authorized the implementation of a Blight Abatement

Program using the Spot Blight Abatement Statute to address citizen concerns about specific properties in their communities which were abandoned, dilapidated, or otherwise kept in an unsafe state.

A property can be considered blighted if it meets the standards set forth in Va. Code Ann. § 36-3 (2011) and if it meets all of the following conditions:

1. It has been vacant and/or boarded up for at least one year.
2. It has been the subject of complaints.
3. It is no longer being maintained for useful occupancy.
4. It is in a dilapidated condition or lacks normal maintenance or upkeep.

A property maintenance case was opened and investigated in July 2008 for neglect and maintenance concerns and on October 11, 2011, the property was referred to the Blight Abatement Program (BAP) due to the unresponsiveness of the owner to correct the maintenance issues. Records indicate the property owner made application for a demolition permit in February 2012, however, this permit application process was not completed, and the demolition permit has not been issued. In March 2012 the property maintenance case was transferred to the Department of Code Compliance. A new Notice of Violation was issued to the property owner on March 29, 2012. Records indicate that to date, the demolition permit still has not been obtained.

Located on the subject property is an abandoned, one story dwelling. The roof has been cut along the rafters, and the siding removed. The structure has been in this condition since March 2012. The structure was constructed in 1953 according to Fairfax County Tax Records. Inspection records indicate the property has been vacant since at least July 2008.

Due to the time it is taking for the owner to obtain the demolition permit and the lack of response by the owner over the course of the past four years BAP staff feels that the dwelling is not economically feasible to repair and recommends demolition.

This property was reviewed by the Neighborhood Enhancement Task Force (NETF) on September 13, 2012 and the NETF Committee found that the subject property met the blighted property guidelines and the property received a preliminary blight determination. Certified and regular Notice was sent to the owner advising him of this determination.

Although the County will continue to seek cooperation from the owner to eliminate blighted conditions, it is requested that a public hearing, in accordance with the Spot Blight Abatement Statute, be held to adopt an Ordinance declaring the property to be blighted, which constitutes a nuisance. State code requires that the Board provide notice concerning proposed adoption of such an Ordinance.

At the public hearing, the County will also request authorization to contract for demolition of the blighted structure on the site pursuant to Va. Code Ann. §15.2-1115 (2012) as authorized under the Spot Blight Abatement Statute. If the owner fails to abate the blighted conditions within thirty days after notification of the Board's action, the County will proceed with the demolition process for the structure. The County will incur the cost, expending funds that are available in Fund 300-C30010, County Construction, Project 2G97-001-000, Strike Force Blight Abatement. The County will then pursue reimbursement from the owner who is ultimately liable for all abatement costs incurred. A lien will be placed on the property and recorded in the County land and judgment records.

FISCAL IMPACT:

In the event that the blighted conditions are not eliminated by the owner, the County will fund the demolition from Fund 300-C30010, County Construction, Project 2G97-001-000, Strike Force Blight Abatement. Funding is available in Project 2G97-001-000 to proceed with the demolition estimated to cost approximately \$28,000.

It is anticipated that all of the costs (including direct County administrative costs) of the blight abatement will be recovered from the property owners. Funds recovered will be allocated to the Blight Abatement Program in order to carry out future blight abatement plans.

ENCLOSED DOCUMENTS:

Attachment 1: Property Photographs

Attachment 2: ~~Public Hearing Advertisement~~

STAFF:

Robert A. Stalzer, Deputy County Executive

Jeffrey L. Blackford, Director, Department of Code Compliance

Karen McClellan, Operations Manager, Department of Code Compliance

Susan Epstein, Division Supervisor, Department of Code Compliance

Victoria Dzierzek, Code Compliance Investigator III, Department of Code Compliance

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**1830 Peabody Drive, Falls Church
Tax Map # 040-1 ((03)) 0433
Dranesville District
Attachment 1**



**1830 Peabody Drive, Falls Church
Tax Map # 040-1 ((03)) 0433
Dranesville District
Attachment 1**

Board Agenda Item
October 30, 2012

ADMINISTRATIVE - 2

Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 11388 Dorsey Place, Lorton, VA 22079 (Mount Vernon District)

ISSUE:

Board authorization to advertise a public hearing to consider adoption of a Spot Blight Abatement Ordinance for 11388 Dorsey Place, Lorton, VA 22079 (Tax Map No. 119-4 ((02)) (07) 0003).

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing.

TIMING:

Authorization to advertise on October 30, 2012, a public hearing to be held Tuesday, November 20, 2012, at 4:00 P.M.

BACKGROUND:

Va. Code Ann. § 36-49.1:1 (2011) (Spot Blight Abatement Statute) allows the Board, by ordinance, to declare a blighted property a nuisance, thereby enabling abatement in accordance with Va. Code Ann. § 15.2-900 (2012) or Va. Code Ann. § 15.2-1115 (2012) (Abatement of Nuisance Statutes). The Abatement of Nuisance Statute permits the County to compel the abatement or removal of nuisances. If, after reasonable notice, the owner(s) fails to abate or obviate the nuisance the County may abate the nuisance in which event the property owner(s) may then be charged for the costs of abatement, which may be collected from the property owner(s) in any manner provided by law for the collection of state or local taxes.

Properties are considered "blighted" under the Spot Blight Abatement Statute as defined in Va. Code Ann. 36-3 (2011) as any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted pursuant to § 36-49.1:1, under the process for determination of "spot blight."

In November 1996, the Board authorized the implementation of a Blight Abatement

Board Agenda Item
October 30, 2012

Program using the Spot Blight Abatement Statute to address citizen concerns about specific properties in their communities which were abandoned, dilapidated, or otherwise kept in an unsafe state.

A property can be considered blighted if it meets the standards set forth in Va. Code Ann. § 36-3 (2011) and if it meets all of the following conditions:

1. It has been vacant and/or boarded up for at least one year.
2. It has been the subject of complaints.
3. It is no longer being maintained for useful occupancy.
4. It is in a dilapidated condition or lacks normal maintenance or upkeep.

Based on a complaint received by the Department of Code Compliance in August 2010, regarding a dilapidated and neglected structure located at 11388 Dorsey Place, a property maintenance case was opened and investigated. In July, 2011 new owners took possession of the property. The case was referred to the Blight Abatement Program (BAP) on May 24, 2012 by the Technical Assistant to the Maintenance Official. The property maintenance case was forwarded to the County Attorney's Office for litigation in September 2012 due to lack of response by the owners to repair or demolish the structure. The owners submitted an unacceptable Blight Abatement Plan which did not specify in detail their intentions to renovate or demolish the structure and an unacceptable timeframe to abate the blighted conditions.

Located on the subject property is an abandoned, one and a half story log cabin with a full basement. The front porch and portions of the roof has collapsed, structural beams in the basement have been compromised. The owners have installed a chain link fence around the cabin to prohibit entry into the unsafe structure. According to Fairfax County Tax Records the cabin was constructed in 1949. The structure is known to be vacant since at least August 2010 as documented by the Property Maintenance Investigator.

Due to the structural condition of the dwelling and the impact on the surrounding properties, BAP staff feels that the dwelling is not economically feasible to repair and recommends demolition.

This property was reviewed by the Neighborhood Enhancement Task Force (NETF) on September 13, 2012 and the NETF Committee found that the subject property met the blighted property guidelines and the property received a preliminary blight determination. Certified and regular Notice was sent to the owners advising them of this determination.

Although the County will continue to seek cooperation from the owner to eliminate blighted conditions, it is requested that a public hearing, in accordance with the Spot Blight Abatement Statute, be held to adopt an Ordinance declaring the property to be

Board Agenda Item
October 30, 2012

blighted, which constitutes a nuisance. State code requires that the Board provide notice concerning proposed adoption of such an Ordinance.

At the public hearing, the County will also request authorization to contract for demolition of the blighted structure on the site pursuant to Va. Code Ann. §15.2-1115 (2012) as authorized under the Spot Blight Abatement Statute. If the owner fails to abate the blighted conditions within thirty days after notification of the Board's action, the County will proceed with the demolition process for the structure. The County will incur the cost, expending funds that are available in Fund 300-C30010, County Construction, Project 2G97-001-000, Strike Force Blight Abatement. The County will then pursue reimbursement from the owner who is ultimately liable for all abatement costs incurred. A lien will be placed on the property and recorded in the County land and judgment records.

FISCAL IMPACT:

In the event that the blighted conditions are not eliminated by the owner, the County will fund the demolition from Fund 300-C30010, County Construction, Project 2G97-001-000, Strike Force Blight Abatement. Funding is available in Project 2G97-001-000 to proceed with the demolition estimated to cost approximately \$32,000.

It is anticipated that all of the costs (including direct County administrative costs) of the blight abatement will be recovered from the property owners. Funds recovered will be allocated to the Blight Abatement Program in order to carry out future blight abatement plans.

ENCLOSED DOCUMENTS:

Attachment 1: Property Photographs

STAFF:

Robert A. Stalzer, Deputy County Executive
Jeffrey L. Blackford, Director, Department of Code Compliance
Karen McClellan, Operations Manager, Department of Code Compliance
Susan Epstein, Division Supervisor, Department of Code Compliance
Victoria Dzierzek, Code Compliance Investigator III, Department of Code Compliance

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**11388 Dorsey Place, Lorton
Tax Map # 119-4 ((02)) (07) 0003
Mount Vernon District
Attachment 1**



**11388 Dorsey Place, Lorton
Tax Map # 119-4 ((02)) (07) 0003
Mount Vernon District
Attachment 1**

Board Agenda Item
October 30, 2012

ADMINISTRATIVE - 3

Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 6629 Spring Valley Drive, Alexandria, VA 22312 (Mason District)

ISSUE:

Board authorization to advertise a public hearing to consider adoption of a Spot Blight Abatement Ordinance for 6629 Spring Valley Drive, Alexandria VA 22312 (Tax Map No. 071-4 ((09)) 0049).

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing.

TIMING:

Authorization to advertise on October 30, 2012, a public hearing to be held Tuesday, November 20, 2012 at 4:00 P.M.

BACKGROUND:

Va. Code Ann. § 36-49.1:1 (2011) (Spot Blight Abatement Statute) allows the Board, by ordinance, to declare a blighted property a nuisance, thereby enabling abatement in accordance with Va. Code Ann. § 15.2-900 (2012) or Va. Code Ann. § 15.2-1115 (2012) (Abatement of Nuisance Statutes). The Abatement of Nuisance Statute permits the County to compel the abatement or removal of nuisances. If, after reasonable notice, the owner(s) fails to abate or obviate the nuisance the County may abate the nuisance in which event the property owner(s) may then be charged for the costs of abatement, which may be collected from the property owner(s) in any manner provided by law for the collection of state or local taxes.

Properties are considered "blighted" under the Spot Blight Abatement Statute as defined in Va. Code Ann. 36-3 (2011) as any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted pursuant to § 36-49.1:1, under the process for determination of "spot blight."

In November 1996, the Board authorized the implementation of a Blight Abatement Program using the Spot Blight Abatement Statute to address citizen concerns about

Board Agenda Item
October 30, 2012

specific properties in their communities which were abandoned, dilapidated, or otherwise kept in an unsafe state.

A property can be considered blighted if it meets the standards set forth in Va. Code Ann. § 36-3 (2011) and if it meets all of the following conditions:

1. It has been vacant and/or boarded up for at least one year.
2. It has been the subject of complaints.
3. It is no longer being maintained for useful occupancy.
4. It is in a dilapidated condition or lacks normal maintenance or upkeep.

Based on a complaint, a property maintenance case was opened and investigated in March 20, 2008 for the lack of maintenance of the property located at 6629 Spring Valley Drive. Subsequently, the property was referred to the Blight Abatement Program (BAP) on June 22, 2012 by the technical assistant to the Maintenance Code Official. The owners have not complied with the requirements of the Notice of Violation issued in September, 2008, and has failed to respond to correspondence from the property maintenance investigator, Blight Abatement staff, and the county attorney's office regarding the maintenance violations.

Located on the subject property is an abandoned, one story brick dwelling with a full basement and an in-ground swimming pool. The structure was constructed in 1951 according to Fairfax County Tax Records and has been vacant since October, 2009 according to Dominion Virginia Power records. The structure has a fallen front porch, holes in the roof, and broken windows throughout and was placarded as Unsafe on June 27, 2012 by the Property Maintenance Investigator. The owners have not addressed the maintenance concerns and have not responded to letters sent by BAP staff.

Due to the extreme lack of maintenance over the course of at least 3 years BAP staff feels that the dwelling is not economically feasible to repair and recommends demolition.

This property was reviewed by the Neighborhood Enhancement Task Force (NETF) on September 13, 2012 and the NETF Committee found that the subject property met the blighted property guidelines and the property received a preliminary blight determination. Certified and regular Notice was sent to the owners advising them of this determination.

Although the County will continue to seek cooperation from the owner to eliminate blighted conditions, it is requested that a public hearing, in accordance with the Spot Blight Abatement Statute, be held to adopt an Ordinance declaring the property to be blighted, which constitutes a nuisance. State code requires that the Board provide notice concerning proposed adoption of such an Ordinance.

Board Agenda Item
October 30, 2012

At the public hearing, the County will also request authorization to contract for demolition of the blighted structure on the site pursuant to Va. Code Ann. §15.2-1115 (2012) as authorized under the Spot Blight Abatement Statute. If the owner fails to abate the blighted conditions within thirty days after notification of the Board's action, the County will proceed with the demolition process for the structure. The County will incur the cost, expending funds that are available in Fund 300-C30010, County Construction, Project 2G97-001-000, Strike Force Blight Abatement. The County will then pursue reimbursement from the owner who is ultimately liable for all abatement costs incurred. A lien will be placed on the property and recorded in the County land and judgment records.

FISCAL IMPACT:

In the event that the blighted conditions are not eliminated by the owner, the County will fund the demolition from Fund 300-C30010, County Construction, Project 2G97-001-000, Strike Force Blight Abatement. Funding is available in Project 2G97-001-000 to proceed with the demolition estimated to cost approximately \$35,000.

It is anticipated that all of the costs (including direct County administrative costs) of the blight abatement will be recovered from the property owners. Funds recovered will be allocated to the Blight Abatement Program in order to carry out future blight abatement plans.

ENCLOSED DOCUMENTS:

Attachment 1: Property Photographs

STAFF:

Robert A. Stalzer, Deputy County Executive
Jeffrey L. Blackford, Director, Department of Code Compliance
Karen McClellan, Operations Manager, Department of Code Compliance
Susan Epstein, Division Supervisor, Department of Code Compliance
Victoria Dzierzek, Code Compliance Investigator III, Department of Code Compliance

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**6629 Spring Valley Drive, Alexandria
Tax Map # 071-4 ((09)) 0049
Mason District
Attachment 1**



**6629 Spring Valley Drive, Alexandria
Tax Map # 071-4 ((09)) 0049
Mason District
Attachment 1**

Board Agenda Item
October 30, 2012

ADMINISTRATIVE – 4

Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Huntsman Lake Dam Rehabilitation (Springfield District)

ISSUE:

Board authorization to advertise of a public hearing on the acquisition of certain land rights necessary for the construction of Project SD-000033-023, (also known as Project FX4000-PC014), Huntsman Lake Dam Rehabilitation, Fund 400-C40101, Stormwater Services.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for December 4, 2012, at 4:00 p.m.

TIMING:

Board action is requested on October 30, 2012, to provide sufficient time to advertise the proposed public hearing on the acquisition of certain land rights necessary to keep this project on schedule.

BACKGROUND:

This project consists of armoring the auxiliary spillway of the Huntsman Lake Dam as well as replacing the existing riser structure in order to meet current state and federal standards for dam safety.

Huntsman Lake Dam is located near the intersection of the Fairfax County Parkway and Huntsman Boulevard. This project requires the acquisition of several storm drainage easements across the affected properties to facilitate the alignment change of the auxiliary spillway. Negotiations are in progress with the affected property owners; however, resolution of these acquisitions is not imminent. Further information regarding design details and the status of negotiations will be provided in the Public Hearing Board Package.

In order to commence construction of this project on schedule, it may be necessary for the Board to utilize quick-take eminent domain powers. These powers are conferred upon the Board by statute, namely, Va. Code Ann. §§ 15.2-1903 through 15.2-1905

Board Agenda Item
October 30, 2012

(2012). Pursuant to these provisions, a public hearing is required before property interests can be acquired in such an accelerated manner.

FISCAL IMPACT:

Funding is available in Project SD-000033-023, (also known as Project FX4000-PC014), Huntsman Lake Dam Rehabilitation, Fund 400-C40101, Stormwater Services. This project is included in the Adopted FY2013 - FY2017 Capital Improvement Program (with future Fiscal Years to FY 2022). No additional funding is being requested from the Board.

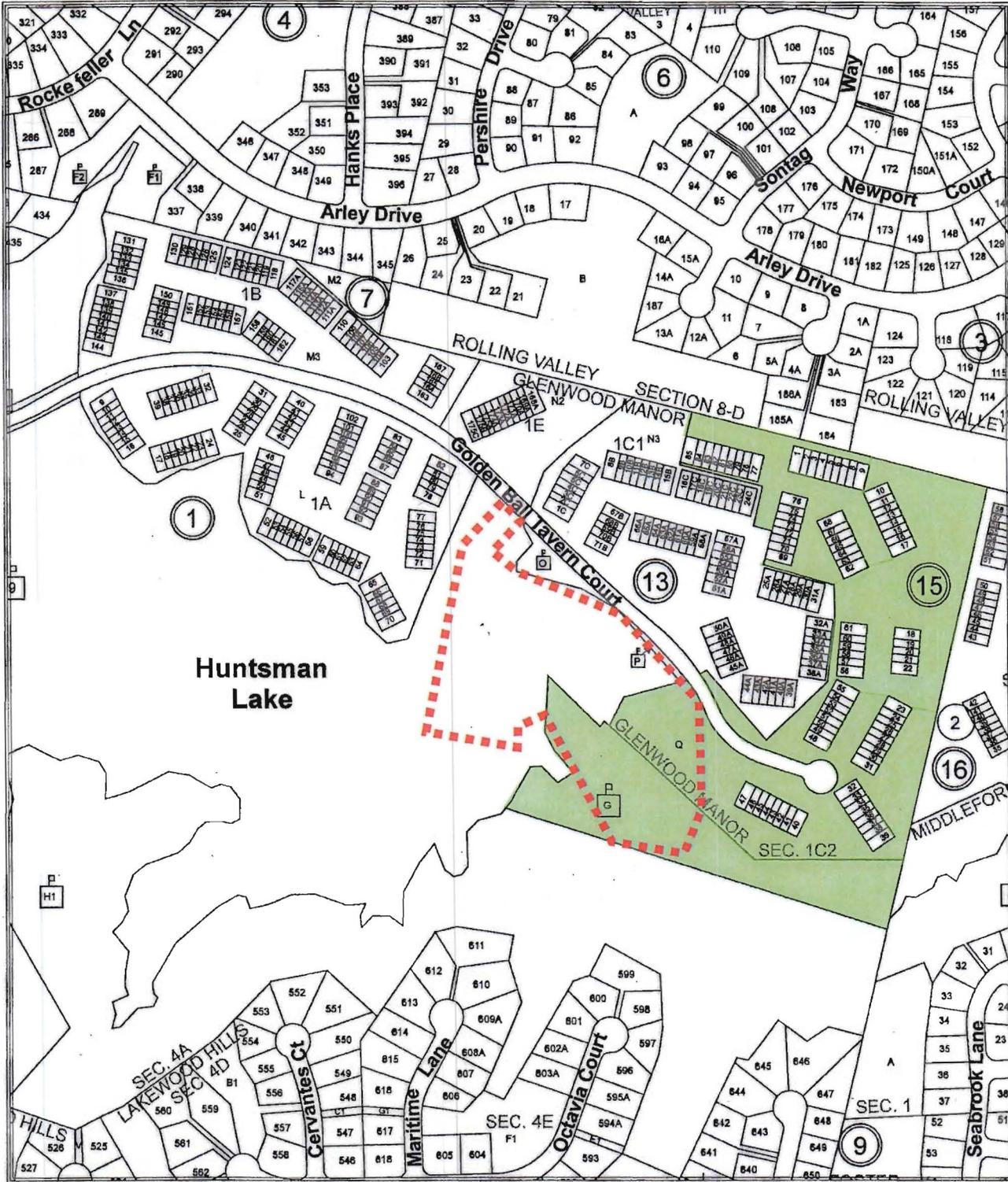
ENCLOSED DOCUMENTS:

Attachment A - Project Location Map
Attachment B - Listing of Affected Properties

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)
Ronald N. Kirkpatrick, Deputy Director, DPWES, Capital Facilities

ATTACHMENT A



HUNTSMAN LAKE DAM REHABILITATION

Tax Map: 88-4

Project SD-00033-023 (FX4000-PC014)

Scale: 1" = 400"

Springfield District

Affected Properties:



Proposed Improvement:



LISTING OF AFFECTED PROPERTIES
Project SD-000033-023 (also known as Project FX4000-PC014)
Huntsman Lake Dam Rehabilitation
(Springfield District)

PROPERTY OWNER(S)

1. Lakewood Hills No. 1 Community Association 088-4-15-0000-Q

Address:

Situated SE of Huntsman Boulevard and Golden Ball Tavern Court at SE end of Huntsman Lake

2. Fairfax County Park Authority 088-4-09-0000-G

Address:

Situated SE of Huntsman Boulevard and Golden Ball Tavern Court near the SE end of Huntsman Lake

Board Agenda Item
October 30, 2012

ADMINISTRATIVE – 5

Streets into the Secondary System (Dranesville, Hunter Mill, Mason, Providence, and Springfield Districts)

ISSUE:

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

RECOMMENDATION:

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Hastings Crest	Dranesville	Colvin Run Road (Route 743) (Additional Right-of-Way (ROW) Only)
Reston Block 6, Section 904 (Storage USA)	Hunter Mill	Sunrise Valley Drive (Route 5320) (Additional ROW Only)
Jefferson at Sullivan Place	Mason	Bren Mar Drive (Route 1292) (Additional ROW Only)
Re-Subdivision of Lot 24, Farr And McCandlish Lot 3	Mason	Annandale Road (Route 650) (Additional ROW Only)
BMW of Fairfax Service Facility	Providence	Old Lee Highway (Route 3741) (Additional ROW Only)
Murthy Manors	Providence	Dorian Drive Marbury Road (Route 806) (Additional ROW Only)
Fair Oaks	Springfield	Ruffin Court (Route 10290)

TIMING:

Routine.

Board Agenda Item
October 30, 2012

BACKGROUND:

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

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Street Acceptance Forms

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michelle Brickner, Deputy Director, DPWES, Land Development Services

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p>		
<p>ENGINEERING MANAGER: Terry L. Yates, P.E.</p> <p>BY: <i>Nadia Stephens</i></p>	<p>PLAN NUMBER: 1903-SD-01</p> <p>SUBDIVISION PLAT NAME: Hastings Crest</p> <p>COUNTY MAGISTERIAL DISTRICT: Dranesville</p>		
<p>FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: 07/18/2012</p>			
STREET NAME	LOCATION		MILE LENGTH
	FROM	TO	
Colvin Run Road (Route 743) (Additional Right-of-Way Only)	400' E CL Colvin Meadows Lane (Route 7425)	129' E to Section Line	0.0
NOTES:			TOTALS:
300' of 4' Stone Dust Trail on North Side to be maintained by Fairfax County.			0.0

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

**FAIRFAX COUNTY BOARD OF SUPERVISORS
FAIRFAX, VA**

Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.

**VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE
OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA**

REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

PLAN NUMBER: 2660-SP-09

SUBDIVISION PLAT NAME: Reston Block 6, Section 904 (Storage USA)

COUNTY MAGISTERIAL DISTRICT: Hunter Mill

ENGINEERING MANAGER: Terry L. Yates, P.E.

FOR OFFICIAL USE ONLY

BY: Media Aphens DATE OF VDOT INSPECTION APPROVAL: 08/01/2012

STREET NAME	LOCATION		MILE LENGTH
	FROM	TO	
Sunrise Valley Drive (Route 5320) (Additional Right-of-Way Only)	583' NW CL Mercator Drive (Route 6336)	45' NW to Section Line	0.0
NOTES:			TOTALS: 0

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

**FAIRFAX COUNTY BOARD OF SUPERVISORS
FAIRFAX, VA**
Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.

VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA
REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

PLAN NUMBER: 6055-PI-01

SUBDIVISION PLAT NAME: Re-Subdivision of Lot 24, Farr & McCandlish Lot 3

COUNTY MAGISTERIAL DISTRICT: Mason

ENGINEERING MANAGER: Terry L. Yates, P.E.

FOR OFFICIAL USE ONLY

BY: *Nadia Agnew*

DATE OF VDOT INSPECTION APPROVAL: 08/03/2012

STREET NAME	LOCATION		MILE LENGTH
	FROM	TO	
Annandale Road (Route 650) (Additional Right-of-Way Only)	25' S CL Farr Street (Route 955)	166' S to Section line	0.0
NOTES:			TOTALS:
166' of 4' Concrete Sidewalk on East Side to be maintained by VDOT.			0

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

**FAIRFAX COUNTY BOARD OF SUPERVISORS
FAIRFAX, VA**

Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.

**VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE
OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA**

REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

PLAN NUMBER: 5584-SP-005

SUBDIVISION PLAT NAME: BMW of Fairfax Service Facility

COUNTY MAGISTERIAL DISTRICT: Providence

ENGINEERING MANAGER: Terry L. Yates, P.E.

FOR OFFICIAL USE ONLY

BY: *Andie Alpers*

DATE OF VDOT INSPECTION APPROVAL: 07/05/2012

STREET NAME	LOCATION		MILE LENGTH
	FROM	TO	
Old Lee Highway (Route 3741) (Additional Right-of-Way Only)	1,083' NE CL Lee Highway (Route 29)	569' NE to Section Line	0.0
NOTES:			TOTALS:
510' of 4' Concrete Sidewalk on South Side to be maintained by VDOT.			0.0

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

**FAIRFAX COUNTY BOARD OF SUPERVISORS
FAIRFAX, VA**

Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.

VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA

REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

PLAN NUMBER: 7810-SD-001

SUBDIVISION PLAT NAME: Murthy Manors

COUNTY MAGISTERIAL DISTRICT: Providence

ENGINEERING MANAGER: Terry L. Yates, P.E.

BY: *Nadia Alphonso*

FOR OFFICIAL USE ONLY

DATE OF VDOT INSPECTION APPROVAL: 08/02/2012

STREET NAME	LOCATION		MILE LENGTH
	FROM	TO	
Dorian Drive	CL Marbury Road (Route 806) - 100' NE CL Weber Place (Route 7468)	425' NW to Beginning of Temporary Turnaround	0.08
Marbury Road (Route 806) (Addition Right-of-Way Only)	573' SW CL Oakton Ridge Court/Hunting Hills Court (Route 7466)	450' SW to Section Line	0.0
NOTES:			TOTALS:
Dorian Drive: 352' of 5' Concrete Sidewalk on West Side to be maintained by Fairfax County.			0.08
Marbury Road: 242' of 5' Concrete Sidewalk on North Side to be maintained by VDOT.			

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ADMINISTRATIVE – 6

Authorization for the Health Department to Apply for and Accept Funding from the Virginia Department of Health (VDH) for the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Grant

ISSUE:

Board approval is requested for the Health Department to apply for and accept funding, if received, from the Virginia Department of Health (VDH) for the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Grant. The original MIECHV funding application, approved by the Board on May 1, 2012 was not awarded, however the Health Department was encouraged by VDH to apply during this cycle. If awarded, these funds would be used to implement the Nurse-Family Partnership® (NFP) evidence-based early childhood home visiting service delivery model. If funded, the total amount of grant funds received by the County would be \$729,536 over 16 months, with the option to renew for one successive year period. The initial award period for this grant is December 1, 2012 through March 30, 2014. Funding will support the establishment of 4/4.0 SYE Public Health Nurse II grant positions. No Local Cash Match is required; however, the parameters of the Request for Funding Proposal require the Health Department to demonstrate its ability to sustain the NFP program model beyond the grant funding period. The Health Department plans to continue to support and maintain the NFP program once grant funding expires through public health nurse position turnover, redesign of the Maternal Child Health field services program, and reallocation of vacant public health nurse positions to the NFP during the last phase of grant funding. Additional General Fund resources will not be requested once grant funding expires. 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 Health Department to apply for and accept funding, if received, from the Virginia Department of Health in the amount of \$729,536 for the MIECHV Grant.

TIMING:

Board of Supervisors authorization is requested on October 30, 2012, as the grant application is due 3:00 PM on November 5, 2012.

BACKGROUND:

Since 1990, the Fairfax County Health Department (FCHD), through a private-public partnership with the Fairfax County Department of Family Services (DFS), Northern Virginia Family Service (NVFS), Reston Interfaith, Inc. (RII), and United Community Ministries (UCM), has provided voluntary home-visiting services to vulnerable first-time expectant and new parents, including high-risk pregnant and parenting teens, residing in Fairfax County vis-à-vis *Healthy Families Fairfax* (HFF). HFF uses the Healthy Families America evidence-based home visiting service delivery model and is affiliated with Healthy Families Virginia State System, coordinated by Prevent Child Abuse Virginia. The model uses paraprofessionals - Family Support Workers (FSWs) – to provide regular home visits to fragile families who may be at risk for child abuse and neglect due to a variety of risk factors, including poverty, history of single-parent households, illiteracy, language barriers, unstable housing, domestic violence, sexual abuse, chronic medical issues, low educational attainment, and unemployment.

HFF has and will continue to provide critical assistance to expectant and postpartum women living in our community, but the capacity of the program faces challenges and limitations that affect its ability to fully serve the Fairfax population. In FY 2010, 1,199 first time mothers who were receiving maternity services from the Health Department were screened for risk factors relating to child abuse and neglect. Of those, 1,120, or 93 percent, demonstrated risk levels qualifying them for HFF enrollment. Due to HFF's limited program capacity, only 231, or 21%, were assessed by a Health Department nurse, resulting in a service gap for 883 families. HFF's unmet need continues to grow as more and more high risk families are left without ongoing support. The number of clients that would benefit from home visiting services far exceeds the program's existing capacity. More home visitor positions are needed to enroll families, and in particular, more professional level (Social Workers and/or Public Health Nurses) staff positions are needed.

Poor recruitment and retention rates primarily in the Bailey's Crossroads area have further compounded the HFF's efficacy, with the area experiencing the highest decline/refusal rates (24%) for HHP enrollment and the lowest retention rates after 12, 24, and 36 months. HFF has struggled to engage and retain families in the Bailey's Crossroads catchment areas where health status and birth outcomes continue to decline.

The Fairfax County Health Department has selected the NFP model to expand and enhance the County's continuum of home visiting services, with the goal of improving health and early childhood outcomes for vulnerable children and families living in the Fairfax County – Bailey's Crossroads – an area that has been determined to be "at risk" by the Virginia Department of Health (VDH). If approved for funding, Fairfax County would be the only jurisdiction in Northern Virginia, and the second in the state, to implement the NFP model.

The Nurse-Family Partnership® (NFP), also an evidence-based early childhood home visiting service delivery model, draws on the expertise of Registered Nurses (RNs) to improve pregnancy outcomes, child health and development, and family economic self-sufficiency for low-income, first-time mothers. NFP participants voluntarily enroll in the program, ideally by the 16th week of pregnancy, but no later than the 28th week. NFP clients are visited one-on-one in their homes by a nurse home visitor. Prenatal visits occur throughout pregnancy; and postpartum visits continue through the first 24 months of the child's life.

Nurse home visitors promote preventive health and prenatal practices for expectant mothers, including identifying routine prenatal care, improving diets, and reducing/eliminating use of cigarettes, alcohol and illegal substances. Home visitors' help mothers prepare emotionally for their babies' arrival while educating them on the birth process and challenges they may face post-delivery. Individualized parent coaching increases mothers' awareness of development milestones and responsible, competent care techniques and strategies. Home visitors also work with families to encourage continuing their education, identifying employment opportunities and career goals, all while planning for future pregnancies so that they can become economically self-sufficient.

The NFP program's outcomes-based model aligns seamlessly with the County's Economic Self Sufficiency and Healthy People results areas. Factors that lead to self-sufficient, healthy families – stable employment, educational attainment, supportive family structures, community engagement, and healthy lifestyles/behaviors – are embedded in the NFP Theory of Change and Implementation Logic Models. Fidelity to the NFP model will ensure that physical, environmental, and behavioral impediments to self-efficacy are mitigated and that individuals are empowered to make and sustain long-lasting, positive change.

In its proposal to VDH, the Health Department is planning to serve 100 families living in the Bailey's Crossroads community. The Health Department is required to demonstrate its ability to sustain the NFP program model beyond the grant funding period. The Health Department is confident that through attrition (e.g., position turnover, holding public health nurse positions vacant prior to the end of the funding cycle) and restructuring of the Maternal Child Health field services program, it will be able to provide home visiting services using the NFP model beyond the grant funding period.

FISCAL IMPACT:

If awarded, the Health Department would receive \$729,536 to implement the Nurse-Family Partnership® (NFP) evidence-based early childhood home visiting service delivery model in the Bailey's Crossroads community of the County. No Local Cash Match is required. This action does not increase the expenditure level of Federal-State Grant Fund, as funds are held in reserve for unanticipated grant awards. This grant does allow the recovery of indirect costs; but because of the highly competitive nature of

the MIECHV program, the Health Department has elected to omit inclusion of indirect costs in its proposal to enhance the County's competitive position.

CREATION OF POSITIONS:

If awarded, this grant will support 4/4.0 SYE new grant positions (4/4.0 SYE Public Health Nurse II positions). The NFP National Service Office requires that the Health Department continue this model beyond the grant funding period. The Health Department will support and maintain the NFP program once grant funding expires through public health nurse position turnover, redesign of the Maternal Child Health field services program, and reallocation of vacant public health nurse positions during the last phase of grant funding concurrent with elimination of grant funded NFP positions.

ENCLOSED DOCUMENTS:

Attachment I – Maternal, Infant, and Early Childhood Home Visiting Request for Proposals (RFP), Excerpt

Attachment II – Nurse-Family Partnership Theory of Change Logic Model

Attachment III – Nurse-Family Partnership Implementation Logic Model

STAFF:

Patricia Harrison, Deputy County Executive

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

Michelle Milgrim, Director, Patient Care Services

Laura Suzuki, Maternal and Child Health Program Coordinator

Attachment 1

REQUEST FOR PROPOSALS (RFP)

Issue Date: October 4, 2012 RFP No: 705AT122

Title: Maternal, Infant, and Early Childhood Home Visiting

Issuing Agency: Commonwealth of Virginia
Department of Health
Office of Purchasing and General Services (OPGS)
109 Governor Street
12th Floor, Room 1214
Richmond, VA 23219-0331

Using Agency And/Or Location Where Work Will Be Performed: Virginia Department of Health
Division of Child and Family Health
109 Governor Street, 8th Floor
Richmond, VA 23219

Initial Period of Contract: From December 1, 2012 through March 30, 2014. May be renewed for one (1) successive one-year (1) periods (March 31 – March 30).

Sealed Proposals Will Be Received Until 3:00 P.M. on November 5, 2012, by the Virginia Department of Health's Office of Purchasing and General Services (OPGS) located at 109 Governor Street 12th Floor, Suite 1214, Richmond, VA 23219, for furnishing the goods/services described herein. To be considered, all proposal responses must be received at this address on or before the date and hour stipulated. Offerors should pay particular attention to ensure that their response is properly addressed. The Virginia Department of Health is not responsible if the response does not reach the Issuing Agency address by the appointed time. Responses to this proposal received after the date and hour designated are disqualified and will not be considered. The official time used in the receipt of responses is that time on the clock or automatic time machine in the Office of Purchasing and General Services (OPGS).

The responses may be sent via US Mail to the address above in the "Issuing Agency" area, if it is submitted in adequate time to allow for delivery to the specific location, 12th Floor, Suite 1214, 109 Governor Street, Richmond, Virginia 23219. Offerors are responsible for assuring timely receipt of their response at the specific office location and should make allowance for the possibility of an untoward event.

The safest way to ensure the response is delivered on time, especially if it is submitted within the last seven (7) days prior to the due date, is to deliver it in person. The alternative is to use a commercial delivery service such as FED X or United Parcel Service.

Contact the Office of Purchasing and General Services at 804-864-7526 to ensure your response to the solicitation has been received.

All inquiries for program information should be directed to Linda Foster or email Linda.Foster@vdh.virginia.gov. All other inquiries should be directed to Janice Wynn or e-mail Janice.Wynn@vdh.virginia.gov.

In Compliance With This Request For Proposal And To All The Conditions Imposed Therein And Hereby Incorporated By Reference, The Undersigned Offers And Agrees To Furnish The Goods/Services In Accordance With The Attached Signed Proposal Or As Mutually Agreed Upon By Subsequent Negotiation.

Name and Address of Firm:

_____ Date: _____

_____ By: _____

_____ (Signature in Ink)

_____ Zip Code: _____ Name: _____

eVA Vendor ID or DUNS#: _____ (Please Print)

Fax Number: (____) _____ Title: _____

E-mail Address: _____ Telephone Number:) _____

* **PREPROPOSAL CONFERENCE:** A mandatory pre-proposal conference will be held on October 22, 2012 at 10:00 a.m., at the Virginia Department of Health, 109 Governor Street, Richmond, VA 23219 in Room 817. Offerors may join by telephone conference call: 1-866-842-5779, pass code: 804 864 7766.

Note: This public body does not discriminate against faith-based organizations in accordance with the *Code of Virginia*, § 2.2-4343.1 or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

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	Attachment E	Budget Form
	Attachment F	Maintenance of Effort for Local Home Visiting Programs
	Attachment G	Organizations/Individuals Contributing – MIECHV Proposal
	Attachment H	Factors Supporting Selection of Specific Home Visiting Model(s)
	Attachment I	Memorandum of Concurrence
	Attachment J	Biographical Sketch
	Attachment K	Assurances
	Attachment L	Virginia Benchmarks

A. PURPOSE:

The purpose of this RFP is to solicit sealed proposals to establish statewide reimbursement contracts through competitive negotiations for the purchase of evidence-based home visiting program services to be provided in the identified at-risk communities for the Maternal, Infant, and Early Childhood Home Visiting grant. This RFP is being made by the Virginia Department of Health (VDH), Office of Family Health Services (OFHS), an agency of the Commonwealth of Virginia.

B. BACKGROUND:

The Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV), authorized in the federal Affordable Care Act (ACA), responds to the diverse needs of vulnerable children and families living in communities that are determined to be at risk. The MIECHV program provides an unprecedented opportunity for collaboration and partnership at the Federal, State, and community levels to improve health and develop outcomes for at-risk children through evidence-based home visiting programs.

The purpose of the MIECHV project is to:

- Strengthen and improve the programs and activities carried out under Title V;
- Improve coordination of services for at-risk communities; and
- Identify and provide comprehensive services to improve outcomes for families who reside in at-risk communities.

Virginia has been awarded the MIECHV expansion grant from the Health Resources and Services Administration (HRSA) for expansion of the MIECHV project through March 30, 2015. There is approximately \$4,000,000 available with this RFP for expansion of evidence-based home visiting models' services in local at-risk communities. Proposals ranging from \$75,000 to \$1,000,000 will be awarded through this RFP.

The Department of Health and Human Services launched Home Visiting Evidence of Effectiveness (HomVEE) to conduct a thorough and transparent review of the home visiting research literature and provide an assessment of the evidence of effectiveness for home visiting programs models that target families with pregnant women and children from birth to age 5. Details about each home visiting program deemed "evidence-based" through this process can be accessed through the HomVEE website: <http://homvee.acf.hhs.gov>.

"For purposes of this FOA (HRSA-10-275), home visiting is defined as an evidence-based program, implemented in response to findings from a needs assessment, that includes home visiting as a primary service delivery strategy (excluding programs with infrequent or supplemental home visiting), and is offered on a voluntary basis to pregnant women or children birth to age 5 targeting the participant outcomes in the legislation which include improved maternal and child health, prevention of child injuries, child abuse, or maltreatment, and reduction of emergency department visits, improvement in school readiness and achievement, reduction in crime or domestic violence, improvements in family economic self-sufficiency, and improvements in the coordination and referrals for other community resources and supports."

In Virginia, effective interagency collaboration led to the development of the early childhood system, Virginia's Plan for Smart Beginnings (www.smartbeginnings.com). Virginia's Home Visiting Consortium (HVC), a component of the Smart Beginnings Plan, which reports to the Early Childhood Advisory Council, has been nationally-recognized for its collaborative work with ten existing home visiting programs among five state agencies and two private organizations, integrating training, and developing a continuum of home visiting services. The MIECHV grant offers an opportunity to implement home visiting as a service strategy in a local early childhood system. Close collaboration at all levels will be essential to realize the promise of effective, comprehensive home visiting services within an efficient early childhood system that demonstrates healthy outcomes for pregnant women, young children, and their families.

A. State Home Visiting Program Goals and Objectives

The State goals for home visiting are:

- Improve coordination of early childhood services at the state level.
- Improve coordination of early childhood services at the local level with priority in the identified at-risk communities.
- Increase the quality, availability, and effectiveness of early childhood home visiting programs designed to strengthen families in Virginia.

The Virginia MIECHV needs assessment and grant requirements (Supplemental Information Request #2 – SIR #2) can be found on the Home Visiting Consortium web site, www.homevisitingva.com, under “Resources”.

Process of Selecting the Model(s) to Meet the Needs of Targeted Community or Communities

The proposed Home Visiting Program should be viewed as one of several service strategies aimed at developing a comprehensive, high-quality early childhood system that promotes maternal, infant, and early childhood health, safety, and development, and strong parent-child relationships in the targeted at-risk community or communities. The aim is to develop a comprehensive plan that addresses community risk factors and builds on strengths identified in the targeted community or communities, and that responds to the specific characteristics and needs of families residing there.

The intent of this RFP is to expand home visiting services in communities. One or more of the twelve evidence-based home visiting model(s) can be selected as the intervention on the basis of the population and community it is designed to serve and the issue(s) it was developed to address. Where multiple risk factors are identified, the model(s) selected should target these multiple factors to the extent possible. In selecting and implementing the evidence-based model(s) for the targeted at-risk community or communities, care should be taken to consider where there are service gaps, as well as to ensure that the proposed model(s) will be complementary, but not duplicative, of any existing home visiting or other services for families residing in the community. The community should also consider how to match the needs in the at-risk community or communities with the home visiting model selected, within the confines of available resources for this funding period. Finally, the community should consider the

community capacity and the availability of resources to implement the chosen evidence-based model.

Communities are encouraged to consider innovative ways of administering the evidence-based model while maintaining fidelity to the evidence-based home visiting model(s) selected for implementation. The community can identify strategies for enhancing staffing and administrative structures to ensure continuous quality improvement, implementation of data systems, and development of high-quality on-going training and supervision of program staff. Community staff is expected to participate in the training required by the national developer of the model selected and to complete the Virginia Home Visiting Consortium Core Training available on www.homevisitingva.com. The local community staff will be expected to collaborate among all relevant public and private agencies, as well as with other public and private sector local partners, to ensure the success of this multi-faceted program that addresses maternal and child health, child development, and the prevention of child maltreatment. Measures to support the home visiting model in the targeted community at risk include developing community referral systems and service linkages among public and private sector partners to support a successful state home visiting program.

Evidence of Effectiveness by Program Model

HomVEE has identified twelve home visiting models that meet the HHS criteria for an evidence-based early childhood home visiting service delivery model: (1) Child FIRST, (2) Community-Based Family Resource and Support, (3) Early Head Start-Home Visiting, (4) Early Intervention Program for Adolescent Mothers (EIP), (5) Early Start, (6) Family Check-Up, (7) Healthy Families America (HFA), (8) Healthy Steps, (9) Home Instruction for Parents of Preschool Youngsters (HIPPI), (10) Nurse Family Partnership (NFP), Play and Learning Strategies (PALS) Infant, and (12) Parents as Teachers (PAT)

For more information on focus and target populations for each of these twelve evidence-based models, review the HomVEE website, <http://homvee.acf.hhs.gov>, and review particularly the “program focus”, “target populations” and “primary and secondary outcomes” for each model.

As stated in the federal guidance, it is possible to propose an adaptation to an existing model “in order to meet the needs of targeted at-risk communities”. Adaptations may include broadening the population served, additions, subtractions, or enhancements of the current model. For the purposes of the MIECHV Program, an acceptable adaptation of an evidence-based model includes changes to the model that have not been tested with rigorous impact research but are determined by the national model developer *not to alter the core components related to program impacts*. If a community plans to implement an adaptation of one or more of the nine evidence-based models, that community must contact the national model developer to discuss these changes prior to submission of its proposal. Documentation must be submitted with the proposal to verify approval for these changes by the national model developer in order to be considered for funding.

Each funded locality will be required to collect data related to the Virginia Benchmarks. The Benchmarks, that have been developed and approved by HRSA, will be required reporting elements and are located in Attachment L.

B. Continuous Quality Improvement (CQI)

As part of the MIECHV project, continuous quality improvement strategies will be implemented at the state and local community level. The federal SIR #2 states “Continuous Quality Improvement (CQI) is a systematic approach to specifying the processes and outcomes of a program or set of practices through regular data collection and the application of changes that may lead to improvements in performance.”

“Widespread use of the CQI approach in the prevention field has been encouraged for several reasons. A CQI approach has the potential to:

- Provide a means for community-based programs to benchmark their processes and outcomes and thus document results in the absence of comparison groups;
- Inform the adaptation of evidence-based home visiting models to the unique community settings in which they are implemented, taking advantage of local insights;
- Develop and incorporate new knowledge and practices in a data-driven manner;
- Inform programs about training and technical assistance needs;
- Help monitor fidelity of program implementation;
- Strengthen referral networks to support families;
- Provide rapid information on a small scale about how change occurs;
- Identify key components of effective interventions; and
- Empower home visitors and program administrators to seek information about their own practices through the provision of regular reports which summarize performance on a variety of indicators associated with their processes and outcomes.” (Ammerman et al: “Development and Implementation of a Quality Assurance Infrastructure in a Multisite Home Visitation Program in Ohio and Kentucky.” *Journal of Prevention and Intervention in the Community*. Vol 34. No.1/2. 2007.)

The use of CQI methods in the MIECHV Program is likely to result in more effective program implementation and improved participant outcomes. For these reasons, it is expected that the community will benefit from applying a CQI approach to any evidence-based home visiting models proposed. Applicants funded through this RFP are expected to collaborate with their local early childhood advisory group to develop and implement both the state and local CQI plan.

C. STATEMENT OF NEEDS:

In response to the MIECHV SIR #1 in September 2010, Virginia submitted a State Home Visiting Needs Assessment that identified the following needs and gaps in early childhood home visiting services:

- Insufficient staff to provide for the unmet need for Home Visiting
- Services for fathers
- Services for teen parents
- Services for diverse cultural populations
- Unavailable mental health and substance use treatment resources for parents
- Inadequate domestic violence prevention and treatment

Insufficient parent support in crisis situations, especially to prevent abuse or neglect
Increased need for education and training for parents so that they can be self-sufficient

Local early childhood partners are encouraged to review local needs assessments and other data and reports that are available, such as the local Head Start Needs Assessment, reports on child abuse and neglect, five-year plans developed by the local health department; department of social services or the community services board in order to identify their local community goals, needs and gaps in early childhood system and home visiting services for pregnant women, and families with children ages 0-5 years. After identifying a local population and local resources, the community is encouraged to select the home visiting model best suited to the community. The description of local needs and gaps will be submitted by the offeror in Section IV of the proposal.

The offeror will be required to provide a community implementation plan for the proposed home visiting model and for ongoing monitoring of the quality of implementation of chosen model(s) at the community, agency, and participant level. Community involvement is expected to continue on an ongoing basis throughout the duration of this program.

D. PROPOSAL PREPARATION AND SUBMISSION INSTRUCTIONS:

A. General Requirements

1. RFP Response: In order to be considered for selection, Offerors shall provide a complete response to this solicitation, to include the completed RFP documents, including any addendum acknowledgments. One (1) original and 12 copies of the proposal shall be submitted to:

Virginia Department of Health
Office of Purchasing and General Services
109 Governor Street, 12th Floor, Suite 1214
Richmond, VA 23219
Attn: Connie Hall

LATE RESPONSES WILL NOT BE ACCEPTED.

2. Proposal Preparation

- a. Proposals shall be signed, in ink, by an authorized representative of the Offeror. All information requested must be submitted. Failure to submit all information requested will result in the Purchasing Agency requiring prompt submission of missing information and/or giving a lowered evaluation of the proposal. Proposals which are substantially incomplete or lack key information may be rejected by the Purchasing Agency. Mandatory requirements are those required by law or regulation or are such that they cannot be waived and are not subject to negotiation.

- b. Proposals should be prepared simply and economically, providing a straightforward, concise, clear description of capabilities to satisfy the requirements of the RFP. Emphasis should be placed on completeness and clarity of content. Do not repeat content written in another section. Clearly reference the response and the section where it is written.
- 1) Proposals must be organized in the order in which the requirements are presented in the RFP.
 - a) The narrative should be single spaced, no less than 12 point font, and contain 1 inch margins (top, bottom, left and right).
 - b) Number all pages in the proposal.
 - c) Each paragraph in the proposal should reference the paragraph number of the corresponding section of the RFP. It is also helpful to cite or indicate the paragraph number, subletter, and repeat the text of the requirement as it appears in the RFP. If a response covers more than one page, the paragraph number and subletter should be repeated at the top of the next page.
 - d) Include a table of contents that cross references the RFP requirements. Information which the Offeror desires to present that does not fall within any of the requirements of the RFP should be inserted at an appropriate place or attached at the end of the proposal and designated as additional material. Proposals that are not organized in this manner risk elimination from consideration if the evaluators are unable to locate where the RFP requirements are specifically addressed.
 - e) Each copy of the proposal should be contained in a single volume where practical. All documentation submitted with the proposal should be contained in that single volume.
 - 2) As used in this RFP, the terms "must", "shall", "should" and "may" identify the criticality of requirements. "Must" and "shall" identify requirements whose absence will have a major negative impact on the suitability of the proposed solution. Items labeled as "should" or "may" are highly desirable, although their absence will not have a large impact and would be useful, but are not necessary. Depending on the overall response to the RFP, some individual "must" and "shall" items may not be fully satisfied, but it is the intent to satisfy most, if not all, "must" and "shall" requirements. The inability of an Offeror to satisfy a "must" or "shall" requirement does not automatically remove that Offeror from consideration; however, it may seriously affect the overall rating of the Offerors' proposal.

3) Ownership of all data, materials, and documentation originated and prepared for the State pursuant to the RFP shall belong exclusively to the State and be subject to public inspection in accordance with the *Virginia Freedom of Information Act*. Trade secrets or proprietary information submitted by an Offeror shall not be subject to public disclosure under the *Virginia Freedom of Information Act*; however, the Offeror must invoke the protections of Section 2.2-4342F of the *Code of Virginia*, in writing, either before or at the time the data material is submitted. The written notice must specifically identify the data or materials to be protected and state the reasons why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures or paragraphs that constitute trade secrets or proprietary information. The classification of the entire proposal document, line item prices and/or total proposal prices as proprietary or trade secrets is not acceptable and will result in rejection of the proposal.

3. Oral Presentation: Offerors who submit proposals in response to this RFP may be required to give an oral presentation of their proposal to VDH. This provides an opportunity for the Offeror to clarify or elaborate on the proposal. This is a fact finding and explanation session only and does not include negotiation. The issuing state agency will schedule the time and location of these presentations. Oral presentations are an option of the purchasing agency and may or may not be conducted.

4. Proposal Guidelines
The return of the RFP Cover Sheet signed and completed as required.

B. Home Visiting Program Expansion

1. Eligible applicants

Thirty-one (31) of Virginia's at-risk communities are encouraged to apply for MIECHV funding through this Request for Proposals (RFP). The eleven communities funded under Request for Proposals #705AK108 and #705AS115 are not eligible to apply to this RFP. Applicants are expected to collaborate with other local agencies to develop a local proposal and to implement the project plan if approved for funding. Eligible organizations include private 501(c) 3 organizations and/or local government agencies including local health departments.

The RFP seeks applications for the MIECHV funds to provide high quality evidence-based home visiting services. This RFP for local programs requires (1) evidence of collaborative community partnerships; (2) commitment to improvement of the local early childhood system outcomes; (3) support for quality data collection; and (4) continuous quality

improvement. Applicants are encouraged to review information about the MIECHV project at www.homevisitingva.com under “Resources”.

Virginia 42 MIECHV At-Risk Communities as of January 1, 2012

Accomack County	Halifax County	Petersburg City
Bristol City	Hampton City	Portsmouth City
Campbell County ¹	Henry County	Radford City ¹
Charlotte County	Hopewell City	Richmond City
Charlottesville City–Westhaven	Lancaster County	Roanoke City
Cumberland County	Lunenburg County	Smyth County
Danville City ¹	Lynchburg City ¹	Southampton County ¹
Emporia City	Montgomery County ¹	Staunton City
Essex County	Newport News City ¹	Suffolk City ¹
Fairfax County-Bailey Crossroads	Norfolk City ¹	Sussex County
Fairfax County-Mt. Vernon	Northampton County	Warren County
Fredericksburg City ¹	Nottoway County	Waynesboro City
Gloucester County	Orange County	Williamsburg City ¹
Greenville County	Patrick County	Winchester City

¹Danville City, Fredericksburg City, Montgomery County, Norfolk City, Radford City, Southampton County, Suffolk City are being funded by RFP #705AK108 and not eligible for funding under Section IV-C this Request for Proposals. Campbell County, Lynchburg City, Newport News City and Williamsburg City are being funded by RFP #705AS115 and are not eligible for funding under Section IV-C of this Request for Proposals.

Proposals shall be as thorough and detailed as possible so that the VDH may properly evaluate your capabilities to provide the required services. Offerors are required to submit the following items as a complete proposal:

- a. The return of the RFP Cover Sheet and Attachments A through K, signed and completed as required.
- b. A complete written narrative statement and supporting information that includes the following: (Attachments A – K are not included in the narrative page limit). **The narrative is limited to 18 pages** in length that includes the sections described below:
 - Organizational Qualifications/Experience/Skill
 - Proposed Home Visiting Service Expansion or Enhancement
 - Identification of the Home Visiting Model
 - Implementation Plan for Proposed Home Visiting Program
 - Plan for Meeting Virginia’s Benchmarks (Attachment K)
 - Plan for Administration of State Home Visiting Program
 - Plan for Continuous Quality Improvement
 - Technical Assistance Needs.

- c. Attachments A through K are required to be completed and are not included in the page limit. Do not include the blank RFP document or Attachment L with your proposal.

C. Organizational Qualifications/Experience/Skill

Describe the offeror's organization and its capacity for administering these grant funds. Be sure to include the following:

1. A general overview of the organizational history, size and scope of operations including current budget and services offered;
2. Description of any experience administering home visiting programs and demonstration of effectiveness by including current caseload capacity, current percent of capacity and discuss or attach relevant program outcomes;
3. Organizational Partnerships: Offeror shall describe current partnerships and successful collaborative efforts (with existing home visiting program(s), hospitals, churches, and other existing programs and resources in the community, especially regarding health, mental health, early childhood development, substance abuse, domestic violence prevention, child maltreatment prevention, child welfare, education, and other social and health services), particularly related to early childhood home visiting programs and the early childhood system;
4. Discuss the organizational capacity and experience with:
 - continuous quality improvement,
 - fiscal management of grant funding, and
 - technical capacity for data collection and program evaluation.
5. Complete **Attachment D** (Contact Information Form).

D. Proposed Home Visiting Service Expansion or Enhancement and Selection of the Home Visiting Model

1. Provide a brief description of your project plan. Discuss what you propose to do with this funding. Include the following:
 - a. Name the evidence-based home visiting model(s) selected;
 - b. Identify the at-risk communities to be served
 - c. The target population for services
 - d. The estimated number of families to be served based on the standards of the national model(s);
2. For each targeted at-risk community proposed, please provide in a concise and clear presentation the following information:
 - a. Each offeror must submit information on maintenance of effort currently operating or recently discontinued (since 7/1/2011) home visiting programs in their community/communities on the form **Attachment F – Maintenance of Effort for Local Home Visiting Programs** (complete this form for each city and/or county in your implementation plan).

The SIR #2 states that “The dollar amount that the State was spending on home visiting services (as defined in “Part B: Specific Requirements for the Updated State Plan for a State Home Visiting Program”) from State general funds as of March 23, 2010, should be reported. This amount is the baseline for meeting Maintenance of Effort (MOE) for this Program and is subject to audit. States are required to maintain proper documentation for the MOE and other fiscal reporting requirements for the grant for auditing purposes as established under Section 506 of Title V, modified for this Program as authorized under P.L. 111-148, Subsection L, Sec. 2951. The State will require reports and updates from the local community regarding maintenance of local staffing and state funds received for home visiting programs.”

- b. Provide a brief description of any existing home visiting services in the community, currently operating or discontinued since July 1, 2011, including:
 - The number and types of home visiting programs and initiatives in the community, including “Others”, that is those programs not identified as “evidence-based” on the HomeVEE web site;
 - The models that are used by identified home visiting programs;
 - The characteristics and needs of participants;
 - Describe existing mechanisms for screening, identifying, and referring families and children to home visiting programs in the community (e.g., centralized intake procedures at the local or State level);
 - c. Describe how the offeror’s organization worked with community partners to develop the proposed application and to select the model(s) and complete **List of Organizations and Individuals Contributing to this Proposal (Attachment G)**.
3. Provide the following information in a clear and succinct manner for each evidence-based model selected for implementation:
- a. Complete **Factors Supporting Selection of the Specific Home Visiting Model (Attachment H)**
 - b. Describe the **specific needs and gaps** in the community that justify the selection of the home visiting model. It is not necessary for the applicant to repeat data that was included in the state’s home visiting needs assessment. The community could include updated or additional local data that was not included in the state needs assessment if this provides support for the local community or communities’ model(s) selection. Use the evidence listed on the HomVEE web site to assist in this justification;
 - c. Describe the target population(s) for enhanced or expanded home visiting services proposed in this application;

- Using the information presented in **Attachment H**, clearly describe the target population and provide a concise rationale for the selection of the target population.
 - Clearly define the unmet need for home visiting services for this population. Include projections of unmet need for home visiting services using numbers, not percentages of the population. For example, “Our data indicates that there are “x” number of families in need of early childhood home visiting services each year.”
 - Clearly define your method for determining unmet need (poverty rates, teen births, national averages, current waiting lists, etc.)
 - For existing programs, clearly indicate your current program capacity and the total number of families that your program will be able to serve with this proposed expansion.
- d. Describe the offeror’s current and prior experience with implementing the model(s) selected, if any, as well as their current capacity to support the model(s);
- e. Identify anticipated challenges and risks of implementing the selected model(s).

E. OPTIONAL: Funding for Professional Staff

As part of the on-going effort to promote the sustainability of early childhood home visiting services, offerors may include the addition of a Health (Registered Nurse) or Behavioral Health (Licensed Professional Counselor or Licensed Clinical Social Worker) professional staff member in the proposal. This funding is specifically designed to support the addition of professional staff to provide case management services in order to leverage Medicaid funding. All proposals must include a plan for collaboration with the local Department of Social Services’ Medicaid department and Medicaid Managed Care organization(s) or the local Community Services Board’s Behavioral Health Department.

(Communities requesting to implement the Nurse Family Partnership model are only eligible to apply for behavioral health service expansion.)

1. Clearly describe the addition of the Professional Staff member(s) in your proposed project plan, implementation plan, community collaboration plan and budget.
2. Discuss your plan for coordinating with Medicaid and/or Behavioral Health services.
3. Discuss all intended outcomes related to the addition of this new position. For example, in addition to case management billing, what additional impacts do you plan to achieve? Consider both internal and external program impacts with program participants, overall program outcomes, community partnerships, etc.

F. Development Plan for Proposed Home Visiting Program

The development plan must include the responses to the following requests:

1. A plan for working with the national model developer(s) and a description of the technical assistance and support to be provided through the national model(s). If there is more than one home visiting model selected, a separate plan must be provided for each

model. The applicant should provide one of the following as suitable documentation of meeting this requirement:

- a. Copy of an email to the national model developer on or before 10/15/2012; or
 - b. Copy of an email to state model developer on or before 10/15/2012.
2. A timeline for obtaining the curriculum or other materials needed to implement the proposed home visiting program;
 3. A plan for coordination of referrals, assessment, and intake processes among home visiting models,
 4. An operational plan for the coordination between the proposed home visiting program(s) and other existing programs and resources in the community, especially regarding health, mental health, early childhood development, substance abuse, domestic violence prevention, child maltreatment prevention, child welfare, education, and other social and health services, including how the program will address existing service gaps;
 5. Provide a Project/Organizational diagram that shows the relationship between the grant-supported staff of the proposed home visiting expansion, the local administrative applicant agency, other home visiting services, and the local early childhood coalition;
 6. Describe the staff responsible for ensuring the successful implementation of the program;
 7. Provide an updated Organizational Chart that clearly shows how new staff will be integrated into your existing organization;
 8. Provide Job Descriptions for proposed project staff; and
 9. Provide resumes of key organizational staff using the template in **Attachment J – Biographical Sketch**.

G. Implementation Plan for Proposed Home Visiting Program

The implementation plan must include the following:

1. A plan for recruiting and hiring appropriate staff for all positions, within 3 months of funding;
2. A description of the initial and ongoing training and professional development activities that will be provided by the implementing local agencies, or obtained from the national model developer;
3. A plan to ensure retention of staff and high quality clinical supervision and reflective practice for all home visitors and supervisors that meets national model standards;
4. A plan for identifying and recruiting participants;

5. An estimated timeline based on national model standards to reach maximum caseload in each location;
6. A plan for minimizing the attrition rates for participants enrolled in the program;
7. A plan for monitoring, assessing, and supporting implementation with fidelity to the chosen model(s) and maintaining quality assurance;
8. Identification of anticipated challenges to maintaining quality and fidelity of the model, and the proposed response to the issues identified;
9. Describe anticipated technical assistance needs;
10. Identify areas or topics for which technical assistance is available or will be provided by existing resources, such as technical assistance topics provided by model developers, if applicable.
11. For offerors that plan to use subcontractors, VDH will have to approve subcontractors. The applicant should provide information on the subcontracting agency, the services to be delivered, the contract arrangements, and the staffing skill, experience showing that the overall project will have the necessary skills and staff hours for fidelity to the model and to produce the benchmark outcomes.

In your narrative, answer these questions, if subcontracting is planned:

- Why is the agency choosing to subcontract?
- What does the selected subcontractor provide?
- Will the agency conduct an open competition for the subcontract?
- What are the reporting requirements for the subcontractor?
- After funding is awarded, a copy of the subcontract will need to be forwarded to the MIECHV Program Manager for approval prior to implementation.

H. Proposed Overall Cost

1. Awards will not be based on the lowest budget submitted but on quality of the overall proposal and its plan to impact the community at large.
2. Provide a brief narrative description of the funding required to implement this project.
3. Include a description of all local support (monetary and in-kind) that is provided. Document in-kind support on the budget form.
4. Discuss any one-time expenditures or special projects for which funding is being requested.
5. All charges listed on the budget must be justified and evidence of need documented in the proposal.

- a. Complete the **Budget Forms 1 (Attachment E)** for a 4 month start-up budget for the period, 12/01/2012-03/30/2013. **Indicate the Project Period on every page.**
- b. Complete the **Budget Forms 2 (Attachment E)** for a 12 month budget period, 03/31/2013-03/30/2014. **Indicate the Project Period on every page.**

Justify the budget in detail on Attachment E at the bottom of each page under “justification”. Provide details in the section on personnel including titles of personnel that will be involved on project and indicating the percentage of time being dedicated to the project.

I. Community Collaboration

The federal legislation encourages coordination, to the extent possible, with the local early childhood system. Provide a brief description of the following:

1. Describe the advisory or governance structures of the home visiting program and/or local early childhood system,
2. Describe the local interest or commitment to early childhood system improvements and local capacity to integrate the proposed home visiting services into the early childhood system;
3. Explain local opportunities for linkages or enhancement of the home visiting system and early childhood system, such as a new partnership or commitment of local government to early childhood issues, and plans to establish new partnerships;
4. Complete the **Local Memorandum of Concurrence (MOC) (Attachment I)**. The signatures on **Attachment J** can be faxed or scanned to the offeror for submission with the proposal. It is essential that the signatures indicate that a discussion occurred and that there is involvement of key partners (health, mental health, early childhood development, substance abuse, domestic violence prevention, child maltreatment prevention, child welfare, education, and other social and health services) in supporting the planning and then the implementation of this proposal. You may include separate letters from each person. If separate letters are submitted, it is required that you mark each letter as **Attachment I**.

For those offerors applying for funding under Section IV-B for the addition of a professional staff member to their proposal, demonstration of involvement with the local Department of Social Services and/or the Community Services Board is required on Attachment J.

J. Plan for Continuous Quality Improvement

1. Describe the community’s experience with quality assurance in general; its experience, if any, with the quality assurance required by the proposed home visiting model; and its experience with continuous quality improvement processes.

2. The local applicant community must be willing to develop a CQI plan with local early childhood partners and with the state MIECHV project. Technical assistance will be provided as needed on CQI strategies. Specifically discuss current CQI implementation **or** plans for CQI implementation and organizational capacity to develop and manage a successful CQI plan.

K. Plan for Meeting Legislatively-Mandated Benchmarks

1. Review and sign **Attachment K: Assurances** to provide assurance that the applicant will meet benchmark requirements.
2. Describe the applicant's capacity for data collection, including: (See **Attachment L - Virginia Benchmark Table**.)
 - The current agency or community frequency of data collection and analysis;
 - The agency or community experience analyzing the data at the local level;
 - The applicant or community experience ensuring the quality of data collection and analysis, minimum qualifications or training requirements for administrators of measures, qualifications of personnel responsible for data management at the program level, qualifications of personnel responsible for data analysis at the program level, and the time estimated for the data collection-related activities by personnel categories;
 - The agency or community plans for gathering and analyzing demographic and service - utilization data on the children and families served;
 - A statement about data safety and security, monitoring including privacy of data, and administration procedures that will be followed so that individuals are not placed at risk of harm;
 - Anticipated barriers or challenges in the benchmark reporting process (including the data collection and analysis plan) and possible strategies for addressing these challenges.

L. Capabilities

1. Submit **Attachments A, B, and C** with the proposal.
 - **Attachment A: Supplier Diversity & Small Business Subcontracting Plan**
Summarize the planned utilization of DMBE-certified small businesses, which include businesses owned by women and minorities, when they received DMBE small business certification, under the contract to be awarded as a result of this solicitation. This is a requirement for all prime contracts in excess of \$100,000 unless the solicitation has been set-aside for small businesses or no subcontracting opportunities exist.
 - **Attachment B: Offeror Data Sheet**
 - **Attachment C: State Corporation Commission Form**

2. Completeness of Proposal

Offeror should display a thorough understanding of the requirements, familiarity with the content of this proposal, submittal of all required documentation and the overall quality of response.

V. EVALUATION AND AWARD CRITERIA:

A. Proposals shall be evaluated by the Department of Health using the following federal criteria:

The applicant must be responsive to the specific requirements as set forth in the Narrative Requirements and submission of the Attachments. The state review panel will determine whether each requirement identified in RFP has been addressed fully and completely and indicates that there is community commitment and capacity to implement a high-quality home visiting program. The review panel will consider these factors:

1. The clarity of the applicant’s explanation of needs, gaps, resources in the at-risk community, the identification of the target population and the process for selecting a home visiting model or models to address the specific needs of the targeted community(s);
2. The specificity and appropriateness of the applicant’s plan for meeting benchmarks and collecting data to support its evidence-based home visiting program and to carry out continuous quality improvement activities;
3. The overall feasibility of the local implementation plan for the proposed home visiting model(s) and the administration of the program;
4. The applicant’s capacity to fully implement the project,
5. The impact that the proposed project will have on the community, and
6. The level of commitment and concurrence of the required local partners for the program, as well as other collaborations and partnerships needed to successfully implement the program.

The Virginia Department of Health Review Panel will rate the applications on the following criteria:

	CRITERIA	VALUE
a.	Organizational Qualifications and Experience	10%
b.	Proposed Home Visiting Service Expansion and Selection of the Home Visiting Model	15%
c.	Development Plan	10%
d.	Implementation Plan	15%
e.	Proposal Overall Cost	10%
f.	Community Collaboration/Oversight	10%
g.	Plan for Continuous Quality Improvement	5%
h.	Benchmark Plan	5%
i.	Small Business Subcontracting Plan	20%
	TOTAL	100%

B. AWARD TO MULTIPLE OFFERORS:

Selection shall be made of two or more Offerors deemed to be fully qualified and best suited among those submitting proposals on the basis of the evaluation factors included in the Request for Proposals, including price, if so stated in the Request for Proposals. Negotiations shall be conducted with Offerors so selected. Price shall be considered, but need not be the sole determining factor. After negotiations have been conducted with each Offeror so selected, the agency shall select the Offeror, which, in its opinion, has made the best proposal, and shall award the contract to that Offeror. The Commonwealth reserves the right to make multiple awards as a result of this solicitation. The Commonwealth may cancel this Request for Proposals or reject proposals at any time prior to award, and is not required to furnish a statement of the reasons why a particular proposal was not deemed to be the most advantageous (*Code of Virginia, section §2.2-4359D*). Should the Commonwealth determine in writing and in its sole discretion that only one Offeror is fully qualified, or that one Offeror is clearly more highly qualified than others under consideration, a contract may be negotiated and awarded to that Offeror. The award document will be a contract incorporating by reference all the requirements, terms and conditions of the solicitation and the Contractor's proposal as negotiated.

IV. REPORTING AND DELIVERY INSTRUCTIONS:

- A. The Contractor shall provide quarterly narrative Progress Reports related to the activities to be performed under the contract resulting from this RFP. Reports are due according to the following schedule:

Period Covering	Report Due to VDH
Beginning of contract through December 31, 2012	January 20, 2013
January 1 – March 31, 2013	April 20, 2013
April 1, 2013 – June 30, 2013	July 20, 2013
July 1, 2013 – September 30, 2013	October 20, 2013
October 1, 2013 – December 30, 2013	January 20, 2014
January 1 – March 31, 2014	April 20, 2014

Benchmark data entry and reporting is expected by each applicant funded through this RFP on the schedule set by the MIECHV Program Manager.

VI. PRE-PROPOSAL CONFERENCE:

A mandatory pre-proposal conference will be held on October 22, 2012, at 10:00 a.m., at the Virginia Department of Health, 109 Governor Street, Richmond, VA 23219, Room 817. The purpose of this conference is to allow potential Offerors an opportunity to present questions and obtain clarification relative to any facet of this solicitation. Offerors may join the pre-proposal conference via telephone conference call by dialing 1-866-842-5779, pass code: 804 864 7766.

PROGRAM GOAL

ACTIVITIES

SHORT-TERM OUTCOMES

INTERMEDIATE OUTCOMES

LONG-TERM OUTCOMES



**Nurse-Family Partnership
Theory of Change Logic Model**



Home visits weekly the first month following program enrollment, then every other week until birth of infant. Nurses address:

- Effects of smoking, alcohol and illicit drugs on fetal growth, and assist women in identifying goals and plans for reducing cigarette smoking, etc.;
- Nutritional and exercise requirements during pregnancy and monitor and promote adequate weight gain;
- Other risk factors for pre-term delivery/low birth weight (e.g., genitourinary tract infections, pre-eclampsia);
- Preparation for labor and delivery/childbirth education;
- Basics of newborn care and newborn states;
- Family planning/birth control following delivery of infant;
- Adequate use of office-based prenatal care; and
- Referrals to other health and human services as needed.

Pregnant women display improved health behaviors.
↓ cigarette smoking
↓ pregnancy-induced hypertension
↑ use of community resources

Newborns are ≥37 weeks gestation & weigh 2500 grams or more.
↓ pre-term delivery among smokers
↑ birth weight among young teens (<17 years)
↓ neurodevelopmental impairment



Home visits weekly postpartum period, every 2 weeks until toddler is 21 months, monthly until child is 2 years. Nurses:

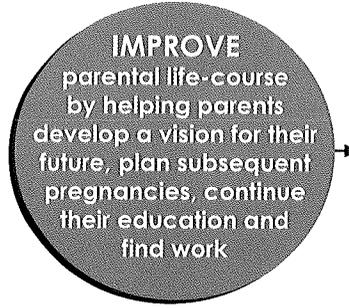
- Educate parent on infant/toddler nutrition, health, growth, development and environmental safety;
- Role model PIPE activities to promote sensitive parent-child interactions facilitative of developmental progress;
- Assess parent-child interaction, using NCAST sleeping and teaching scales and provide guidance as needed;
- Assess infant/toddler's developmental progress at selected intervals using Ages and Stages Questionnaire or DDSII, and provide guidance as needed;
- Promote adequate use of well-child care;
- Guidance to new parents in building and fostering social support networks;
- Guidance assessing safety of potential/actual child care arrangements; and
- Referrals to other health and human services as needed.

Parents demonstrate sensitive and competent caregiving for infants and toddlers.
↓ childrearing beliefs associated with child maltreatment (Bavolek AAPI)
↓ verified cases of child abuse & neglect
↓ incidents of child injuries or ingestions
↑ stimulating home environments, i.e., increase in appropriate play materials (HOME Inventory)

Child displays age and gender appropriate development.
↓ language & cognitive/mental delays
↑ more responsive in interactions with mothers (NCAST)/less distress to fear stimuli

Early Childhood (4-6 yrs):
↓ safety hazards in home
↑ stimulating home environment - HOME score
↓ incidents of injuries & ingestions noted in medical records
↑ Preschool Language Scale scores
↑ Executive Functioning Composite scores
↓ problems in clinical range on Achenbach CBCL

Adolescence (15 yrs):
↓ state-verified reports of child abuse and neglect from 0-15 years
↓ arrests and adjudication for incorrigible behavior (e.g. truancy, destroying property)



Home visits weekly during postpartum period, every 2 weeks until toddler is 21 months, monthly until child is 2 years. Nurses:

- Facilitate decision-making regarding planning of future children and selection of birth control to achieve goals;
- Assist parents to set realistic goals for education and work, and identify strategies for attaining goals;
- Coaching parents in building and fostering relationships with other community services;
- Parents' family planning, education and work goals; and
- Referrals to other health and human services as needed.

Parents have developed plans for economic self-sufficiency.
↓ subsequent pregnancies
↑ interval between 1st and 2nd child
↑ number of months women employed during child's 2nd year
↓ months on welfare
↑ father involvement in child care and support

Early parental life course (3-4 yrs following program completion):
↓ additional pregnancies and live births
↓ months on AFDC and Food Stamps
↑ rates of living with father of child
↑ rates of marriage

Later parental life course (13 yrs following program completion):
↓ additional pregnancies and live births
↑ spacing between 1st and 2nd child
↓ months on AFDC and Food Stamps
↓ arrests and convictions
↓ days in jail



What is a logic model?

A logic model provides a visual depiction of a program's "theory of change" - the way in which a set of services to a particular population are linked to expected outcomes of the program. The articulation of a program's theory of change can help program staff and families stay focused on the outcome goals rather than just focusing on program activities and services. A logic model is also a tool to assist program stakeholders in gathering data to facilitate effective program implementation and evaluation.

This model flows from left to right, as depicted by arrows, and shows how program goals are translated into home visit activities with families, which in turn, facilitate families to create change needed to attain program outcomes. The theory behind a logic model is a series of "If...then" statements. For example, If women who are smokers at entry into the program quit smoking, then they are more likely to have a full-term infant weighing greater than 2500 Grams.

What are the major elements of the Nurse-Family Partnership logic model?

The major elements of the logic model include the program's goals, activities, and outcomes.

Program Goals are broad statements of expected outcomes for the problem(s) that the program is attempting to prevent or reduce. The program goals are color coded to illustrate how they correspond to program activities and outcomes.

Activities are interventions designed to facilitate change in families' attitude, knowledge and skills in order to help them attain the intended program results.

Short-term Outcomes are changes that occur by completion of the program. The specific outcomes delineated are those observed in the three randomized, controlled trials in Elmira, New York (1977), Memphis, Tennessee (1988) and Denver, Colorado (1994).

Intermediate Outcomes are changes that result over time from short-term outcomes and are measurable at a later timeframe, usually within 2-6 years following completion of the program. The specific outcomes delineated are those observed in the 4-year and 6-year follow-ups of families from the randomized, controlled trials in Elmira, Memphis and Denver.

