

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
September 25, 2012**

AGENDA

8:30	Held	Reception, Domestic Violence Awareness Month: Honoring 35 Years of Domestic Violence Service in Fairfax County, The Forum
9:15	Done	Signing of a Sister Jurisdiction Partnership with Keciroen, Turkey
9:30	Done	Presentations
10:30	Approved with one deferral	Appointments
10:40	Done	Environmental Excellence Awards
10:50	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Streets into the Secondary System (Braddock and Providence Districts)
2	Approved	Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (Mount Vernon and Springfield Districts)
3	Approved with amendment	Authorization to Advertise a Public Hearing to Convey a Portion of County-Owned Property to the Virginia Department of Transportation for the Leesburg Pike Widening Project (Hunter Mill District)
4	Approved	Extension of Review Period for 2232 Review Application (Mason District)
5	Approved	Addition of Oakton Road/Route 664 to the Secondary System of State Highways (Providence District)
6	Approved	Road Improvements and Addition of Right of Way (Burke Lake Road / Route 645 and Intersecting Roadways) to the Secondary System of State Highways (Braddock and Springfield Districts)
7	Approved	Addition of Right of Way (Huntington Avenue/Route 1332 and Fort Hunt Road/Route 629) to the Secondary System of State Highways (Mount Vernon District)
8	Approved	Addition of Right of Way (Beulah Street/Route 613 and Fleet Drive/Route 635) to the Secondary System of State Highways (Lee District)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
September 25, 2012**

**ADMINISTRATIVE
ITEMS
(Continued)**

- | | | |
|----|-----------------|---|
| 9 | Approved | Changes to the Secondary System of State Highways Associated with the West Ox Road Widening Project (Sully District) |
| 10 | Approved | Additions and Discontinuances of Right of Way Associated with the Construction of Improvements to West Ox Road / Route 608 and Waples Mill Road / Route 664 (Sully District) |
| 11 | Approved | Addition of Right of Way (South Kings Highway / Route 633) to the Secondary System of State Highways (Lee District) |
| 12 | Approved | Changes to the Secondary System Resulting from Road Improvements and Realignment (Hampton Road / Route 647) (Springfield District) |
| 13 | Approved | Road Improvements and Addition of Right of Way Associated with the Route 123 Widening Project to the Secondary System of State Highways (Mount Vernon District) |
| 14 | Approved | Addition of Little Ox Road / Route 8475 and Averett Drive / Route 8511 and Discontinuance of a Former Segment of Averett Drive from the Secondary System of State Highways (Springfield District) |
| 15 | Approved | Addition of Right of Way (Henderson Road / Route 643) to the Secondary System of State Highways (Springfield District) |
| 16 | Approved | Authorization to Advertise a Public Hearing on Proposed Amendments to the Code, Chapter 84.1, Public Transportation, Pertaining to Taxicab Rates |

ACTION ITEMS

- | | | |
|---|-----------------|--|
| 1 | Approved | Authorization for the County Executive to Sign the Programmatic Agreement Relative to the Widening of U.S. Route 1 (Richmond Highway) from Telegraph Road to Mount Vernon Memorial Highway (Mount Vernon District) |
|---|-----------------|--|

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
September 25, 2012**

**ACTION ITEMS
(Continued)**

- | | | |
|---|-----------------|---|
| 2 | Approved | Authorization to Make a Loan to MVH Partners, LP from Housing Blueprint Funds for the Acquisition and Rehabilitation of Mount Vernon House (Mount Vernon District) |
| 3 | Approved | Authorization for the Department of Transportation to Apply for the FY 2014 Virginia Department of Transportation Revenue Sharing Program Funds (Providence District) |
| 4 | Approved | Approval of the FY 2013-14 State Performance Contract Between the Fairfax-Falls Church Community Services Board and the Virginia Department of Behavioral Health and Developmental Services |
| 5 | Approved | Authorization to Sign Department of Rail and Public Transportation Project Funding Agreements |
| 6 | Approved | Approval of the Distribution of Plain English Information Statements for the November 2012 County Referenda on Issuing Bonds for Improvements to Park, Public Safety, Public Library, and Storm Drainage Facilities |

**INFORMATION
ITEMS**

- | | | |
|-------|-------------|--|
| 1 | Held | Service Adjustments for Fairfax Connector Bus Service Effective October 2012 |
| 11:00 | Done | Matters Presented by Board Members |
| 11:50 | Done | Closed Session |

**PUBLIC
HEARINGS**

- | | | |
|------|--|---|
| 3:00 | Deferred to
10/16/12 at 3:30
p.m. | Public Hearing on SE 2012-MA-004 (Jooan Peace, Inc.) to Permit Parking in an R District (Mason District) |
| 3:00 | Approved | Public Hearing on SEA 88-S-077-05 (Brookfield-Beverly Road Associates, Limited Partnership) to Amend SE 88-S-077 (Sully District) |
| 3:30 | Approved | Public Hearing on PCA 90-L-050-03 (Sunoco, Inc. (R&M)) to Amend the Proffers for RZ 90-L-050 (Lee District) |

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
September 25, 2012**

**PUBLIC
HEARINGS
(Continued)**

- | | | |
|------|-----------------|--|
| 3:30 | Approved | Public Hearing on SEA 90-L-045-03 (Sunoco, Inc. (R&M)) to Amend SE 90-L-045 (Lee District) |
| 3:30 | Approved | Public Hearing on PCA 89-A-001-02 (Board of Supervisor's Own Motion) to Amend the Proffers for RZ 89-A-001 (Braddock District) |
| 3:30 | Approved | Public Hearing on PCA 87-A-011-02 (Board of Supervisor's Own Motion) to Amend the Proffers for RZ 87-A-011 (Braddock District) |
| 3:30 | Approved | Public Hearing on PCA 92-H-015 (GBI Corporation) to Amend the Proffers and Conceptual Development Plans for RZ 92-H-015 (Dranesville District) |
| 3:30 | Approved | Public Hearing on RZ 2010-PR-021 (Capital One Bank (USA) NA) to Rezone from C-3 and HC to PTC and HC to Permit Mixed Use Development (Providence District) |
| 3:30 | Approved | Public Hearing on PCA 92-P-001-08 (Capital One Bank (USA) NA) to Amend the Proffers for RZ 92-P-001-08 (Providence District) |

Board Agenda Item
September 25, 2012

9:15 a.m.

Signing of a Sister Jurisdiction Partnership with Kecioren, Turkey

ENCLOSED DOCUMENTS:

None.

PRESENTED BY:

Sharon Bulova, Chairman, Board of Supervisors

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Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Tuesday
September 25, 2012

9:30 a.m.

Recognition of Fairfax County programs that won 2012 Achievement Awards from the National Association of Counties.

PRESENTATIONS

RECOGNITIONS

- CERTIFICATE – To recognize the Department of Housing and Community Development for receiving awards from the National Association of Counties and the National Association of Housing and Redevelopment Officials. Requested by Chairman Bulova and Supervisor Cook.
- CERTIFICATE – To recognize members of Fairfax Pets on Wheels for 25 years of volunteer service to the organization and to the community. Requested by Supervisor Frey.
- CERTIFICATE – To recognize the Braddock Youth Club '98 Elite for winning the 2012 Virginia Youth Soccer Association championship. Requested by Supervisor Cook.
- CERTIFICATE – To recognize George Towery for his years of service to Fairfax County. Requested by Supervisor McKay.

— more —

Board Agenda Item
September 25, 2012

DESIGNATIONS

- PROCLAMATION – To designate October 2012 as Breast Cancer Awareness Month in Fairfax County. Requested by Supervisor Herrity.
- PROCLAMATION – To designate October 2012 as Disability Employment Awareness Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate October 7-13, 2012, as Fire Prevention Week in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate October 2012 as Domestic Violence Awareness Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate September 25-October 2, 2012, as Voter Registration Week in Fairfax County. Requested by Chairman Bulova.

STAFF:

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

Board Agenda Item
September 25, 2012

10:30 a.m.

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

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard September 25, 2012
(A final list will be distributed at the Board meeting.)

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 SEPTEMBER 25, 2012
(ENCOMPASSING VACANCIES PROJECTED THROUGH SEPTEMBER 30, 2012)
 (Unless otherwise noted, members are eligible for reappointment)

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
Kelsey M. Phipps (Appointed 2/11 by McKay) Term exp. 9/12	Lee District Representative		McKay	Lee
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

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**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>
Robert K. McDaniel (Appointed 10/08 by Herrity) Term exp. 9/12	Springfield District Representative		Herrity	Springfield
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

CONFIRMATION NEEDED:

- Ms. Dianne Blais as the League of Women Voters Representative

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)
(3 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Jeremy M. Schottler (Appointed 9/00-8/03 by Hanley; 7/06 by Connolly; 9/09 by Bulova) Term exp. 8/12	At-Large #4 Representative		By Any Supervisor	At-Large

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>
Joy Marshall Ortiz (Appointed 10/03-10/09 by Hudgins) Term exp. 9/12	Architect #2 Representative		By Any Supervisor	At-Large
Robert W. Mobley (Appointed 10/77-9/92 by Alexander; 3/04-10/09 by Gross) Term exp. 9/12	Related Professional Group #1 Representative		By Any Supervisor	At-Large
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
Jason D. Sutphin (Appointed 9/09 by Frey) Term exp. 9/12	Related Professional Group #6 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 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

CONFIRMATIONS NEEDED:

- Mr. Jerry Klemm as the Baseball Council Alternate Representative
- Mr. Dave Vennergrund as the Basketball Council Representative
- Mr. Bill Bush as the Volleyball Council Representative

**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
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>
Steve Sherman (Appointed 9/08-9/11 by McKay) Term exp. 9/12	At-Large #1 Representative		By Any Supervisor	At-Large
Jason M. Chung (Appointed 2/11-10/11 by Frey) Term exp. 9/12	At-Large #2 Representative		By Any Supervisor	At-Large
Jill Patrick (Appointed 9/09-9/11 by Gross) Term exp. 9/12	At-Large #3 Representative		By Any Supervisor	At-Large
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		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)
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<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Monica Jackson (Appointed 4/10-9/10 by Cook) Term exp. 9/12	Braddock District Representative		Cook	Braddock
Ann Aoki (Appointed 11/10 by Foust) Term exp. 9/12	Dranesville District Representative		Foust	Dranesville
Courtney Park (Appointed 2/10-9/10 by Hudgins) Term exp. 9/12	Hunter Mill District Representative		Hudgins	Hunter Mill
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
Hugh Mac Cannon (Appointed 12/09-/10 by Herrity) Term exp. 9/12	Springfield District Representative		Herrity	Springfield

**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

COMMISSION ON AGING (2 years)

CONFIRMATION NEEDED:

- Mr. Daniel Henderson as the City of Falls Church Representative

COMMUNITY ACTION ADVISORY BOARD (CAAB)
 (3 years – up to 5 consecutive years, 10 maximum for elected/confirmed members)

CONFIRMATIONS NEEDED:

- Mr. Mauricio Barraza as the Head Start Representative.
- Margaret Thaxton as the Federation of Citizens Associations Representative
- Dr. Paul Clark as the George Mason University Representative

COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP
 (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John Byers; appointed 4/07-4/11 by Hyland) Term exp. 4/13 <i>Deceased</i>	Mount Vernon District Representative		Hyland	Mount Vernon

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

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**CONSUMER PROTECTION COMMISSION (3 years)
continued**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Scott Hine (Appointed 2/07 by McConnell; 7/09 by Herrity) Term exp. 7/12	Fairfax County Resident #11 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
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
A. Joseph Jay, III (Appointed 11/06 by McConnell; 9/09 by Herrity) Term exp. 8/12	Springfield District Representative		Herrity	Springfield

ECONOMIC ADVISORY COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John Byers; appointed 2/09-12/11 by Hyland) Term exp. 12/14 <i>Deceased</i>	Mount Vernon District Representative		Hyland	Mount Vernon

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)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
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CONFIRMATION NEEDED:

- Ms. Gracie Ortiz as a Community/Religious Leader Representative

**FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION
BOARD OF DIRECTORS**

(3 years)

[Note: Established by Board on 6/21/04 for the general administration and proper operation of the Fairfax County Convention and Visitors Corporation.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Roland Gunn (Appointed 7/04-6/06 by McConnell; 6/09 by Herrity) Term exp. 6/12	Springfield District Representative		Herrity	Springfield

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 Martha Lloyd; appointed 12/06 by Kauffman; 6/09 by McKay) Term exp. 6/12 <i>Resigned</i>	Lee District Representative	Suzette Kern <i>(Nomination announced on July 31, 2012)</i>	McKay	Lee

HEALTH CARE ADVISORY BOARD (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Susan Conrad; appointed 1/08 by Frey) Term exp. 6/12 <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
Amy Sanborn Owen (Appointed 5/09-9/09 by Cook) Term exp. 9/12	At-Large #10 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
William Kogler (Appointed 4/05-9/08 by Herrity) Term exp. 9/12	Springfield District #1 Representative		Herrity	Springfield

**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

**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	Hunter Mill District Representative		Hudgins	Braddock

**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
Lilia Jiminez-Siehengalu (Appointed 4/10 by Hudgins) Term exp. 3/12	Fairfax County #3 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

TRANSPORTATION ADVISORY COMMISSION (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
John Terzaken (Appointed 6/09 by Foust) Term exp. 6/12	Dranesville District Representative		Foust	Dranesville

TREE COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Marie Flanagan; appointed 12/09 by Smyth) Term exp. 10/11 <i>Resigned</i>	Providence District Representative		Smyth	Providence
VACANT (Formerly held by Patricia Strat; appointed 1/10-9/10 by Frey) Term exp. 6/13 <i>Resigned</i>	Sully District Representative		Frey	Sully

CONFIRMATIONS NEEDED:

- Mr. Everett Loughry as the Park Authority Representative
- Jeff Allcroft as the Environmental Quality Advisory Council Representative

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>
Ronald P. Miner (Appointed 6/06 by Connolly; 9/09 by Bulova) Term exp. 9/12	Citizen Alternate Representative		By Any Supervisor	At-Large

WATER AUTHORITY (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John Byers; appointed 6/11 by Hyland) Term exp. 6/14 <i>Deceased</i>	Mount Vernon District Representative		Hyland	Mount Vernon

WETLANDS BOARD (5 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Michael Fuelling (Appointed 2/10 by Bulova) Term exp. 7/12	Alternate #1 Representative		By Any Supervisor	At-Large
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		Herrity	Springfield

Board Agenda Item
September 25, 2012

10:40 a.m.

Presentation of the Environmental Excellence Awards

ENCLOSED DOCUMENTS:

None.

PRESENTED BY:

Stella Koch, Chairman, Environmental Quality Advisory Council (EQAC)

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Board Agenda Item
September 25, 2012

10:50 a.m.

Items Presented by the County Executive

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ADMINISTRATIVE – 1

Streets into the Secondary System (Braddock and Providence 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>
Morrisons Way Village	Braddock	Lee Highway (Route 29) (Additional Right-of-Way (ROW) Only)
		Stevenson Street (Route 1028) (Additional ROW Only)
Williamsburg Commons	Providence	Courthouse Road (Route 673) (Additional ROW Only)

TIMING:

Routine.

BACKGROUND:

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

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Street Acceptance Forms

STAFF:

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

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Print Form

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p>		
<p>PLAN NUMBER: 24562-SP-001</p>			
<p>SUBDIVISION PLAT NAME: Morrisons Way Village</p>			
<p>COUNTY MAGISTERIAL DISTRICT: Braddock</p>			
<p>FOR OFFICIAL USE ONLY</p>			
<p>ENGINEERING MANAGER: Terry L. Yates, P.E.</p>			
<p>BY: <i>Nadia Alphonse</i></p>			
<p>DATE OF VDOT INSPECTION APPROVAL: 07/05/2012</p>			
STREET NAME	LOCATION		MILE LENGTH
	FROM	TO	
Lee Highway (Route 29) (Additional Right-of-Way Only)	26' NE CL Stevenson Street (Route 1028)	226' NE to Section Line	0.0
Stevenson Street (Route 1028) (Additional Right-of-Way Only)	70' N CL Lee Highway (Route 29)	226' N to Section Line	0.0
<p>NOTES:</p> <p>Lee Highway: 226' of 10' Asphalt Trail on North Side to be maintained by Fairfax County.</p> <p>Stevenson Street: 226' of 5' Concrete Sidewalk on East Side to be Privately Maintained.</p>			<p style="text-align: right;">TOTALS: 0.0</p>

ADMINISTRATIVE - 2

Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (Mount Vernon and Springfield Districts)

ISSUE:

Board endorsement of Traffic Calming measures as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends that the Board endorse traffic calming plans for Potomac View Boulevard (Attachment I) and Autumn Willow Drive (Attachment II) consisting of the following:

- Two Speed Tables on Potomac View Boulevard (Mount Vernon District)
- Two Speed Humps on Autumn Willow Drive (Springfield District)

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

TIMING:

Board action is requested on September 25, 2012.

BACKGROUND:

As part of the RTAP, roads are reviewed for traffic calming when requested by a Board member on behalf of a homeowners or civic association. Traffic calming employs the use of physical devices such as Multi-Way Stop signs (MWS), speed humps, speed tables, raised pedestrian crosswalks, chokers, median islands, or traffic circles to reduce the speed of traffic on a residential street. Staff performed engineering studies documenting the attainment of qualifying criteria. Once plans for Potomac View Boulevard and Autumn Willow Drive were approved and adopted by staff, each plan was submitted for approval to residents of the ballot area in the adjacent community. On July 12, 2012, (Autumn Willow Drive) and August 23, 2012, (Potomac View Boulevard) FCDOT received written verification from the local Supervisor's office confirming community support for the Potomac View Boulevard and Autumn Willow Drive traffic calming plans.

Board Agenda Item
September 25, 2012

FISCAL IMPACT:

Funding in the amount of \$30,000 for the identified traffic calming measures is available in Fund 001, General Fund, under Job Number 40TTCP.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Potomac View Boulevard.

Attachment II: Traffic Calming Plan for Autumn Willow Drive.

STAFF:

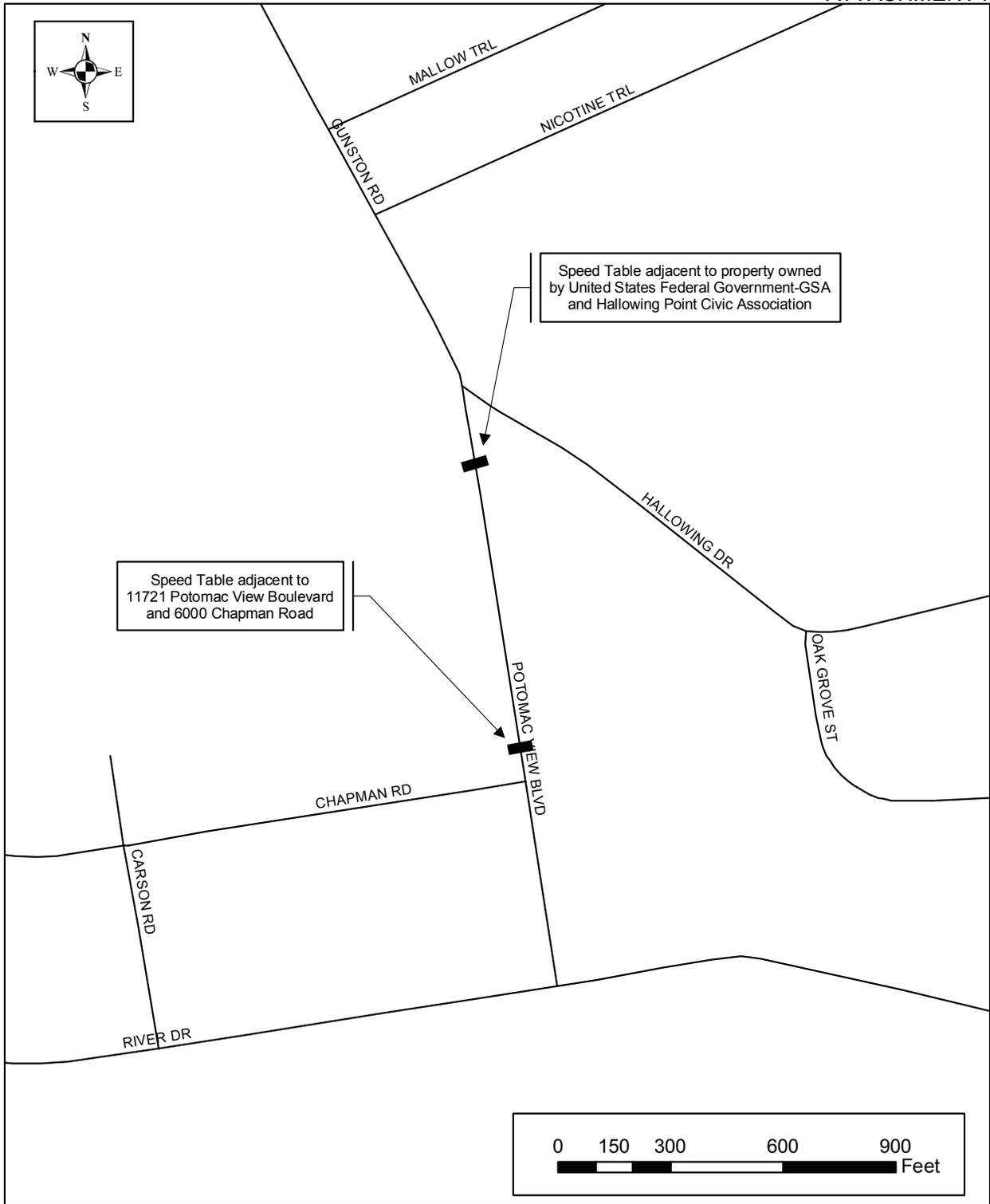
Robert A. Stalzer, Deputy County Executive

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

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

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

Steven K. Knudsen, Transportation Planner, Traffic Operations Section, FCDOT



June 2012

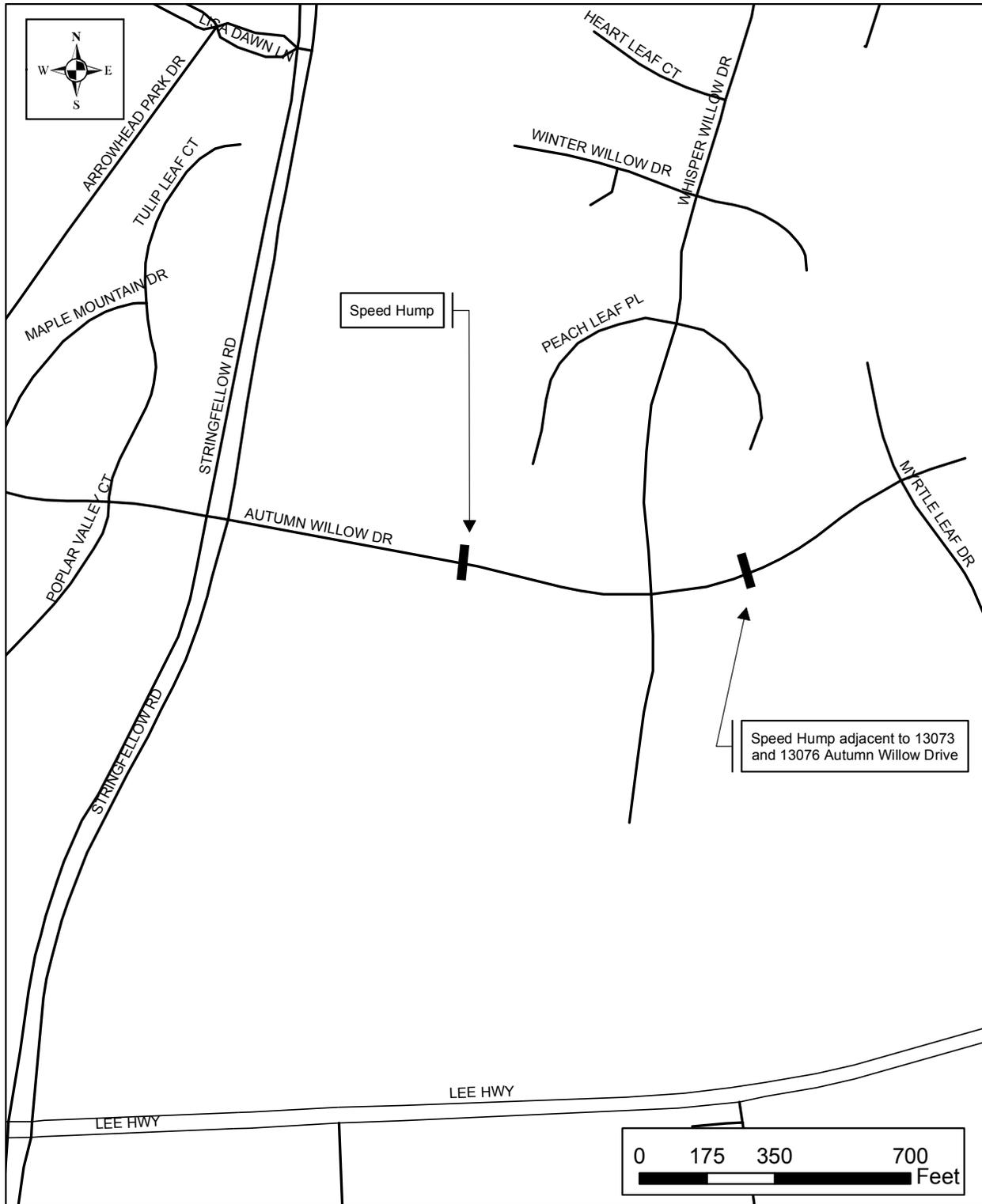
**Fairfax County Department of Transportation
 Residential Traffic Administration Program (RTAP)
 TRAFFIC CALMING PLAN
 POTOMAC VIEW BOULEVARD
 Mount Vernon District**



A Fairfax County, Va., publication



TAX MAP: 71-4



Fairfax County Department of Transportation
 Residential Traffic Administration Program (RTAP)
TRAFFIC CALMING PLAN
AUTUMN WILLOW DRIVE
Springfield District

TAX MAP: 55-3



ADMINISTRATIVE - 3

Authorization to Advertise a Public Hearing to Convey a Portion of County-Owned Property to the Virginia Department of Transportation for the Leesburg Pike Widening Project (Hunter Mill District)

ISSUE:

Authorization to advertise a public hearing to convey a portion of County-owned property to the Virginia Department of Transportation (VDOT) for the Leesburg Pike Widening Project.

RECOMMENDATION:

The County Executive recommends that the Board authorize the public hearing to be held on October 30, 2012, at 4:00 p.m.

TIMING:

Board action is requested for September 25, 2012, to provide sufficient time to advertise the proposed public hearing.

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 the home of 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. 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 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, the Fairfax County Department of Transportation 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
September 25, 2012

REVISED

FISCAL IMPACT:

The County will receive funding in the amount of \$9,200, deposited in Fund 124 (400-C40011), County and Regional Transportation Projects.