Long-term Outcomes refer to changes that have a greater community impact and require a greater time to measure, often 10 or more years following program completion. The specific outcomes delineated are those observed in the 15-year follow-up of families who participated in the trial conducted in Elmira.

Who does Nurse-Family Partnership serve?

Nurse-Family Partnership serves low-income, first-time mothers and their children, by providing nurse home visitation services beginning early in pregnancy and continuing through the first two years of the child's life. Women voluntarily enroll as early as possible in pregnancy, but no later than the 28th week of gestation.

The majority of participants are unmarried women with less than a high school education. The focus on women who have had no previous live births stems from the belief that individuals undergoing a major role change are more likely to seek information and support from others than are women who have already given birth. Moreover, the skills first-time mothers learn through the program, will help them provide better care for subsequent children, generating even broader salutary effects.

Other family members are invited and encouraged to participate if the mother wants them to be present.

How does Nurse-Family Partnership work?

Central to the successful implementation of Nurse-Family Partnership is the establishment of a trusting relationship with the family. Registered Nurse Home Visitors work together with their clients, engaging them in activities associated with the three Nurse-Family Partnership goals during each home visit. These goals are:

- **Improve pregnancy outcomes;**
- **Improve child health and development; and**
- **Improve the economic self-sufficiency of the family.**

These goals are achieved by helping women engage in good preventive health practices, including obtaining thorough prenatal care from their healthcare providers, improving their diet, and reducing their use of cigarettes, alcohol and illegal substances. Child health and development is improved by helping parents provide responsible and competent care for their children. The economic self-sufficiency of the family is improved by helping parents develop a vision for their own future, plan future pregnancies, continue their education and find work.

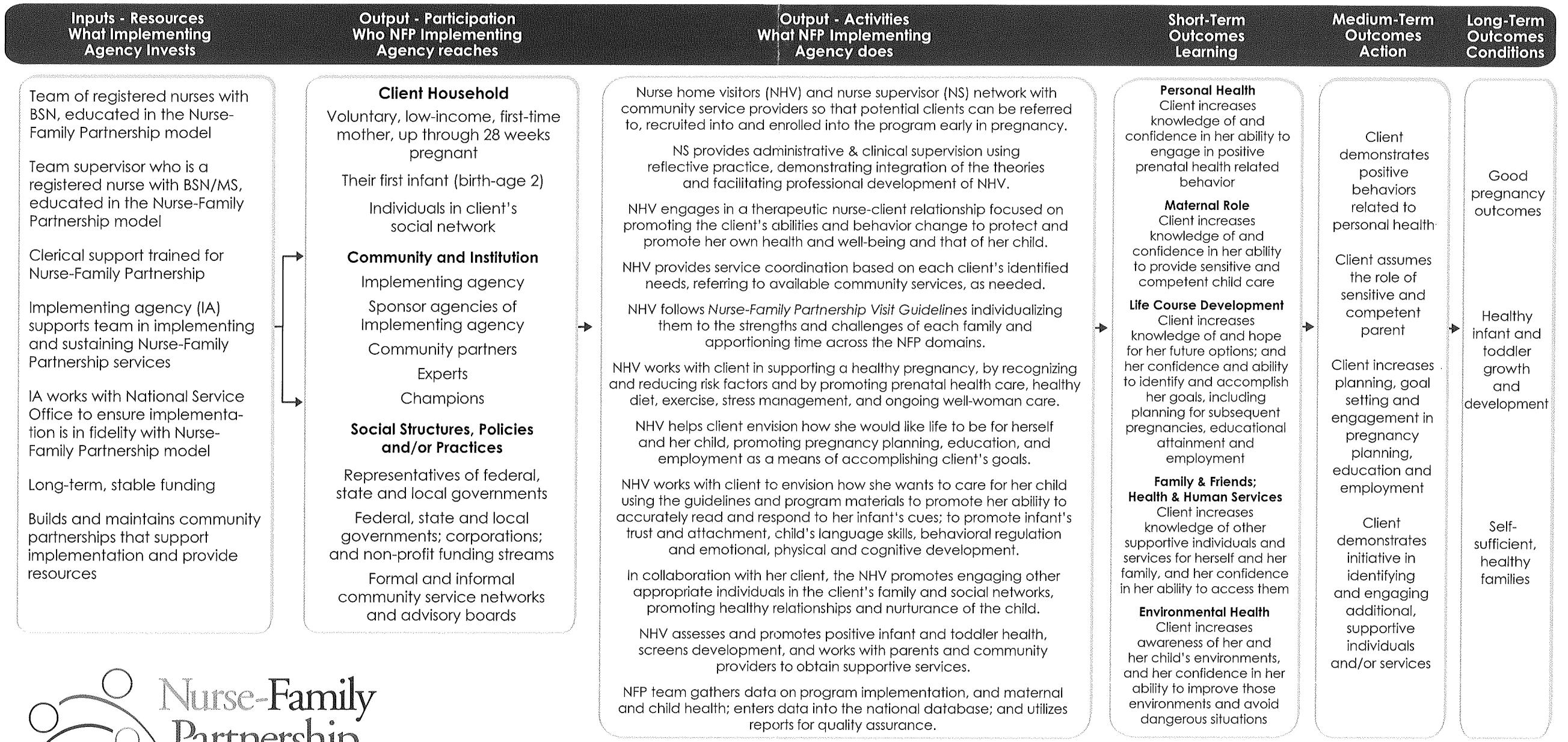
Nurse Home Visitors utilize a strength-based approach directed toward optimizing the family's sense of efficacy. They are guided in their work through detailed visit-by-visit guidelines that reflect the challenges parents are likely to confront during pregnancy and the first two years of the child's life. Within this framework, however, nurses use their professional judgment to address those areas where needs are greatest.

Guided by the above principals, and implemented with fidelity to the program model which has undergone extensive research over the past three decades, Nurse-Family Partnership is transforming lives through the power of relationships. For more information, please visit the Nurse-Family Partnership national website at: www.nursefamilypartnership.org

Nurse-Family Partnership's Theory of Change Logic Model was developed by Ruth O'Brien, Ph.D, RN, through a grant from the Harvard University Family Research Project - Home Visit Forum.

Nurse-Family Partnership (NFP) Implementation Logic Model

ASSUMPTIONS - Implementing Nurse-Family Partnership with fidelity to the model requires implementing agencies, nurse supervisors, and nurse home visitors to make program decisions guided by the theories of self-efficacy, attachment and human ecology. Nursing practice is central to all aspects of the nurse-client relationship.



EXTERNAL FACTORS - The following factors can affect funding, sustainability and the degree to which an agency is able to implement Nurse-Family Partnership with fidelity to the model: national, state and local political climates; issues within professional communities of practice; structures of IAs and their systems; physical and cultural environments of individual families. (97)



Early Intervention Makes the Difference

Nurse-Family Partnership (NFP) is an evidence-based, nurse home visiting program that improves the health, well-being, and self-sufficiency of low-income, first-time parents and their children. From pregnancy through the child's second birthday, registered nurses thoroughly educated in the NFP model work with their clients to achieve three important goals:

- Good pregnancy outcomes;
- Healthy infant and toddler growth and development; and
- Self-sufficient, healthy families.

Research, Evidence, and Integrity

Nurse-Family Partnership is the most rigorously tested program of its kind. Three decades of research have proven that the program, when implemented with fidelity, reduces child abuse and neglect, reduces juvenile delinquency and criminal activity, improves prenatal health, improves maternal employment and improves school readiness.

These outcomes produce enduring benefits for program participants, and they also benefit society economically and reduce longer-term social services expenditures that extend across multiple generations. Several independent studies have substantiated that the Nurse-Family Partnership program reduces health care, criminal justice, and welfare costs, and increases tax revenues.

For the higher-risk families now served by the program, a 2005 RAND Corporation analysis found a net benefit (benefits minus costs) to society of \$34,148 (in 2003 dollars) per family served,

with the bulk of the savings accruing to government which equates to a \$5.70 return per dollar invested in Nurse-Family Partnership.*

Nurses are the Cornerstone

Experienced, registered nurses are critical to the successful delivery of the Nurse-Family Partnership model. Pregnant women have many questions and concerns about their health and the baby's health, and highly value the expertise that nurses can bring to them during this critical life transition.

NFP's "Implementation Logic Model"

This logic model is a systematic and visual way to present and share our understanding of the relationships among the resources an Implementing Agency needs to have to operate the Nurse-Family Partnership program, the activities the Implementing Agency and the Nurse-Family Partnership team will engage in, and the outcomes participants are likely to achieve based on the randomized clinical trial research of Dr. David Olds.

In general, this logic model reads from left to right, showing how a community's investment in a Nurse-Family Partnership team and the Nurse-Family Partnership model translates into client services, which lead to families and communities achieving the desired outcomes.

The major elements of the logic model include the Inputs (what an Implementing Agency Invests), Outputs (who the Implementing Agency reaches and what the Implementing Agency does), and Outcomes (what learning and actions happen to create the desired results). Though they take up little space in the logic model, the Assumptions and External Factors influence every aspect of program implementation from Inputs to Outputs to Outcomes.

This logic model is a working draft that will be refined as the model is enhanced and refined through continuing research.

NFP's "Theory of Change Logic Model"

There is an additional logic model developed by Dr. Ruth O'Brien that provides a visual depiction of a program's theory of change - the way in which services to NFP clients are linked to expected program outcomes. The articulation of a program's theory of change can help communities, agencies, program staff and families stay focused on the outcome goals. The "Theory of Change Logic Model" can be downloaded from the NFP website > Research Evidence > NFP Logic Model.

Replication Services

The National Service Office of Nurse-Family Partnership provides service to communities in implementing and sustaining this program. These services include:

- Program implementation support;
- Education of nurse home visitors and nurse supervisors and ongoing clinical support;
- Agency management and operations support;
- Evaluation, reporting and quality improvement systems and support designed to ensure quality services and progress toward program goals;
- Federal policy and program financing support; and
- Marketing and community outreach resources.

For more information, please visit the Nurse-Family Partnership national website at: www.nursefamilypartnership.org

Nurse-Family Partnership's Implementation Logic Model was developed by Maurene Flory, Ph.D.

Nurse-Family Partnership National Service Office
1900 Grant Street, Suite 400, Denver, CO 80203-4304
Direct 303.327.4240 Fax 303.327.4260 Toll Free 866.864.5226

* Karoly, L., Kilburn, M., Cannon, J. (2005). *Early Childhood Interventions: Proven Results, Future Promise*. Santa Monica, CA: RAND Corporation.

Board Agenda Item
October 30, 2012

ADMINISTRATIVE - 7

Approval of a Resolution to Allow LifeStar Response to Operate One Advanced Life Support Ambulance and One Basic Life Support Ambulance within Fairfax County

ISSUE:

LifeStar Response (LifeStar) is a commercial Emergency Medical Service (EMS) provider based in Baltimore, Maryland. LifeStar is requesting licensure to operate one Advanced Life Support (ALS) ambulance and one Basic Life Support (BLS) ambulance from the Commonwealth of Virginia.

EMS providers in Virginia are regulated by the Virginia Department of Health, Office of Emergency Medical Services (OEMS) and require a resolution from the governing body of each locality where the provider maintains an office, stations an EMS vehicle for response, or is a designated emergency response agency.

RECOMMENDATION:

The County Executive recommends the Board approve the resolution allowing LifeStar to operate one ALS ambulance and one BLS ambulance within Fairfax County.

TIMING:

Board action is requested on October 30, 2012.

BACKGROUND:

The Commonwealth of Virginia requires all ambulance companies to be licensed by the Virginia Department of Health, Office of Emergency Medical Services. LifeStar has submitted an application to operate one ALS ambulance and one BLS ambulance within Fairfax County. Fairfax County Fire and Rescue Department has sole responsibility for emergency ambulance service within Fairfax County and agrees that LifeStar be authorized to provide non-emergency transport of ill and injured persons between medical facilities.

FISCAL IMPACT:

None

Board Agenda Item
October 30, 2012

ENCLOSED DOCUMENTS:

Attachment 1 – Resolution
Attachment 2 – Letter dated 4/27/12
Attachment 3 – Letter dated 3/5/12
Attachment 4 – Letter dated 5/14/12

STAFF:

David M. Rohrer, Deputy County Executive
Chief Ronald L. Mastin, Fire and Rescue Department
Assistant Chief John J. Caussin, Jr., Fire and Rescue Department
Assistant Chief John A. Burke, Fire and Rescue Department
Assistant Chief Garrett L. Dyer, Fire and Rescue Department

Attachment 1

RESOLUTION

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, October 30, 2012, at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, LifeStar Response, a private ambulance company located in Baltimore, Maryland is requesting licensure in the Commonwealth of Virginia; and,

WHEREAS, the Commonwealth of Virginia requires all ambulance companies to be licensed by the Virginia Department of Health, Office of Emergency Medical Services (OEMS); and,

WHEREAS, the Code of Virginia requires approval of the Governing Body of the jurisdiction in which any licensed Emergency Medical Service (EMS) Agency is located; and,

WHEREAS, private ambulance companies provide the important service of non-emergency transport of ill and injured persons between medical facilities;

NOW THEREFORE BE IT RESOLVED, the Board of Supervisors authorizes LifeStar Response to become a licensed EMS Agency in the Commonwealth of Virginia and operate according to the Virginia Department of Health, Office of Emergency Medical Services Regulations and Fairfax County Code.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors



3710 Commerce Drive
Suite 1006
Baltimore, MD 21227-2539
Baltimore: 410 290 8000
DC Metro: 301 596 2800
800 864 7423
Fax: 410 536 4988
MD Commercial Ambulance License # 74

April 27, 2012

Chief Ronald Mastin
Fairfax County Fire and Rescue
4100 Chain Bridge Road
Fairfax, Virginia 22030

Re: Resolution authorizing LifeStar Response to provide Inter-facility Transports

Dear Chief Mastin,

LifeStar Response is seeking an opportunity to provide inter-facility transport services to a client we have in the Fairfax County area. We would like to license one Advanced Life Support and one Basic Life Support vehicle. As a part of the licensing requirements we need to obtain a resolution from Fairfax County authorizing our organization to provide inter-facility transport services. LifeStar Response has a long history of providing inter-facility transportation services in the Maryland and Washington D.C. area. We provide Basic, Advanced and Critical Care transportation services along the east coast, and are proud for the opportunity to hopefully grow and provide these same high quality services in the State of Virginia.

We appreciate your time and would be happy to answer any questions you may have concerning our request or the services we are seeking to provide.

Sincerely,

Charles Boone, NREMT-P
Chief Compliance Officer
(office) 410-737-2536
(cell) 410-984-5350

FAIRFAX COUNTY
FIRE & RESCUE

APR 30 2012

OFFICE OF THE
FIRE CHIEF

Monday March 5, 2012



State of Maryland
**Maryland
Institute for
Emergency Medical
Services Systems**

653 West Pratt Street
Baltimore, Maryland
21201-1536

Martin O'Malley
Governor

Donald L. DeVries, Jr., Esq.
Chairman
Emergency Medical
Services Board

Robert R. Bass, MD
Executive Director
410-706-5074
FAX 410-706-4768

To whom it may concern:

I am writing in reference to Falck EMS dba"LifeStar Response of Maryland " to confirm that the company is currently licensed in the State of Maryland to provide ground ambulance service, and is in good standing with regards to compliance with our department's rules and regulations.

Sincerely,

Bill Adams,

Acting Director, State Office of Commercial Ambulance Licensing and Regulation

Cc

Sarah Sette, Assistant Attorney General

State Office of Commercial Ambulance
Licensing and Regulation
653 West Pratt Street, Room 313
Baltimore, Maryland 21201-1528
O: (410) 706-8511 • FAX: (410) 706-8552



State of Maryland
**Maryland
Institute for
Emergency Medical
Services Systems**

653 West Pratt Street
Baltimore, Maryland
21201-1536

Martin O'Malley
Governor

Donald I. DeVries, Jr., Esq.
Chairman
Emergency Medical
Services Board

Robert R. Bass, MD
Executive Director
410-706-5074
FAX 410-706-4768

May 14, 2012

Commonwealth of Virginia
Department of Health
Office of Emergency Medical Services
Attn: Mr. Adam Harrell
1014 Technology Park Drive
Glen Allen, VA. 23059-4500

Re: Request for Information – LIFESTAR Response of Maryland, INC.

Mr. Harrell:

The State Office of Commercial Ambulance Licensing and Regulation (SOCALR) has processed your request for information regard LIFESTAR Response of Maryland, INC. Maryland Commercial Ambulance License #: 74. Please see response below.

Initial Dates of Licensure:

- Licensed Basic Life Support (BLS) on 9/1/1998
- Licensed Advanced Life Support (ALS) on 9/1/1998
- Licensed Specialty Care Transport (SCT) on 5/22/2007
- Licensed Neonatal (NEO) on 1/1/2003

Lapse in Licensure:

- No Lapse in Licensure

Complaints Received:

- December 21, 2007 – Complaint from Attending Physician at John Hopkins Bayview Medical Center about an EMS crew altercation.

Compliance Violations:

- November 1, 2003 – Non-Compliance Notice issued. A licensed unit in-service w/o AED and provider did not have certification/license credentials
- November 19, 2003 – Non-Compliance Notice issued. Violation of staffing requirements per COMAR 30.09.07.02 A (1).
- March 10, 2004 – Non-Compliance Notice issued. Violation of reporting requirements per COMAR 30.09.08.06 B(7).

Please feel free to contact me with any questions or concerns. You can contact me at our office at (410) 706-8511 or electronically at jsexton@miemss.org.

Regards,

Bill J. Adams Jr.

Bill J. Adams Jr., BS, CCEMT-P, NREMT-P
Acting Director

Cc; Sarah M. Sette, Assistant Attorney General
Cc; Phil Pommerening, Battalion Chief, EMS Division, Fairfax County Fire & Rescue Department

Board Agenda Item
October 30, 2012

ADMINISTRATIVE - 8

Authorization to Advertise a Public Hearing to Establish Parking Restrictions on Draco Street, Thunderbolt Place and Flint Lee Road (Springfield and Sully Districts)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix R of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to establish parking restrictions on the south side of Draco Street along the northern property line of Rolling Valley Mall in the Springfield District and along the entire lengths of Thunderbolt Place and Flint Lee Road in the Sully District.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for November 20, 2012, at 4:00 p.m. to consider adoption of a Fairfax County Code amendment (Attachment I) to Appendix R, to prohibit commercial vehicles as defined in Section 82-5-7 of the Fairfax County Code, recreational vehicles and all trailers from parking on the south side of Draco Street along the northern property line of Rolling Valley Mall in the Springfield District, seven days per week; along the entire length of Thunderbolt Place in the Sully District from 9:00 p.m. to 6:00 a.m., seven days per week; and along the entire length of Flint Lee Road in the Sully District from 7:00 p.m. to 6:00 a.m., seven days per week.

TIMING:

The Board of Supervisors should take action on October 30, 2012, to provide sufficient time for advertisement of the public hearing on November 20, 2012, at 4:00 p.m.

BACKGROUND:

Fairfax County Code Section 82-5-37(5) authorizes the Board of Supervisors to designate restricted parking in non-residential areas where long term parking of vehicles diminish the capacity of on-street parking for other uses.

The Springfield District office has forwarded a request from the Keene Mill Woods II Home Owners Association to prohibit commercial vehicles as defined in Section 82-5-7 of the Fairfax County Code, recreational vehicles, and all trailers from parking on the south side of Draco Street along the northern property line of Rolling Valley Mall in the Springfield District, seven days per week. The management company for Rolling Valley

Board Agenda Item
October 30, 2012

Mall is in support of this request. Homes in the Keene Mill Woods II development are across the street from the proposed restriction and the Rolling Valley Mall property abuts the proposed restriction to the south.

The Sully District office has forwarded a request from the Dulles Business Park Owners and its Board Directors to prohibit commercial vehicles as defined in Section 82-5-7 of the Fairfax County Code, recreational vehicles, and all trailers from parking on the entire length of Thunderbolt Place, from 9:00 p.m. to 6:00 a.m., seven days per week. The Dulles Business Park encircles the proposed restriction.

The Sully District office has forwarded a request from the Board of Directors of the Dulles Southgate Condominium Association and the Flint Lee Business Park to prohibit commercial vehicles as defined in Section 82-5-7 of the Fairfax County Code, recreational vehicles, and all trailers from parking on the entire length of Flint Lee Road, from 7:00 p.m. to 6:00 a.m., seven days per week. The Southgate Condominium homes abut a portion of Flint Lee Road to the north and the remainder is encircled by Flint Lee Business Park addresses.

Based on staff observation of the aforementioned streets, long term parking of vehicles diminishes the capacity of on-street parking for other uses.

FISCAL IMPACT:

The cost of sign installation is estimated at \$6,000 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:

Attachment I: Amendment to the Fairfax County Code, Appendix R (General Parking Restrictions)

Attachment II: Area Map of Proposed Parking Restriction (Draco Street)

Attachment III: Area Map of Proposed Parking Restriction (Thunderbolt Place)

Attachment IV: Area Map of Proposed Parking Restriction (Flint Lee Road)

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Karyn Moreland, Acting Chief, Capital Projects and Operations Division, FCDOT

Selby Thannikary, Chief, Traffic Operations Section, FCDOT

Maria Turner, Sr. Transportation Planner, FCDOT

PROPOSED CODE AMENDMENT

THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA
APPENDIX R

Amend *The Code of the County of Fairfax, Virginia*, by adding the following to Appendix R, in accordance with Section 82-5-37:

Draco Street (Route 5244).

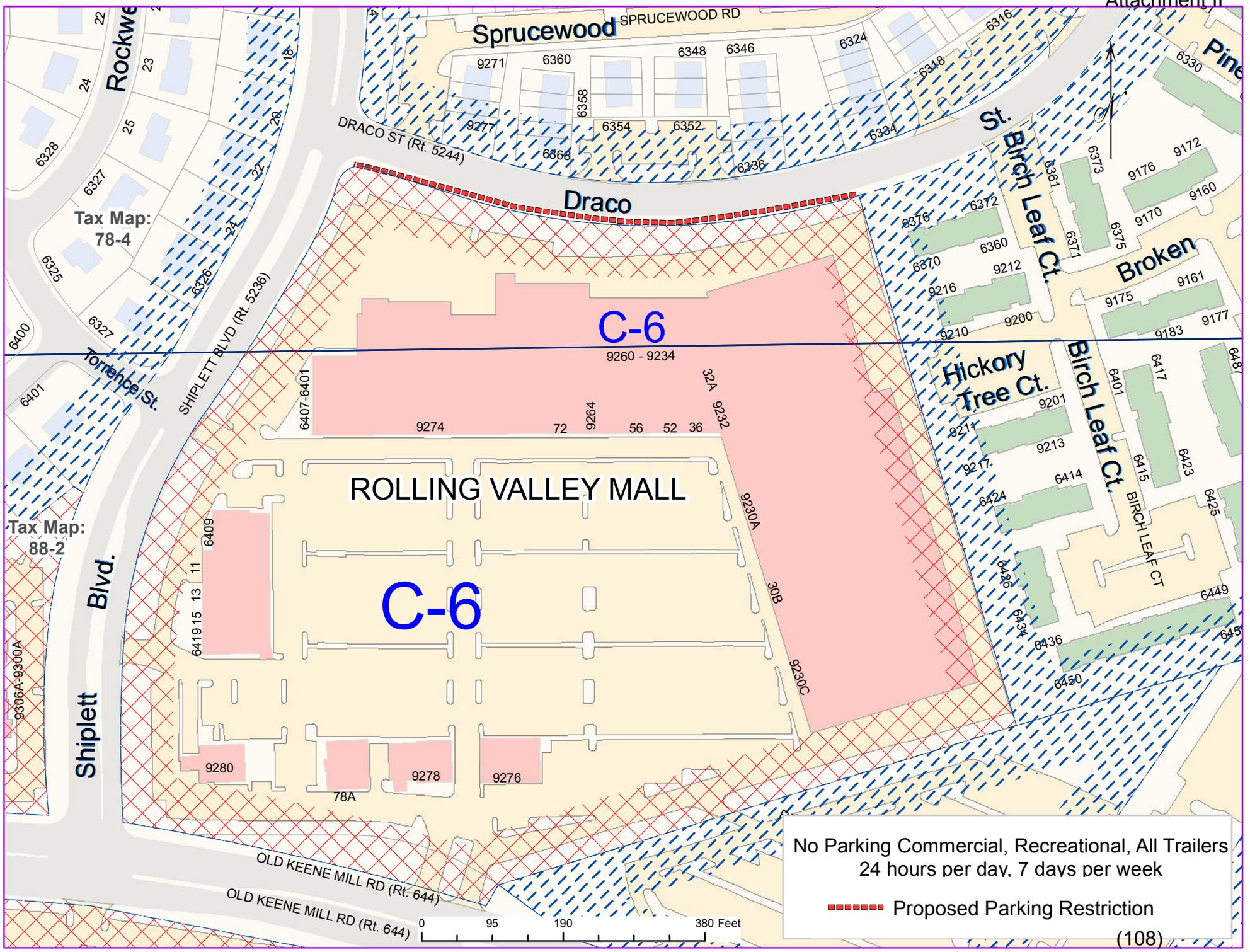
Commercial vehicles, recreational vehicles, and trailers as defined in Fairfax County Code Sections 82-5-7(b) and 82-5B-1 shall be restricted from parking on the south side of Draco Street (Route 5544) along the northern property line of Rolling Valley Mall, seven days per week.

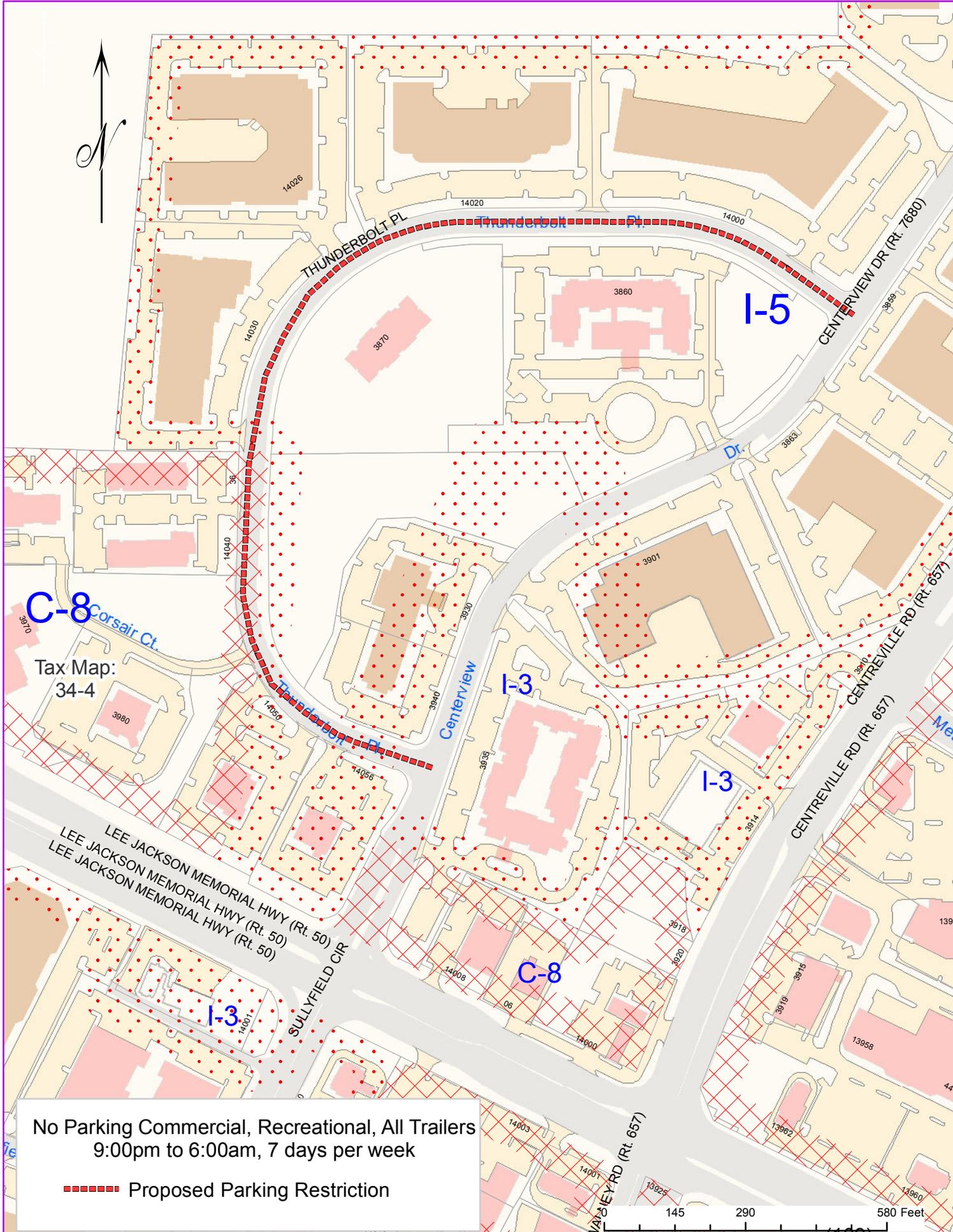
Flint Lee Road (Route 8100).

Commercial vehicles, recreational vehicles, and trailers as defined in Fairfax County Code Sections 82-5-7(b) and 82-5B-1 shall be restricted from parking on the entire length of Flint Lee Road (Route 8100), from 7:00 p.m. to 6:00 a.m., seven days per week.

Thunderbolt Place (no route).

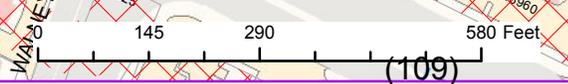
Commercial vehicles, recreational vehicles, and trailers as defined in Fairfax County Code Sections 82-5-7(b) and 82-5B-1 shall be restricted from parking on the entire length of Thunderbolt Place (no route), from 9:00 p.m. to 6:00 a.m., seven days per week.



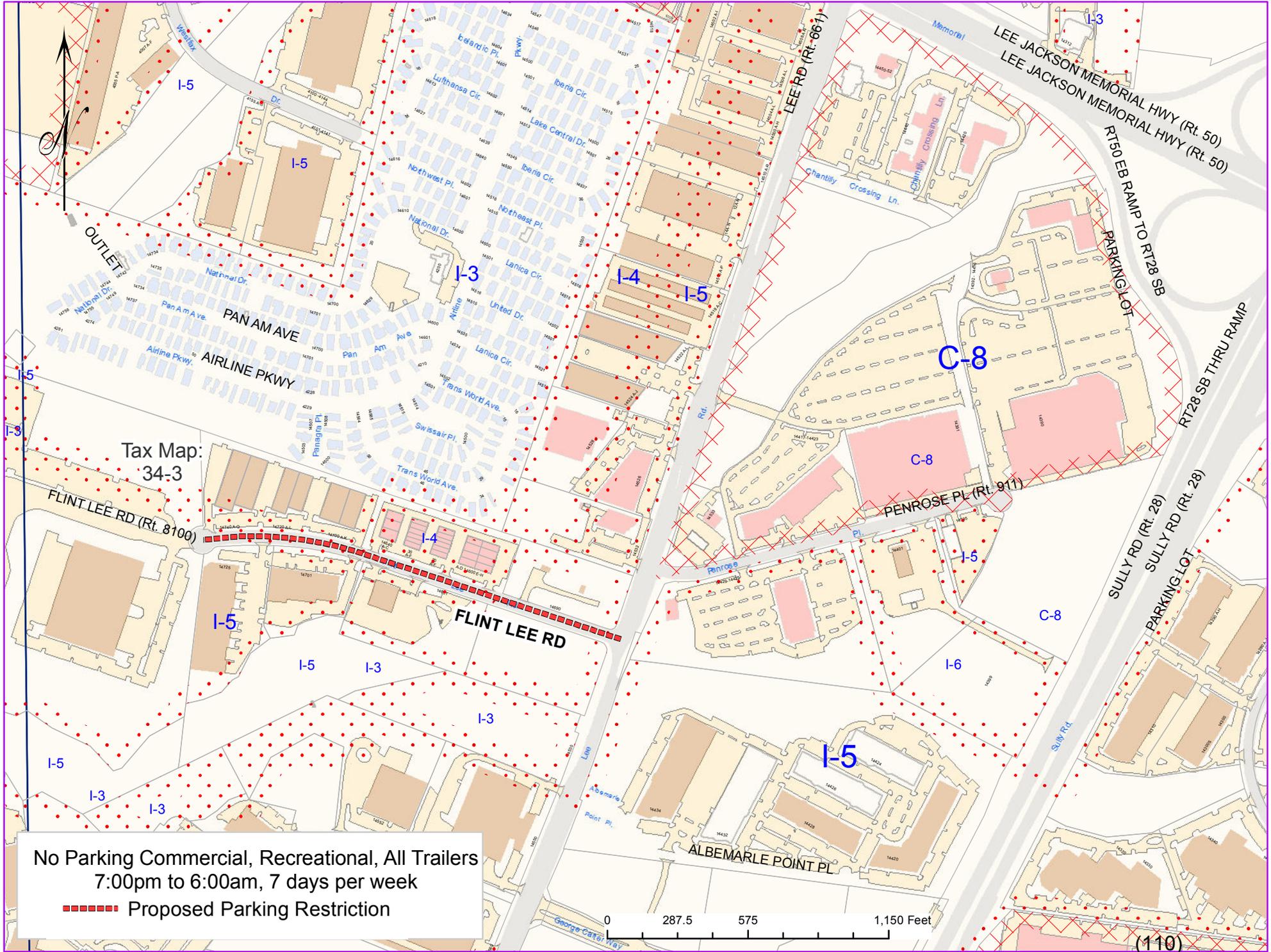


No Parking Commercial, Recreational, All Trailers
 9:00pm to 6:00am, 7 days per week

----- Proposed Parking Restriction



14016



No Parking Commercial, Recreational, All Trailers
 7:00pm to 6:00am, 7 days per week
 ■■■■■ Proposed Parking Restriction

0 287.5 575 1,150 Feet

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ADMINISTRATIVE - 9

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding Dunn Loring Residential Permit Parking District, District 3 (Providence District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Dunn Loring Residential Permit Parking District (RPPD), District 3.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing.

TIMING:

The Board should take action on October 30, 2012, to advertise a public hearing for December 4, 2012, at 4:00 p.m.

BACKGROUND:

Section 82-5A-4(b) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish or expand an RPPD in any residential area of the County if: (1) the Board receives a petition requesting establishment or expansion of an RPPD that 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 of the proposed District, (2) the proposed District contains a minimum of 100 contiguous or nearly contiguous on-street parking spaces 20 linear feet in length per space, unless the subject area is to be added to an existing district, (3) 75 percent of the land abutting each block within the proposed District is developed residential, and (4) 75 percent of the total number of on-street parking spaces of the petitioning blocks are occupied, and at least 50 percent of those occupied spaces are occupied by nonresidents of the petitioning blocks, as authenticated by a peak-demand survey. In addition, an application fee of \$10 per petitioning 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.

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A peak parking demand survey was conducted for Cottage Street from Bucknell Drive to Marymount Lane. This survey verified that more than 75 percent of the total number of on-street parking spaces of the petitioning blocks were occupied by parked vehicles, and more than 50 percent of those occupied spaces were occupied by nonresidents of the petitioning blocks. All other requirements to expand the RPPD have been met.

FISCAL IMPACT:

The cost of sign installation is estimated at \$900 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, Director, Fairfax County Department of Transportation (FCDOT)

Karyn L. Moreland, Acting Chief, Capital Projects and Operations Division, FCDOT

Selby Thannikary, Chief, Traffic Operations Section, FCDOT

Maria Turner, Sr. Transportation Planner, FCDOT

Hamid Majdi, Transportation Planner, FCDOT

Proposed Amendment

Amend *The Code of the County of Fairfax, Virginia*, by adding the following streets to Appendix G-3, Section (b), (2), Dunn Loring Residential Permit Parking District, in accordance with Article 5A, of Chapter 82:

Cottage Street (Route 2401)
From Bucknell Drive to Marymount Lane

ADMINISTRATIVE – 10

Extension of Review Periods for 2232 Review Applications (Dranesville, Providence, and Mount Vernon 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: 456A-D95-19-2, 2232A-P05-9-1, and FS-V12-17, all to December 29, 2012.

TIMING:

Board action is required on October 30, 2012, 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 is asked to extend the review period for applications FS-V12-17, 2232A-P05-9-1, and 456A-D95-19-2, which were accepted for review by the Department of Planning and Zoning (DPZ) on August 1, 2012. 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.

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The review periods for the following applications should be extended:

- 456A-D95-19-2 T-Mobile Northeast, LLC
Equipment expansion at base of existing lattice tower
9916 Georgetown Pike, Great Falls
Dranesville District
- 2232A-P05-9-1 Sprint
Antenna collocation on existing monopole
Oakton High School
2900 Sutton Road, Vienna
Providence District
- FS-V12-17 Prince William County Government
Antenna collocation on existing guyed radio tower
9900 Landfill Road, Lorton (BOS property)
Mount Vernon 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
Connie A. Maier, Planner, Facilities Planning Branch, Planning Division, DPZ

ADMINISTRATIVE – 11

Authorization to Advertise a Public Hearing on Amendments to the Home Child Care Facilities Ordinance, Chapter 30, Articles 1 and 3, of the *Fairfax County Code*, and Section 10-103 of the Zoning Ordinance

ISSUE:

Board authorization to advertise a public hearing to consider amendments to the Home Child Care Facilities Ordinance, Chapter 30, Articles 1 and 3, of the *Fairfax County Code*, and Section 10-103 of the Zoning Ordinance. The amendments are the result of a comprehensive review of the Home Child Care Facilities Ordinance by the Child Care Advisory Council, the Department of Family Services, Office for Children, and the Office of the County Attorney. The Home Child Care Facilities Ordinance has been reviewed and revised to reflect current health and safety regulations, practices and codes; best practices in the field, updated state home child care regulations; and to reorganize and reword the ordinance for clarity. The proposed amendment to Section 10-103 of the Zoning Ordinance would allow substitute providers in home child care facilities consistent with the terms on which it is allowed in the proposed changes to the Home Child Care Facilities Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of the public hearing.

TIMING:

Board action is requested on October 30, 2012, to provide sufficient time to advertise a public hearing on the proposed amendments on November 20, 2012 at 4:00 pm.

BACKGROUND:

Chapter 30, Article 3, of the *County Code* regulates Home Child Care Facilities in which a person cares for five or fewer children. The ordinance is intended to protect the health and safety of children who receive care in family child care homes. Home Child Care Facilities in which a person cares for more than five children are regulated by the Virginia Department of Social Services, Division of Licensing.

First approved in 1989, the County's Home Child Care Facility Ordinance was last significantly revised in 2001. The Board adopted an amendment regarding the storage

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of firearms in June 2010, and amendments regarding medication administration and national background checks in June 2011.

Starting in 2011, the Child Care Advisory Council worked with the Department of Family Services, Office for Children, to comprehensively review and update the Home Child Care Facilities Ordinance to reflect current health and safety regulations, practices and codes; best practices in the field; updated state home child care regulations; and to reorganize and reword the ordinance for clarity. The Department of Family Services, Office for Children, has worked in partnership with the Office of the County Attorney, the Health Department, the Fire and Rescue Department and the Department of Planning and Zoning during this process. Staff has also worked with county family child care associations, the City of Fairfax and the City of Falls Church.

As a result of that process, staff identified a number of proposed amendments to the Home Child Care Facilities Ordinance. These proposed amendments were brought to the Board of Supervisors and a public hearing was held on February 28, 2012. At that time, the Board of Supervisors elected not to vote on the proposed amendments and directed staff to conduct additional outreach with the family child care provider community to give providers additional opportunities to comment on the proposed changes to the ordinance.

The Office for Children subsequently sent the proposed ordinance changes and a letter in both English and Spanish to all permitted family child care providers inviting them to attend one of three community meetings to review the proposed ordinance revisions and provide comments. Staff also discussed the revised ordinance at six provider professional development classes and during technical assistance visits in family child care provider homes.

Over the summer, staff followed up on questions raised by family child care providers and made some revisions to the proposed amendments. Therefore, staff recommends that the Board advertise and hold a new public hearing on the amendments. The Child Care Advisory Council has reviewed the amendments that staff is now proposing. The following are proposed amendments that reflect the primary substantive changes to the ordinance:

Section 30-1-1: Barrier offenses

The list of offenses that bar an applicant from obtaining a County home child care permit have been updated so that they are the same as the offenses that bar an applicant from receiving a state child care license and include additional barrier crimes approved during the 2012 session of the Virginia General Assembly.

Section 30-3-2 a: Annual permit application, issuance or denial

The provider and all adult household residents will be required to have a TB screening bi-annually. Currently the provider is the only adult in the household required to have a TB screening bi-annually.

Providers will be required to have a written emergency preparedness plan.

Section 30-3-4 b: Operator Qualifications

All new and renewing providers will be required to complete 16 hours of training annually. The new requirement will be phased in over a three-year period. Currently, new providers are required to complete 12 hours of training annually; renewing providers are required to complete 6 hours of training annually. The new requirement would bring County-permitted providers into parity with state-licensed child care providers, who must complete 16 hours of training annually.

Section 30-3-6 c: Physical facilities, equipment and operation

Providers will be required to provide adequate space for each child to allow free movement and active play indoors and out.

Providers are currently required to provide a crib for overnight care. The proposed amendments also would require the provider to provide appropriate sleeping equipment during rest times as identified by the United States Consumer Product Safety Commission.

Providers who serve meals or snacks to the children in care will be required to follow the most recent USDA nutritional guidelines.

Additionally, staff proposes adding the following new sections/items:

New Section 30-3-4.1: Substitute Care Providers

When a provider must be away from the home child care facility, a substitute care provider may be used. Substitute care shall not exceed 240 hours per calendar year. Any substitute care provider must be an adult. All substitutes must: pass criminal background checks, be certified in first aid, be certified in CPR and receive a TB screening bi-annually.

Currently, the ordinance does not allow for substitute care. This proposed new section will require an amendment to the Zoning Ordinance, Article 10, Part 1, Sect.10-103 Par. 6B, so that both ordinances will be aligned regarding substitute care. On March 20, 2012, the Board adopted the Editorial and Minor Revisions Zoning Ordinance Amendment, with the exception that the Board deferred decision on the proposed changes to Sect. 10-103 pertaining to substitute care providers for home child care facilities so that the Zoning Ordinance and Chapter 30 amendments could be

considered concurrently by the Board. Accordingly, staff recommends that the public hearing include the proposed Zoning Ordinance amendment as well. A copy of the proposed changes to Sect. 10-103 of the Zoning Ordinance is contained as Attachment 2. The proposed Zoning Ordinance amendment and Chapter 30 amendments would align the County regulations with the State regulations regarding substitute care providers and would allow home child care facilities to operate with a substitute care provider to accommodate reasonable absences of the resident care provider.

Section 30-3-6 q & r: Physical facilities, equipment and operation

The addition of regulations for swimming and wading activities including:

- The provider and another person 15 years or older shall be present and able to supervise the children.
- The home child care facility shall annually obtain written permission from the parent of each child who participates.
- The provider must obtain a written statement from the parent advising of a child's swimming skills before the child is allowed in water above the child's shoulder height.
- Either the provider or the other person 15 years or older must be currently certified in basic water rescue, community water safety, water safety instruction, or lifeguarding. The certification shall be obtained from a national organization such as the American Red Cross or the YMCA.

The addition of a drowning hazard safety policy:

- Access to the water in above-ground swimming pools shall be prevented by locking and securing the ladder in place or storing the ladder in a place inaccessible to children.
- A non-climbable barrier at least four feet high such as, but not limited to, a fence or impenetrable hedge shall surround outdoor play areas located within 30 feet of drowning hazards such as, but not limited to, in-ground swimming or wading pools, ponds, or fountains not enclosed by safety fences.
- Hot tubs, spas, and whirlpools shall not be used by children in care, and shall be covered with safety covers while children are in care.

New Section 30-3-6-1: Home child care facility fire safety requirements

The Fire and Rescue Department has updated all fire safety items, currently Chapter 30, according to Fairfax County Code Chapter 62: Fire Protection Code. All fire safety items have been grouped into a new section. New requirements included in the proposed amendments include the following:

- A landline telephone will be required.
- A carbon monoxide alarm will be required.
- Stored machinery must be inaccessible to the children in care.
- Any room used as a sleeping area must have two means of exit, as required by the Virginia Uniform Statewide Building Code.

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- Inspections will be required for fireplaces and wood stoves.

FISCAL IMPACT:

Some of the proposed amendments to the ordinance will result in additional costs to the provider. These include the requirement that additional adults in the household have a TB screening, the provider have a landline telephone, and the provider have a carbon monoxide alarm, and fireplace and woodstove inspections if applicable.

ENCLOSED DOCUMENTS:

Attachment 1: Draft amendments to Home Child Care Facilities Ordinance, Chapter 30, Articles 1 and 3

Attachment 2: Draft amendment to Zoning Ordinance, Article 10, Part 1, Sect. 10-103 Par. 6B

STAFF:

Patricia D. Harrison, Deputy County Executive

David M. Rohrer, Deputy County Executive

Robert A. Stalzer, Deputy County Executive

Nannette M. Bowler, Director, Department of Family Services

John A. Burke, Assistant Chief, Fire and Rescue Department

Rosalyn Foroobar, Deputy Director for Health Services, Health Department

Leslie Johnson, Zoning Administrator, Department of Planning and Zoning

Anne-Marie D. Twohie, Director, Office for Children, Department of Family Services

Erin C. Ward, Assistant County Attorney

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1 AN ORDINANCE AMENDING
2 CHAPTER 30 OF THE FAIRFAX COUNTY CODE, RELATING TO
3 HOME CHILD CARE FACILITIES
4

5 Draft of October 15, 2012
6

7 AN ORDINANCE to amend the Fairfax County Code by amending and
8 readopting Sections 30-1-1, 30-1-2, 30-3-2, 30-3-3, 30-3-4, 30-3-6, 30-3-7, 30-
9 3-8, 30-3-9, 30-3-10, and by adopting two new Sections numbered 30-3-4.1
10 and 30-3-6.1, all relating to home child care facilities.
11

12 Be it ordained by the Board of Supervisors of Fairfax County:

- 13 1. That Sections 30-1-1, 30-1-2, 30-3-2, 30-3-3, 30-3-4, 30-3-6, 30-3-7, 30-3-8, 30-3-
14 9, 30-3-10 of the Fairfax County Code are amended and readopted, and two
15 new Sections numbered 30-3-4.1 and 30-3-6.1 are adopted, as follows:

16 ARTICLE 1. - In General.

17 Section 30-1-1. - Definitions.

18 For the purposes of this Chapter, the following words and phrases shall have the
19 meanings respectively ascribed to them by this Section:

20 *Adult* means a person 18 years of age or older.

21 **[Drafting note: The definition of “barrier offense” has been changed to mirror the**
22 **list of offenses that bar receipt of a state child care permit.]**

23 *Barrier offense* means offenses which bar an applicant from obtaining a home child care
24 facility permit pursuant to this Chapter or mandate revocation of an outstanding permit.
25 Barrier offenses are:

- 26 (1) If the ~~operator~~, a provider, or any person who resides in the home is convicted of
27 (a) any of the following offenses set out in the Virginia Code: a felony violation of a
28 protective order as set out in § 16.1-253.2; murder or manslaughter as set out in Article
29 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2; malicious wounding by mob as set out
30 in § 18.2-41; abduction as set out in § 18.2-47(A) or (B); abduction for immoral
31 purposes as set out in § 18.2-48; ~~assault~~ assaults and bodily woundings as set out in
32 Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2; robbery as set out in § 18.2-58;

1 car-jacking as set out in § 18.2-58.1; extortion by threat as set out in § 18.2-59;
2 ~~extortion by threat~~ threats of death or bodily injury as set out in § 18.2-60; ~~any felony~~
3 ~~stalking violation~~ as set out in § 18.2-60.3; a felony violation of a protective order as set
4 out in § 18.2-60.4; sexual assault as set out in Article 7 (§ 18.2-61 et seq.) of Chapter 4
5 of Title 18.2; arson as set out in Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2;
6 burglary as set out in Article 2 (§ 18.2-89 et seq.) of Chapter 5 of Title 18.2; any felony
7 violation relating to possession or distribution of drugs as set out in Article 1 (§ 18.2-247
8 et seq.) of Chapter 7 of Title 18.2; drive-by shooting as set out in § 18.2-286.1; use of
9 a machine gun in a crime of violence as set out in § 18.2-289; aggressive use of a
10 machine gun as set out in § 18.2-290; use of a sawed-off shotgun in a crime of violence
11 as set out in § 18.2-300(A); pandering as set out in § 18.2-355; crimes against nature
12 involving children as set out in § 18.2-361; incest as set out in § 18.2-366; taking
13 indecent liberties with children as set out in § 18.2-370 or § 18.2-370.1; abuse and
14 neglect of children as set out in § 18.2-371.1; failure to secure medical attention for an
15 injured child as set out in § 18.2-314; obscenity offenses as set out in § 18.2-374.1;
16 possession of child pornography as set out in § 18.2-374.1:1; electronic facilitation of
17 pornography as set out in § 18.2-374.3; abuse and neglect of incapacitated adults as
18 set out in § 18.2-369; employing or permitting a minor to assist in an act constituting an
19 offense under Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2 as set out in
20 § 18.2-379; delivery of drugs to prisoners as set out in § 18.2-474.1; escape from jail
21 as set out in § 18.2-477; felonies by prisoners as set out in § 53.1-203; or (b) an
22 equivalent offense in another state; or (c) any other felony unless in the five years prior
23 to have elapsed since the application date the conviction. Convictions shall include prior
24 adult convictions and juvenile convictions and adjudications of delinquency based on ~~an~~
25 ~~offense which~~ a crime that would have been at the time of conviction be a felony
26 ~~conviction~~ if committed by an adult within or outside the Commonwealth.

27 (2) If the ~~operator~~, a provider, or a person who resides in the home is the subject of a
28 founded complaint of child abuse or neglect within or outside the Commonwealth; and

29 (3) If the ~~operator~~ provider makes a false statement regarding a material fact on an
30 application for a home child care permit under this Chapter; this bar shall remain in
31 effect for a period of one year from the time the permit is denied or revoked on this
32 basis.

33 *Director of Health* means the Director of the Fairfax County Health Department or the
34 authorized agent of the Director of the Fairfax County Health Department.

35 *Director of the Office for Children* means the Director of the Fairfax County Office for
36 Children or the authorized agent of the Director of the Fairfax County Office for
37 Children.

38 *Home child care facility* means any facility located in a dwelling or mobile home, as
39 defined in Article 20 of Chapter 112 of the Fairfax County Code (the Zoning Ordinance),

1 where a person, for compensation, regularly provides care, protection, supervision and
2 guidance to one or more children who do not reside in the facility and who are not
3 attended by a parent, guardian or legal custodian while they are in that facility, during a
4 part of the day for at least four days of a calendar week. If, on a regular basis, a person
5 receives compensation for the care, protection, supervision and guidance of one or
6 more children in a structure other than a dwelling or mobile home, as defined in the
7 Zoning Ordinance, that facility shall be deemed to be a child care center and included
8 within those facilities defined in this Section. A home child care facility does not include:
9 (i) any family day home licensed by the Commonwealth pursuant to Virginia Code
10 § ~~63.1-196~~ 63.2-1701 or any facility exempted from licensure by Virginia Code § ~~63.1-~~
11 ~~196.3~~ 63.2-1715; (ii) any dwelling or mobile home where a person provides care solely
12 for children who reside there; or (iii) any dwelling or mobile home where a person
13 provides care solely for relatives of the resident owner or tenant. However, if on a
14 regular basis, a person receives compensation for the care, protection, supervision and
15 guidance of one or more children who do not reside in that dwelling or mobile home and
16 who are not attended by a parent, guardian or legal custodian while they are in that
17 dwelling or mobile home during a part of the day for at least four days of a calendar
18 week, and a home child care facility is established thereby, then any children who are
19 related to the person who provides such care and are present in that dwelling or mobile
20 home and any other children who reside in that dwelling or mobile home shall be
21 counted and considered in determining whether the facility complies with the provisions
22 of this Chapter.

23 *Occasional child care* means care provided on an hourly basis, for one or more children
24 between the ages of six weeks and twelve years of age, for a period not to exceed four
25 hours within any one day, which is contracted for by a parent, guardian, or legal
26 custodian for the same child not more than ten days within a calendar month.

27 *Permit* means authorization from the County to operate a private school, nursery school,
28 child care center or home child care facility for the care, guidance, education, training or
29 protection of children in compliance with this Chapter.

30 *Private school, nursery school, or child care center* means any place, home, facility, or
31 institution, however designated, or any part thereof, that (1) is eligible for an exemption
32 from state licensure pursuant to Virginia Code §§ ~~63.1-196.3~~ or ~~63.1-196.3~~:163.2-1716
33 and 63.2-1717; (2) is operated for the purposes of providing care, guidance, education
34 or training; and (3) receives on a regular basis, for any period of more than one hour but
35 less than twenty-four hours in any twenty-four-hour period, one or more children under
36 the age eligible for enrollment in the Fairfax County Public Schools who are not
37 attended by a parent, guardian or person with legal custody. A home child care facility,
38 as defined in this Section, shall not be included within this definition.

39 *Provider* means the ~~operator~~ adult responsible for obtaining the permit and for the day-
40 to-day operation of a the home child care facility. The provider is responsible for and

1 ~~any other person who provides~~ providing care, protection, supervision, and guidance to
2 children in a home child care facility ~~for compensation.~~

3 Substitute Care Provider means any person who provides care, protection, supervision,
4 and guidance to children when the provider is away from the home child care facility.

5
6 **Section 30-1-2. - Administration and enforcement of Chapter.**

7 The Director of Health shall administer and enforce the provisions of Article 2 of this
8 Chapter. The Director of the Office for Children and the Chief of the Fairfax County Fire
9 and Rescue Department or the agent of the Chief (“the Fire Code Official”) shall
10 administer and enforce the provisions of Article 3 of this Chapter.

11 **ARTICLE 3. - Home Child Care Facilities.**

12 **Section 30-3-2. - Annual permit application, issuance or denial.**

13 (a) A person proposing to operate a home child care facility shall submit an
14 application on a form prepared by the Director of the Office for Children, which shall
15 include:

16 (i) The name and address of the home child care facility;

17 (ii) The name of the applicant;

18 (iii) A statement of whether the applicant currently holds or previously held a
19 home child care facility permit in the County;

20 (iv) The names of ~~all providers and~~ all persons who reside in the home;

21 (v) Disclosures from the applicant, ~~each provider,~~ and each adult who resides in
22 the proposed facility stating whether he or she has committed any barrier offense,
23 consent forms signed by the applicant, ~~each provider,~~ and each adult who resides
24 in the proposed facility allowing the Director of the Office for Children to request a
25 search of the Central Criminal Records Exchange for files on each such person,
26 and payment of an investigation fee in an amount equal to the fee established by
27 the Virginia State Police for conducting a records search multiplied by the number
28 of persons making disclosures and providing consent forms. When the Central
29 Criminal Records Exchange records indicate that any such person has a criminal

1 record in another state, or when the Director otherwise deems appropriate, the
2 Director may also require that the applicant, ~~the provider,~~ or ~~the~~ such adult who
3 resides in the proposed facility consent to and pay for a national criminal
4 background check;

5 (vi) Statements from the applicant, ~~each provider,~~ and each adult who resides in
6 the proposed facility, and statements from a parent, guardian or legal custodian
7 on behalf of all minors age 14 and older who reside in the proposed facility,
8 consenting to the release of information to the Director of the Office for Children
9 from child protective services investigating agencies reflecting whether any such
10 individual has been the subject of a founded complaint of abuse or neglect; the
11 terms "child protective services" and ~~"investigating agencies"~~ shall have the
12 meaning defined by Virginia law;

13 (vii) Copies of the applicant's current certifications in ~~pediatric~~ first aid and
14 ~~pediatric~~-cardiopulmonary resuscitation (CPR);

15 (viii) Proof of the applicant's compliance with the training requirements established
16 in Section 30-3-4(b), which shall consist of records provided by the trainer or, if
17 none are provided by the trainer, records maintained by the applicant;

18 (ix) A description of the structure in which the home child care facility is proposed
19 to be operated, including a description of all places and areas to which the
20 children shall have access;

21 (x) The proposed hours of operation;

22 (xi) A statement of whether the applicant is eighteen or more years old;

23 (xii) A certificate from a physician, physician's designee, or Health Department
24 official stating that acceptable screening methods (tuberculin skin test and/or
25 tuberculosis risk and symptom screen and/or chest X-ray), singly or in
26 combination as determined appropriate by the signatory, indicate that the
27 applicant and all ~~providers~~ adult household residents are currently free from
28 communicable tuberculosis. The screen must be performed every two years ~~not~~
29 ~~more than 24 months prior to the date on which the application is submitted;~~ or
30 more frequently as recommended by a physician or the local health department;

31 (xiii) A written policy describing what the applicant will do with children in care who

1 are sick and a written emergency preparedness plan;

2 (xiv) Such other information, including, but not limited to, information concerning
3 applicant's child care training and special skills, as the Director of the Office for
4 Children may deem appropriate;

5 (xv) The application fee of \$14, which is in addition to any business or occupation
6 license tax imposed by the County, and any other taxes or fees that may be
7 required to engage in the business.

8 ~~During the term of the permit, the operator must report to the Director of the Office for~~
9 ~~Children any change in the information required by subsections (iv), (v), (vi), and (xii)~~
10 ~~within 21 days of learning of the change. If the information the provider submits in~~
11 ~~accordance with subsections (iv), (v), (vi), and (xii) changes during the term of the~~
12 ~~permit, the provider must report the change to the Director of the Office for Children~~
13 ~~within 21 days and must promptly submit updated information and documents.~~

14 (b) Upon submission of an application to the Office for Children:

15 (i) The Director of the Office for Children shall inspect the proposed facility to
16 determine whether it is in compliance with this Article and all applicable Virginia
17 law that may affect the health and safety of the children who may attend or be
18 present at the facility.

19 (ii) ~~The Chief of the Fairfax County Fire and Rescue Department or the agent of~~
20 ~~the Chief Fire Code Official shall conduct a fire safety inspection of the proposed~~
21 ~~facility and advise the Director of the Office for Children of any noncompliance~~
22 ~~with this Article or any applicable Virginia law that may affect the health and safety~~
23 ~~of the children who may attend or be present at the facility.~~

24 (iii) If the applicant does not hold a permit under this Article at the time of the
25 application, the Director of the Office for Children shall request a search of the
26 Central Criminal Records Exchange to determine whether the applicant, ~~any~~
27 ~~provider~~ or any persons who reside in the home have committed any crimes that
28 constitute barrier offenses. When the Central Criminal Records Exchange
29 records indicate that any such person has a criminal record in another state, or
30 when the Director otherwise deems appropriate, the Director may also require that
31 the applicant, ~~the provider,~~ or ~~the~~ such adult who resides in the proposed facility
32 consent to and pay for a national criminal background check. Otherwise, the
33 Director may request a criminal records search if five or more years have passed

1 since the last records search on an individual, or upon receipt of new information
2 submitted in accordance with this section, or as the Director deems appropriate in
3 extenuating circumstances.

4 (iv) The Director of the Office for Children shall request information from child
5 protective services investigating agencies as deemed necessary to determine
6 whether the applicant, ~~any provider~~ or any person age 14 and older who resides
7 in the proposed facility has been the subject of a founded complaint of abuse or
8 neglect.

9 (c) The Director of the Office for Children shall issue a permit to an applicant if the
10 Director determines from the information contained in the permit application, the facility
11 inspections, and the records searches that (i) the applicant is an adult; (ii) neither the
12 applicant, ~~nor any provider~~ or any person who resides in the facility has committed any
13 barrier offense; and (iii) both the applicant and the proposed facility are in compliance
14 with this Article and all applicable Virginia laws that may affect the health and safety of
15 the children who may attend or be present at the proposed facility. The permit shall be
16 displayed in the home child care facility by the ~~operator~~ provider of that facility.

17 (d) The Director of the Office for Children shall deny a permit to any applicant if the
18 Director determines from the information contained in the permit application, the facility
19 inspections, and the records searches that (i) the applicant is not an adult; (ii) the
20 applicant, ~~any provider~~, or any person who resides in the facility has committed any
21 barrier offense; or (iii) either the applicant or the proposed facility is not in compliance
22 with this Article and all applicable Virginia laws that may affect the health and safety of
23 the children who may attend or be present at the proposed facility. If the denial is based
24 on the results of the searches of the records of the Central Criminal Records Exchange,
25 the national criminal background check, or the Department of Social Services, the
26 Director shall provide the applicant a copy of the information upon which the denial was
27 based.

28 **Section 30-3-3. - Temporary permits.**

29 (a) A person proposing to operate a home child care facility that is not in compliance
30 with the requirements of this Article may apply to the Director of the Office for Children
31 for a temporary permit to operate a home child care facility for a period of not more than
32 six months. The Director of the Office for Children may grant such a temporary permit
33 for a period of not more than six months if the applicant:

34 (i) Is an adult;

1 (ii) Certifies that all the requirements of this Article will be met within six months
2 from the date of issuance of the temporary permit or within such lesser period as
3 may be approved by the Director;

4 (iii) Agrees to apply for a regular permit as soon as the facility is able to comply
5 with the requirements of this Article;

6 (iv) Certifies that neither the applicant, ~~any provider,~~ nor any adult who resides in
7 the proposed facility has committed any barrier offense; and

8 (v) The Director of the Office for Children has no information which is contrary to
9 the applicant's certification.

10 (b) If the holder of a temporary home child care facility permit is unable to comply
11 with the requirements of this Article within the period authorized by the temporary permit
12 period, the holder of the temporary permit may apply to the Director of the Office for
13 Children for an extension of the temporary permit for an additional period of not more
14 than six months. If in the judgment of the Director of the Office for Children the failure to
15 comply with the provisions of this Article was the result of circumstances beyond the
16 control of the holder of the temporary permit then the Director of the Office for Children
17 may extend the temporary permit for an additional period of not more than six months.

18 **Section 30-3-4. - ~~Operator~~ Provider Qualifications.**

19 (a) ~~Each operator~~ The provider must be an adult.

20 **[Drafting note: Training requirements are increased over time to match the**
21 **training requirement that state regulations impose on family day home providers.]**

22 (b) ~~Each operator~~ The provider must be trained in areas such as physical,
23 intellectual, social, and emotional child development; behavior management and
24 discipline techniques; health and safety in the home child care environment; art and
25 music activities for children; nutrition; child abuse detection and prevention; or
26 recognition and prevention of the spread of communicable diseases; emergency
27 preparedness; and business practices of family child care. ~~Any applicant who does not~~
28 ~~hold a permit under this Article at the time he or she submits a permit application~~ From
29 February 1, 2013, through December 31, 2013, any applicant granted an initial or
30 renewal permit must attend 12 hours of training by an approved trainer during the term
31 of the permit. ~~After January 1, 2002, any applicant who holds a permit under this Article~~

1 at the time he or she submits an application for a new permit must attend six hours of
2 training by an approved trainer within twelve months immediately preceding the date of
3 the application. From January 1, 2014, through December 31, 2014, any person
4 granted an initial or renewal permit must attend 14 hours of training by an approved
5 trainer during the term of the permit. Any applicant granted an initial or renewal permit
6 at any time on or after January 1, 2015, must attend 16 hours of training by an approved
7 trainer during the term of the permit. The Director of the Office for Children shall
8 maintain a list of entities that are approved as trainers. Upon request from ~~an applicant~~
9 ~~or operator~~ the provider, accompanied by information about the entity and/or the course,
10 the Director of the Office for Children may approve additional trainers or a specific
11 course.

12 (c) ~~Each operator~~ The provider must be currently certified in pediatric first aid and
13 pediatric cardiopulmonary resuscitation (CPR).

14 (d) In addition to the training required in subsection (b) above, and except as set forth
15 in Section 30-3-6 ~~(bb) and (cc)~~ (o) and (p), ~~an operator~~ a provider who administers
16 prescription medications or non-prescription medications to children in care must
17 satisfactorily complete a training program for this purpose developed or approved by the
18 Board of Nursing and taught by a registered nurse, licensed practical nurse, doctor of
19 medicine or osteopathic medicine, or pharmacist. Providers required to complete the
20 training program shall be retrained at three-year intervals.

21 **Section 30-3-4.1. – Substitute Care Providers.**

22 (a) When a provider must be away from the home child care facility, a substitute care
23 provider may be used. Substitute care shall not exceed 240 hours per calendar year.
24 Any substitute care provider must be an adult.

25 (b) The substitute care provider shall submit to the Director of the Office for Children
26 the disclosure and statement required of providers by Section 30-3-2(a), subsections (v)
27 and (vi), along with payment of the applicable fees. A provider shall not use a substitute
28 care provider until the Director has notified the provider that the substitute care provider
29 has not committed a barrier offense.

30 (c) The substitute care provider must be currently certified in first aid and
31 cardiopulmonary resuscitation (CPR). The provider must maintain copies of the
32 certifications.

33 (d) The substitute care provider must have a tuberculosis screening in accordance

1 with Section 30-3-2(xii). The provider must maintain copies of the screenings.

2 **Section 30-3-6. - Physical facilities, equipment and operation.**

3 (a) Providers shall supervise children in a manner which ensures that the provider is
4 aware of what the children are doing at all times and can promptly assist or redirect
5 activities when necessary. In deciding how closely to supervise children, providers shall
6 consider the ages of the children, individual differences and abilities, layout of the house
7 and play area, neighborhood circumstances or hazards and risk activities in which
8 children are engaged.

9 (b) All rooms used for child care shall be dry, well-lighted and have adequate
10 ventilation and shall be smoke free when any child in care is present. Windows that can
11 be opened shall be screened from April 1 through November 1 of each year.

12 (c) ~~An outdoor recreation area shall be provided for use by the children.~~ The provider
13 shall provide each child with adequate space to allow free movement and active play
14 indoors and out. Indoor and outdoor areas shall provide developmentally appropriate
15 activities, supplies, and materials that are safe and accessible. All areas shall be free of
16 dangerous and hazardous conditions.

17 (d) Covered, washable waste receptacles shall be provided for all waste materials,
18 diapers, garbage, and refuse. Trash and other waste materials shall be removed as
19 often as necessary to prevent excessive accumulations and shall be deposited in
20 approved-trash or waste disposal containers.

21 (e) Toxic or dangerous materials shall be stored in areas that are inaccessible to
22 children and separate from food supplies and areas in which food is prepared.

23 (f) Dogs and cats four months old or older that regularly are present at the facility
24 shall be immunized for rabies, and records of such immunizations shall be kept
25 available at the facility for inspection by the Director of the Office for Children.

26 (g) A refrigerator shall be used for perishable food and that refrigerator shall maintain
27 a constant temperature of 41 degrees Fahrenheit or less. Food brought into any home
28 child care facility for consumption by nonresident children shall be clearly marked for
29 consumption by the children for whom the food is intended. Meals or snacks shall be
30 offered to the children at least once every three hours. Home child care facilities that
31 provide meals or snacks to children in care shall follow the most recent, age-appropriate

1 nutritional guidelines set forth by the United States Department of Agriculture, Food and
2 Nutrition Service.

3 (h) Each home child care facility that is not served by a public water supply shall have
4 a private water supply approved by the Department of Health. Each home child care
5 facility that is not served by a public sewage disposal system shall have a private
6 sewage disposal system approved by the Department of Health. Drinking water from a
7 public water supply, well permitted by the Department of Health, or other source
8 acceptable to the Department of Health shall be available for all children.

9 **[Drafting note: The language currently in subsection (i) has been revised and**
10 **moved to Section 30-3-6.1, along with other requirements that are related to fire**
11 **safety. The language below now designated as subsection (i) was previously set**
12 **forth as subsection (t) and has been relocated and relettered, but is otherwise**
13 **unchanged.]**

14 (i) Except for those rooms used by children while sleeping under covers, all rooms
15 used for child care shall be maintained at a temperature of not less than 68 degrees
16 Fahrenheit.

17 (j) Providers shall not use or allow any other person to use corporal punishment,
18 physical, verbal, or emotional punishment, or any humiliating or frightening methods of
19 discipline.

20 (k) Firearms of every type and purpose shall be stored unloaded in a locked
21 container, compartment, or cabinet, and apart from ammunition. Ammunition shall be
22 stored in a locked container, compartment, or cabinet during the home child care
23 facility's hours of operation. If a key is used to lock the container, compartment, or
24 cabinet, the key shall be inaccessible to children.

25 **[Drafting note: Current subsections (l) through (s) and (u) through (x), all relating**
26 **to fire safety, have been revised and relocated to a new Section 30-3-6.1.]**

27 ~~(y)~~(l) Providers shall handle blood, bodily fluids, and other potentially infectious
28 materials as if known to be infectious for human immunodeficiency virus, hepatitis B
29 virus, and other bloodborne pathogens.

30 ~~(z)~~(m) ~~The operator shall have appropriate sleeping arrangements for all children in~~
31 ~~care. During rest times the provider shall provide appropriate sleeping equipment that~~

1 meets the current standards of the United States Consumer Product Safety
2 Commission for children birth through 12 months of age and for children over 12 months
3 of age who are not developmentally ready to sleep on a cot or bed. If children are in
4 care overnight on a regular or frequent basis, then the ~~operator~~ provider shall provide
5 cribs that meet the current standards of the United States Consumer Product Safety
6 Commission for full-size baby cribs for children from birth through 12 months of age and
7 for children over 12 months of age who are not developmentally ready to sleep on a cot
8 or bed.

9 ~~(aa)(n)~~ All home child care facilities shall be maintained free from rodents and insect
10 infestation ~~insects and rodents~~.

11 ~~(bb)(o)~~ Except as set forth in subsection ~~(ee)~~ (p) below, whenever the home child
12 care facility has agreed to administer prescription medications or non-prescription
13 medications, the medication shall be administered in compliance with the Virginia Drug
14 Control Act by a provider who has satisfactorily completed the training required by
15 Section 30-3-4(d).

16 ~~(ee)(p)~~ Notwithstanding subsection ~~(bb)~~ (o) above, a provider may administer
17 nonprescription topical skin products such as sunscreen, diaper ointment and lotion,
18 oral teething medicine, and insect repellent, provided the following requirements are
19 met:

- 20 (i) The provider has obtained written authorization, at least annually, from a
21 parent or guardian noting any known adverse reactions;
- 22 (ii) The product is in the original container and, if the product is provided by the
23 parent, labeled with the child's name;
- 24 (iii) The product is applied in accordance with the manufacturer's instructions;
- 25 (iv) Parents are informed immediately of any adverse reaction;
- 26 (v) The product shall not be used beyond the expiration date of the product;
- 27 (vi) Sunscreen must have a minimum sunburn protection factor (SPF) of 15; and
- 28 (vii) The product does not need to be kept locked, but shall be inaccessible to

1 children.

2 **[Drafting note: Provisions regarding swimming and wading are being added to**
3 **impose requirements similar to those imposed by state regulations on family day**
4 **homes.]**

5 (g) The home child care facility shall annually obtain written permission from the
6 parent of each child who participates in swimming or wading activities, and a written
7 statement from the parent advising of a child's swimming skills before the child is
8 allowed in water above the child's shoulder height.

9 (i) The provider shall have a system for accounting for all children in the water.

10 (ii) Outdoor swimming activities shall occur only during daylight hours.

11 (iii) When one or more children are in water that is more than two feet deep in a
12 pool, lake, or other swimming area on or off the premises of the home child care
13 facility, the provider and another person 15 years or older shall be present at all
14 times and either the provider or the other person must be currently certified in
15 basic water rescue, community water safety, water safety instruction, or
16 lifeguarding. The certification shall be obtained from a national organization such
17 as the American Red Cross or the YMCA.

18 (r) (i) Access to the water in above-ground swimming pools shall be prevented by
19 locking and securing the ladder in place or storing the ladder in a place
20 inaccessible to children.

21 (ii) A non-climbable barrier at least four feet high such as, but not limited to, a
22 fence or impenetrable hedge shall surround outdoor play areas located within 30
23 feet of drowning hazards such as, but not limited to, in-ground swimming or
24 wading pools, ponds, or fountains not enclosed by safety fences. Facilities
25 permitted prior to the effective date of this ordinance must comply fully with the
26 requirements of this subsection (r)(ii) by July 1, 2013.

27 (iii) Portable wading pools without integral filter systems shall be emptied, rinsed,
28 and filled with clean water after use by each group of children or more frequently
29 as necessary; and shall be emptied, sanitized, and stored in a position to keep
30 them clean and dry when not in use during the home child care facility's hours of
31 operation. Portable wading pools shall not be used by children who are not toilet

1 trained. Bathtubs, buckets, and other containers of liquid accessible to children
2 shall be emptied immediately after use.

3 (iv) Hot tubs, spas, and whirlpools shall not be used by children in care, and shall
4 be covered with safety covers while children are in care.

5 **Section 30-3-6.1. – Home child care facility fire safety requirements.**

6 **[Most of these provisions have been relocated from Section 30-3-6 into this new**
7 **Section 30-3-6.1 and revised. Underlining/strikeouts show changes from the**
8 **corresponding current provision in Section 30-3-6.]**

9 ~~(i) — An operational telephone shall be available and easily accessible within the home~~
10 ~~child care facility, and emergency telephone numbers for fire, police and medical~~
11 ~~assistance shall be posted near the telephone. Each such facility shall have the address~~
12 ~~of the building posted in a manner so as to be visible and distinguishable from the street~~
13 ~~or parking lot.~~

14 (a) A landline telephone (excluding a cordless or cell) shall be available, operable,
15 and accessible during the home child care facility's hours of operation. Cordless or cell
16 phones may be used in addition to the landline telephone.

17 (b) All telephones shall be labeled with 911 stickers approved by the Office of the Fire
18 Code Official.

19 (c) Address numbers or building numbers shall be placed in a position that is plainly
20 legible and visible from the street or road fronting the property.

21 ~~(l) — Each home child care facility shall be structurally sound and in a good state of~~
22 ~~repair. The operator shall not allow oil, grease, dust, lint, and other combustible~~
23 ~~materials to accumulate on cooking surfaces; heating, ventilation, and air conditioning~~
24 ~~equipment; clothes dryers; and other mechanical equipment.~~

25 (d) Combustible waste material, lint, and dust creating a fire hazard shall not be
26 allowed to accumulate in or on dryers, heating appliances, and furnaces.

27 ~~(o) — Kitchen ranges, other cooking equipment and other appliances shall be kept in~~
28 ~~good working order and free from grease, dust, lint, and other combustible materials.~~

1 ~~Small appliances, including but not limited to hair dryers, toaster ovens, toasters,~~
2 ~~mixers, blenders, and food processors, shall remain unplugged except when in use.~~

3 (e) Kitchen ranges, ovens, and exhaust hoods, grease removal devices, fans, ducts,
4 and other appurtenances shall be free of excessive grease.

5 ~~(m) All exit stairs, interior or exterior, shall be in good repair and shall be provided with~~
6 ~~handrails and guard rails as required by the Virginia Uniform Statewide Building Code.~~
7 ~~No exit door that has a double deadbolt lock shall be locked with the key removed from~~
8 ~~the interior side of the exit door during the hours of child care.~~

9 (f) All exit stairs, interior or exterior, shall be in good repair and shall be provided with
10 handrails and guard rails as required by the Virginia Uniform Statewide Building Code.

11 (g) All egress pathway and exit doors shall be unlocked in the direction of egress and
12 free from obstructions that would prevent their use, including debris, storage, and
13 accumulations of snow and ice.

14 (h) Closet and bathroom doors shall be unlocked in the direction of egress and
15 designed to permit opening of the locked door from the outside with a readily accessible
16 opening device.

17 ~~(n) Electric panels and equipment shall be in good working order and free of loose~~
18 ~~connections. Protective sheathing on all wiring shall be intact with no frayed ends or~~
19 ~~exposed wiring and shall be anchored or supported. Fuses or circuit breakers shall be~~
20 ~~of the proper size and type. Electric panels shall be readily accessible and a minimum~~
21 ~~clear space measuring three feet out from the panel and 30 inches wide must be~~
22 ~~maintained. The use of multi plug adapters or extension cords to provide permanent~~
23 ~~power to electrical equipment is prohibited. However, the use of power strips with a~~
24 ~~built-in fuse or circuit breaker is approved if such power strips are of the type approved~~
25 ~~and listed by a recognized testing authority, such as Underwriter's Laboratories or~~
26 ~~Factory Mutual Research Corporation.~~

27 (i) Electrical hazards identified by the Fire Code Official shall be abated in
28 accordance with the Virginia Uniform Statewide Building Code.