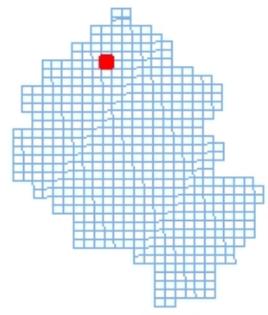
ENCLOSED DOCUMENTS:

Attachment A: Location Map

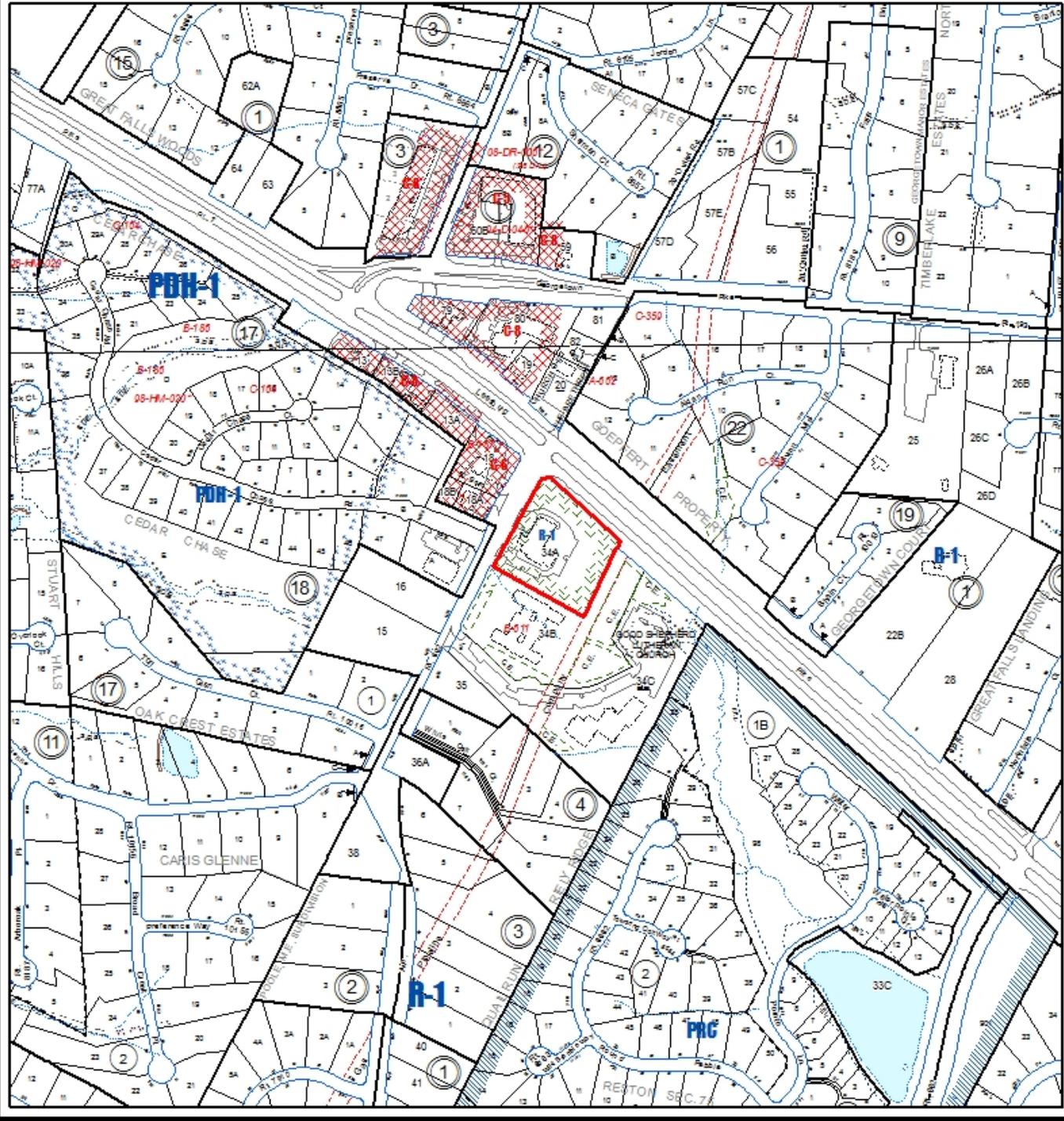
STAFF:

David J. Molchany, Deputy County Executive
José A. Comayagua, Director, Facilities Management Department
Tom Biesiadny, Director, Department of Transportation

**Subject Property:
Tax Map No. 0112 01 0034A**



0 125 250 500 Feet



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ADMINISTRATIVE – 4

Extension of Review Period for 2232 Review Application (Mason District)

ISSUE:

Extension of the review period for a specific 2232 Review application 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 period for the following application: application FS-M12-20 to April 2, 2013.

TIMING:

Board action is required on September 25, 2012, to extend the review period of the application noted above before expiration.

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 requested to extend the review period for application FS-M12-20 which was accepted for review by the Department of Planning and Zoning on August 3, 2012. This application is for a non-telecommunication public facility, and thus is not subject to the State Code provision for extending the review period by no more than sixty additional days.

Specific information for the application requested for extended review is as follows:

FS-M12-20

Department of Public Works and Environmental Services

Board Agenda Item
September 25, 2012

Woodrow Wilson Library
Library renovation and expansion
6101 Knollwood Drive, Falls Church
Mason District

The need for the full time of this extension 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)

Marianne Gardner, Director, Planning Division, DPZ

Chris B. Caperton, Chief, Facilities Planning Branch, Planning Division, DPZ

Sandi M. Beaulieu, Planner, Facilities Planning Branch, Planning Division, DPZ

ADMINISTRATIVE - 5

Addition of Oakton Road/Route 664 to the Secondary System of State Highways
(Providence District)

ISSUE:

Board adoption of the attached resolution requesting the addition of a portion of Oakton Road/Route 664 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 roadway be added to the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance of a portion of Oakton Road /Route 664 associated with VDOT's construction project number 0655-029-308, C501 to the Secondary System of State Highways. VDOT has prepared a sketch depicting the addition required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

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

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012 at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0655-029-308, C501 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated December 1, 2010, depicting the additions required to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final 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 Systems of State highways the following roads:

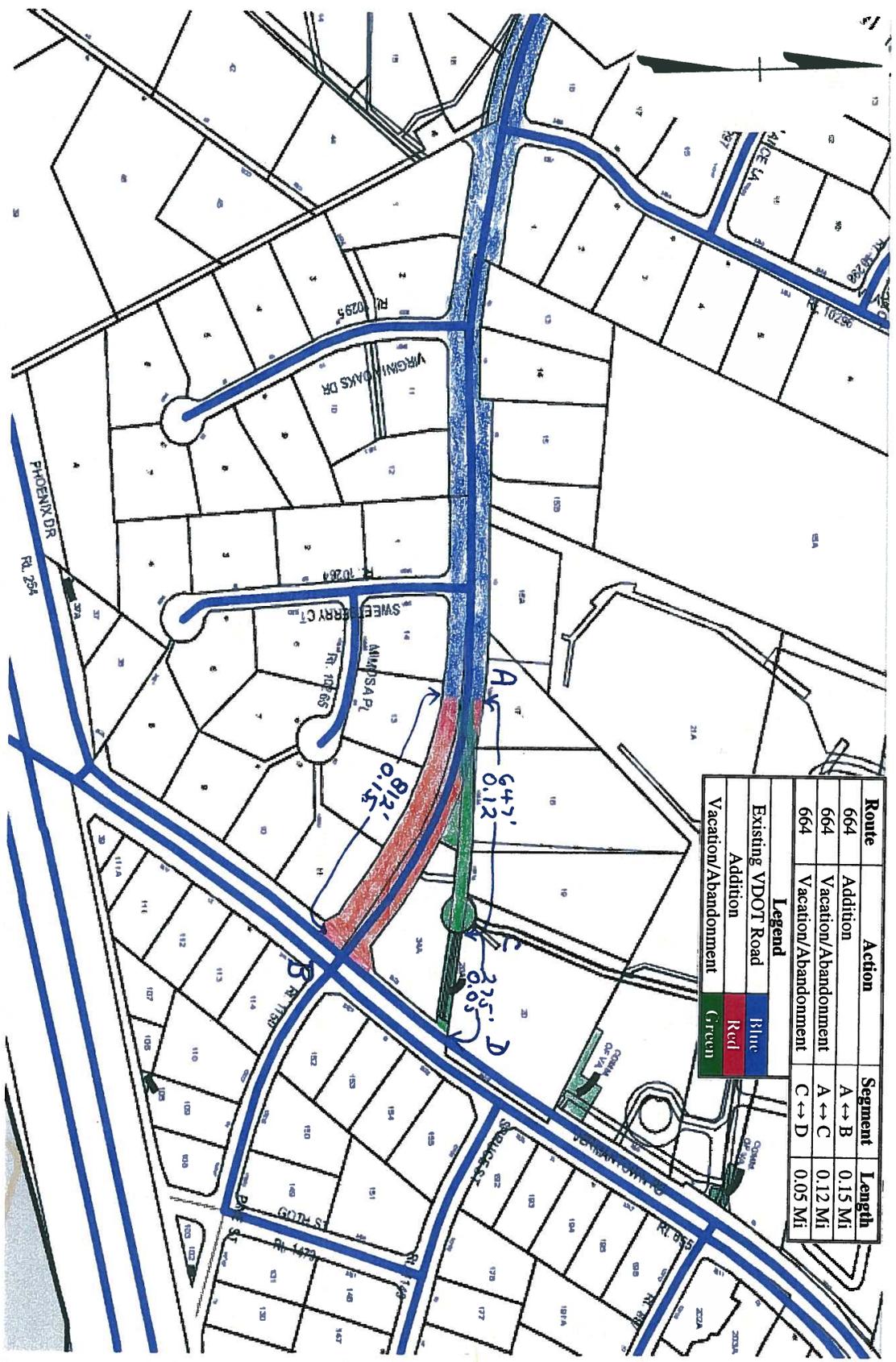
Oakton Road – Route 664	Link A↔B (0.15 Mi)	<u>From:</u> CL Jermantown Road (Rte 655) – 165 ft N of CL I-66 <u>To:</u> 812 ft W to STA 11+87.80 (end of project) and tie with existing Oakton Road (Rte 664)
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A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

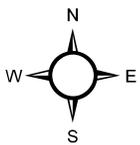
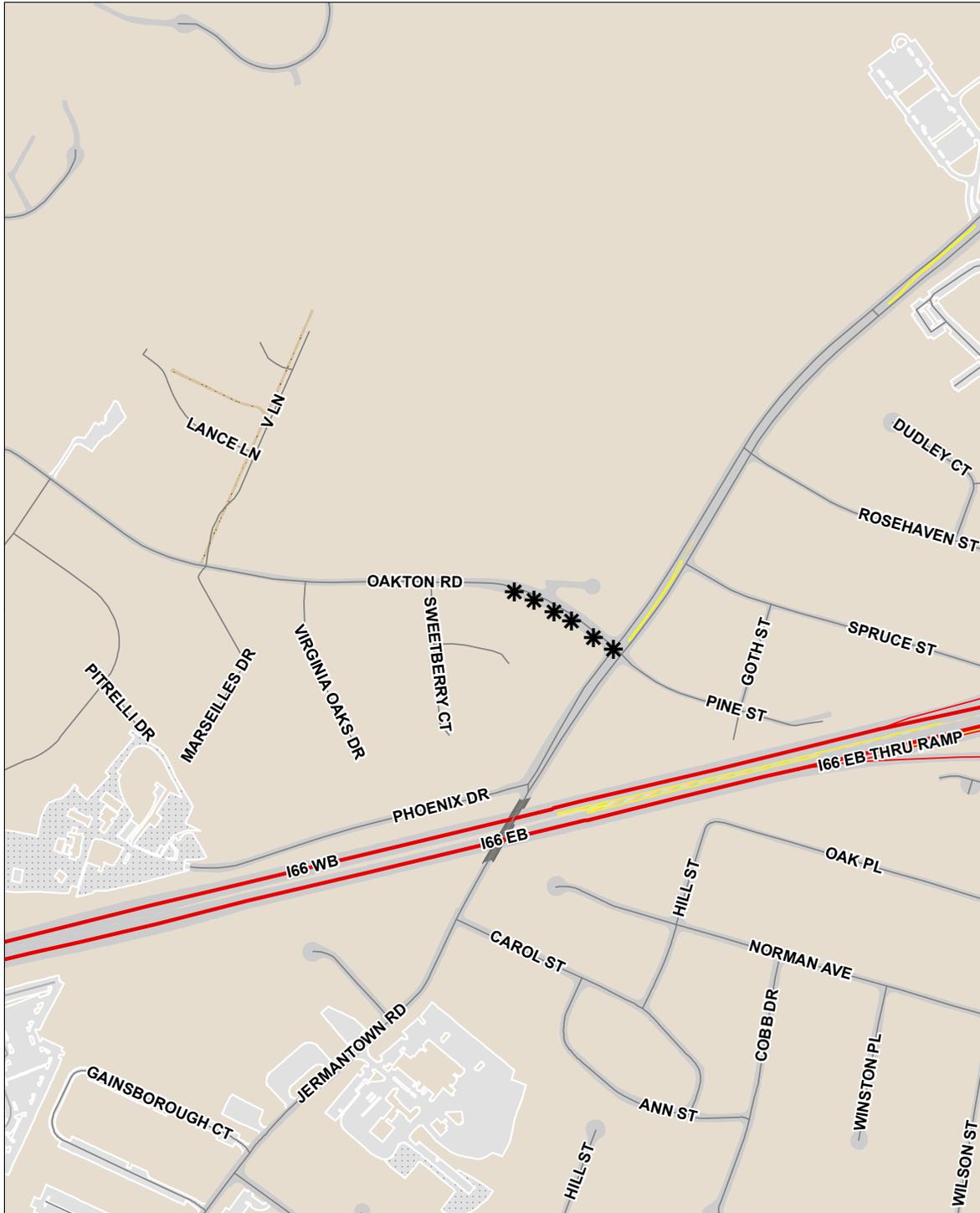
VDOT Project # **0655-029-308, C501**
 VDOT County Map Supp. **F** Maint Hqts. **3 - Chantilly AHO**

D.B. **N/A** District **Providence** Date **12/01/2010** Tax Grid Reference
 Pages **N/A** Inspector **VDOT** By **WHD** **47-3**
 VDOT will maintain sidewalks only if marked as follows: **XXXXXXXX**
 Fairfax County will maintain sidewalks only if marked as follows: **0000000**
 Fairfax County will maintain trails only if marked as follows: **□□□□** **47-2**



Addition Of Road Project #0665-029-308, C501

Providence District



Link A-B
(0.15 Mi)

Tax Map 47-3

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ADMINISTRATIVE - 6

Road Improvements and Addition of Right of Way (Burke Lake Road / Route 645 and Intersecting Roadways) to the Secondary System of State Highways (Braddock & Springfield Districts)

ISSUE:

Board adoption of the attached resolution requesting the addition of completed road segments 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 portions of subject roadway be added to the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance of the completed roads associated with VDOT's construction project number 0645-029-253, C503 (Burke Lake Road / Route 645 and Intersecting Roadways) to the Secondary System of State Highways. VDOT has prepared a sketch depicting the additions required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting additions and changes

Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michael A. Davis, FCDOT

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0645-029-253, C503 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated December 27, 2010, depicting the additions required to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final acceptance into the Secondary System of State highways:

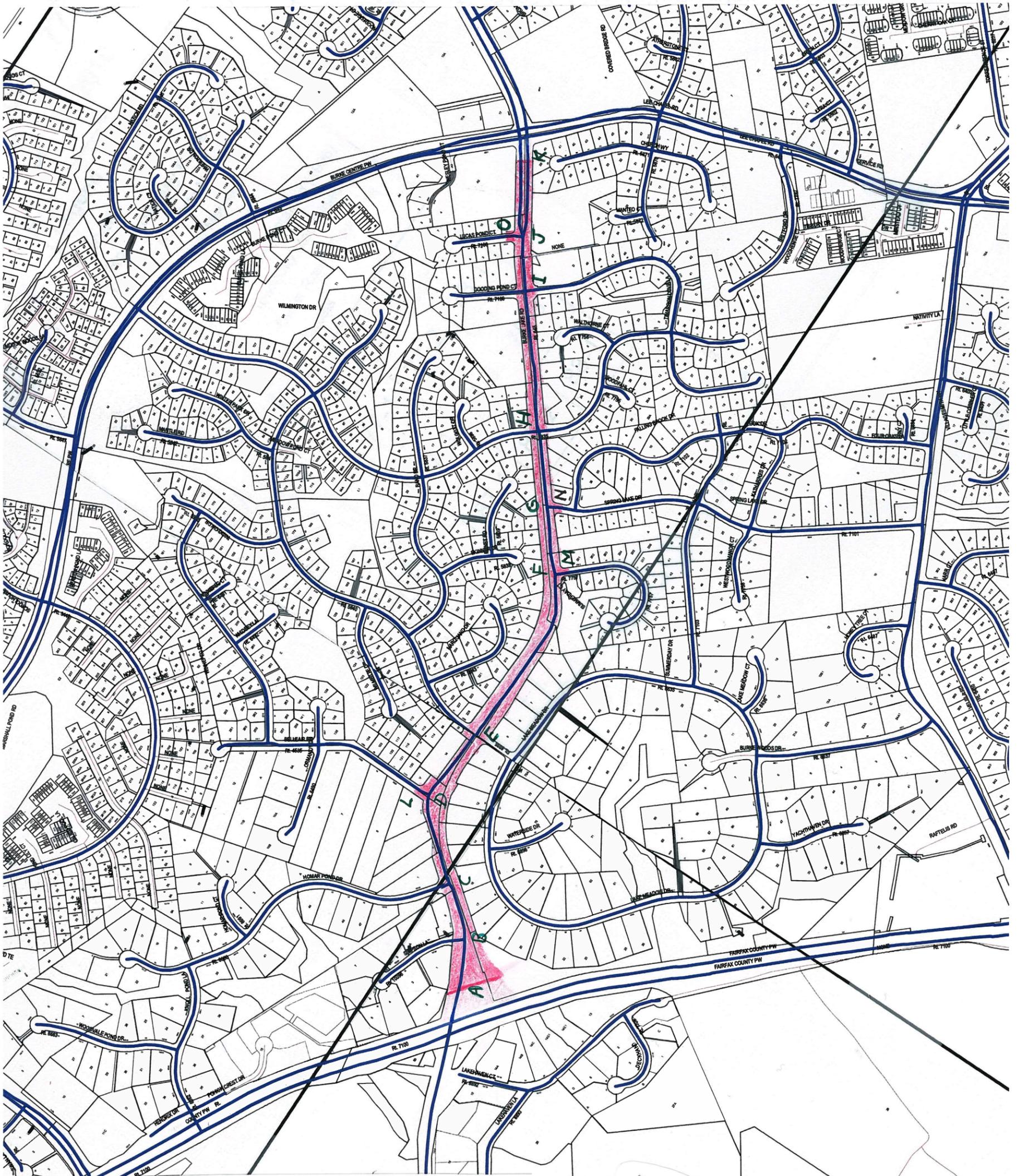
NOW THEREFORE BE IT RESOLVED, that this Board hereby requests, pursuant to Virginia Code Section 33.1-229, that the Commonwealth Transportation Commissioner, with the approval of the Commonwealth Transportation Board, add to the Secondary Systems of State highways the following roads:

Burke Lake Road – Route 645 Additional Right of Way Only	Link A↔K (1.00 Mi)	<u>From:</u> Begin project @ STA 112+75.00 – 265 ft NE of CL Fairfax County Parkway (Rte 7100) <u>To:</u> End Project @ STA 165+75.05 – 258 ft SW of CL Burke Centre Parkway (Rte 643)
Belleair Road – Route 4535	Link D↔L (0.02 Mi)	<u>From:</u> CL of Burke Lake Road (Rte 645) <u>To:</u> 101 ft N to tie with existing Belleair Rd (Rte 4535)
Summerday Court – Route 7757	Link F↔M (0.01 Mi)	<u>From:</u> CL of Burke Lake Road (Rte 645) <u>To:</u> 34 ft SE to tie to existing Summerday Ct (Rte 7757)
Spring Lake Drive – Route 7101	Link G↔N (0.01 Mi)	<u>From:</u> CL of Burke Lake Road (Rte 645) <u>To:</u> 35 ft SE to tie to existing Spring Lake Ct (Rte 7101)
Lucas Pond Court – Route 7108	Link O↔J (0.01 Mi)	<u>From:</u> CL of Burke Lake Road (Rte 645) <u>To:</u> 36 ft NW to tie to existing Lucas Pond Ct (Rte 7108)

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

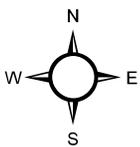
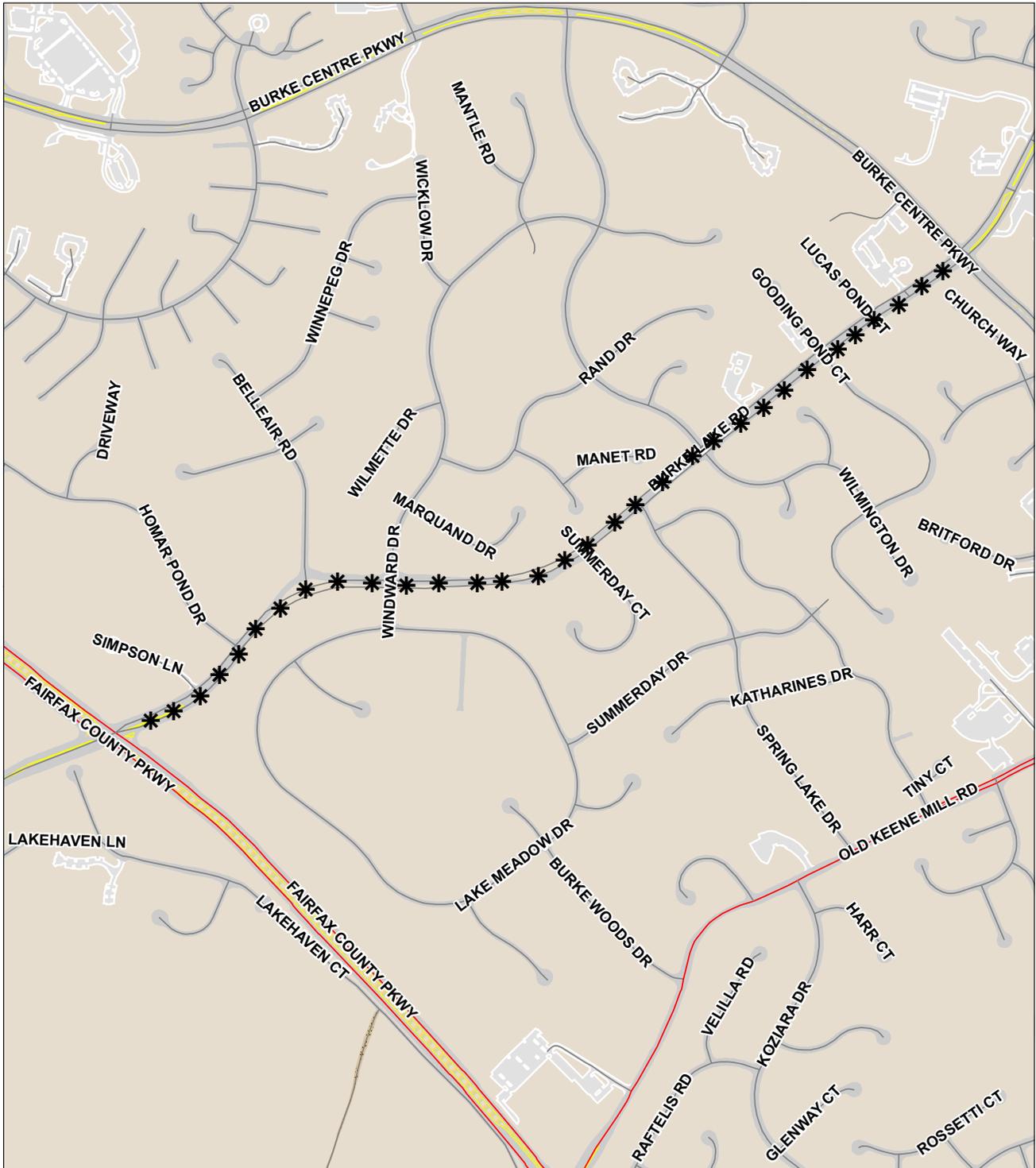
VDOT Project # 0645-029-253, C503 VDOT County Map Supp. I&J Mant.Hqts. 11 - Burke	D.B. N/A Pages N/A	District Braddock Inspector VDOT	Date 12/27/10 By WHD	Tax Grid Reference 77-4 78-3 87-2
	VDOT will maintain sidewalks only if marked as follows: Fairfax County will maintain sidewalks only if marked as follows: Fairfax County will maintain trails only if marked as follows:			XXXXXXXX OOOOOO □□□□



BOS Resolution Date:			
Route	Action	Segm	ngth
645	Additional Right of Way Only		1.01 Mi
4535	Additional CL Mileage		0.02 Mi
7757	Additional CL Mileage	F ↔ M	0.01 Mi
7101	Additional CL Mileage	G ↔ N	0.01 Mi
7108	Additional CL Mileage	J ↔ O	0.01 Mi
Lege			
	Blue		
	Red		
	Green		

Additional ROW Project #0645-029-253, C503

Springfield District

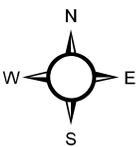
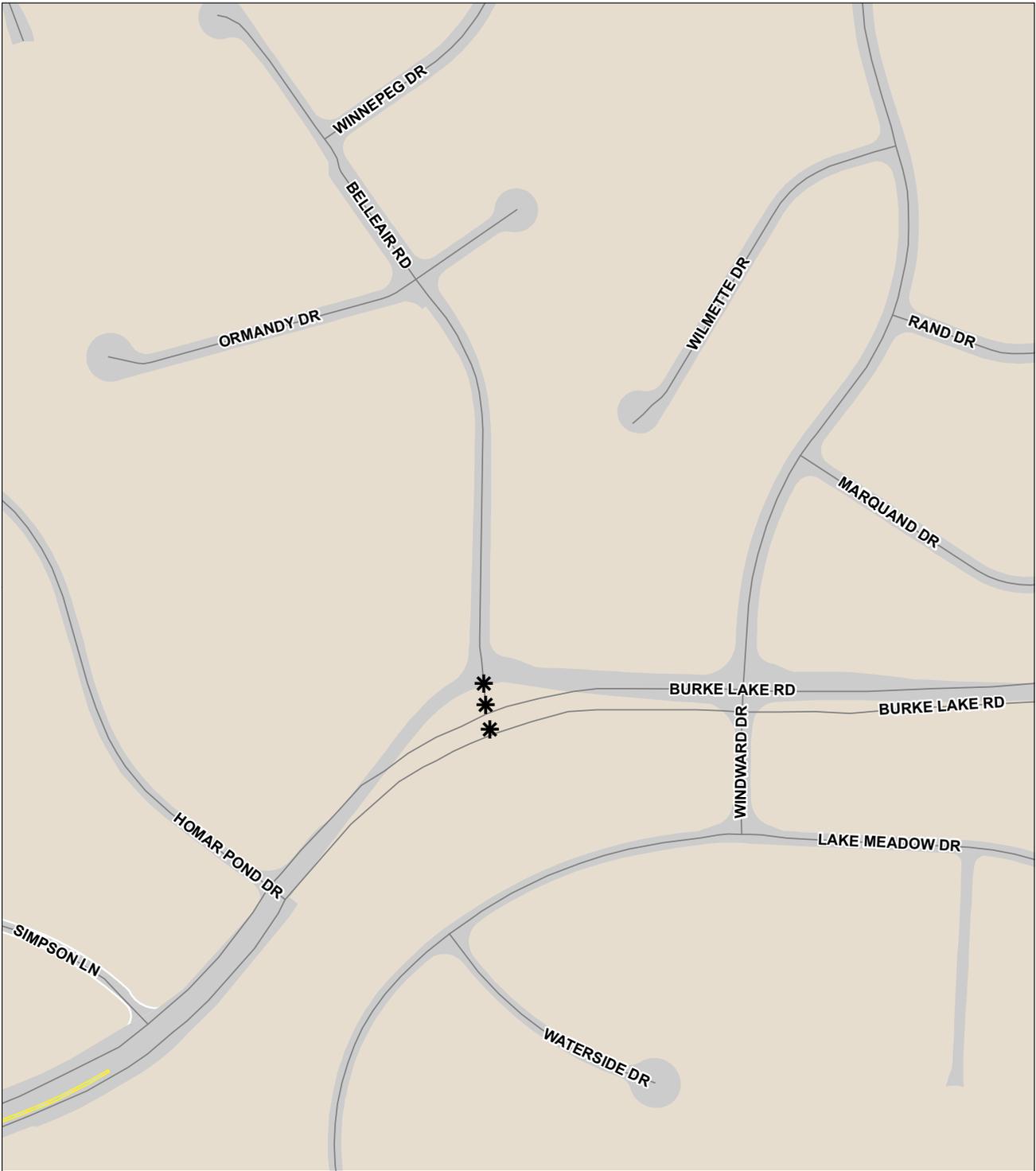


Link A-K
(1.00 Mi)

Tax Map 77-4 & 78-3 & 87-2

Additional Rd Project #0645-029-253, C503

Braddock and Springfield Districts

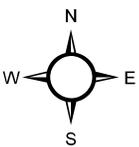
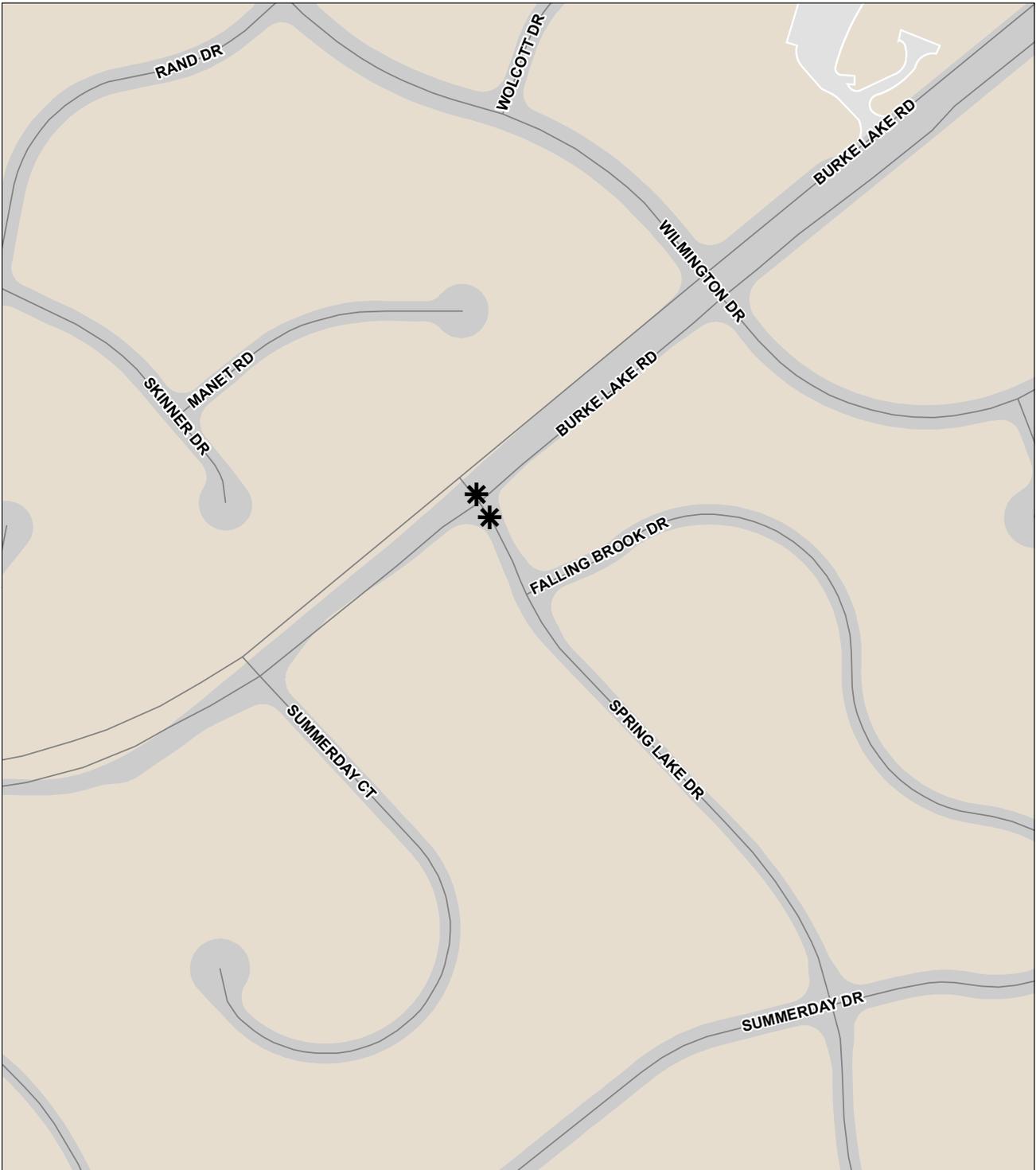


Tax Map 77-4

Link D-L
(0.02 Mi)

Additional Rd Project #0645-029-253, C503

Braddock and Springfield Districts

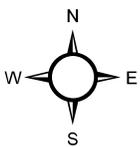
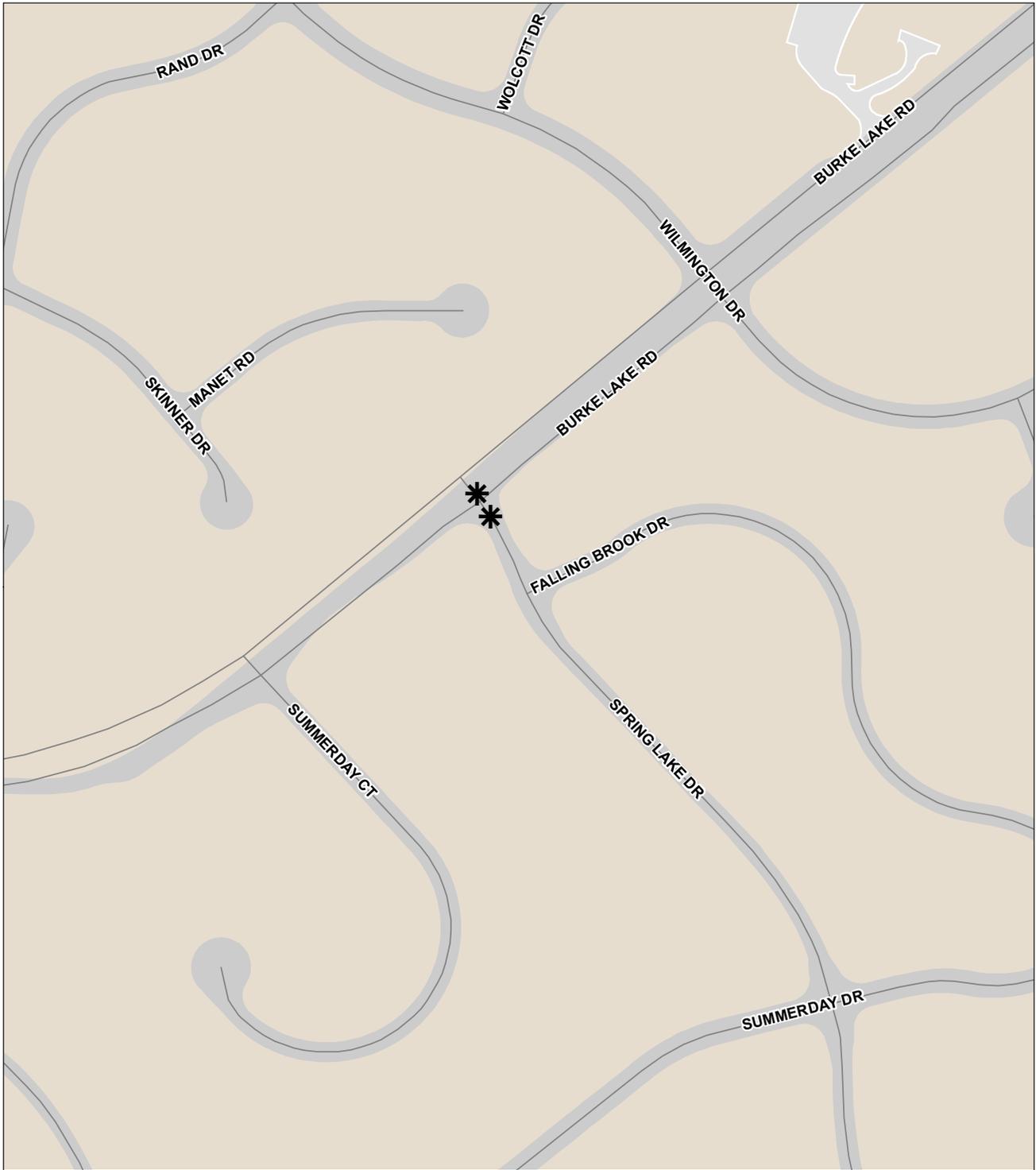


Tax Map 78-3 & 88-1

Link F- M
(0.01 Mi)

Additional Rd Project #0645-029-253, C503

Braddock and Springfield Districts

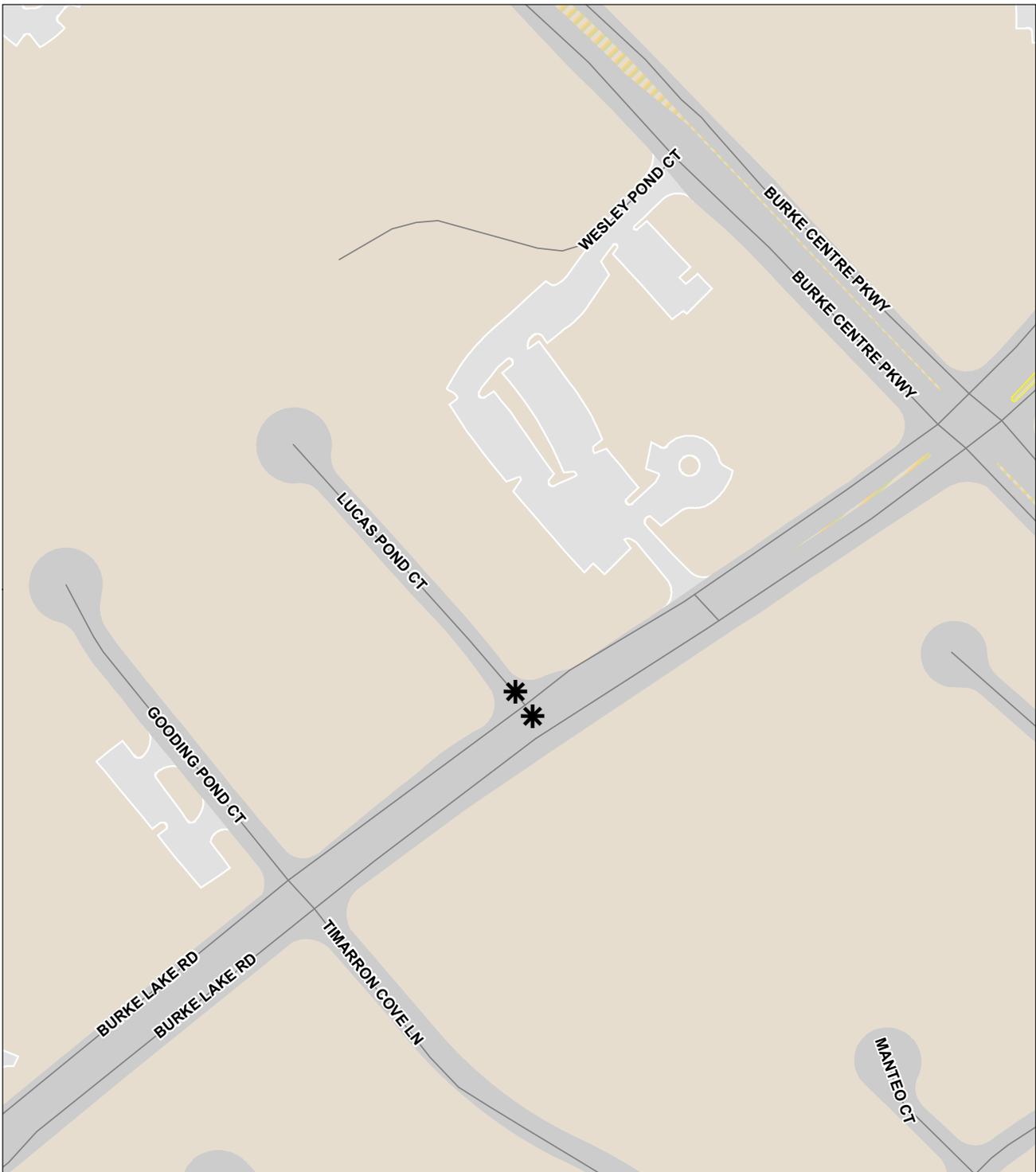


Tax Map 78-3 & 88-1

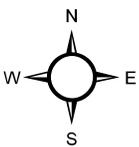
Link G- N
(0.01 Mi)

Additional Rd Project #0645-029-253, C503

Braddock and Springfield Districts



Tax Map 78-3



Link O - J
(0.01 Mi)

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ADMINISTRATIVE - 7

Addition of Right of Way (Huntington Avenue / Route 1332 and Fort Hunt Road / Route 629) to the Secondary System of State Highways (Mount Vernon District)

ISSUE:

Board adoption of the attached resolution requesting the addition of completed road segments 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 portions of subject roadway be added to the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance of the completed roads associated with VDOT's construction project number 0629-029-216, C501 (Huntington Avenue / Route 1332 and Fort Hunt Road / Route 629) to the Secondary System of State Highways. VDOT has prepared a sketch depicting the additions required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting additions and changes

Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michael A. Davis, FCDOT

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0629-029-216, C501 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated March 7, 2012, depicting the additions required to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final 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 Systems of State highways the following roads:

Huntington Ave. – Route 1332	Link A↔B (0.17 Mi)	<u>From:</u> Begin Project @ STA 10+49.32 – 45ft E of CL Richmond Hwy (Rte 1) <u>To:</u> 872ft E to CL Fort Hunt Rd (Rte 629)
Fort Hunt Dr. – Route 629 Additional right of way only	Link C↔B↔E	<u>From:</u> STA 11+31.60 – 98ft S of CL Richmond Hwy (Rte 1) <u>To:</u> 986ft S to End Project @ STA 21+00.00 – 1187ft N of CL Hunting Cove Pl (Rte 1311)