29 (j) Extension cords, temporary wiring, and flexible cords shall not be substituted for
30 permanent wiring. Extension cords and flexible cords shall not be affixed to structures,
31 extended through walls, ceilings, or floors, or under doors or floor coverings, or be

1 subject to environmental or physical damage.

2 (k) A working space of not less than 30 inches in width, 36 inches in depth, and 78
3 inches in height shall be provided in front of the electrical service equipment. Where the
4 electrical service equipment is wider than 30 inches, the working space shall not be less
5 than the width of the equipment. No storage of any materials shall be located within the
6 designated working space.

7 ~~(p) Electric portable space heaters shall be of the type approved and listed by a~~
8 ~~recognized testing authority, such as Underwriter's Laboratories or Factory Mutual~~
9 ~~Research Corporation. Portable heaters shall be provided with suitable guards to~~
10 ~~prevent contact with the heating element and shall be located a minimum of three feet~~
11 ~~from combustible materials. The use of unvented, fuel-fired space-heating appliances~~
12 ~~designed for portable use is prohibited during the hours of child care.~~

13 (l) The use of portable unvented fuel-fired heating equipment is prohibited except in
14 single-family dwellings classified R-5 by the Virginia Uniform Statewide Building Code.
15 Where allowed, such equipment must be listed and approved by a nationally recognized
16 testing laboratory.

17 (m) Where portable unvented fuel-fired heating equipment is allowed, the heating
18 element or the combustion chamber shall be permanently guarded so as to prevent
19 accidental contact by persons or combustible material.

20 ~~(q) Fireplaces and chimneys shall be in good condition and free of cracks or voids in~~
21 ~~the firebox and flue liner. Fireplaces and chimneys shall be inspected and cleaned as~~
22 ~~often as necessary to remove the buildup of creosote and other flammable residues. A~~
23 ~~fireplace screen or other protective guard shall be required for all fireplaces.~~

24 (n) Fireplace screens, glass, or doors shall be in good condition and designed to
25 guard against accidental contact with the combustion chamber contents. The fireplace
26 screen, glass, or doors shall be affixed to prevent accidental release of embers or
27 products of combustion.

28 ~~(r) Wood stoves shall be tested by a recognized testing authority, such as~~
29 ~~Underwriter's Laboratories or Factory Mutual Research Corporation, and shall be~~
30 ~~installed and inspected as required by the Virginia Uniform Statewide Building Code.~~
31 ~~Wood stoves shall be inspected and cleaned as often as necessary to remove the~~
32 ~~buildup of creosote and other flammable residues. Providers shall take all precautions~~
33 ~~necessary to minimize potential injury from contact with hot surfaces by any child at the~~

1 facility.

2 (o) Wood stoves shall be listed and approved by a nationally recognized testing
3 laboratory. Wood stoves shall be used and installed in accordance with the
4 manufacturer's specifications. The provider shall have the manufacturer's specifications
5 available on site for the Fire Code Official's review upon request.

6 (p) Fireplaces, wood stoves, and chimneys shall be inspected and cleaned annually
7 or as often as necessary to remove the buildup of creosote and other flammable
8 residues. The provider shall have proof of inspection available on site for the Fire Code
9 Official's review upon request.

10 ~~(s) Ashes from fireplaces and wood stoves shall be removed to the outside and~~
11 ~~stored in a noncombustible container, with a tight fitting lid, that has been approved by~~
12 ~~the Fire Marshal.~~

13 (g) Ashes from fireplaces and wood stoves shall be removed to the outside and
14 stored in a container, with a tight fitting lid, which has been listed and approved by a
15 nationally recognized testing laboratory.

16 ~~(w) The storage of flammable or combustible liquids or gases, hazardous chemicals,~~
17 ~~and other highly flammable or toxic materials shall not be permitted inside the facility~~
18 ~~unless approved by the Fairfax County Fire Marshal. Storage of other materials shall be~~
19 ~~neat and orderly with required clearances provided for furnaces, hot water heaters,~~
20 ~~portable heaters, electric panels, fireplaces, and wood stoves. The exterior of the~~
21 ~~property shall be kept free from trash or other materials which in the opinion of the~~
22 ~~Fairfax County Fire Marshal pose a fire or safety hazard.~~

23 (r) The furnace and other heating appliances shall maintain clearance from ignition
24 sources as specified by the equipment manufacturer, unless the provider can establish
25 cause for an exception.

26 (s) Storage of combustible materials in buildings shall be orderly. Storage shall be
27 separated from heaters or heating devices by distance or shielding so that ignition
28 cannot occur.

29 (t) Heating systems and associated ductwork shall be clean and in good working
30 order. Adequate combustion air must be provided as required by the Virginia Uniform
31 Statewide Building Code. Flues for the exhaust of carbon monoxide and other by-

1 products of combustion shall be free of leaks and in good repair. ~~Except for those rooms~~
2 ~~used by children while sleeping under covers, all rooms used for child care shall be~~
3 ~~maintained at a temperature of not less than 68 degrees Fahrenheit.~~

4 ~~(u) An operable smoke detector shall be provided on each floor level and shall be~~
5 ~~tested at least once a month. Smoke detectors may be of the fixed-wired or battery~~
6 ~~type.~~

7 (u) An operable smoke alarm shall be provided outside of each sleeping area, with at
8 least one such device on each floor. Each smoke alarm shall be tested at least once a
9 month and records of testing provided to the Fire Code Official upon request. Smoke
10 alarms may be of the fixed-wired or battery type.

11 (v) An operable carbon monoxide alarm shall be installed in homes according to the
12 manufacturer's specifications where appliances may produce carbon monoxide. Each
13 carbon monoxide alarm shall be tested at least once a month and records of testing
14 provided to the Fire Code Official upon request.

15 ~~(v) At least one portable fire extinguisher, having a minimum rating of 1A10BC shall~~
16 ~~be provided. The extinguisher shall be properly mounted, readily accessible and be~~
17 ~~located near the kitchen.~~

18 (w) Portable fire extinguishers having a minimum rating of 1A10BC shall be properly
19 mounted and readily accessible (i) within 30 feet of cooking equipment; and (ii) in areas
20 where flammable liquids are stored, used, or dispensed.

21 (x) Portable fire extinguishers shall be selected, installed, and maintained in
22 accordance with the manufacturer's specifications. All fire extinguishers shall be
23 replaced at least every six years.

24 ~~(w) The storage of flammable or combustible liquids or gases, hazardous chemicals,~~
25 ~~and other highly flammable or toxic materials shall not be permitted inside the facility~~
26 ~~unless approved by the Fairfax County Fire Marshal. Storage of other materials shall be~~
27 ~~neat and orderly with required clearances provided for furnaces, hot water heaters,~~
28 ~~portable heaters, electric panels, fireplaces, and wood stoves. The exterior of the~~
29 ~~property shall be kept free from trash or other materials which in the opinion of the~~
30 ~~Fairfax County Fire Marshal pose a fire or safety hazard.~~

31 (y) Storage of flammable or combustible liquids inside buildings in containers and

1 portable tanks shall be in accordance with the Virginia Statewide Fire Prevention Code
2 and the manufacturer's recommendations. Areas of flammable and combustible liquid
3 storage shall be secured to prevent access during the home child care facility's hours of
4 operation.

5 (i) Combustible waste material creating a fire hazard shall not be allowed to
6 accumulate in buildings, structures, or upon premises.

7 (ii) Areas of storage of machinery such as lawnmowers and power tools shall be
8 inaccessible to the children in care.

9 ~~(x) A fire drill shall be conducted at least once every month in accordance with~~
10 ~~instructions provided by the Fire Marshal at the annual inspection of the facility. A~~
11 ~~written record of each fire drill shall be kept available for inspection by any authorized~~
12 ~~code enforcement official.~~

13 (z) The provider shall prepare an emergency evacuation plan, which shall include the
14 preferred method to notify employees, children, and other occupants of an emergency
15 situation; emergency egress routes from each room where child care is permitted;
16 procedures for accounting for employees, children, and other occupants; and the
17 preferred and alternate plans to notify emergency response organizations.

18 (aa) Fire evacuation drills shall be conducted monthly in all home child care facilities.
19 Records shall be maintained on site and provided to the Fire Code Official upon
20 request. Each record shall include the identity of the person conducting each drill; the
21 date and time of each drill; the notification/initiating method used; the number of
22 occupants evacuated; special conditions simulated; problems encountered; weather
23 conditions when occupants were evacuated; and the time required to accomplish a
24 complete evacuation.

25 (bb) Rooms used for sleeping must provide two means of exit, one which leads directly
26 to the outside, as required by the Virginia Uniform Statewide Building Code.

27 **Section 30-3-7. - Immunizations.**

28 The ~~operator~~ provider shall not accept into care any child who has not been immunized,
29 or exempted from mandatory immunization, in accordance with Virginia Code § 32.1-46.
30 The ~~operator~~ provider shall maintain for each child a copy of the child's immunization
31 records; or a statement from the parents certifying that they object on religious grounds
32 but that, to the best of the parent's knowledge, the child is in good health; or a statement

1 from a physician indicating that immunization is not currently advisable for specific
2 health reasons and an estimated date when immunizations can be safely administered.

3 **Section 30-3-8. - Inspection of facilities.**

4 In addition to the inspections required by Section 30-3-2, with the consent of the owner,
5 ~~operator~~ provider, or agent in charge of the facility, or pursuant to a duly issued
6 inspection warrant, the Director of the Office for Children shall have the right at all
7 reasonable times to inspect all areas of any home child care facility that are accessible
8 to children for compliance with this Article. Warrants to inspect any such facility shall be
9 based upon a demonstration of probable cause and supported by affidavit.

10 **Section 30-3-9. - Enforcement.**

11 (a) Any person operating a home child care facility without the permit required by this
12 Article shall be guilty of a Class 2 misdemeanor as provided in Section 1-1-12 of this
13 Code.

14 (b) Any person subject to this Article who fails to comply with any other requirement
15 of this Article or the permit shall be subject to such administrative action as prescribed
16 in this Section. However, administrative action by the Director of the Office for Children
17 shall not preclude any other administrative, civil or criminal proceedings authorized by
18 law as a result of the same conduct.

19 (c) The Director of the Office for Children may revoke any permit granted under this
20 Article if during the term of the permit the home child care facility is found by the
21 Director to be in violation of the permit or this Article or if any circumstances exist which,
22 if existing at the time of the permit application, would have warranted denial of the
23 application. The Director of the Office for Children may suspend any permit granted
24 under this Article if during the term of the permit the Director reasonably suspects a
25 violation of the permit, this Article, or any applicable Virginia laws that may affect the
26 health and safety of the children who may attend or be present at the facility. Prior to
27 suspending or revoking any permit, unless in the judgment of the Director of the Office
28 for Children there are exigent health and safety conditions which justify immediate
29 suspension of a permit, the Director of the Office for Children shall give the ~~operator~~
30 provider at least ten calendar days written notice of the proposed suspension or
31 revocation. In the case of exigent health and safety conditions which in the judgment of
32 the Director of the Office for Children justify the immediate suspension of the permit, the
33 Director of the Office for Children shall suspend the permit immediately and notify the
34 ~~operator~~ provider as soon as is practicable.

35 (d) If a permit to operate a home child care facility is revoked or suspended by the

1 Director of the Office for Children, the operator provider shall notify all clients. Evidence
2 of such notification shall be submitted to the Director of the Office for Children.

3 **Section 30-3-10. - Appeals from permit denials, revocations and suspensions.**

4 Any applicant for a home child care facility permit whose application is denied and any
5 operator provider whose permit is suspended or revoked may submit a written request
6 to the Director of the Office for Children for a hearing on the matter. Any request for
7 hearing must be submitted to the Director of the Office for Children within 10 ~~calendar~~
8 business days of the time the operator provider receives notice of the action regarding
9 which the operator provider seeks a hearing, and must specify the grounds for appeal.

10
11
12 **2. That the provisions of this ordinance are severable, and if any provision of**
13 **this ordinance or any application thereof is held invalid, that invalidity shall**
14 **not affect the other provisions or applications of this ordinance that can be**
15 **given effect without the invalid provision or application.**

16
17 **3. That the provisions of this ordinance shall take effect on February 1, 2013.**
18

19 GIVEN under my hand this day of _____ 2012.

20
21
22 _____
23 Clerk to the Board of Supervisors
24

PROPOSED AMENDMENT

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of October 30, 2012 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

1 **Amend Article 10, Accessory Uses, Accessory Service Uses, and Home Occupations, Part 1,**
2 **Accessory Uses and Structures, Sect. 10-103, Use Limitations, by revising Par. 6B as**
3 **follows:**

- 4
- 5 6. The following use limitations shall apply to home child care facilities:
- 6
- 7 B. A home child care facility shall be operated by the licensed or permitted home child
- 8 care provider within the dwelling that is the primary residence of such provider, and
- 9 except for emergency situations, such provider shall be on the premises while the
- 10 home child care facility is in operation. Notwithstanding the above, a substitute care
- 11 provider may operate a home child care facility in the absence of the provider for a
- 12 maximum of 240 hours per calendar year.
- 13

Board Agenda Item
October 30, 2012

ADMINISTRATIVE - 12

Authorization to Advertise a Public Hearing on the Proposed Creation of a Tysons Transportation Service District

ISSUE:

Board authorization to advertise a public hearing on the proposed creation of a Tysons Transportation Service District (Service District) within Fairfax County. The District would generally encompass the area within the Tysons Corner Urban Center, as set forth in the Comprehensive Plan, and as shown in Attachment 1.

RECOMMENDATION:

The County Executive recommends that the Board approve advertisement of a public hearing on the adoption of the ordinance set forth in Attachment 2, which, if adopted, would create the Service District.

TIMING:

Board action is requested on October 30, 2012, to provide sufficient time to advertise a public hearing to be held before the Board on December 4, 2012 at 4:30 p.m. This would give the Board the option to create the Service District prior to January 1, 2013, and if such a district is created, then provide the option to levy a service district tax for 2013 on taxable property within the Service District, with the rate to be established as part of the FY 2014 budget adoption.

BACKGROUND:

On October 16, 2012, the Board directed staff to advertise the creation of the Service District, as authorized by Va. Code Ann. §§ 15.2-2400 to -2403.1 (2008). If such a service district is adopted, then the Board would have the option to levy a Service District tax as part of the annual budget process in order to provide a stable funding source for Tysons transportation infrastructure investments within the Service District.

FISCAL IMPACT:

The proposed Service District is an integral part of a multi-faceted plan to fund transportation infrastructure improvements in Tysons. The Service District would fund approximately \$253 Million worth of improvements out of a projected total estimated cost of \$3.1 Billion (in 2012 dollars).

Board Agenda Item
October 30, 2012

ENCLOSED DOCUMENTS:

Attachment 1 – Proposed Tysons Transportation Service District Boundary

Attachment 2 – Proposed Notice for a Public Hearing on the Adoption of an Ordinance to
Create the Tysons Transportation Service District

STAFF:

Robert A. Stalzer, Deputy County Executive

Barbara A. Byron, Director, Office of Community Revitalization

Tom Biesiadny, Director, Department of Transportation

Michael Long, Deputy County Attorney, Office of the County Attorney

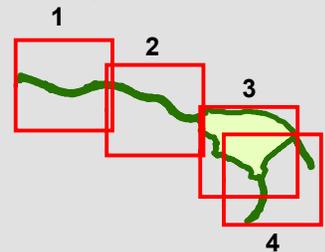
**Proposed Boundaries of
the Tysons Transportation
Service District**

Map Layers:

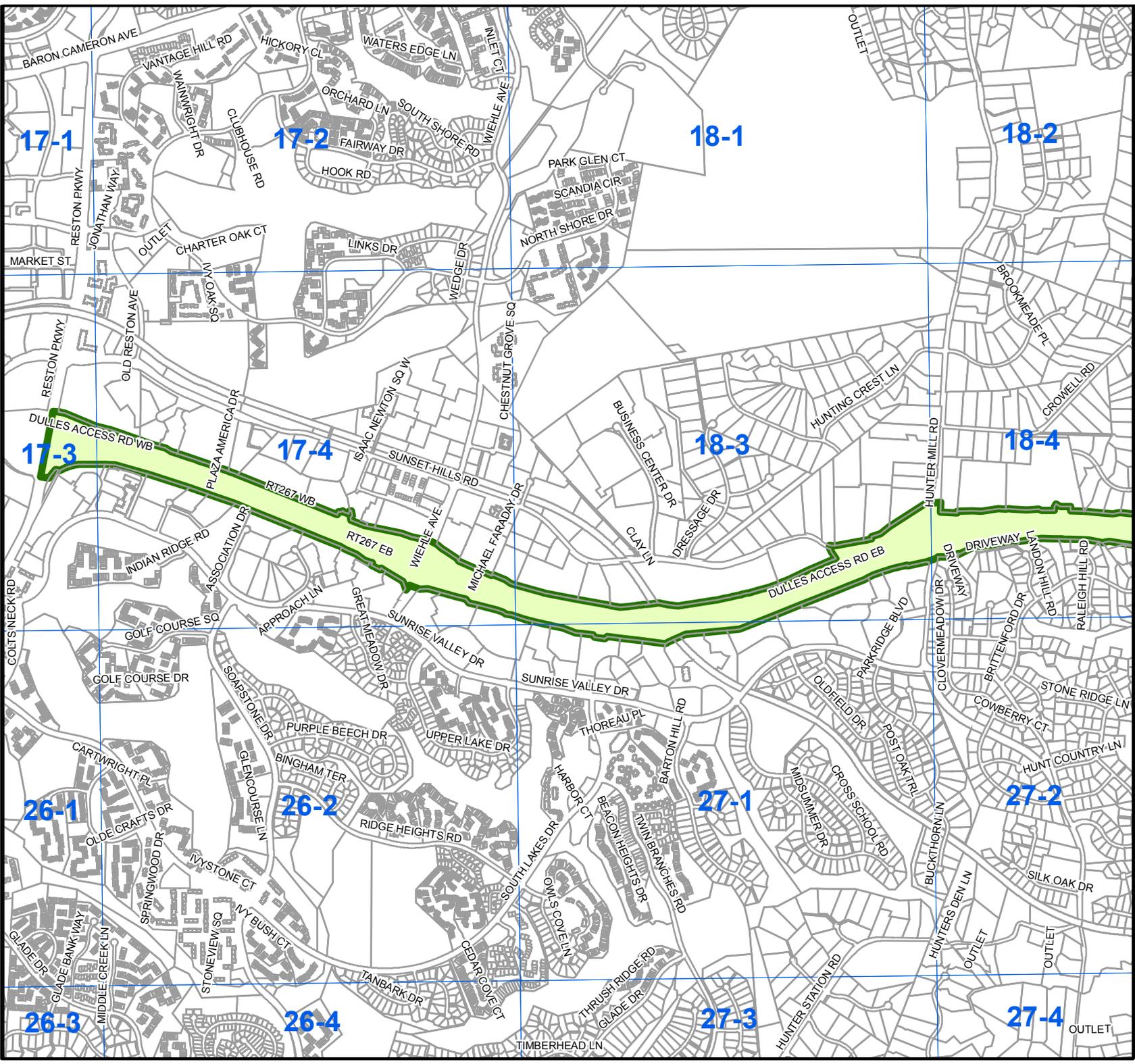
-  Proposed Tysons Transportation Service District Boundary
-  Parcel Boundaries
-  Tax Map Grid

Map Sheet 1

Map Sheet Layout



October 19, 2012



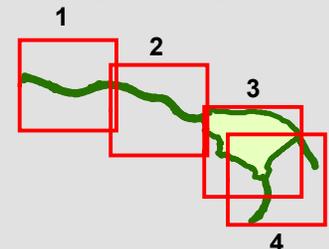
**Proposed Boundaries of
the Tysons Transportation
Service District**

Map Layers:

-  Proposed Tysons Transportation Service District Boundary
-  Parcel Boundaries
-  Tax Map Grid

Map Sheet 2

Map Sheet Layout



October 19, 2012

(148)

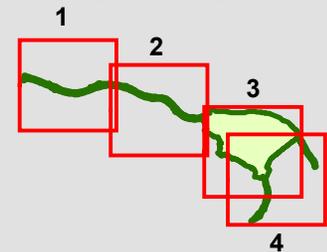
**Proposed Boundaries of
the Tysons Transportation
Service District**

Map Layers:

-  Proposed Tysons Transportation Service District Boundary
-  Parcel Boundaries
-  Tax Map Grid

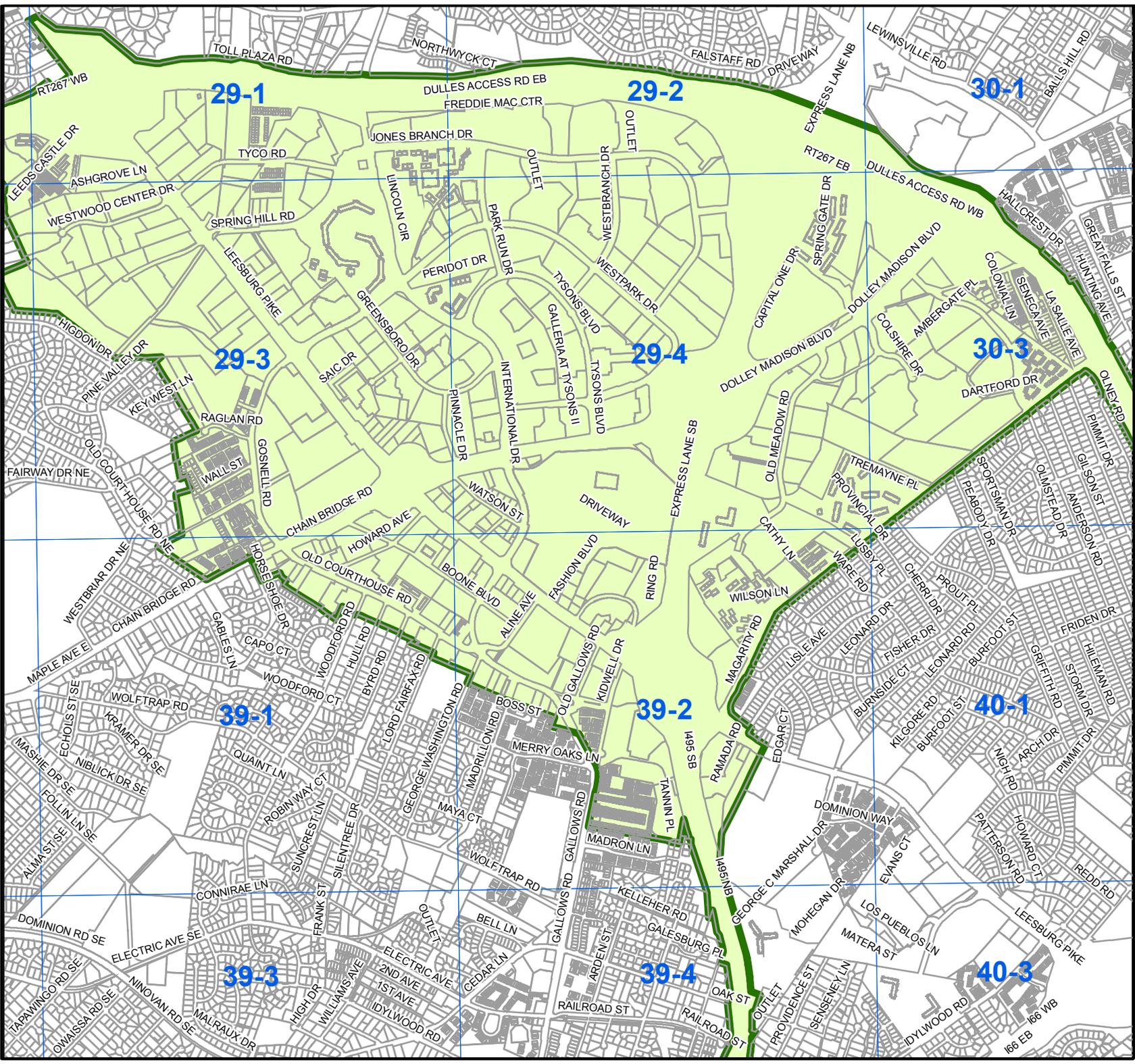
Map Sheet 3

Map Sheet Layout



October 19, 2012

(149)



Attachment 2

**NOTICE OF PUBLIC HEARING
ON PROPOSAL TO CREATE A TYSONS TRANSPORTATION SERVICE DISTRICT
WITHIN FAIRFAX COUNTY**

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 30th day of October, 2012, it was proposed by said Board to adopt an ordinance to create a Tysons Transportation Service District, to be effective January 1, 2013, and the Clerk of said Board was directed to cause notice thereof by publication once a week for three consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

**TUESDAY
DECEMBER 4, 2012
commencing at 4:30 p.m.**

the said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing on the question of whether to adopt an ordinance creating a service district pursuant to Article 1 of Chapter 24 of Title 15.2 of the Code of Virginia, as amended, for the purpose of constructing transportation infrastructure and operating transit services and activities in order to enhance the public use and enjoyment of the area encompassed by the service district and public safety, public convenience, and public well-being within the service district, at which time and place any interested parties may appear and be heard.

The proposed service district would encompass an area as shown on the attached maps that generally is enclosed by the boundary of the Tysons Corner Urban Center. Copies of the maps showing the area of the County that would be included in the proposed service district, which are referenced below in the draft ordinance, are available for inspection during normal business hours in the Office of the Clerk to the Board, Suite 553, 12000 Government Center Parkway, Fairfax, Virginia as well as online at www.fairfaxcounty.gov/tysons. The full text of the ordinance proposed to be adopted is in the following words and figures, to-wit:

DRAFT ORDINANCE TO ESTABLISH A TYSONS TRANSPORTATION SERVICE DISTRICT

AN ORDINANCE to enact an Appendix U to the 1976 Code of the County of Fairfax to establish a Tysons Transportation Service District to provide transportation infrastructure and transit services.

Be it ordained by the Board of Supervisors of Fairfax County, Virginia:

1. *That the following ordinance is adopted:*

Appendix O -Fairfax County Tysons Transportation Service District No. 1

- Section 1. Creation of the Tysons Transportation Service District No. 1; name and boundaries
- Section 2. Purpose of the Tysons Transportation Service District No. 1
- Section 3. General provisions and powers
- Section 4. Facilities and services to be provided
- Section 5. Plan for transportation services and facilities

Section 6. Benefits to be expected from the Tysons Transportation Service District No. 1

Section 1. Creation of the Tysons Transportation Service District No. 1; Name and Boundaries.

The Board of Supervisors of Fairfax County, Virginia, ("Board") hereby creates a service district which shall be known as Tysons Transportation Service District No.1 (the "District"). The District shall include the area as shown on the attached maps, which maps are incorporated in and made part of this Ordinance.

Section 2. Purpose of the District.

The District is created to provide revenue for constructing transportation infrastructure and operating transit services and activities that will enhance public use and enjoyment of the area within the District and public safety, public convenience, and public well-being within the District.

Section 3. General provisions and powers.

The Board shall be the governing body of the District and may exercise any of the powers and duties with respect to service districts set forth in Article 4 of Chapter 24 of Title 15.2 of the Code of Virginia, as amended.

Section 4. Facilities and services proposed within the District.

Transportation facilities, equipment, and services will be provided within the District, including but not limited to (i) planning and evaluation of infrastructure and transit routes, (ii) designing, acquiring rights-of-way for, constructing, improving, maintaining, and operating roads, streets, and other transportation infrastructure projects, (iii) equipping, operating, and maintaining transit services, and (iv) public outreach and education regarding such transportation infrastructure and transit services.

Section 5. Plan for transportation services and improvements.

Resources of the District, together with resources which may be made available from other sources, will be used to provide revenue needed to provide the transportation facilities, equipment, and services described in Section 4. Such resources may be used to fund staff and contractors to perform work to provide such transportation facilities, equipment, and services. Capital project design and construction will be in accordance with the Fairfax County Public Facilities Manual, the Fairfax County Capital Improvement Program and the Tysons's Transportation Funding Plan prepared in consultation with the Board.

Section 6. Benefits expected from the provision of transportation facilities, equipment, and services within the District.

The transportation facilities, equipment, and services to be provided within the District are expected to benefit property located within the District by enhancing public use, enjoyment, safety, convenience, and well-being within the District by constructing and operating new capital transportation projects, establishing new transit services, improving sidewalks and trails, and addressing existing transportation inefficiencies.

2. *That the provisions of this ordinance are severable, and if any provision of this ordinance is held invalid, that invalidity shall not affect the other provisions which can be given effect without the invalid provision.*

3. *That this ordinance shall become effective at 12:01 a.m. on January 1, 2013.*

Board Agenda Item
October 30, 2012

ADMINISTRATIVE - 13

Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 7239 Dell Avenue, Clifton, VA 20124 (Springfield District)

ISSUE:

Board authorization to advertise a public hearing to consider adoption of a Spot Blight Abatement Ordinance for 7239 Dell Avenue, Clifton, VA 20124 (Tax Map No. 085-2 ((02)) 0011A).

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing.

TIMING:

Authorization to advertise on October 30, 2012, the public hearing to be held Tuesday, November 20, 2012, at 4:00 P.M.

BACKGROUND:

Va. Code Ann. § 36-49.1:1 (2011) (Spot Blight Abatement Statute) allows the Board, by ordinance, to declare a blighted property a nuisance, thereby enabling abatement in accordance with Va. Code Ann. § 15.2-900 (2012) or Va. Code Ann. § 15.2-1115 (2012) (Abatement of Nuisance Statutes). The Abatement of Nuisance Statutes permits the County to compel the abatement or removal of nuisances. If, after reasonable notice, the owner(s) fails to abate or obviate the nuisance the County may abate the nuisance in which event the property owner(s) may then be charged for the costs of abatement, which may be collected from the property owner(s) in any manner provided by law for the collection of state or local taxes.

Properties are considered "blighted" under the Spot Blight Abatement Statute as defined in Va. Code Ann. 36-3 (2011) as any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted pursuant to § 36-49.1:1, under the process for determination of "spot blight."

In November 1996, the Board authorized the implementation of a Blight Abatement

Board Agenda Item
October 30, 2012

Program using the Spot Blight Abatement Statute to address citizen concerns about specific properties in their communities which were abandoned, dilapidated, or otherwise kept in an unsafe state.

A property can be considered blighted if it meets the standards set forth in Va. Code Ann. § 36-3 (2011) and if it meets all of the following conditions:

1. It has been vacant and/or boarded up for at least one year.
2. It has been the subject of complaints.
3. It is no longer being maintained for useful occupancy.
4. It is in a dilapidated condition or lacks normal maintenance or upkeep.

The property located at 7239 Dell Avenue was cited under the Virginia Maintenance Code in November, 2011 for the property maintenance violations. The owner made no attempt to make necessary repairs or demolish the structure as cited in the Notice of Violation, and the property was referred to the Blight Abatement Program (BAP) in April, 2012 by the Maintenance Official.

Located on the subject property is an abandoned, extremely dilapidated two story wood frame dwelling that was constructed in 1925. The structure has been vacant for at least seven years according to the complainant and was vacant in November, 2011 when the Virginia Maintenance Official initially investigated the property. The structure is in a state of partial collapse, and further collapse is likely. The structure is unsecured against entry from the public.

On April 18, 2012, the structure was placarded as unfit/unsafe for human occupancy. Due to the extreme lack of maintenance and deteriorated condition of the structure, BAP staff feels that the dwelling is not economically feasible to repair and recommends demolition.

This property was reviewed by the Neighborhood Enhancement Task Force (NETF) on September 13, 2012 and the NETF Committee found that the subject property met the blighted property guidelines and the property received a preliminary blight determination. Certified and regular Notice was sent to the owner advising her of this determination. The Town Council of Clifton held a special meeting on October 18, 2012, to consider Town support for the County's blight abatement action on this property. The Town Council voted unanimously to support this action and demolition of the structure

Although the County will continue to seek cooperation from the owner to eliminate blighted conditions, it is requested that a public hearing, in accordance with the Spot Blight Abatement Statute, be held to adopt an Ordinance declaring the property to be blighted, which constitutes a nuisance. State code requires that the Board provide notice concerning proposed adoption of such an Ordinance.

Board Agenda Item
October 30, 2012

At the public hearing, the County will also request authorization to contract for demolition of the blighted structure on the site pursuant to Va. Code Ann. §15.2-1115 (2012) as authorized under the Spot Blight Abatement Statute. If the owner fails to abate the blighted conditions within thirty days after notification of the Board's action, the County will proceed with the demolition process for the structure. The County will incur the cost, expending funds that are available in Fund 300-C30010, County Construction, Project 2G97-001-000, Strike Force Blight Abatement. The County will then pursue reimbursement from the owner who is ultimately liable for all abatement costs incurred. A lien will be placed on the property and recorded in the County land and judgment records.

FISCAL IMPACT:

In the event that the blighted conditions are not eliminated by the owner, the County will fund the demolition from Fund 300-C30010, County Construction, Project 2G97-001-000, Strike Force Blight Abatement. Funding is available in Project 2G97-001-000 to proceed with the demolition estimated to cost approximately \$32,000.

It is anticipated that all of the costs (including direct County administrative costs) of the blight abatement will be recovered from the property owners. Funds recovered will be allocated to the Blight Abatement Program in order to carry out future blight abatement plans.

ENCLOSED DOCUMENTS:

Attachment 1: Property Photographs

STAFF:

Robert A. Stalzer, Deputy County Executive

Jeffrey L. Blackford, Director, Department of Code Compliance

Karen McClellan, Operations Manager, Department of Code Compliance

Susan Epstein, Division Supervisor, Department of Code Compliance

Victoria Dzierzek, Code Compliance Investigator III, Department of Code Compliance

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**7239 Dell Avenue, Clifton
Tax Map # 085-2 ((02)) 0011A
Springfield District – Town of Clifton
Attachment 1**



**7239 Dell Avenue, Clifton
Tax Map # 085-2 ((02)) 0011A
Springfield District – Town of Clifton
Attachment 1**

Board Agenda Item
October 30, 2012

ADMINISTRATIVE - 14

Proposed Addition for Portions of Piney Branch Road / Route 6187 and Pheasant Ridge Road / Route 6461 to the Secondary System of State Highways (Braddock District)

ISSUE:

Board adoption of the attached resolution requesting the addition of portions of Piney Branch Road / Route 6187 and Pheasant Ridge Road / Route 6461 to the Secondary System of State Highways (Secondary System).

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached resolution requesting that the identified portion of subject roadways be added to the Secondary System.

TIMING:

Action on this item is requested by the Board at the October 30, 2012 meeting to allow the Virginia Department of Transportation (VDOT) to proceed with maintenance of these roadway segments.

BACKGROUND:

After the completion of the Fairfax County Parkway project in the 1990s (R000-029-249, C525), VDOT provided the Board of Supervisors with a sketch and plans depicting the addition of roadways to be accepted into the Secondary System of State Highways. Unfortunately, portions of Piney Branch Road (Route 6187) and Pheasant Ridge Road (Route 6141), which were designed and built as part of this project, were erroneously omitted from this list of roadways to be accepted into the Secondary System at that time.

VDOT has confirmed the roadway is built to state standards and considers the road to be dedicated for public street purposes. Additionally, the proposed road additions have already been placed on the list for paving in FY 2014 as well as the list of roads to be plowed pending this approval. To correct this error and provide Fairfax County with the maintenance and funding for this section of roadway, formal approval by the Board is required prior to VDOT making changes to the Secondary System of State Highways.

Board Agenda Item
October 30, 2012

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution
Attachment II: Sketch Prepared by VDOT depicting the addition
Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Michael A. Davis, FCDOT
Michelle D. Guthrie, FCDOT

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia held in the Board Auditorium of the Fairfax County Government Center at Fairfax, Virginia on October 30, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the Virginia Department of Transportation, on October 18, 2004, provided to the Fairfax County Board of Supervisors a sketch and plans depicting the addition of roadway to be accepted into the Secondary System of State Highways as a result of project R000-029-249, C525; and,

WHEREAS, that submittal from VDOT to Fairfax County erroneously omitted the addition of 0.39 miles of roadway known as Piney Branch Road (Route 6187) and the addition of 0.10 miles of roadway know as Pheasant Ridge Road (Route 6461) having been designed and built as a part of Project R000-029-249, C525 and intended for acceptance into the Secondary System of State Highways; and,

WHEREAS, it is necessary to correct that error and provide Fairfax County with the maintenance and funding for this section of roadway; and,

WHEREAS, the alignment of this section of secondary roadway requires Board of Supervisors approval prior to formal acceptance into the Secondary System of State Highways,

NOW THEREFORE BE IT RESOLVED, that this Board hereby requests, pursuant to Virginia Code Section 33.1-229, that the Commonwealth Transportation Commissioner, with the approval of the Commonwealth Transportation Board, add to the Secondary System of State Highways the following segment of roadway:

Piney Branch Road Route 6187	Link A-B (0.39 Mi)	From the centerline of Pheasant Ridge Rd (Rt 6461) at a point 558 ft south of Tall Pines Ct (Rt 6462); to a point northeast 2050 ft along the centerline of Piney Branch Rd to the end of the project and the connection with existing Piney Branch Rd (Route 6187) at a point 0.29 miles south of the centerline of Frontage Road F903.
Pheasant Ridge Road Route 6461	Links C-A and A-D (0.10 Mi)	From the Section Line 229 ft north of centerline Rowan Tree Rd (Rt 7235) – 529 ft north to the Section Line located 276 ft south of centerline Tall Pines Ct (Rt 6462)

A Copy – Teste

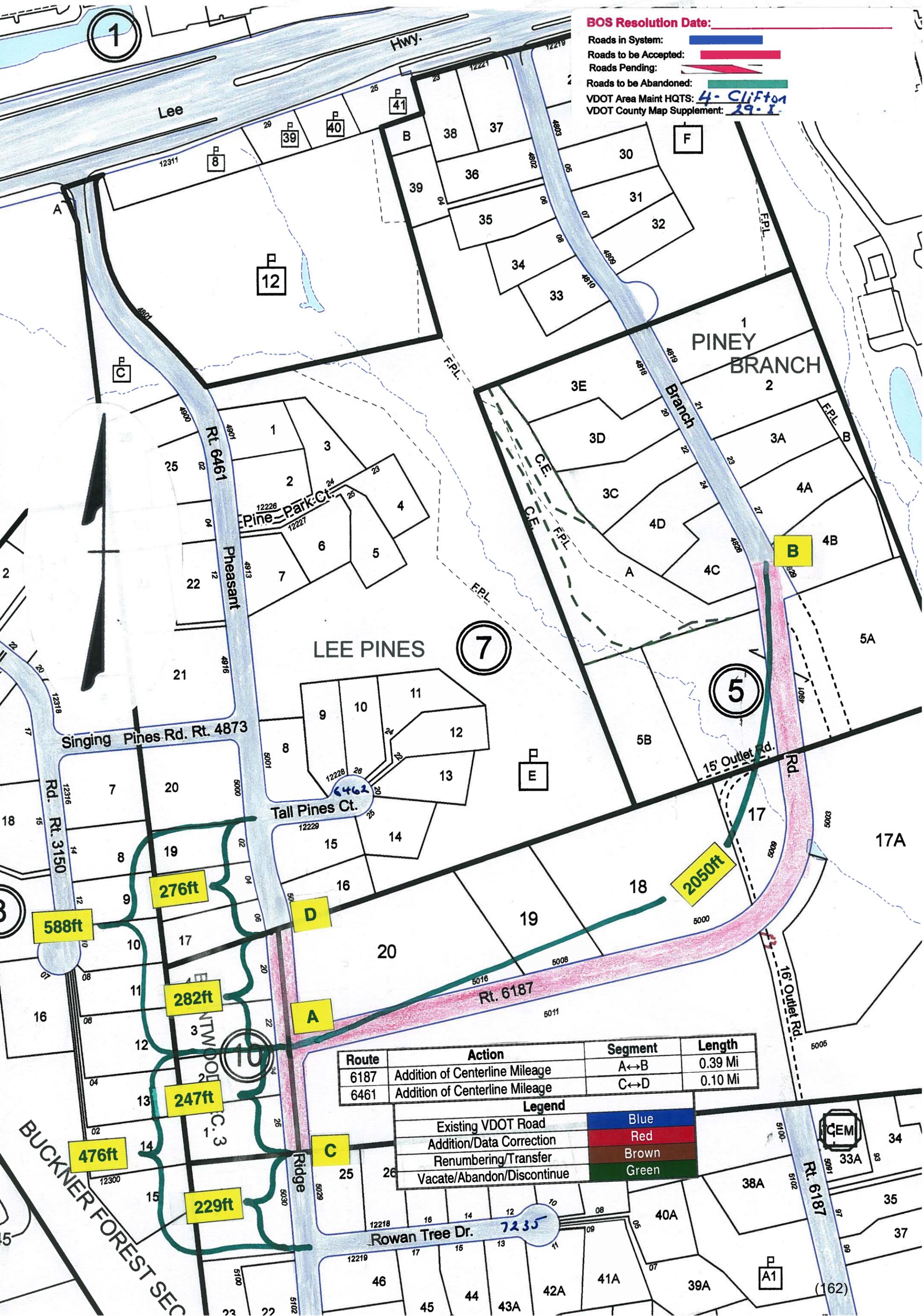
Catherine A. Chianese
Clerk to the Board of Supervisors

VDOT Project # R000-029-249, C525 - Piney Branch Rd.	D.B. N/A Pages N/A	District Braddock Inspector VDOT	Date 09/13/2012 By WHD	Tax Grid Reference 56-3
VDOT County Map Supp. 29-I Mant.Hqts. 4 - Clifton	VDOT will maintain sidewalks only if marked as follows: Fairfax County will maintain sidewalks only if marked as follows: Fairfax County will maintain trails only if marked as follows:		XXXXXXX OOOOOO □□□□	

BOS Resolution Date: _____

Roads in System: █
 Roads to be Accepted: █
 Roads Pending: █
 Roads to be Abandoned: █

VDOT Area Maint HQTs: **4 - Clifton**
 VDOT County Map Supplement: **29-I**



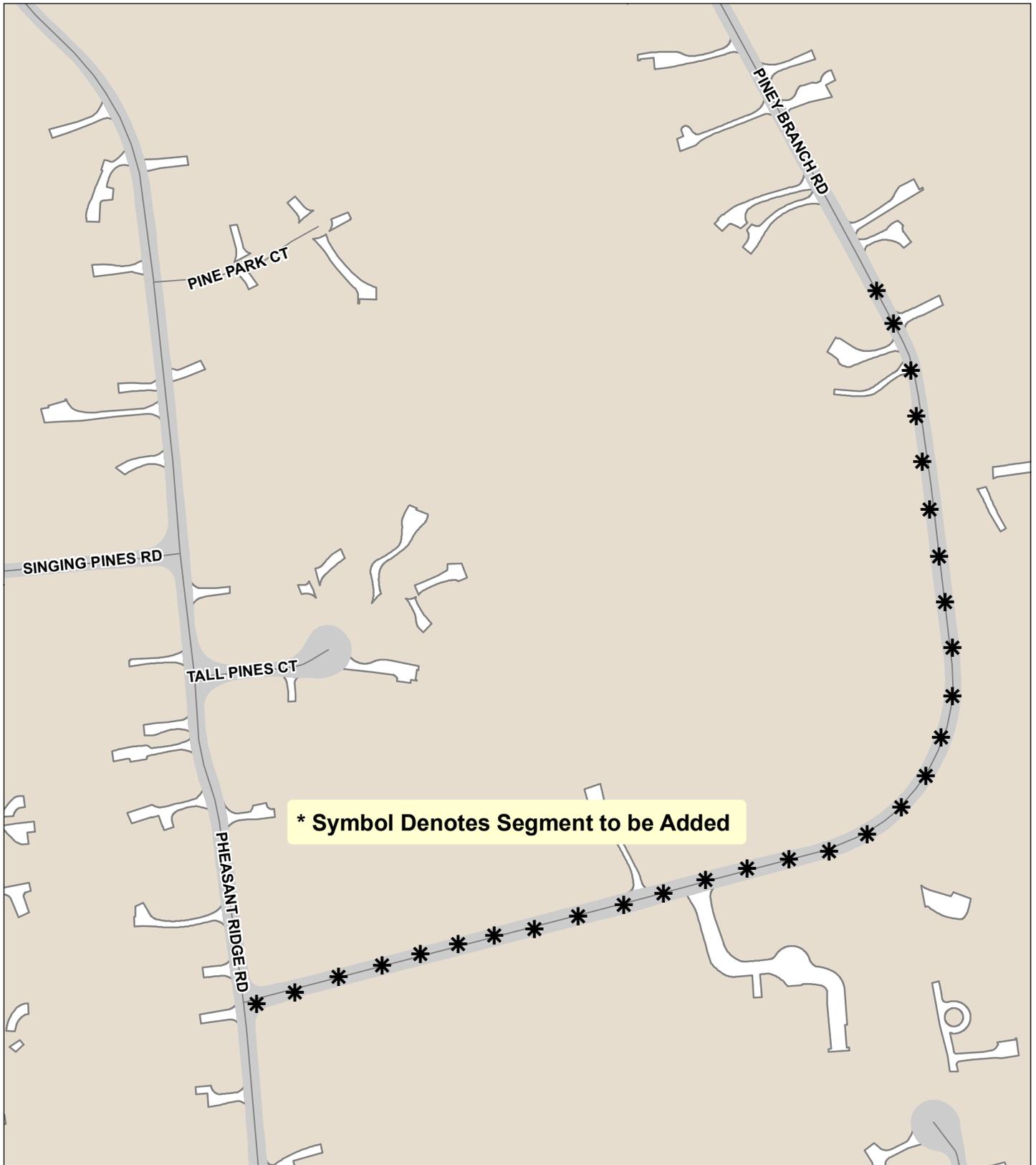
Route	Action	Segment	Length
6187	Addition of Centerline Mileage	A↔B	0.39 Mi
6461	Addition of Centerline Mileage	C↔D	0.10 Mi

Legend

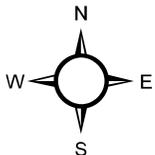
Existing VDOT Road	Blue
Addition/Data Correction	Red
Renumbering/Transfer	Brown
Vacate/Abandon/Discontinue	Green

Road Addition #R000-029-249, C525

Braddock District



*** Symbol Denotes Segment to be Added**

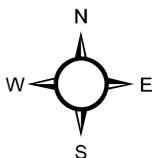
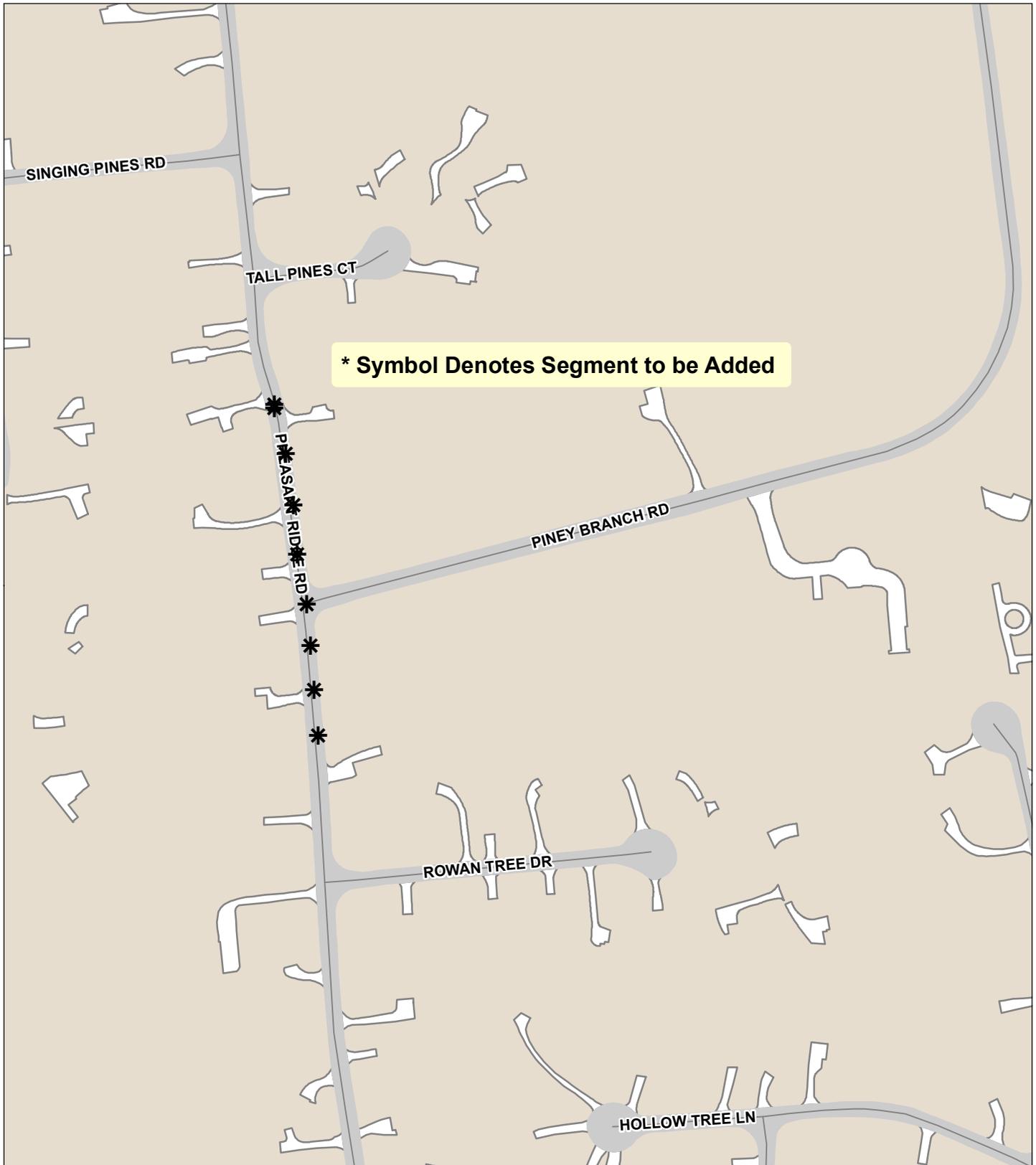


Tax Map 56-3

**Link A-B
(0.39 Mi)**

Road Addition #R000-029-249, C525

Braddock District



Tax Map 56-3

Links C-A and A-D
(0.10 Mi)

ACTION - 1

Approval of a Memorandum of Understanding Between the Fairfax County Police Department and the Department of Justice, Federal Bureau of Investigation

ISSUE:

Board approval of a Memorandum of Understanding between the Fairfax County Police Department and the Department of Justice, Federal Bureau of Investigation (FBI) authorizing the assignment of two detectives to the Metro Area Violent Crimes Task Force (MAVCTF).

RECOMMENDATION:

The County Executive recommends that the Board authorize the Chief of Police to sign the Memorandum of Understanding between the Police Department and the FBI MAVCTF.

TIMING:

Board action is requested on October 30, 2012.

BACKGROUND:

The purpose of the MAVCTF is to investigate and prosecute individuals and/or groups responsible for violent crime within the D.C. Metropolitan area and Northern Virginia. The task force maximizes inter-agency cooperation and formalizes relationships between the participating agencies for policy guidance, planning, training, media, and public relations. The capabilities of the member agencies are enhanced in a task force setting by utilizing their combined resources and expertise.

Under this MOU, the Department's Robbery Squad would assign two full-time detectives to the task force. The detectives will work in the task force office approximately one day per week. Reimbursement will be in the form of overtime paid, and may include the use of federal vehicles and equipment. Based on the size of Fairfax County as well as the number of cases that occur here, the Department believes that the provision of detectives will significantly enhance its ability to effectively combat violent crime in the county.

FISCAL IMPACT:

None

Board Agenda Item
October 30, 2012

ENCLOSED:

Attachment 1: Federal Bureau of Investigation / Fairfax County Police
Department Metro Area Violent Crimes Task Force Memorandum of
Understanding

STAFF:

David M. Rohrer, Deputy County Executive
Lt Colonel James A. Morris, Acting Police Chief
Karen L. Gibbons, Senior Assistant County Attorney



In Reply, Please Refer to
File No.

U.S. Department of Justice
Federal Bureau of Investigation

September 6, 2012

**FEDERAL BUREAU OF INVESTIGATION/FAIRFAX COUNTY POLICE
DEPARTMENT
METRO AREA VIOLENT CRIMES TASK FORCE
MEMORANDUM OF UNDERSTANDING**

PARTIES

This Memorandum of Understanding (MOU) is entered into by and between the Federal Bureau of Investigation (FBI) and the Fairfax County Police Department (FCPD). Nothing in this MOU should be construed as limiting or impeding the basic spirit of cooperation which exists between these agencies.

AUTHORITIES

1. Authority for the FBI to enter into this agreement can be found at Title 28, United States Code (U.S.C.), Section (§)533; 42 U.S.C. § 3771; Title 28, Code of Federal Regulations (C.F.R.) § 0.85; and applicable United States Attorney General's Guidelines.

PURPOSE

2. The purpose of this MOU is to delineate the responsibilities and commitments of the Metro Area Violent Crimes Task Force (MAVCTF) participants, maximize inter-agency cooperation, and formalize relationships between the participating agencies for policy guidance, planning, training, public and media relations. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, the United States, or the officers, employees, agents, or other associated personnel thereof.

MISSION

3. The mission of the MAVCTF is to investigate and target for prosecution individuals and/or groups engaged in violent incident crime in violation of federal law within and/or affecting the Washington, D.C. Metropolitan Area and Northern Virginia to include the apprehension of dangerous fugitives. The MAVCTF is established on the premise that the capabilities of law enforcement agencies to investigate violent incident crimes are enhanced in a task force setting involving the sharing of resources and expertise. The MAVCTF will prioritize its resources to provide a positive and dramatic impact to violent incident crime in our communities so as to make the streets safer for the general public.

SUPERVISION AND CONTROL

Official Law Enforcement Use Only

This document contains neither recommendations nor conclusions of the FBI. This document is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

A. Supervision

4. Overall management of the MAVCTF shall be shared responsibility of the participating agency heads and/or their designees. The Special Agent in Charge (SAC) of the Washington Field Division shall designate one Supervisory Special Agent (SSA) to supervise day-to-day operational and investigative matters pertaining to the MAVCTF. This will occur in close coordination with the supervisors and/or designee of the participating agency.

5. Responsibility for conduct, not under the direction of the SAC or SSA, of each MAVCTF member, both personally and professionally, shall remain with the respective agency head and each agency shall be responsible for the actions of its respective employees.

6. Each MAVCTF member will be subject to the laws, regulations, policies, and personnel rules applicable to those of his/her respective agency. When investigating federal cases all members will adhere to the United States Attorney General's Guidelines. FBI participants will continue to adhere to the Bureau's ethical standards, including Department of Justice (DOJ)/FBI regulations relating to outside employment and prepublication review matters, and will remain subject to the Supplemental Standards of Ethical Conduct for employees of the DOJ.

7. Each MAVCTF member will continue to report to his/her respective agency head for non-investigative administrative matters not detailed in this MOU.

8. Continued assignment to the MAVCTF will be based on performance and at the discretion of each MAVCTF member's respective supervisor. The FBI SAC/SSA will also retain discretion to remove any member from the MAVCTF.

INFORMATION SHARING

9. No information possessed by the FBI, to include information derived from informal communications by the MAVCTF member with personnel of the FBI, may be disseminated by the MAVCTF member to non-MAVCTF personnel without the permission of the MAVCTF member's designated FBI MAVCTF Supervisor and in accordance with the applicable laws and internal regulations, procedures or agreements between the FBI and the participating agencies that would permit the participating agencies to receive that information directly. Likewise, the MAVCTF member will not provide any participating agency information to the FBI that is not otherwise available to it unless authorized by appropriate participating agency officials.

PROSECUTIONS

10. MAVCTF investigative procedures, whenever practicable, are to conform to the requirements which would allow for either federal or state prosecution.

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11. A determination will be made on a case-by-case basis whether the prosecution of MAVCTF cases will be at the state or federal level. This determination will be based on the evidence obtained and a consideration of which level of prosecution would be of the greatest benefit to the overall objectives of the MAVCTF. Input from the participating agencies supervisors and/or designees and any attorney's assigned to the case will also be taken into consideration. In the event that a state or local matter is developed that is outside the jurisdiction of the FBI or it is decided to prosecute a MAVCTF case at the state or local level, the FBI agrees to provide all relevant information to state and local authorities.

DEADLY FORCE AND SHOOTING INCIDENT POLICIES

12. Members of the MAVCTF will follow their own agency's policy concerning firearms discharge and use of deadly force.

DEPUTATIONS

13. Local and state law enforcement personnel designated to the MAVCTF, subject to a limited background inquiry, will be sworn as federally deputized Special Deputy United States Marshals, with the FBI securing the required deputation authorization. These deputations should remain in effect throughout the tenure of each investigator's assignment to the MAVCTF or until the termination of the MAVCTF, whichever comes first.

VEHICLES

14. In furtherance of this MOU, employees of law enforcement agencies may be permitted to drive FBI owned or leased vehicles for official MAVCTF business and only in accordance with the applicable FBI rules and regulations. The assignment of an FBI owned or leased vehicle to a law enforcement agency (LEA) MAVCTF member will require the execution of a separate Vehicle Use Agreement.

15. The participating agencies agree that FBI vehicles will not be used to transport passengers unrelated to MAVCTF business.

16. The FBI and the United States will not be responsible for any tortious act or omission on the part of the LEA and/or its employees or for any liability resulting from the use of an FBI owned or leased vehicle utilized by an LEA MAVCTF member, except where liability may fall under the provisions of the Federal Tort Claims Act (FTCA), as discussed in the Liability Section herein below.

17. The FBI and the United States shall not be responsible for any civil liability arising from the use of an FBI owned or leased vehicle by an LEA task force member while engaged in any conduct other than his/her official duties and assignments under this MOU.

SALARY/OVERTIME COMPENSATION

18. The FBI and participating LEA agree to assume all personnel costs for their MAVCTF representatives, including salaries, overtime payments and fringe benefits consistent with their respective agency.

19. Subject to funding availability and legislative authorization, the FBI will reimburse to LEA the cost of overtime, up to the specified annual amount specified by FBI Headquarters, worked by non-federal MAVCTF members assigned full-time to MAVCTF, provided overtime expenses were incurred as a result of MAVCTF-related duties. A separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and LEA for full-time employee(s) assigned to MAVCTF, consistent with regulations policy. Otherwise, overtime shall be compensated in accordance with the applicable LEA overtime provisions and shall be subject to the prior approval of appropriate personnel.

PROPERTY AND EQUIPMENT

20. Property utilized by the MAVCTF in connection with authorized investigations and/or operations and in custody and control and used at the direction of the MAVCTF, will be maintained in accordance with the policies and procedures of the agency supplying the equipment. Property damaged or destroyed which was utilized by MAVCTF in connection with authorized investigations and/or operations and is in the custody and control and used at the direction of MAVCTF, will be financial responsibility of the agency supplying said property.

FUNDING

21. This MOU is not an obligation or commitment of funds, nor a basis for transfer of funds, but rather is a basic statement of the understanding between the parties hereto of the tasks and methods for performing the tasks described herein. Unless otherwise agreed in writing, each party shall bear its own costs in relation to this MOU. Expenditures by each party will be subject to its budgetary process and to the availability of funds and resources pursuant to applicable laws, regulations, and policies. The parties expressly acknowledge that the above language in no way implies that Congress will appropriate funds for such expenditures.

SECURITY CLEARANCES

22. Upon being selected to participate in the MAVCTF, each candidate who is assigned as a full-time MAVCTF member will be subject to a full background investigation and receive and maintain a "Top Secret" security clearance. This requires that each candidate fully complete a SF-86, required fingerprint cards, and a letter from their respective LEA internal affairs office. A National Security polygraph test will also be administered, where the questions will be limited to National Security and terrorism matters.

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23. Candidates who are assigned as a part-time MAVCTF member will be subject to a full background investigation and receive and maintain a "Secret" security clearance. This requires that each candidate fully complete a SF-86, required fingerprint cards, and a letter from their respective LEA internal affairs office. A National Security polygraph test will not be administered for candidates receiving a "Secret" security clearance.

24. Upon passing the background investigation and the candidate being selected, each candidate will receive a comprehensive briefing on FBI field office security policies and procedures. During the briefing, each candidate will execute a non-disclosure agreement (SF-312, FD-868, FD-979, and DOJ-555) required by the FBI.

25. Upon departure from the MAVCTF, each candidate will be given a security briefing and reminded of the provisions contained in the non-disclosure agreement previously agreed to by the MAVCTF member.

LIABILITY

26. The participating agencies acknowledges that this MOU does not alter the applicable law governing civil liberty, if any, arising from the conduct of personnel assigned to the MAVCTF.

27. The participating agency shall immediately notify the FBI of any civil, administrative, or criminal claim, complaint, discovery request, or other request for information of which the agency receives notice, concerning or arising from the conduct of personnel assigned to the MAVCTF or otherwise relating to the MAVCTF.

28. In the event that a civil claim or complaint is brought against a state or local officer assigned to the MAVCTF, the officer may request legal representation and/or defense by DOJ, under the circumstance and pursuant to the statutes and regulations identified below.

29. For the limited purpose of defending against a civil claim arising from alleged negligent or wrongful conduct under common law under the FTCA, 28 U.S.C. § 1346(b) and §§ 2671-2680: An officer who has been specially deputized and who is named as a defendant in a civil action as a result of or in connection with the performance of his/her official duties and assignments pursuant to this MOU may request to be certified by the Attorney General or his designee as having acted within the scope of federal employment at the time of the incident giving rise to the suit. 28 U.S.C. § 2679(d)(2). Upon such certification, the officer will be considered an "employee" of the United States government for the limited purpose of defending the civil claim under the FTCA, and the claim will proceed against the United States as sole defendant. 28 U.S.C. § 2679(d)(2). Once an individual is certified as an employee of the United States for purposes of the FTCA, the United States is substituted for the employee as the sole defendant with respect to any tort claims. Decisions regarding certification of

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employment under the FTCA are made on a case-by-case basis, and the FBI cannot guarantee such certification to any MAVCTF member.

30. For the limited purpose of defending against a civil claim arising from an alleged violation of the U.S. Constitution pursuant to 42 U.S.C. § 1983 or Bivens v. Six Unknown Names Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971): An officer who has been specifically deputized and who is named as a defendant in a civil action as a result of or in connection with the performance of his/her official duties and assignments pursuant to this MOU may request individual-capacity representation by DOJ to defend against the claims. 28 C.F.R. §§ 50.15, 50.16. Any such request for individual-capacity representation must be made in the form of a letter from the individual defendant to the U.S. Attorney General. The letter should be provided to Chief Division Counsel (CDC) for the FBI Washington Field Division, who will then coordinate the request with the FBI Office of the General Counsel. In the event of an adverse judgment against the individual officer, he/she may request indemnification from DOJ. 28 C.F.R. § 50.15(c)(4). Request for DOJ representation and indemnification are determined by DOJ on a case-by-case basis. The FBI cannot guarantee the United States will provide legal representation or indemnification to a federal, state or local law enforcement officer.

31. Liability for any conduct by a MAVCTF member undertaken outside the scope of his/her assigned duties and responsibilities under this MOU shall not be the responsibility of the FBI or the United States and shall be the sole responsibility of the respective employee and/or agency involved.

DURATION

32. The term of this MOU is for the duration of the MAVCTF operations, contingent upon approval of necessary funding, but may be terminated at any time upon written mutual consent of the agency involved.

33. Any participating agency may withdraw from the MAVCTF at any time by written notification to the SSA with designed oversight for investigative and personnel matters or program manager of the MAVCTF at least 30 days prior to withdrawal.

34. Upon termination of this MOU, all equipment provided to the MAVCTF will be returned to the supplying agency/agencies. In addition, when an entity withdraws from the MOU, the entity will return equipment to the supplying agency/agencies. Similarly, remaining agencies will return to a withdrawing agency any unexpended equipment supplied by the withdrawing agency during any MAVCTF participation.

MODIFICATIONS

35. This agreement may be modified at any time by written consent of all involved agencies.

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36. Modifications to this MOU shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

SIGNATORIES

W. Z. Scott, III Date: 9/21/12
Special Agent in Charge
Federal Bureau of Investigation

_____ Date:
Chief/Designee
Fairfax County Police Department

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Board Agenda Item
October 30, 2012

ACTION - 2

Renewal of a Memorandum of Agreement Between the Fairfax County Police Department and the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives

ISSUE:

Board of Supervisors' approval of a Memorandum of Agreement (MOA) between the Fairfax County Police Department and the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), authorizing the ATF to compensate the County for all incurred overtime and other costs related to the assignment of Fairfax County Police officers to the ATF Task Force under the 2010 Memorandum of Understanding (MOU) between the ATF and the Fairfax County Police Department.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize the Chief of Police to sign the MOA between the Police Department and the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

TIMING:

Board action is requested on October 30, 2012.

BACKGROUND:

On February 23, 2010, the Board approved an MOU between the ATF and the Police Department to battle organized criminal activity, illegal firearms, untaxed liquor, and tobacco (Attachment 2). This MOU is still in effect today, and the Police Department continues to work closely with the ATF and neighboring jurisdictions to address organized and gang-related criminal enterprises operating within Fairfax County. A renewed MOA (Attachment 1) is required to authorize the ATF to compensate the County for all incurred overtime and other costs related to the assignment of Fairfax County Police officers to the 2010 MOU.

The benefit of a joint task force includes the use of certain technical investigative support and surveillance systems, the sharing of investigative information, and leveraging state and federal law to combat emerging criminal enterprises operating regionally and within Fairfax County. This task force generates the revenue to sustain the operation under a federal statute. Overtime costs are reimbursed by the ATF.

Board Agenda Item
October 30, 2012

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1 - Memorandum of Agreement between the Bureau of Alcohol, Tobacco, Firearms and Explosives and Fairfax County Police Department for Reimbursement of Overtime Salary Costs Associated with ATF Task Force.

Attachment 2 – Memorandum of Understanding Between the Bureau of Alcohol, Tobacco, Firearms, and Explosives and Fairfax County Police Department.

STAFF:

David M. Rohrer, Deputy County Executive
Lt Colonel James A. Morris, Acting Police Chief
Karen L. Gibbons, Senior Assistant County Attorney



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226

www.atf.gov

MEMORANDUM OF AGREEMENT

**Between the
Bureau of Alcohol, Tobacco, Firearms and Explosives
and
Fairfax County Police Department
for
Reimbursement of Overtime Salary Costs
associated with
ATF TASK FORCE**

This Memorandum of Agreement (MOA) is entered into by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Fairfax County Police Department for the purpose of reimbursement of overtime salary costs and other costs, with prior ATF approval, including but not limited to travel, fuel, training, and equipment, incurred by the Fairfax County Police Department in providing resources to assist ATF.

Payments may be made to the extent they are included in ATF's Fiscal Year Plan and the monies are available to satisfy the request(s) for reimbursable overtime expenses.

I. DURATION OF THIS MEMORANDUM OF AGREEMENT

This MOA is effective with the signatures of all parties and terminates at the close of business on September 30, 2017, subject to Section VII of the MOA.

II. AUTHORITY

This MOA is established pursuant to the following provisions:

1. Title 28, U.S.C., Section 524(c), the Department of Justice, Asset Forfeiture Fund, which provides for the reimbursement of certain expenses of local, county, or State law enforcement agencies incurred as participants in joint operations/task forces with a Department of the Justice law enforcement agency.

2. Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, which provides for the reimbursement of overtime salary costs of local, county, or State law enforcement agencies incurred while assisting ATF in joint law enforcement operations.
3. Title 31, U.S.C., Section 9703, the Treasury Forfeiture Fund Act of 1992, which provides for the reimbursement of certain expenses of local, county, or State law enforcement agencies incurred as participants in joint operations/task forces with a Federal law enforcement agency.

If available, the funding for fiscal years 2013, 2014, 2015, 2016 and 2017 is contingent upon annual appropriation laws, Title 28, U.S.C., Section 524(c), annual appropriations, and Title 31, U.S.C., Section 332.

If available, funding allocations for reimbursement of expenses will be transmitted through a separate document.

This Memorandum of Agreement (MOA) is not a funding allocation document.

III. PURPOSE OF THIS MEMORANDUM OF AGREEMENT

This MOA establishes the procedures and responsibilities of both the Fairfax County Police Department and ATF for the reimbursement of certain overtime and other pre-approved expenses incurred pursuant to the authority in Section II.

IV. NAME OF JOINT OPERATION/TASK FORCE (if applicable)

The name of this joint operation/task force: ATF TASK FORCE

V. CONDITIONS AND PROCEDURES

- A. The Fairfax County Police Department ^{may} ~~shall~~ assign officer(s) to assist ATF in investigations of Federal, state, and local laws. ~~To the maximum extent possible, the officer(s) will be assigned on a dedicated, rather than rotational basis.~~ The Fairfax County Police Department shall provide ATF with the name(s), title(s), and employee identification number(s) of the officer(s) assigned to the investigation.
- B. The Fairfax County Police Department shall provide ATF, within ten (10) calendar days of the signing of this MOA, with a contact name, title, telephone number and address. The Fairfax County Police Department shall also provide the name of the official responsible for providing audit information under paragraph VI of this MOA, and the name of the official authorized to submit an invoice to ATF under paragraph V, subparagraph E.

- C. The Fairfax County Police Department shall provide ATF, within ten (10) calendar days of the signing of this agreement, with the financial institution where the law enforcement agency wants the Electronic Funds Transfer (EFT) payment deposited for reimbursement. The mechanism for this is the Unified Financial Management System (UFMS) Vendor Request Form. Within the UFMS Vendor Request form, the DUNS Number should be provided (DUNS – Data Universal Numbering System, identifies business entities on a location-specific basis) under section 12. When completed, forward this form to the appropriate ATF field office address: ATF, ATTN: John J. Durastanti, 7799 Leesburg Pike North Tower, Suite# 1050, Falls Church, VA 22043.
- D. The Fairfax County Police Department may request reimbursement for payment of overtime expenses and other costs with prior ATF approval, including but not limited to travel, fuel, training, and equipment, directly related to work performed by its officer(s) assigned as members of a joint operation/task force with ATF for the purpose of conducting an official investigation.
- E. Invoices submitted to ATF for the payment of expenses must be submitted on the appropriate forms as provided by ATF. The invoice shall be signed by an authorized representative of the Fairfax County Police Department and submitted to ATF field office for signature and verification of the invoice.
- F. The Fairfax County Police Department will submit all requests for reimbursable payments, together with the appropriate documentation to ATF by the 10th day of each subsequent month that the agency is seeking reimbursement.
- (1) If the reimbursement request is not received by the ATF field office by the 10th of the subsequent month, the ATF field office will advise the agency, in writing, that the reimbursement request is late, and if the reimbursement request is not received within the next 10 working days, the overtime costs will not be reimbursed.
 - (2) No waivers or extensions will be granted or honored. The Fairfax County Police Department will submit the request for reimbursement via fax, email or mail to the following address:

ATF, ATTN: John J. Durastanti, 7799 Leesburg Pike North Tower, Suite# 1050, Falls Church, VA 22043.
- G. The ATF Supervisor shall be responsible for certifying that the request is for overtime expenses incurred by the Fairfax County Police Department for participation with ATF during the joint operation/task force. The responsible State or local official shall also certify that requests for reimbursement of expenses have not been made to other Federal law enforcement agencies.

- H. The Fairfax County Police Department acknowledges that they remain fully responsible for their obligations as the employer of the officer(s) assigned to the joint operation/task force and are responsible for the payment of the overtime earnings, withholdings, insurance coverage, and all other requirements by law, regulations, ordinance or contract regardless of the reimbursable overtime charges incurred.
- I. All reimbursable hours of overtime work covered under this MOA must be approved in advance by the ATF supervisor.
- J. The ATF supervisor will forward all approved reimbursement requests to the Division Chief, Asset Forfeiture & Seized Property Division for payment.
- K. **This document (MOA) does not obligate funds.** Funding authority, with maximum reimbursement costs to any one law enforcement officer during the fiscal year (October 1 – September 30); will be provided through other documents. The agency will receive an allocation confirmation from the field division.

VI. PROGRAM AUDIT

This MOA and its procedures are subject to audit by ATF, the Department of Justice, Office of Inspector General, the Government Accountability Office, and other auditors authorized by the Federal government. The Fairfax County Police Department agrees to permit such audits and agrees to maintain all records relating to these transactions for a period of not less than three years; and in the event of an on-going audit, until such time as the audit is completed.

These audits include reviews of any and all records, documents, reports, accounts, invoices, receipts, or expenditures relating to this agreement; as well as, the interview of any and all personnel involved in these transactions.

VII. REVISIONS

The terms of this MOA may be amended upon written approval by the original parties, or their designated representatives. Any amendment to this MOA becomes effective upon the date of approval as stated in the amendment. Either party can cancel this MOA upon 60-calendar day's written notice to the other party. The ATF will only process request for overtime for overtime incurred before the date of cancellation, absent a specific written agreement to the contrary.

VIII. NO PRIVATE RIGHT CREATED

This is an internal Government agreement between ATF and the Fairfax County Police Department and is not intended to confer any right or benefit to any private person or party.

(Acting) Police Chief
Fairfax County Police Department

Date: _____

Richard Marianos
Special Agent in Charge
Washington Field Division
ATF

Date: _____

David C. Horn
(Acting) Deputy Chief Financial Officer
Office of Management
ATF

Date: _____

Ronald B. Turk
Deputy Assistant Director
Field Operations
ATF

Date: _____

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
AND THE FAIRFAX COUNTY, VIRGINIA POLICE DEPARTMENT**

This memorandum of understanding (MOU) delineates a cooperative law enforcement effort between the Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and the Fairfax County, Virginia Police Department (FCPD), known collectively as "the agencies" or "the participating agencies." This MOU is not intended as a formal contract between the agencies but rather is an expression of understanding to facilitate cooperation on investigations as detailed below.

I. AUTHORITY

This MOU is established pursuant to the participating agencies' authority to investigate criminal activities. Offenses investigated and enforced pursuant to this MOU are those falling within ATF's jurisdiction 28 U.S.C. sec. 559A; 27 C.F.R. sec. 0.130. Specifically, the Gun Control Act of 1968, 18 U.S.C. sec. 921 et. seq. and the National Firearms Act, 26 U.S.C. sec. 5861 et. seq. FCPD's authority includes Virginia Code § 15.2-1726. The MOU is in furtherance of a federal task force known as the **Northern Virginia Violent Crimes Task Force**. The task force will have representatives from ATF, Alexandria Police Department, Arlington County Police Department, Fairfax County Police Department, Fairfax County Sheriff's Office, Prince William County Police Department and the Stafford County Sheriff's Office.

II. PURPOSE OF THIS MOU

This MOU serves to formalize the relationship between the participating agencies with regard to policy, guidance, planning, training, and media relations in order to foster an efficient and cohesive unit capable of addressing violent crime and to maximize interagency cooperation.

The goal of this MOU is to develop a cooperative effort among the participating agencies charged with the investigation and prosecution of violent and/or firearms-related criminal offenses. The criminal offenses investigated under this MOU will be referred to the courts of the United States and/or the courts of the State for prosecution.

The mission of the participating agencies is to conduct in-depth investigations of violent and firearms-related crimes; to identify and target for prosecution the perpetrators of such crimes (i.e., street gangs, armed career criminals); and to achieve maximum coordination and cooperation among the participating agencies.

III. MEASUREMENT OF SUCCESS

The success of the task force will be measured by its impact on violent firearms crime and armed robberies of commercial store businesses, in Fairfax County, Virginia and

surrounding communities, where the agencies will primarily focus investigative efforts. The agencies will conduct regular reviews of violent crime statistics within the identified area to measure success.

IV. CONDITIONS AND PROCEDURES

A. Administration

Because this MOU outlines a cooperative endeavor on the part of the participating agencies, the supervisors of the agencies shall be jointly responsible for the policy, program involvement, and direction of each participating agency. Therefore, cases will be jointly investigated and no particular agency will prevail over another or act unilaterally. Participating agency supervisors shall meet on a regular basis to discuss, review, and prioritize investigations undertaken as a result of this agreement.

B. Operational Guidelines

The agencies will follow the guidelines below regarding policy, planning, training, supervision, and media relations. The participating agencies agree that these guidelines will serve as a basis to mediate any disputes that arise during the operation of this agreement.

- (1) **Chain of Command:** The day to day supervision and administrative control of task force officers (TFOs) will be the mutual responsibility of the participants, with the ATF Special Agent in Charge or his/her designee having operational control over all operations related to this task force. Supervision of the covert facility in Northern Virginia has been delegated to the ATF Resident Agent in Charge (RAC) and the TFO Lieutenant and TFO Sergeant from the FCPD Criminal Intelligence Unit (CIU). ATF agrees to designate the RAC of Falls Church Group II as ATF's coordinator of this agreement. FCPD agrees to designate the Lieutenant of the Criminal Intelligence Unit as the department coordinator. The coordinators have overall responsibility for the policies and guidelines affecting this MOU. Operational problems encountered between ATF and FCPD will be mutually addressed and resolved by the coordinators. FCPD robbery detectives assigned to the task force will continue to report to their FCPD chain of command on a daily basis. Detectives assigned to the task force, located at a covert facility in Northern Virginia, will report to the ATF RAC and the Lieutenant and Sergeant from the Fairfax County Police Department's Criminal Intelligence Unit on a daily basis.
- (2) **Operations:** The coordinators shall be primarily responsible for opening, assigning, directing, monitoring, and closing investigations subject to guidance from the participating agencies. Each participating

agency agrees that it will take no unilateral action with respect to any operation under this MOU.

ATF, as the sponsoring Federal law enforcement agency, shall request that FCPD detectives or officers be deputized by the U.S. Marshals Service to extend their jurisdiction, to include applying for and executing Federal search and arrest warrants, and requesting and executing Federal grand jury subpoenas for records and evidence involving violations of Federal laws. FCPD officers shall be federally deputized before undertaking any task force responsibilities or duties. FCPD will dedicate full-time robbery detective(s) and one full-time detective(s) to the task force for a period no less than two years. Participating agencies reserve the right to add or remove personnel based on agency staffing levels.

The participating agencies agree that any Federal authority that may be conferred by the above requests will terminate when this MOU is terminated or when the deputized detectives or officers leave the task force.

- (3) **Resources:** ATF agrees to supply supervisors and special agents as needed to fulfill the obligations of this MOU. FCPD agrees to supply detectives or officers on a full-time basis, dependent on its manpower constraints. Additional personnel will be added or removed from this MOU on an as-needed basis at the discretion of the respective participating agencies, with notice to the other participating agencies.

Continued assignment of specific personnel will be based upon performance and will be at the discretion of the respective participating agency. Each participating agency, upon request, will be provided with an update of the accomplishments of participating members.

During the period of the MOU, each participating agency will provide for the salary and employment benefits of its respective employees. All participating agencies will retain control over employees' work hours, including the approval of overtime. FCPD robbery detectives will continue to work hours scheduled and approved by their chain of command. FCPD detectives assigned to the covert facility will be required to work a 40 hour work week specifically Tuesday, Wednesday, Thursday and Friday from 13:00 hours to 23:00 hours each day. Scheduled days off will be Saturday, Sunday and Monday.

ATF may have funds available to pay overtime to state and local task force members subject to the guidelines of the Department of Justice Asset Forfeiture Fund. This funding would be available under the terms of a memorandum of agreement (MOA) established pursuant to the provisions of 28 U.S.C. section 524. The participating agencies

agree to abide by the terms of the applicable Federal statutes and Department of Justice guidelines and policies related to the payment of overtime from the Department of Justice Asset Forfeiture Fund. The Fairfax County Police Department is recognized under State law as a law enforcement agency and its investigators as sworn law enforcement officers. If required or requested, FCPD shall be responsible for demonstrating to the Department of Justice that its personnel are law enforcement officers for the purpose of overtime payment from the Department of Justice Asset Forfeiture Fund. This MOU is not a funding document.

In accordance with these provisions and the MOA on overtime reimbursement, the ATF Special Agent in Charge or designee shall be responsible for certifying requests for overtime expenses incurred as a result of this agreement. Proceeds of any legal forfeiture arising out of an investigation generated by the participating agencies will be divided equally among the participants in accordance with applicable Federal law and the policies and guidelines of the Department of Justice Asset Forfeiture Fund. This MOU does not allocate or ensure that ATF has funds available or will make any payments with regard to overtime to state and local task force members.

- (4) **General Guidelines:** While all personnel assigned under this MOU will give primary consideration to the regulations and guidelines imposed by their own agencies, they will be mindful of those imposed by the other participants' agencies. When acting under U.S. Marshals Service authority requested under this MOU, the participants agree that Federal policies and procedures are controlling. Accordingly, deputized personnel will take the following measures:
- Comply with ATF enforcement policy regarding the use of firearms, financial and property controls, investigative techniques, and supervisory controls.
 - Qualify with their respective firearms.
 - Comply with the Department of Justice use of force policy. Officers must be briefed on this policy by the task force supervisor upon assignment to the task force.
 - Comply with ATF policies concerning the use and care of Federal Government-owned vehicles and abide by ATF's pursuit driving policy (when driving ATF vehicles), in addition to the policies of their respective agencies. Such vehicles are for official use only.

- Comply with the Department of Justice's and ATF's standards of conduct, particularly as they relate to sexual harassment and equal opportunity issues.
- Comply with the provisions of the Privacy Act, 5 USC Section 552a, and the applicable disclosure provision contained in 26 USC Section 6103, and further agree not to discuss any target, investigative technique or impending investigative action of the task force with any individual or agency outside the task force without the prior approval of the task force Coordinator or the ATF.
- Failure to comply with these guidelines could result in a TFO's dismissal from the Task Force.

(5) Media Relations: Media relations will be handled by ATF and the U.S. Attorney's Office's public information officers in coordination with each participating agency. Information for press releases will be reviewed and mutually agreed upon by all participating agencies, who will take part in press conferences. Assigned personnel will be informed not to give statements to the media concerning any ongoing investigation or prosecution under this MOU without the concurrence of the other participants and, when appropriate, the relevant prosecutor's office.

All personnel from the participating agencies shall strictly adhere to the requirements of Title 26, United States Code, § 6103. Disclosure of tax return information and tax information acquired during the course of investigations involving National Firearms Act (NFA) firearms as defined in 26 U.S.C., Chapter 53 shall not be made except as provided by law.

- (6) Physical Location:** Agents and detectives assigned to robbery investigations will remain at their current office location. Agents and detectives assigned to undercover operations will report to a covert facility located in Northern Virginia.
- (7) Equipment:** Assigned personnel working robbery investigations will utilize equipment and vehicles assigned by their respective agencies. Assigned personnel working undercover operations will utilize equipment assigned by their respective agencies. ATF will supply vehicles to undercover detectives.
- (8) Asset Forfeiture:** All assets seized for administrative forfeiture will be

seized and forfeited in compliance with the rules and regulations set forth by the U.S. Department of Justice Asset Forfeiture guidelines. When the size or composition of the item(s) seized make it impossible for ATF to store it, any of the participating agencies having the storage facilities to handle the seized property agree to store the property at no charge and to maintain the property in the same condition as when it was first taken into custody. The agency storing said seized property agrees not to dispose of the property until authorized to do so by ATF.

The MOU provides that proceeds from forfeitures will be shared, with sharing percentages based upon the U.S. Department of Justice Asset Forfeiture policies on equitable sharing of assets, such as determining the level of involvement by each participating agency. Task Force assets seized through administrative forfeiture will be distributed in equitable amounts based upon the number of full-time persons committed by each participating agency. Should it become impossible to separate the assets into equal shares, it will be the responsibility of all the participating agencies to come to an equitable decision. If this process fails and an impasse results, ATF will become the final arbitrator of the distributive shares for the participating agencies.

(9) SECURITY CLEARANCES

All TFOs will undergo a security clearance and background investigation, and ATF shall bear the costs associated with those investigations. TFOs must not be the subject of any ongoing investigation by their department or any other law enforcement agency, and past behavior or punishment, disciplinary, punitive or otherwise, may disqualify one from eligibility to join the Task Force. ATF has final authority as to the suitability of TFOs for inclusion on the Task Force.

(10) ASSIGNMENTS, REPORTS AND INFORMATION SHARING

An ATF supervisor and FCPD TFO Lieutenant and TFO Sergeant will be empowered with designated oversight for investigative and personnel matters related to the Task Force and will be responsible for opening, monitoring, directing and closing Task Force investigations in accordance with ATF policy and the applicable United States Attorney General's Guidelines.

Assignments will be based on, but not limited to, experience, training and performance, in addition to the discretion of the supervisors.

All investigative reports prepared for federal prosecution will be prepared utilizing ATF's investigative case management system, (N-Force) utilizing

ATF case report numbers. The participating agency will share investigative reports, findings, intelligence, etc., in furtherance of the mission of this agreement, to the fullest extent allowed by law. For the purposes of uniformity, there will be no duplication of reports, but rather a single report prepared by a designated individual which can be duplicated as necessary. Every effort should be made to document investigative activity on ATF Reports of Investigation (ROI), unless otherwise agreed to by ATF and the participating agencies. This section does not preclude the necessity of individual TFOs to complete forms required by their employing agency.

Information will be freely shared among the TFOs and ATF personnel with the understanding that all investigative information will be kept strictly confidential and will only be used in furtherance of criminal investigations. No information gathered during the course of the Task Force, to include informal communications between TFOs and ATF personnel, may be disseminated to any third party, non-task force member by any task force member without the express permission of the ATF Special Agent in Charge or his/her designee.

Any public requests for access to the records or any disclosures of information obtained by task force members during Task Force investigations will be handled in accordance with applicable statutes, regulations, and policies pursuant to the Freedom of Information Act and the Privacy Act and other applicable federal and/or state statutes and regulations.

(11) INVESTIGATIVE METHODS

The parties agree to utilize Federal standards pertaining to evidence handling and electronic surveillance activities to the greatest extent possible. However, in situations where state or local laws are more restrictive than comparable Federal law, investigative methods employed by state and local law enforcement agencies shall conform to those requirements, pending a decision as to a venue for prosecution.

The use of other investigative methods (search warrants, interceptions of oral communications, etc.) and reporting procedures in connection therewith will be consistent with the policy and procedures of ATF. All Task Force operations will be conducted and reviewed in accordance with applicable ATF and Department of Justice policy and guidelines.

None of the parties to this MOU will knowingly seek investigations under this MOU that would cause a conflict with any ongoing investigation of an agency not party to this MOU. It is incumbent upon each participating agency to notify its personnel regarding the Task Force's areas of concern and jurisdiction. All law enforcement actions will be coordinated and cooperatively carried out by all parties to this MOU.

(12) INFORMANTS

ATF guidelines and policy regarding the operation of informants and cooperating witnesses will apply to all informants and cooperating witnesses directed by TFOs.

Informants developed by TFOs may be registered as informants of their respective agencies for administrative purposes and handling. The policies and procedures of the participating agency with regard to handling informants will apply to all informants that the participating agency registers. In addition, it will be incumbent upon the registering participating agency to maintain a file with respect to the performance of all informants or witnesses it registers. All information obtained from an informant and relevant to matters within the jurisdiction of this MOU will be shared with all parties to this MOU. The registering agency will pay all reasonable and necessary informant expenses for each informant that a participating agency registers.

(13) DECONFLICTION

Each participating agency agrees that the deconfliction process requires the sharing of certain operational information with the Task Force, which, if disclosed to unauthorized persons, could endanger law enforcement personnel and the public. As a result of this concern, each participating agency agrees to adopt security measures set forth herein:

- a. Each participating agency will assign primary and secondary points of contact.
- b. Each participating agency agrees to keep its points of contact list updated.

The points of contact for this Task Force are:

ATF: RAC Ashan M. Benedict

FCPD: 2nd Lt. David R. Smith

(14) EVIDENCE

Evidence maintained by the lead agency having jurisdiction in the court system intended for prosecution. Evidence generated from investigations initiated by a TFO or ATF special agent intended for Federal prosecution will be placed in the ATF designated vault, using the procedures found in ATF orders.

All firearms seized by a TFO must be submitted for fingerprint analysis and for a National Integrated Ballistics Information Network (NIBIN) examination. Once all analyses are completed, all firearms seized under

Federal law shall be placed into the ATF designated vault for proper storage. All firearms information/descriptions taken into ATF custody must be submitted to ATF's National Tracing Center.

(15) USE OF FORCE

All full-time TFOs will comply with ATF and the Department of Justice's (DOJ's) use of force policies, unless a TFO's agency's Use of Force policy is more restrictive, in which case the TFO may use their respective agency's use of force policy. TFOs must be briefed on ATF's and DOJ's use of force policy by an ATF official, and will be provided with a copy of such policy.

(16) DISPUTE RESOLUTION

In cases of overlapping jurisdiction, the participating agencies agree to work in concert to achieve the Task Force's goals and objectives. The parties to this MOU agree to attempt to resolve any disputes regarding jurisdiction, case assignments and workload at the lowest level possible.

C. JURISDICTION

The assigned coordinators will determine whether cases will be referred for prosecution to the U.S. Attorney's Office for the Eastern District of Virginia or the Commonwealth of Virginia. The supervisors will base their determination upon which level of prosecution will best serve the interests of justice and the greatest overall benefit to the public. Any question that arises pertaining to prosecution will be resolved through discussion among the investigative agencies and prosecuting entities having an interest in the matter.

V. PROGRAM AUDIT

Operations under this MOU are subject to audit by ATF, the Department of Justice's Office of the Inspector General, the Government Accountability Office, and other Government-designated auditors. FCPD agrees to permit such audits and to maintain all records relating to Department of Justice Asset Forfeiture Fund payments for overtime expenses either incurred during the course of this task force for a period of not less than 3 years and, if an audit is being conducted, until such time that the audit is officially completed, whichever is greater.

VI. LIABILITY

ATF acknowledges that the United States is liable for the wrongful or negligent acts or omissions of its officers and employees, including TFOs, while on duty and acting within the scope of their federal employment, to the extent permitted by the Federal Tort Claims

Act.

Claims against the United States for injury or loss of property, personal injury, or death arising or resulting from the negligent or wrongful act or omission of any Federal employee while acting within the scope of his or her office or employment are governed by the Federal Tort Claims Act, 28 U.S.C. sections 1346(b), 2672-2680 (unless the claim arises from a violation of the Constitution of the United States, or a violation of a statute of the United States under which other recovery is authorized).

Except as otherwise provided, the parties agree to be solely responsible for the negligent or wrongful acts or omissions of their respective employees and will not seek financial contributions from the other for such acts or omissions. Legal representation by the United States is determined by the United States Department of Justice on a case-by-case basis. ATF cannot guarantee the United States will provide legal representation to any State or local law enforcement officer.

Liability for any negligent or willful acts of any agent or officer undertaken outside the terms of this MOU will be the sole responsibility of the respective agent or officer and agency involved.

VII. DURATION OF MOU

This MOU shall remain in effect until it is terminated in writing (to include electronic mail and facsimile). All participating agencies agree that no agency shall withdraw from the Task Force without providing ninety (90) days written notice to other participating agencies. If any participating agency withdraws from the Task Force prior to its termination, the remaining participating agencies shall determine the distributive share of assets for the withdrawing agency, in accordance with Department of Justice guidelines and directives.

The MOU shall be deemed terminated at the time all participating agencies withdraw and ATF elects not to replace such members, or in the event ATF unilaterally terminates the MOU upon 90 days written notice to all the remaining participating agencies.

VIII. MODIFICATIONS

This agreement may be modified at any time by written consent of all participating agencies. Modifications shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

By: R. Mawames Date: 3-15-10

Special Agent in Charge
Washington Field Division
Bureau of Alcohol, Tobacco, Firearms and Explosives

By: D. M. Rohrer Date: 2-25-10

David M. Rohrer, Colonel
Chief of Police
Fairfax County Police Department

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ACTION - 3

Endorsement of the Northern Virginia Transportation Authority's TransAction 2040 Long-Range Transportation Plan

ISSUE:

Board of Supervisors' approval of a resolution (Attachment I) endorsing the Northern Virginia Transportation Authority (NVTA)'s TransAction 2040 Long-Range Transportation Plan (Attachment I).

RECOMMENDATION:

The County Executive recommends that the Board endorse the attached resolution supporting the NVTA's TransAction 2040 Long-Range Transportation Plan.

TIMING:

The Board of Supervisors should act on this item on October 30, 2012, because it is the last meeting before the NVTA's November 8, 2012, target for securing endorsement of the TransAction 2030 Plan from each of its nine local jurisdictions.

BACKGROUND:

In 2002, the Virginia General Assembly established the Northern Virginia Transportation Authority (NVTA). Among other things, the General Assembly charged the NVTA with preparing "a regional transportation plan for Planning District Eight, to include, but not necessarily be limited to, transportation improvements of regional significance, and those improvements necessary or incidental thereto, and shall from time to time revise and amend the plan."

The NVTA revises and amends this plan every five years. For the last two years, NVTA has worked with the local jurisdictions and regional and statewide transportation agencies to update the Northern Virginia 2030 Transportation Plan, which was endorsed by the NVTA in 2007. TransAction 2040 is designed to extend the planning horizon, allowing for consistency with the fiscally Constrained Long-Range Plan (CLRP), which is developed cooperatively by governmental bodies and agencies represented on the National Capital Region Transportation Planning Board (TPB) and identifies all regionally significant transportation projects and programs that are planned and funded in the metropolitan area between 2011 and 2040. TransAction 2040 also

includes new projects, a cost-benefit analysis, and introduces a revised evaluation and prioritization process.

The effort included the following activities:

- Updating the Northern Virginia 2030 Transportation Plan project list to delete projects that were completed between since it was completed;
- Updating the cost estimates for the remaining projects in the 2030 Plan;
- Adding additional projects based on jurisdictional and regional agency input;
- Extending the planning period from 2030 to 2040;
- Modeling the impact of constructing/implementing the projects in the TransAction 2040 Plan on the region's highway network and comparing these impacts to the Washington region's CLRP which is adopted by the TPB; and
- Calculating the funding required to fully implement the TransAction 2040 Plan.

The TransAction 2040 effort also involved several other aspects, including:

- Conducting public outreach at a traditional public meeting;
- Receiving input from a Planning Coordination Advisory Committee (PCAC), which is made up of elected officials from the NVTA member jurisdictions and advises on policy issues related to updates of the NVTA's Long-Range Transportation Plan.
- Receiving input from the NVTA Technical Advisory Committee (TAC), which consists of appointed individuals experienced in the transportation field who reside or are employed in the NVTA member jurisdictions.
- Developing transit level of service maps based on passenger loads, service coverage, travel time, frequency and hours of service;
- Prioritizing projects within each of the eight corridors in the region using objective criteria and a cost/benefit analysis; and
- Comparing the TransAction 2040 Plan network to the CLRP's 2040 network using objective criteria.

Two primary types of projects identified for TransAction 2040 included: 1) projects developed in the TransAction 2030 Plan; and 2) new projects added since the TransAction 2030 Plan effort. The NVTA approved a project list for addressing transportation needs across modes, including transit, highway, bicycle, pedestrian, intelligent transportation systems (ITS), and travel demand management (TDM). The final project list includes over 100 highway projects adding 785 lane-miles, more than 50 transit projects, and over 40 projects to improve bicycle/pedestrian conditions, including:

- Urban street grids at major activity centers (e.g., Tysons Corner, Crystal City, etc.) and HOV lanes on the Fairfax County Parkway

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- Metrorail extensions to Gainesville and Potomac Mills
- Expanding Metrorail fleet to all 8-car trains
- Light rail on VA 28 and VA 7
- Priority Bus services on the Capital Beltway, Fairfax County Parkway, Duke Street, and other corridors
- Over 40 projects to improve bicycle/pedestrian conditions, such as bikesharing, grade-separated crossings, and trails

A project scoring approach was developed using a comprehensive set of qualitative and quantitative evaluation measures and a benefit/cost (b/c) analysis. A project prioritization process was then conducted within corridors and by project type (e.g., bicycle/pedestrian, transit, highway). Fifteen evaluation criteria were used to consider potential program and project benefits, including:

- Improved Bicycle and Pedestrian Travel Options
- Multimodal Choices
- Urgency
- Reduce Vehicle Miles of Travel (VMT)
- Safety
- Person Throughput
- Reduce Roadway Congestion
- Reduce Time Spent Traveling
- Land Use Support Transportation Investment

Each project was given a “low,” “medium,” or “high” score depending on how well it met each of the evaluation criteria. Once each project was scored, a b/c methodology was employed, which considered the project score and the project cost.

An open house was held for the public and stakeholders to review the prioritized list of projects and help the NVTa determine project priorities and suggest additional transportation projects. Based on this input and input from the oversight committees, additional projects (eight new projects and two revisions to previously proposed TransAction 2040 projects) were added to the project list. These include:

1. Extending HOT lanes from Tysons Corner to George Washington Parkway (I-495).
2. Converting Bethesda-to-Dunn Loring Metrorail line to light rail (I-495).
3. Converting Branch Avenue-to-Eisenhower Avenue Metrorail line to light rail (Wilson Bridge)
4. Adding bus lanes to the 14th Street Bridge, following the scenario tested as part of FHWA’s 14th Street Bridge EIS (14th Street Bridge).

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5. Adding two additional tracks to the Long Bridge, one for freight/Virginia Railway Express, and the other to connect Arlington and DC streetcar projects (14th Street Bridge).
6. Adding High Occupancy Vehicle (HOV) lanes on Braddock Road from I-495 to Burke Lake Road.
7. Adding priority bus/BRT on Route 123 from Braddock Road to Georgetown Pike Bus lanes to be provided where practical.
8. Adding priority bus/BRT on Route 50 from Rosslyn to Route 15. Bus lanes to be provided where practical, following the scenario tested as part of VDOT's I-66 Multimodal Study.
9. Adding priority bus/BRT on Route 236 from Chain Bridge Road to Beauregard Street. Bus lanes to be provided where practical.
10. Extending light rail (per Item #2 – I-495) from Dunn Loring to Fairfax Hospital (Gallows Road).

These new projects have not been included in the respective jurisdiction's Comprehensive Plans and extensive further consideration and study would be necessary prior to any further action being taken on these or other new projects within a jurisdiction.

The technical evaluation and travel demand modeling for the TransAction 2040 Plan shows a number of findings at the regional and corridor level:

- All corridors have expanded multimodal capacity.
- The increased development and travel pattern changes that occur from 2007 to 2040 result in increased travel demand in the future year. Many corridors experience worsening congestion under the 2040 Baseline/CLRP.
- Regarding transit, TransAction 2040 offers extensive improvements that result in improved level of service.
- TransAction 2040 does not eliminate congestion, but it does expand mobility options and improves travel conditions as compared with the 2040 Baseline scenario.
- In most corridors, proportionally less vehicle miles of travel (VMT) is added than lane miles resulting in lower levels of congestion in the 2040 Build Scenarios, relative to the 2040 Base Scenario. This shows that the Build projects help reduce congestion.
- Despite planned transportation investments of approximately \$58 billion from 2011 through 2040, as outlined in the region's CLRP, Northern Virginia's highway level of service will continue to decline.
- The proposed additional \$27.5 billion investment between 2011 to 2040, as outlined in the TransAction 2040 Plan, will improve highway level of service in most corridors.

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- Despite the transportation investments included in TransAction 2040, the 2040 Build scenarios still have higher levels of congestion than 2007.
- Mode share (percentage of trips) for non-SOV modes, including transit and HOV, increases for work trips in 2040.
- In each of the 2040 scenarios, person miles of travel (PMT) increases more than VMT, indicating that more people are using alternatives, such as bus, rail, and ridesharing, to single occupancy vehicles (SOV).

The next steps for the TransAction 2040 Plan include:

- Endorsement by the local jurisdictions that are members of NVTA;
- Formal adoption by NVTA (currently scheduled for November 2012);
- Pursuit of additional funding to implement the Plan;
- Incorporation of components of the Plan into the CLRP as funding becomes available; and
- Performance of more detailed analysis on the highway and transit segments that will not improve with the implementation of the Plan to determine what additional improvements are needed.

FISCAL IMPACT:

There is no direct fiscal impact on Fairfax County as a result of endorsing the TransAction 2040 Plan, as there are no commitments that bind the Board with the endorsement of this Plan. The plan indicates a need for \$85.7 billion in transportation funding over the next 30 years. Of this amount, it is projected that approximately \$58.2 billion is expected to be available from the continuation of existing transportation funding sources. This leaves a deficit of \$27.5 billion over the 28-year period, or about \$950 million per year.

ENCLOSED DOCUMENTS:

Attachment I: Resolution Supporting the NVTA's TransAction 2040 Long-Range Transportation Plan

Attachment II: NVTA TransAction 2040 Summary Briefing

Attachment III: DRAFT Summary Report; TransAction 2040 Long-Range Transportation Plan (Color copy provided to Board members under separate cover)

Attachment IV: TransAction 2040 Project List and Rankings

Attachment V: TransAction 2040 Newsletter #1 – Available online at:

http://www.thenovaauthority.org/PDFs/Projects/TransAction2040_NVTA_Newsletter_Mar2012.pdf

Attachment VI: TransAction 2040 Newsletter #2 – Available online at:

<http://www.thenovaauthority.org/transaction2040/trans2040publications.html>

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STAFF:

Robert A. Stalzer, Deputy County Executive

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

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

Noelle Dominguez, Coordination and Funding Division, FCDOT

Tom Burke, Transportation Planning Division, FCDOT

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center of Fairfax, Virginia on Tuesday, October 30, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

RESOLUTION SUPPORTING THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY'S TRANSACTION 2040 LONG-RANGE TRANSPORTATION PLAN

WHEREAS, the 2002 Virginia General Assembly passed the Northern Virginia Transportation Authority Act and created the NVTA; and

WHEREAS, the Virginia General Assembly granted the NVTA the power and function of preparing a long-range transportation plan for regional transportation projects in Northern Virginia. In carrying out this responsibility, the Authority shall, on the basis of a regional consensus, whenever possible, set regional transportation policies and priorities for regional transportation projects; and,

WHEREAS, Fairfax County is a member of the NVTA; and

WHEREAS, Fairfax County has assisted the Northern Virginia Transportation Authority (NVTA) in preparing a draft update of the Northern Virginia region long-range transportation Plan (TransAction 2040); and NVTA has asked member jurisdictions to endorse the plan; and

WHEREAS, Fairfax County shares the NVTA's desires that regional transportation policies and priorities be guided by performance-based criteria such as the ability to improve travel times, reduce delays, connect regional activity centers, improve safety, improve air quality, and move the most people in the most cost-effective manner; and,

WHEREAS, the TransAction 2040 Plan adheres to the adopted vision:

“In the 21st century, Northern Virginia will develop and sustain a multimodal transportation system that supports our economy and quality of life. It will be fiscally sustainable, promote areas of concentrated growth, manage both demand and capacity, and employ the best technology, joining rail, roadway, bus, air, water, pedestrian and bicycle facilities into an interconnected network.”

that was previously endorsed by Fairfax County, as part of the Northern Virginia 2030 Transportation Plan on May 15, 2006.

WHEREAS, the TransAction 2040 Plan is a comprehensive study that identifies multimodal transportation solutions that provide safe, efficient, and economical choices for travel and transport of goods, and which also support expansion of the local economy; and,

WHEREAS, the NVTA found through this analysis that the Northern Virginia region is expected to add more than 675,000 new jobs and 327,000 more residents between 2010 and 2040; and,

WHEREAS, the TransAction 2040 Plan documented a deterioration of the roadway system in the six years between 2007 and 2040; and,

WHEREAS, investments at the CLRP level are insufficient to counter this deterioration of the road network; and,

WHEREAS, the additional investment called for in the TransAction 2040 Plan is necessary to improve travel and quality of life in Northern Virginia; and

WHEREAS, Fairfax County agreed that, in general, a long-range transportation plan outlined in the TransAction 2040 Plan will improve mobility; and,

NOW, THEREFORE, BE IT RESOLVED that Fairfax County does hereby endorse the TransAction 2040 Plan, and that this resolution should be forwarded to the NVTA to be appended to the TransAction 2040 Plan;

BE IT FURTHER RESOLVED that Fairfax County does hereby agree that where significant differences exist among jurisdictional resolutions, jurisdictional Comprehensive Plans, and/or the TransAction 2040 Plan, Northern Virginia Transportation Authority should facilitate discussions that assure open and complete deliberation of these issues and their appropriate and timely resolution.

BE IT FURTHER RESOLVED that Fairfax County agrees that the NVTA should continue to review the interdependence between transportation and land use and recommend future measures for improving this linkage.

Adopted this _____ day of _____, 2012, Fairfax, Virginia

Catherine A. Chianese
Clerk to the Board of Supervisors



TransAction 2040

Summary Briefing
September, 2012



Presentation Outline

- **Background/Purpose**
- **Plan Development and Findings**
- **Public Input**
- **Cost**
- **Next Steps**



TransAction 2040 Overview

- Northern Virginia Transportation Authority (NVTA) established in 2002
- Responsible for developing transportation plan for Planning District Eight
- Planning District Eight jurisdictions:
 - Counties of Arlington, Fairfax, Loudoun, and Prince William including major towns within: Dumfries, Herndon, Leesburg, Purcellville, and Vienna
 - Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park
- Current plan (TransAction 2030) adopted June 8, 2006.

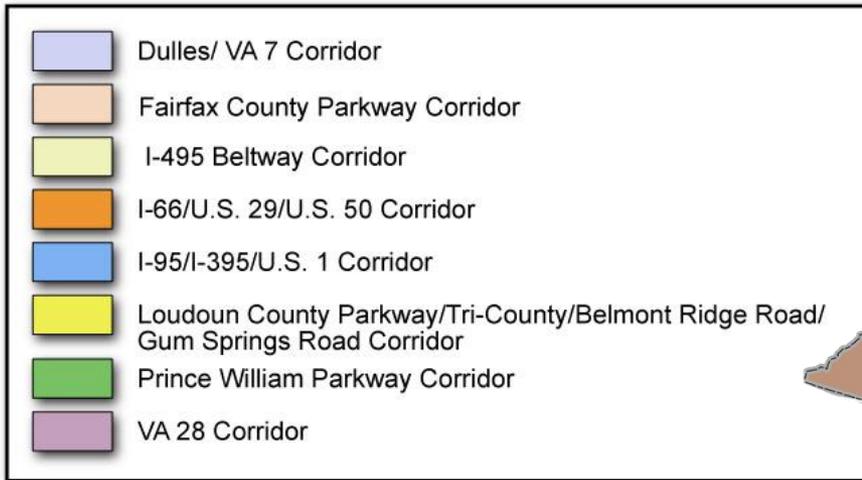


Relationship to TransAction 2030

- Extends planning horizon to 2040
- Improves evaluation and prioritization process
 - Retains many of the same qualitative measures
 - Includes more quantitative evaluation measures
 - Introduces a more transparent approach for prioritization
- Introduces benefit/cost analysis
- Retains corridor-level multimodal focus



Eight Regional Corridors



Other major improvements outside the eight defined corridors are also identified





Plan Development Steps to Date

- Identify Initial Project List
- Establish Evaluation Framework
- Analyze Initial Build Scenario Using TPB Version 2.3 (Release 37) Model
- Assign Project Ratings and Perform Preliminary Project Prioritization
- Prepare Multimodal Corridor Level of Service (LOS) Maps
- Issue Newsletter #1 and Conduct Public Open House
- Determine Revised Project List for “Build 2” Scenario
- Perform Model Analysis of Build 2 Scenario
- Finalize Project Prioritization
- Develop Draft Plan and Issue Newsletter #2



TransAction 2040 Vision

In the 21st century, Northern Virginia will develop and sustain a multimodal transportation system that supports our economy and quality of life. It will be fiscally sustainable, promote areas of concentrated growth, manage both demand and capacity, and employ the best technology, joining rail, roadway, bus, air, water, pedestrian and bicycle facilities into an interconnected network.

**Northern Virginia 2020
Transportation Plan Vision Statement
(1999)**



TransAction 2040 Goals

Goals

Provide an integrated, multimodal transportation system

Provide responsive transportation service to customers

Respect historical and environmental factors

Maximize community connectivity by addressing transportation and land use together

Incorporate the benefits of technology

Identify funding and legislative initiatives needed to implement the Plan

Enhance Northern Virginia relationships among jurisdictions, agencies, the public and the business community

Adopted by NVTA 2005



Travel Driven by Land-Use Changes

- COG Round 8.0 Land Use in 2040
 - Growth in residential and employment opportunities throughout region: between 2010 and 2040, households grow by 327,000 (38%) and jobs grow by 675,000 (51%) (Data source: Round 8.0, Growth Trends to 2040: Cooperative Forecasting in the Washington Region)
 - Proportionally more jobs than residences added in areas outside the core
 - Arlington and Alexandria are forecast to continue to increase jobs more than workers
 - Fairfax County is forecast to change from having more workers than jobs in 2010, to having slightly more jobs than workers in 2040
 - Loudoun and Prince William Counties are forecast to continue to have more workers than jobs



Scenarios Modeled for Year 2040

- 2040 Base Scenario
 - 2040 land-use assumptions
 - All projects in the 2011 Financially Constrained Long Range Plan (CLRP), including Silver Line, I-495 Express Lanes, etc.
- 2040 Build Scenario
 - 2040 land-use assumptions
 - CLRP projects plus initial list of TransAction 2040 projects (TransAction 2030 projects plus others provided by local jurisdictions)
- 2040 Build 2 Scenario
 - 2040 land-use assumptions
 - Build scenario projects plus ten projects approved by the NVTA to address some corridor deficiencies identified in Build Scenario.
 - These additional projects may or may not be included in jurisdictional Comprehensive Plans and extensive further consideration and study would be necessary prior to any further action being taken.



Some Projects in the Build Scenarios

- Over 100 highway projects adding 785 lane-miles, including:
 - Urban street grids at major activity centers (e.g., Tysons Corner, Crystal City, etc.)
 - HOV lanes on the Fairfax County Parkway
 - Construction of Interchange at U.S. Route 1 and Fairfax County Parkway
 - Construction of Interchange at U.S. Route 50 and Waples Mill Road
- Over 40 projects to improve bicycle/pedestrian conditions
 - Bikesharing
 - Grade-separated crossings
 - Trails



Add'l Projects in the Build Scenarios

- More than 50 transit projects in Build Scenario
 - Metrorail extensions to Gainesville and Potomac Mills
 - Metrorail connections across the Wilson and Legion Bridges
 - Expand Metrorail fleet to all 8-car trains
 - Light rail (LRT) on VA 28 and VA 7
 - VRE extensions to Haymarket and Fauquier County
 - Priority Bus services on the Capital Beltway, Fairfax County Parkway, Duke Street, and other corridors
 - Park-and-Ride lot construction in outer counties
- Additional Build 2 Scenario transit projects
 - LRT across Wilson and Legion Bridges (instead of Metrorail)
 - Additional/upgraded BRT/Priority Bus corridors



System- & Corridor-Level Findings

- The 2040 Build Scenarios includes increased lane miles (i.e., new or widened roads) and improved transit service in all corridors, relative to today and the 2040 Base Scenario
- Comparing 2007 to 2040 Base, more vehicle travel occurs on congested roadways in nearly all of the corridors
- In most corridors, proportionally less VMT is added than lane miles resulting in lower levels of congestion in the 2040 Build Scenarios, relative to the 2040 Base Scenario; this shows that the Build projects help reduce congestion
- Despite major improvements, the 2040 Build scenarios still have higher levels of congestion than 2007



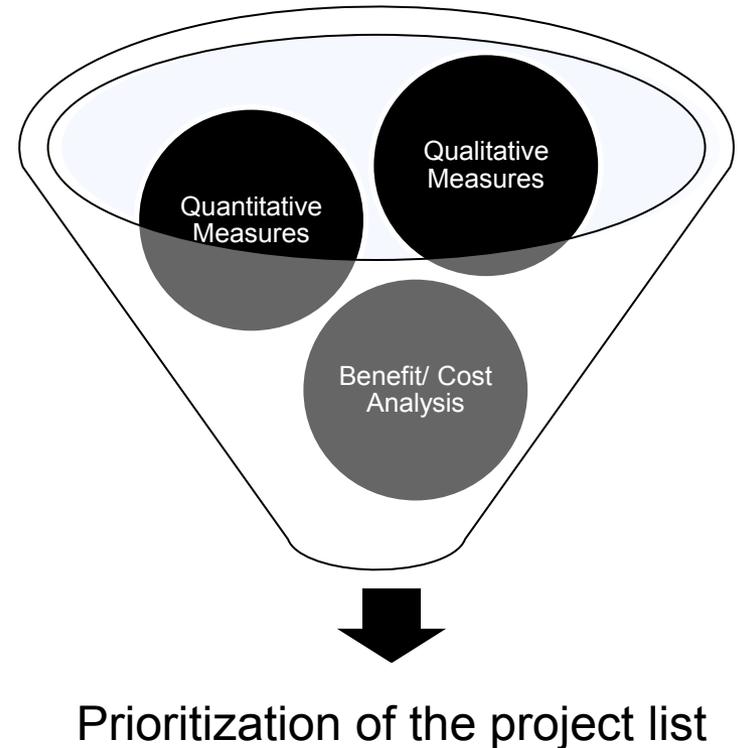
Findings from Build 2 Scenario

- The 2040 Build 2 scenario slightly improves the level of congestion in the peak periods for most of the corridors but is still higher than existing conditions
- The I-495 and the I-66/US 29/US 50 Corridors saw lower congestion levels in the 2040 Build 2 Scenario than the base and 2040 Build Scenarios
 - Several of the 2040 Build 2 Scenario projects are located in the I-495 Corridor
 - Several transit-focused projects were located in the I-66/US 29/US 50 Corridor for the 2040 Build 2 Scenario



Project Prioritization

- Each project assessed using set of evaluation criteria to facilitate the evaluation of potential benefits
- Project scoring involved qualitative and quantitative performance measures
- Prioritization methodology was developed in coordination with project oversight and advisory bodies
- Benefit/cost analysis for each project, shown in tiers (high, medium, low)
- Projects are prioritized within corridors and within project type





Accessibility to Jobs within 60 minutes

- In 2007, the average worker in Northern Virginia could reach 986 jobs via transit and 2,750 jobs via auto within an hour
- With the 2040 land-use distribution, and the increase in road congestion despite the CLRP projects, these numbers decline to 952 jobs via transit and 2,050 via auto
- Under the 2040 Build scenario, the average worker could reach 2,367 jobs and, under the Build 2 scenario, reach 2,372 jobs via auto, demonstrating that the additional projects in the Build scenarios restore much of the loss in accessibility between 2007 and 2040
- For transit users, the Build scenarios would result in an increase in accessibility compared to 2007, with 1,095 jobs for Build and 1,093 jobs for the Build 2 reachable within 60 minutes, narrowing but not closing the gap between highway and transit accessibility to work



Public Input and Cost

- Periodic postings about TransAction 2040 progress on NVTA's website
- Spring Newsletter (#1) re: initial model results
- April 18th public open house at West Falls Church
- Summary Newsletter (#2) re: study conclusions
- To implement these infrastructure improvements, approximately \$30.4 billion in additional funding, over what is already identified in the CLRP, is necessary



Next Steps

- Jurisdictions consider draft TransAction 2040 Plan
- NVTA adopts TransAction 2040 Plan at November 8, 2012 meeting
- TransAction 2040 Plan shared with 2013 General Assembly
- TransAction 2040 Plan considered as input for future updates to jurisdictions' comprehensive plans and the region's next CLRP
- Potential additional Northern Virginia discussions about transportation funding options

TransAction2040

Transportation for Today and Tomorrow

NORTHERN VIRGINIA TRANSPORTATION PLAN



October 2012

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Plan Background

Plan Purpose

The Northern Virginia Transportation Authority (NVTA) is charged with preparing a regional transportation plan for Northern Virginia, including transportation improvements of regional significance. The NVTA revises and amends this plan every five years. The TransAction 2040 Northern Virginia Regional Transportation Plan represents an update of the TransAction 2030 Northern Virginia Regional Transportation Plan, which was endorsed by the NVTA in 2006. TransAction 2040 is designed to extend the planning horizon, allowing for consistency with the National Capital Region Transportation Planning Board (TPB) Financially Constrained Long-Range Plan (CLRP). TransAction 2040 includes new projects and introduces a revised evaluation and prioritization process, along with a benefit-cost (b/c) analysis. Like the plan that preceded it, TransAction 2040 is intended to provide a guide for funding future transportation projects in Northern Virginia.

Vision and Goals

The TransAction vision, adopted by the Transportation Coordinating Council in 1999, is for an improved multimodal transportation system that facilitates achievement of specific regional goals.

In the 21st century, Northern Virginia will develop and sustain a multimodal transportation system that supports our economy and quality of life. It will be fiscally sustainable, promote areas of concentrated growth, manage both demand and capacity, and employ the best technology, joining rail, roadway, bus, air, water, pedestrian, and bicycle facilities into an interconnected network.

These seven goals developed for the TransAction 2040 Plan build on the goals from the TransAction 2030 Plan and are used to guide the assessment and prioritization of projects included in TransAction 2040:

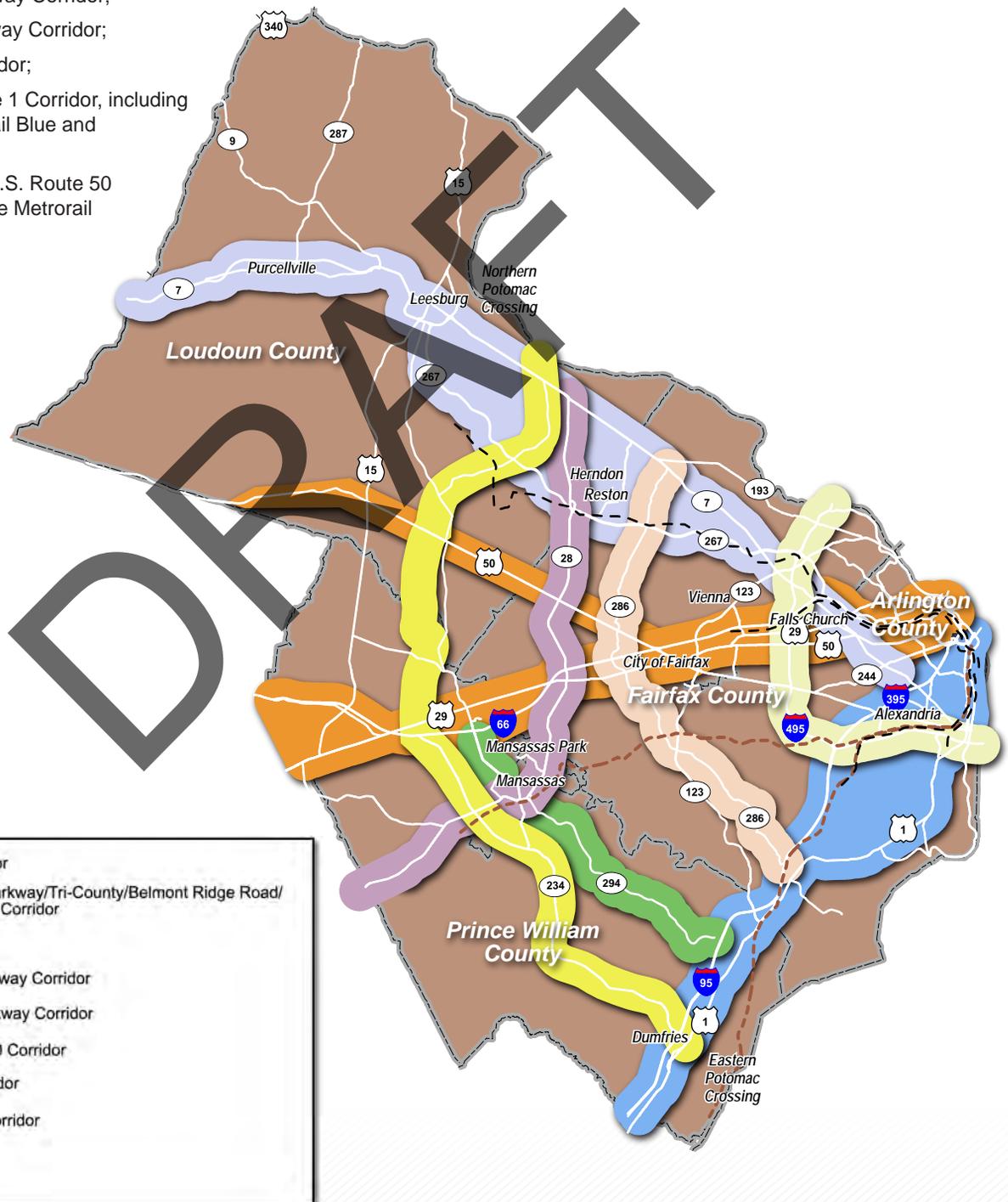
- Provide an integrated, multimodal transportation system;
- Provide responsive transportation service to customers;
- Respect historical and environmental factors;
- Maximize community connectivity by addressing transportation and land use together;
- Incorporate the benefits of technology;
- Identify funding and legislative initiatives needed to implement the Plan; and
- Enhance Northern Virginia relationships among jurisdictions, agencies, the public, and the business community.

TransAction 2040 Plan Area

Communities and Facilities Covered in TransAction 2040

TransAction 2040 covers the counties of Arlington, Fairfax, Loudoun, and Prince William; the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; and the towns of Dumfries, Herndon, Leesburg, Purcellville, and Vienna. The plan includes a category of non corridor-specific improvements as well as roadway, transit, bicycle, and pedestrian projects in the eight corridors specified below:

- Virginia Route 7 and Dulles Toll Road Corridor, including the future Metrorail Silver Line;
- Virginia Route 28 Corridor;
- Loudoun County Parkway/Tri-County Parkway/Belmont Ridge Road/Gum Springs Road Corridor;
- Fairfax County Parkway Corridor;
- Prince William Parkway Corridor;
- Beltway (I-495) Corridor;
- I-95/I-395/U.S. Route 1 Corridor, including the VRE and Metrorail Blue and Yellow Lines; and
- I-66/U.S. Route 29/U.S. Route 50 Corridor, including the Metrorail Orange Line.

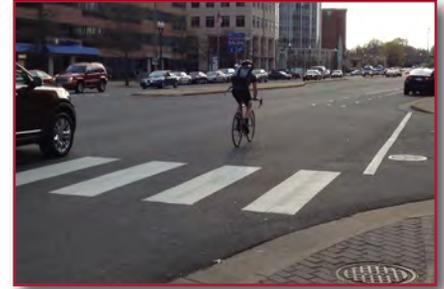


TransAction 2040 Plan Methodology

To identify future transportation improvements that are cost effective and meet the goals for the Northern Virginia and Metropolitan Washington region, a number of project activities were undertaken.

Individual Project List

TransAction 2040 Subcommittee members identified transportation system improvement projects in the plan area and their associated cost estimates. Two primary types of projects identified for TransAction 2040 included: 1) projects developed in the TransAction 2030 Plan; and 2) new projects since the TransAction 2030 Plan effort. The NVTA approved a proposed project list which details transportation needs across modes, including transit, highway, bicycle, pedestrian, intelligent transportation systems (ITS), and travel demand management (TDM). The projects range in size from small, localized improvements to major new highways or LRT lines. The final project list includes over 100 highway projects, which add 785 lane miles and include numerous bicycle/pedestrian improvements; more than 50 transit projects; and over 40 additional projects specifically to improve bicycle/pedestrian travel.



Corridor	Highway	Transit	Bicycle/Pedestrian
Dulles/VA 7 Corridor	18	5	4
Fairfax County Parkway Corridor	7	1	0
I-495 Beltway Corridor	5	4	5
I-66/U.S. 29/U.S. 50 Corridor	22	14	7
I-95/I-395/U.S. 1 Corridor	22	21	9
Loudoun County Parkway/Tri-County/Belmont Ridge Road/Gum Springs Road Corridor	7	1	6
Prince William Parkway Corridor	3	0	0
VA 28 Corridor	15	2	3
Other	9	9	8

Analyze Projects Using the Regional Computer Model

Once the proposed TransAction 2040 projects were identified, the regional computer model for travel forecasting adopted by the National Capital Region TPB was used to forecast travel patterns under three scenarios. Each of the scenarios was tested to see how the different combinations of transportation projects would impact regional mobility.

Scenario 1: Current

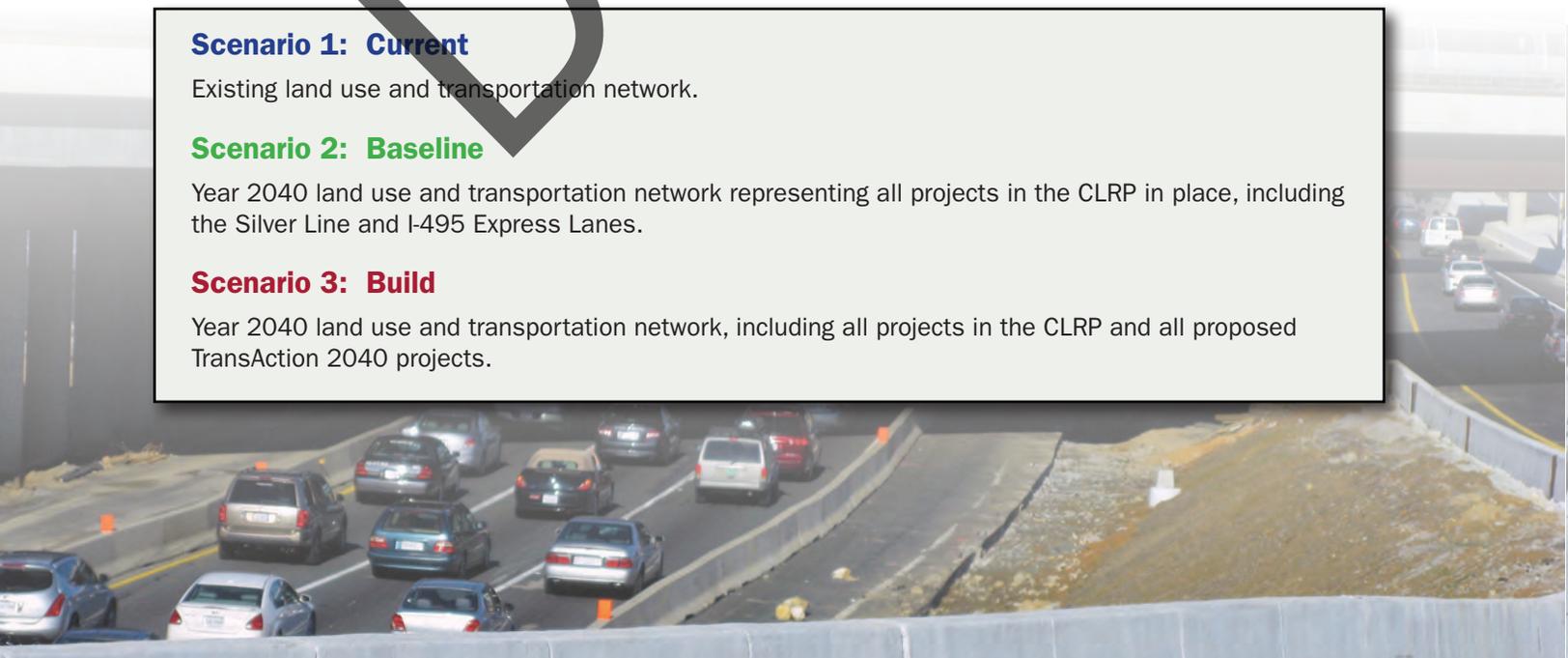
Existing land use and transportation network.

Scenario 2: Baseline

Year 2040 land use and transportation network representing all projects in the CLRP in place, including the Silver Line and I-495 Express Lanes.

Scenario 3: Build

Year 2040 land use and transportation network, including all projects in the CLRP and all proposed TransAction 2040 projects.



Preliminary Project Prioritization

A project scoring approach was developed using a comprehensive set of qualitative and quantitative evaluation measures and a benefit/cost (b/c) analysis. A project prioritization process was then conducted within corridors and by project type (e.g., bicycle/pedestrian, transit, highway).

Fifteen evaluation criteria were used to consider potential program and project benefits: Freight Movement, Improved Bicycle and Pedestrian Travel Options, Multimodal Choices, Urgency, Project Readiness, Reduce Vehicle Miles of Travel (VMT), Safety, Person Throughput, Reduce Roadway Congestion, Reduce Time Spent Traveling, Environmental Sensitivity, Activity Center Connections, Land Use Support Transportation Investment, Management and Operations, and Cost Sharing. Each project was given a “low,” “medium,” or “high” score depending on how well it met each of the evaluation criteria.

Once each project was scored, a b/c methodology was employed, which considered the project score as well as the project cost. To calculate the b/c rating, the total score of each project was divided by a project cost index. The project cost index normalizes project costs (expressed in dollars) into a 100-point scale to allow for a common scale of the benefit and costs, ensuring the process provides comparability between the benefit and cost.

Revise Project List

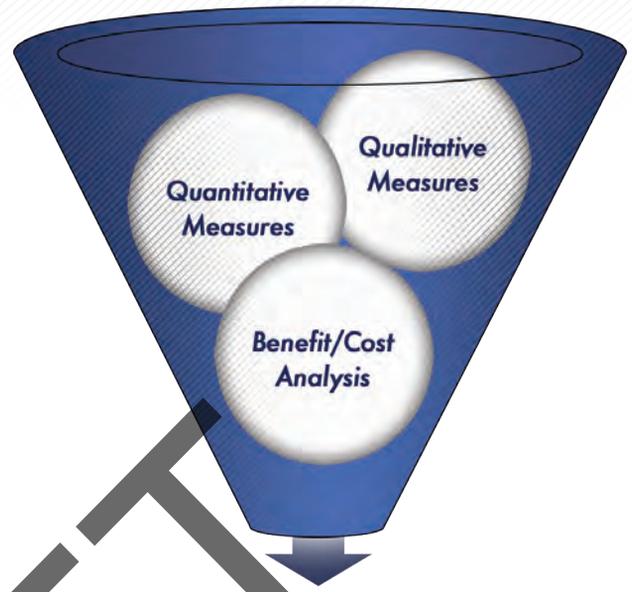
An Open House was held for the public and stakeholders to review the prioritized list of projects and help NVTa determine project priorities and suggest additional transportation projects. Based on this input and input from the oversight committees, eight additional projects (six new projects and two revisions to previously proposed TransAction 2040 projects) were added to the project list.

Analyze New and Revised Projects

Using the regional computer model, the six new projects and two revised projects were tested in Scenario 4, Build 2, to see how they would impact regional mobility.

Finalize Project Prioritization

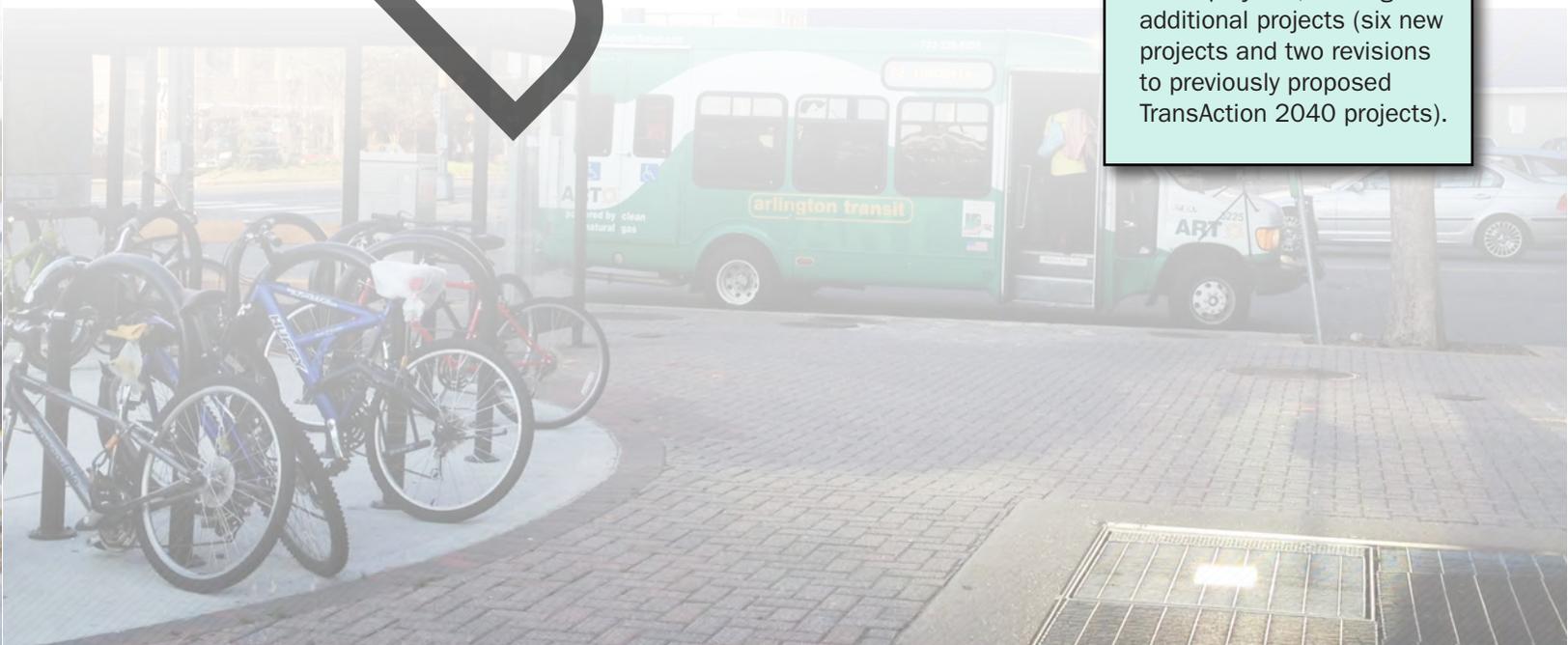
Together, the score and the benefit/cost rating for all of the projects can inform decisions about priorities for investments, recognizing that there remain challenges to funding all desired transportation improvements.



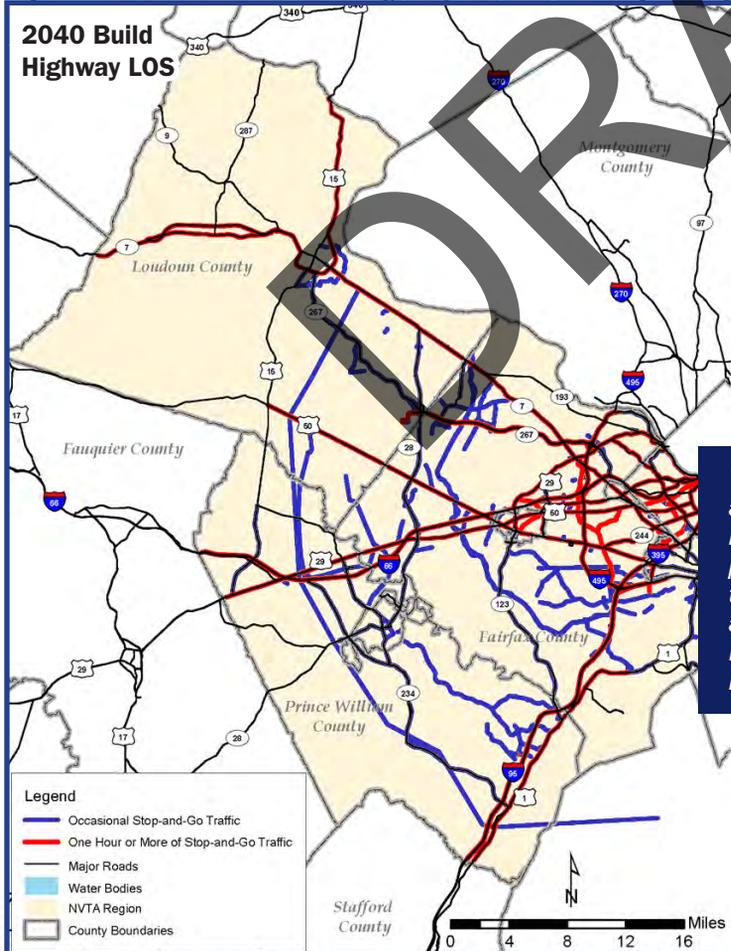
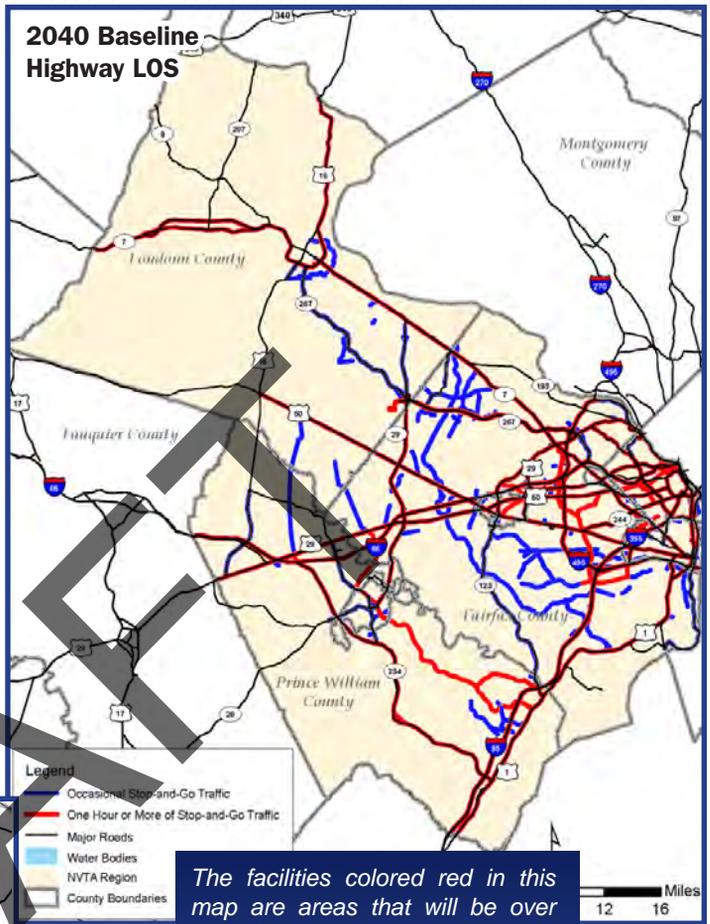
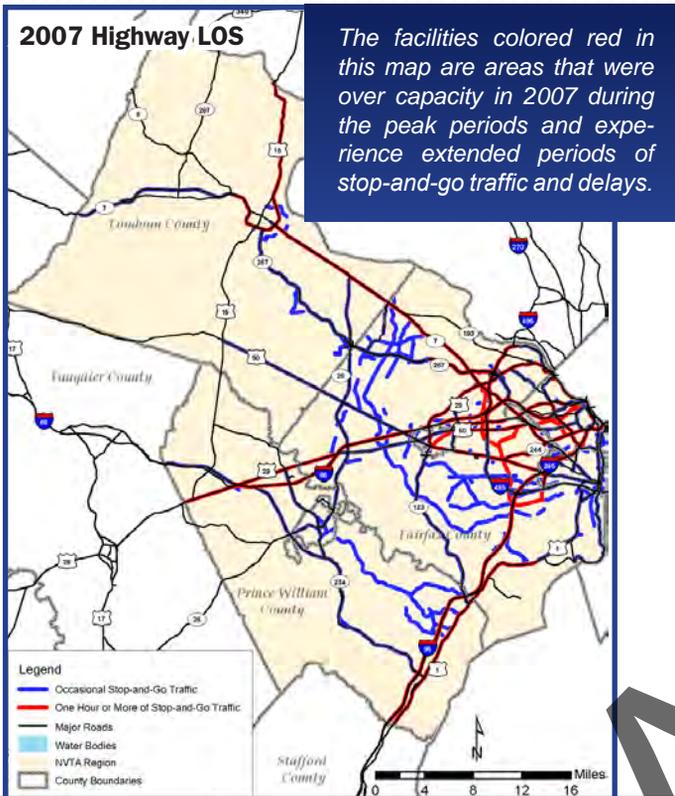
Prioritization of the Project List

Scenario 4: Build 2

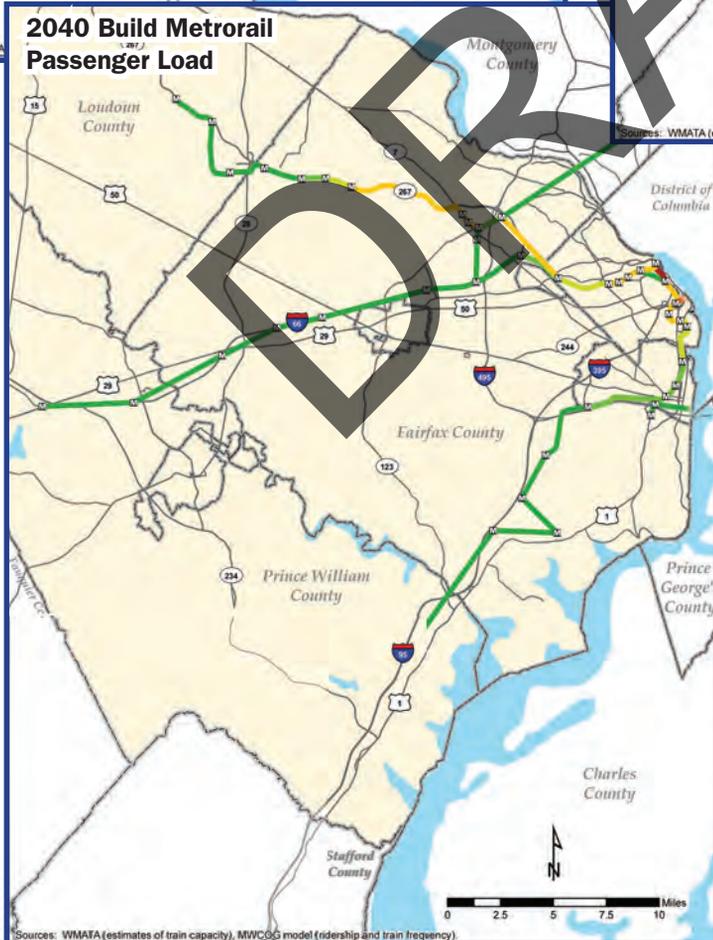
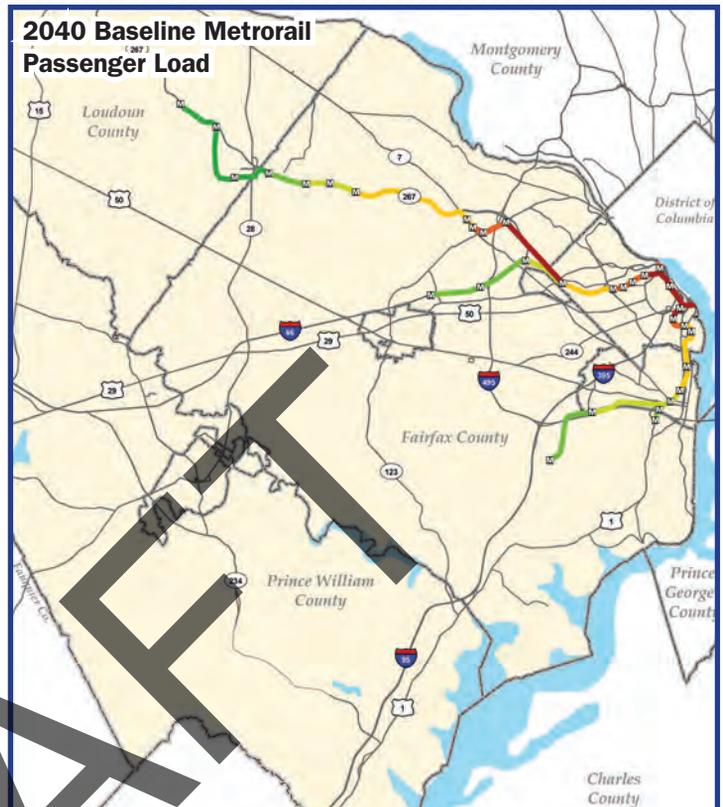
Year 2040 land use and transportation network, including all projects in the CLRP proposed TransAction 2040 projects, and eight additional projects (six new projects and two revisions to previously proposed TransAction 2040 projects).



Highway System Performance



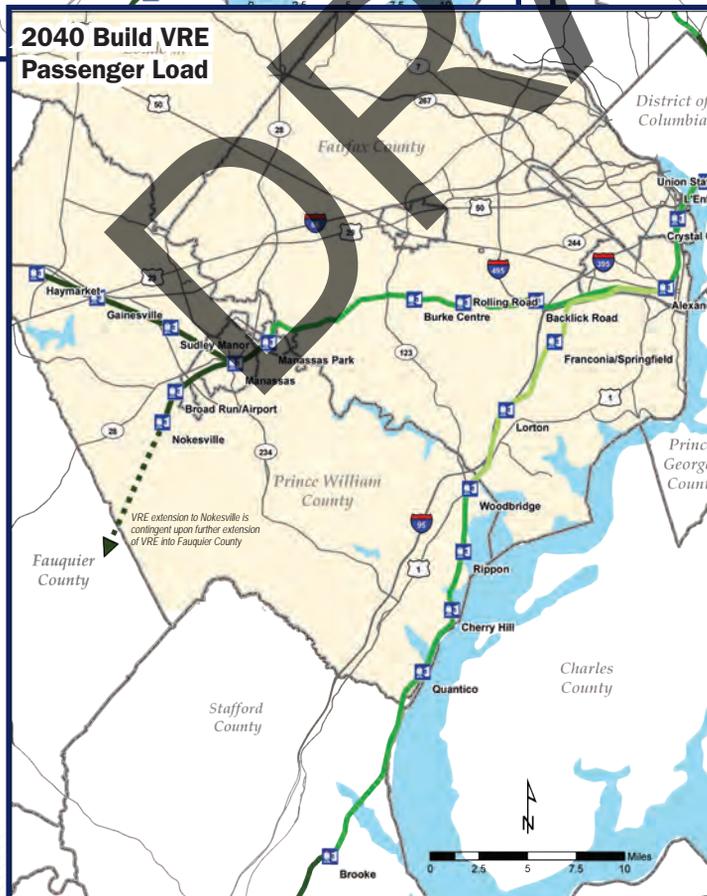
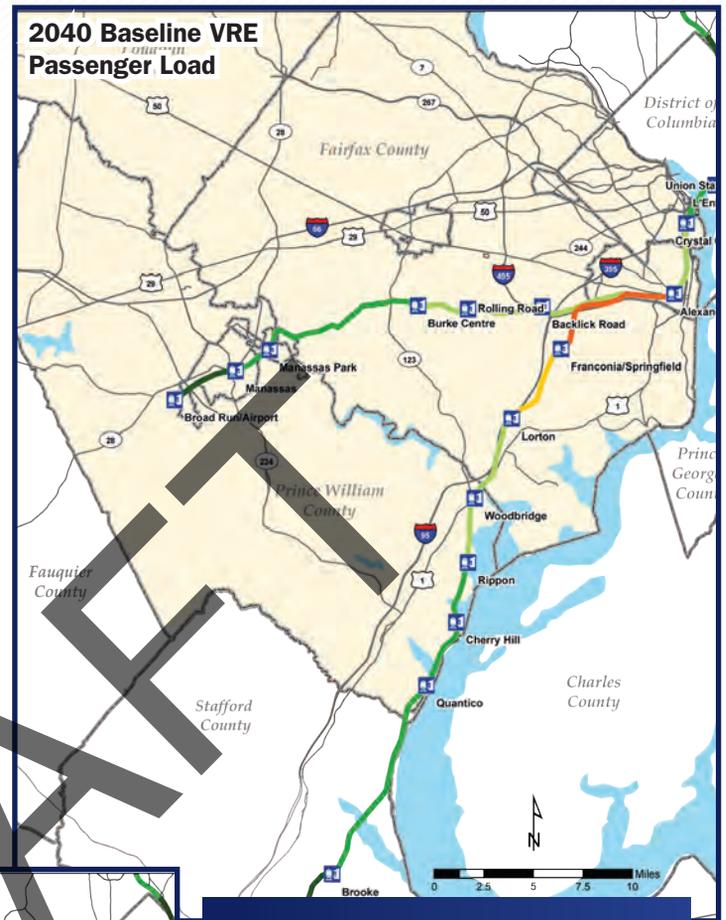
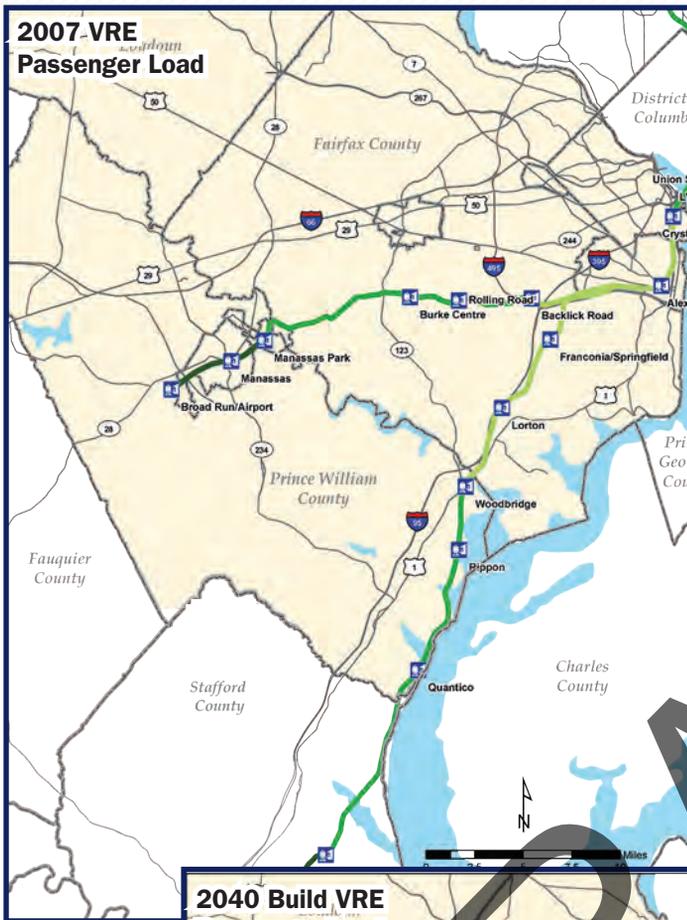
Metrorail System Performance



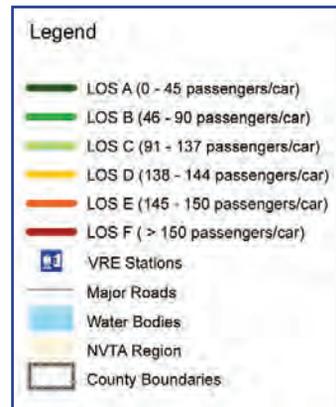
The proposed improvements to the Metrorail system included in the TransAction 2040 project list improve the level of service on the most crowded portions of the system in 2040, including the Tysons Corner area and Arlington.



VRE System Performance



The proposed VRE expansions and improvements included in the TransAction 2040 project list help alleviate congestion on crowded trains in 2040, especially on the Fredericksburg line.



Technical Evaluation Findings

Regional and Corridor Level Observations

The technical evaluation and travel demand modeling show a number of findings at the regional and corridor level:

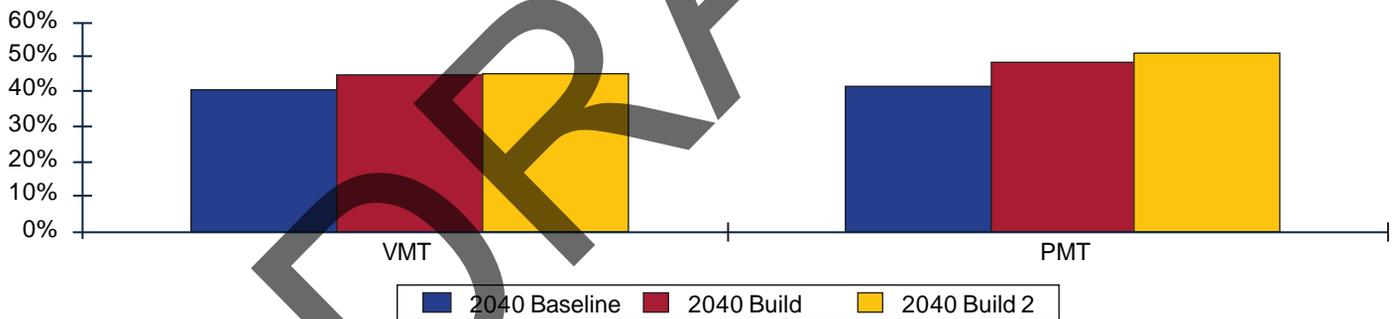
- All corridors have expanded multimodal capacity.
- The increased activity and travel pattern changes that are forecast for 2040 result in increased travel. Many corridors experience worsening congestion under the 2040 Baseline.
- The TransAction 2040 projects do help, although there is still congestion present.
- On the transit side, TransAction 2040 offers extensive improvements that result in improved level of service.
- TransAction 2040 does not eliminate congestion, but it does expand mobility options and improves travel conditions as compared with the 2040 Baseline scenario.
- Comparing 2007 to 2040 Baseline, more vehicle travel occurs on congested roadways in nearly all of the corridors.
- Comparing 2040 Baseline to 2040 Build, more vehicle travel occurs on uncongested roadways in virtually all of the corridors; this shows that the Build projects help reduce congestion.
- Despite major improvements, the 2040 Build scenario still has higher levels of congestion than 2007.