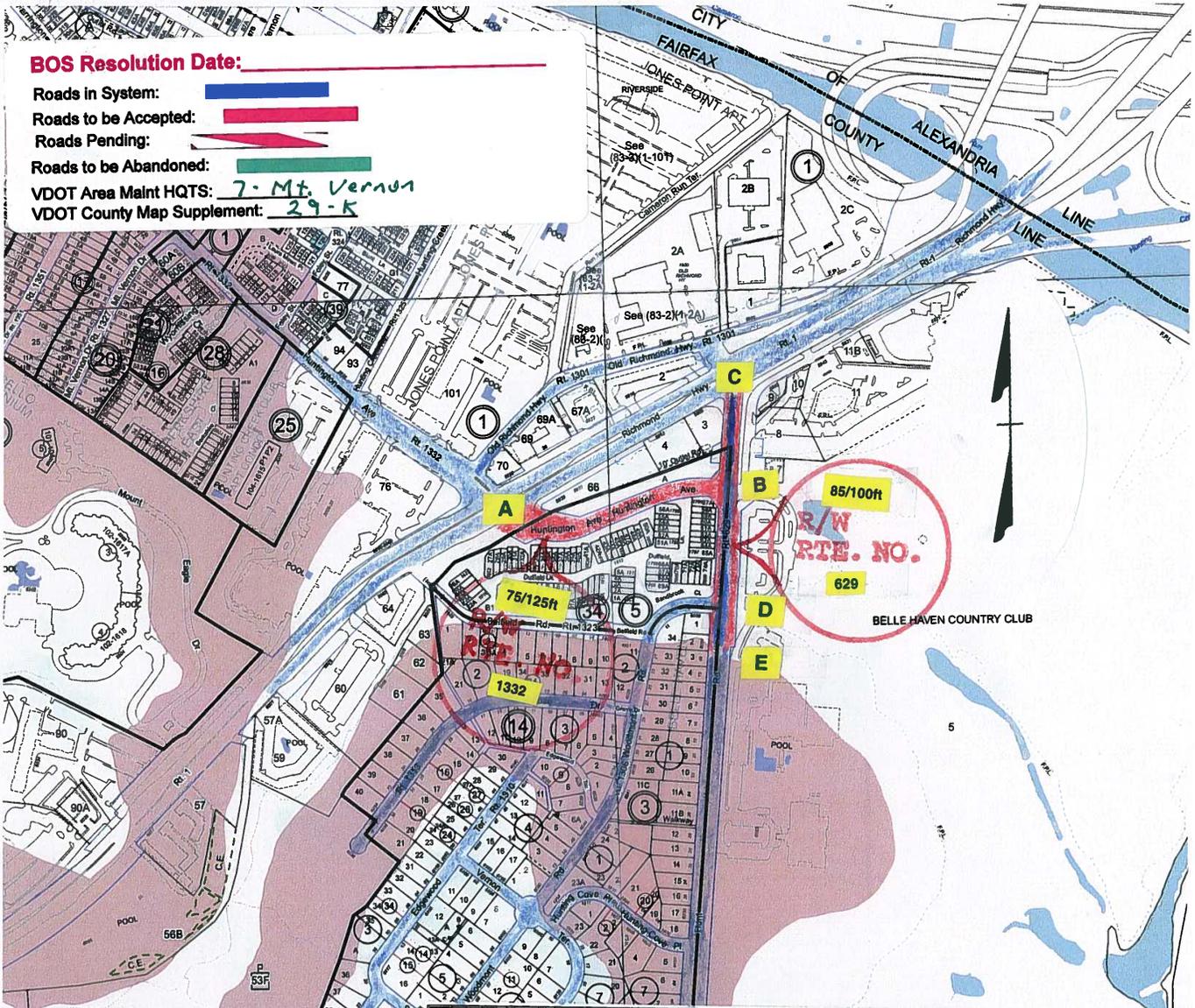
A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

VDOT Project # 0629-029-216, C501				D.B. n/a Pages n/a	District Inspector Mt. Vernon VDOT	Date 3/7/2012 By WHD	Tax Map Grid 83-3 83-4
VDOT County Map Supp.	29-K	Maint. Hqts.	7	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:			XXXXX 000000 □□□

BOS Resolution Date: _____

- Roads in System: █
- Roads to be Accepted: █
- Roads Pending: █
- Roads to be Abandoned: █
- VDOT Area Maint HQTS: 7-Mt. Vernon
- VDOT County Map Supplement: 29-K

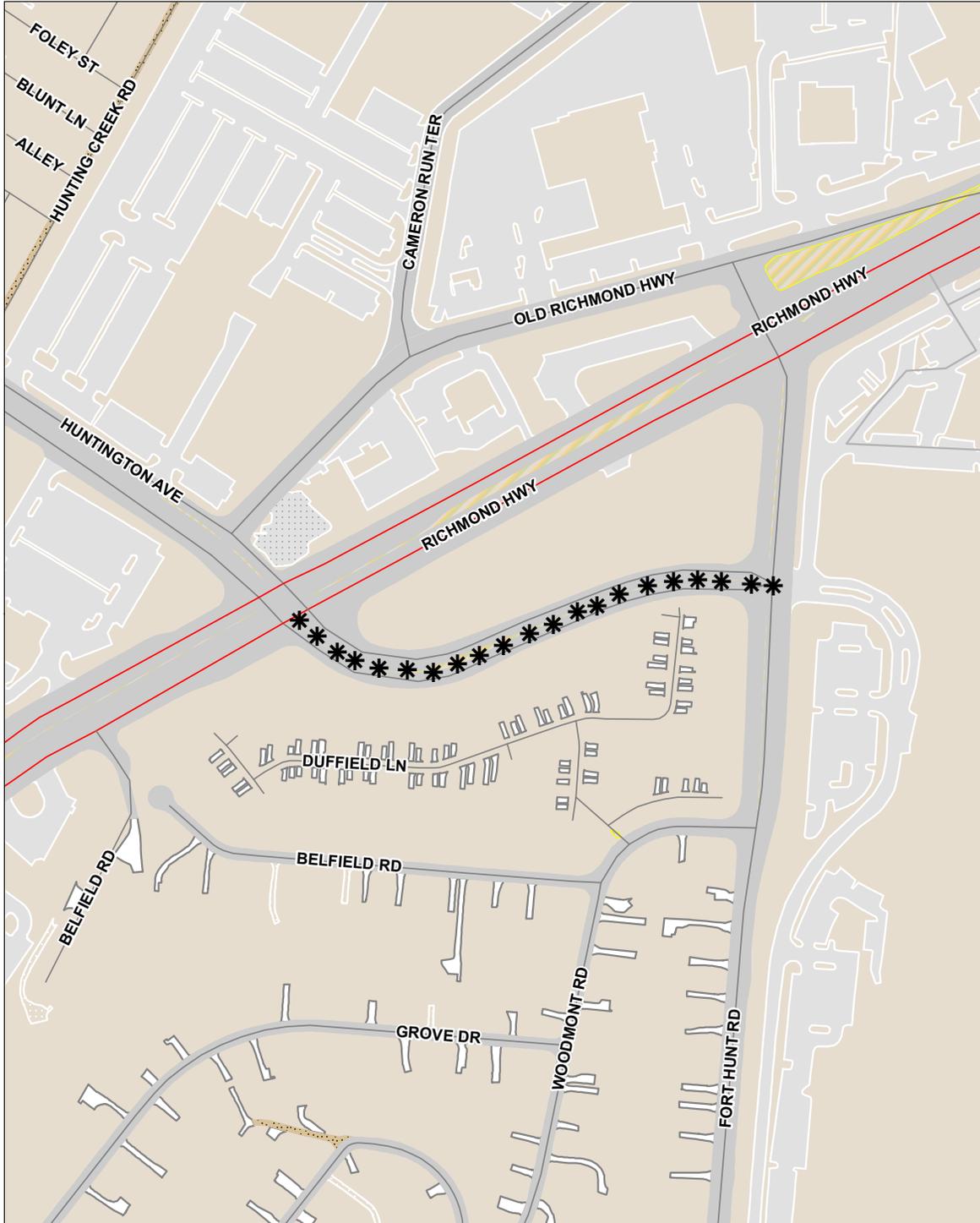


Route	Action	Segment	Length
1332	Addition of CL Mileage	A↔B	0.17 Mi
629	Additional Right of Way Only	C↔B↔E	0.18 Mi

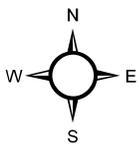
Legend	
Existing VDOT Road	Blue
Addition/Data Correction	Red
Renumbering/Transfer	Brown
Vacate/Abandon/Discontinue	Green

Additional Road Project #0629-029-216, C501

Mount Vernon District



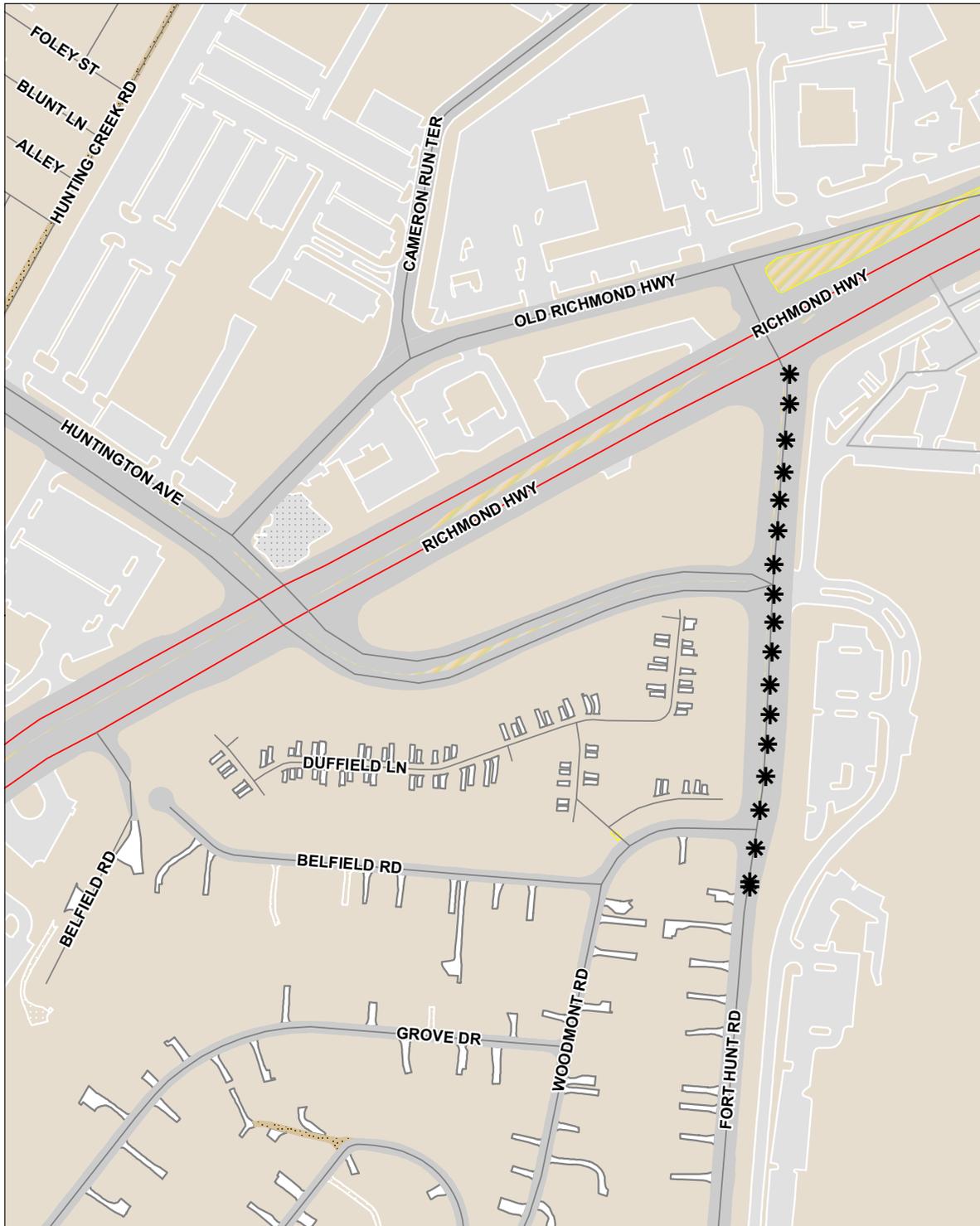
Tax Map 83-1 & 3



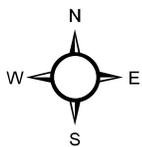
Link A-B
(0.17 Mi)

Additional ROW Project #0629-029-216, C501

Mount Vernon District



Tax Map 83-1 & 3



Link C-B-D-E

ADMINISTRATIVE - 8

Addition of Right of Way (Beulah Street / Route 613 and Fleet Drive / Route 635) to the Secondary System of State Highways (Lee District)

ISSUE:

Board adoption of the attached resolution requesting the addition of completed road segments 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 portions of subject roadway be added to the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance of the completed roads associated with VDOT's construction project number 0613-029-309, C501 (Beulah Street / Route 613 and Fleet Drive / Route 635) to the Secondary System of State Highways. VDOT has prepared a sketch depicting the additions required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting additions and changes

Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michael A. Davis, FCDOT

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0613-029-309, C501 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated February 23, 2012, depicting the additions required to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final acceptance into the Secondary System of State highways:

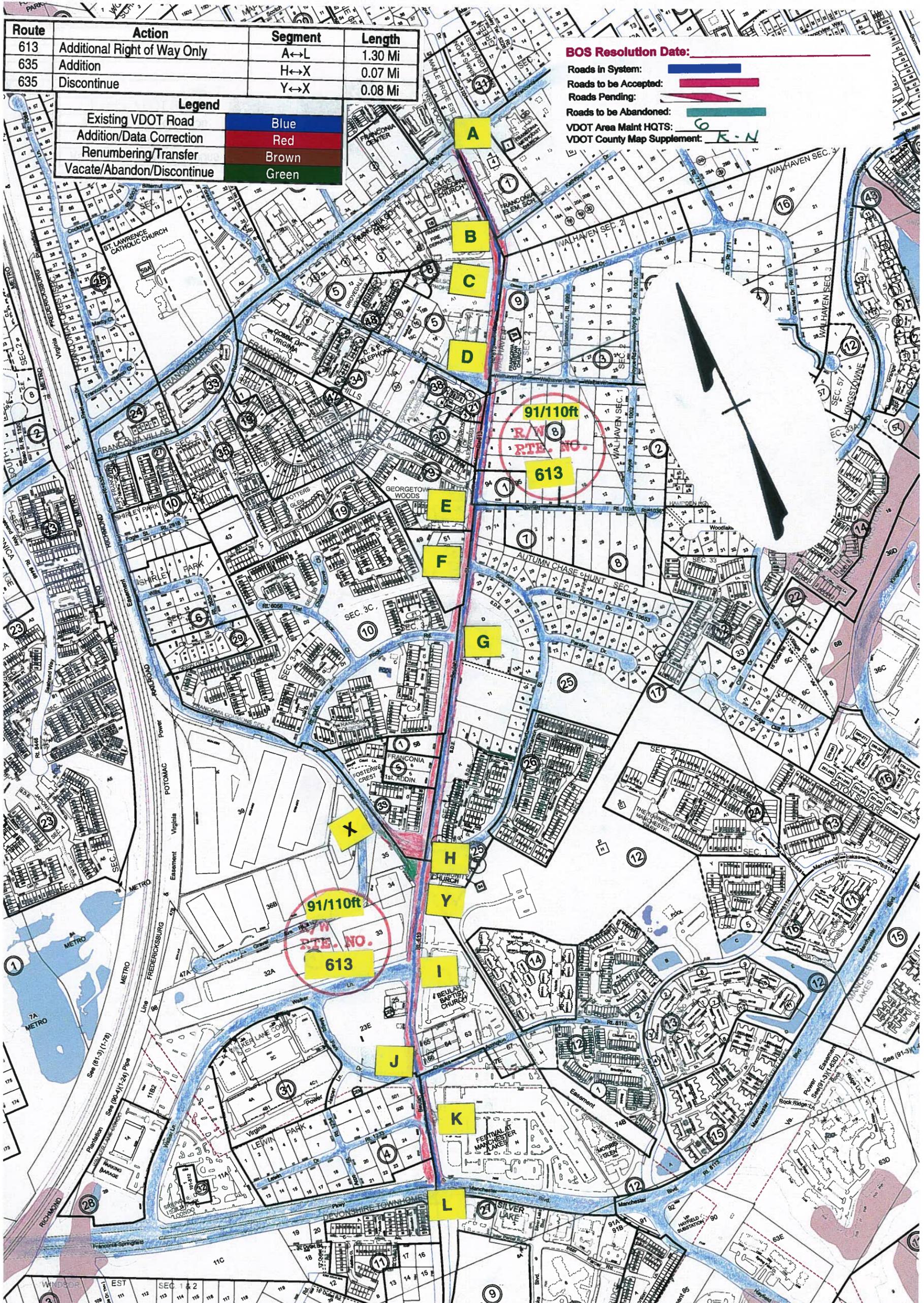
NOW THEREFORE BE IT RESOLVED, that this Board hereby requests, pursuant to Virginia Code Section 33.1-229, that the Commonwealth Transportation Commissioner, with the approval of the Commonwealth Transportation Board, add to the Secondary Systems of State highways the following roads:

Beulah Street – Route 613	Link A↔L (1.30 Mi)	<u>From:</u> CL Franconia Rd. (Rte 644) – 892 ft W of CL Valley View Dr (Rte 718) <u>To:</u> CL Manchester Blvd. (Rte 8114) & Franconia-Springfield Parkway (Rte 7900)
Fleet Drive – Route 635	Link H↔X (0.07 Mi)	<u>From:</u> CL Beulah St (Rte 613) – 1376 ft S of CL Flat Rock Rd (Rte 6055) <u>To:</u> 360 ft W to connection with existing Fleet Dr (Rte 635)

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

VDOT Project # 0613-029-309, C501		D.B. N/A Pages N/A	District Lee Inspector VDOT	Date 2/23/12 By WHD	Tax Grid Reference 81-3&4 91-1&2
VDOT County Map Supp. K&N Mant.Hqts. 6 - Lorton		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 □□□□	



Route	Action	Segment	Length
613	Additional Right of Way Only	A↔L	1.30 Mi
635	Addition	H↔X	0.07 Mi
635	Discontinue	Y↔X	0.08 Mi

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

BOS Resolution Date: _____

Roads in System:

Roads to be Accepted:

Roads Pending:

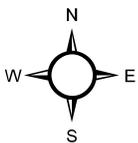
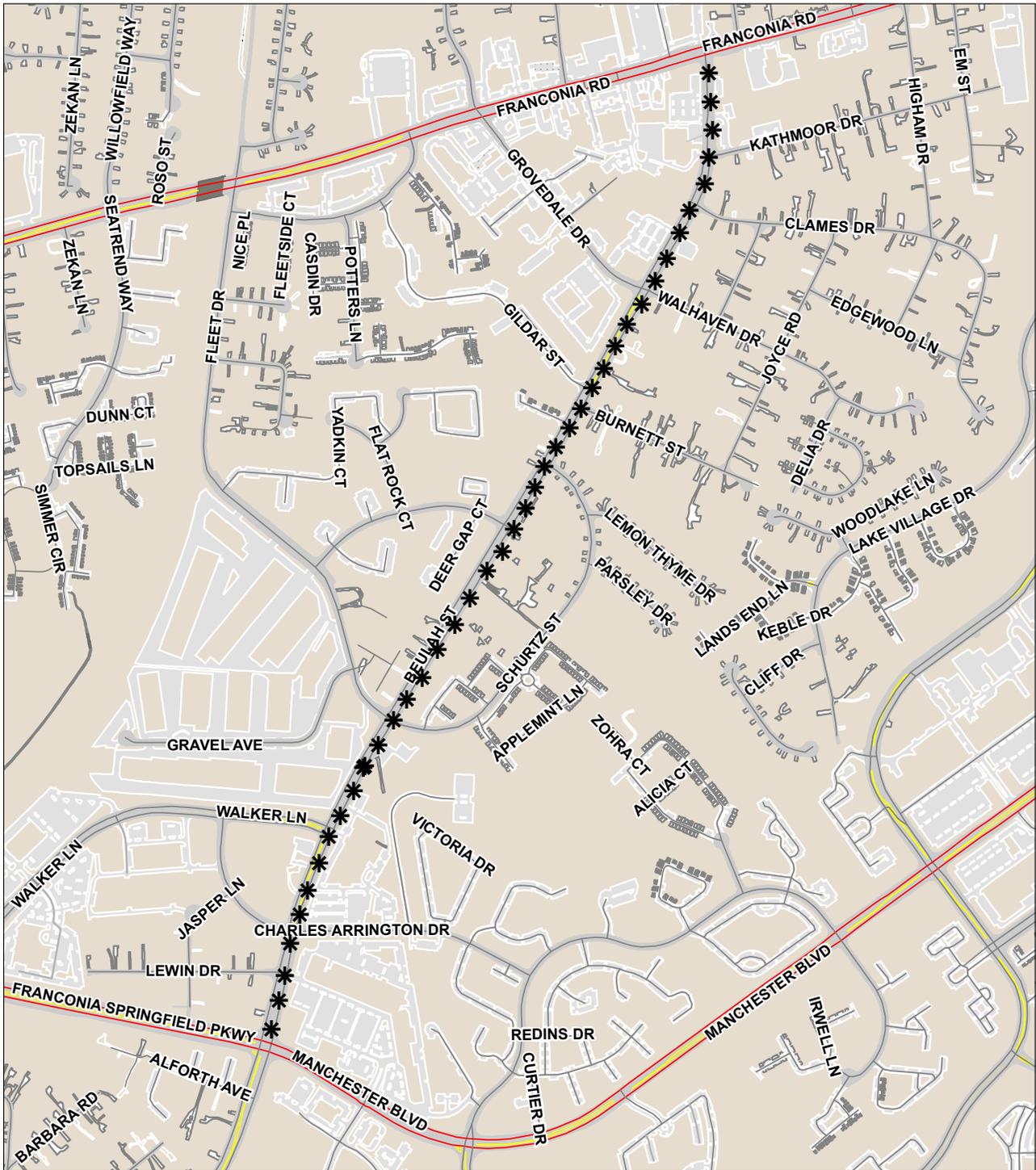
Roads to be Abandoned:

VDOT Area Maint HQTS: 6

VDOT County Map Supplement: K-N

Additional Rd Project #0613-029-309, C501

Lee District

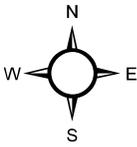
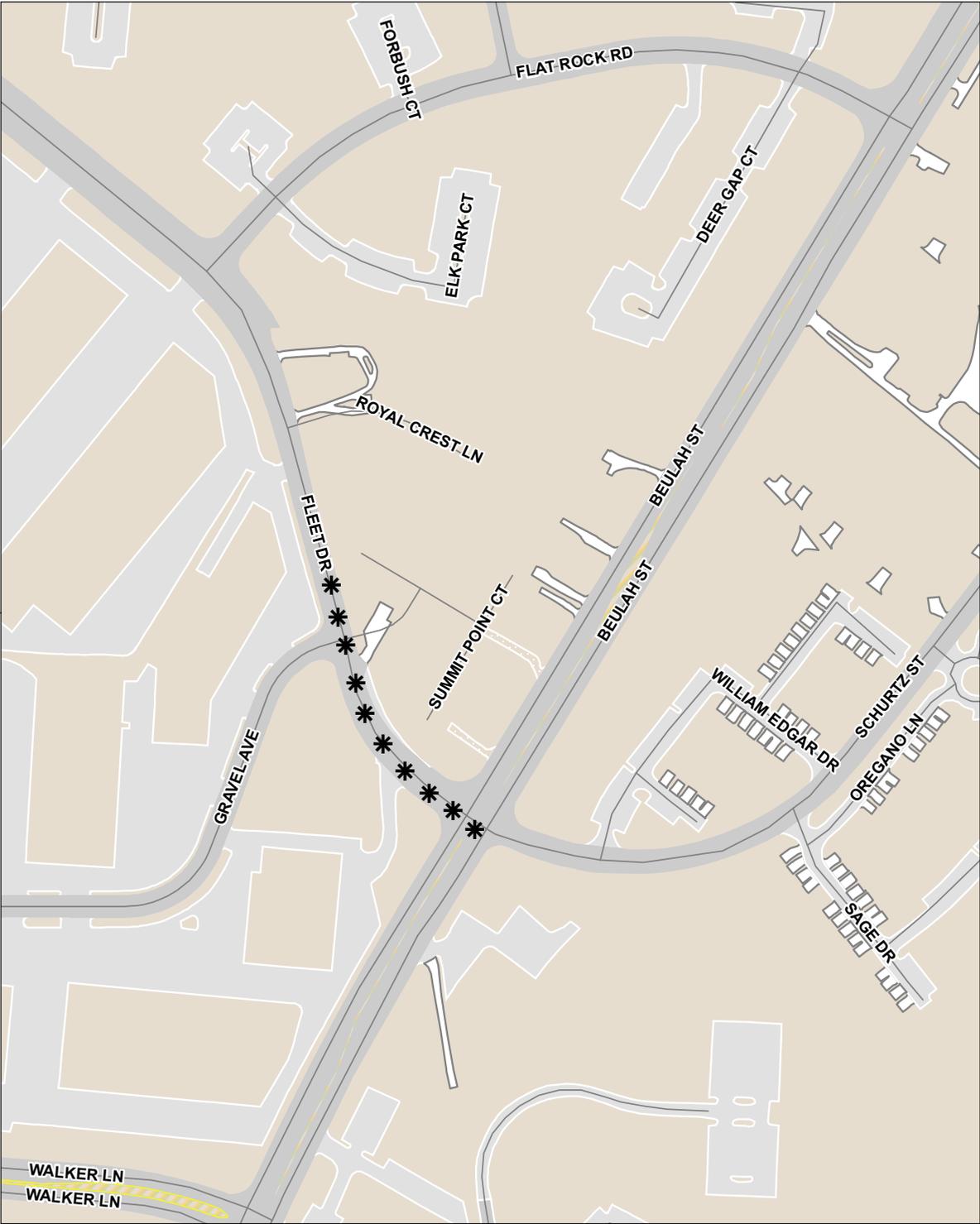


Link A-L
(1.30 Mi)

Tax Map 81-3&4
Tax Map 91-1&2

Additional Rd Project #0613-029-309, C501

Lee District



Tax Map 91-1

Link H-X
(0.07 Mi)

ADMINISTRATIVE - 9

Changes to the Secondary System of State Highways Associated with the West Ox Road Widening Project (Sully District)

ISSUE:

Board adoption of the attached resolution requesting the addition and discontinuance of road segments from the Secondary System of State Highways (Secondary System).

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached resolution requesting the identified changes to the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution adding and discontinuing roads associated with VDOT's construction project number 0608-029-301, C503 (West Ox Road / Route 608). VDOT has prepared a sketch depicting the changes required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting additions and changes

Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michael A. Davis, FCDOT

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0608-029-301, C503 (UPC=16504) was completed and accepted by the Virginia Department of Transportation as meeting current standards on August 25, 2006; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated November 8, 2011, depicting any changes required to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final 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 Systems of State highways the following roads:

West Ox Road – Route 608 Additional right of way and improvements	Link A↔L (1.814 Mi)	<u>From:</u> Begin Project @ STA 92+40.000 – 407 ft N of CL Tilton Valley Dr (Rte 5442) <u>To:</u> End Project @ STA 121+60.000 – 203 ft S of CL West Ox Rd (Rte 608) & Lawyers Rd (Rte 602)
Meadow Hunt Drive – Route 10654 Additional right of way and improvements	Link B↔M (0.023 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 1128 ft N of CL Tilton Valley Dr (Rte 5442) <u>To:</u> 124 ft W to connect with existing original Meadow Hunt Dr
Falkirk Drive – Route 10608 Additional right of way and improvements	Link C↔N (0.029 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 958 ft N of CL Meadow Hunt Dr (Rte 10654) <u>To:</u> 151 ft E to connect with existing original Falkirk Dr
Ox Trail – Route 6985 Additional right of way and improvements	Link C↔O (0.035 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 958 ft N of CL Meadow Hunt Dr (Rte 10654) <u>To:</u> 185 ft W to connect with existing original Ox Trail
Thompson Road – Route 669 Discontinue	Link D↔P (0.080 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 472 ft N of CL Falkirk Dr & Ox Trail <u>To:</u> 424 ft W to connect with existing original Thompson Rd
Thompson Road – Route 669 New Centerline Mileage	Link E↔Q (0.071 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 705 ft N of CL Falkirk Dr & Ox Trail <u>To:</u> 377 ft W to connect with existing original Thompson Rd