Person Miles of Travel and Vehicle Miles of Travel

Further evaluation included an assessment of person miles of travel (PMT), vehicle miles of travel (VMT), work trip mode share, and job accessibility. Major observations are described and shown in graphs.

- PMT increases in all of the 2040 scenarios compared to 2007 conditions, indicating increased multimodal travel opportunities in both of the Build scenarios.
- In each of the 2040 scenarios, PMT increases more than VMT, clearly indicating that more people are using alternatives, such as bus, rail, and ridesharing, to single occupancy vehicles (SOV).

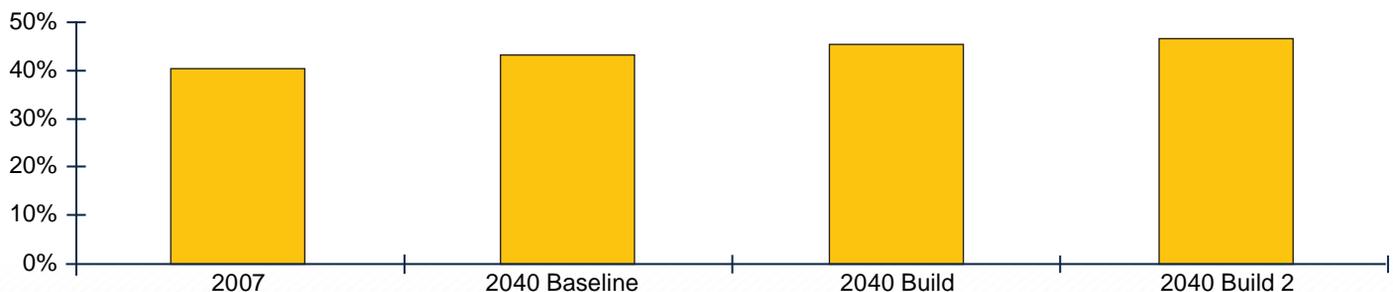
Increase in Travel Compared to 2007



Work Trip Mode Share

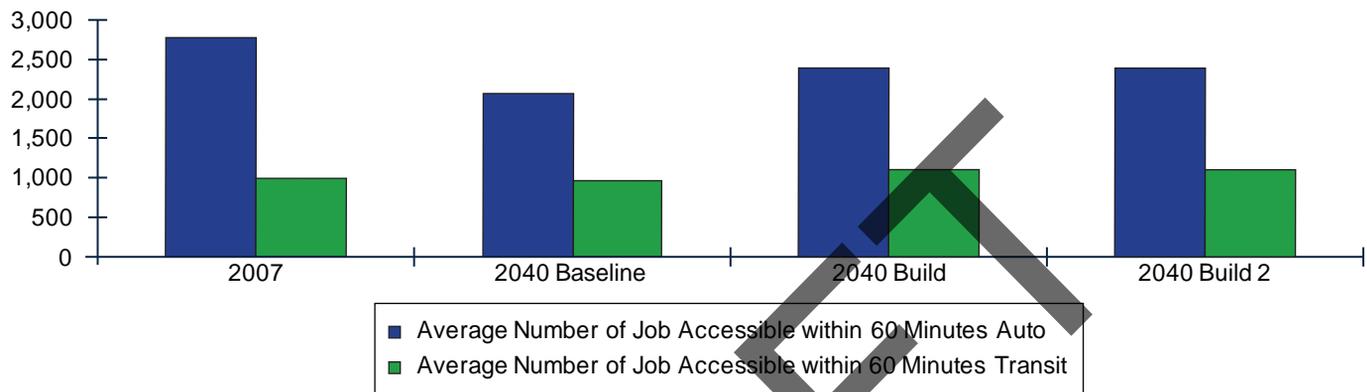
- Mode share (percentage of trips) for non-SOV modes, including transit and HOV, also increases for work trips in 2040.
- Projects in both of the Build scenarios further increase the use of alternative modes, such as bus, rail, and ridesharing.

Percent Non-SOV Work Trips



Job Accessibility

- The figure shows the number of regional jobs (including downtown D.C.) that are accessible to households in the NVRTA jurisdictions.
- Due to increased congestion by 2040, the 2040 Baseline scenario shows a decrease in accessibility, or increase in travel, as compared to 2007 results.
- Projects in both of the Build scenarios decrease congestion and improve accessibility for automobiles compared to the 2040 Baseline scenario.
- Projects in both of the Build scenarios include major transit investment projects, increasing transit accessibility over the 2040 Baseline scenario.



Cost Estimates

TransAction 2040 combined the cost estimates for projects currently in the Northern Virginia portion of the CLRP with estimates for the additional TransAction 2040 improvements. The Northern Virginia CLRP projects and the TransAction 2040 additional recommended improvements represent nearly \$42 billion in transportation infrastructure and service expansion and \$44 billion in highway and transit operations and preservation from 2011 to 2040. All figures are in 2011 dollars.

Project Type	Capital Costs (2011 \$)	Operating Costs (2011 \$)	Total Costs (2011 \$)
Northern Virginia Portion of Region's Constrained Long-Range Plan^(a)			
	(2011-2040)	(2011-2040)	(2011-2040)
Highway	\$7.7 billion	\$21.1 billion	
Transit	\$10.9 billion	\$18.5 billion	
Total	\$18.5 billion	\$39.7 billion	\$58.2 billion
TransAction 2040 Additional Projects^(b)			
Project Types	(2011-2040)	(2040)	(2011-2040)
Highway	\$9.3 billion	\$16 million	
Transit	\$13.2 billion	\$312 million	
Bicycle/Pedestrian	\$640 million	\$1.2 million	
Technology	\$58 million	\$1.0 million	
Total	\$23.2 billion	\$330 million^(c)	\$27.5 billion^(d)
Combined Project List			
	(2011-2040)	(2011-2040)	(2011-2040)
Total	\$41.7 billion	\$44.0 billion	\$85.7 billion

^(a) CLRP "Operating Costs" includes costs identified as for "Preservation." Data Source: Analysis of Resources for the 2010 Financially Constrained Long-Range Transportation Plan for the Washington Region, Cambridge Systematics, November 2010.

^(b) Figures include all projects in the Build 2 Scenario.

^(c) Figure represents the reported annual operating cost for all projects in year 2040. Total operating cost for the period 2011 to 2040 is estimated as \$4.3 billion based on aggregating the annual operating cost for each project multiplied by the number of operating years for the project as derived based on its project readiness ratings.

^(d) Determined by adding the capital cost and derived operating cost for the indicated period.

DRAFT

Acknowledgments

Northern Virginia Transportation Authority Membership

Hon. Martin Nohe, NVTA Chairman, Prince William County
Hon. William D. Euille, NVTA Vice Chairman, City of Alexandria
Hon. R. Scott Silverthorne, City of Fairfax
Hon. Sharon Bulova, Fairfax County
Hon. Harry J. "Hal" Parrish, II, City of Manassas
Hon. Bryan Polk, City of Manassas Park
Hon. David Snyder, City of Falls Church
Hon. Suzanne Volpe, Loudoun County
Hon. Christopher Zimmerman, Arlington County
Hon. Adam Ebbin, Virginia Senate
Hon. Joe T. May, Virginia House of Delegates
Hon. Thomas Davis Rust, Virginia House of Delegates
Kerry Donley, Governor's Appointee
Gary Garczynski, Governor's Appointee, CTB Member
Garrett Moore, VDOT
Thelma Drake, VDRPT
Robert Lazaro, Town of Purcellville
Hon. Mary Margaret Whipple, Virginia Senate *
Hon. Jane Seeman, Town of Leesburg *
Hon. Scott K. York, Loudoun County *
Hon. Robert F. Lederer, City of Fairfax *

* Former Members

Oversight Bodies and Coordination

Four oversight bodies have been involved throughout the TransAction 2040 update process, providing valuable feedback on the technical evaluation, key findings, and public materials. Membership for the TransAction 2040 Subcommittee, Planning Coordination Advisory Committee (PCAC), the Technical Advisory Committee (TAC), and the Jurisdiction and Agency Coordination Committee (JACC) included representatives from:

Arlington County	Prince William County
City of Alexandria	Town of Dumfries
City of Fairfax	Town of Herndon
City of Falls Church	Town of Leesburg
City of Manassas	Town of Purcellville
City of Manassas Park	Town of Vienna
Fairfax County	Virginia Railway Express
Loudoun County	Virginia Department of Transportation
Northern Virginia Transportation Commission	Virginia Department of Rail and Public Transportation
Potomac and Rappahannock Transportation Commission	Washington Metropolitan Area Transit Authority

Table 4.4 Corridor 1 - Dulles/VA 7

Description	Freight Movement	Improved Bicycle/Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Highway</i>											
Widen VA 7 to six lanes from Brook Road/Lewinsville Road to Dulles Toll Road	○	●	○	○	●	○	○	○	○	●	●
Widen Dulles Greenway from six to eight lanes between Leesburg Bypass and VA 28	○	○	○	○	●	○	○	○	○	●	●
Reconstruct Elden Street from Monroe Street to Center Street	○	●	○	○	○	●	●	○	●	○	○
Reconstruct East Elden Street from Fairfax County Parkway to Monroe Street	○	●	○	○	○	●	●	○	●	○	○
Reconstruct South Elden Street from Herndon Parkway to Sterling Road	○	●	○	○	○	●	○	○	●	○	○
Widen VA 7 to eight lanes from West Market Street to VA 9	○	○	○	○	●	○	●	○	○	●	●
Construct Interchange at U.S. 15 and Battlefield Parkway	○	●	○	○	●	○	○	○	●	○	○
Construct Interchange at VA 7 and Battlefield Parkway	○	●	○	○	●	○	○	○	●	○	○
Construct partial grade-separated interchanges at VA 267 and Greensboro Drive and VA 267 and Boone Boulevard	○	○	●	○	●	○	○	○	●	●	●
Construct intersection improvements at King Street/Quaker Lane/Braddock Road	○	●	○	○	●	○	●	○	●	○	○
Widen VA 7 to six lanes from I-495 to the City of Falls Church	○	○	○	○	●	○	○	○	○	●	●
Extend Soapstone Drive across Dulles Toll Road	○	○	○	○	●	○	○	○	●	●	●
Widen VA 7 to six lanes from Berlin Road to West Market Street	○	○	●	○	●	○	○	○	○	●	●
Construct Collector-Distributor Roads along Dulles Toll Road from Hunter Mill Road to Greensboro Drive	○	○	○	○	●	○	○	○	○	●	●
Construct an improved grid network of streets in Tysons Corner	○	●	○	○	●	○	○	○	●	●	●
Construct intersection improvements at Van Buren Street and Herndon Parkway	○	●	○	○	●	○	●	○	●	○	○
Construct multimodal access improvements from Herndon Parkway to the Dulles Metrorail Station	○	●	○	○	○	○	●	○	●	○	○
Widen VA 7 to eight lanes from Battlefield Parkway to Leesburg	○	○	○	○	●	○	○	○	○	●	●

Table 4.4 Corridor 1 - Dulles/VA 7 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Highway</i>											
Widen VA 7 to six lanes from Brook Road/Lewinsville Road to Dulles Toll Road	○	●	○	○	○	○	○	1	19.8	22.9	●
Widen Dulles Greenway from six to eight lanes between Leesburg Bypass and VA 28	○	●	○	○	●	○	○	2	93.0	480.9	○
Reconstruct Elden Street from Monroe Street to Center Street	○	○	●	○	●	○	○	2	3.3	-	●
Reconstruct East Elden Street from Fairfax County Parkway to Monroe Street	○	○	●	○	●	○	○	4	22.4	36.4	●
Reconstruct South Elden Street from Herndon Parkway to Sterling Road	○	○	●	○	●	○	○	5	12.0	76.8	●
Widen VA 7 to eight lanes from West Market Street to VA 9	○	○	○	○	●	○	○	6	39.7	-	○
Construct Interchange at U.S. 15 and Battlefield Parkway	○	○	○	○	●	○	○	6	30.0	19.5	○
Construct Interchange at VA 7 and Battlefield Parkway	○	○	○	○	●	○	○	6	30.0	19.5	○
Construct partial grade-separated interchanges at VA 267 and Greensboro Drive and VA 267 and Boone Boulevard	○	○	○	○	○	○	○	9	83.7	39.3	○
Construct intersection improvements at King Street/Quaker Lane/Braddock Road	○	○	○	○	○	○	○	10	2.5	-	●
Widen VA 7 to six lanes from I-495 to the City of Falls Church	○	○	○	●	○	○	○	11	37.0	107.6	○
Extend Soapstone Drive across Dulles Toll Road	●	○	○	○	○	○	○	12	61.7	7.4	○
Widen VA 7 to six lanes from Berlin Road to West Market Street	○	○	○	○	○	○	○	12	69.0	158.8	○
Construct Collector-Distributor Roads along Dulles Toll Road from Hunter Mill Road to Greensboro Drive	○	○	○	●	○	○	○	12	158.7	371.8	○
Construct an improved grid network of streets in Tysons Corner	○	○	○	○	○	○	○	15	1235.0	970.8	○
Construct intersection improvements at Van Buren Street and Herndon Parkway	○	○	○	○	○	○	○	15	3.0	-	○
Construct multimodal access improvements from Herndon Parkway to the Dulles Metrorail Station	○	○	○	○	○	○	○	17	3.0	-	○
Widen VA 7 to eight lanes from Battlefield Parkway to Leesburg	○	○	○	○	○	○	○	18	58.9	32.8	○

Table 4.4 Corridor 1 - Dulles/VA 7 (continued)

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Transit</i>											
Implement Phase III bus service in Loudoun County, including local, express, intercounty, commuter, and demand-response services	○	○	○	●	●	○	●	●	●	●	●
Construct Light Rail along VA 7 from Tysons Corner to Baileys Crossroads	○	○	●	●	●	○	○	●	●	○	●
Implement Tysons Corner Circulator System	○	○	○	●	●	○	●	●	●	○	●
Construct three new park-and-ride lots in Loudoun County (VA 606, VA 659, and Russell Branch Parkway)	○	○	○	●	●	○	●	●	●	○	●
Construct three new park-and-ride lots in Loudoun County (Round Hill, Hillsboro, and Lucketts)	○	○	○	●	●	○	○	●	●	○	●
<i>Trail</i>											
Construct W&OD Trail Crossing at Crestview Drive	○	●	●	○	●	○	●	●	●	●	○
Construct trail along VA 7 from Leesburg to Alexandria	○	●	●	○	●	○	○	●	●	●	○
Construct Van Buren Street Trail to Dulles Metrorail Station (extension from Folly Lick Trail)	○	●	●	○	●	○	●	●	●	●	○
Construct the Sugarland Run Trail to Metrorail	○	●	●	○	●	○	●	●	●	●	○

Table 4.4 Corridor 1 - Dulles/VA 7 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
Transit											
Implement Phase III bus service in Loudoun County, including local, express, intercounty, commuter, and demand-response services	●	●	●	●	●	○	○	1	11.1	-	●
Construct Light Rail along VA 7 from Tysons Corner to Baileys Crossroads	●	●	●	●	●	○	○	2	536.2	4,159.3	●
Implement Tysons Corner Circulator System	●	●	●	○	●	○	○	3	504.1	15,121.6	●
Construct three new park-and-ride lots in Loudoun County (VA 606, VA 659, and Russell Branch Parkway)	●	●	●	○	●	○	○	4	9.6	42.6	●
Construct three new park-and-ride lots in Loudoun County (Round Hill, Hillsboro, and Lucketts)	●	●	●	○	●	○	○	5	7.2	29.8	●
Trail											
Construct W&OD Trail Crossing at Crestview Drive	○	○	●	●	●	○	○	1	1.2	-	●
Construct trail along VA 7 from Leesburg to Alexandria	○	○	●	●	●	○	○	2	84.7	-	●
Construct Van Buren Street Trail to Dulles Metrorail Station (extension from Folly Lick Trail)	○	○	●	○	●	○	○	3	0.6	-	●
Construct the Sugarland Run Trail to Metrorail	○	○	●	○	●	○	○	4	1.0	-	●

Table 4.5 Corridor 2 – Loudoun County Parkway/Tri-County/Belmont Ridge Road/Gum Springs Road

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
Highway											
Widen Godwin Drive to six lanes between Sudley Road and VA 28	○	●	○	○	●	○	○	○	●	○	●
Construct the Manassas Battlefield Bypass between VA 234 Bypass and Fairfax County	○	●	○	○	●	○	○	○	●	○	●
Widen U.S. 15 to four lanes between Loudoun County Line and VA 234, including a trail on the east side of the roadway	○	●	○	○	●	○	○	○	●	○	●
Construct an interchange at VA 234 Bypass and Liberia Avenue (VA 3000)	○	○	○	○	●	○	○	○	●	○	●
Construct a grade-separated interchange at Prince William Parkway and Liberia Avenue	○	○	○	○	●	○	○	○	●	○	●
Widen Loudoun County Parkway to eight lanes between Arcola Boulevard and U.S. 50	○	○	○	○	●	○	○	○	○	○	●
Reconstruct the interchange at VA 28 and Prince William Parkway	○	○	○	○	●	○	○	○	○	○	●
Transit											
Construction of Leesburg North Park-and-Ride Lot with 300 spaces	○	○	○	●	●	○	●	●	●	○	●
Trail											
Construct a trail along Claiborne Parkway from Loudoun County Parkway to Ryan Road	○	●	●	○	●	○	●	●	●	●	○
Construct a trail along VA 772 from Belmont Ridge Road to Ryan Road	○	●	●	○	●	○	●	●	●	●	○
Construct a trail along Godwin Drive from Nokesville Road to Sudley Road	○	●	●	○	●	○	●	●	●	●	○
Construct a trail along VA 659 (Belmont Ridge Road) from VA 7 to Ryan Road	○	●	●	○	●	○	○	●	●	●	○
Construct a trail along Prince William Parkway from Nokesville Road to Dumfries Road	○	●	●	○	●	○	○	●	●	●	○
Construct a trail along the Tri-County Parkway from Braddock Road to Sudley Road	○	●	●	○	●	○	○	●	●	●	○

Table 4.5 Corridor 2 – Loudoun County Parkway/Tri-County/Belmont Ridge Road/Gum Springs Road (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
Highway											
Widen Godwin Drive to six lanes between Sudley Road and VA 28	●	○	●	○	●	○	○	1	20.3	27.7	●
Construct the Manassas Battlefield Bypass between VA 234 Bypass and Fairfax County	●	○	○	○	●	○	○	2	85.6	199.2	○
Widen U.S. 15 to four lanes between Loudoun County Line and VA 234, including a trail on the east side of the roadway	○	○	○	○	●	○	○	3	86.5	175.0	○
Construct an interchange at VA 234 Bypass and Liberia Avenue (VA 3000)	●	○	○	○	○	○	○	3	66.9	19.8	○
Construct a grade separated interchange at Prince William Parkway and Liberia Avenue	○	○	○	○	●	○	○	5	51.0	19.5	○
Widen Loudoun County Parkway to eight lanes between Arcola Boulevard and U.S. 50	○	○	○	○	●	○	○	6	10.2	32.9	○
Reconstruct the interchange at VA 28 and Prince William Parkway	○	○	○	○	●	○	○	7	14.9	-	○
Transit											
Construction of Leesburg North Park-and-Ride Lot with 300 spaces	○	○	○	○	●	○	○	1	3.8	17.0	●
Trail											
Construct a trail along Claiborne Parkway from Loudoun County Parkway to Ryan Road	○	○	○	○	●	○	○	1	0.3	-	●
Construct a trail along VA 772 from Belmont Ridge Road to Ryan Road	○	○	○	○	●	○	○	1	0.5	-	●
Construct a trail along Godwin Drive from Nokesville Road to Sudley Road	○	○	○	○	●	○	○	1	0.6	-	●
Construct a trail along VA 659 (Belmont Ridge Road) from VA 7 to Ryan Road	○	○	○	○	●	○	○	4	4.4	-	○
Construct a trail along Prince William Parkway from Nokesville Road to Dumfries Road	○	○	○	○	●	○	○	4	0.9	-	○
Construct a trail along the Tri-County Parkway from Braddock Road to Sudley Road	○	○	○	○	●	○	○	4	1.3	-	○

Table 4.6 Corridor 3 - VA 28

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Highway</i>											
Widen Balls Ford Road to four lanes from Wellington Road to Prince William Parkway, including a sidewalk and interchange with VA 234	○	○	○	○	●	○	○	○	○	○	○
Widen Sudley Road to six lanes from I-66 to Balls Ford Road, including a sidewalk	○	●	○	○	●	○	○	○	○	○	○
Widen Devlin Road to four lanes between Linton Hall Road and Wellington Road, including sidewalk and trail	○	○	○	○	○	○	○	○	○	○	●
Grade separation of Wellington Road railroad crossing	○	○	○	○	○	○	○	○	○	○	○
Widen VA 28 to 10 lanes between I-66 and Loudoun County	○	○	○	○	●	○	○	○	○	●	●
Widen Bristow Road to four lanes between Independent Hill Road to Dumfries Road, including a sidewalk	○	○	○	○	○	○	○	○	○	○	●
Widen Fleetwood Drive to four lanes between Fauquier County and Aden Road, including sidewalk and trail	○	○	○	○	○	○	○	○	○	○	●
Widen Prince William Parkway to six lanes between I-66 Brentsville Road, including a trail on the east side of the roadway	○	○	○	○	○	○	○	○	○	○	○
Widen Vint Hill Road to four lanes between Fauquier County and Nokesville Road, including a sidewalk and trail	○	○	○	○	○	○	○	○	○	○	○
Reconstruct Sterling Road between Herndon Parkway and Rock Hill Road	○	○	○	○	●	○	○	○	○	○	○
Construct an interchange at VA 28 and New Braddock Road	○	○	○	○	○	○	○	○	○	○	○
Widen Frying Pan Road to six lanes between VA 28 and VA 657 (Centreville Road)	○	○	○	○	●	○	○	○	○	○	○
Widen VA 657 (Centreville Road) to six lanes between Frying Pan Road and McLearn Road	○	○	○	○	○	○	○	○	○	○	○
Widen VA 28 to six lanes between Conner Drive and Old Centreville Road	○	○	○	○	●	○	○	○	○	○	○
Widen VA 28 to six lanes between Prince William County and U.S. 29	○	○	○	○	●	○	○	○	○	○	○

Table 4.6 Corridor 3 - VA 28 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Highway</i>											
Widen Balls Ford Road to four lanes from Wellington Road to Prince William Parkway, including a sidewalk and interchange with VA 234	●	○	○	○	●	○	○	1	12.2	26.1	●
Widen Sudley Road to six lanes from I-66 to Balls Ford Road, including a sidewalk	○	●	○	○	●	○	○	1	4.9	7.0	●
Widen Devlin Road to four lanes between Linton Hall Road and Wellington Road, including sidewalk and trail	●	○	○	○	●	○	○	3	32.0	68.5	●
Grade separation of Wellington Road railroad crossing	●	○	●	○	●	○	○	4	47.3	6.9	○
Widen VA 28 to 10 lanes between I-66 and Loudoun County	○	○	○	○	●	○	○	4	61.2	39.3	○
Widen Bristow Road to four lanes between Independent Hill Road to Dumfries Road, including a sidewalk	●	○	○	○	●	○	○	4	7.8	33.0	●
Widen Fleetwood Drive to four lanes between Fauquier County and Aden Road, including sidewalk and trail	●	○	○	○	●	○	○	4	34.2	143.5	○
Widen Prince William Parkway to six lanes between I-66 Brentsville Road, including a trail on the east side of the roadway	○	●	○	○	●	○	○	4	209.4	281.9	○
Widen Vint Hill Road to four lanes between Fauquier County and Nokesville Road, including a sidewalk and trail	●	○	○	○	●	○	○	4	110.9	244.0	○
Reconstruct Sterling Road between Herndon Parkway and Rock Hill Road	●	○	○	○	●	○	○	10	7.0	-	●
Construct an interchange at VA 28 and New Braddock Road	○	○	○	○	●	○	○	11	74.5	19.4	○
Widen Frying Pan Road to six lanes between VA 28 and VA 657 (Centreville Road)	○	○	○	○	●	○	○	12	20.0	35.6	○
Widen VA 657 (Centreville Road) to six lanes between Frying Pan Road and McLearen Road	○	○	○	○	●	○	○	13	9.4	45.9	○
Widen VA 28 to six lanes between Conner Drive and Old Centreville Road	○	○	○	○	●	○	○	14	81.1	94.2	○
Widen VA 28 to six lanes between Prince William County and U.S. 29	○	○	○	○	●	○	○	14	8.5	9.9	○

Table 4.6 Corridor 3 - VA 28 (continued)

Description	Freight Movement	Improved Bicycle/Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Transit</i>											
Extend VRE Service into Fauquier County	●	○	●	●	●	○	○	●	●	●	●
Construct Light Rail on VA 28 from Manassas to Dulles Airport	○	○	●	●	●	○	○	●	●	●	○
<i>Trail</i>											
Construct a trail along Atlantic Boulevard from VA 7 to Church Road	○	●	●	○	●	○	●	●	●	●	○
Construct a trail along VA 28 from Walney Road to Dulles Toll Road	○	●	●	○	●	○	○	●	●	●	○
Construct a trail along Shaw Road from the W&OD trail to Dulles Toll Road	○	●	●	○	●	○	○	●	●	●	○

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Table 4.6 Corridor 3 - VA 28 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Transit</i>											
Extend VRE Service into Fauquier County	●	○	○	○	●	○	○	1	66.1	992.9	○
Construct Light Rail on VA 28 from Manassas to Dulles Airport	●	○	○	○	○	○	○	2	1,459.9	6,524.8	○
<i>Trail</i>											
Construct a trail along Atlantic Boulevard from VA 7 to Church Road	○	○	○	○	●	○	○	1	2.0	-	●
Construct a trail along VA 28 from Walney Road to Dulles Toll Road	○	○	○	○	●	○	○	2	23.8	-	○
Construct a trail along Shaw Road from the W&OD trail to Dulles Toll Road	○	○	○	○	●	○	○	2	2.1	-	○

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Table 4.7 Corridor 4 - Prince William Parkway

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Highway</i>											
Widen Prince William Parkway to six lanes between the I-95 on/off ramps, including a sidewalk and bicycle path	○	○	○	○	●	○	●	○	○	○	●
Widen Dumfries Road to four lanes between Donner Drive to the City of Manassas	○	●	○	○	○	○	○	○	○	○	○
Widen Dumfries Road to six lanes between Brentsville Road and Waterway Drive	○	○	○	○	●	○	○	○	○	○	●

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Table 4.7 Corridor 4 – Prince William Parkway (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Highway</i>											
Widen Prince William Parkway to six lanes between the I-95 on/off ramps, including a sidewalk and bicycle path	●	○	○	○	●	○	○	1	3.2	15.6	●
Widen Dumfries Road to four lanes between Donner Drive to the City of Manassas	●	●	○	○	●	○	○	2	3.0	9.5	●
Widen Dumfries Road to six lanes between Brentsville Road and Waterway Drive	●	○	○	○	●	○	○	3	263.6	376.4	○

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Table 4.8 Corridor 5 - Fairfax County Parkway

Description	Freight Movement	Improved Bicycle/Pedestrian Options	Multimodal Choices 1	Multimodal Choices 2	Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
<i>Highway</i>											
Widen Fairfax County Parkway by adding HOV lanes from Dulles Toll Road to VA 7	○	○	●	○	○	○	○	○	○	○	●
Widen Fairfax County Parkway by adding HOV lanes from Franconia Springfield Parkway to I-66	○	○	●	○	○	○	○	○	○	●	○
Construct interchange at Fairfax County Parkway and Kingman Road	○	○	○	○	○	○	○	○	○	○	●
Construct interchange at Fairfax County Parkway and U.S. 1	○	○	○	○	○	○	○	○	○	○	○
Widen Rolling Road to four lanes from Fullerton Road to DeLong Drive	○	○	○	○	○	○	○	○	○	○	○
Widen Rolling Road to four lanes from Fairfax County Parkway to VA 644	○	○	○	○	○	○	○	○	○	○	○
Widen Fairfax County Parkway to six lanes from VA 123 to Sydenstricker Road	○	○	○	○	○	○	○	○	○	○	○
<i>Transit</i>											
Implement Priority Bus service on Fairfax County Parkway between Herndon/Monroe Metrorail station and Ft. Belvoir	○	○	○	●	○	○	○	●	○	○	○

Table 4.8 Corridor 5 – Fairfax County Parkway (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Highway</i>											
Widen Fairfax County Parkway by adding HOV lanes from Dulles Toll Road to VA 7	○	○	○	●	●	○	○	1	71.7	145.0	○
Widen Fairfax County Parkway by adding HOV lanes from Franconia Springfield Parkway to I-66	○	○	○	●	●	○	○	2	242.2	489.8	○
Construct interchange at Fairfax County Parkway and Kingman Road	○	○	○	○	○	○	○	3	75.6	19.7	○
Construct interchange at Fairfax County Parkway and U.S. 1	○	○	○	○	○	○	○	4	0.1	19.7	●
Widen Rolling Road to four lanes from Fullerton Road to DeLong Drive	○	○	○	○	○	○	○	4	24.8	36.1	○
Widen Rolling Road to four lanes from Fairfax County Parkway to VA 644	○	○	○	○	○	○	○	6	30.9	57.3	○
Widen Fairfax County Parkway to six lanes from VA 123 to Sydenstricker Road	○	○	○	○	○	○	○	6	17.6	225.7	○
<i>Transit</i>											
Implement Priority Bus service on Fairfax County Parkway between Herndon/Monroe Metrorail station and Ft. Belvoir	○	○	●	●	●	○	○	1	2.5	2,621.3	●

Table 4.9 Corridor 6 - I-66/U.S. 29/U.S. 50

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Highway</i>											
Widen U.S. 50 from Jermantown Road to Bevan Drive to include a third westbound lane and replace traffic signals	○	○	○	○	●	●	●	○	●	○	●
Construct intersection and storm drainage improvements at the intersection of U.S. 29, U.S. 50, and VA 123	○	●	○	○	●	●	○	○	●	○	○
Construct intersection improvements at the intersection of U.S. 29, U.S. 50, and VA 236 in the City of Fairfax	○	●	○	○	●	●	○	○	●	○	○
Construct intersection improvements at the intersection of U.S. 50 and Jermantown Road	○	●	○	○	●	○	●	○	○	●	●
Implementation of Active Traffic Management (ATM) strategies along I-66 between U.S. 29 in Centreville and I-495	○	○	○	○	●	○	●	○	●	○	○
Reconstruct U.S. 50 from Rebel Run to Eaton Place	○	●	○	○	●	●	○	○	●	○	○
Construct multimodal improvements at Clarendon Circle	○	●	○	○	●	○	●	○	●	○	○
Reconstruct interchange of I-66 and U.S. 29 in Centreville	○	○	○	○	●	●	○	○	○	○	○
Reconstruct U.S. 29 between N. Quincy Street and N. Kenmore Street	○	●	○	○	●	●	○	○	○	○	○
Replace the existing VA 123 bridge over Accotink Creek	○	●	○	○	●	●	○	○	○	○	○
Widen U.S. 29 to six lanes from I-495 to VA 7	○	○	○	○	●	○	○	○	○	○	○
Construct interchange at U.S. 50 and VA 665 (Waples Mill Road)	○	○	○	○	●	○	○	○	○	○	●
Reconstruct median barrier on U.S. 50 from N. Jackson Street to Fillmore Street	○	○	○	○	●	●	○	○	○	○	○
Widen John Marshall Highway from two to four lanes between Thoroughfare Road and Catharpin Road and from four to six lanes between Catharpin Road and Lee Highway	○	●	○	○	●	○	○	○	○	○	●

Table 4.9 Corridor 6 - I-66/U.S. 29/U.S. 50 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Highway</i>											
Widen U.S. 50 from Jermantown Road to Bevan Drive to include a third westbound lane and replace traffic signals	●	●	●	●	●	●	○	1	4.0	4.2	●
Construct intersection and storm drainage improvements at the intersection of U.S. 29, U.S. 50, and VA 123	●	○	●	●	●	●	○	2	14.9	-	●
Construct intersection improvements at the intersection of U.S. 29, U.S. 50, and VA 236 in the City of Fairfax	●	○	●	○	●	●	○	3	5.0	-	●
Construct intersection improvements at the intersection of U.S. 50 and Jermantown Road	●	●	●	○	●	○	○	4	4.0	4.2	●
Implementation of Active Traffic Management (ATM) strategies along I-66 between U.S. 29 in Centreville and I-495	●	○	●	○	○	●	○	5	31.4	-	●
Reconstruct U.S. 50 from Rebel Run to Eaton Place	○	○	●	○	●	○	○	6	1.3	-	●
Construct multimodal improvements at Clarendon Circle	○	○	●	○	●	○	○	7	2.0	-	●
Reconstruct interchange of I-66 and U.S. 29 in Centreville	●	○	●	○	●	○	○	8	102.9	-	●
Reconstruct U.S. 29 between N. Quincy Street and N. Kenmore Street	○	○	●	○	●	○	○	8	2.3	-	●
Replace the existing VA 123 bridge over Accotink Creek	○	○	●	○	●	○	○	8	5.0	7.2	●
Widen U.S. 29 to six lanes from I-495 to VA 7	●	●	●	○	●	○	○	11	26.8	118.5	●
Construct interchange at U.S. 50 and VA 665 (Waples Mill Road)	●	○	●	○	●	○	○	11	75.6	19.7	●
Reconstruct median barrier on U.S. 50 from N. Jackson Street to Fillmore Street	○	○	●	○	●	○	○	13	2.7	-	●
Widen John Marshall Highway from two to four lanes between Thoroughfare Road and Catharpin Road and from four to six lanes between Catharpin Road and Lee Highway	●	●	●	○	●	○	○	14	54.3	144.2	●

Table 4.9 Corridor 6 - I-66/U.S. 29/U.S. 50 (continued)

Description	Freight Movement	Improved Bicycle/Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Highway</i>											
Widen U.S. 50 to six lanes between Waples Mill Road and U.S. 29	○	○	○	○	●	○	○	○	○	○	○
Reconstruct I-66 interchanges with VA 28, Stringfellow Road, U.S. 50, VA 123, and Nutley Street	○	○	○	○	○	●	○	○	●	○	○
Widen U.S. 29 to six lanes between VA 309 to Kenmore Street	○	○	○	○	○	○	○	○	○	○	●
Construct the Haymarket Bypass	○	○	○	○	○	○	○	○	○	○	○
Widen U.S. 29 to six lanes between Pickwick Road and VA 665 (Shirley Gate Road)	○	○	○	○	●	○	○	○	○	○	○
Construct Alternate U.S. 29 in Prince William County	○	○	○	○	●	○	○	○	○	○	○
Widen U.S. 29 to six lanes between VA 609 (Pleasant Valley Road) and I-66	○	○	○	○	●	○	○	○	○	○	○
Widen U.S. 29 from four to six lanes between Fauquier County and Virginia Oaks Drive in Prince William County	○	○	○	○	●	○	○	○	○	○	○
<i>Transit</i>											
Extend VRE service to Gainesville and Haymarket	●	○	○	○	○	○	○	●	○	●	○
Extend Metrorail Orange Line from Vienna to Centreville	○	○	●	●	●	○	○	●	○	●	○
Implement Express Priority Bus service along I-66 from Gainesville to Washington, D.C.	○	○	○	●	●	○	●	●	○	○	○
Implement Priority Bus service along U.S. 29 between Fair Oaks and Washington, D.C.	○	○	○	●	○	○	●	○	○	○	○
Implement Priority Bus service along U.S. 50 between Chantilly and the City of Fairfax	○	○	○	○	○	○	○	○	○	○	○
Extend Metrorail Orange Line to Gainesville	○	○	●	●	○	○	○	●	○	●	○
Implement Priority Bus service along U.S. 50 between Fair Oaks and Washington, D.C.	○	○	○	●	○	○	○	○	○	○	○
Construct City of Falls Church Intermodal Transit Plaza	○	●	○	○	○	○	●	○	○	○	○

Table 4.9 Corridor 6 - I-66/U.S. 29/U.S. 50 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Highway</i>											
Widen U.S. 50 to six lanes between Waples Mill Road and U.S. 29	○	○	○	○	●	○	○	15	23.6	24.7	○
Reconstruct I-66 interchanges with VA 28, Stringfellow Road, U.S. 50, VA 123, and Nutley Street	○	○	●	○	●	○	○	16	446.8	-	○
Widen U.S. 29 to six lanes between VA 309 to Kenmore Street	○	○	○	○	●	○	○	16	33.2	44.1	○
Construct the Haymarket Bypass	○	○	○	○	●	○	○	16	32.2	105.7	○
Widen U.S. 29 to six lanes between Pickwick Road and VA 665 (Shirley Gate Road)	○	○	○	○	●	○	○	19	16.7	166.2	○
Construct Alternate U.S. 29 in Prince William County	○	○	○	○	○	○	○	20	83.9	417.1	○
Widen U.S. 29 to six lanes between VA 609 (Pleasant Valley Road) and I-66	○	○	○	○	●	○	○	21	6.5	64.2	○
Widen U.S. 29 from four to six lanes between Fauquier County and Virginia Oaks Drive in Prince William County	○	○	○	○	○	○	○	22	28.3	134.3	○
<i>Transit</i>											
Extend VRE service to Gainesville and Haymarket	●	○	●	○	●	○	○	1	160.2	4,032.4	○
Extend Metrorail Orange Line from Vienna to Centreville	●	○	●	●	●	○	○	2	1,126.1	11,342.9	○
Implement Express Priority Bus service along I-66 from Gainesville to Washington, D.C.	○	○	●	●	○	○	○	2	1.0	217.8	●
Implement Priority Bus service along U.S. 29 between Fair Oaks and Washington, D.C.	○	○	●	●	●	○	○	4	7.4	6,849.1	●
Implement Priority Bus service along U.S. 50 between Chantilly and the City of Fairfax	○	○	●	●	○	●	○	5	8.9	2,421.3	●
Extend Metrorail Orange Line to Gainesville	●	○	○	●	●	○	○	6	1,080.0	45,000.0	○
Implement Priority Bus service along U.S. 50 between Fair Oaks and Washington, D.C.	○	○	●	●	○	●	○	7	7.4	7,159.9	●
Construct City of Falls Church Intermodal Transit Plaza	○	○	○	○	●	○	○	8	1.0	-	●

Table 4.9 Corridor 6 - I-66/U.S. 29/U.S. 50 (continued)

Description	Freight Movement	Improved Bicycle/Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Transit</i>											
Implement bus-only shoulder lanes along U.S. 50 during the peak periods**	○	○	●	○	○	○	○	●	●	●	●
Construct multimodal improvements to the East Falls Church Metrorail station, including new bus bays, pedestrian walkways, and a new western mezzanine	○	●	○	●	●	○	○	●	●	●	○
Construct second entrance to Ballston-MU Metrorail Station	○	●	○	●	●	○	●	●	●	●	○
Add approximately 2,900 parking spaces on the VRE Manassas Line	○	○	○	●	●	○	○	●	●	●	○
Improve vertical access to Court House Metrorail Station	○	●	○	●	●	○	○	●	●	●	○
Expand platforms at VRE Manassas Line stations, including Broad Run, Manassas, Manassas Park, Burke Centre, Rolling Road, and Backlick Road	●	○	○	●	●	○	○	●	●	●	○
<i>Trail</i>											
Introduce and expand bikesharing services in the Arlington portion of the corridor	○	●	●	○	●	○	●	●	●	●	○
Reconstruct Rosslyn Circle with “Complete Streets” improvements	○	●	●	○	●	○	●	●	●	●	○
City of Falls Church Pedestrian, Bicycle, and Traffic Calming improvements	○	●	●	○	●	○	●	●	●	●	○
Expand and enhance Arlington’s network of on- and off-street bicycle/pedestrian facilities to facilitate expanded use of bicycles in the corridor	○	●	●	○	●	○	○	●	●	●	○
Construct a trail along I-66 from Sully Road to Paddington Lane	○	●	●	○	●	○	○	●	●	●	○
Complete trail along U.S. 29 between Dixie Hill Road and Vietch Street	○	●	●	○	●	○	○	●	●	●	○
Construct a trail along U.S. 50 from Nutley Street to Arlington Road	○	●	●	○	●	○	○	●	●	●	○

Table 4.9 Corridor 6 - I-66/U.S. 29/U.S. 50 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Transit</i>											
Implement bus-only shoulder lanes along U.S. 50 during the peak periods**	○	●	○	●	○	○	○	9	116.8	781.2	○
Construct multimodal improvements to the East Falls Church Metrorail station, including new bus bays, pedestrian walkways, and a new western mezzanine	○	○	●	○	●	○	○	10	59.6	496.5	○
Construct second entrance to Ballston-MU Metrorail Station	○	○	○	○	●	○	○	10	74.5	496.5	○
Add approximately 2,900 parking spaces on the VRE Manassas Line	○	○	○	○	●	○	○	12	41.3	164.5	○
Improve vertical access to Court House Metrorail Station	○	○	○	○	○	○	○	13	28.3	471.1	○
Expand platforms at VRE Manassas Line stations, including Broad Run, Manassas, Manassas Park, Burke Centre, Rolling Road, and Backlick Road	○	○	●	○	○	○	○	13	42.4	2,000.0	○
<i>Trail</i>											
Introduce and expand bikesharing services in the Arlington portion of the corridor	○	○	●	●	●	○	○	1	3.2	620.0	●
Reconstruct Rosslyn Circle with “Complete Streets” improvements	○	○	○	○	●	○	○	2	5.5	-	○
City of Falls Church Pedestrian, Bicycle, and Traffic Calming improvements	○	○	○	○	●	○	○	3	2.0	-	●
Expand and enhance Arlington’s network of on- and off-street bicycle/pedestrian facilities to facilitate expanded use of bicycles in the corridor	○	○	○	○	●	○	○	4	10.0	-	○
Construct a trail along I-66 from Sully Road to Paddington Lane	○	○	○	○	●	○	○	4	6.0	-	○
Complete trail along U.S. 29 between Dixie Hill Road and Vietch Street	○	○	○	○	●	○	○	4	1.9	-	○
Construct a trail along U.S. 50 from Nutley Street to Arlington Road	○	○	○	○	●	○	○	4	19.9	-	○

Table 4.10 Corridor 7 - I-495 Beltway

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
Highway											
Reconstruct Duke Street from Wheeler Avenue to Jordan Street with a center left-turn lane	○	●	○	○	○	○	○	○	●	○	○
Construct interchange at VA 613 (Van Dorn Street) and VA 644 (Franconia Road)	○	○	○	○	●	○	○	○	○	○	○
South Van Dorn Street Improvements to improve access between the Metrorail station and I-95	○	○	○	○	●	○	●	○	○	○	○
Reconstruct the I-495 auxiliary lane from VA 7 to I-66	○	○	○	○	●	○	○	○	○	○	○
Construct Scotts Crossing Connector between Jones Branch Drive to Scotts Crossing Road with connections to I-495 HOT Lanes and Dulles Toll Road	○	○	○	○	○	○	○	○	○	○	○
Transit											
Implement I-495 corridor-wide Priority Bus service	○	○	○	●	●	○	●	●	○	○	○
Construct a four-mile segment of the high-capacity transitway on Duke Street within Alexandria	○	○	○	○	○	○	○	●	○	○	○
Metrorail extension across the Wilson Bridge between Eisenhower Avenue station and Branch Avenue station, including new Metrorail stations at St. Barnabas Road and Oxon Hill Road	○	○	○	●	●	○	○	●	○	●	○
Construct LRT from Alexandria to Prince George's County**	○	○	○	●	●	○	○	●	○	○	○
Construct LRT from Bethesda to Dunn Loring**	○	○	○	●	●	○	○	●	○	○	○
Construct Metrorail expansion from Dunn Loring station to Bethesda station	○	○	○	●	●	○	○	●	○	○	○
Trail											
Construct a trail along Holland Avenue in Alexandria	○	●	○	○	○	○	●	●	●	○	○
Construct the Backlick Run trail from Backlick Road to Clermont Avenue	○	●	○	○	○	○	○	●	●	○	○
Construct the Beltway Trail from Dolley Madison Boulevard to Live Oak Drive	○	●	○	○	○	○	○	●	●	○	○
Construct the Potomac Heritage Trail from the Beltway Trail to the American Legion Bridge	○	●	○	○	○	○	○	●	●	○	○
Construct a trail along Backlick Road from Less Highway to I-495	○	●	○	○	○	○	○	●	●	○	○

Table 4.10 Corridor 7 - I-495 Beltway (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
Highway											
Reconstruct Duke Street from Wheeler Avenue to Jordan Street with a center left-turn lane	●	○	●	○	●	○	○	1	2.3	-	●
Construct interchange at VA 613 (Van Dorn Street) and VA 644 (Franconia Road)	●	●	●	○	●	○	○	2	89.4	19.4	●
South Van Dorn Street Improvements to improve access between the Metrorail station and I-95	●	○	●	○	●	○	○	3	6.0	3.5	●
Reconstruct the I-495 auxiliary lane from VA 7 to I-66	●	○	●	○	●	○	○	4	5.0	-	●
Construct Scotts Crossing Connector between Jones Branch Drive to Scotts Crossing Road with connections to I-495 HOT Lanes and Dulles Toll Road	●	●	●	○	○	○	○	5	20.2	27.9	○
Transit											
Implement I-495 corridor-wide Priority Bus service	●	●	●	●	●	○	○	1	12.4	5,350.8	●
Construct a four-mile segment of the high-capacity transitway on Duke Street within Alexandria	●	●	○	●	●	○	○	2	29.8	1,588.7	●
Metrorail extension across the Wilson Bridge between Eisenhower Avenue station and Branch Avenue station, including new Metrorail stations at St. Barnabas Road and Oxon Hill Road	●	○	●	●	●	○	●	3	666.0	11,550.0	●
Construct LRT from Alexandria to Prince George's County**	●	●	●	●	●	○	●	3	500.0	5,000.0	●
Construct LRT from Bethesda to Dunn Loring**	●	●	●	●	●	○	○	5	1,100.0	12,158.1	●
Construct Metrorail expansion from Dunn Loring station to Bethesda station	●	○	●	●	●	○	○	6	1,977.9	15,880.4	●
Trail											
Construct a trail along Holland Avenue in Alexandria	○	○	●	●	●	○	○	1	5.0	-	●
Construct the Backlick Run trail from Backlick Road to Clermont Avenue	○	○	●	●	●	○	○	2	15.9	-	○
Construct the Beltway Trail from Dolley Madison Boulevard to Live Oak Drive	○	○	●	●	●	○	○	2	11.9	-	○
Construct the Potomac Heritage Trail from the Beltway Trail to the American Legion Bridge	○	○	●	●	●	○	○	2	235.1	-	○
Construct a trail along Backlick Road from Less Highway to I-495	○	○	●	●	●	○	○	2	9.9	-	●

Table 4.11 Corridor 8 - I-95/I-395/U.S. 1

Description	Freight Movement	Improved Bicycle/Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Highway</i>											
Extend peak-period HOV restrictions from the Pentagon to the Potomac River**	○	○	●	○	●	○	●	●	○	○	●
Construct intersection improvements at Crystal Drive and U.S. 1	○	●	○	○	●	○	●	●	●	○	○
Widen U.S. 1 from four to six lanes from Joplin Road to Russell Road. Project includes a trail on the west side of U.S. 1	○	●	○	○	●	○	○	○	●	○	●
Build an entrance to the I-95 general purpose lanes at Franconia-Springfield Parkway	○	○	○	○	●	○	○	○	●	○	●
Widen U.S. 1 from four to six lanes from VA 642 (Reddy Drive) to Fairfax County Line. Project includes a trail on the west side of U.S. 1	○	●	○	○	●	○	○	○	●	○	●
Construct an interchange at U.S. 1 and Huntington Avenue/Fort Hunt Road	○	○	○	○	●	○	○	○	●	○	●
Widen Gideon Drive from four to six lanes between Dale Boulevard and Smoketown Road. A sidewalk and trail will be constructed with the roadway widening	○	●	○	○	●	○	○	○	●	○	●
Widen Telegraph Road from two to four lanes between Prince William Parkway and Opitz Boulevard. The widening will include a sidewalk and trail	○	●	○	○	●	○	○	○	●	○	●
Widen Dale Boulevard to six lanes from I-95 to U.S. 1	○	●	○	○	●	○	○	○	●	○	●
Widen Neabsco Mills Road from two to four lanes between Dale Boulevard and U.S. 1, including a sidewalk and trail	○	●	○	○	●	○	○	○	●	○	●
Widen Opitz Boulevard to six lanes between Telegraph Road to U.S. 1, including a sidewalk and trail	○	●	○	○	●	○	○	○	●	○	●
Widen River Heritage Boulevard to four lanes between River Ridge Road and Harbor Station Parkway, including a sidewalk and trail	○	●	○	○	●	○	○	○	●	○	●
Widen Cardinal Drive to six lanes between Minnieville Road and U.S. 1	○	●	○	○	○	○	○	○	●	○	●
Reconstruct interchange at I-95 and Fairfax County Parkway	○	○	○	○	●	○	●	○	●	○	○

Table 4.11 Corridor 8 - I-95/I-395/U.S. 1 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Highway</i>											
Extend peak-period HOV restrictions from the Pentagon to the Potomac River**	●	●	●	○	●	○	○	1	-	-	●
Construct intersection improvements at Crystal Drive and U.S. 1	○	○	●	○	●	○	○	2	25.0	-	●
Widen U.S. 1 from four to six lanes from Joplin Road to Russell Road. Project includes a trail on the west side of U.S. 1	●	○	●	○	●	○	●	2	55.2	78.1	●
Build an entrance to the I-95 general purpose lanes at Franconia-Springfield Parkway	●	●	●	○	●	○	○	4	49.2	10.1	●
Widen U.S. 1 from four to six lanes from VA 642 (Reddy Drive) to Fairfax County Line. Project includes a trail on the west side of U.S. 1	●	○	●	○	●	○	●	4	58.7	83.0	●
Construct an interchange at U.S. 1 and Huntington Avenue/Fort Hunt Road	●	●	●	○	●	○	○	6	99.3	19.4	●
Widen Gideon Drive from four to six lanes between Dale Boulevard and Smoketown Road. A sidewalk and trail will be constructed with the roadway widening	●	●	●	○	●	○	○	7	19.9	28.2	●
Widen Telegraph Road from two to four lanes between Prince William Parkway and Opitz Boulevard. The widening will include a sidewalk and trail	●	●	●	○	●	○	○	7	17.6	37.8	●
Widen Dale Boulevard to six lanes from I-95 to U.S. 1	●	●	●	○	●	○	○	9	5.1	18.4	●
Widen Neabsco Mills Road from two to four lanes between Dale Boulevard and U.S. 1, including a sidewalk and trail	●	●	●	○	●	○	○	9	17.1	38.6	●
Widen Opitz Boulevard to six lanes between Telegraph Road to U.S. 1, including a sidewalk and trail	●	●	●	○	●	○	○	9	29.9	42.8	●
Widen River Heritage Boulevard to four lanes between River Ridge Road and Harbor Station Parkway, including a sidewalk and trail	●	●	●	○	●	○	○	9	11.8	38.9	●
Widen Cardinal Drive to six lanes between Minnieville Road and U.S. 1	●	●	●	○	●	○	○	13	68.1	133.8	○
Reconstruct interchange at I-95 and Fairfax County Parkway	●	○	●	○	●	○	○	14	75.6	-	○

Table 4.11 Corridor 8 - I-95/I-395/U.S. 1 (continued)

Description	Freight Movement	Improved Bicycle/Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Highway</i>											
Construct interchange at U.S. and VA 611 (Telegraph Road)	○	○	○	○	●	○	○	○	○	○	○
Widen Summit School Road to six lanes from Minnieville Road to Telegraph Road, including a sidewalk and trail	○	○	○	○	●	○	○	○	○	○	○
Widen Harbor Station Parkway to four lanes between River Heritage Boulevard and Cherry Hill Road	○	○	○	○	○	○	○	○	○	○	○
Realign and reconstruct Clark and Bell Streets through Crystal City	○	○	○	○	○	○	○	○	○	○	○
Construct an improved grid network of streets in Crystal City	○	○	○	○	○	○	○	○	○	○	○
Widen U.S. 1 to eight lanes from VA 235 to I-495	○	○	○	○	○	○	○	○	○	○	○
Widen Gordon Boulevard to six lanes from I-95 to U.S. 1	○	○	○	○	●	○	○	○	○	○	○
Construct Frontier Drive extension from VA 7900 (Franconia-Springfield Parkway) to Loisdale Road	○	○	○	○	○	○	○	○	○	○	○
<i>Transit</i>											
Construct the Crystal City-Potomac Yards Transitway along U.S. 1	○	○	○	○	●	○	●	●	○	○	○
DASH Bus Service Enhancements, including new cross-town services and funding for additional buses to expand service on existing routes	○	○	○	○	○	○	○	○	○	○	○
Implement a new OmniRide express route from Woodbridge to Merrifield using the HOT/HOV lanes on I-95 and I-495	○	○	●	●	●	○	●	●	○	●	○
Implementation of a new OmniRide route from Lake Ridge to Seminary Road (Mark Center) using the HOT/HOV lanes on I-95 and I-395	○	○	○	○	●	○	●	●	○	○	○
Construct a four-mile segment of the dedicated bus lanes between the Van Dorn Metro station and Arlington County. The project also will provide pedestrian facilities on Van Dorn Street over Duke Street	○	○	○	○	○	○	○	●	○	○	○
Implementation of a new OmniRide route from Central Prince William County to Downtown Alexandria using the HOT/HOV lanes on I-95	○	○	○	○	●	○	○	●	○	○	○

Table 4.11 Corridor 8 - I-95/I-395/U.S. 1 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Highway</i>											
Construct interchange at U.S. 1 and VA 611 (Telegraph Road)	○	○	○	○	●	○	○	14	75.6	19.7	○
Widen Summit School Road to six lanes from Minnieville Road to Telegraph Road, including a sidewalk and trail	○	○	○	○	●	○	○	14	23.2	12.2	○
Widen Harbor Station Parkway to four lanes between River Heritage Boulevard and Cherry Hill Road	○	○	○	○	●	○	○	14	30.7	46.6	○
Realign and reconstruct Clark and Bell Streets through Crystal City	○	○	○	○	●	○	○	18	10.0	-	○
Construct an improved grid network of streets in Crystal City	○	○	○	○	●	○	○	18	20.0	10.1	○
Widen U.S. 1 to eight lanes from VA 235 to I-495	○	○	○	○	●	○	○	18	158.6	157.7	○
Widen Gordon Boulevard to six lanes from I-95 to U.S. 1	○	○	○	○	●	○	○	21	10.7	15.3	○
Construct Frontier Drive extension from VA 7900 (Franconia-Springfield Parkway) to Loisdale Road	○	○	○	○	●	○	○	22	16.1	53.4	○
<i>Transit</i>											
Construct the Crystal City-Potomac Yards Transitway along U.S. 1	●	○	○	○	●	○	●	1	32.8	11,418.4	○
DASH Bus Service Enhancements, including new cross-town services and funding for additional buses to expand service on existing routes	○	●	●	●	●	○	○	3	8.4	1,919.3	●
Implement a new OmniRide express route from Woodbridge to Merrifield using the HOT/HOV lanes on I-95 and I-495	○	○	●	●	○	○	○	2	2.0	268.0	●
Implementation of a new OmniRide route from Lake Ridge to Seminary Road (Mark Center) using the HOT/HOV lanes on I-95 and I-395	○	○	●	○	○	○	○	4	1.5	230.5	●
Construct a four-mile segment of the dedicated bus lanes between the Van Dorn Metro station and Arlington County. The project also will provide pedestrian facilities on Van Dorn Street over Duke Street	●	○	○	○	●	○	○	5	32.7	1,588.7	○
Implementation of a new OmniRide route from Central Prince William County to Downtown Alexandria using the HOT/HOV lanes on I-95	○	○	●	○	○	○	○	5	2.0	266.1	●

Table 4.11 Corridor 8 - I-95/I-395/U.S. 1 (continued)

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Transit</i>											
Relocation of Metrorail Yellow Line under 10 th Street SW and NW west of the existing Green Line tunnel. Project also provides a station at East Potomac Park and requires additional rail cars and storage facilities	○	○	●	○	●	○	○	●	●	●	●
Extend the Metrorail Blue Line from Springfield to Potomac Mills	○	○	●	●	●	○	○	●	●	●	○
Widen the Long Bridge to include additional rail capacity for commuter rail and provide a Light Rail connection**	●	○	○	●	●	○	○	●	●	○	●
Implementation of Union Street Trolley service between Old Town and Potomac Yard via the Braddock Metrorail station	○	○	○	○	●	○	●	●	●	●	●
Conversion of the Crystal City - Potomac Yard dedicated busway to a streetcar system.	○	○	●	●	○	○	○	●	●	●	●
Implement Crystal City Circulator bus service	○	●	○	●	●	○	○	●	●	●	●
Implement multimodal improvements at the King Street Metro Station, including improve access to parking lot and bus facilities, construction of new shelters, and a planned transit store	○	●	○	○	●	○	●	●	●	●	○
Construct a multimodal bridge from Van Dorn Metro Station to Pickett Street	○	●	○	○	●	○	●	●	●	○	●
Construction of a new pedestrian tunnel between Alexandria Union Station and the King Street Metrorail station	○	●	○	○	●	○	●	●	●	●	○
Add approximately 1,100 parking spaces on the VRE Fredericksburg Line	○	○	○	●	●	○	○	●	●	●	○
Enhance bus docking capacity and passenger facilities at the Crystal City Metro station	○	●	○	●	●	○	○	●	●	●	○
Construct a second entrance to the Crystal City Metro station (near Crystal Drive and 18 th Street S)	○	●	○	●	●	○	●	●	●	●	○
Expand platforms on the VRE Fredericksburg Line, including Rippon, Woodbridge, and Lorton	●	○	○	●	●	○	○	●	●	●	○

Table 4.11 Corridor 8 - I-95/I-395/U.S. 1 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
Transit											
Relocation of Metrorail Yellow Line under 10 th Street SW and NW west of the existing Green Line tunnel. Project also provides a station at East Potomac Park and requires additional rail cars and storage facilities	●	○	○	●	○	○	○	7	322.5	3,880.0	○
Extend the Metrorail Blue Line from Springfield to Potomac Mills	●	○	○	●	○	○	○	8	1,519.8	14,168.2	○
Widen the Long Bridge to include additional rail capacity for commuter rail and provide a Light Rail connection**	●	○	○	○	○	○	○	9	1,770.0	1,350.0	○
Implementation of Union Street Trolley service between Old Town and Potomac Yard via the Braddock Metrorail station	○	○	●	○	○	○	○	10	3.6	992.9	●
Conversion of the Crystal City - Potomac Yard dedicated busway to a streetcar system	●	○	○	○	○	○	○	11	32.8	2,482.3	○
Implement Crystal City Circulator bus service	●	○	●	○	○	○	○	12	2.5	992.9	●
Implement multimodal improvements at the King Street Metro Station, including improve access to parking lot and bus facilities, construction of new shelters, and a planned transit store	○	○	●	○	○	○	○	12	2.2	-	●
Construct a multimodal bridge from Van Dorn Metro Station to Pickett Street	○	○	○	○	○	○	○	14	22.2	39.4	○
Construction of a new pedestrian tunnel between Alexandria Union Station and the King Street Metrorail station	○	○	●	○	○	○	○	14	7.9	9.9	○
Add approximately 1,100 parking spaces on the VRE Fredericksburg Line	○	○	○	○	●	○	○	16	14.4	62.4	○
Enhance bus docking capacity and passenger facilities at the Crystal City Metro station	○	○	○	○	○	○	○	17	0.5	-	●
Construct a second entrance to the Crystal City Metro station (near Crystal Drive and 18 th Street S)	○	○	○	○	○	○	○	17	35.7	496.5	○
Expand platforms on the VRE Fredericksburg Line, including Rippon, Woodbridge, and Lorton	○	○	●	○	○	○	○	19	20.3	1,687.9	○

Table 4.11 Corridor 8 - I-95/I-395/U.S. 1 (continued)

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
<i>Transit</i>											
Reconstruct the VRE Crystal City Metro station to provide bidirectional access for trains and improved passenger and local transit connections	○	○	○	○	○	○	○	○	○	○	○
Conduct a transit study and alternatives analysis for U.S. 1 from Quantico to Huntington	○	○	○	○	○	○	●	○	○	○	○
<i>Trail</i>											
Introduce and expand bikesharing services in the Arlington portion of the corridor	○	●	○	○	○	○	●	●	●	○	○
Reconstruct Holmes Run Trail from North Ripley Street to I-395	○	●	○	○	○	○	●	●	●	○	○
Construct trail along Metrorail from Cameron Street to Crystal City	○	●	○	○	○	○	●	●	●	○	○
Construct a trail along U.S. 1 from Stafford County to I-95/I-495 in Fairfax County	○	●	○	○	○	○	○	●	●	○	○
Expand and enhance Arlington's network of on- and off-street bicycle/pedestrian facilities to facilitate expanded use of bicycles in the corridor	○	●	○	○	○	○	○	●	●	○	○
Construct a South County East-West Trail from Manassas/Clifton to I-395	○	●	○	○	○	○	○	●	●	○	○
Construct a trail along Telegraph Road from Richmond Highway to Kings Highway	○	●	○	○	○	○	○	●	●	○	○
Construct and enhance a network of pedestrian and bicycle facilities in Crystal City in support of mixed-use redevelopment	○	●	○	○	○	○	○	●	●	○	○
Construct trails along local streets in the Alexandria portion of the corridor	○	●	○	○	○	○	○	●	●	○	○
<i>Other</i>											
Funding for transportation technologies to improve system efficiencies in the Duke Street and Beauregard/Van Dorn Street corridors in the City of Alexandria	○	○	○	○	○	○	○	○	○	○	○

Table 4.11 Corridor 8 – I-95/I-395/U.S. 1 (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
<i>Transit</i>											
Reconstruct the VRE Crystal City Metro station to provide bidirectional access for trains and improved passenger and local transit connections	○	○	●	○	○	○	○	20	59.6	49.6	○
Conduct a transit study and alternatives analysis for U.S. 1 from Quantico to Huntington	○	○	●	○	○	○	○	21	1.0	-	○
<i>Trail</i>											
Introduce and expand bikesharing services in the Arlington portion of the corridor	○	○	●	●	●	○	○	1	1.9	372.0	●
Reconstruct Holmes Run Trail from North Ripley Street to I-395	○	○	○	●	●	○	○	2	5.0	-	●
Construct trail along Metrorail from Cameron Street to Crystal City	○	○	○	○	●	○	○	3	1.0	-	●
Construct a trail along U.S. 1 from Stafford County to I-95/I-495 in Fairfax County	○	○	○	●	●	○	○	4	75.5	-	○
Expand and enhance Arlington’s network of on- and off-street bicycle/pedestrian facilities to facilitate expanded use of bicycles in the corridor	○	○	○	○	●	○	○	5	5.0	-	○
Construct a South County East-West Trail from Manassas/Clifton to I-395	○	○	○	●	○	○	○	5	51.6	-	○
Construct a trail along Telegraph Road from Richmond Highway to Kings Highway	○	○	○	○	●	○	○	5	9.9	-	○
Construct and enhance a network of pedestrian and bicycle facilities in Crystal City in support of mixed-use redevelopment	○	○	○	○	●	○	○	8	2.0	-	○
Construct trails along local streets in the Alexandria portion of the corridor	○	○	○	○	○	○	○	8	4.0	-	○
<i>Other</i>											
Funding for transportation technologies to improve system efficiencies in the Duke Street and Beauregard/Van Dorn Street corridors in the City of Alexandria	○	○	●	○	○	●	○	1	4.5	50.0	○

Table 4.12 Other Major Improvements (Outside Corridor)

Description	Freight Movement	Improved Bicycle/Pedestrian Options	Multimodal Choices		Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
			Choices 1	Choices 2							
Highway											
Widen VA 123 to six lanes Between City of Fairfax and Town of Vienna	○	○	○	○	●	○	○	○	○	●	●
Construct interchange at U.S. 50 and VA 645 (Stringfellow Road)	○	○	○	○	●	○	○	○	●	○	○
Construct interchange at VA 123 and Braddock Road	○	○	○	○	●	○	○	○	●	○	○
Widen VA 123 to six lanes between Braddock Road to City of Fairfax	○	○	○	○	●	○	○	○	○	●	●
Construct a Western Transportation Corridor from I-95 to I-270 in Maryland	○	○	○	○	●	○	○	○	●	●	●
Construct Eastern Potomac River Crossing from I-95 to U.S. 301 in Maryland	○	○	○	○	●	○	○	○	●	●	●
Widen VA 123 to six lanes between VA 7 and Old Courthouse Road	○	○	○	○	●	○	○	○	○	○	○
Add HOV lanes on Braddock Road**	○	○	●	○	●	○	○	○	●	○	○
Construct a new Belmont Bay Drive between Pallasades Street and Gordon Boulevard	○	○	○	○	○	○	○	○	●	○	○
Transit											
Implement Priority Bus service on VA 236 from Alexandria to the City of Fairfax	○	○	●	●	○	○	●	○	○	○	○
Add Priority Bus service along VA 123**	○	○	○	●	○	○	○	●	○	○	○
Add Priority Bus service along VA 236**	○	○	○	○	○	○	○	●	○	○	○
Expand Metrorail fleet to enable operation of 100 percent eight-car trains	○	○	○	●	●	○	○	●	○	○	○
Relocate Metrorail Blue Line in a new tunnel into Georgetown, including nine new stations	○	○	○	○	○	○	○	●	○	●	○
Construct an interline connection between Courthouse Metrorail and Arlington Cemetery Metrorail	○	○	○	●	○	○	○	●	○	●	○
Expand Metrobus fleet to enable increased frequencies and improved service	○	○	○	●	○	○	○	●	○	○	○
Construct a pedestrian connection between Farragut West and Farragut North stations	○	○	○	○	○	○	○	○	●	○	○
Construct a pedestrian connection between Gallery Place and Metro Center stations	○	○	○	○	○	○	○	○	●	○	○

Table 4.12 Other Major Improvements (Outside Corridor) (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
Highway											
Widen VA 123 to six lanes Between City of Fairfax and Town of Vienna	●	○	○	○	●	○	○	1	102.9	86.8	○
Construct interchange at U.S. 50 and VA 645 (Stringfellow Road)	●	○	○	○	●	○	○	2	75.6	19.7	○
Construct interchange at VA 123 and Braddock Road	○	○	○	○	●	○	○	3	74.5	19.4	○
Widen VA 123 to six lanes between Braddock Road to City of Fairfax	○	○	○	○	●	○	○	3	27.1	25.8	○
Construct a Western Transportation Corridor from I-95 to I-270 in Maryland	●	○	○	○	○	○	○	5	2,000.4	5,531.9	○
Construct Eastern Potomac River Crossing from I-95 to U.S. 301 in Maryland	●	○	○	○	○	○	○	6	1,231.0	2,516.7	○
Widen VA 123 to six lanes between VA 7 and Old Courthouse Road	○	○	○	○	●	○	○	7	21.2	13.4	○
Add HOV lanes on Braddock Road**	○	○	○	○	○	○	○	7	51.4	54.6	○
Construct a new Belmont Bay Drive between Pallasades Street and Gordon Boulevard	●	○	○	○	●	○	○	9	11.3	5.2	○
Transit											
Implement Priority Bus service on VA 236 from Alexandria to the City of Fairfax	●	○	●	●	○	●	○	1	5.0	2,811.9	●
Add Priority Bus service along VA 123**	●	●	●	●	○	●	○	2	56.1	4,048.0	○
Add Priority Bus service along VA 236**	●	○	●	●	○	●	○	3	36.9	7,790.0	○
Expand Metrorail fleet to enable operation of 100 percent eight-car trains	●	○	●	○	○	○	○	4	496.0	-	○
Relocate Metrorail Blue Line in a new tunnel into Georgetown, including nine new stations	●	○	○	●	○	○	○	4	1,136.4	13,700.0	○
Construct an interline connection between Courthouse Metrorail and Arlington Cemetery Metrorail	●	○	○	●	○	○	○	6	375.0	5,000.0	○
Expand Metrobus fleet to enable increased frequencies and improved service	○	○	●	●	○	○	○	7	66.4	42,375.2	○
Construct a pedestrian connection between Farragut West and Farragut North stations	○	○	●	○	○	○	○	8	23.6	496.5	○
Construct a pedestrian connection between Gallery Place and Metro Center stations	○	○	●	○	○	○	○	8	32.8	496.5	○

Table 4.12 Other Major Improvements (Outside Corridor) (continued)

Description	Freight Movement	Improved Bicycle/ Pedestrian Options	Multimodal Choices 1	Multimodal Choices 2	Urgency 1	Urgency 2	Project Readiness	Reduce VMT	Safety	Person Throughput 1	Person Throughput 2
Trail											
Introduce and expand bikesharing services in Arlington	○	●	○	○	○	○	●	●	●	○	○
Construct a trail along John Marshall Highway between I-66 and Lee Highway	○	●	○	○	○	○	●	●	●	○	○
Expand and enhance Arlington’s network of on- and off-street bicycle and pedestrian facilities	○	●	○	○	○	○	○	●	●	○	○
Construct a trail along Old Bridge Road from Prince William Parkway to Poplar Lane	○	●	○	○	○	○	○	●	●	○	○
Expand and enhance the Fairfax County trail network	○	●	○	○	○	○	○	●	●	○	○
Construct a trail along Rolling Road between the South County East-West trail and I-95 in Fairfax County	○	●	○	○	○	○	○	●	●	○	○
Construct a trail along Gordon Boulevard between U.S. 1 and Commerce Street	○	●	○	○	○	○	○	●	●	○	○
Construct a trail along Dale Boulevard between Delany Road and U.S. 1	○	●	○	○	○	○	○	●	●	○	○
ITS											
Implement Transportation System Management and communication upgrade throughout Arlington County	○	○	○	○	○	○	●	○	○	○	○
Enhance Traffic System and Technology to a Smart Traffic Signal system in Arlington County	○	○	○	○	○	○	○	○	○	○	○
TDM											
Implement major enhancements to Arlington County Commuter Services, including new commuter stores and next generation IT services	○	○	○	○	○	○	○	●	○	○	○
Improve and expand the commuter assistance and other programs provided by Arlington County Commuter Services	○	○	○	○	○	○	○	●	○	○	○

Table 4.12 Other Major Improvements (Outside Corridor) (continued)

Description	Reduce Roadway Congestion	Reduce Time Spent Traveling	Enviro. Sensitivity	Activity Center Connections	Land Use Supports Transport. Investment	Management and Operations	Cost Sharing	Score-Based Project Ranking	Project Cost (in Millions of 2011 \$)	Annual Operating Cost (in Thousands of 2011 \$)	B/C Rating
Trail											
Introduce and expand bikesharing services in Arlington	○	○	●	●	●	○	○	1	1.3	248.0	●
Construct a trail along John Marshall Highway between I-66 and Lee Highway	○	○	○	○	○	○	○	2	0.5	-	●
Expand and enhance Arlington’s network of on- and off-street bicycle and pedestrian facilities	○	○	○	○	●	○	○	3	5.0	-	○
Construct a trail along Old Bridge Road from Prince William Parkway to Poplar Lane	○	○	○	○	○	○	○	3	0.1	-	●
Expand and enhance the Fairfax County trail network	○	○	○	○	○	○	○	5	1.1	-	○
Construct a trail along Rolling Road between the South County East-West trail and I-95 in Fairfax County	○	○	○	○	○	○	○	5	23.8	-	○
Construct a trail along Gordon Boulevard between U.S. 1 and Commerce Street	○	○	○	○	○	○	○	5	0.4	-	○
Construct a trail along Dale Boulevard between Delany Road and U.S. 1	○	○	○	○	○	○	○	5	1.3	-	○
ITS											
Implement Transportation System Management and communication upgrade throughout Arlington County	○	○	●	○	●	●	○	1	18.7	496.5	●
Enhance Traffic System and Technology to a Smart Traffic Signal system in Arlington County	○	○	●	○	●	●	○	2	35.0	500.0	○
TDM											
Implement major enhancements to Arlington County Commuter Services, including new commuter stores and next generation IT services	○	○	●	○	●	○	○	1	24.4	24,400.0	●
Improve and expand the commuter assistance and other programs provided by Arlington County Commuter Services	○	○	●	○	●	○	○	1	34.0	34,000.0	○

Board Agenda Item
October 30, 2012

ACTION – 4

Approval of State Litter Prevention and Recycling Grant Funding Transfer to Clean Fairfax Council, Incorporated

ISSUE:

Board approval of the transfer of the State Litter Prevention and Recycling Grant Funding to Clean Fairfax Council, Incorporated. The total grant amount for Fairfax County in FY2012 is \$145,292.

RECOMMENDATION:

The County Executive recommends that the Board approve the transfer of \$145,292 to Clean Fairfax Council, Incorporated.

TIMING:

Approval of the transfer is requested to allow Clean Fairfax Council, Incorporated to utilize the grant funding.

BACKGROUND:

Annually, Fairfax County applies for a State grant from the Virginia Department of Environmental Quality from the Litter Prevention and Recycling Fund Program. A grant was awarded from this fund to the County on October 1, 2012 in the amount of \$145,292. Funds were received in the Solid Waste Program's budget, specifically Fund 400-C40140, Collection and Recycling.

For the Board's information, last year's grant amount was \$100,879. The grant varies from year to year, as it is based upon State fees collected of certain items. It is distributed to localities based on a formula that uses population and road miles as its basis. Monies in the grant fund previously scheduled for transfer to the State General Fund were not taken from last year's litter and recycling grant funds, so that money was added back to the revenues for grant allocation. This is the reason for the increase this year. The litter fund grant to Fairfax County includes \$1203 that is directed to the Town of Clifton. This amount is directed to the Town by Clean Fairfax Council.

Clean Fairfax Council, Incorporated will need to comply with the provisions of the grant, including reporting back to the County pursuant to State requirements and the

Board Agenda Item
October 30, 2012

Memorandum of Understanding between the County and Clean Fairfax Council,
Incorporated.

FISCAL IMPACT:

None. The grant is from the State.

ENCLOSED DOCUMENTS:

Attachment 1: Litter and Recycling Fund grant application

STAFF:

Robert A. Stalzer, Deputy County Executive

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



**FY 2013 APPLICATION AND CONTRACT
FOR A VIRGINIA LITTER PREVENTION AND RECYCLING GRANT**

Deadline for application: June 30, 2012
Grant Period: July 1, 2012 through June 30, 2013

Are you applying as a single locality? Yes or No (If yes, fill in ONLY your local government name on the line for The Primary Agency)

Are you applying as a co-op? Yes or No (If yes, fill in your agency as the primary agency and the localities that you are representing in addition to your own on the "Localities of" line)

The Primary Agency County of Fairfax

The Localities of County of Fairfax and Town of Clifton

The Agency is applying for FY 2013 grant funding and agrees to use these grant funds to perform the litter prevention and recycling activities listed below: (Note: for an agency to qualify, a minimum of two items must be selected.)

Yes	No	Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	___ Planning & Organization		___ Adopt-A Programs (List)
<input checked="" type="checkbox"/>	___ Recycling		<u>Local Adopt-a-Spot</u>
<input checked="" type="checkbox"/>	___ Youth Education		
<input checked="" type="checkbox"/>	___ Cleanups	<input checked="" type="checkbox"/>	___ Other (List) <u>Report-A-Litterer</u>
<input checked="" type="checkbox"/>	___ Law Enforcement		<u>Earth Day/Arbor Day</u>
<input checked="" type="checkbox"/>	___ Public Communication		

I certify that the above information is correct and agree to the terms and conditions contained herein and in the Guidelines for this grant program. For Co-op applications, I certify that a written agreement between the Coordinating Agency and each participating locality is on file.

Name of Organization: Fairfax County Division of Solid Waste Collection & Recycling
Name of Authorized Official: Edward L. Long Jr. Edward.Long@fairfaxcounty.gov
(Please print) Email Address

Circle correct title: (County Administrator, City Manager, Town Manager or Coordinating Agency's Executive Director)

Signature: Edward L. Long Jr. (County Executive) Date: 6/2/12
Address: 12000 Government Center Pkwy #552 FIN# 54-0787833
Fairfax, VA 22035 FIPS# _____
Phone: 703-324-2536

As long grant funds are committed by June 30, they can be reported as committed funds (outstanding invoices) on your accounting report as having been spent. Unspent funds will be deducted from the locality's FY 2012 - 2013 grant.

INFORMATION BELOW IS FOR DEPARTMENT OF ENVIRONMENTAL QUALITY USE ONLY

Signature of DEQ Official: _____ Date: _____

DEQ
USE
ONLY

TRANS	AGENCY	FUND FUND DET	FFY	PROGRAM PROG SUB ELE	OBJECT	AMOUNT	COST CODE
325	440	0925	2013	515 09 00	1451		
INVOICE NUMBER			PROJECT CODE	DESCRIPTION			
			90024				
GRANTS				LITTER PREVENTION AND RECYCLING			

Mail to: DEQ, Litter and Recycling Grant, 629 East Main Street, Richmond, VA 23219 by June 30, 2012

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ACTION – 5

Approval of an Amendment to the Code of the County of Fairfax, Chapter 5, Offenses

ISSUE:

Board approval of an amendment to Chapter 5 (Offenses) repealing Section 5-1-7(b) of the *Fairfax County Code*, relating to “Participating in a Riot.” The amendment is necessary to bring the Section into compliance with Virginia law.

RECOMMENDATION:

The County Executive recommends that the Board approve the amendment to Chapter 5, Section 5-1-7(b).

TIMING:

Board of Supervisors authorized the advertisement of the proposed amendment on October 16, 2012. The amendment is needed to conform the County Code with the Board’s authority under state law, and will become effective immediately.

BACKGROUND:

Fairfax County Code Chapter 5, Article 1, prohibits and establishes punishments for Offenses Against Public Peace and Safety. Among the conduct prohibited are riots and unlawful assemblies. Section 5-1-7(b) provides that if any such person carried, at the time of his participation in an unlawful assembly, any firearm or other deadly or dangerous weapon, he shall be guilty of a Class 5 felony.

Virginia Code § 15.2-915 prohibits localities from adopting or enforcing any ordinance, resolution or motion governing the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. A statute that does not refer to firearms, ammunition, or components or combinations thereof shall not be construed to provide express authorization. No state statute currently authorizes the Board to enforce Section 5-1-7(b).

Repealing Section 5-1-7(b) will not have any practical impact. First, Virginia Code § 18.2-406 contains a provision that is essentially identical to Section 5-1-7(b). Under that state code section, any person who carries a firearm or other deadly or dangerous weapon while participating in an unlawful assembly can be charged with a Class 5 felony. Second, according to Police Department records dating back to 1980, the police have not cited anyone for violating Section 5-1-7(b).

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FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Proposed ordinance repealing Section 5-1-7(b)

Attachment 2: Virginia Code § 15.2-915

STAFF:

David M. Rohrer, Deputy County Executive

Lt Colonel James A. Morris, Acting Police Chief

Erin Ward, Assistant County Attorney

**AN ORDINANCE AMENDING
CHAPTER 5 OF THE FAIRFAX COUNTY CODE, RELATING TO OFFENSES**

Draft of October 2, 2012

AN ORDINANCE to amend the Fairfax County Code by repealing
Section 5-1-7(b), relating to carrying firearms or other deadly or
dangerous weapons while participating in an unlawful assembly.

Be it ordained by the Board of Supervisors of Fairfax County:

- 1. That Section 5-1-7(b) of the Fairfax County Code is repealed as follows:**

Section 5-1-7 – Participating in riot.

- ~~(a) Every person convicted of participating in any riot shall be guilty of a Class 1 misdemeanor.~~
- ~~(b) If any such person carried, at the time of his participation in an unlawful assembly, any firearm or other deadly or dangerous weapon, he shall be guilty of a Class 5 felony and punished in accordance with § 18.2-10, Va. Code Ann.~~

- 2. That this ordinance shall take effect upon adoption.**

GIVEN under my hand this _____ day of _____ 2012.

Catherine A. Chianese
Clerk to the Board of Supervisors

§ 15.2-915. Control of firearms; applicability to authorities and local governmental agencies.

A. No locality shall adopt or enforce any ordinance, resolution or motion, as permitted by § [15.2-1425](#), and no agent of such locality shall take any administrative action, governing the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combination thereof, shall not be construed to provide express authorization.

Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. However, no locality shall adopt any workplace rule, other than for the purposes of a community services board or behavioral health authority as defined in § [37.2-100](#), that prevents an employee of that locality from storing at that locality's workplace a lawfully possessed firearm and ammunition in a locked private motor vehicle. Nothing in this section shall prohibit a law-enforcement officer, as defined in § [9.1-101](#), from acting within the scope of his duties.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail, juvenile detention facility, or state-governed entity, department, or agency.

B. Any local ordinance, resolution or motion adopted prior to the effective date of this act governing the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid.

C. In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action challenging (i) an ordinance, resolution, or motion as being in conflict with this section or (ii) an administrative action taken in bad faith as being in conflict with this section.

D. For purposes of this section, "workplace" means "workplace of the locality."

(1987, c. 629, § 15.1-29.15; 1988, c. 392; 1997, cc. [550](#), [587](#); 2002, c. [484](#); 2003, c. [943](#); 2004, cc. [837](#), [923](#); 2009, cc. [735](#), [772](#); 2012, c. [757](#).)

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ACTION – 6

Approval of the Fare Structure for the Express Connector Routes to Tysons (Braddock, Dranesville, Hunter Mill, Lee, Mount Vernon, and Springfield Districts)

ISSUE:

Approval of the fare for the Fairfax Connector express bus (Express Connector) service to Tysons.

RECOMMENDATION:

The County Executive recommends that the Board approve an express fare of \$3.65 for the Tysons Express Connector routes.

TIMING:

Board approval is requested on October 30, 2012, so that staff can begin to implement the Tysons Express Connector promotional materials as expeditiously as possible. The first service will begin in January 2013.

DISCUSSION:

On September 11, 2012, the Board reviewed an information item announcing that the Department of Transportation (FCDOT) will implement the Tysons Express Bus Service Plan in January and March 2013.

The Board directed staff to provide information concerning fares and fare recovery rates. Discussion ensued concerning the fare structure, incentive pricing and promotional materials for the service. Staff indicated that they would return to the Board for final approval of the fare for the Tysons Express Connector Service.

The 495 Express Lanes project creates a unique opportunity for transit service by providing a semi-dedicated lane on which buses can achieve much higher speeds for travel on the Capital Beltway from Springfield to Tysons. Additional access points in Tysons will also provide time savings which is a significant benefit to transit riders. Pricing the bus service at the correct rate is an important factor in generating ridership. The success of this new service is dependent upon the ability to build a solid ridership base from a market of potential riders that currently use single occupancy vehicles (SOV) to commute to work and may have not previously used transit. The recommended fare of \$3.65 per trip was identified through the use of: extensive market research; customer and employer surveys and focus groups; and evaluation and

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alignment of fares within the existing Fairfax Connector and regional express fare structures.

In January 2012, staff initiated a significant market research program that included case studies, Tysons employer, employee and customer surveys, and focus groups. Customer surveys showed a significant shift in willingness to ride transit to Tysons with a round trip fare of \$7.50. The survey used a series of questions that asked respondents to choose between riding alone or using the bus at a certain fare. The survey results show a significant shift in the willingness to use transit at the \$7.50 round trip price point (a \$3.75 single trip fare). The shift is even greater when a 20 percent savings in commute time is assumed along with the fare.

The current Fairfax Connector fare structure includes single trip base fares of \$1.60 and single trip express fares of \$5.35 and \$7.50. The regional bus provider, the Washington Metropolitan Area Transit Authority (WMATA) has a current regional, single trip, express fare of \$3.65. While the Fairfax Connector fare structure does not currently include a \$3.65 fare, the \$3.65 fare was used for a short time from September 2011 through June 2012 on a limited stop route, and has been used on various routes in the past. The \$3.65 fare is an established fare that closely matches the optimum (\$3.75) fare suggested by the research. In addition, the \$3.65 express fare is in line with existing regional fare and transfer policies.

The Tysons Express Connector bus service plan is trying to develop a new market of riders that generally has not used transit previously. To help build ridership in these new markets free ride promotions are recommended.

Beginning in October 2012 and through December 2012, staff is undertaking a significant outreach and market campaign of the Tysons Express Bus Service Plan. Public meetings will be held in November 2012 and December 2012 to solicit additional public comment and refine the routing and schedule for the Burke, Saratoga/Springfield and Lorton routes. Implementation of the Burke route will begin in January 2013, followed by the Saratoga/Springfield and Lorton routes in March 2013.

FISCAL IMPACT:

The estimated cost for the service is \$3,147,913.86 per year. The initial estimated daily ridership for the three Express Connector routes is approximately 435 passenger average daily trips per day for the first year with an eventual projected goal of 800 daily passenger trips. At an estimated average fare of \$3.15 per trip (discounts for senior, disabled and transferring passengers), the routes will generate \$359,413 per year. This will result in a fare box recovery rate of 11.41 percent. The projected goal ridership will generate \$642,600 resulting in a fare box recovery rate of 20.41 percent, which is

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consistent with other Fairfax Connector services. The subsidy for this service will be paid by the County's Commercial and Industrial Property Tax for Transportation.

ENCLOSED DOCUMENTS:

Attachment 1: Fairfax Connector Express Lanes Market Research Survey, Excerpt
(Full copy of the survey distributed under separate cover to Board members and to the Clerk to the Board of Supervisors)

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Transit Service Division, FCDOT
Christy Wegener, Chief, Fairfax Connector Section, FCDOT
Paul Mounier, Transportation Planner III, FCDOT

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Fairfax Connector Express Lanes Market Research Survey

For Fairfax County Department of Transportation
May 2012

Prepared by:



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INTRODUCTION

In March 2012, Fairfax County Department of Transportation (FCDOT) conducted a survey of commuters at companies located in Tysons Corner, Virginia, in preparation for new Fairfax Connector bus service from Burke, Lorton, and Springfield to Tysons Corner. This new bus service will be unique because it will travel on the new 495 Express Lanes, which will guarantee speeds of at least 45 MPH. Because the Capital Beltway (I-495) is known for its congestion, this option could represent tangible time savings for commuters. It also will expand transit options in the underserved areas from Burke, Lorton, and Springfield to Tysons Corner.

As of early 2012, FCDOT had yet to make determinations about factors including the fare for the bus, routing within Tysons, and how to market the service. As part of a larger effort, FCDOT hired Reingold, a strategic communications firm, and Wells +Associates, a transportation planning and engineering firm, to develop marketing plans for the new bus service. Reingold and Wells + Associates planned and implemented the online Fairfax Connector Express Lane Bus Survey to inform decisions about the remaining factors for planning service.

The key objectives of the survey were to:

- Identify compelling marketing messages for commuters.
- Understand the attitudes and preferences of Tysons area commuters concerning commuting options in general and bus service in particular.
- Provide input on how the new bus service should be priced and routed to attract commuters.
- Recruit participants for follow-up focus groups to expand on survey results.

This report summarizes key findings from the survey and insights on how they can inform FCDOT's development of the new bus service and messaging to encourage commuters to use it.

A total of 1,321 people took the online survey. To improve accuracy, Reingold and Wells only counted the responses from employees of companies whose total employment was known and that achieved a response rate of at least 1 percent. As a result, a final sample of 1,030 responses was used for this analysis, representing a total employee population of 8,802 and an overall response rate of 11.7 percent. However, only 58 responses came from commuters who live in the target areas for new service: Burke, Lorton, and Springfield. Therefore the response from the target areas has a low response rate and a large margin of error. The information from the target areas should be treated as directional rather than statistically significant data.

KEY FINDINGS

Tysons commuters drive alone at a higher than average rate: Ninety percent of survey respondents indicated they “typically” drive alone to work. According to the *2010 State of the Commute Survey* (released by the Metropolitan Washington Council of Governments), 64.2 percent of commute trips in the Washington metropolitan area are commuters driving alone. Only 5 percent of respondents said they use public transportation, compared to 14.5 percent of commuters regionally. This means Fairfax County will be dealing with a population that is very unfamiliar with driving or riding the bus or carpool as their commute choice.

Convenience and time-savings reign supreme for commuters in choosing how they get to work: Commuters cited reduced commuting time and stress as the two most important factors in deciding how they get to work. Commuters also indicated that work/life balance and being able to set their own schedules were top influences. Factors such as being able to make stops en route to and from work, being able to get to off-site meetings during the day, improving health, and the day’s weather had extremely an inconclusive response.

Commuters in Burke, Lorton, and Springfield hold opinions that are similar to those of the full sample except they value time savings more and are unwilling to walk as far: Survey data was analyzed for the entire data set as well as for commuters who listed a Burke, Lorton, or Springfield ZIP code for their homes. Responses from commuters from those ZIP codes were similar to those of the entire data set, with a few exceptions. Commuters from Burke, Lorton, and Springfield indicated that reduced commuting time was more important to them than it was for the larger group. They were also not willing to walk distances from a bus stop to the office that are as long as the distances that the larger sample would be willing to walk.

All commuters have high sensitivity to price: Very few riders said they were willing to pay a round-trip fare of \$15 or \$10, even if they were told it would save them time and money. The \$7.50 (round-trip) price point received significantly more interest. When commuters were told their trip would be 20 percent faster and the price would include the Express Lanes toll, the bus received more interest than driving alone. However, in Burke, Lorton, and Springfield, commuters chose the \$7.50 price point over driving alone with both brief and more extensive explanations.

Riding the bus is a reasonable option for the vast majority of commuters: When presented with the option to drive alone or pay nothing to ride a bus, approximately 85 percent of commuters in the entire sample said they would ride the bus. Among commuters in Burke, Lorton, and Springfield, this number was even higher. While Fairfax County needs to charge a fare, this number does indicate that commuters could be open to riding the bus under the right conditions.

Amenities and benefits are a compelling factor in helping commuters choose how they get to work: For all respondents, programs like subsidized transit fares, guaranteed ride home, flextime, a no-transfer ride to/from work, personalized commute information, and a free car to use during the day were strong incentives to change how they get to/from work. Other benefits such as bicycle storage, preferential carpool parking, and assistance finding a carpool partner were not as compelling to commuters. Technology to make commuting more productive or predictable was quite popular with the entire data set but less popular with commuters from the target areas.

More information is needed about Burke, Lorton, and Springfield commuters: Because the response rate was so low, it is difficult to provide conclusive information on the target areas. For example, the survey showed a higher interest in bus service from Springfield than from Burke or Lorton, but this is probably because the number of respondents from Springfield was larger than the number from Burke or Lorton. Combined with the high margin of error, this imbalance means that Fairfax County would be well served to delve deeper into the issues addressed by the survey to truly understand their unique dynamics. Because of the budget and timeframe for this survey, it was designed to be employer-based. In the future, surveys targeted to the location of commuters' homes may be a better solution.

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ACTION - 7

Approval of Testimony for Public Hearing on Commonwealth of Virginia's Six-Year Improvement Program for Interstate, Primary, and Urban Highway Systems and Public Transportation for FY 2014 Through FY 2019

ISSUE:

Public comments for the development and funding of Interstate, Primary, and Urban Highway Systems and Public Transportation projects for Virginia Department of Transportation (VDOT) FY 2014 - FY 2019 Six-Year Improvement Program (SYIP). The public hearing will be held on October 30, 2012, at 6:00 p.m., at VDOT's Northern Virginia District Office, Fairfax, Virginia.

RECOMMENDATION:

The County Executive recommends that the Board approve the attached testimony (Attachment I), transmitting the recommendations of the Board and emphasizing its concerns regarding allocations to Interstate, Primary, and Urban Highway Systems and Public Transportation projects, facilities, and services.

TIMING:

Action should be taken on this item on October 30, 2012, so that the Board's position can be presented to the Commonwealth Transportation Board (CTB) at the Six-Year Improvement Program Public Hearing to be held in Northern Virginia on October 30, 2012.

BACKGROUND:

The CTB scheduled public hearings across the state to receive testimony regarding potential Interstate, Primary, and Urban Highway Systems and Public Transportation projects for the Virginia Six-Year Improvement Program. The CTB indicated that comments received at the public hearings will be used to formulate the draft of the new SYIP which will be released next spring. Additional public hearings will be held before the program is finalized in June 2013.

VDOT continues to prioritize, fund, and construct projects primarily through the Six-Year Program. Projects that are the subject of this public hearing include Interstate and Primary Highway projects (and Urban projects in cities and towns), and public transit

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projects. Secondary Road Programs are subject to separate joint VDOT/County public hearings.

The schedule for the FY 2014 – FY 2019 Six-Year Program began this fall with initial public hearings. From October through March, revenue estimates, schedule and cost updates, recommended project allocations, cash flow analyses, and project allocations returned from the Metropolitan Planning Organizations (MPOs) will be undertaken. The FY 2014 - FY 2019 Program is scheduled for adoption by the CTB in June 2013.

Attachment I contains testimony transmitting the Board's comments.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Testimony of Jeff McKay, Chairman, Fairfax County Board of Supervisors' Transportation Committee

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Todd Minnix, Chief, Transportation Design Division, FCDOT
Todd Wigglesworth, Acting Chief, Coordination and Funding Division, FCDOT
Michael Lake, Coordination and Funding Division, FCDOT
Karyn Moreland, Capital Projects and Operations Division, FCDOT

DRAFT

**Testimony of Jeff McKay
Fairfax County Board of Supervisors
Regarding the
Draft FY 2014 - 2019 Virginia Department of Transportation Six-Year Improvement
Program for Interstate, Primary, and Urban Systems and Public Transportation
October 30, 2012**

Secretary Connaughton, Commissioner Whirley, Director Drake, and members of the Commonwealth Transportation Board: I am Jeff McKay, Chairman of the Fairfax County Board of Supervisors' Transportation Committee. I am here today to present testimony on behalf of the Board. I appreciate this opportunity to testify before you to provide comments for the Draft FY 2014-2019 Six-Year Improvement Program for Interstate, Primary, and Urban Systems and Public Transportation. This testimony was approved by the Fairfax County Board earlier today.

The Board recognizes and appreciates the funding for the County's priorities which were included in the Adopted FY 2013-2018 Six-Year Program. These include:

- That the state has honored its commitment to the Federal Government by providing the local match for WMATA's Capital and Safety Improvements,
- Funding for partial preliminary engineering of I-66/Route 28 interchange improvements,
- Funding for the ramp from the I-395 HOV lanes to Seminary Road, as well as other improvements needed to accommodate the end of the I-95 Express lanes near Edsall Road,
- The numerous projects in the program to improve safety and upgrade the signal and pedestrian facilities throughout the County, and
- \$11 million to purchase new buses for the Fairfax Connector.

Also, representatives of the Virginia Department of Transportation worked closely and cooperatively with the County's Department of Transportation staff to develop and submit a BRAC-related Office of Economic Adjustment grant proposal for funding for the widening of Route 1 between Telegraph Road and Mount Vernon Highway which resulted in \$180 million in Federal funding for this project. The Board requests VDOT's continued cooperation and close coordination as the project is implemented.

As appreciative as we are for these increased transportation resources, we believe additional funding is essential to fix our transportation infrastructure. Fairfax County, like other localities throughout Virginia, still has numerous critical transportation projects that require funding, including some that I previously mentioned. In particular, significant state assistance (along with a substantial amount of Federal, local and private funds) will be needed to transform Tysons Corner from a suburban office development to a transit-oriented, mixed-use area that continues to provide significant revenues to the Commonwealth well into the future. This is a \$3.1 billion program of projects over 40 years. The County has prepared a funding plan that relies heavily on contributions from the development community; however, the Commonwealth's participation is essential. Other major improvements are necessary to manage the influx of Department of Defense personnel to Fort Belvoir, address the costs associated with the Dulles Rail Phase II, and improve I-66.

Specifically, there is still a need for additional funding, or the assurance of funding, for several of the County's priority projects. These include:

- Dulles Rail Project – Phase II: The Governor and the General Assembly have agreed to provide \$150 million to reduce the cost of the project to be borne by Dulles Toll Road users. The Board appreciates this allocation, but notes that additional State contributions will be needed in the future to help keep tolls reasonable.
- Jones Branch Drive Connector – This is the first major roadway improvement within Tysons Corner. It provides additional access across the Beltway and

connects to the Express Lanes. The County has recently submitted an application for \$10,000,000 through VDOT's Revenue Sharing Program.

- Soapstone Connector Study – As recommended by the Reston Metrorail Access Group (RMAG), the Fairfax County DOT is conducting a Feasibility Study for the Soapstone Drive Connector /Overpass over the Dulles Toll Road, which would provide multi-modal connectivity and accessibility to the Wiehle-Reston East Station between Sunset Hills Road and Sunrise Valley Drive. The Board requests that the CTB provide funding for design of this project.
- Route 7 Improvements – There are multiple segments that need various improvements, including some in Tysons, as well as the widening of the road from Reston Avenue to the Dulles Toll Road. The adopted FY2013-2018 program includes only \$5.0 million toward the \$30 million needed for design only. We are requesting that the additional \$25 million needed for design be included in the program.
- Reconstruction of the I-95/Fairfax County Parkway Interchange at Newington, which is needed to continue to address the increase in personnel at Fort Belvoir because of the BRAC realignment.
- Rolling Road improvements, including the widening of the road from the Fairfax County Parkway to Old Keene Mill Road. The adopted includes only \$3.5 million toward the \$25.5 million needed. We are requesting that the additional \$22 million needed be included in the program.
- Reinstate the \$195 million previously agreed to for the bus service portion of the I-95 Express Lanes project.
- I-66 @ Route 28 Interchange Improvements – The adopted program includes only \$250,000 toward the \$5.0 million needed for design only. We are requesting that the additional \$4.75 million needed for design be included in the program.
- I-395 Fourth Lane Southbound Improvements - The adopted program includes only \$250,000 toward the \$10.0 million needed. We are requesting that the additional \$9.75 million needed for design be included in the program.

- Tysons Roadway Improvements - The adopted program includes \$28.2 million; however, the project estimate is listed as \$0. Please ensure that the funds remain in the program, and revise the estimate to show the correct estimate, which matches the funding allocation.
- Route 50 Pedestrian Improvements - The adopted program includes only \$1.97 million toward the \$4.5 million estimated. However, recent estimates indicate this project is well under-funded. We are requesting that the estimate be revised, and the remaining funding needed be included in the program.
- Route 236 and Beauregard Street Improvements - The adopted program includes only \$3.5 million toward the \$18.0 million needed. We are requesting that the additional \$14.5 million needed be included in the program.
- Tysons Metrorail Access Improvements - The adopted program includes the \$22.5 million needed, however the project estimate is listed as \$0. Please ensure that the funds remain in the program, and revise the estimate to show the correct estimate, which matches the funding allocation.

In addition to the projects just mentioned, the Board also has concerns about the reduction of funds for the County's Transportation Demand Management (TDM) program for FY 2013. The program has been reduced by \$94,000. These funds are needed to help fund positions for this program, especially at a time when there is a need for a cost-effective alternative to increasing capacity and reducing peak period traffic on our roads by attracting solo drivers to carpools or transit, shifting work schedules away from traditional peak hours, and allowing more employees to work at home. The County's TDM program also delivers better environmental outcomes, improved public health, and stronger communities. We are requesting that these funds be restored.

While the Board appreciates the General Assembly's actions to provide short-term funding for transportation projects during their last session, it has a concern about a provision in this year's transportation bill. House Bill 1248/Senate Bill 639 allows VDOT and the CTB to withhold transportation funds if local land-use policies are not consistent with what VDOT or the CTB envision as the best policies. This may seriously impact an

established land-use and development process in Fairfax County, particularly as one of the state's largest redevelopment is occurring in Tysons. Further, we are concerned that the new allocation process may be detrimental to Northern Virginia. The CTB can now allocate \$500 million to priority projects before funds are provided for the construction fund, and the Board wants to ensure that Northern Virginia receives its fair share of this funding, as the Washington metropolitan area continues to have some of the highest congestion in the country.

On June 7, 2012, local elected officials from throughout the Urban Crescent, which encompasses localities from Northern Virginia through the Richmond region to Hampton Roads, met to discuss these critical issues that affect the daily lives of all our residents. The consensus at the meeting was that Virginia's transportation system is significantly underfunded and the situation continues to deteriorate. The Urban Crescent's economic health is vital to the Commonwealth, and without new investments in multimodal transportation, each of our regions' economies will decline, resulting in less revenue available to meet the myriad of Virginia's needs. These repercussions are already beginning to be felt, as evidenced by the recent CNBC Rankings of "America's Top States for Business." In the study, which was released on July 13, 2012, the Commonwealth's overall ranking in state competitiveness dropped from #1 to #3, and its ranking for Infrastructure and Transportation dropped from #10 to #33. The members of the Urban Crescent welcome the opportunity to discuss our concerns with you and to assist with the development of a solution.

The Administration is currently considering efforts to alter statewide transit formulas that could significantly impact Fairfax County and other jurisdictions throughout the Commonwealth. For example, based on DRPT's model, Fairfax County could lose \$2.4 million of state funding for the Fairfax Connector in the first year. While there are benefits to considering performance measures, the proposed approach is worrisome, as it drastically changes the current transit formula without increasing funding, thereby just reallocating current limited funding among transit agencies. The County is opposed to changes to the transit formula that will reduce the stability of statewide funds and

reduce funding to the region. What is really needed is increased funding for all modes of transportation.

On a related issue, for the past decade, the General Assembly, the Governor, Secretary of Transportation, and Director of Rail and Public Transportation, have supported and authored budget language mandating that funding be made available for the Virginia Railway Express track access fees through the federal Equity Bonus Program under Commonwealth's Appropriation Act under the Secretary of Transportation. Given that the Equity Bonus Program was one of the federal highway programs eliminated in the Moving Ahead for Progress in the 21st Century Act, or MAP-21, we support VRE's position of drafting substitute language for the upcoming legislative session to ensure VRE remains whole as the MAP-21 changes are incorporated. The loss of this funding, estimated at \$9.5 million, would have grave consequences on VRE's FY 2014 budget which subsequently drastically affects VRE's participating jurisdictions' budgets and all riders of the system.

Lastly, we recognize that transportation revenues are decreasing while transportation needs around the state continue to grow. Therefore, the Commonwealth must work to adopt a long-term solution to fully address the needs of our transportation operations, maintenance, and construction programs; one that must include new dedicated and sustainable multi-modal revenues. We need your assistance in addressing these issues, and many other challenges. We will continue to work with the General Assembly this session to reach a long-term dedicated and sustainable solution for Virginia's transportation funding situation as soon as possible.

We request that the Board's testimony be made a part of the Draft Six-Year Program public hearing record, and that full consideration be given to these comments in preparing the final allocation document for FY2014 – FY2019. Thank you for this opportunity to provide comments on behalf of Fairfax County. If you need any further clarification or information, please let me know.

ACTION - 8

Authorization of Funding from the Route 28 Highway Transportation Improvement District Project Completion Fund (PCF) for Widening Projects

ISSUE:

Board approval to release up to \$5,000,000 from the Route 28 Highway Transportation Improvement District (Route 28 District) Project Completion Fund, authorized under the Route 28 Highway Transportation Improvements District agreements, for the construction of the Route 28 Southbound Bridge over the Dulles Toll Road and the design of the Route 28 Northbound Bridge over the Toll Road. This action has been requested by the Route 28 Tax District Commission.

RECOMMENDATION:

The County Executive recommends that the Board approve, in conjunction with the Loudoun County Board of Supervisors, the release of up to \$5,000,000 from the Route 28 District Project Completion Fund for the construction of the Route 28 Southbound Bridge over the Dulles Toll Road and the design of the Route 28 Northbound Bridge over the Dulles Toll Road.

TIMING:

Board action is requested on October 30, 2012, to allow the construction of the southbound project to commence as soon as possible and to allow the preparation of design plans for the northbound project. Consideration by the Loudoun County Board of Supervisors is expected by November 7, 2012.

BACKGROUND:

On November 16, 2009, the Fairfax County Board of Supervisors endorsed the Route 28 Tax District Commission's motion to use \$1,075,000 in funding from the Route 28 Tax District Project Completion Fund (PCF) for 30 percent design plans to widen four sections of Route 28 (the 'Hot Spot Improvements'):

- Route 28 southbound between Sterling Boulevard and the Dulles Toll Road;
- Route 28 southbound bridge over the Dulles Toll Road;
- Route 28 northbound between McLearn Road and the Dulles Toll Road; and
- Route 28 southbound between the Dulles Toll Road and Route 50.

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On November 26, 2011, the Board then authorized the release of \$6,000,000 to prepare the final design plans for these four projects.

On October 19, 2012, the Route 28 District Commission was presented with the Credit Considerations and Debt Capacity Analysis of the Route 28 Tax District (Attachment I). The Commission then considered the next steps for completion of the Hot Spot Improvements. County staff recommended that the Commission delay additional debt until the District's debt service coverage is stronger, and to apply for a series of Virginia Transportation Partnership Opportunity Fund (TPOF) grants or loans to construct the improvements until the District's credit and debt coverage factors improve. County staff also recommended the use of a portion of the Route 28 District Project Completion Fund to construct the Route 28 Southbound Bridge over Dulles Toll Road, as has been designed. The estimated cost of this project is \$4,339,500.

Additionally, the Commission discussed the importance of constructing the northbound bridge over the Dulles Toll Road. This project was not originally included in the four spot widening projects that had recently been designed. However, recent discussions between the Route 28 Corridor Improvements contractor and the Metropolitan Washington Airports Authority (MWAA) have highlighted the importance of construction of the bridges over the Dulles Toll Road in a timely manner (Attachment II). MWAA will begin construction of Phase 2 of the Dulles Corridor Metrorail Project in mid- to late-2013, which will involve construction of facilities in the vicinity of the Route 28/Dulles Toll Road Intersection. MWAA noted that completion of any construction activities in this location is recommended prior to the mobilization of its contractor to avoid any conflicts between the two contractors and allow their respective activities to be properly scheduled and coordinated. MWAA cautioned that construction of these bridge projects would be severely restricted during the Silver Line construction and after it is completed. Route 28 contractors estimate that substantial additional costs to the District would be incurred as a result of the delay and the restrictions.

Due to the timeliness of both these projects, the Commission considered the need to move forward with the design for the northbound bridge. The projected cost of this design is \$300,000. The Commission members voted to recommend approval to fund the construction of the southbound bridge and design of the northbound bridge from the Route 28 PCF, in the amount of no more than \$5,000,000. The Commission also voted to authorize Fairfax and Loudoun County staffs to apply immediately for TPOF grant funding in the amount of \$5.0 million (the maximum allowed under TPOF guidelines) for the northbound bridge in FY 2013 and to apply for further funding in FY 2014 to continue the remaining improvements noted in Attachment I. A list of the Commission's Approved Motions is provided as Attachment III.

Board Agenda Item
October 30, 2012

In addition, the Commissioners requested staff examine opportunities for action by the two counties to assist the District in completing the remaining projects as expeditiously as possible in consideration of the anticipated limits on the availability of additional funding sources.

FISCAL IMPACT:

There is no impact to the County as a result of this request. All funds will be taken from the Route 28 District Project Completion Fund which is supported by excess Route 28 District tax revenues not required to pay debt service, or to replenish the Rate Stabilization Fund. As of September 30, 2012, the unobligated Project Completion Fund balance is approximately \$10.9 million.

ENCLOSED DOCUMENTS:

Attachment I: Credit Considerations & Debt Capacity Analysis Presentation to the Route 28 District Commission

Attachment II: September 21, 2012, Letter from MWAA to Route 28 Corridor Improvements, LLC.

Attachment III: Text of Motions Approved by Route 28 District Commission on October 19, 2012

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Leonard Wales, Financing Advisor, Fairfax County Department of Management and Budget (DMB)

Joe LaHait, Debt Coordinator, DMB

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

Noelle Dominguez, Coordination and Funding Division, FCDOT

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Credit Considerations & Debt Capacity Analysis

Presentation to the Route 28 District Commission

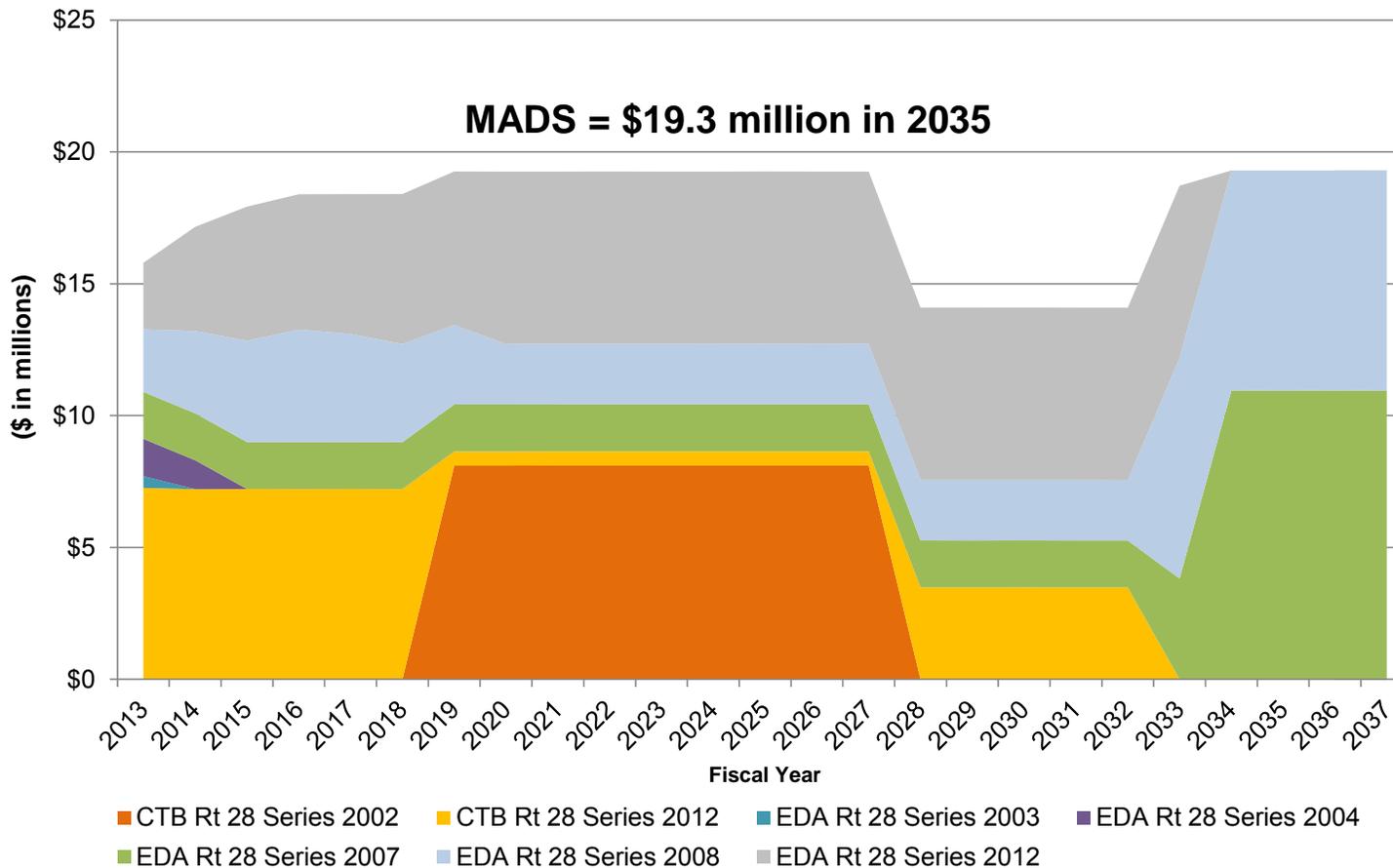
October 19, 2012

Public Financial Management
4350 North Fairfax Drive, Suite 580
Arlington, VA 22203
www.pfm.com



Current Debt Service Structure

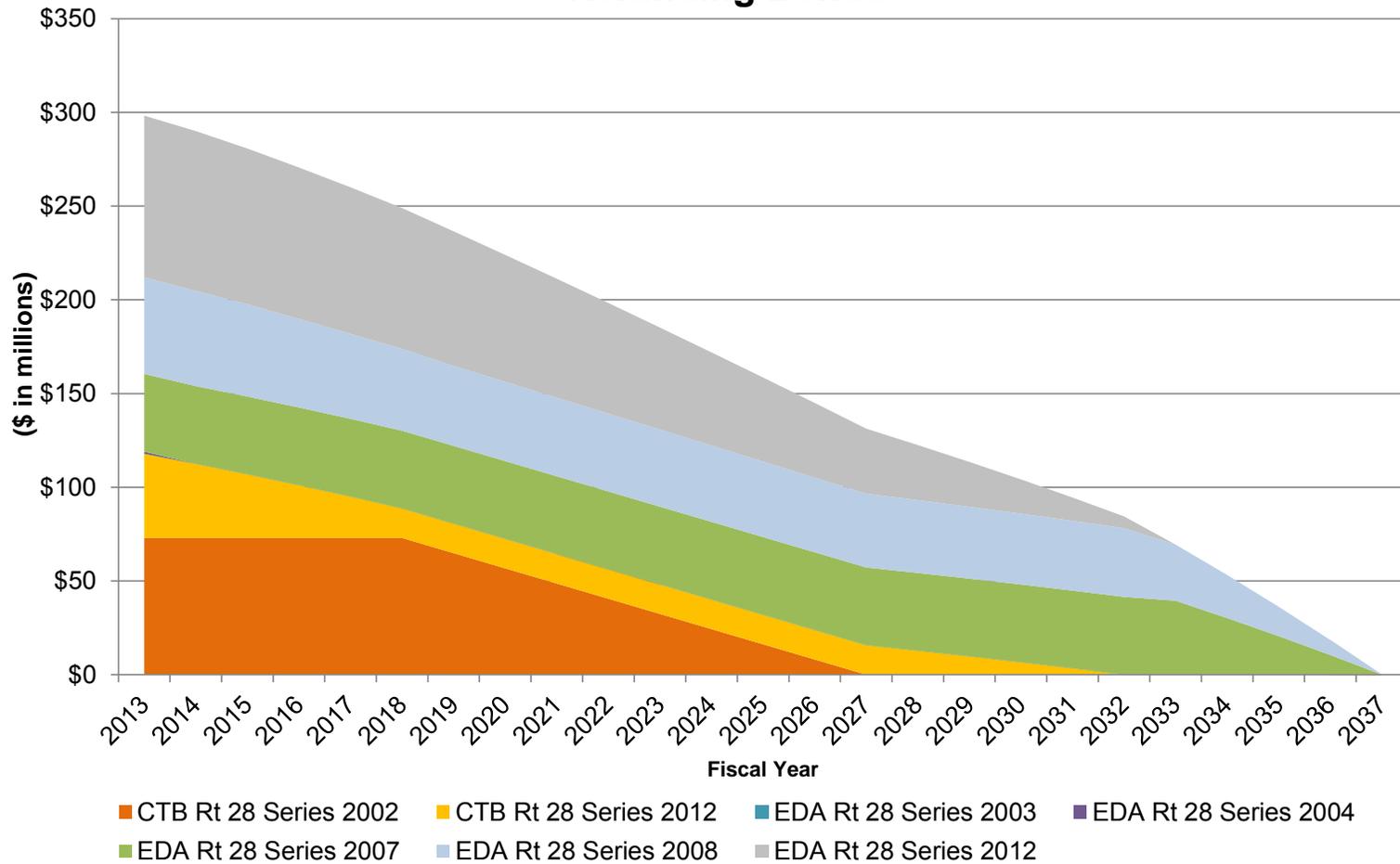
Debt Service Structure After Issuance CTB Series 2012 Refunding Bonds and EDA Series 2012 Refunding Bonds



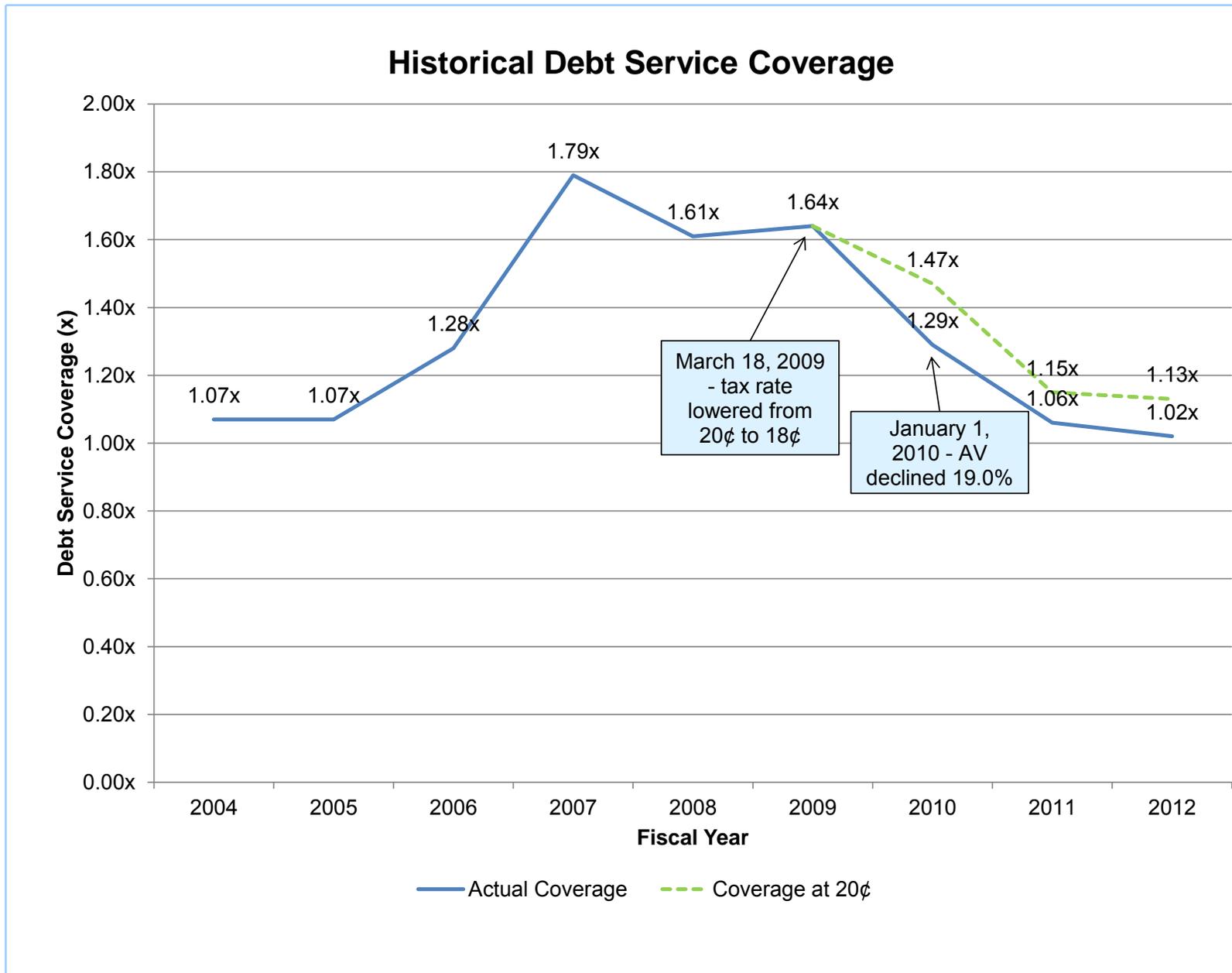
Refunding Savings Summary		
Series	Net Present Value (NPV) Savings	NPV Savings as a % of Refunded Par
EDA Series 2012	\$10.2 million	12.41%
CTB Series 2012	\$12.3 million	22.63%
Total	\$22.5 million	16.49%

Par Outstanding (as of July 1, 2012)

Par Outstanding After Issuance of Fairfax County EDA & Commonwealth Transportation Board (CTB) Revenue Refunding Bonds



Historical Debt Service Coverage



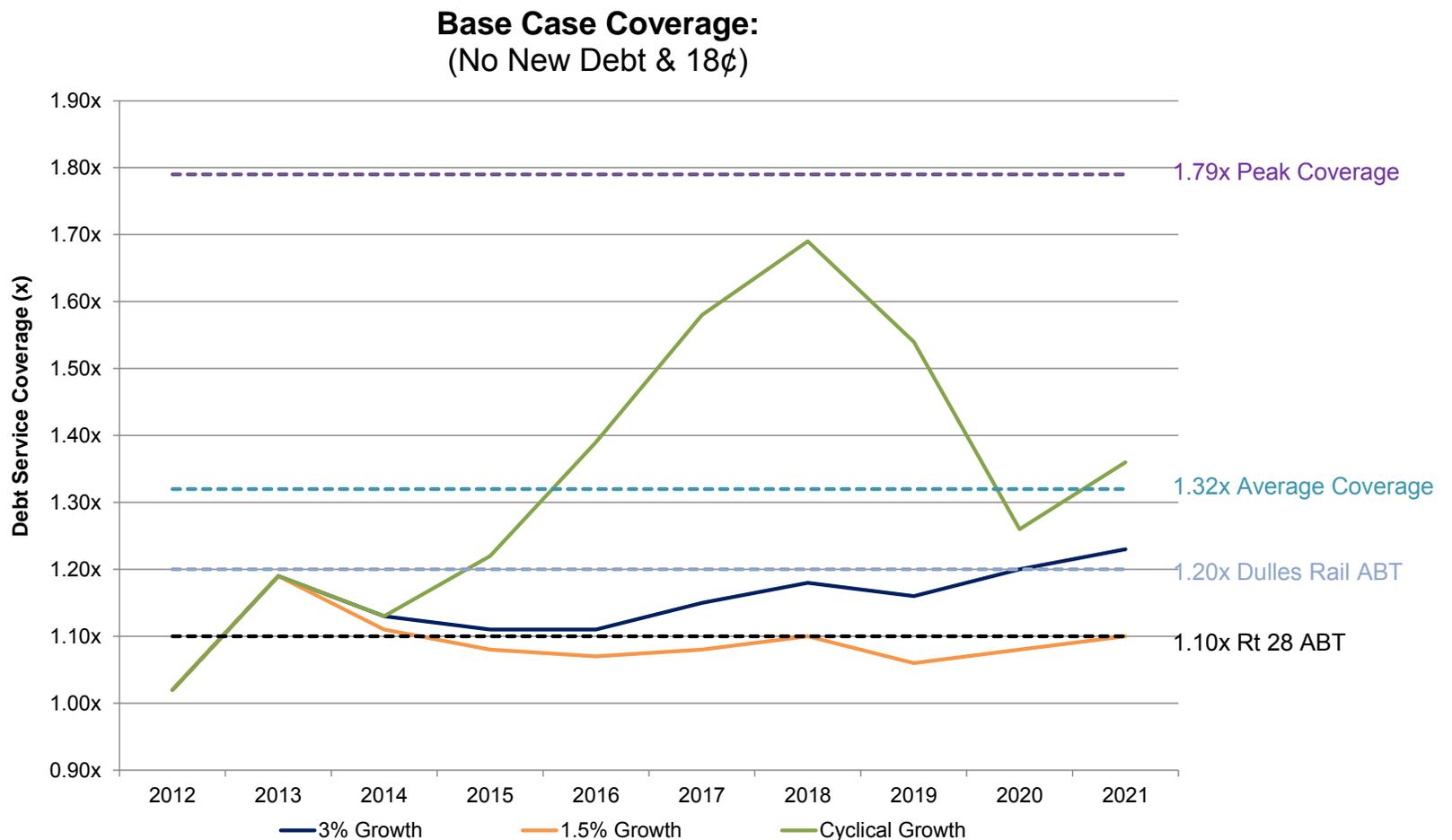
Credit Considerations

- Current Ratings:
 - Aa3/AA+/NR
- 2012 Moody's report
 - “Significant & sustained improvement in debt service coverage” cited as a factor that “could make the rating go up”
 - FY 2011 debt service coverage of 1.06x described as “slim”
 - Cited declining debt service coverage and/or AV as potential factors that “could make the rating go down”
 - 3% AV growth assumption characterized as “moderately optimistic”
 - Reliance on annual AV growth to meet MADS coverage described as a “challenge”

Current Debt Service Coverage

No New Debt & Tax Rate of \$0.18/\$100

Coverage narrowly maintained at 1.10x debt service with no additional debt.



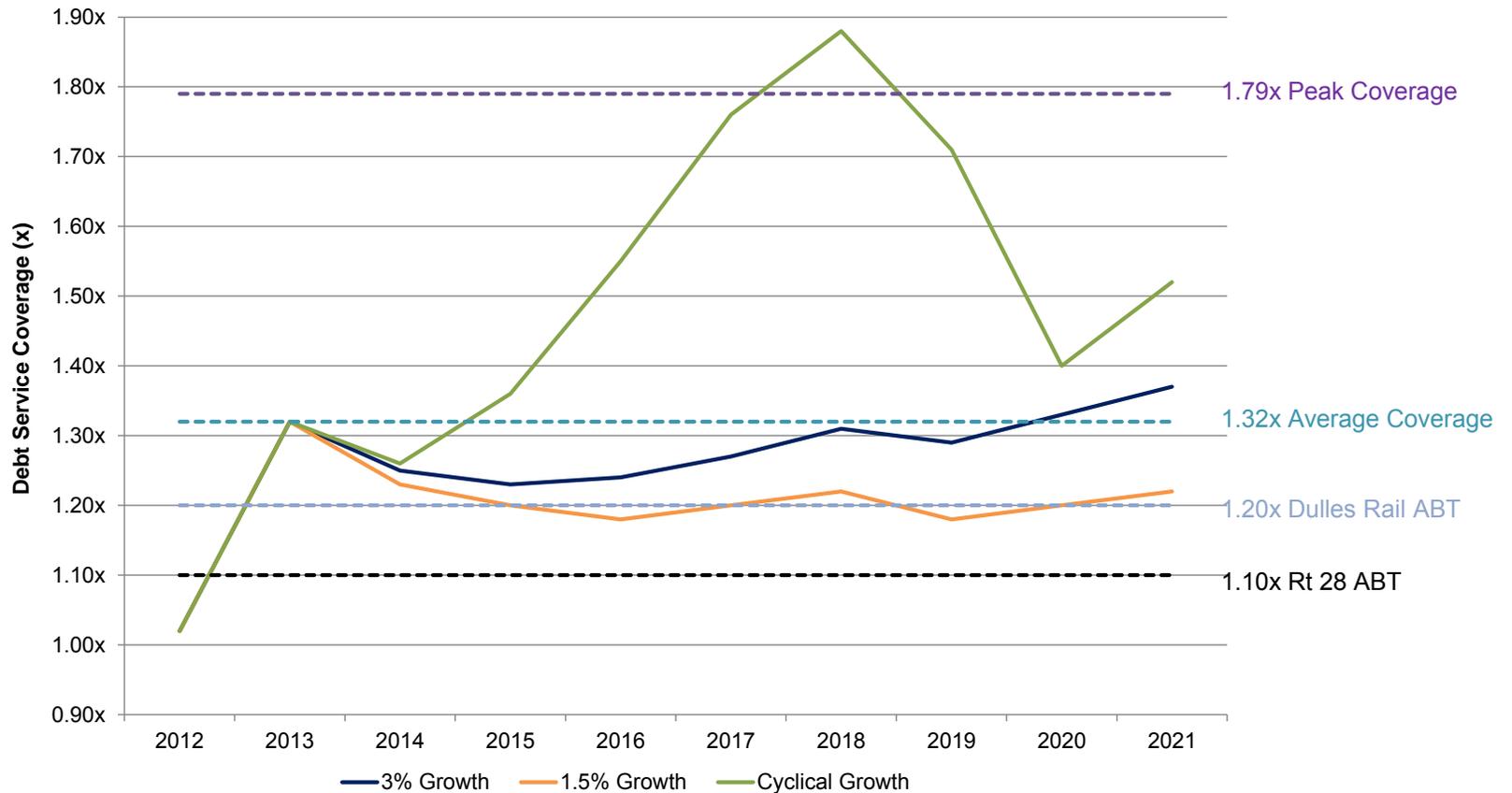
Current Debt Service Coverage

No New Debt & Tax Rate of \$0.20/\$100

Coverage is maintained well above 1.20x debt service with no additional debt.

\$20¢ Case Coverage:
(No New Debt & 20¢)

1¢ =
Approximately
\$1 million in
Revenue



Overview of Hot Spot Widening Projects (as of July 2012)

Route 28 Hot Spot Widening Projects			
Project/ Area	Location	Description	Estimated Cost* (as of March 2012)
1	Loudoun	Route 28 southbound between Sterling Boulevard and the Dulles Toll Road	\$12,036,000
2	Both	Route 28 southbound bridge over the Dulles Toll Road	\$4,339,500
3	Fairfax	Route 28 southbound between the Dulles Toll Road and Route 50	\$19,413,000
4	Fairfax	Route 28 northbound between McLearen Road and the Dulles Toll Road	\$10,712,000
Total			\$46,500,500

*Excludes roughly \$6.0 million in design costs previously funded with cash from the Project Completion Fund.

District Advisory Board Meeting

Staff Recommendations (July 12, 2012)

- Apply for a series of TPOF grants
- Fund Area 2 (Bridge at Dulles) with cash from Project Completion Fund
- Delay additional debt until debt service coverage is stronger, due to continued AV growth
- Prior to next issuance, develop & adopt financial policies to send positive signal to Moody's
 - Minimum threshold for coverage higher than 1.10x legal minimum
 - Minimum balance for Project Completion Fund
 - Priority of uses for Project Completion Fund

District Advisory Board Meeting Summary (July 12, 2012)

- No interest in a higher tax rate above the current \$0.18
- Voted to endorse staff recommendations
- Requested summary information on the most recent traffic studies conducted in the Route 28 District to help determine the order of funding for the hotspots
- Requested that Clark/Shirley provide options for funding Project 1 in segments, rather than all at once

Project Update October 2012

- MWAA advises that all bridge work be done by end of 2013
- Bridge widening at choke point is logical first step to alleviate Hot Spot congestion
- Southbound segment requires \$4.3 million for construction
- Northbound segment estimated \$5.0 million for design and construction

Staff Recommendation October 2012

- Fund Area 2 Southbound bridge with cash from Project Completion Fund
- Apply for TPOF Grant immediately for northbound segment bridge at Dulles
- Delay additional debt until debt service coverage is stronger
- Apply for series of TPOF Grants/Loans in \$5.0 million increments starting in FY2014 supplemented with excess revenue as available to continue Hot Spot improvements until District is stronger

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY



Action Required: No
Action Due: N/A
WBS No.: 1.80.01.244

September 21, 2012

Mr. Jeffrey S. Austin
Route 28 Corridor Improvements LLC
45240 Business Court, Suite 100
Dulles, VA 20166

Subject: Dulles Corridor Metrorail Project - Phase 2
Timing and Rail-Related Requirements for Future Route 28 Bridge Widening

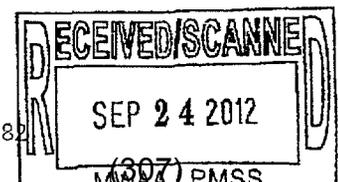
Letter No.: MWAA-P2-00820

Reference: Telephone Conversation, dated September 17, 2012

Mr. Austin:

The Metropolitan Washington Airports Authority (Airports Authority) is aware that the Route 28 Tax District Commission is currently considering expansion and improvements to the roadway bridges carrying the southbound and northbound lanes of Route 28 over the Dulles International Airport Access Highway (DIAAH). As you know, the Airports Authority will begin construction of Phase 2 of the Dulles Corridor Metrorail Project in mid to late 2013, which will involve construction of the Metrorail guideway, retaining walls, and roadway improvements in the vicinity of the Route 28/DIAAH interchange, particularly within the median of the DIAAH which includes structural supports (wall piers) for the existing Route 28 bridges. Therefore, completion of any construction activities in this location is recommended prior to the mobilization of the Airports Authority's contractor. This will avoid any conflicts between the two contractors and allow their respective activities to be properly scheduled and coordinated. Once rail construction is fully underway, access to the work site will be transferred to the Airports Authority's contractor, which will severely restrict, if not eliminate, any ability for the Route 28 LLC to perform work in that location for the duration of rail construction.

Should the Tax District Commission wish to postpone the proposed bridge expansions until construction of the Phase 2 rail line is complete (scheduled for late 2018), the Tax District Commission should be aware of limitations and challenges associated with completing the necessary construction activities once the rail line is operational. The Washington Metropolitan Area Transit Authority (WMATA) has established strict standards and requirements for construction activities within or adjacent to its operating railway. This includes work-hour restrictions (limited to non-revenue service hours, generally less than 4 hours per night), specific work rules, surveys of existing structures, instrumentation and testing protocols, protection and



Mr. Jeffrey S. Austin
Letter No.: MWAA-P2-00820
September 21, 2012
Page 2

safety measures for WMATA facilities and equipment, and indemnification. Based on these requirements, construction of the foundations and piers within the WMATA right-of-way will be extremely difficult and time-consuming. A complete set of requirements is provided in WMATA's *Adjacent Project Construction Manual*. The current edition of this manual and other information related to working within or adjacent to WMATA right-of-way is available at: www.wmata.com/business/joint_development_opportunities/adjacent_construction_information.cfm. For additional information, please contact Tom Crone at WMATA tcrone@wmata.com or (301) 618-1016.

Please contact me at (703) 572-0533 if you have any further questions about Phase 2.

Sincerely,



Karl A. Rohrer
Deputy Project Director - Phase 2
Dulles Corridor Metrorail Project

KAR/bg

cc: P. Nowakowski
C. S. Carnaggio

Motion Approved at the October 19, 2012 Meeting of
the Route 28 Tax District Commission

MOTION:

- 1) I move that the Route 28 Highway Transportation Improvement District Commission authorize Fairfax and Loudoun County staffs to take all actions necessary to fund the Area Two Southbound Bridge and the design of the Northbound Bridge with up to \$5.0 million from the Project Completion Fund; and
- 2) I move that the Route 28 Highway Transportation Improvement District Commission authorize Fairfax and Loudoun County staffs to apply for \$5.0 million in grant funding through the Virginia Transportation Partnership Opportunity Fund (TPOF) for the northbound segment bridge; and
- 3) I move that the Route 28 Highway Transportation Improvement District Commission authorize Fairfax and Loudoun County staffs to apply for \$5.0 million in grant funding through TPOF in FY 2014 to be supplemented with excess revenue as available to continue the Route 28 Hot Spot improvements;
- 4) I move that the Route 28 Highway Transportation Improvement District Commission direct that copies of these motions and the back-up materials be provided to the Board of Supervisors of Loudoun and Fairfax Counties.

Voting on the Motion: Yes – Mr. Michael R. Frey (Fairfax County), Mr. Scott K. York (Loudoun County), Ms. Sharon Bulova (Fairfax County), Mr. John W. Foust (Fairfax County), Ms. Catherine M. Hudgins (Fairfax County), and Mr. Shawn Williams (Loudoun County); No – None; Present – Mr. John Lawson (Virginia Department of Transportation Financial Officer); Absent – Mr. Matthew Latourneau (Loudoun County) and Mr. Eugene Delgaudio (Loudoun County).

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ACTION - 9

Authorize the County Executive to Sign the Revised Programmatic Agreement Relative to the Widening of U.S. Route 1 (Richmond Highway) from Telegraph Road to Mount Vernon Memorial Highway (Mount Vernon District)

ISSUE:

Authorize the County Executive to sign a revised Programmatic Agreement (PA) prepared for compliance with Section 106 of the National Historic Preservation Act relative to the widening of U.S. Route 1 (Richmond Highway) between Telegraph Road and Mount Vernon Memorial Highway which is found to cause adverse effects to properties listed in, or eligible for listing in, the National Register of Historic Places.

RECOMMENDATION:

The County Executive recommends that the Board authorize him to sign the revised PA among the Federal Highway Administration (FHWA), U.S. Army Garrison Fort Belvoir, Virginia Department of Transportation (VDOT), Catawba Indian Nation (CIN), National Trust for Historic Preservation (NTHP), Advisory Council on Historic Preservation (ACHP), Virginia State Historic Preservation Officer (SHPO), and the County of Fairfax, Virginia (County), relative to the widening of U.S. Route 1 (Richmond Highway), as shown in Attachment 1.

TIMING:

Board action is requested on October 30, 2012.

BACKGROUND:

On September 25, 2012, by unanimous vote, the Board of Supervisors authorized the County Executive to sign the PA. Because several parties were required to sign the document, and because it was likely that some minor modifications would be requested during staffing of the document for signature, the Board further authorized the County Executive to sign the revised PA, provided that the revisions did not increase the County obligations and responsibilities beyond those stipulated at the time of the authorization. As the document was staffed for signature through the parties, several changes were made to clarify the intent of the parties or to ensure conformity with project plans that previously have been reviewed and approved by the Board of Supervisors. As shown in the redline version of the PA, these changes include, but are not limited to:

Board Agenda Item
October 30, 2012

- Clarification that it is not certain that sections of the existing Route 1 corridor will be abandoned;
- Clarification that the non-historic Woodlawn Stables commercial equestrian facility may not be relocated, and a driveway entrance to the facility may be constructed instead;
- Clarification that an underpass will be constructed beneath Route 1 adjacent to the Sharpe Stable Complex;
- Clarification that the Fairfax County Park Authority will curate collections recovered from Commonwealth land or within Commonwealth owned/maintained right of way on behalf of the County; and
- Providing that any extensions to the Agreement will be made by amendment to the Agreement itself.

The principal stipulations in the PA remain intact and require FHWA in consultation with Fairfax County and other consulting parties to perform several activities to mitigate and offset impacts resulting from implementation of the project. However, one change was deemed significant enough to warrant a second review by the Board prior to execution by the County Executive. A stipulation specified in the original agreement required the FHWA to oversee the distribution of project funding between \$400,000 and \$500,000 to mitigate impacts to the National Historic Landmark (NHL) Woodlawn Plantation. The revised document stipulates specific improvements that will be made to the NHL, rather than a specific funding amount. Preliminary alignments for the utilities and cost estimates have been developed that indicate these improvements can be completed within the range of funding previously identified.

The improvements that will be made to the NHL include:

- Installation of public water service sufficient to serve the Woodlawn property. Upgraded water mains will be provided with stubs from the water main towards the buildings. The Trust shall be responsible for the final connections to the buildings. The water service shall be sufficient to provide fire protection through the use of fire hydrants and water mains adequate in capacity for fire protection and a sprinkler system.
- Installation of a sanitary sewer service line sufficient to serve the Woodlawn property. The Trust shall be responsible for the final connections from the buildings to the lateral stubs and manholes at the main sewer line.
- Installation of natural gas service. The Trust shall be responsible for the final connections to the buildings.

This change has been highlighted in yellow on the redline version of the PA. Because this change has the effect of creating an ostensibly unlimited budget for the improvements to the NHL Woodlawn Plantation improvements, which potentially could

Board Agenda Item
October 30, 2012

diminish the amount of funding available to fulfill the County's responsibilities, Board approval of the revised PA is requested.

FISCAL IMPACT:

On November 1, 2011, the Department of Defense Office of Economic Adjustment announced that the County had submitted a successful proposal for transportation funding to improve access to Fort Belvoir and the new community hospital and would be invited to apply for \$180 million in funding for the design and construction of the widening of U.S. Route 1 from Telegraph Road to Mount Vernon Memorial Highway. No matching funds are required for this award.

On June 15, 2012, Fairfax County staff submitted a formal application for funding in the amount of \$180 million from OEA. On July 10, 2012, the Board authorized the County Executive to sign the Project Memorandum of Agreement (MOA) which details the obligations and responsibilities of each MOA signatory. Funding has been transferred directly from DoD to FHWA under a separate federal interagency agreement. FHWA will administer the project. As specified in the MOA, County staff will continue to be involved in management and oversight of the project.

ENCLOSED DOCUMENTS:

Attachment 1 – Programmatic Agreement (PA), Relative to the Widening of U.S. Route 1 (Richmond Highway) between Telegraph Road and Mount Vernon Memorial Highway, including Attachment C. The PA Attachments A, B and D – J are at:

http://www.efl.fhwa.dot.gov/files/projects/Rt1_ftBelvoir/rt1_frbelovoir_files/Section106-Programmatic-Agreement-Attachments.pdf

STAFF:

Robert A. Stalzer, Deputy County Executive
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Marianne Gardner, Director, Planning Division (PD), DPZ
Sterling Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ
Linda Cornish Blank, Historic Preservation Planner, Policy and Plan Development Branch, PD, DPZ

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RECITALS

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33 1. **WHEREAS**, the Federal Highway Administration, Eastern Federal Lands
34 Highway Division (herein “FHWA”), serves as the lead Federal agency for the
35 National Environmental Policy Act (herein “NEPA”) and for National Historic
36 Preservation Act (16 U.S.C. § 470; herein “NHPA”) Section 106 compliance for
37 the construction of proposed improvements to the Richmond Highway (U.S.
38 Route 1) corridor between Telegraph Road (Route 611) and Mount Vernon
39 Memorial Highway (Route 235) (herein “Undertaking”) in Fairfax County,
40 Virginia; and
41
42 2. **WHEREAS**, FHWA, the U.S. Army Garrison Fort Belvoir (herein “the Army”),
43 the County of Fairfax, Virginia (herein “the County”) and the Virginia
44 Department of Transportation (herein “VDOT”), as Signatories to this
45 Programmatic Agreement (herein “Agreement”), have also drafted the separate
46 Project Memorandum of Agreement (herein “Project MOA”) (**Attachment A**)
47 detailing the obligations and responsibilities of each party in relation to the
48 funding, preliminary engineering, land acquisition, construction and maintenance
49 of the Undertaking; and
50
51 3. **WHEREAS**, the Army has NEPA and NHPA Section 106 responsibility and the
52 Army has designated FHWA as the lead Federal agency to fulfill its Federal
53 responsibilities under NHPA Section 106 for the Undertaking (letter dated June
54 23, 2011, **Attachment B**); however, the determination of eligibility for any future
55 discoveries on Army property shall be made by the Army; and
56
57 4. **WHEREAS**, pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1251
58 et seq.), a Department of the Army (herein “DA”) permit will likely be required
59 from the Norfolk District of the U.S. Army Corps of Engineers (herein “the
60 Norfolk District”) for this Undertaking, and the Norfolk District has designated
61 FHWA as the lead federal agency to fulfill federal responsibilities under Section
62 106 (letter dated June 21, 2011, **Attachment B**); and
63
64 5. **WHEREAS**, the Department of Defense Office of Economic Adjustment (OEA)
65 has approved the County's application for funding assistance in an amount not to
66 exceed \$180 million for the design and construction of transportation
67 infrastructure improvements to Route 1 that are needed to improve patient access
68 to the new Fort Belvoir Community Hospital, which was constructed to facilitate
69 recommendations of the 2005 Defense Base Realignment and Closure
70 Commission; and OEA has agreed to be a signatory to this Agreement (email
71 dated August 24, 2012, **Attachment B**); and
72
73 6. **WHEREAS**, the National Trails System Act of 2009 (P.L. 90-453, as amended
74 through P.L. 111-11, March 30, 2009) authorized the establishment of the
75 Potomac Heritage National Scenic Trail and the Washington-Rochambeau
76 Revolutionary Route National Historic Trail (herein “PHNST/WARO NHT”), a

77 portion of which may be sited within the footprint of the Undertaking and
78 administered by the National Park Service (herein “NPS”); and the *Virginia*
79 *Outdoors Plan: Charting a Course for Virginia’s Outdoors* (2007) and the Fairfax
80 County Trails Plan, a component of the Fairfax County Comprehensive Plan,
81 recognize the PHNST/WARO NHT as a regional, state and national resource;
82 however, NPS, and not FHWA, would be the lead federal agency for
83 NEPA/NHPA compliance if the National Trail designation within the footprint of
84 the undertaking is finalized by NPS in the future; and
85

86 7. **WHEREAS**, the proposed improvements to Route 1 include:
87

- 88 a) Reconstructing Route 1 to provide six through travel lanes between
89 Telegraph Road and Mount Vernon Memorial Highway;
- 90 b) Realignment of Route 1 between Belvoir Road and Mount Vernon
91 Memorial Highway south of the existing roadway, as depicted in
92 **Attachment C**;
- 93 c) **Telegraph Road Intersection** – Modifying the northbound approach to
94 include a third left-turn lane. The roadway would be widened to the north,
95 and the existing Route 1 curb-line that abuts the historic Pohick Episcopal
96 Church property would remain unchanged. The southbound approach
97 would provide for one left-turn lane and one right-turn lane at Telegraph
98 Road;
- 99 d) **Cook Inlet Drive Intersection** – Providing for one left-turn lane in the
100 northbound direction, and one right-turn lane in the southbound direction;
- 101 e) **Fairfax County Parkway Intersection** – Reconstruction of the
102 intersection to provide for two left-turn lanes in the northbound direction,
103 and two right-turn lanes and one right-turn bay in the southbound
104 direction;
- 105 f) **Pohick/Backlick Roads Intersection** – Reconstruction of the intersection
106 to provide one left-turn lane and two right-turn lanes in the northbound
107 direction, and one right-turn lane and one left-turn lane in the southbound
108 direction;
- 109 g) **Belvoir Road Intersection** – Reconstruction of the intersection to provide
110 two left-turn lanes (to the new Lieber Gate ACP) and one right-turn lane
111 in the northbound direction, and two left-turn lanes and one right-turn lane
112 in the southbound direction;
- 113 h) **Woodlawn Road Intersection** – Reconstruction of the intersection to
114 provide one left-turn lane in the northbound direction (existing Woodlawn
115 Road would be extended to connect with the realigned Route 1 roadway,
116 just to the west of Woodlawn Baptist Church. The extension shall be
117 designed and constructed to VDOT standards and maintained by VDOT),
118 and one right-turn lane in the southbound direction. A traffic signal shall
119 also be provided at the intersection;
- 120 i) **Mount Vernon Memorial Highway Intersection** – Reconstruction of the
121 intersection to provide two left-turn lanes and one right-turn lane in the
122 northbound direction; and

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8. **WHEREAS**, the *Fairfax County Transportation Plan (2011)*, and the *Final Environmental Impact Statement for Implementation of 2005 Base Realignment and Closure (BRAC) Recommendations and Related Army Actions at Fort Belvoir, Virginia* (June, 2007) provide background information to this Agreement; and
9. **WHEREAS**, the Area of Potential Effects (herein “APE”) has been established in consultation with the SHPO and other Signatories and consulting parties for the Undertaking; and separate APEs were established for archaeological and architectural resources, and are defined in **Attachment D**; and
10. **WHEREAS**, FHWA has compiled a listing of previously recorded historic properties within the APE based on SHPO, County and Army records; and FHWA has conducted additional archaeological and architectural surveys [*Archaeological Survey of Proposed Area of Potential Effects Route 1 Improvements at Fort Belvoir (Telegraph Road to Mount Vernon Memorial Highway), Fairfax County, Virginia; Architectural Survey of Proposed Area of Potential Effects Route 1 Improvements at Fort Belvoir (Telegraph Road to Mount Vernon Memorial Highway), Fairfax County, Virginia*] within the APE to supplement previous surveys and identify properties eligible, or potentially eligible, for listing in the NR; and
11. **WHEREAS**, FHWA, in consultation with the SHPO and other parties to this Agreement, has determined, and the SHPO concurs, that the sites listed in **Attachment E** Part A are architectural properties within the APE that are listed in the NR, and that the sites listed in **Attachment E** Part B are architectural properties within the APE eligible for listing in the NR; and
12. **WHEREAS**, FHWA, in consultation with the SHPO and other parties to this Agreement, has determined, and the SHPO concurs, that the sites listed in **Attachment F** Part A are archaeological sites within the APE that are listed in the NR, and that the sites listed in **Attachment F** Part B are archaeological sites within the APE that are potentially eligible for listing in the NR; and
13. **WHEREAS**, the proposed alternative minimizes public road right-of-way use of lands currently designated as a National Historic Landmark (herein “NHL”) and properties listed, or eligible for listing, on the National Register of Historic Places (herein “NR”) in accordance with Section 4(f) of the Department of Transportation Act and Section 110(f) of the NHPA, and these minimization strategies include the relocation of Route 1 farther away from Woodlawn NHL, the Woodlawn Quaker Meetinghouse and Cemetery, and the Woodlawn Baptist Church Cemetery; and

- 167 14. **WHEREAS**, FHWA, in consultation with the SHPO and other parties to this
168 Agreement, has determined, and the SHPO concurs, that the Undertaking will
169 have an Adverse Effect under NHPA Section 106 on the following properties:
170
- 171 a) Fort Belvoir Military Railroad bed (029-5648); the portion of the railroad bed
172 within the limits of construction will be physically altered and destroyed;
 - 173 b) Facility No. 1433, Railroad bridge (029-5424); the bridge will be removed
174 from its current location, and may be permanently destroyed if a suitable
175 recipient cannot be identified;
 - 176 c) Woodlawn Historic District (029-5181, **Attachment E** Part C); adverse
177 effects include: alteration of the viewshed; visual and auditory impacts;
178 changes in relationship among the contributing properties; physical
179 destruction of a portion of the historic landscape for a road and stormwater
180 management infrastructure; and possible relocation of the two non-historic
181 Woodlawn Stables structures to another location within the Historic District;
182 physical relocation of Otis T. Mason House (029-5181-0006) and changes in
183 land use and circulation patterns;
 - 184 d) Sharpe Stable Complex (029-5181-0005), including the individually NR
185 eligible Bank Barn; adverse effects include: changes in land use that will
186 impact the historic setting; modification of access to pastureland associated
187 with the agricultural use of the Sharpe Stable Complex; and visual and
188 auditory impacts; and
189
- 190 15. **WHEREAS**, FHWA, in consultation with the SHPO and other parties to this
191 Agreement, has determined, and the SHPO concurs, that the Undertaking will
192 have an Adverse Effect under NHPA Section 106 on Woodlawn NHL (029-
193 0056), owned by the National Trust for Historic Preservation (herein “the Trust”);
194 and these adverse effects include: taking of Woodlawn NHL property; physical
195 destruction of a portion of the historic landscape for a road and stormwater
196 management infrastructure; changes in land use and access between different
197 parts of the property; alteration of the viewshed; noise impacts; and cumulative
198 impacts from the combination of the proposed project and the widening of Old
199 Mill Road in connection with the Mulligan Road construction project; and
200
- 201 16. **WHEREAS**, FHWA acknowledges that additional Adverse Effects may occur to
202 historic properties due to specific design features of the Undertaking, such as the
203 location and appearance of noise barriers and stormwater management ponds,
204 once the final design is known and that additional mitigation measures may be
205 necessary; and
206
- 207 17. **WHEREAS**, FHWA, in accordance with 36 CFR § 800.10(a) and in consultation
208 with the parties to the Agreement, has ensured that, to the maximum extent
209 possible, planning and actions to minimize harm to Woodlawn NHL have taken
210 place, including an analysis of alternatives considered to avoid, minimize, and /or
211 mitigate adverse effects; and
212

- 213 18. **WHEREAS**, FHWA, in consultation with the SHPO and other parties to this
214 Agreement, has conditionally determined, and the SHPO concurs, that the
215 Undertaking will have no adverse effect on King’s Highway/Old Colchester Road
216 (029-0953) if the final project plans maintain existing curb lines adjacent to
217 Pohick Church and minimize realignment of Route 1 south of the Inlet Cove
218 community; and
219
- 220 19. **WHEREAS**, a determination of effect that the Undertaking will have on Pohick
221 Episcopal Church (029-0046) and the archaeological deposits associated with
222 Woodlawn Plantation (44FX1146) cannot be made at this time and will be
223 deferred until the processes contained in Stipulations IV through VI of the
224 Agreement support such determinations; and
225
- 226 20. **WHEREAS**, the following archaeological sites have been identified, but
227 additional survey will be required to evaluate their significance and potential
228 impacts resulting from the Undertaking:
229 a) 44FX1810
230 b) 44FX1936; and
231
- 232 21. **WHEREAS**, FHWA acknowledges that additional historic properties may be
233 adversely affected by the Undertaking once the final design is known and any
234 further identification and evaluation efforts shall be completed pursuant to
235 Stipulations V through VIII of the Agreement; and
236
- 237 22. **WHEREAS**, FHWA has invited, in accordance with 36 CFR § 800.6(a)(1), the
238 Advisory Council on Historic Preservation (herein “ACHP”) to participate in
239 consultation and the ACHP has agreed to participate (letter dated June 18, 2012,
240 **Attachment B**); and
241
- 242 23. **WHEREAS**, the Trust has requested to participate in consultation as a signatory
243 to the Agreement (letter dated June 8, 2012, **Attachment B**) and FHWA has
244 agreed to the request based on the significant level of involvement, oversight, and
245 management that will be required in order for the Trust to ensure fulfillment of
246 mitigation requirements stipulated through the execution of the Agreement; and
247
- 248 24. **WHEREAS**, FHWA has invited, in accordance with 36 CFR § 800.10(c), the
249 Secretary of the Interior (herein “Secretary”) through the NPS to participate in
250 consultation on the Undertaking, and FHWA has received no response indicating
251 the Secretary’s willingness to participate in consultation; and
252
- 253 25. **WHEREAS**, pursuant to 36 CFR § 800.2(c)(2), and in recognition of the
254 obligation conferred upon FHWA by the American Indian Religious Freedom Act
255 (42 U.S.C. § 1996; herein “AIRFA”), and Section 3(c) of the Native American
256 Graves Protection and Repatriation Act (25 USC § 3002(c); herein “NAGPRA”),
257 FHWA has invited the Catawba Indian Nation, the Eastern Band of Cherokee

- 258 Indians, the United Keetoowah Band of Cherokees, and the Tuscarora Nation to
259 participate in the consultation process; and
260
- 261 26. **WHEREAS**, the Tribal Historic Preservation Officer representing the Catawba
262 Indian Nation (herein “CIN-THPO) agreed to participate in consultation as an
263 invited signatory to the Agreement (email dated May 4, 2012, **Attachment B**);
264 and
265
- 266 27. **WHEREAS**, the Eastern Band of Cherokee Indians (herein “EBCI”) (during a
267 telephone conversation, in which EBCI stated that the Undertaking is not located
268 within its area of interest; see **Attachment G**) declined to participate, the United
269 Keetoowah Band of Cherokees (email dated April 10, 2012; **Attachment B**)
270 deferred consultation, and no response was received from the Tuscarora Nation;
271 and
272
- 273 28. **WHEREAS**, VDOT is the State agency with administrative oversight,
274 maintenance, and jurisdictional authority for the Undertaking once the
275 Undertaking is completed and accepted into the systems of state highways; has
276 participated as a consulting party; and has been invited by FHWA to be a
277 signatory to this Agreement; and
278
- 279 29. **WHEREAS**, the County, through its Department of Transportation, has
280 significant obligations related to implementing and overseeing the stipulations of
281 the Agreement and has agreed to participate in consultation as a signatory to the
282 Agreement; however, the county is not an Agency Official within the meaning of
283 36 CFR § 800.2, and has no legal or financial duties, responsibilities, obligations,
284 or liabilities with regard to the Undertaking other than those explicitly described
285 in the Agreement, or within any other written agreement signed by the County;
286 and
287
- 288 30. **WHEREAS**, the Army is obligated through Stipulation II of the existing Base
289 Realignment and Closure Programmatic Agreement (BRAC PA) among the
290 Army, the SHPO, the ACHP, and the CIN-THPO to develop strategies to avoid or
291 minimize any adverse effects to the designated open space areas adjacent to the
292 Woodlawn Historic District which currently consist of 64.4 acres and are depicted
293 in **Attachment H**; and
294
- 295 31. **WHEREAS**, construction of the Undertaking will encroach on, and cause the
296 unavoidable loss of, approximately 3.21 acres of designated open space, the Army
297 has identified suitable areas that shall be designated as open space to compensate
298 for the loss, totaling approximately 70.8 acres, as depicted in **Attachment I**,
299 following the guidelines of the BRAC PA; and
300
- 301 32. **WHEREAS**, FHWA has invited, in accordance with 36 CFR § 800.2(c)(5), the
302 following parties to participate in the process, and the following parties have
303 participated as Consulting Parties:

- 304 a) Woodlawn Baptist Church
- 305 b) Alexandria Monthly Meeting of the Religious Society of Friends (herein
- 306 "Friends")
- 307 c) Pohick Episcopal Church
- 308 d) National Park Service – Potomac Heritage National Scenic Trail
- 309 e) National Park Service – Washington-Rochambeau Trail
- 310 f) Inlet Cove Home Owners Association
- 311 g) Save Woodlawn Stables
- 312 h) Mount Vernon Ladies Association
- 313 i) Gum Springs Historical Society
- 314 j) Fairfax County Architectural Review Board (herein "ARB")
- 315 k) Fairfax County Department of Planning and Zoning
- 316 l) Fairfax County Park Authority
- 317 m) Fairfax County History Commission; and
- 318

319 33. **WHEREAS**, FHWA has invited, in accordance with 36 CFR § 800.2(c)(5), the
320 following parties to participate in the process, and the following parties have not
321 participated:

- 322 a) Virginia Council on Indians
- 323 b) National Park Service – George Washington Memorial Parkway
- 324 c) Historical Society of Fairfax County
- 325 d) Accotink United Methodist Church; and
- 326

327 34. **WHEREAS**, FHWA, in accordance with 36 CFR § 800.2(d), has provided the
328 public an opportunity to comment on this Undertaking through combined
329 NEPA/NHPA notifications related to the three public meetings held on December
330 10, 2010, October 19, 2011, and June 5, 2012;

331
332 **NOW, THEREFORE**, FHWA, the Army, the County, VDOT, OEA, the Catawba
333 Indian Nation, the Trust, ACHP, and the SHPO agree that this undertaking shall be
334 implemented in accordance with the following stipulations in order to take into account
335 the effects of the undertaking on historic properties.

336

STIPULATIONS

FHWA shall ensure that the following stipulations are implemented:

I. Treatment for Woodlawn Historic District (herein “District”)

This stipulation will describe measures to minimize and mitigate adverse effects to the District as a whole, and its contributing elements, Woodlawn NHL (029-0056); Sharpe Stables Complex including the Dairy, Corncrib, Stable and individually NR eligible Bank Barn (029-5181-0005); Grand View (029-0062); Woodlawn Quaker Meetinghouse (029-0172) and cemetery (44FX1211); Woodlawn Baptist Church cemetery (44FX1212); the George Washington’s Distillery and Grist Mill (029-0330); Otis Tufton Mason House (029-5181-0006); and Pope-Leighey House (029-0058). Mitigation specific to the NHL is contained in Stipulation II.

a) **WOODLAWN HISTORIC DISTRICT DESIGN WORKSHOPS**

FHWA shall facilitate two (2) design workshops among VDOT, the County, the Army, the SHPO, the Trust, Woodlawn Baptist Church, and Friends to evaluate alternative designs for proposed reduction of adverse effects to specific contributing properties and to the District as a whole. The first design workshop shall take place within three (3) months of execution of this Agreement. The date and location of the second workshop shall occur at a mutually agreeable time and place among the parties participating in the design workshops (herein “workshop participants”), and shall occur no later than six (6) months after the first workshop. Other parties to this Agreement not specified above are welcome to participate in the design workshops. ARB and the Fairfax County History Commission shall be included among the County’s representatives invited to attend the workshops. FHWA shall provide notification to all of the Signatories and Consulting Parties, including ARB and the Fairfax County History Commission, regarding the workshops.

FHWA and the County, in consultation with workshop participants, shall develop and submit design plans for review and comment by workshop participants. Designs may be distributed to workshop participants electronically, by mail, or at workshop meetings, as determined appropriate by workshop participants. FHWA shall provide design plans to workshop participants at least fifteen (15) days prior to each workshop. Workshop participants shall provide comments on preliminary design plans within thirty (30) calendar days of receipt. If no comments are received from the workshop participants, FHWA may assume that the non-responding party has no comments.

Any mitigation proposed as a result of the workshops would require land owner approval. Any mitigation proposed within VDOT Right-of-Way as a result of the workshops would be subject to VDOT regulations and approval.

383 FHWA and the County shall amend and submit revised design plans within thirty
384 (30) days after the end of a comment period. Plan review and submittal deadlines
385 may be changed with the agreement of all workshop participants but in no event
386 shall any comment period be less than two (2) weeks after receipt. If the relevant
387 issues cannot be resolved after two design workshops have been conducted,
388 FHWA may schedule additional workshops.

389

390 Features to be discussed shall include, but not be limited to:

391

- 392 i. The shared-use driveway, a portion of which will be controlled and
393 maintained by VDOT, providing access to the Trust, Woodlawn Baptist
394 Church, and Woodlawn Quaker Meetinghouse, including ownership and
395 maintenance issues.
- 396 ii. A signalized intersection at Woodlawn Road, which will be constructed to
397 provide safe access to Woodlawn Baptist Church, Woodlawn Quaker
398 Meetinghouse, and the Trust properties within the District.
- 399 iii. Landscaping needed to rehabilitate the setting, screen and reduce the
400 visibility of the highway, and maintain viewsheds, to the greatest extent
401 possible, for all Woodlawn Historic District properties, including plantings
402 within and outside VDOT Right-of-Way. FHWA shall be responsible for
403 the installation of all approved landscaping and for its maintenance and
404 replacement over a one-year establishment period.
- 405 iv. Circulation patterns within the District, including vehicular, pedestrian and
406 equestrian access, including portions of the PHNST/ WARO NHT, and the
407 abandoned section of Rt. 1.
- 408 v. FHWA shall fund the fabrication and installation of interpretive signage
409 related to the District and its contributing properties, including the
410 replacement of two (2) interpretive signs manufactured as part of the
411 Mulligan Road project using updated maps of the new roadway and
412 District configuration, the development of two (2) new interpretive signs
413 similar in format to the Mulligan Road interpretive signs and the proposal
414 of two (2) Virginia Historical Highway Markers . Installation of the
415 Virginia Historical Highway Markers is contingent upon the approval of
416 suitable locations by VDOT and the approval of text by SHPO Board of
417 Historic Resources.
- 418 vi. Reducing the width of the roadway section, pursuant to Stipulation I.(b),
419 reducing the impacts of the new road construction, and determining future
420 usage of the section of the existing Route 1 corridor that may be
421 abandoned.
- 422 vii. Re-establishment of appropriately designed fencing on Trust property.
- 423 viii. Location and design of storm water management ponds or drainage areas
424 that minimize the total disturbance of natural vegetation and soil within
425 the boundaries and viewshed of the Woodlawn Historic District so as to
426 minimize adverse effects. The primary objective for designing storm water
427 management areas shall be to create subtle and nearly imperceptible
428 depressions into the landscape through terracing, berming, and

- 429 terraforming. Biofiltration and bioretention methods such as vegetated
430 filter strips and swales shall be the preferred approach to managing
431 stormwater.
- 432 ix. Design of “gateway” features and elements, at the boundaries of and
433 within the Woodlawn Historic District, to create a context-sensitive setting
434 that is distinctive from other non-historic portions of Rt.1 and Mount
435 Vernon Memorial Highway. Gateway features shall include, but not be
436 limited to, landscaping, lighting, the size and location of sidewalks, trails,
437 fences, and signs.
- 438 x. Proposals for the relocation of the Otis Mason House and possible
439 relocation of the non-historic Woodlawn Stables commercial equestrian
440 facility. If equestrian related structures are not relocated on Trust
441 property, proposals for an appropriate driveway entrance from Mount
442 Vernon Memorial Highway to the NTHP property south of Rt. 1 will be
443 discussed.
- 444 xi. The appropriateness and feasibility of sound abatement measures, if such
445 measures are requested by qualifying landowners.

446
447 If conflicts arise that cannot be resolved to the satisfaction of all parties, they shall
448 be addressed through the dispute resolution process outlined in Stipulation XII.
449

450 **b) DESIGN AND MINIMIZATION OF ROADWAY SECTION THROUGH**
451 **WOODLAWN HISTORIC DISTRICT**
452

453 In an effort to minimize the adverse effects of the Undertaking on the Woodlawn
454 Historic District, consistent with Section 4(f) of the Department of Transportation
455 Act, NEPA and NHPA, to enhance the experience of visiting and traveling
456 through the Woodlawn Historic District, and to provide a safer environment for
457 motorists, pedestrians, and cyclists, FHWA, VDOT, and the County shall work
458 together, in consultation with the SHPO, the Trust and other parties to this
459 Agreement, to reduce the width of the right-of-way and roadway section to the
460 maximum extent possible through the Woodlawn Historic District. These efforts
461 shall include the following:
462

- 463 i. In order to provide an appropriate transition from realigned Route 1 to
464 existing Route 1 north of Mount Vernon Memorial Highway, pursue
465 necessary approvals to extend the roadway section at the eastern terminus
466 of the project (with little or no median) as far into the historic district as is
467 feasible and prudent.
- 468 ii. FHWA and the County shall include a requirement in the project’s
469 Request for Proposals, and in the design and construction contract, which
470 directs the contractor to seek design waivers and exceptions to minimize
471 the width of the road and the right-of-way through the Woodlawn Historic
472 District. In attempting to minimize the width of the road, FHWA shall
473 direct the contractor to consider the process and solutions detailed in

474 FHWA's Flexibility in Highway Design guide. FHWA shall direct the
475 contractor to propose solutions for VDOT to consider which may include
476 reduction in lane width (for traffic, bicycle, and pedestrian lanes), length
477 of turning lanes, median and shoulder width, size of gutter pan, adjustment
478 of speed limit, limitations on signage, and other elements of the standard
479 roadway design.

480 iii. VDOT shall consider all design waivers and exceptions presented by the
481 contractor and shall work with the contractor to accommodate, when
482 appropriate, such waivers and exceptions as provided for in VDOT
483 Instructional and Informational Memorandum: Design
484 Exceptions/Waivers, IIM-LD-227.5 and IIM-S&B-70.3, which recognizes
485 the FHWA publication "Mitigation Strategies for Design Exceptions," as
486 providing mitigation efforts that shall be followed when processing design
487 exceptions.

488

489 c) WOODLAWN BAPTIST CHURCH AND CEMETERY

490

491 i. Within six (6) months of execution of this Agreement, the Army shall
492 initiate the granting of an easement for the construction of an access
493 driveway to serve the Baptist property and a use permit with related
494 conditions allowing limited usage of the land on Fort Belvoir located
495 adjacent to the Woodlawn Baptist Church property and bounded by the
496 realigned Route 1 and new access road. The permit would allow the area
497 to be used and maintained by the Baptists for recreation, occasional
498 parking, and other temporary, low impact activities. The construction of
499 permanent buildings, including dwellings, will not be permitted. The
500 construction of certain structures, such as retaining walls, and signage,
501 may be permitted with Army approval. Granting of the access easement
502 and use permit are subject to Department of the Army (DA) approval.

503 ii. FHWA shall include in its design and implement the removal of pavement
504 from the church's existing driveway in order to restore the historic
505 character of the landscape. Driveway modifications shall conform to *The*
506 *Secretary of the Interior's Standards for the Treatment of Historic*
507 *Properties* as they relate to the *Guidelines for the Treatment of Cultural*
508 *Landscapes*.

509 iii. FHWA shall include in its design and implement landscaping that will
510 replace vegetation removed due to the Undertaking. Any landscaping
511 proposed within the VDOT Right-of-Way would be subject to VDOT
512 regulations and approval. Any landscaping proposed on Baptist property
513 will be subject to Baptist approval as described in Stipulation I(a)(iii) of
514 this Agreement. FHWA shall be responsible for the installation of all
515 approved landscaping and for its maintenance and replacement over a one-
516 year establishment period.

517 iv. FHWA contracted the services of archaeologists with specialized mortuary
518 experience to document the cemetery (FHWA 2012c), including a grave
519 location survey and the cataloging of gravestone data. The survey used

520 minimally invasive techniques, such as Ground Penetrating Radar, to
521 determine the locations of graves. The survey included areas within the
522 known boundaries of the cemetery, and extended beyond the known
523 boundaries to areas that may have contained associated graves. A
524 searchable database of gravestone information includes inscriptions,
525 descriptions of the stones, photographs, and other data. The survey was
526 intended as mitigation, but was implemented in advance to assist in the
527 design and project impact analysis process. FHWA shall provide final
528 copies of all materials resulting from Stipulation I(b)(iv) to the Woodlawn
529 Baptist Church, SHPO, the Virginia Room at the City of Fairfax Regional
530 Library, and Cultural Resource Management Branch, Fairfax County Park
531 Authority in a form that is acceptable to each party.

- 532 v. Additional activities impacting the Woodlawn Baptist Church, including
533 the relocation of church signs, relocation/replacement of utilities, noise
534 abatement and other details will be determined separately from this
535 Agreement by FHWA, the Woodlawn Baptist Church, and other parties,
536 as appropriate to the specific activity.

537
538 d) OTIS TUFTON MASON HOUSE

539
540 FHWA shall relocate the Otis Tufton Mason House according to the following
541 procedures:

- 542
543 i. FHWA shall relocate the building to a permanent site selected by the
544 Trust, nearby and on Trust property, as a means of recreating the historic
545 setting, association, and general feel of the Otis Tufton Mason House to
546 the extent possible. FHWA shall ensure that Consulting Parties will have
547 the opportunity to provide input regarding the proposed relocation site,
548 including site improvements such as access and parking area, during the
549 design workshops described in Stipulation I.
- 550 ii. FHWA shall contract a professional building mover that is bonded and
551 insured to undertake the relocation of the Otis Tufton Mason House. The
552 SHPO and the Trust will review and approve the experience and
553 professional qualifications of the mover prior to FHWA entering into a
554 contract.
- 555 iii. FHWA shall develop a stabilization and moving plan for the Otis Tufton
556 Mason House, in conformance with *Moving Historic Buildings* (Curtis,
557 1979), before relocation of the house or any part thereof. The plan shall be
558 developed in consultation with and shall receive the concurrence of the
559 Trust and the SHPO. At a minimum, the plan will consist of the following
560 elements: recordation of significant architectural features of the Otis
561 Tufton Mason House, documentation of the history of the building
562 (through research in federal, state and local archival depositories),
563 documentation of missing architectural features of the Otis Tufton Mason
564 House, identification of features that require stabilization prior to
565 relocation, the method of moving the building, the route which the

- 566 building will take from its existing site to its new site, and the method of
567 securing and stabilizing the Otis Tufton Mason House after relocation.
568 FHWA shall ensure that any contract entered into related to the relocation
569 will include the specific regulations or requirements governing the
570 performance of the mover's responsibilities.
- 571 iv. FHWA shall secure any necessary permits and approvals required to move
572 and site the house. Within twelve (12) months of relocation to its new site
573 the FHWA shall ensure that the Otis Tufton Mason House is in a habitable
574 condition and receives a certificate of occupancy from the appropriate
575 local government agency. This will include, at a minimum, connecting
576 utilities to the house in order to provide the building electrical, water, and
577 sewer service. Comparable electrical, water, and sewer service shall also
578 be provided to benefit the other buildings within the Sharpe Stables
579 Complex. The Trust shall be responsible for the final connections to the
580 interior of Sharpe Stables Complex structures. Access and parking will
581 also be provided by FHWA.
- 582 v. Within twelve (12) months of the move, FHWA shall demonstrate to the
583 satisfaction of the Trust and the SHPO that the relocation occurred
584 according to the previously approved stabilization and moving plan.
- 585 vi. FHWA shall be responsible for the following costs as may be necessary to
586 satisfy the terms of this Agreement: architectural and engineering services,
587 stabilization of the Otis Tufton Mason House prior to relocation, moving
588 the Otis Tufton Mason House, the construction of a new foundation that is
589 compatible with the historic character of the Otis Tufton Mason House,
590 installation of utilities consistent with Stipulation I(d)(iv), and
591 access/parking modifications. FHWA shall also ensure that the Otis
592 Mason House is reasonably protected from vandalism and the elements
593 during the construction and relocation process. All windows, doors, and
594 other entry ways shall be locked and/or secured to prevent unauthorized
595 entry. Any temporary external openings required for the relocation of
596 chimneys, roofing, or other structural components will be blocked when
597 unattended using plywood, tarps, or other materials, as appropriate, to
598 prevent damage by vandals, animals, or the elements.
- 599 vii. FHWA shall ensure that prior to the construction of the new foundation
600 the proposed relocation site is adequately surveyed for archaeological
601 deposits according to the processes outlined in Stipulations V through VII.
- 602 viii. FHWA shall ensure that archaeological monitors are present when the
603 existing foundation and/or associated builder's trench are disturbed and
604 that an archaeological monitoring report is prepared and submitted to the
605 SHPO and other parties to this agreement.
- 606
- 607 e) Within twelve (12) months of execution of this Agreement FHWA shall prepare a
608 draft NR nomination form for the Woodlawn Historic District. The draft
609 nomination shall be developed in consultation with the SHPO and other
610 consulting parties. Development of the supporting documentation will commence
611 after the completion of Stipulations I.A, V and VI. FHWA shall submit the final

- 612 NR nomination form to SHPO for listing on the Virginia Landmarks Register
613 (VLR) and transmittal to the National Park Service for listing to the NR.
614
- 615 f) Within six (6) months of execution of this Agreement, FHWA shall complete
616 draft SHPO Intensive Level Survey forms for the following properties
617 contributing to the District:
- 618 1. Sharpe Stables Complex (Dairy, Corncrib, Stable, and Bank Barn)
 - 619 2. Grand View
- 620 FHWA shall ensure that the forms are entered electronically into the Virginia
621 Department of Historic Resources (DHR) Data Sharing System (DSS), or its
622 successor electronic inventory system. FHWA shall submit the draft Intensive
623 Level Survey forms to the SHPO for review and acceptance.
624
- 625 g) Within six (6) months of execution of this Agreement FHWA shall complete
626 measured drawings of the following individually listed or eligible properties
627 within the District:
- 628 1. Woodlawn Quaker Meetinghouse
 - 629 2. Pope-Leighey House
 - 630 3. George Washington's Grist Mill
- 631 FHWA shall provide the respective owners of these properties copies of the
632 completed measured drawings for the properties which they own, and the SHPO
633 copies of the completed measured drawings for these properties.
634
- 635 h) The Department of the Army shall provide a permanent ingress/egress easement
636 to the Trust, Alexandria Monthly Meeting of the Religious Society of Friends, and
637 Woodlawn Baptist Church for a shared use driveway to ensure access to Route 1.
638
- 639 i) Upon completion of the Undertaking and the re-opening of the improved Route 1,
640 VDOT, through its Commissioner of Highways, shall file an application with the
641 Commonwealth Transportation Board requesting the abandonment of any sections
642 of the existing Route 1 alignment within the Woodlawn Historic District that are
643 outside of the area required for the improved Route 1 alignment. The
644 Commonwealth Transportation Board will consider such application in
645 accordance with the requirements and procedures set forth in Article 10 of Title
646 33.1 (33.1-145 et seq.) of the *Code of Virginia*. The Commissioner of Highways
647 has the authority to convey any abandoned section of Route 1 by deed to another
648 party in accordance with the requirements of Article 10 of Title 33.1 (33.1-149) of
649 the *Code of Virginia* and VDOT's *Right of Way Manual of Instructions*. Within
650 six (6) months of award of the design-build contract, the FHWA shall prepare a
651 title report along with a preliminary survey of Route 1 within and adjacent to the
652 Woodlawn Historic District depicting any existing and proposed easements and
653 restrictions, including but not limited to utility easements and drainage easements,
654 within the right-of-way.
655

656 **II. Treatment for Woodlawn National Historic Landmark**
657

- 658 a) FHWA shall provide and oversee the distribution of project funding to mitigate
659 for impacts to Woodlawn NHL. These mitigation measures are directly relevant to
660 the adverse effects of the project on the Trust's ability to manage and maintain
661 this historic property, and to the adverse effects of the project on the experience of
662 visitors to the site. These mitigations are provided to benefit any structure or
663 landscape within the NHL boundaries including the Woodlawn Plantation, Grand
664 View, and Pope-Leighey House. The following is a list of mitigation measures
665 that will be provided within the boundaries of Woodlawn NHL:
666
- 667 i. Installation of public water service sufficient to serve the Woodlawn
668 property. Upgraded water mains will be provided with stubs from the
669 water main towards the buildings. The Trust shall be responsible for the
670 final connections to the buildings. The water service shall be sufficient to
671 provide fire protection through the use of fire hydrants and water mains
672 adequate in capacity for fire protection and a sprinkler system.
 - 673 ii. Installation of a sanitary sewer service line sufficient to serve the
674 Woodlawn property. The Trust shall be responsible for the final
675 connections from the buildings to the lateral stubs and manholes at the
676 main sewer line.
 - 677 iii. Installation of natural gas service. The Trust shall be responsible for the
678 final connections to the buildings.
- 679
- 680 b) FHWA shall ensure that the areas for proposed location of water and sewer lines,
681 landscaping and other ground disturbing activity resulting from mitigation
682 measures are adequately surveyed for archaeological deposits according to the
683 processes outlined in Stipulations V – VII.
684
- 685 c) FHWA shall install an underpass beneath Route 1 adjacent to the Sharpe Stable
686 Complex in order to restore access to the pastureland associated the Sharpe Stable
687 Complex buildings which would otherwise be diminished due to the Undertaking.
688 The underpass shall be built to allow limited farm equipment and vehicular access
689 between the NHL and remainder of the Woodlawn property which is listed on the
690 National Register of Historic Places. FHWA shall also provide an appropriate
691 driveway entrance from Mount Vernon Memorial to the Trust pastureland.
692
- 693 d) FHWA shall develop and submit design plans for review and comment by the
694 Trust and the SHPO. The Trust and the SHPO shall provide comments on
695 preliminary design plans within thirty (30) calendar days of receipt. If no
696 comments are received from the Trust or the SHPO, FHWA may assume that the
697 non-responding party has no comments. FHWA shall amend and submit revised
698 design plans within thirty (30) days after the end of a comment period. Plan
699 review and submittal deadlines may be changed with the agreement of all parties.
700
- 701 e) FHWA shall ensure that all work conducted on the Trust's property under this
702 Undertaking shall be closely coordinated with the Trust in order to avoid any
703 harm to the property through the construction of the mitigation measures and to

704 minimize impacts on the Trust's operation of the property. Prior to beginning
705 work on the mitigation measures on the Trust's property, the FHWA must receive
706 written permission from the Trust in the form of a right of entry agreement,
707 which outlines the scope of the work being performed and the roles,
708 responsibilities, and obligations of each party.
709

710 **III. Documentation and Treatment for Fort Belvoir Military Railroad Bed and**
711 **Bridge**

712
713 A. Prior to its removal FHWA shall conduct Historic American Engineering Record
714 (HAER) Level I documentation of the Bridge and portions of the Railroad Bed
715 within the APE. The documentation will include large-format photography, a
716 narrative history of the structures, and measured drawings. Upon completion of
717 the HAER documentation, FHWA shall provide final copies to the Army, the
718 Virginia Room at the City of Fairfax Regional Library, the Fairfax County
719 Department of Planning and Zoning, the Cultural Resource Management Branch,
720 Fairfax County Park Authority and the SHPO in a form that is acceptable to each
721 party.
722

723 B. In consultation with the Army and the SHPO, FHWA shall develop within six (6)
724 months of execution of this Agreement a marketing plan for determining if there
725 is a capable party willing to relocate and assume ownership of Railroad Bridge
726 Facility No. 1433. The marketing plan shall identify parties to whom FHWA shall
727 send direct solicitations for expressions of interest as well as the media outlets
728 through which the availability of the bridge will be advertised to the general
729 public. FHWA shall provide the marketing plan to the Army and the SHPO for
730 review and approval.
731

732 C. Once the marketing plan has been approved by the Army and the SHPO, FHWA
733 shall follow the process outlined below to identify a capable party to relocate and
734 assume ownership of Railroad Bridge Facility No. 1433:
735

736 1. FHWA shall implement the marketing plan developed pursuant to Stipulation
737 III.B. Interested parties shall have until 5:00 pm on the thirtieth (30th) calendar
738 day following receipt of a direct solicitation from FHWA or following initial
739 publication notice of the bridge's availability to submit to FHWA a detailed
740 proposal for the relocation and preservation of the bridge.
741

742 2. Proposals must describe in detail:

- 743 a) the individual, organization, or government agency that will assume
744 ownership;
745 b) the prospective use of the bridge and a plan for implementing that
746 use;
747 c) a plan and schedule for moving the bridge in accordance with a
748 construction schedule specified by FHWA;

- 749 d) the financial and technical capabilities of the recipient to move and
750 maintain the bridge; and
751 e) the ability of the recipient to indemnify the Army from all future
752 liability and claims.
753
- 754 3. Proposals must include a map showing the location of the proposed new site
755 for the existing structure, maps or drawings depicting any areas of the new site
756 where the ground surface will be disturbed by the reconstruction activities,
757 and a plan to identify any archaeological sites that might be present at the new
758 site and for avoiding harm to any archaeological sites eligible for the NR.
759
- 760 4. Proposals must certify that the recipient will:
761 a) assume responsibility for conducting all work associated with the
762 bridge relocation, including complying with all applicable
763 environmental regulations and laws, obtaining all appropriate
764 environmental clearances and permits, conducting any necessary
765 archaeological studies, and moving, dismantling, and reconstructing
766 the bridge according to *The Secretary of the Interior's Standards for*
767 *the Treatment of Historic Properties* (36 CFR Part 68);
768 b) assume all liability associated with the bridge and will indemnify the
769 Army from any further responsibility; and
770 c) consent to offer the donation of a preservation easement on the bridge
771 to the Board of Historic Resources, to be administered by the Virginia
772 Department of Historic Resources (*Code of Virginia* 10.1-2204), or to
773 another party selected in consultation with the SHPO and other parties
774 to this Agreement. The Board of Historic Resources or another
775 selected party is not obligated to accept a preservation easement
776 offered pursuant to this Agreement. If no entity is found that will
777 accept an easement on the bridge, the parties to this Agreement shall
778 consult in order to decide upon a mutually acceptable alternative.
779
- 780 5. FHWA shall consider only those proposals submitted in accordance with the
781 established schedule. If FHWA receives no expressions of interest in
782 acquiring the bridge by the close of the thirtieth (30th) day following receipt of
783 a direction solicitation from FHWA or following initial publication of any
784 notice of the bridge's availability, FHWA shall so notify the Army and the
785 SHPO. After fulfilling the additional requirements of Stipulation III.g) of this
786 Agreement, FHWA may proceed to demolish the bridge.
787
- 788 6. In consultation with the Army and the SHPO, FHWA shall review any
789 proposal received in accordance with the established schedule for submission,
790 but FHWA reserves the exclusive right to accept or reject any or all proposals.
791
- 792 7. FHWA shall reject any proposal that fails:
793 a) to include the information or certifications requested;

- 794 b) to preserve the historic significance of Railroad Bridge Facility No.
795 1433 by using the entire bridge at another location within either the
796 District or a location nearby;
797 c) to demonstrate that the prospective recipient has the financial and
798 technical capabilities to move and maintain the bridge;
799 d) to ensure that the bridge will be moved in accordance with FHWA's
800 specified construction schedule; or
801 e) to include appropriate and adequate measures for avoiding harm to
802 archaeological sites eligible for the NR that may be present at the new
803 site for the bridge.

804
805 8. In reviewing the proposals FHWA shall also consider:

- 806 a) the degree to which each proposal conforms to the *Secretary of the*
807 *Interior's Standards for the Treatment of Historic Properties* (36 CFR
808 68); and
809 b) any comments received from the Army or the SHPO within thirty (30)
810 calendar days of receipt of the proposals from FHWA.

811
812 D. FHWA shall inform the Army and the SHPO of its final decision to accept or
813 reject any proposals received for relocating and assuming ownership and
814 responsibility for maintenance and preservation of Railroad Bridge Facility No.
815 1433. If an acceptable proposal is identified and the bridge is subsequently
816 relocated, FHWA shall submit to the Army and the SHPO both black and white
817 and color 35 mm photographs of the bridge at its new location within thirty (30)
818 calendar days of completion of the relocation and installation.

819
820 E. After fulfilling the requirements of Stipulation III.A. through III.D and
821 Stipulation III.G of this Agreement, and after coordinating with the Army, FHWA
822 may demolish Railroad Bridge Facility No. 1433 if (a) FHWA identifies no
823 willing party or acceptable proposal for moving and assuming ownership and
824 responsibility for maintenance and preservation of the bridge, or (b) FHWA
825 accepts such a proposal from a willing party but the selected party fails to execute
826 an agreement with FHWA for ownership, removal, and maintenance and
827 preservation of the bridge within forty-five (45) calendar days of acceptance of its
828 proposal or fails to remove the bridge in accordance with the construction
829 schedule specified by FHWA. After demolishing the bridge, and in addition to
830 the documentation required by Stipulation III(a), FHWA shall update DHR's
831 DSS, or its successor electronic inventory system, file on the rail bridge. This
832 update shall indicate that the bridge has been demolished and reference the HAER
833 Level I documentation.

834
835 F. FHWA shall offer as an incentive to ownership a one-time monetary payment up
836 to an amount not to exceed the cost of demolition (approximately \$50,000, as
837 estimated and approved for reimbursement by the FHWA) to be used by a new
838 owner for implementing a plan, approved by the Army, the SHPO and FHWA, for
839 the relocation and preservation of the Railroad Bridge Facility No. 1433. FHWA

- 840 shall provide this payment only on a reimbursement basis for funds already
841 expended by the new owner on the relocation and preservation plan.
842
- 843 G. The portions of the FBMRR track bed north of Telegraph Road have suffered
844 erosion damage due to severe weather in 2011. FHWA shall repair and stabilize
845 the damaged sections of the track bed. Repairs shall meet all necessary storm
846 water regulations and the standards outlined in Stipulation X of this Agreement.
847
- 848 H. FHWA and the Army shall develop and install six (6) Fort Belvoir historic
849 markers at key locations along the route of the Fort Belvoir Military Railroad
850 (FBMRR) which will interpret the history of the route. The markers will conform
851 to the style of the existing Fort Belvoir historical sign program using upright cast
852 metal markers. Marker locations shall include the crossings at Telegraph Road,
853 John J. Kingman Road, Pohick Road, 21st Street, Rail Bridge 1433, which will be
854 demolished as a part of the widening, and Rail Bridge 2298, which crosses over
855 Beulah Road in Accotink Village. Fort Belvoir will provide FHWA with a copy
856 of the FBMRR Multi-Property National Register Nomination to assist FHWA in
857 the development of the signage. FHWA shall submit a draft historic marker
858 development plan to the SHPO and Fort Belvoir for review and comment. This
859 plan will include, but is not limited to, design graphics, draft language, and site
860 plans for marker location. This mitigation will be implemented within twenty-four
861 (24) months of this Agreement. FHWA shall submit to the SHPO and other
862 parties to this Agreement drafts of the markers texts and design for their review
863 and comment. The SHPO and other parties of this Agreement shall have thirty
864 (30) days upon receipt of complete information in which to respond. If the SHPO
865 or another party to this Agreement does not respond within thirty (30) days
866 FHWA may assume that the non-responding party(ies) has no comment. FHWA
867 shall fund the fabrication and installation of the historic markers.
868

869 **IV. Protective Measures and Determination of Effects for Pohick Episcopal**
870 **Church**

871
872 A. VIBRATION MONITORING
873

- 874 1) Prior to beginning construction, FHWA shall contract the services of a
875 qualified individual or firm to conduct a Pre-Construction Survey of Pohick
876 Episcopal Church. The contractor must demonstrate experience in working
877 with historic masonry buildings, and have at least five (5) years of
878 professional experience as a Building Conservation Specialist. The
879 contractor will have successfully completed at least three (3) building
880 conservation projects where he/she has taken into account the effects of
881 different levels of vibration on historic masonry and frame buildings.
882 FHWA shall ensure that all contract documents contain the specifications
883 described in this stipulation.

- 884 2) The Pre-Construction Survey shall establish baseline conditions for
885 monitoring vibration impacts during construction, and shall:
886 a) Establish an area of vibration impact;
887 b) Establish existing vibration levels unrelated to construction activity
888 from the Undertaking;
889 c) Provide details about fragility of building materials and the existing
890 conditions of the foundation and masonry/brick structure using
891 photographs, measurements, and other documentation, as appropriate;
892 d) Specify site-specific environmental conditions in the area of impact
893 that would affect the transmission of vibrations including geology, soil
894 types, water table, etc.;
- 895 e) Recommend appropriate vibration thresholds for monitoring during
896 construction to prevent damage Pohick Episcopal Church; and
897 f) Recommend appropriate vibration mitigation strategies that may be
898 incorporated into the Vibration Monitoring Plan (herein “VMP”).
- 899 3) Prior to beginning construction, FHWA shall prepare a VMP based on the
900 findings from the Pre-Construction Survey. The VMP shall include the
901 following:
902 a) Construction activities that require monitoring;
903 b) General timeframes for monitoring; and
904 c) Thresholds of vibration levels that should not be exceeded during
905 construction in the vicinity of Pohick Episcopal Church..
- 906 4) FHWA shall submit the VMP to the SHPO and Pohick Episcopal Church
907 for review and comment prior to beginning construction. The SHPO and
908 Pohick Episcopal Church shall have fifteen (15) days for review and
909 comment. If the SHPO and Pohick Episcopal Church do not respond within
910 fifteen (15) days, FHWA may assume that the non-responding party has no
911 comment. FHWA shall submit any modifications to the VMP to the SHPO
912 and Pohick Episcopal Church for review and comment. The SHPO and
913 Pohick Episcopal Church shall have fifteen (15) days for review and
914 comment. If the SHPO and Pohick Episcopal Church do not respond within
915 fifteen (15) days, FHWA may assume that the non-responding party(ies)
916 have no comment.
- 917 5) If vibrations are found to exceed the thresholds established for protection of
918 the church, the work causing that vibration will cease and corrective action
919 shall be taken to return the vibration level to acceptable thresholds.
- 920 6) FHWA shall be responsible for any repairs to damage to the church
921 resulting from construction activities within the vibration monitoring area, in
922 accordance with *The Secretary of the Interior’s Standards for*
923 *Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1994).

924 Before initiating repairs, FHWA shall, in consultation with Pohick
925 Episcopal church, develop specifications for repair work. FHWA shall
926 submit rehabilitation plans to the SHPO, for a period not to exceed thirty
927 (30) calendar days, for review and comment. If no comments are received
928 from the SHPO with thirty (30) days, FHWA can assume concurrence.

929
930 B. TELEGRAPH ROAD INTERSECTION DESIGN WORKSHOPS

931
932 FHWA shall facilitate two (2) design workshops among VDOT, the County, the
933 SHPO, the Army, Pohick Episcopal Church and representatives of the Inlet Cove
934 Board of Directors or Home Owners Association to evaluate alternative designs at
935 the intersection of Telegraph Road and Route 1. The first design workshop shall
936 take place within three (3) months of execution of this Agreement. The date and
937 location of the second workshop shall occur at a mutually agreeable time and
938 place among the workshop participants, and shall occur no later than six (6)
939 months after the first workshop. Other consulting parties may participate in the
940 design workshops. ARB and the Fairfax County History Commission shall be
941 included among the County's representatives invited to attend the workshops.
942 FHWA shall provide notification to all of the Signatories and Consulting Parties,
943 including ARB and the Fairfax County History Commission, regarding the
944 workshops.

945
946 FHWA and the County, in consultation with workshop participants, shall develop
947 and submit design plans for review and comment by workshop participants.
948 Designs may be distributed to workshop participants electronically, by mail, or at
949 workshop meetings, as determined appropriate by workshop participants. FHWA
950 shall provide design plans to workshop participants at least fifteen (15) days prior
951 to each workshop. Workshop participants shall provide comments on preliminary
952 design plans within thirty (30) calendar days of receipt. If no comments are
953 received from the workshop participants, FHWA may assume that the non-
954 responding party has no comments.

955
956 Any mitigation proposed as a result of the workshops would require land owner
957 approval. Any mitigation proposed within VDOT Right-of-Way as a result of the
958 workshops would be subject to VDOT regulations and approval.

959
960 FHWA and the County shall amend and submit revised design plans within thirty
961 (30) days after the end of a comment period. Plan review and submittal deadlines
962 may be changed with the agreement of all workshop participants but in no event
963 shall any comment period be less than two (2) weeks after receipt. If the relevant
964 issues cannot be resolved after two design workshops have been conducted,
965 FHWA may schedule additional workshops.

966
967 If conflicts arise that cannot be resolved to the satisfaction of all parties, they will
968 be addressed through the dispute resolution process outlined in Stipulation XII.

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C. DETERMINATION OF EFFECT FOR POHICK CHURCH

A determination of effect cannot be made at this time due to uncertainty related to the final design, particularly the potential construction of sound walls, and the possibility of damage resulting from construction vibration. When the design plans are more fully developed a determination of effect based on visual impacts will be made by FHWA in consultation with the parties to this Agreement. If the project will have an adverse effect on Pohick Church, an appropriate minimization and mitigation strategy will be developed in consultation with the parties to the Agreement. If construction vibration results in an adverse impact, corrective action will be taken as described in Stipulation IV.A.

V. Additional Testing of Archaeological Properties

- A. FHWA acknowledges that identification surveys have not been conducted in all portions of the APE, including the vicinity of Accotink Village and near Telegraph Road. All areas within the archaeological APE shall be surveyed prior to construction in accordance with the stipulations of this agreement.
- B. An archaeological survey of the entire Trust property was conducted by the Chicora Foundation in 1999; however the survey recommendations and results did not receive SHPO concurrence. Within six (6) months of the execution of this agreement, FHWA shall review and update the Chicora survey, as necessary, to identify and evaluate archaeological sites throughout the entire Trust property. This will help guide the design of mitigation measures so that impacts to any significant deposits can be avoided or minimized, including the archaeological deposits associated with the NHL (44FX1146).
- C. FHWA shall evaluate sites 44FX1810 and 44FX1936 for NR eligibility. FHWA shall consult with the Signatories, and other consulting parties, regarding the NR eligibility of the sites, and seek concurrence and development of avoidance, minimization, or mitigation measures.
- D. If activities related to the implementation of the Undertaking, and having the potential to impact archaeological resources, are to occur outside the previously identified APE, FHWA shall identify and evaluate archaeological properties prior to initiation of any land disturbing construction activities. If, as a result of testing, archaeological sites are identified that are eligible for listing in the NR, a plan for their treatment will be developed as described under Stipulation VII.
- E. FHWA shall ensure that archaeological properties occurring within the APE that are to be impacted by activities related to the implementation of the Undertaking (including, but not limited to, construction of stormwater management measures, borrow and staging areas, or tree removal and revegetation) are evaluated for NR eligibility by FHWA in consultation with SHPO. Evaluation shall be accomplished

1015 prior to initiation of land disturbing activities. FHWA shall consult with the
1016 Signatories, and other consulting parties, regarding the NR eligibility of
1017 archaeological properties evaluated, and seek concurrence and development of
1018 avoidance, minimization, or mitigation measures.
1019
1020

1021 **VI. Eligibility Determination and Determinations of Effect for Archaeological**
1022 **and Architectural Properties**
1023

1024 A. FHWA shall submit its findings regarding archaeological Phase I and II testing in a
1025 report to the SHPO with a formal request for concurrence. FHWA shall apply the
1026 NR criteria for eligibility to surveyed archeological sites in consultation with the
1027 SHPO, CIN-THPO, Signatories, and other consulting parties, to reach one of the
1028 following conclusions:

- 1029 1. If FHWA determines the criteria are not met, and the SHPO and CIN-THPO
1030 agrees, the property shall be considered not eligible. Such sites shall typically
1031 require no further review or consideration under this Agreement. If FHWA
1032 and the SHPO or CIN-THPO do not agree, or if ACHP or the Secretary so
1033 request, FHWA shall obtain a determination of eligibility from the Secretary
1034 pursuant to 36 CFR Part 63.
1035 2. If FHWA determines any of the NR criteria are met and the SHPO or CIN-
1036 THPO agree, the property shall be considered eligible for listing in the NR for
1037 purposes of this Agreement, and shall be included in the Archeological
1038 Property Treatment Plan (herein "Treatment Plan") described in Stipulation
1039 VII if such property would be adversely affected by the Project.
1040

1041 B. For those archaeological properties identified subsequent to the signing of this
1042 Agreement, FHWA shall oversee the Determination of Effects, which shall be
1043 based on the APEs for the Project (see Attachment D), preliminary engineering
1044 data, the Determinations of Eligibility (Stipulation VI.A.), and consultation with
1045 the Signatories and consulting parties. This determination shall be in accordance
1046 with procedures outlined in 36 CFR § 800.5.
1047

1048 C. A determination of effect for archaeological site 44FX1146, the deposits
1049 associated with Woodlawn Plantation, shall be made after the site has been
1050 delineated as described in Stipulation V.B and the locations of any utility
1051 installations or other components of the Undertaking have been determined.
1052 Significant deposits shall be avoided to the extent possible. If an adverse effect
1053 cannot be avoided, an Archaeological Treatment Plan shall be developed in
1054 consultation with the parties to this Agreement.
1055

1056 D. If future design modifications, such as the proposed construction of sound walls or
1057 storm water management facilities, would adversely impact an architectural
1058 property in a manner that was not previously anticipated, a revised determination
1059 of effect shall be issued by FHWA, in consultation with the SHPO and other
1060 parties to this Agreement, and appropriate avoidance, minimization, and/or

1061 mitigation measures shall be developed if necessary and in consultation with the
1062 parties to this Agreement.

1063

1064 E. If any architectural property is inadvertently damaged as a result of the
1065 Undertaking in a manner that was not previously anticipated, a revised
1066 determination of effect shall be issued by FHWA and appropriate mitigation
1067 measures shall be developed in consultation with the parties to this agreement.

1068

1069 **VII. Archaeological Property Treatment Plan**

1070

1071 A. If, as a result of the testing program, archaeological sites are identified that are
1072 eligible for listing in the NR, a plan to avoid, minimize, or mitigate adverse effects
1073 shall be developed by FHWA in consultation with the Signatories, and other
1074 consulting parties; and approved by the SHPO prior to implementation.

1075

1076 B. When adverse effects to archaeological properties cannot be avoided, a Treatment
1077 Plan shall provide specific treatment measures that could include, but shall not
1078 necessarily be limited to, data recovery or other documentation.

1079

1080 C. Wherever prudent and feasible, the Treatment Plan shall provide for the
1081 preservation of archaeological sites in place, with as little change as possible, and
1082 include provisions for long term management. Where necessary to preserve such
1083 sites, the plan shall provide for such management actions as physical stabilization,
1084 planting, and fencing where applicable and appropriate.

1085

1086 D. With respect to archaeological sites associated with Native American occupation
1087 and use of the area, regardless of age, the Treatment Plan shall be developed in full
1088 consultation with the CIN THPO and the appropriate state-recognized tribe(s) to
1089 the extent the CIN THPO and the appropriate state-recognized tribe(s) are willing
1090 to participate. To the maximum extent prudent and feasible, the plan shall give
1091 deference to their wishes for treatment of archaeological sites and/or objects of
1092 cultural significance.

1093

1094 E. Where physical disturbance is unavoidable, and data recovery is agreed to be the
1095 appropriate option, all data recovery plans prepared under the terms of this
1096 Agreement shall include the following elements:

1097

1098 1. Information on the archeological property or properties where data recovery is
1099 to be carried out and the context in which such properties are eligible for the
1100 NR;

1101

1102 2. Information on any properties, or portions of properties that will be destroyed
without data recovery;

1103

1104 3. Discussion of the research questions to be addressed through the data recovery
with an explanation/ justification of their relevance and importance;

1105

1106 4. Description of the recovery methods to be used, with an explanation of
techniques of analysis, data management and dissemination of data;

- 1107 5. Information on arrangements for any regular progress reports or meetings to
1108 keep the signatory and consulting parties up to date on the course of the work.
1109 The plan shall contain the expected timetable for excavation, analysis and
1110 preparation of the final report.
1111 6. Proposed methods for disseminating results for the work to the interested
1112 public; and
1113 7. If Native American human remains or associated funerary objects are
1114 expected to be encountered, information on consultation with the CIN THPO,
1115 and/or the appropriate state-recognized tribe(s) regarding final treatment and
1116 disposition of the materials, including a Plan of Action pursuant to NAGPRA,
1117 if appropriate.
1118 8. The disposition of recovered materials and records shall be in accordance with
1119 Stipulation X.C of this Agreement regarding curation, dependent upon
1120 whether material/and or records are found on Federal, Commonwealth or
1121 private lands.
1122
1123

1124 **VIII. Late Discoveries of Archaeological Properties**

- 1125
1126 A. In order to address the potential for the late discovery of archaeological properties
1127 within the APE, the parties to this Agreement are bound to the provisions of this
1128 stipulation. Additionally, FHWA shall ensure that all contract documents contain
1129 the provisions of this stipulation, as appropriate to the contractor's involvement,
1130 and that contractors are appropriately notified of their obligation to protect
1131 archaeological discoveries.
1132
1133 B. In the event that previously unidentified archaeological properties are discovered
1134 during ground disturbing activities, the contractor shall immediately halt all
1135 construction work involving subsurface disturbance in the area of the property
1136 and in the surrounding area, and immediately notify FHWA. FHWA shall notify
1137 the SHPO, Signatories, and other consulting parties of the discovery within two
1138 (2) business days.
1139
1140 C. Using a qualified archaeologist meeting the Secretary's *Professional*
1141 *Qualifications Standards for Archaeology*, FHWA shall promptly inspect the
1142 work site and determine the area and nature of the affected archaeological
1143 property. Other Signatories may participate in this or a separate inspection of the
1144 discovery site if they so desire. Construction work may then continue in the area
1145 outside the archaeological property as defined by FHWA and the SHPO, or their
1146 designated representative.
1147
1148 D. Within five (5) business days of the original notification of discovery, FHWA, in
1149 consultation with the Signatories and other consulting parties, shall determine the
1150 NR eligibility of the property and provide the eligibility determination to SHPO
1151 for concurrence.
1152

- 1153 E. If the property is determined eligible for the NR, or contains human burials,
1154 FHWA shall prepare a plan for its avoidance, protection, or recovery of
1155 information. The plan shall be submitted to the Signatories and other consulting
1156 parties for review and approval prior to its implementation. If comments are not
1157 received within five (5) business days following receipt, it shall be presumed that
1158 the party has no objection and the plan may be implemented.
1159
- 1160 F. Work in the affected area shall not proceed until either:
1161 1. The development and implementation of appropriate data recovery or other
1162 recommended mitigation procedures is completed, or
1163 2. The determination is made that the located properties are not eligible for
1164 inclusion on the NR.
1165
- 1166 G. Any disputes over the evaluation or treatment of previously unidentified
1167 properties shall be resolved as provided in the section of this Agreement entitled
1168 Dispute Resolution (Stipulation XII).
1169

1170 **IX. Discovery of Human Remains or Funerary Objects**
1171

1172 If suspected human remains or funerary objects are identified during construction,
1173 FHWA shall require that construction be halted immediately at the location of the
1174 remains. The County Police Department or Army Military Police, as appropriate, shall
1175 be immediately contacted by the on-site FHWA engineer to determine if the discovery
1176 is a crime scene. FHWA shall ensure that further construction does not occur within
1177 200 feet in any direction of the discovery until a qualified archeologist arrives to
1178 assess the discovery. FHWA shall secure the area of the apparent human remains to
1179 ensure no further disturbance or removal of those remains and associated material
1180 occurs. FHWA shall also ensure that vehicular traffic across the area is restricted to a
1181 location removed from the discovery. After arrival at the site, FHWA shall ensure that
1182 a qualified archaeologist shall evaluate the discovery. If it does consist of human
1183 remains, the archaeologist shall follow the procedures as follows:
1184

1185 A. HUMAN REMAINS ON FEDERAL LANDS
1186

1187 If Native American human remains and cultural items, as defined by NAGPRA,
1188 are encountered on Federal lands during inventory, testing, data recovery or any
1189 construction-related activities, work within 200 feet of the discovery shall cease.
1190 FHWA shall immediately notify the SHPO, CIN-THPO and all other Signatories
1191 and consulting parties, of the discovery. The Army, as the Federal land-
1192 management agency, shall comply with the requirements of NAGPRA (43 CFR §
1193 10) and shall take into account, if applicable, the *Catawba Indian Nation THPO*
1194 *Burial Policy* and Procedures, provided as **Attachment J**.
1195

1196 B. HUMAN REMAINS ON COMMONWEALTH OR PRIVATE LANDS
1197

1198 The treatment of any human skeletal remains and associated funerary objects
1199 recovered from non-Federal lands, including those controlled by the
1200 Commonwealth, shall be in accordance with the terms of the burial permit issued
1201 by the Director of the SHPO governing the removal of such remains, and if
1202 applicable, the *Catawba Indian Nation THPO Burial Policy and Procedures*, as
1203 provided in Attachment J.

1204

1205 C. PERMITS

1206

1207 A permit for the archaeological removal of human remains on Commonwealth
1208 and private lands is required under Virginia Code 10.1-2305(A), together with
1209 assurances that any such remains shall be treated with dignity and respect.

- 1210 1. FHWA shall ensure that human skeletal remains and associated funerary
1211 objects encountered during the course of actions taken as a result of this
1212 agreement shall be treated in accordance with the Regulations Governing
1213 Permits for the Archaeological Removal of Human Remains (Virginia
1214 Register 390-01-02) found in the Code of Virginia (17VAC5-20-30, 10.1-
1215 2305, et seq., Virginia Antiquities Act) and the *Catawba Indian Nation THPO*
1216 *Burial Policy and Procedures*, as applicable, provided in Attachment J.
1217 FHWA shall obtain a permit from the SHPO for the removal of human
1218 remains in accordance with the regulations stated above.
- 1219 2. FHWA shall notify the appropriate state-recognized tribe(s) and CIN-THPO
1220 when burials, human skeletal remains, or funerary objects are encountered on
1221 the Project, prior to any analysis or recovery.
- 1222 3. FHWA shall ensure that the general public is excluded from viewing any
1223 Native American burial sites, human remains, or associated funerary objects.
1224 The Signatories, and the consulting parties to this Agreement, shall not release
1225 any photographs of any American Indian burial site or associated funerary
1226 objects to the press or the general public.
- 1227 4. Any Native American human remains and associated funerary objects
1228 recovered pursuant to this agreement shall be re-interred in consultation with
1229 the CIN THPO and the appropriate state-recognized tribe(s). The appropriate
1230 state-recognized tribe(s) or CIN THPO shall consult with the SHPO to
1231 determine the party or parties that shall assume responsibility for planning and
1232 executing the re-interment. FHWA shall deliver these remains and objects to
1233 the party or parties designated by the CIN THPO and the appropriate state-
1234 recognized tribe(s) and shall be responsible for the costs of re-interment. The
1235 disposition of any other human skeletal remains and associated funerary
1236 objects shall be governed as specified in any permit issued by the SHPO or
1237 any order of the local court authorizing their removal.

1238

1239

1240 X. Standards

1241

1242 A. PRESERVATION STANDARDS AND PROFESSIONAL QUALIFICATIONS

PROGRAMMATIC AGREEMENT

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- 1243 1. All work carried out pursuant to this agreement shall be conducted by or
1244 under the direct supervision of an individual or individuals who meet, at a
1245 minimum, the Secretary of the Interior professional qualification standards for
1246 history, architectural history, archaeology, or architecture, as appropriate to
1247 the specific property, and as defined in 36 CFR Part 61.
1248 2. In accordance with Section 4 of the Archaeological Resource Protection Act
1249 of 1979 (ARPA), all archaeological investigations on Federal land shall be
1250 performed under an appropriate ARPA Cultural Resource Use Permit issued
1251 by the Army. FHWA shall ensure that all contract documents contain
1252 procedures for obtaining the permit.
1253 3. A Department of Historic Resources permit (under Code of Virginia § 10.1-
1254 2302) and a VDOT Land Use Permit (under 24VAC30-151-20) are required
1255 for archaeological investigation on Commonwealth highway right of way.
1256

1257 B. DOCUMENTATION STANDARDS

- 1258 1. All archaeological reports, including data recovery plans included in
1259 Treatment Plans, shall be consistent with the Secretary's *Standards for*
1260 *Archaeological Documentation* (48 FR 44734-37, September 29, 1983) and
1261 the professional standards set forth in SHPO's *Guidelines for Conducting*
1262 *Historic Resources Survey in Virginia* (October 2011), and shall take into
1263 account the ACHP's publications, *Recommended Approach for Consultation*
1264 *on Recovery of Significant Information from Archeological Sites* (1999) and
1265 *Section 106 Archaeology Guidance* (June 2007).
1266 2. All historical and architectural reports and survey documentation shall be
1267 consistent with pertinent standards and guidelines of the Secretary, including
1268 as applicable the *Standards for Historical Documentation* (48 FR 44728-30),
1269 the Secretary of the Interior's *Standards for Architectural and Engineering*
1270 *Documentation* (48 FR 44730-34, September 29, 1983), and the SHPO's
1271 *Guidelines for Conducting Historic Resources Survey in Virginia* (October
1272 2011).
1273 3. The FHWA shall provide the VDOT Preservation Program Manager (VDOT
1274 Central Office, Richmond, VA) one hard copy and one electronic copy in PDF
1275 format on compact disc of the final version of any technical cultural resources
1276 survey or study, prepared in fulfilling the requirements of the Stipulations of
1277 this Agreement, of a geographic area, building, structure, or archaeological
1278 site located within or immediately adjacent to existing or proposed VDOT
1279 right-of-way.
1280

1281 C. CURATION AND CURATION STANDARDS

- 1282 1. The material remains and associated records resulting from the actions within
1283 the APE shall be curated in accordance with 36 CFR Part 79, with the
1284 exception of artifacts found on private land, human skeletal remains and
1285 associated funerary objects.
1286 2. The curator of artifacts potentially discovered as a result of the Undertaking
1287 shall be dependent upon the owner of the lands where the artifacts are found.

- 1288 3. On Federal lands, material and records obtained from the Army shall be
1289 curated at a curation center or another depository as specified in the Cultural
1290 Resource Use Permit issued by the Army. Currently, an agreement is in place
1291 with the County to curate artifacts at the Cultural Resource curation facility at
1292 the James Lee Center in Falls Church, VA.
- 1293 4. Pursuant to the Code of Virginia §10.1-2302 all material remains (with the
1294 exception of materials found on Army property, human skeletal remains and
1295 associated funerary artifacts) resulting from the actions cited in this
1296 Agreement, and recovered from lands controlled by the Commonwealth,
1297 including highway right of way, are the property of the Commonwealth.
1298 SHPO shall pursue the execution of a loan agreement documenting the loan of
1299 collections recovered from Commonwealth land or within Commonwealth
1300 owned/maintained right of way. The loan agreement would specify that any
1301 such collections would be curated by the Fairfax County Park Authority on
1302 behalf of the County, pursuant to Federal regulation at 36 CFR Part 79. If the
1303 Fairfax County Park Authority should ever close the curatorial facility, or
1304 terminate the agreement, the County or the Fairfax County Park Authority
1305 shall notify the SHPO and arrange for the transfer of any curated materials.
- 1306 5. Any private landowner shall have claim to artifacts found on its land as a
1307 result of this undertaking, as prescribed by the laws of the Commonwealth.
- 1308

1309 **XI. Continuing Review Process**

1310

- 1311 A. The SHPO and the parties to this Agreement agree to provide comments to
1312 FHWA on all plans, technical materials, findings and other documentation arising
1313 from this Agreement within thirty (30) calendar days of their receipt, unless
1314 otherwise stipulated in this Agreement. If no comments are received from the
1315 SHPO or the concurring parties to this Agreement, FHWA may assume that the
1316 non-responding party has no comment. FHWA shall take into consideration all
1317 comments received in writing from the SHPO and the concurring parties to this
1318 Agreement within the thirty (30) calendar day review period, unless otherwise
1319 stipulated in this Agreement.
- 1320
- 1321 B. All roadway design, signage, landscaping, and other mitigation measures
1322 proposed as part of this agreement that will be accepted into the state highway
1323 system must meet VDOT standards and requirements, and are subject to VDOT
1324 approval, including the granting of exceptions as specified in Stipulation I.b of
1325 this Agreement.
- 1326
- 1327
- 1328 C. Unanticipated Effects on Historic Properties: An unanticipated adverse effect is
1329 accidental damage or destruction of a historic property or contributing landscape
1330 feature. In the event that any contributing features or properties are subject to
1331 unanticipated adverse effect(s), FHWA shall immediately notify the SHPO and
1332 ACHP, and shall ensure that the Signatories and Consulting Parties are notified of
1333 the unanticipated adverse effect within one (1) business day. FHWA shall

1334 immediately enter into consultation in an effort to resolve the unanticipated effect
1335 in accordance with Stipulation VI.E. of this Agreement.

1336

1337 **XII. Dispute Resolution**

1338

1339 **A. OBJECTIONS BY SIGNATORY PARTIES**

1340

1341 Should any signatory to this agreement object in writing to FHWA regarding any
1342 action carried out or proposed with respect to the undertaking or implementation of
1343 this agreement, FHWA shall consult with the objecting Signatory to resolve the
1344 objection. If after initiating such consultation FHWA determines that the objection
1345 cannot be resolved through consultation, the agency shall forward all documentation
1346 relevant to the objection to the ACHP, including the agency's proposed response to
1347 the objection. Within thirty (30) days after receipt of all pertinent documentation, the
1348 ACHP shall exercise one of the following options:

1349

- 1350 1. Advise the FHWA that the ACHP concurs in the agency's proposed response to
1351 the objection, whereupon the agency will respond to the objection accordingly; or
- 1352 2. Provide the FHWA with recommendations, which the agency shall take into
1353 account in reaching a final decision regarding its response to the objection; or
- 1354 3. Notify the FHWA that the objection will be referred for comment pursuant to 36
1355 CFR Part 800.2(b)(2), and proceed to refer the objection and comment. The
1356 agency shall take the resulting comment into account.

1357

1358 Should the ACHP not exercise one of the above options within thirty (30) days after
1359 receipt of all pertinent documentation, the FHWA may assume ACHP has no
1360 comment.

1361

1362 The FHWA shall take into account any ACHP recommendation or comment provided
1363 in accordance with this stipulation with reference only to the subject of the objection;
1364 the agency's responsibility to carry out all actions under this Agreement that are not
1365 the subjects of the objection shall remain unchanged.

1366

1367 **B. CONSULTING PARTY COMMENTS AND DISPUTE RESOLUTION**

1368

1369 Should any consulting party to this Agreement object in writing to the FHWA
1370 regarding any action carried out or proposed with respect to the undertaking or
1371 implementation of this Agreement, the FHWA, in conjunction with all other
1372 Signatories to this Agreement, will consult with the objector regarding such
1373 objections.

1374

1375 The Signatories shall consult with the objecting consulting party within thirty (30)
1376 days after receipt of written comments. If the Signatories and the consulting party
1377 cannot resolve the matter with respect to the project, the FHWA shall notify SHPO
1378 and provide copies of the objection. SHPO, as appropriate, shall advise the FHWA of
1379 measures, if any, that could resolve the matter.

1380

1381
1382 If the Signatories, in consultation with SHPO, cannot resolve the matter with respect
1383 to the project, and the Signatories consider the issue of sufficient importance, the
1384 Signatories shall proceed as set forth in Stipulation XII.A. above.

1385
1386 At any time during the implementation of the measures stipulated in this Agreement,
1387 should a member of the public object to the FHWA regarding the manner in which
1388 the measures stipulated in this Agreement are being implemented, the FHWA shall
1389 notify the Signatories to this Agreement and consult with the objector to solve the
1390 objection. The Signatories may request that the FHWA notify the Concurring Parties
1391 to this Agreement about the objection as well.

1392
1393

1394 **XIII. Amendment and Termination**

1395
1396 A. Any signatory to this Agreement may propose to FHWA that the Agreement be
1397 amended, whereupon FHWA shall consult with the other signatories to consider
1398 such an amendment. 36 CFR § 800.6(c)(7) shall govern the execution of any such
1399 amendment. Any signatory to this Agreement may terminate it in accordance with
1400 the provisions of 36 CFR § 800.6(c)(8).

1401
1402 B. If FHWA decides they will not proceed with the Undertaking, they may so notify
1403 the signatories and concurring parties and then this Agreement shall become null
1404 and void.

1405
1406 C. In the event that this Agreement is terminated or rendered null and void, FHWA
1407 shall submit to the SHPO a technical report on the results of any archaeological
1408 investigations conducted prior to and including the date of termination, and shall
1409 ensure that any associated collections and records recovered are curated in
1410 accordance with Stipulation X.C. of this Agreement.

1411
1412 D. In the event of termination, FHWA shall either execute a Section 106 agreement
1413 pursuant to 36 CFR § 800.6(c)(1) or request the comments of the ACHP under 36
1414 CFR § 800.7(a). FHWA shall notify all parties to this Agreement and give them
1415 the opportunity to participate in the development of any new agreements.

1416
1417

1417 **XIV. Duration**

1418
1419 A. Unless this Agreement is terminated pursuant to Stipulation XIII or superseded by
1420 another Agreement executed for the Undertaking, or the Undertaking has been
1421 terminated, this Agreement shall remain in effect for a period of ten (10) years
1422 from the date of the final signature.

1423
1424 B. FHWA shall provide quarterly updates to the parties of this Agreement regarding
1425 the status of the mitigation commitments contained herein. Upon a determination
1426 by FHWA that construction of all aspects of the Undertaking have been

1427 completed and that all terms of this Agreement have been fulfilled in a
1428 satisfactory manner, FHWA shall notify the other Signatories and consulting
1429 parties of that determination in writing. If no objections to the determination are
1430 submitted in writing to FHWA by a Signatory within 30 days, this Agreement
1431 shall no longer have any effect.

1432
1433 C. FHWA shall provide notice of this Agreement's expiration to all Signatories at
1434 least six months prior to Agreement's expiration. Amendments to extend the
1435 duration of this Agreement must be consistent with the procedural requirements
1436 set forth in Stipulation XIII.

1437
1438

1439 **XV. Other Clauses**

1440

1441 A. This Agreement is intended to be consistent with the Project MOA attached hereto
1442 as Attachment A. Furthermore, this agreement will be funded as described in the
1443 Project MOA, and no party will incur any financial obligation not specifically
1444 provided for in the Project MOA.

1445

1446 B. All requirements for funds to be borne by Fairfax County shall be subject to
1447 annual appropriations by the Fairfax County Board of Supervisors.

1448

1449 C. This agreement shall not be construed as creating any personal liability on the part
1450 of any officer, employee, or agent of the parties, nor shall it be construed as giving
1451 any rights or benefits to anyone other than the parties hereto.

1452

1453 D. This agreement shall not be construed as a waiver of the sovereign immunity of
1454 Fairfax County, the Commonwealth of Virginia, or the United States of America

EXECUTION

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Execution and implementation of this Agreement by the Signatories, and implementation of its terms, shall evidence that FHWA has afforded the ACHP and SHPO an opportunity to comment on the Undertaking and its effects, and that FHWA has taken into account the effects of the Undertaking on historic properties in compliance with 36 CFR Part 800 and Sections 106 and 110(f) of the NHPA.

FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: _____
Karen A. Schmidt, Director of Program Administration
Federal Highway Administration
Eastern Federal Lands Highway Division

1501 **VIRGINIA STATE HISTORIC PRESERVATION OFFICER**

1502

1503

1504 By: _____ Date: _____

1505 Kathleen S. Kilpatrick, Director

1506 Department of Historic Resources

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1550 **VIRGINIA DEPARTMENT OF TRANSPORTATION**

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1553 By: _____ Date: _____

1554 Earl T. Robb, Environmental Division Administrator

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COUNTY OF FAIRFAX, VIRGINIA

By: _____ Date: _____
Edward L. Long, Jr., Fairfax County Executive

1641 **U.S. ARMY GARRISON, FORT BELVOIR**

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1644 By: _____ Date: _____

1645 Colonel Gregory Gadsen, Garrison Commander

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1687 **DEPARTMENT OF DEFENSE OFFICE OF ECONOMIC ADJUSTMENT**

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1690 By: _____ Date: _____

1691 Patrick J. O'Brien, Director

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CATAWBA INDIAN NATION

By: _____ Date: _____
Chief, Catawba Indian Nation

By: _____ Date: _____
Wenonah G. Haire, Tribal Historic Preservation Officer

1779 **NATIONAL TRUST FOR HISTORIC PRESERVATION**

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1782 By: _____ Date: _____

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ADVISORY COUNCIL ON HISTORIC PRESERVATION

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CONCURRING PARTY

WOODLAWN BAPTIST CHURCH

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ALEXANDRIA MONTHLY MEETING OF THE RELIGIOUS SOCIETY OF FRIENDS

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POHICK EPISCOPAL CHURCH

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POTOMAC HERITAGE NATIONAL SCENIC TRAIL & WASHINGTON-ROCHAMBEAU NATIONAL HISTORIC TRAIL, NATIONAL PARK SERVICE

By: _____ Date: _____
Donald E. Briggs, Superintendent, Potomac Heritage National Scenic Trail

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SAVE WOODLAWN STABLES

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MOUNT VERNON LADIES ASSOCIATION

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FAIRFAX COUNTY PARK AUTHORITY

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GUM SPRINGS HISTORICAL SOCIETY

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ATTACHMENTS

Attachment A: Route 1 Improvements Project Memorandum of Agreement

Attachment B: Correspondence

Attachment C: Proposed New Alignment for Route 1

Attachment D: Area of Potential Effect

Attachment E: Architectural Properties Listed or Eligible for Listing on the National Register

Attachment F: Archaeological Sites Listed or Eligible for Listing on the National Register

Attachment G: Eastern Band of Cherokee Indians Aboriginal Territory Map

Attachment H: Existing BRAC PA Open Space Map

Attachment I: Proposed BRAC PA Open Space Map

Attachment J: Catawba Indian Nation THPO Burial Policy and Procedures

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Improvements at Fort Belvoir (Telegraph Road to Mount Vernon Memorial

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Highway), Fairfax County, Virginia. The Federal Highway Administration,

2356

Sterling, VA.

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2359

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2361

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United States Government

PROGRAMMATIC AGREEMENT

Rt. 1 Improvements Project, Fairfax County, VA

Page 54 of 54

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INFORMATION - 1

Fairfax-Falls Church Community Services Board FY 2013 Fee Schedule

Since its establishment in 1969, the Fairfax-Falls Church Community Services Board (CSB) has complied with Section 37.2-504 (A) (7) of the Code of Virginia, which states the CSB shall prescribe a reasonable schedule of fees for services provided by personnel or facilities under the jurisdiction or supervision of the CSB Board and establish procedures for the collection of the same.

The CSB ensures compliance with the Code of Virginia in four ways: (1) conducts a review of fee related materials by a Committee comprised of CSB Board members; (2) posts a Notice of Public Comment and accepts written comments regarding Proposed Fees; (3) distributes copies of the proposed fee changes to Board of Supervisors' District Offices, the Fairfax County Regional Libraries, the Fairfax County Government Center main lobby, CSB service sites, the Cities of Fairfax and Falls Church, consumers, and advocates; and (4) accepts comments during a CSB Board meeting during the agenda item matters of the public.

In accordance with the CSB's Memorandum of Agreement with the Board of Supervisors, and State regulations, on September 26, 2012, the CSB Board approved a Fee Schedule with updates or additions to charges based on prior year unit costs, new contracted rates, comparative data, and revisions to Fairfax County Code or Code of Virginia related to revenue collections. This included an increase of the bad check fee from \$25 to \$50.

The services on the Fee Schedule include outpatient, residential, and ancillary services. Fees for outpatient services are traditionally cost-based and recorded in increments that are consistent with Current Procedural Terminology (CPT) maintained by the American Medical Association to uniformly describe medical (including psychiatric), surgical, and diagnostic services. Fees for residential services are mostly income-based due to the extended length of stay for residential treatment, or the permanency of a community living setting for individuals with an intellectual disability, and when required grounded in federal regulations. Ancillary charges are usual and customary fees for copying of records, or fees for bad checks set by Fairfax County Code, and/or the Code of Virginia.

Fees for Virginia Medicaid State Plan Option services have been set at the Medicaid reimbursement rate. These services are not typically covered by commercial insurance plans. However, there have been a few examples of successful single case agreements negotiated with in-network and out-of-network companies for some reimbursement.. These services include: Adult Day Treatment/Partial Hospitalization, Crisis Intervention,

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Crisis Stabilization, Intensive Community Treatment, Mental Health Support, Psychosocial Rehabilitation, Residential Treatment for Pregnant Women, Substance Abuse Day Treatment, Substance Abuse Intensive Outpatient, Targeted Case Management, and Therapeutic Day Treatment for Children and Adolescents.

The CSB Board also approved the following changes to the CSB Ability to Pay Scale. These include:

- Adjustments to the lower brackets of the Scale commensurate with the 2012 U.S. Health and Human Services Federal Poverty Guidelines. Poverty guidelines are used in determining financial eligibility for certain federal programs. For an individual with no dependents, the poverty guideline is \$11,170. Below that level, the individual is assessed the minimum fee for services subject to the Scale.
- Raised the amount of minimum fee for services subject to the Scale from \$2.00 to \$5.00 for individuals with incomes below the federal poverty guideline and relative to their number of dependents.
- Adjustments to the upper brackets of the Scale commensurate with the County Median Household Income as found in the U.S. Census Bureau, American Fact Finder: Selected Economic Characteristics for the 2011 American Community Survey 1-Year Estimates. For a household of 3, the 100% level on the CSB Scale approximates 85% of Fairfax County 2011 household median income of \$105,797, or \$89,927. For an individual, an income of \$64,973 or greater is equivalent to 100% financial responsibility of the consumer.

The CSB Executive Director has approved revisions to the CSB Fee and Subsidy Related Procedures Regulation 2120.1 primarily with respect to the treatment of delinquent accounts. While the CSB had been placing delinquent accounts with the private collection agency employed by the Department of Tax Administration (DTA), the updated procedures now pass through the collection fee of 20% to debtors. Upon completion of a cost/revenue analysis to be furnished to the DTA and DTA's recommendation to the County Executive, the CSB would adopt a late payment fee of 10%, plus interest at the added rate of 10% per year, for all fees paid after the original due date. Additionally, accounts past due more than 30 days would be subject to a \$30 collection fee.

It should be noted that the CSB may make additional adjustments based on directed reviews of the Board of Supervisors. Those include:

- Board Auditor's Office analysis of existing fee-for-service and copay policies and practices agency wide.

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- External consultant review of options to legally maximize Medicaid revenue recovery within the Virginia Medicaid system for adults and children and to assist staff with implementation of revenue maximization and recovery strategies based on health care reform, and a review of non-Medicaid funding streams that cover adult and child behavioral health, intellectual disabilities, and developmental services.
- Department of Administration for Human Services review conducted at the request of the Board of Supervisors for modifying and perhaps streamlining sliding fee scales within Human Services as part of the FY 2014 budget process.

Unless otherwise directed by the Board of Supervisors, the County Executive will direct staff to proceed with the implementation of the FY 2013 Fee Schedule. Sufficient advance notice of fee changes must be given to consumers.

FISCAL IMPACT:

The *FY 2013 Revised Budget Plan* for the CSB includes \$20.3 million in estimated fee revenues. The adjustments to the Fee Schedule and the Ability to Pay Scale support the CSB's plan to achieve this target, and may also result in the additional collection of up to \$590,000 over the next 12 months, primarily as a result of the increase in the minimum fee. Throughout FY 2013, the CSB will review and document the CSB's consumers' ability to pay for service and closely monitor any associated impact on fee revenue.

ENCLOSED DOCUMENT:

Attachment 1 - CSB FY 2013 Fee Schedule
Attachment 2 - CSB FY 2013 Ability to Pay Scale

STAFF:

Patricia Harrison, Deputy County Executive
George Braunstein, Executive Director, CSB
James P. Stratoudakis, Ph.D., Director Corporate Compliance and Risk Management,
CSB

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FY 2013 FEE SCHEDULE

Effective December 1, 2012

Mental Health (MH) Intellectual Disability (ID) Substance Use Disorder (SUD)

Service	Subject to Ability to Pay Scale	Unit of Measurement	Basis for Fee-Setting	Fee
Adolescent Day Treatment - SUD	Yes	¼ hour	Equivalent to SUD Intensive OP group	4.80
Adolescent Day Treatment- MH	Yes	2-2.99 hours/day 3-4.99 hours/day 5+ hours/day	Cost-based	50
Adult Day Treatment - MH	Yes	2-2.99 hours/day 3-4.99 hours/day 5+ hours/day	Cost-based	50
Adult Day Treatment- SUD	Yes	¼ hour	Equivalent to SUD Intensive OP group	4.80
Case Management	Yes	Month	Medicaid rate	326.50
Counseling - Family	Yes	Event	Usual and customary	100
Counseling - Group	Yes	Event	Cost-based	35
Counseling - Individual	Yes	¼ hour	Cost-based	35
Counseling - Multi-Family	Yes	Event	Equivalent to group counseling cost	35
Crisis Intervention	Yes	¼ hour	Cost-based	44
Crisis Stabilization - Adult Residential	Yes	Hour	Cost-based	123.41
Detoxification, Medical and Social	Yes	Day	Cost-based	330
Drop-In Support Services, ID	No	Hour	Private providers charge	< or =10% of gross income
Evaluation - Psychiatric	Yes	¼ hour	Cost-based	62
Evaluation/Assessment- Initial	Yes	Event	Researching	150
Head Start - Services to	No	¼ hour	Negotiated rate; no self-pay	25
IDS Congregate Residential Waiver Services	No	Hour	Medicaid rate	17.36
Independent Evaluations	No	Each	State set-rate; no self-pay	75
Injection Procedure	Yes	Injection	Usual and customary	20
Intensive Care Coordination - Youth	No	Month	Negotiated rate; no self-pay	1,160
Intensive Community Treatment	Yes	Hour	Medicaid rate	153
Intensive Outpatient - SUD, Individual or Group	Yes	¼ hour	Medicaid rate	4.80
Lab Tests	No	Cost to consumer	Cost-based	Actual cost
Late Cancellation or No Show	Yes	Event	Usual and customary	25
Legal Testimony	Yes	¼ hour	Usual and customary	25
Medication Management	Yes	Event	Cost-based	62
Neurological Testing	Yes	Event	Private providers charge	1,168
Psychosocial Rehabilitation	Yes	2-3.99 hours/day 4-6.99 hours/day 7+ hours/day	Medicaid rate	24.38
Release of Information: Copying	No	Per page	Usual and customary	50¢ per pg up to 50 pgs; 25¢ per pg for > = 51 pgs
Release of Information: Research	No	Event	Usual and customary	10
Release of Information: Worker's Compensation	No	Event	Usual and customary	15
Residential Fee Community Living , ID	No	Month	Historical; allowable under SSA	75% of gross income
Residential Services for Pregnant and Post Partum Women (New Generations)	Yes	Day	Medicaid rate	120
Residential Support Services, HUD	No	Month	Historical; HUD Section 8 rent subsidy	30% of gross income
Residential Treatment Center Adolescent Level B (Sojourn House)	Yes	Day	Negotiated rate but adding self-pay option	Residential=\$223.07 <u>Comb. Resid Svcs = \$180.78</u> Total Per Diem- \$403.85
Residential Treatment Services, MH and SUD, not otherwise listed on this chart	No	Month	Historical; HUD Section 8 rent subsidy	30% of gross income, or \$5 per day, whichever is greater
Residential, SUD Youth Intensive (Crossroads Youth)	Yes	Day	Cost-based	331.62
Returned Check (due to insufficient funds or closed account)	No	Each	County ordinance	50
Substance Abuse Screening	No	One Time	Determined by Service Area	25



FY 2013 FEE SCHEDULE

Effective December 1, 2012

Mental Health (MH) Intellectual Disability (ID) Substance Use Disorder (SUD)

Service	Subject to Ability to Pay Scale	Unit of Measurement	Basis for Fee-Setting	Fee
Support Services - MH Targeted	Yes	1-2.99 hours/day 3-4.99 hours/day 5-6.99 hours/day	Medicaid rate	91
Testing - Psychological	No	Event	Private providers charge	150
Testing Battery - Psychological	Yes	Event	Private providers charge	851
Transportation	No	Month	Determined by Service Area	100
Urine Collection & Drug Screening- Retests Only	Yes	Each	Determined by Service Area	25

**CSB FY2013 ABILITY TO PAY SCALE
TO DETERMINE FINANCIAL LIABILITY FOR SELF-PAY**

Percent Client Responsibility	Gross Annual Income and Number of Dependents - including consumer(s) and responsible party(ies)					
	1	2	3	4	5	6 or more
100	\$64,973 - and Over	\$76,438 - and Over	\$89,927 - and Over	\$112,409 - and Over	\$129,271 - and Over	\$148,661 - and Over
90	\$61,100 - \$64,972	\$72,200 - \$76,437	\$85,200 - \$89,926	\$106,400 - \$112,408	\$122,400 - \$129,270	\$140,800 - \$148,660
80	\$57,200 - \$61,099	\$68,000 - \$72,199	\$80,500 - \$85,199	\$100,400 - \$106,399	\$115,600 - \$122,399	\$132,900 - \$140,799
70	\$53,300 - \$57,199	\$63,800 - \$67,999	\$75,800 - \$80,499	\$94,400 - \$100,399	\$108,800 - \$115,599	\$125,000 - \$132,899
60	\$49,400 - \$53,299	\$59,600 - \$63,799	\$71,100 - \$75,799	\$88,400 - \$94,399	\$102,000 - \$108,799	\$117,100 - \$124,999
50	\$45,500 - \$49,399	\$55,400 - \$59,599	\$66,400 - \$71,099	\$82,400 - \$88,399	\$95,200 - \$101,999	\$109,200 - \$117,099
40	\$37,700 - \$45,499	\$47,000 - \$55,399	\$57,000 - \$66,399	\$70,300 - \$82,399	\$81,500 - \$95,199	\$93,400 - \$109,199
30	\$29,900 - \$37,699	\$38,600 - \$46,999	\$47,600 - \$56,999	\$58,200 - \$70,299	\$67,800 - \$81,499	\$77,600 - \$93,399
20	\$22,100 - \$29,899	\$30,200 - \$38,599	\$38,200 - \$47,599	\$46,100 - \$58,199	\$54,100 - \$67,799	\$61,800 - \$77,599
10	\$16,600 - \$22,099	\$22,700 - \$30,199	\$28,600 - \$38,199	\$34,600 - \$46,099	\$40,600 - \$54,099	\$46,400 - \$61,799
5	\$11,170 - \$16,599	\$15,130 - \$22,699	\$19,090 - \$28,599	\$23,050 - \$34,599	\$27,010 - \$40,599	\$30,970 - \$46,399
Minimum	\$0 - \$11,169	\$0 - \$15,129	\$0 - \$19,089	\$0 - \$23,049	\$0 - \$27,009	\$0 - \$30,969
0	APPROVED THROUGH FEE REVISION ONLY					

Note: The amount of client responsibility for clients with incomes at the minimum level on the scale according to their number of dependents, will be 1% or \$5.00, whichever is higher. This may be waived only in extreme cases.

Rules and notes as follows:

- 5% level on chart equals 100%; 10% level on chart approximates 200% of 2012 HHS Poverty Guidelines.
- 100% level on chart approximates 85% of Fairfax County 2011 household median income.
- 100% level for household size of 1 and 2 reduced from size of 3 by 85%. Household sizes 4-6 are increased from size of 3 by 25%.
- Used 11 Steps: Double increments for 20% - 40%; Single increments from 50% - 100% , rounded.

Notes for Staff:

- 1 Step >
- Steps = 11 2 Steps >
- Used 15 steps. Single increments for 100%-50%. Used double increments 40%-1%

100 % level increased by 25% from household of 2-4, 15% 5-6.

Poverty X2	\$22,340	\$30,260	\$38,180	\$46,100	\$54,020	\$61,940
Poverty 01**	\$11,170	\$15,130	\$19,090	\$23,050	\$27,010	\$30,970

Median 2011 Household Income(Approx)* \$ **105,797** household of 3

http://www.fairfaxcounty.gov/demograph/census_summaries/acs-1year/acs2011.pdf

** 2012 HHS Federal Poverty Guidelines

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INFORMATION - 2

Request for Interest (RFI) - Interim Metrorail Parking in Tysons

The Fairfax County Department of Transportation (FCDOT) intends to release an RFI soliciting the interest of property owners/managers in Tysons to execute interim parking agreements with Fairfax County to serve the needs of Metrorail passengers using the four new Metrorail stations in Tysons.

BACKGROUND:

In its June 22, 2010, approval of the Tysons Comprehensive Plan amendment, the Board of Supervisors (BOS) approved a number of Follow On Motions. Interim commuter parking at the four new Metrorail Stations in Tysons is addressed in Motion 14 which states "The Board directs staff to explore options for providing commuter parking at Metrorail station(s) in Tysons on an interim basis until Tysons development reaches a level where such commuter parking is not practical or desirable."

To implement this motion, Fairfax County Department of Transportation (FCDOT) staff first conducted a scan, using aerial photography and site visits, to produce an inventory of potential sites that could accommodate such parking. All potential sites appeared to have underutilized parking lots or garages and were located within an approximate ¼ mile radius of a future Metrorail station in Tysons. Staff then investigated the zoning regulations governing the provision of commercial parking. In most cases, a commuter parking agreement, approved by the Board of Supervisors, would be required to allow commercial parking. Such an agreement can contain any terms the Board of Supervisors deems appropriate.

After developing a list of potential sites to provide interim parking for Metrorail users in Tysons, staff began contacting the owners of these sites to gauge interest in providing interim parking. Although a handful of property owners expressed initial interest when contacted, staff ultimately exhausted all identified possibilities with no property owners willing to move forward. Instead of continuing with the initial strategy of contacting specific property owners, staff has developed the attached Interim Metrorail Parking in Tysons RFI (Attachment I).

The RFI will be open to all properties located within a ½ mile radius of a Metrorail station in Tysons, but will be targeted toward properties located within a ¼ mile radius of a future Metrorail station in Tysons. The RFI seeks to provide parking to Metrorail users in Tysons on an interim basis. It includes the following target requirements for property owners to obtain interim parking agreements with Fairfax County as well as the following necessary steps to obtain interim parking agreements with Fairfax County.

Target Requirements to Obtain Interim Parking Agreement with Fairfax County

1. All properties proposed for interim parking must be within ½ mile of a Metrorail station. Preference, for interim Metrorail parking agreements, will be given to properties located within a ¼ mile distance of a Metrorail station.
2. Parking may be in surface lots or in structures.
3. Safe pedestrian and vehicular access, to and from the station, must be demonstrated.
4. Adequate parking for existing uses must be demonstrated.

The four Metrorail stations in Tysons are anticipated to be complete and operational in approximately 14 months. To provide the best chance of having some interim Metrorail parking agreements established and facilities available to accommodate Metrorail users when the new Tysons Metrorail stations open, FCDOT anticipates releasing the RFI in November 2012. Responses will be accepted at any time, but are requested to be submitted by December 15, 2012.

Unless otherwise directed by the Board, staff will proceed with the RFI for interim parking as described in this item.

FISCAL IMPACT:

None. As proposed, the RFI assumes that all costs associated with implementing commuter parking will be the sole responsibility of the parking operator and all revenues will accrue to the parking operator.

ENCLOSED DOCUMENTS:

Attachment 1: Draft Request for Interest (RFI) Interim Metrorail Parking in Tysons

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Daniel B. Rathbone, FCDOT
Leonard Wolfenstein, FCDOT
Kris Morley-Nikfar, FCDOT

Fairfax County Department of Transportation



Request for Interest (RFI)

Interim Metrorail Parking in Tysons

DRAFT

Issue Date: November xx, 2012

Background:

In its June 22, 2010, approval of the Tysons Comprehensive Plan Amendment, the Board directed staff “to explore options for providing commuter parking at Metrorail station(s) in Tysons Corner on an interim basis until Tysons development reaches a level where such commuter parking is not practical or desirable.” The Board of Supervisors recognizes the benefits of providing interim commuter parking at the Tysons Metrorail stations to maximize Metro ridership and improve access to the Metrorail stations for residents of nearby communities. To explore options in the broadest way, the County is issuing this Request for Interest (RFI).

Objectives:

1. The Fairfax County Department of Transportation (FCDOT) seeks to form parking agreements with property owners in Tysons Corner who are interested in providing parking to Metrorail users on an interim basis. Agreements will not require zoning approvals and will be developed through a process of mutual agreement.
2. This effort is intended to ensure Metrorail parking is provided on an “interim” basis until such time that a participating property owner chooses to redevelop a site to a higher and better use. Time periods established for interim parking agreements will vary depending on individual applications and sites but will generally include multiple years and terms that will allow owners to recoup investment and may be renewable at the end of each agreement period.
3. Fairfax County does not intend to contribute financially to or gain financially from established interim parking agreements. All costs associated with establishing and operating interim parking areas will be the sole responsibility of individual property owners and/or their management representatives. All parking fees will be retained by individual property owners and/or their management representatives.
4. Parking rates for individual interim parking areas will be established by individual property owners and/or their management representatives.

Benefits:

1. Portions of communities immediately surrounding Tysons Corner are low density and do not support convenient feeder bus service to the Metrorail stations. Interim parking at the Metrorail stations in Tysons Corner will provide residents of these communities with another option to access the new Metrorail stations in Tysons, thereby increasing the ridership of the new Metrorail line the critical initial years of operation.

2. Providing interim Metrorail parking at the Metrorail stations in Tysons Corner affords property owners with an opportunity to put underutilized parking into productive revenue generating use until such time that it is in the property owner's best interest to redevelop a property into a higher and better use.

RFI Requirements:

1. All properties proposed for interim parking must be within ½ mile of a Metrorail station. Preference, for interim Metrorail parking agreements, will be given to properties located within a ¼ mile distance of a Metrorail station.
2. Parking may be in surface lots or in structures.
3. Safe pedestrian and vehicular access, to and from the stations, must be demonstrated.
4. Adequate parking for existing uses must be demonstrated.

Responding to RFI:

All property owners and/or management representatives interested in establishing an interim parking agreement with Fairfax County should send a letter of interest to the contact listed below, along with the following information:

- Property Address
- Property Tax Map #
- Map of property with anticipated interim parking area outlined
- Range of anticipated number of spaces for interim Metrorail parking

Responses are requested by December 15, 2012, but will be accepted at any time.

RFI Contact:

Kris Morley-Nikfar
Kris.Morley-Nikfar@FairfaxCounty.gov
Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033

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Board Agenda Item
October 30, 2012

10:50 a.m.

Matters Presented by Board Members

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11:40 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
 - (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
 - (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
-
- 1. *Commonwealth of Virginia, ex rel. State Corporation Commission Ex Parte In The Matter of Adopting Rules and Regulations for Consideration of the Performance Incentive Authorized by Section 56-585.1.A.2.c of the Code of Virginia, PUE-2012-00021 (Va. State Corp. Comm'n)*
 - 2. *Yazan Rousan v. P.F.C. D. N. Custer, Deputy D. Carty, Nurse Bornell, Nurse Practitioner Wang, Civil Action No. 1:12-CV-595 (E.D. Va.)*
 - 3. *Board of Supervisors of Fairfax County, Virginia and Eileen M. McLane, Fairfax County Zoning Administrator v. SNSA, Inc. d/b/a Fast Eddie's Billiard Café, Record No. 121700 (Va. Sup. Ct.) (Mount Vernon District)*
 - 4. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Gail K. Etherton and Debora S. Etherton, Case No. CL-2011-0013547 (Fx. Co. Cir. Ct.) (Springfield District)*
 - 5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James M. Shifflett, Sr., et al., Case No. CL-2009-0014727 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
 - 6. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bahram Sadeghian and Shahrzad Marzban, Case No. CL-2012-0005049 (Fx. Co. Cir. Ct.) (Dranesville District)*

7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Duane S. Whitney, Edward N. Whitney, Arthur M. Whitney, Pamela V. Whitney, Rhonda L. Whitney, Candace Alexander, and Jeanette Alexander, Case No. CL-2007-0005644 (Fx. Co. Cir. Ct.) (Providence District)*
8. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Robert E. Stroup, Case No. CL-2012-0000352 (Fx. Co. Cir. Ct.) (Providence District)*
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tony Marks, Case No. CL-2011-0015540 (Fx. Co. Cir. Ct.) (Mason District)*
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James M. Shifflett, Sr., Case No. CL-2012-0003389 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
11. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tina M. Howard, Case No. CL-2011-0017608 (Fx. Co. Cir. Ct.) (Providence District)*
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jose I. Pardo and Hilda C. Pardo, Case No. CL-2011-0006092 (Fx. Co. Cir. Ct.) (Lee District)*
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Charles Yeh and Mary Yeh, Case No. CL-2012-0002343 (Fx. Co. Cir. Ct.) (Dranesville District)*
14. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. David R. Benbennick and Erin Benbennick, Case No. CL-2012-0001556 (Fx. Co. Cir. Ct.) (Hunter Mill District)*
15. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Frank L. Stevens and Mary E. T. Stevens, Case No. CL-2012-0005051 (Fx. Co. Cir. Ct.) (Providence District)*
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ghafoor Ghamary and Laleh Niknami, Case No. CL-2012-0005327 (Fx. Co. Cir. Ct.) (Dranesville District)*
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sonia Soledad Nina, Case No. CL-2012-0009251 (Fx. Co. Cir. Ct.) (Mason District)*

18. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Joseph Powers*, Case No. CL-2012-0003924 (Fx. Co. Cir. Ct.) (Lee District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Alcides A. Gutierrez and Argentina M. Gutierrez*, Case No. CL-2012-0009539 (Fx. Co. Cir. Ct.) (Lee District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jesus Rojas and Leonor Gutierrez, a.k.a. Leonor Rojas*, Case No. CL-2012-0008379 (Fx. Co. Cir. Ct.) (Dranesville District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lowell Fine and Ethel V. Fine*, Case No. CL-2011-0003529 (Fx. Co. Cir. Ct.) (Lee District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard Albin Cauthers, Jr.*, Case No. CL-2012-0014798 (Fx. Co. Cir. Ct.) (Mount Vernon District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jefferson Investment Company, L.P., d/b/a Jefferson Investment Company, LLC*, Case No. CL-2012-0014850 (Fx. Co. Cir. Ct.) (Providence District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Daniel Marshall Whedon*, Case No. CL-2012-0014879 (Fx. Co. Cir. Ct.) (Mount Vernon District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Oliver I. Mogan*, Case No. CL-2012-0015053 (Fx. Co. Cir. Ct.) (Mason District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilder B. Montano*, Case No. CL-2012-0015051 (Fx. Co. Cir. Ct.) (Mason District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Abolhassan Zarandazchi and Fariba Javaherian*, Case No. CL-2012-0015184 (Fx. Co. Cir. Ct.) (Hunter Mill District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lubna F. Ahmed*, Case No. CL-2012-0015342 (Fx. Co. Cir. Ct.) (Dranesville District)
29. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. John T. Myers and Carol V. Myers*, Case No. GV12-024694 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
30. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Temesgen M. Bitew*, Case No. GV12-024876 (Fx. Co. Gen. Dist. Ct.) (Mason District)

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Board Agenda Item
October 30, 2012

3:30 p.m.

Public Hearing on RZ 2011-MV-031 (MidAtlantic Realty Partners, LLC) to Rezone from I-5 to PRM to Permit Mixed Use Development with an Overall Floor Area Ratio of 2.81 and Approval of the Conceptual Development Plans, on Approximately 6.04 Acres of Land (Mount Vernon District)

This property is located in the North West quadrant of the intersection of Huntington Avenue and Metroview Parkway. Tax Map 83-1 ((1)) 34C.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, September 20, 2012, the Planning Commission voted unanimously (Commissioner Litzenberger absent from the meeting) to recommend to the Board of Supervisors approval of the following actions pertinent to RZ 2011-MV-031:

- 1) approval of RZ 2011-MV-031 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated September 19, 2012;
- 2) modification of Section 11-203 of the Zoning Ordinance to permit the loading spaces as depicted on the CDP/FDP;
- 3) waiver of the transitional screening and barrier requirements between the residential and commercial uses within the property and along the southern and eastern property boundaries;
- 4) waiver of the requirement to construct a bicycle lane along Huntington Avenue.

The Planning Commission also voted unanimously (Commissioner Litzenberger absent from the meeting) to approve FDP 2011-MV-031, subject to the conditions contained in Appendix 2 of the staff report and the Board's approval of RZ 2011-MV-031 and its associated CDP.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4396355.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

William Mayland, Department of Planning and Zoning

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Planning Commission Meeting
September 20, 2012
Verbatim Excerpt

RZ/FDP 2011-MV-031 – MID-ATLANTIC REALTY PARTNERS, LLC

After the Close of the Public Hearing

Chairman Murphy: Are we sure this time? Public hearing is closed; recognize Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. I once again would like to say how much of a pleasure it has been working both with Bill Mayland and with Inda Stagg on this project. They have gone well beyond every contribution towards resolving the concerns of the neighborhood and as a consequence, the Huntington Civic Association has endorsed this particular proposal and the Land Use Committee of Mount Vernon District has also endorsed this unanimously. So therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2011-MV-031 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 19, 2012.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. 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 2011-MV-031, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: I have four more motions. I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-MV-031, SUBJECT TO THE PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2011-MV-031 AND ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to approve FDP 2011-MV-031, subject to the Board's approval of the Rezoning and Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Third, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF SECTION 11-203 OF THE ZONING ORDINANCE FOR THE REQUIRED LOADING SPACES

Planning Commission Meeting
September 20, 2012
RZ/FDP 2011-MV-031

Page 2

TO PERMIT THE LOADING SPACES DEPICTED ON THE CONCEPTUAL DEVELOPMENT PLAN AND THE FINAL DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Fourth, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF SECTION 13-303 OF THE ZONING ORDINANCE FOR TRANSITIONAL SCREENING AND SECTION 13-304 FOR BARRIER REQUIREMENTS BETWEEN THE RESIDENTIAL AND COMMERCIAL USES WITHIN THE PROPERTY AND ALONG THE SOUTHERN AND EASTERN PROPERTY BOUNDARIES.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE REQUIREMENT TO CONSTRUCT A BICYCLE LANE ALONG HUNTINGTON AVENUE.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much, Mr. Mayland and Ms. Stagg. Mr. Flanagan, thank you.

Commissioner Flanagan: Thank you.

(The motions carried unanimously with Commissioner Litzenberger absent from the meeting.)

Board Agenda Item
October 30, 2012

3:30 p.m.

Public Hearing on SE 2012-PR-007 (Sterling Jewelers, Inc. D/B/A Jared the Galleria of Jewelry) to Permit Waiver of Certain Sign Regulations, Located on Approximately 19,507 Square Feet of Land Zoned C-5, HC and SC (Providence District)

This property is located at 8113 Leesburg Pike, Vienna, 22182. Tax Map 39-2 ((2)) 52

PLANNING COMMISSION RECOMMENDATION:

On Thursday, September 20, 2012, the Planning Commission voted unanimously (Commissioner Litzenberger absent from the meeting) to recommend to the Board of Supervisors:

- 1) approval of SE 2012-PR-007, subject to the development conditions dated September 6, 2012.
- 2) reaffirmation of the waiver of frontage improvements and dedication of right-of-way along Leesburg Pike, in favor of that shown on the SE plat.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4396608.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Nick Rogers, Department of Planning and Zoning

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Planning Commission Meeting
September 20, 2012
Verbatim Excerpt

SE 2012-PR-007 – STERLING JEWELERS, INC. d/b/a JARED THE GALLERIA OF JEWELRY

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. Lawrence, please.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2012-PR-007, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 6, 2012.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2012-PR-007, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS REAFFIRM APPROVAL OF THE WAIVER OF FRONTAGE IMPROVEMENTS AND DEDICATION OF RIGHT-OF-WAY ALONG LEESBURG PIKE, IN FAVOR OF THAT SHOWN ON THE SE PLAT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Thank you very much, Mr. Chairman.

//

(The motions carried unanimously with Commissioner Litzenberger absent from the meeting.)

JLC

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Board Agenda Item
October 30, 2012

3:30 p.m.

Public Hearing on RZ 2011-PR-023 (Cityline Partners LLC) to Rezone from C-3, HC and SC to PTC, HC and SC to Permit Mixed Use Development with an Overall Floor Area Ratio of 3.05, Located on Approximately 19.40 Acres of Land (Providence District)

and

Public Hearing on PCA 88-D-005-07 (Cityline Partners LLC) to Amend the Proffers for RZ 88-D-005 Previously Approved for Commercial Development at an Overall Floor Area Ratio of Approximately 0.58 to Permit Deletion of 27.25 Acres of Land Resulting in a Remaining FAR of Approximately 0.65, Located on Approximately 85.93 Acres of Land Zoned C-3, HC and SC (Providence District)

This property is located in the Southeast and Southwest quadrant of the intersection of Westbranch Drive and Westpark Drive. Tax Map 29-4 ((7)) 1, 2, 3, 5A, 9, 10 and a portion of Westbranch Drive public right-of-way to be vacated and/or abandoned.

This property is located on the North and South sides of Westpark Drive, East and West of Westbranch Drive, bounded on the North and East by Jones Branch Drive. Tax Map 29-2 ((15)) B2; 29-4 ((7)) A4, C1, C2, 1, 1A1, 1A2, 2, 3, 5A, 6, 7A1, 7B, 8, 9, 10 and 11A.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, October 17, 2012, the Planning Commission voted unanimously (Commissioners Alcorn, Hall and Litzenberger absent from the meeting) to recommend to the Board of Supervisors approval of the following actions pertinent to the subject applications:

- Approval of RZ 2011-PR-023, subject to proffers consistent with those dated October 16, 2012, as amended;
- Approval of PCA 88-D-005-07, subject to proffers consistent with those dated September 14, 2011;
- Modification of Section 2-506, Paragraph 2 of the Zoning Ordinance in order to permit the proposed roof/roof screen feature element in Block F, as depicted on the Conceptual Development Plan (CDP)/Final Development Plan (FDP);
- Waiver of Section 16-403 of the Zoning Ordinance in order to permit a public improvement plan for frontage improvements along Westpark and Westbranch Drive to be filed without the need for an FDP;

Board Agenda Item
October 30, 2012

- Waiver of Section 6-505, Paragraph 7 of the Zoning Ordinance in order to permit outdoor displays and seating associated with a permitted use without the need for an FDP;
- Modification of Section 10-104, Paragraphs 3E and G of the Zoning Ordinance to permit the maximum fence height associated with outdoor recreation/sports courts on Block to be between 7 and 14 feet high as depicted on the CDP;
- Modification of Section 11-102, Paragraph 12 of the Zoning Ordinance and Section 7-0800 of the Public Facilities Manual (PFM) to permit tandem and valet spaces to be counted toward the required parking only in those instances contained in the proffers;
- Modification of Section 11-201 and 11-203 of the Zoning Ordinance to permit the minimum required loading spaces to be two spaces per building as depicted on the CDP;
- Modification of Section 11-202, Paragraph 4 of the Zoning Ordinance to permit the loading space in Building A-2 to be as shown on the CDP;
- Modification of Section 13-202, Paragraph 8 of the Zoning Ordinance to permit the depicted trellises and/or vegetated arbors, as shown on the CDP, in lieu of the required interior parking lot landscaping;
- Modification of Section 13-202, Paragraph 8 of the Zoning Ordinance to permit the existing parking lot landscaping, as depicted on the CDP and as described in the proffers, to serve as the interior parking lot landscaping on an interim basis;
- Modification of Section 13-202, Paragraph 8 of the Zoning Ordinance to permit the landscaping within the amenity courtyard of Block E in lieu of the interior parking lot landscaping requirement;
- Modification of Section 13-203, Paragraph 5 of the Zoning Ordinance to permit the landscaping depicted on the above-grade parking structures and within the interim surface parking lots, as shown on the CDP and described in the proffers;
- Modification of Section 17-201, Paragraphs 2 and 4 of the Zoning Ordinance to permit the interim road improvements along the Block F frontage as shown on the CDP;
- Waiver of Section 17-201, Paragraph 3B of the Zoning Ordinance to permit only those areas of interparcel access shown on the CDP/FDPs and described in the proffers;
- Waiver of Section 17-201, Paragraphs 3B, 4,12,13 and 14 of the Zoning Ordinance to permit the proposed Jones Branch Drive frontage improvements along Tax Map Parcel 29-2 ((15)) B2, as depicted on Exhibit A of the proffers;

Board Agenda Item
October 30, 2012

- Modification of Section 7-0800.2 of the PFM to allow up to 1.5 feet of structural columns to project into the required parking stall area for no more than 10 percent of the total parking spaces provided;
- Modification of the tree preservation target in favor of that shown on the plans and as proffered; and
- Waiver to allow the use of underground stormwater management and best management practices in a residential development, subject to Waiver # 6377-WPFM-004-1.

In addition, the Planning Commission voted unanimously (Commissioners Alcorn, Hall and Litzenberger absent from the meeting) to approve FDP 2011-PR-023, FDP 2011-PR-023-02 and FDP 2011-PR-023-03, subject to the Board of Supervisors' approval of RZ 2011-PR-023.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4397329.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Matt Ladd, Department of Planning and Zoning

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Planning Commission Meeting
October 17, 2012
Verbatim Excerpt

PCA 88-D-005-07 – CITYLINE PARTNERS LLC
RZ/FDP 2011-PR-023 – CITYLINE PARTNERS LLC
FDP 2011-PR-023-02 – THE ASSOCIATION FOR MANUFACTURING TECHNOLOGY
FDP 2011-PR-023-03 – CITYLINE PARTNERS LLC

Decision Only During Commission Matters
(Public Hearing Held on September 27, 2012)

Chairman Murphy: And – Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. With your permission, before we go on verbatim for this motion I have a couple of things I need to do. If that is all right with you, I would like to do them.

Chairman Murphy: Please.

Commissioner Lawrence: Tonight, we have a decision on a whole bunch of things, which is Arbor Row. And Commissioners got the most recent set of proffers I think within the last day or so. And that's – well, that's not too thick. That's about an eighth of an inch thick of proffers. You will recall that the staff report – and here is the staff report – looks like this. And then, of course, we have the addendum which was done and it looks like this. Now this is a large and complex Tysons application with multiple owners. And we have an FDP as well as the CDP for what we are about to do. We've got it sorted out, but I do think in the interest of being – and making an informed decision, I'm going to ask Mr. Ladd of staff to give us a very brief summary of what it was that got sorted – the key issues – the biggies. Would you please, Mr. Ladd?

Matthew Ladd, Planning Division, Department of Planning and Zoning: Yes, thank you, Commissioner Lawrence. Matt Ladd with the Department of Planning and Zoning. There were six changes to the proffers that were made after the staff report addendum was published to address issues that were raised in the staff report addendum. The first is Proffer 50D, which concerns stream bank restorations. This proffer was revised to provide additional details regarding the scope of work of off-site stream restoration improvements and also to edit language to address some of the staff's concerns. Proffer 51 regards athletic field construction. This was revised to address staff concerns that the off-site athletic fields will be constructed by the date specified in the proffers. In Proffer 78, there was a typo that was corrected. In Proffer 94, regarding stormwater management, we added language to the proffers to be consistent with the Conceptual Development Plan. There were some notes that were added previously and we copied those over into the proffers. In Proffer 100, regarding the limits of clearing and grading – those were revised to add a reference to Proffer 97, which regarded the RPA boundary. And in Proffer 112, regarding condemnation, those were revised to detail the process by which the applicant will request condemnation for public improvements in the event that off-site easements cannot be acquired for certain public improvements and that was to address the Commission's concerns raised at the public hearing.

PCA 88-D-005-07 AND RZ/FDP 2011-PR-023 AND
FDP 2011-PR-023-02 AND FDP 2011-PR-023-03

Commissioner Lawrence: Thank you, Mr. Ladd. I do want to acknowledge the work of Commissioner Hart, who was responsible for finding what we needed to do with the stream restoration language that Matt Ladd mentioned early in his presentation. Thank you very much, Jim. And I also want to mention that even today, in the interest of full disclosure, something else turned up. And we didn't know about it until we found out about it, for which apologies to the applicant. We couldn't know what we didn't know. But I have every reason to believe – and thank you very much to the applicant for their cooperation – that we're going to be able to get it sorted before we get to the Board. And it's very important that we do, in fact, get to the Board so I do intend to move this forth. Mr. Chairman, I'm ready to go on verbatim and make the motions.

Chairman Murphy: Okay. Mr. Lawrence, please.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2011-PR-023, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 16, 2012, AS AMENDED.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Flanagan and Mr. Hart. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-023.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? And Mr. Flanagan. All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-023-02.

Commissioners Flanagan and Hart: Second.

PCA 88-D-005-07 AND RZ/FDP 2011-PR-023 AND
FDP 2011-PR-023-02 AND FDP 2011-PR-023-03

Chairman Murphy: Seconded by Mr. Hart and Mr. Flanagan. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-023-03.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Flanagan and Mr. Hart. Is there a discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 88-D-005-07, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 14, 2012 [sic].

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Flanagan. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I also have a series of modifications and waiver requests, which apply to RZ 2011-PR-023. First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT MODIFY SECTION 2-506, PARAGRAPH 2 OF THE ZONING ORDINANCE IN ORDER TO PERMIT THE PROPOSED ROOF/ROOF SCREEN FEATURE ELEMENT IN BLOCK F, AS DEPICTED ON THE CDP/FDP.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Flanagan and Mr. Hart. Is there a discussion? All those in favor of the motion, say aye.

PCA 88-D-005-07 AND RZ/FDP 2011-PR-023 AND
FDP 2011-PR-023-02 AND FDP 2011-PR-023-03

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Without objection, you can do these seriatim. Just go through the list.

Commissioner Lawrence: Good. That I will now do:

– I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE SECTION 16-403 OF THE ZONING ORDINANCE IN ORDER TO PERMIT A PUBLIC IMPROVEMENT PLAN FOR FRONTAGE IMPROVEMENTS ALONG WESTPARK AND WESTBRANCH DRIVE TO BE FILED WITHOUT THE NEED FOR AN FDP.

– I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE SECTION 6-505, PARAGRAPH 7 OF THE ZONING ORDINANCE IN ORDER TO PERMIT OUTDOOR DISPLAYS AND SEATING ASSOCIATED WITH A PERMITTED USE WITHOUT THE NEED FOR AN FDP.

– I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 10-104, PARAGRAPH 3E AND G OF THE ZONING ORDINANCE TO PERMIT THE MAXIMUM FENCE HEIGHT ASSOCIATED WITH OUTDOOR RECREATION/SPORTS COURTS ON BLOCK TO BE BETWEEN 7 AND 14 FEET HIGH AS DEPICTED ON THE CDP.

Commissioner Hart: Second. Oh –

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 11-102, PARAGRAPH 12 OF THE ZONING ORDINANCE AND SECTION 7-0800 OF THE PUBLIC FACILITIES MANUAL TO PERMIT TANDEM AND VALET SPACES TO BE COUNTED TOWARD THE REQUIRED PARKING ONLY IN THOSE INSTANCES CONTAINED IN THE PROFFERS.

– I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 11-201 AND 11-203 OF THE ZONING ORDINANCE TO PERMIT THE MINIMUM REQUIRED LOADING SPACES TO BE TWO SPACES PER BUILDING AS DEPICTED ON THE CDP.

– I MOVE THAT the building – THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 11-202, PARAGRAPH 4 OF THE ZONING ORDINANCE TO PERMIT THE LOADING SPACE IN BUILDING A-2 TO BE AS SHOWN ON THE CDP.

– I MOVE THAT the building – THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 13-202, PARAGRAPH 8 OF THE ZONING ORDINANCE TO PERMIT THE DEPICTED TRELLISES AND/OR VEGETATED ARBORS, AS SHOWN ON THE CDP, IN LIEU OF THE REQUIRED INTERIOR PARKING LOT LANDSCAPING.

PCA 88-D-005-07 AND RZ/FDP 2011-PR-023 AND
FDP 2011-PR-023-02 AND FDP 2011-PR-023-03

- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 13-202, PARAGRAPH 8 OF THE ZONING ORDINANCE TO PERMIT THE EXISTING PARKING LOT LANDSCAPING, AS DEPICTED ON THE CDP AND AS DESCRIBED IN THE PROFFERS, TO SERVE AS THE INTERIOR PARKING LOT LANDSCAPING ON AN INTERIM BASIS.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 13-202, PARAGRAPH 8 OF THE ZONING ORDINANCE TO PERMIT THE LANDSCAPING WITHIN THE AMENITY COURTYARD OF BLOCK E IN LIEU OF THE INTERIOR PARKING LOT LANDSCAPING REQUIREMENT.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 13-203, PARAGRAPH 5 OF THE ZONING ORDINANCE TO PERMIT THE LANDSCAPING DEPICTED ON THE ABOVE-GRADE PARKING STRUCTURES AND WITHIN THE INTERIM SURFACE PARKING LOTS, AS SHOWN ON THE CDP AND DESCRIBED IN THE PROFFERS.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 17-201, PARAGRAPH 2 AND 4 OF THE ZONING ORDINANCE TO PERMIT THE INTERIM ROAD IMPROVEMENTS ALONG THE BLOCK F FRONTAGE AS SHOWN ON THE CDP.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE SECTION 17-201, PARAGRAPH 3B OF THE ZONING ORDINANCE TO PERMIT ONLY THOSE AREAS OF INTERPARCEL ACCESS SHOWN ON THE CDP/FDPS AND DESCRIBED IN THE PROFFERS TO BE PROVIDED.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE SECTION 17-201, PARAGRAPH 3B, 4,12,13, AND 14 OF THE ZONING ORDINANCE TO PERMIT THE PROPOSED JONES BRANCH DRIVE FRONTAGE IMPROVEMENTS ALONG TAX MAP PARCEL 29-2 ((15)) B2, AS DEPICTED ON EXHIBIT A OF THE PROFFERS.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 7-0800.2 OF THE PFM TO ALLOW UP TO 1.5 FEET OF STRUCTURAL COLUMNS TO PROJECT INTO THE REQUIRED PARKING STALL AREA FOR NO MORE THAN 10 PERCENT OF THE TOTAL PARKING SPACES PROVIDED.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY THE TREE PRESERVATION TARGET IN FAVOR OF THAT SHOWN ON THE PLANS AND AS PROFFERED.
- And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND A WAIVER TO ALLOW THE USE OF UNDERGROUND STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES IN A RESIDENTIAL DEVELOPMENT, SUBJECT TO WAIVER NUMBER 6377-WPFM-004-1.

PCA 88-D-005-07 AND RZ/FDP 2011-PR-023 AND
FDP 2011-PR-023-02 AND FDP 2011-PR-023-03

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Flanagan. Could you please repeat the motion? All those in favor of those motions, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Motions carry.

Commissioner Lawrence: Next week, we do Hamlet.

Chairman Murphy: There we go. All that means is that it's going to be a great development and we appreciate all your help in getting this together.

Commissioner Lawrence: Thank you, applicant. Thank you, staff. This is a big deal. Thank you very much.

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(The motions carried unanimously with Commissioners Alcorn, Hall, and Litzenberger absent from the meeting.)

JLC

Board Agenda Item
October 30, 2012

3:30 p.m.

Public Hearing on PCA 2006-SU-007 (Timber Ridge at EDS, LLC) to Amend the Proffers, Conceptual Development Plans for RZ 2006-SU-007 Previously Approved for Mixed Use Development to Permit Modifications to the Residential Portion of the Development and Associated Modifications to Proffers and Site Design, Located on Approximately 37.4 Acres of Land Zoned PRM and WS (Sully District)

This property is located West of Centreville Road, between Wall Road and EDS Drive. Tax Map 24-4 ((1)) 6C3 and 6C4.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, October 17, 2012, the Planning Commission voted unanimously (Commissioners Alcorn, Hall and Litzenberger absent from the meeting) to recommend to the Board of Supervisors approval of the following actions pertinent to the subject application:

- Approval of PCA 2006-SU-007 with the associated Conceptual Development Plan Amendment (CDPA), subject to the execution of the proffers dated October 16, 2012; and
- Reaffirmation of previously-approved waivers and modifications as follows:
 - Modification of the loading space requirement to allow fewer spaces, as shown on the tabulations of the CDPA/Final Development Plan Amendment (FDPA);
 - Modification of the transitional screening along Centreville Road, in favor of the landscape buffer treatment shown on the CDPA/FDPA;
 - Waiver of the barrier requirements along the eastern property boundary, between the proposed multi-family residential uses and nonresidential uses and the off-site single-family detached houses, in favor of that shown on the CDPA/FDPA;
 - Modification to permit private streets in excess of 600 linear feet; and
 - Waiver of the interparcel access requirement to the EDS campus to the west, at Tax Map 24-4 ((1)) 6B and to the office uses on the Cox property to the north, on Tax Map Parcels 24-4 ((1)) 6E AND 6F.

In addition, the Planning Commission voted unanimously (Commissioners Alcorn, Hall and Litzenberger absent from the meeting) to approve FDPA 2006-SU-007, subject to development

Board Agenda Item
October 30, 2012

conditions dated October 16, 2012, and subject to the Board of Supervisors' approval of PCA 2006-SU-007.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4399005.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

William O'Donnell, Department of Planning and Zoning

Planning Commission Meeting
October 17, 2012
Verbatim Excerpt

PCA/FDPA 2006-SU-007 – TIMBER RIDGE AT EDS, LLC

After the Close of the Public Hearing

Parliamentarian de la Fe: Public hearing is closed; Mr. Murphy.

Commissioner Murphy: Thank you, Mr. Chairman. I would like to again thank Mr. Grimm from the –

Parliamentarian de la Fe: The Franklin Farm –

Commissioner Murphy: The Franklin Farm Foundation. Yes, I was wondering if it was Franklin Farm – I forgot to add Foundation in there. Not only will I enter this letter into the record, but **WITHOUT OBJECTION, I WOULD LIKE TO MOVE THAT IT BE FORWARDED TO COMMISSIONER LITZENBERGER IF HE HAS NOT SEEN IT AND TO SUPERVISOR FREY FOR HIM TO LOOK AT – AT THE BOARD MEETING BEFORE THE PUBLIC HEARING.** This is a solid application. I mean – I'm particularly impressed by it because there is a reduction in units. There is a reduction in retail. And yet, the applicant has brought forth the proffer package that was put together for a development that was approved in 2006 that had greater traffic generation and so forth – and it has a solid proffer package. I concur with the staff that it is in conformance with the Comprehensive Plan, the applicable Zoning Ordinances, the Residential Criteria, and – it is a solid application. I think this is going to serve this part of the County very well. So, Mr. Chairman, **I WOULD MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE PCA 2006-SU-007 WITH THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 16, 2012.**

Commissioner Hart: Second.

Parliamentarian de la Fe: Seconded by Mr. Hart. Any discussion? Hearing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed? Motion carries.

Commissioner Murphy: Mr. Chairman, **I MOVE THE PLANNING COMMISSION APPROVE FDP 2006-SU-007 [sic], SUBJECT TO DEVELOPMENT CONDITIONS DATED OCTOBER 16, 2012.**

Commissioner Hart: Second.

Parliamentarian de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed? Nay? The motion carries.

Commissioner Murphy: And finally, Mr. Chairman, I will do these, without objection, in seriatim. I MOVE THE PLANNING COMMISSION REAFFIRM ALL PREVIOUSLY-APPROVED WAIVERS AND MODIFICATIONS RELATED TO THE PCA/FDPA AREA, INCLUDING MODIFICATIONS TO THE LOADING SPACE REQUIREMENT TO ALLOW FEWER SPACES, AS SHOWN ON THE TABULATIONS OF THE CDPA/FDPA; A MODIFICATION OF THE TRANSITIONAL SCREENING ALONG CENTREVILLE ROAD, IN FAVOR OF THE LANDSCAPE BUFFER TREATMENT SHOWN ON THE CDPA/FDPA; A WAIVER OF THE BARRIER REQUIREMENTS ALONG THE EASTERN PROPERTY BOUNDARY, BETWEEN THE PROPOSED MULTI-FAMILY RESIDENTIAL USES AND NONRESIDENTIAL USES AND THE OFF-SITE SINGLE-FAMILY DETACHED HOUSES, IN FAVOR OF THAT SHOWN ON THE CDPA/FDPA; A MODIFICATION TO PERMIT PRIVATE STREETS IN EXCESS OF 600 LINEAR FEET; AND A WAIVER OF THE INTERPARCEL ACCESS REQUIREMENT TO THE EDS CAMPUS TO THE WEST, AT TAX MAP 24-1 ((1)) 6B [sic] AND TO THE OFFICE USES ON THE COX PROPERTY TO THE NORTH, ON TAX MAP PARCELS 24-4 ((1)) 6E AND 6F.

Commissioner Hart: Second.

Parliamentarian de la Fe: Seconded by Mr. Hart. Is there any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed? Motion carries. Thank you very much.

//

(The motions carried unanimously with Commissioners Alcorn, Hall, and Litzenberger absent from the meeting.)

JLC

Board Agenda Item
October 30, 2012

3:30 p.m.

Public Hearing on RZ 2010-PR-019 (Kettler Sandburg, LLC) to Rezone from R-1 to PDH-3 to Permit Residential Development with an Overall Density of 2.64 and Approval of the Conceptual Development Plans, Located on Approximately 2.28 Acres of Land (Providence District)

This property is located on the West side of Sandburg Street, South of Elm Place and North of Idylwood Road. Tax Map 39-4 ((1)) 46 and 47.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, September 13, 2012, the Planning Commission voted 8-0-1 (Commissioner Migliaccio abstaining; Commissioner Alcorn not present for the votes; Commissioners Donahue and Flanagan absent from the meeting) to recommend to the Board of Supervisors approval of the following actions pertinent to the subject application:

- 1) approval of RZ 2010-PR-019 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated September 11, 2012;
- 2) deviation of the tree preservation target requirement in favor of that shown on the CDP/FDP;
- 3) waiver of Section 11-302 (1) of the Zoning Ordinance that private streets within a development be limited to those which are not designed to provide access to adjacent developments.

The Commission also voted 8-0-1 (Commissioner Migliaccio abstaining; Commissioner Alcorn not present for the votes; Commissioners Donahue and Flanagan absent from the meeting) to approve FDP 2010-PR-019, subject to the development conditions dated August 30, 2012, and the Board's approval of the associated Rezoning and Conceptual Development Plan.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4390054.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

William Mayland, Department of Planning and Zoning

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Planning Commission Meeting
September 13, 2012
Verbatim Excerpt

RZ/FDP 2010-PR-019 – KETTLER SANDBURG, LLC

Decision Only During Commission Matters
(Public Hearing held on July 12, 2012)

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2010-PR-019 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE NOW DATED SEPTEMBER 11TH, 2012.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. 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-PR-019, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Migliaccio: I abstain; not present for the public hearing.

Chairman Murphy: All right. Mr. Migliaccio abstains; not present for the public hearing. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2010-PR-019, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED AUGUST 30TH, 2012, AND THE BOARD'S APPROVAL OF THE ASSOCIATED REZONING AND CONCEPTUAL DEVELOPMENT PLAN.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of that motion? All those in favor of the motion to approve FDP 2010-PR-019, subject to the Board's approval of the Rezoning and Conceptual Development Plan, say aye.

Planning Commission Meeting
September 13, 2012
RZ/FDP 2010-PR-019

Page 2

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I move that the Planning –

Chairman Murphy: Same abstention.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A DEVIATION OF THE TREE PRESERVATION TARGET REQUIREMENT IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstention.

Commissioner Lawrence: And last, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF SECTION 11-302 (1) OF THE ZONING ORDINANCE REQUIREMENT THAT PRIVATE STREETS WITHIN A DEVELOPMENT BE LIMITED TO THOSE WHICH ARE NOT DESIGNED TO PROVIDE ACCESS TO ADJACENT DEVELOPMENTS.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motions carried by votes of 8-0-1 with Commissioner Migliaccio abstaining; Commissioner Alcorn not present for the votes; Commissioners Donahue and Flanagan absent from the meeting.)

JN

Board Agenda Item
October 30, 2012

4:00 p.m.

Public Hearing on SE 2012-HM-006 (Tysons West Residential, LLC) to Permit Waiver of Certain Sign Regulations, Located on Approximately 7.06 Acres of Land Zoned C-7, HC and SC (Hunter Mill District)

This property is located in the North West quadrant of the intersection of Leesburg Pike and Westwood Center Drive. Tax Map 29-3 ((1)) 1B and 29-3 ((20)) C1.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, September 27, 2012, the Planning Commission voted 10-0-1 (Commissioner Litzenberger abstaining; Commissioner Alcorn not present for the vote) to recommend to the Board of Supervisors approval of SE 2012-HM-006, subject to the development conditions contained in Appendix 1 of the staff report.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4396601.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

W. Mayland, Department of Planning and Zoning

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Planning Commission Meeting
September 27, 2012
Verbatim Excerpt

SE 2012-HM-006 – TYSONS WEST RESIDENTIAL, LLC

Decision Only During Commission Matters
(Public Hearing held on September 20, 2012)

Commissioner de la Fe: We had the public hearing on this last week and I deferred decision because the Land Use Committee in Hunter Mill had not had a chance to make its final recommendation. They did meet on Monday and they did recommend approval. If you will recall, in effect what we are approving is an SE – because this is not in a P-District, but it's in effect a sign plan for the Tysons West Residential, which is currently under construction by-right. For those of you who, it was raised during the public hearing, there is a rezoning request to the PTC District that concerns this and this parcel and adjoining areas. That is still under review by staff. It has not been scheduled for a Commission public hearing. But this is, in effect, a sign plan to take care of the buildings that are going up by-right in a part of that location, but it does not have anything to do with the planned rezoning. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2012-HM-006, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2012-HM-006, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Litzenberger: Abstain.

Chairman Murphy: Mr. Litzenberger abstains.

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(The motion carried by a vote of 10-0-1 with Commissioner Litzenberger abstaining;
Commissioner Alcorn not present for the vote.)

JN

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Board Agenda Item
October 30, 2012

4:00 p.m.

Public Hearing on SEA 93-L-014-02 (Burgundy Farm Country Day School, Inc.) to Amend SE 93-L-014 Previously Approved for Nursery School, Child Care Center and Private School of General Education to Permit Increase in Land Area, Building Additions and Associated Modifications to Site Design and Development Conditions, Located on Approximately 23.66 Acres of Land Zoned R-4 (Lee District)

This property is located at 3700 Burgundy Road, Alexandria, 22303. Tax Map 82-2 ((1)) 5, 6, and 8; 82-2 ((11)) 1.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, October 11, 2012, the Planning Commission voted unanimously (Commissioners Alcorn and Hall absent from the meeting) to recommend to the Board of Supervisors approval of the following actions pertinent to the subject application:

- 1) approval of SEA 93-L-014-02, subject to the development conditions dated October 11, 2012, amended as follows:
 - add another sentence to the end of Condition #11 to read: "The proposed free-standing sign shown near Lot 1 shall not be internally illuminated."
 - add to Condition #13: "LEED or its equivalent".
- 2) modification of the transitional screening and barrier requirements around the perimeter of the site in favor of a six-foot chain link fence and the existing vegetation and supplemental plantings shown on the SE/SEA plat;
- 3) waiver of the loading space requirement.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4398319.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Megan Brady, Department of Planning and Zoning

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Planning Commission Meeting
October 11, 2012
Verbatim Excerpt

SEA 93-L-014-02 – BURGUNDY FARM COUNTRY DAY SCHOOL, INC.

After the close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. Migliaccio, please.

Commissioner Migliaccio: Thank you, Mr. Chairman. I have one item that I would like to have Mr. Pritchard come up and answer on verbatim, please. Thank you, Mr. Pritchard. Do you have any objection with the development conditions dated October 11th, specifically Number 13, regarding LEED Building Standards, as amended, to include LEED or its equivalent?

G. Evan Pritchard, Esquire, Walsh, Colucci, Lubeley, Emrich & Walsh, PC: No objection.

Commissioner Migliaccio: Thank you.

Mr. Pritchard: Thanks.

Chairman Murphy: All right. Go ahead.

Commissioner Migliaccio: Thank you, Mr. Chairman. With that, I have a few motions to make tonight. Before I get into that I just - briefly, this application - this SEA and the SPA associated with it - is simply to renovate school buildings to allow the Burgundy Country Farm School (*sic*) to better serve its students. It will add a north parking lot to provide more onsite parking and better manage traffic flow on-site. The application has the support of the Lee District Land Use Committee, its neighbors, and our professional staff, and it also has my support. So therefore, Mr. Chairman, I have a few motions to make tonight. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 93-L-014-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 11TH, 2012, WITH THE STAFF ADDITION FOR THIS LIGHTING AND WITH MY ADDITION TO – on NUMBER 13, TO HAVE LEED OR ITS EQUIVALENT INCLUDED.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 93-L-014-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Migliaccio.

Commissioner Migliaccio: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A

Planning Commission Meeting
October 11, 2012
SEA 93-L-014-02

Page 2

MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS AROUND THE PERIMETER OF THE SITE IN FAVOR OF A SIX-FOOT CHAIN LINK FENCE AND THE EXISTING VEGETATION AND SUPPLEMENTAL PLANTINGS SHOWN ON THE SEA/SPA PLAT.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE LOADING SPACE REQUIREMENT.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motions carried unanimously with Commissioners Alcorn and Hall absent from the meeting.)

JN

Board Agenda Item
October 30, 2012

4:00 p.m.

Public Hearing on Plan Amendment S12-IV-MVI (Penn Daw CBC, Land Units D & F-1) to Amend Area for Mixed-Use Development to Include Multi-Family Residential Use and Ground Floor Retail and Office Uses up to 1.8 FAR, Located on Approximately 4.4 Acres of Land (Mount Vernon District)

This property is located East of North Kings Highway, South of Jamaica Drive and West of Richmond Highway. Tax Map Parcels 83-3 ((1)) 22B, 22C, 22D are located at 6228 and 6220 Richmond Highway and 6117 North Kings Highway, Alexandria, 22303. Tax Map Parcels 83-3 ((9)) (1) B1 located at 6200 Richmond Highway; 83-3 ((9)) (1) 1, 2, 3, 4, located at 2515, 2513, 2511 and 2509 Jamaica Drive, Alexandria, 22303 and Tax Map Parcels 83-3 ((9))(1) A, B, B2, 4A, 5 and 5A in the Mount Vernon Supervisor District. Parcels 83-3 ((1)) 22B, 22C, 22D are planned for retail use up to .50 FAR, Parcels 83-3 ((9)) (1) B, B1, B2, 4A, 5, 5A are planned for office use up to .35 FAR and Parcels 83-3 ((9)) (1) A, 1, 2, 3, 4, are planned for residential use at 3-4 dwelling units per acre.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, October 4, 2012, the Planning Commission voted unanimously (Commissioner Hall not present for the vote) to recommend to the Board of Supervisors that they adopt the staff recommendation for S12-IV-MV1, as modified by the Flanagan handout dated October 4, 2012 and the following additions:

1) on page 3 of the Flanagan handout, first bullet, amend to read: "...Richmond Highway, Shields Avenue, and North Kings Highway..."

2) on page 4 of the Flanagan handout, last bullet, amend to read: "Stormwater quantity and quality that are substantially more extensive..."

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/amendments/s12-iv-mv1.pdf>

STAFF:

Marianne Gardner, Director, Planning Division, Department of Planning and Zoning (DPZ)
Aaron Klibaner, Department of Planning and Zoning

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Planning Commission Meeting
October 4, 2012
Verbatim Excerpt

S12-IV-MV1 – COMPREHENSIVE PLAN AMENDMENT (PENN DAW
COMMUNITY BUSINESS CENTER – FAST EDDIE’S)

After the Close of the Public Hearing

Chairman Murphy: Public Hearing is closed. Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. This Amendment, developed by staff, was authorized by the Board of Supervisors on January 12, 2012. The Amendment considers adding an option for the area bounded by Jamaica Drive, Richmond Highway, and North Kings Highway consisting – there should be Shields Avenue in there, shouldn't there? Consisting of Tax Map parcels 83-3 ((1)) 22B, 22C, 22D; and then 83-3 ((9)) (1) A, B, B1, B2, 1, 2, 3, 4, 4A, 5, and 5A. The staff recommendation would add an option for mixed-use development to include a maximum of 360 multi-family residential units with up to 40,000 square feet of ground floor retail and office uses at an intensity of up to 1.8 FAR; and conditions related to consolidation, urban design, building height, buffering and screening, open space, parking, stormwater management, and transportation. My proposed motion also highlights modifications not in the staff report that will limit the building height for buildings oriented to Richmond Highway to 65 feet and place a lower building height limit of 55 feet on buildings oriented to Shields Avenue, North Kings Highway, and Jamaica Drive, as shown on page 3 of my handout. I therefore MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE STAFF RECOMMENDATION WITH MODIFICATIONS FOR PLAN AMENDMENT S12-IV-MV1, AS SHOWN IN MY HANDOUT DATED OCTOBER 4, 2012, WITH THE FOLLOWING TWO CHANGES – and one is to add at the last – let's see – IN THE VERY LAST BULLET AFTER THE WORD, "STORMWATER," ADD "QUANTITY AND," SO THAT IT WOULD READ, "STORMWATER QUANTITY AND QUALITY." That is as it was in the staff report. AND THEN ALSO IN THE FIRST BULLET ON PAGE 3, ADD THE WORDS, "SHIELDS AVENUE," AFTER, "RICHMOND HIGHWAY," AND BEFORE, "AND NORTH KINGS HIGHWAY."

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Discussion? Mr. Migliaccio.

Commissioner Migliaccio: Mr. Chairman, thank you. Commissioner Flanagan, regarding the stormwater quality and quantity control measures, I thought we were INSERTING: “THAT ARE SUBSTANTIALLY MORE EXTENSIVE...”, in addition –

Commissioner Flanagan: That was in the staff report?

Commissioner Migliaccio: No, it was what we recently talked about.

Chairman Murphy: Where are you? Tell us where you are. What bullet and page?

Commissioner Migliaccio: PAGE 4 of –

Commissioner Flanagan: Last bullet.

Commissioner Migliaccio: -OF COMMISSIONER FLANAGAN’S HANDOUT – the final bullet on page 9 of the staff report. And the reason that I was inserting, substantially,” was to match up with what we had done across the street after extensive communication between Mount Vernon and Lee District on the Penn Daw Special Study because the watershed here we know is very poor.

Commissioner Alcorn: Mr. Chairman?

Chairman Murphy: Mr. Alcorn.

Commissioner Alcorn: Could I just ask staff – does that make sense to staff? To add “substantially” there?

Aaron Klibaner, Planning Division, Department of Planning and Zoning: Yes.

Chairman Murphy: Are you aware we’re adding it? Okay. Without going back and forth between the two documents, we’re going to add it to this – Mr. Flanagan’s draft. Do you know where to put it? Okay.

Commissioner Alcorn: Ms. Hurley.

Chairman Murphy: All right, are we all on the same sheet here? Okay.

Commissioner Migliaccio: Thank you, Mr. Chairman.

Chairman Murphy: Ms. Hurley.

Commissioner Hurley: Thank you, Mr. Chairman. I thought I understood, but I didn’t quite get those words from the Commissioner from Mount Vernon. Where it says, “The buildings should be oriented to Richmond Highway and Shields Avenue in order to create -” are you replacing North Kings Highway with Shield Avenue?

Commissioner Sargeant: Shields.

Chairman Murphy: No, it's an addition. It –

Commissioner Flanagan: It's an addition.

Chairman Murphy: Richmond Highway, Shields Avenue, and North Kings Highway.
Yes, all three.

Commissioner Flanagan: It will finally read – it will finally read: “BUILDINGS SHOULD BE ORIENTED TO RICHMOND HIGHWAY, SHIELDS AVENUE, AND NORTH KINGS HIGHWAY IN ORDER TO CREATE AN URBAN DESIGN EDGE.”

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt Out-of-Turn Plan Amendment S12-IV-MV1, as amended this evening and based on Mr. Flanagan's motion dated October 4, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

//

(The motion, as amended, carried unanimously with Commissioner Hall not present for the vote.)

JLC

MOTION
October 4, 2012

Commissioner Earl Flanagan, Mount Vernon District

Planning Commission Public Hearing

Plan Amendment S12-IV-MV1

Motion:

Mr. Chairman, this amendment, developed by staff was authorized by the Board of Supervisors on January 12, 2012. The amendment considers adding an option for the area bounded by Jamaica Drive, Richmond Highway and North Kings Highway consisting of Tax Map Parcels 83-3 ((1)) 22B, 22C, 22D; 83-3 ((9)) (1) A, B, B1, B2, 1, 2, 3, 4, 4A, 5 and 5A.

The Staff recommendation would add an option for mixed-use development to include a maximum of 360 multifamily residential units with up to 40,000 square feet of ground floor retail and office uses at an intensity up to 1.8 FAR; and conditions related to consolidation, urban design, building height, buffering and screening, open space, parking, stormwater management and transportation.

My proposed motion also highlights modifications not in the Staff Report that will limit the building height for buildings oriented to Richmond Highway to 65 feet and place a lower building height limit of 55 feet on buildings oriented to Shields Avenue/North Kings Highway and Jamaica Drive as shown on page 3 of my handout and to add the words “quantity and” before the word quality; and the word “substantially” before the words more extensive in the last bullet that concerns stormwater management, on page 4 of my handout.

I therefore move that the Planning Commission recommend that the Board of Supervisors adopt the Staff recommendation with modifications for **Plan Amendment S12-IV-MV1** as shown in my handout dated October 4, 2012.

End of Motion

PROPOSED PLAN TEXT
PLAN AMENDMENT S12-IV-MV1

New Plan text is shown as underlined.

ADD: Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Mount Vernon Planning District, Amended through 5-1-2012, MV1 Huntington Community Planning Sector, page 112:

“Land Unit P (Fairhaven Neighborhood)

The Fairhaven neighborhood is located south of the Metro station and is generally bounded by Fort Drive on the north, commercial uses along Richmond Highway on the east, Jamaica Drive on the south and North Kings Highway on the west. The land use recommendations for this area (Land Unit P) encourage the preservation of the Fairhaven community.

Fairhaven (Land Unit P) is a stable neighborhood of single-family detached dwellings that is planned for 3-4 dwelling units per acre.

As an option, mixed-use development on Tax Map Parcels 83-3 ((9)) (1) A, 1, 2, 3 and 4 to include midrise multifamily residential use with ground floor retail and office uses may be appropriate (see Subunit F-1 for detailed recommendations).”

Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Mount Vernon Planning District, Richmond Highway Corridor Area, Amended through 5-1-2012, pages 37 and 39:

“Land Unit D

Lots fronting on the west side of Richmond Highway between Jamaica Drive and Sub-unit F-1 are planned for low-rise office use up to .35 FAR.

As an option, mixed-use development to include midrise multifamily residential use with ground floor retail and office uses may be appropriate (see Subunit F-1 for detailed recommendations).”

“Sub-unit F-1

Properties included in this sub-unit are Parcels 83-3((1)) 22B pt., 22C and 22D which are planned for retail uses up to .50 FAR and building heights of 50 feet. Consolidation of contiguous lots is desirable. Existing landscaping, which serves as a buffer to the adjacent residential neighborhood should be maintained. In any development proposal, sidewalks should be provided to facilitate pedestrian access. Vehicular access should be provided only at one point each on Richmond Highway and North Kings Highway.

As an option, mixed-use development to include midrise multifamily residential use with ground floor retail and office uses at an intensity up to 1.8 FAR may be appropriate. This includes a maximum of 360 dwelling units and 40,000 square feet of ground floor retail and/or office uses. The following conditions should be met:

- Pursuit of this option should be allowed only if full consolidation of Tax Map Parcels 83-3 ((1)) 22B, 22C, 22D; 83-3 ((9)) (1) B, 5, 5A; and 83-3 ((9)) (1) A, 1, 2, 3, 4 and 4A is achieved.
- High quality site design and architecture should be provided and coordinated throughout Land Unit D, Subunit F-1 and Tax Map Parcels 83-3 ((9)) (1) A, 1, 2, 3, 4 and 4A, especially if redevelopment is phased.
- Buildings should be oriented to Richmond Highway, Shields Avenue and North Kings Highway in order to create an urban street edge.
- Any new retail and office uses should be located on the first floor of the residential buildings. The location of retail and office uses should maximize visibility along the Richmond Highway and North Kings Highway frontages. Retail uses should offer community amenities, such as sidewalk cafés and restaurants to the surrounding residential neighborhoods.

- Buildings oriented to Richmond Highway should be limited to a maximum of five stories or 65 feet in height.
- Buildings along Shields Avenue/North Kings Highway and Jamaica Drive should be limited to a maximum of 55 feet in height with adequate buffering and screening provided to minimize the visual impact of redevelopment on existing single-family neighborhoods. Buffer areas should be landscaped with year-round vegetation to aid in the transition to the single-family neighborhoods.
- A well designed, publicly accessible urban plaza or park should be included in the design to create a sense of place and provide recreational opportunities for residents and visitors. The development of these facilities should be consistent with the Fairfax County Park Authority Urban Park Framework.
- Parking facilities should be designed to avoid adverse visual impacts to the streetscape and neighboring residential neighborhoods. Parking should be consolidated into underground parking structures that are integrated into the buildings using architectural features, screening, lighting and landscaping. Limited surface convenience parking may be appropriate provided need is demonstrated and such spaces are integrated into the pedestrian environment.
- Adequate right-of-way should be dedicated for planned transportation improvements in the vicinity of Land Unit D and Subunit F-1, including the possible future realignment of North Kings Highway and Shields Avenue. A financial contribution may be provided towards the implementation of off-site planned transportation improvements, as deemed appropriate.
- Efforts should be made to enhance the multi-modal connectivity of the site through the addition of streetscaping and bicycle facilities. Enhanced connectivity to the Huntington Metrorail Station through incorporation of bus shelters and enhanced transit service is encouraged.
- Stormwater quantity and quality control measures that are substantially more extensive than minimum requirements should be provided. The emphasis should be on low impact development (LID) techniques and best management practices (BMPs) that evapotranspire water, filter water through vegetation and/or soil, and return water to the ground or reuse it. Stormwater design-quality control credit of the most current version of the Leadership

in Energy and Environmental Design for New Construction (LEED®-NC) or Leadership in Energy and Environmental Design for Core and Shell (LEED®-CS) rating system (or third party equivalent of these credits) should be provided. If this goal is demonstrated not to be achievable, all measures should be implemented to the extent possible in support of this goal.”

MODIFY FIGURE: Fairfax County Comprehensive Plan, 2011 Edition, Area IV, Mount Vernon Planning District, Amended through 6-19-2012, Richmond Highway Corridor Area, Figure 8 Boundaries for North Gateway and Penn Daw Community Business Centers (CBCS) and Adjacent Route 1 Suburban Neighborhoods, page 32:

Expand the boundary of the Penn Daw Community Business Center (CBC) by adding Tax Map Parcel 83-3 ((9)) (1) 4A to Land Unit D. Land Unit D will include Tax Map Parcels 83-3 ((9)) (1) B, B1, B2, 4A, 5 and 5A.

**MODIFY
COMPREHENSIVE**

PLAN MAP: The boundary shown for the Penn Daw CBC will be modified to include Tax Map Parcel 83-3 ((9)) (1) 4A.

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Board Agenda Item
October 30, 2012

4:00 p.m.

Public Hearing on AF 2012-SU-001 (Jon & Kim Hickox) to Permit the Creation of an Agricultural and Forestal District, Located on Approximately 21.0 Acres of Land Zoned R C and WS (Sully District)

This property is located at 15950 Lee Highway, Centreville, 20120. Tax Map 64-1 ((4)) 7C.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, October 17, 2012, the Planning Commission voted unanimously (Commissioners Alcorn, Hall and Litzenberger absent from the meeting) to recommend that the Board of Supervisors approve AF 2012-SU-001 and amend Appendix F of the Fairfax County Code to establish the Hickox Local Agricultural and Forestal District, subject to Ordinance Provisions dated September 14, 2012.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4399003.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Brent Krasner, Department of Planning and Zoning

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Planning Commission Meeting
October 17, 2012
Verbatim Excerpt

AF 2012-SU-001 – JON AND KIM HICKOX (THE WINERY AT BULL RUN)

After the Close of the Public Hearing

Chairman Murphy: The public hearing is closed; recognize Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. First, let me thank staff, Brent Krasner and Kris Abrahamson, for their fine work on this case. This is an interesting application. The wine industry in Virginia has grown exponentially in recent years. Thanks to recent action by the General Assembly, wineries are now a by-right use, not requiring a public hearing for zoning approval and not subject to imposition of development conditions. But the County still retains the authority to regulate Agricultural and Forestal Districts. This winery is adjacent to the Manassas Battlefield National Park and complements that tourist attraction. It also is adjacent to industrial uses and the Luck Stone Quarry on the other side and its location creates no negative impacts on residences. The applicant met with the Sully District Council, which has no opposition to it. The applicant also met with the West [Fairfax] County Citizens Association Land Use Committee, which is very familiar with non-residential uses in the RC and they unanimously recommended approval. The applicant meets the Ordinance criteria for the establishment of an Agricultural Forestal District. It has staff's support and also a favorable recommendation from the Agricultural and Forestal District Advisory Committee. I concur with the recommendations in the staff report. As an aside, I would suggest also that interested Commissioners and citizens looking for something new and different to do with family or friends may wish to check out the winery at their convenience. It's already open. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT AF 2012-SU-001 BE APPROVED AND APPENDIX F OF THE FAIRFAX COUNTY CODE BE AMENDED TO ESTABLISH THE HICKOX LOCAL AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO ORDINANCE PROVISIONS DATED SEPTEMBER 14, 2012.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it amend Appendix F of the Fairfax County Code to establish the Hickox Local Agricultural and Forestal District, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

//

(The motion carried unanimously with Commissioners Alcorn, Hall, and Litzenberger absent from the meeting.)

JLC

Board Agenda Item
October 30, 2012

4:00 p.m.

Public Hearing to Authorize the Conveyance of a Portion of Board-Owned Property to the Virginia Department of Transportation for the Leesburg Pike Widening Project (Hunter Mill District)

ISSUE:

Public hearing to convey a portion of Board-owned property to the Virginia Department of Transportation (VDOT) for the Leesburg Pike Widening Project.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to convey a portion of Board-owned property to VDOT for the Leesburg Pike Widening Project.

TIMING:

On September 25, 2012, the Board of Supervisors authorized the advertisement of a public hearing to convey Board-owned property to VDOT.

BACKGROUND:

The Board of Supervisors is the owner of one parcel of land located at 1117 Reston Avenue and identified as Tax Map No. 0112 01 0034A. The property is occupied by the North Point Fire Station.

VDOT would like to acquire 379 square feet of land from parcel 0112 01 0034A, as well as a temporary construction easement, to build and maintain the Leesburg Pike Widening Project. The square footage is not required by the fire station.

This project is designed to widen the section of Leesburg Pike between Rolling Holly Drive to Reston Avenue from four to six lanes. A new traffic light will replace the existing emergency-only signal at the intersection of Leesburg Pike and Reston Avenue. Opticom equipment, which provides a green traffic signal for oncoming emergency vehicles, will be provided for the westbound Leesburg Pike approach to the Leesburg/Georgetown Pike intersection. VDOT is the project manager; however, the Fairfax County Department of Transportation (FCDOT) has partnered with VDOT throughout the project development.

VDOT presented an offer of compensation of \$9,200 for the fee taking and easement. Since Fairfax County purchased this property for purposes other than right-of-way for this project, FCDOT recommends, and the Facilities Management Department concurs, that VDOT should compensate the County for these needed property rights. Staff recommends that the funds received from VDOT for these land rights be deposited into Fund 124 to offset other significant County transportation improvement expenses.

Board Agenda Item
October 30, 2012

FISCAL IMPACT:

The County will receive funding in the amount of \$9,200, deposited in Fund 124 (400-C40011), County and Regional Transportation Projects.

ENCLOSED DOCUMENTS:

Attachment A: Location Map

Attachment B: Resolution

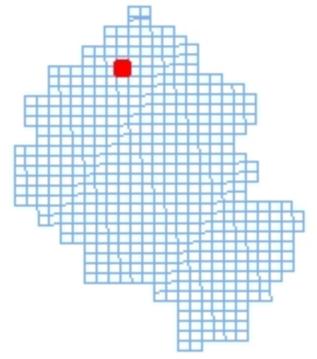
STAFF:

David J. Molchany, Deputy County Executive, Office of the County Executive

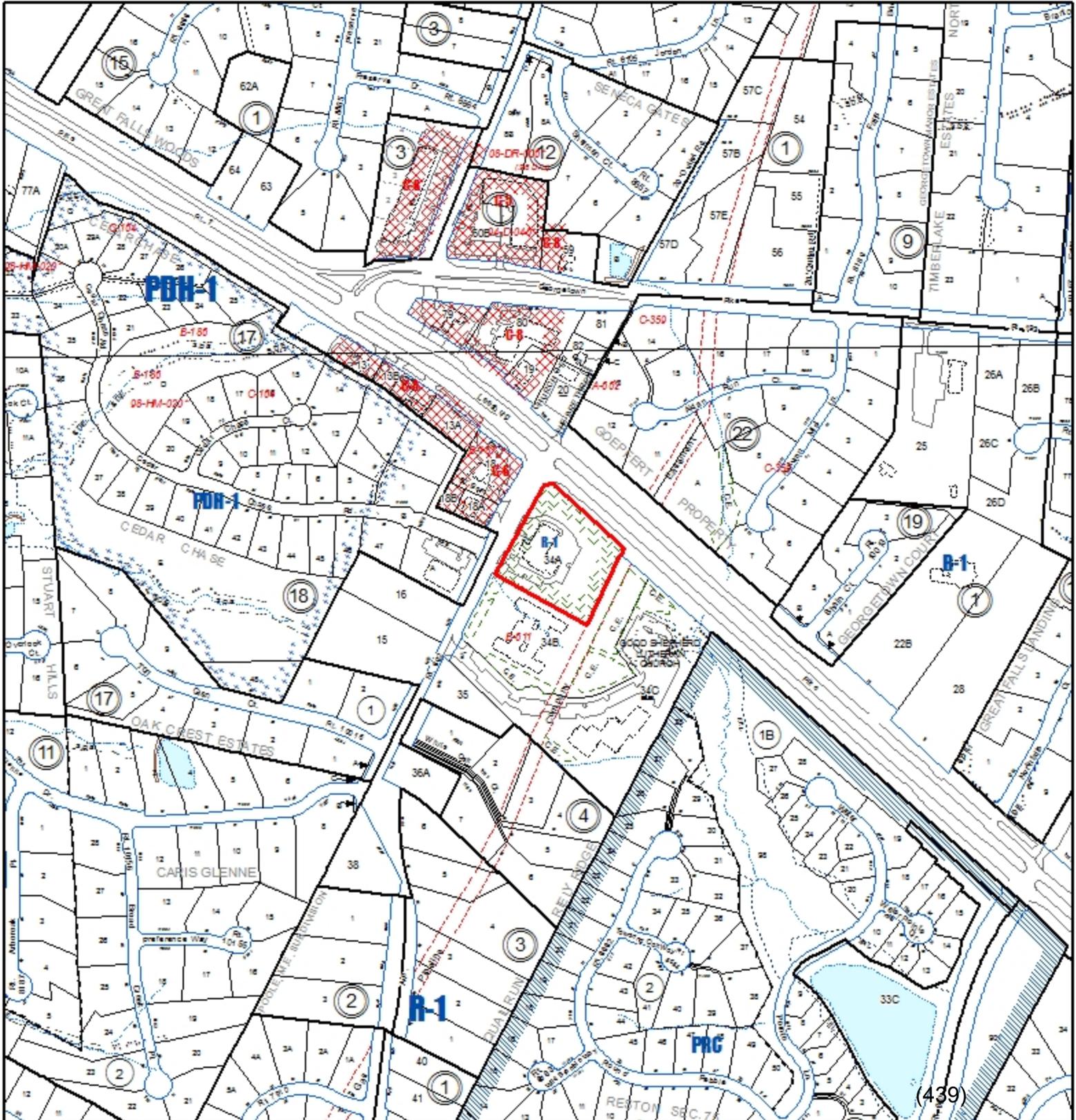
Tom Biesiadny, Director, Department of Transportation

José A. Comayagua, Director, Facilities Management Department

Subject Property: Tax Map No. 0112 01 0034A



0 125 250 500 Feet



Attachment B

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, October 30, 2012, at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, the Board of Supervisors owns one parcel of land identified as Tax Map Number 0112 01 0034A,

WHEREAS, the Virginia Department of Transportation seeks to acquire, either in whole or in part, the fee simple interest in the parcel identified as Tax Map Number 0112 01 0034A for the construction of the Leesburg Pike Widening Project,

WHEREAS, the Virginia Department of Transportation seeks to acquire a temporary construction easement over the parcel identified as Tax Map Number 0112 01 0034A for the same purpose,

WHEREAS, the acquisition of the fee simple interest in and easement over portions of the parcel identified as Tax Map Number 0112 01 0034A require compensation, and the fair market value of the portion of the property and the easement required for the improvements was determined by an appraiser to be \$9,200,

WHEREAS, the Board of Supervisors finds that it would be in the best interest of the citizens of Fairfax County to convey in consideration of \$9,200, the real property and real property interest(s), as described above, to the Virginia Department of Transportation for the Leesburg Pike Widening Project,

NOW, THEREFORE, upon public hearing duly advertised according to law, it is **RESOLVED** that, in consideration of \$9,200, the County Executive or Deputy County Executive is hereby authorized to execute all necessary documents to convey the real property and real property interest(s) described above to the Virginia Department of Transportation.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

Board Agenda Item
October 30, 2012

5:00 p.m.

Public Comment from Fairfax County Citizens and Businesses on Issues of Concern

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