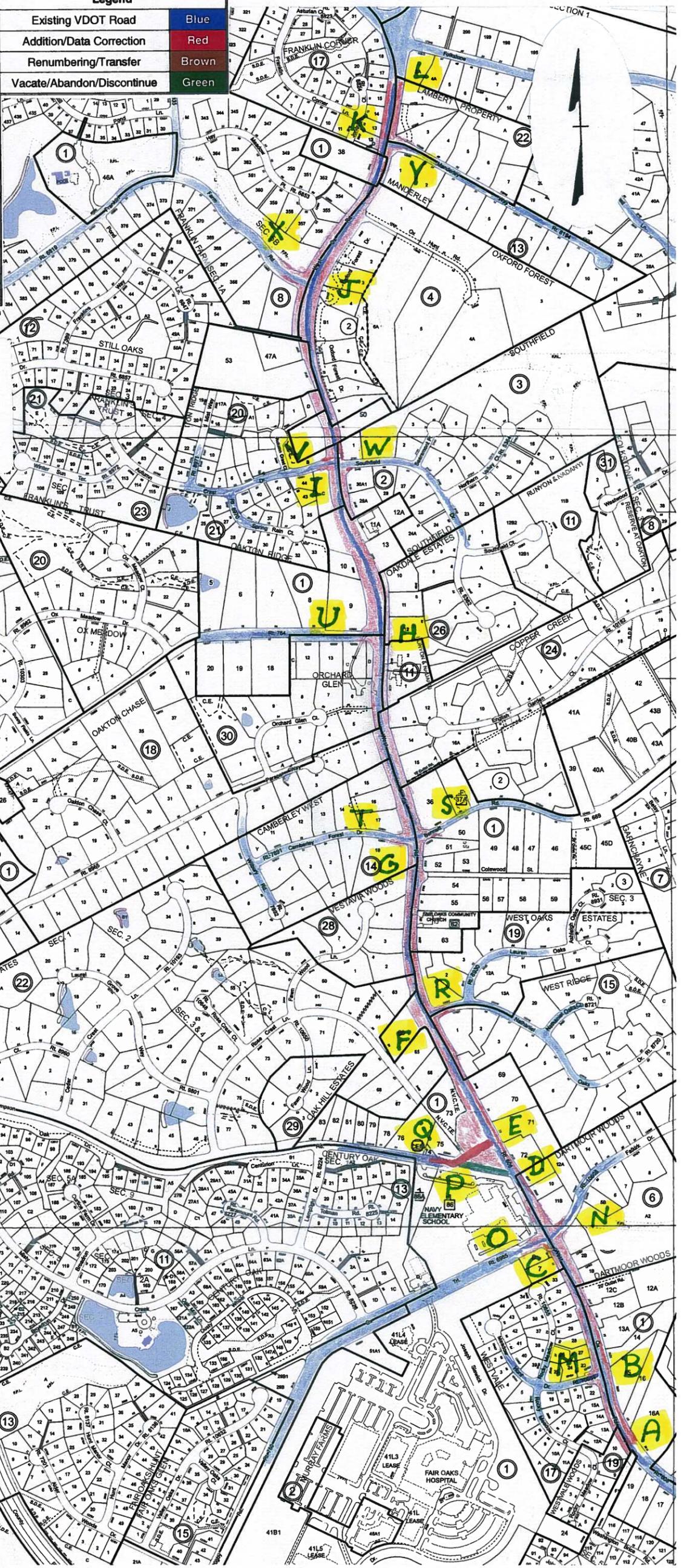
Nathaniel Oaks Drive – Route 8720 Additional right of way and improvements	Link F↔R (0.32 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 868 ft N of CL Thompson Rd <u>To:</u> 169 ft E to connect with existing original Nathaniel Oaks Drive
Bennett Road – Route 669 Additional right of way and improvements	Link G↔S (0.032 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 1176 ft N of CL Nathaniel Oaks Dr <u>To:</u> 167 ft E to connect with existing original Bennett Rd
Camberley Forest Drive – Route 7891 Additional right of way and improvements	Link G↔T (0.092 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 1176 ft N of CL Nathaniel Oaks Dr <u>To:</u> 483 ft W to connect with existing original Camberley Forest Dr
Oxon Road – Route 764 Additional right of way and improvements	Link H↔U (0.052 Mi.)	<u>From:</u> CL West Ox Road (Rte 608) – 1333 ft N of CL Bennett Rd/Camberley Forest Dr <u>To:</u> 276 ft W to connect with existing original Oxon Rd
Autumn Crest Drive – Route 8968 Additional right of way and improvements	Link I↔V (0.047 Mi.)	<u>From:</u> CL West Ox Road (Rte 608) – 1145 ft N of CL Oxon Rd <u>To:</u> 131 ft W to connect with existing original Autumn Crest Dr
Southfield Drive – Route 5362 Additional right of way and improvements	Link I↔W (0.035 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 1145 ft N of CL Oxon Rd <u>To:</u> 182 ft E to connect with existing original Southfield Dr
Franklin Farm Road – Route 6819 Additional right of way and improvements	Link J↔X (0.042 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 1173 ft N of CL Autumn Crest Dr/Southfield Drive <u>To:</u> 223 ft W to connect with existing original Franklin Farm Rd
Manderley Way – Route 8194 Additional right of way and improvements	Link K↔Y (0.039 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 1023 ft N of CL Franklin Farm Rd <u>To:</u> 206 ft E to connect with existing original Manderley Way

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

VDOT Project # 0608-029-301, C503 UPC=16504		D.B. N/A Pages N/A	District Sully Inspector VDOT	Date 11/08/11 By WHD	Tax Grid Reference 35-2, 35-4 45-2
VDOT County Map Supp. E Mant.Hqts. 3 - Chantilly		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 000000 □□□□

Route	Action	Segment	ROW	Length	Legend
608	Data Correction	A↔L	90-120 ft	1.81 Mi	Existing VDOT Road Blue
10645	Data Correction	B↔M	50 ft	0.02 Mi	Addition/Data Correction Red
10608	Data Correction	C↔N	60 ft	0.03 Mi	Renumbering/Transfer Brown
6985	Data Correction	C↔O	50-65 ft	0.04 Mi	Vacate/Abandon/Discontinue Green
669	Discontinue	D↔P	30 ft	0.08 Mi	
669	Addition - Secondary	E↔Q	65 ft	0.07 Mi	
669	Data Correction	G↔S	50 ft	0.03 Mi	
8720	Data Correction	F↔R	50-69 ft	0.03 Mi	
7891	Data Correction	G↔T	50 ft	0.09 Mi	
764	Data Correction	H↔U	50 ft	0.05 Mi	
8968	Data Correction	I↔V	50 ft	0.03 Mi	
5362	Data Correction	I↔W	50 ft	0.04 Mi	
6819	Data Correction	J↔X	75 ft	0.04 Mi	
8194	Data Correction	K↔Y	50-99 ft	0.04 Mi	

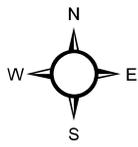
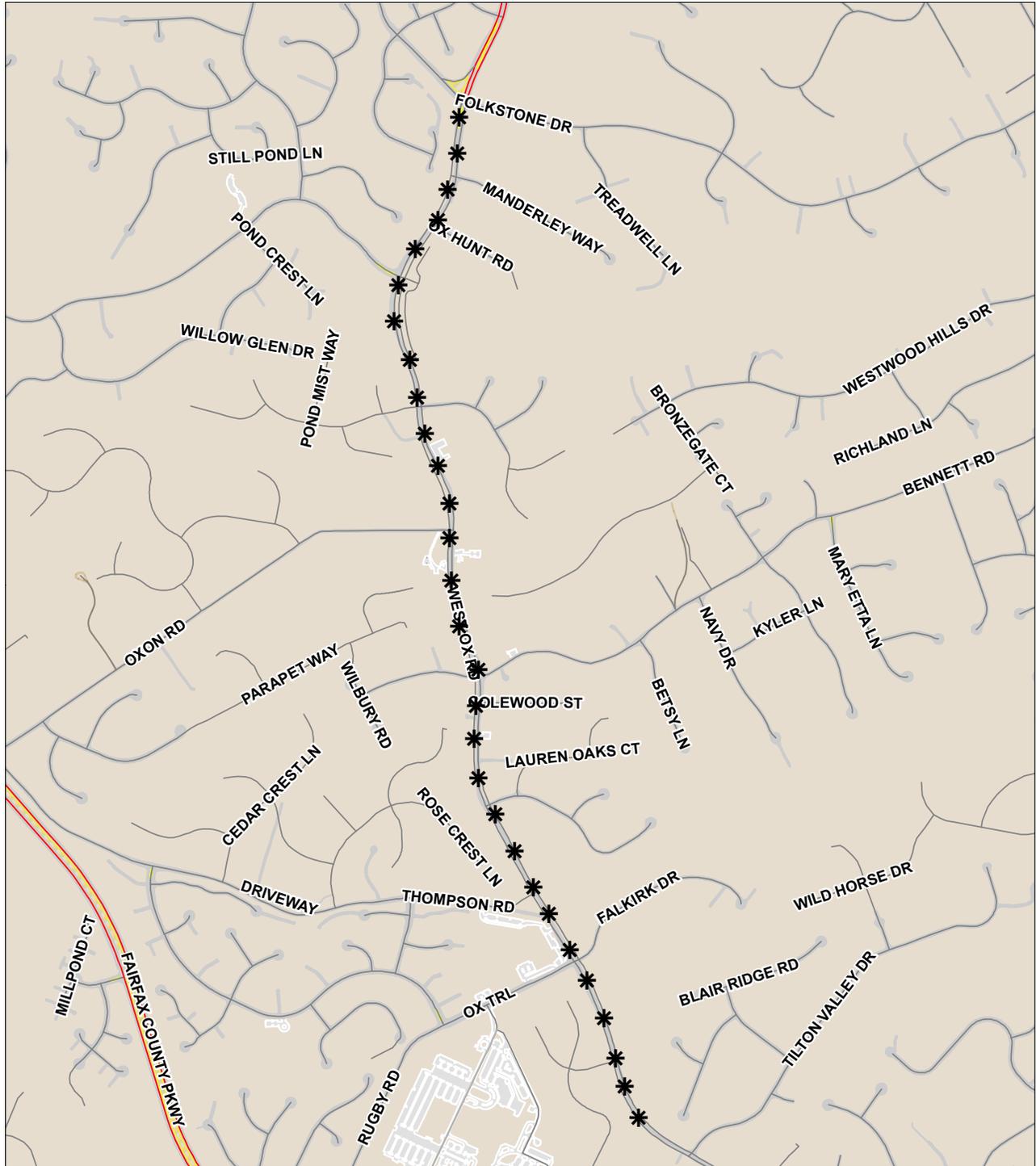


BOS Resolution Date:

- Roads in System:
- Roads to be Accepted:
- Roads Pending:
- Roads to be Abandoned:
- VDOT Area Maint HQTS: 3
- VDOT County Map Supplement: 29E

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

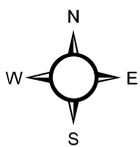
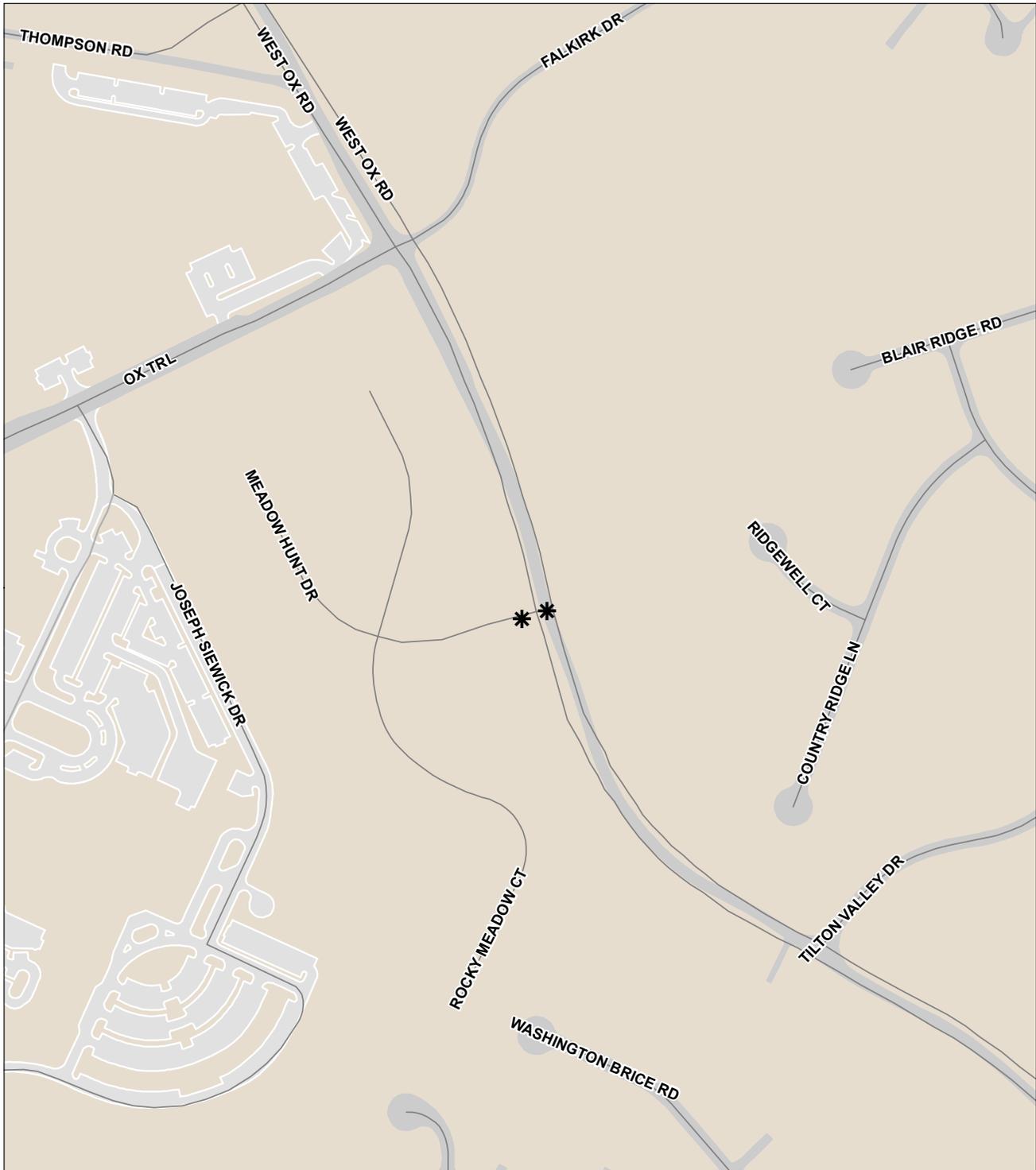


**Link A-L
(1.814 Mi)**

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

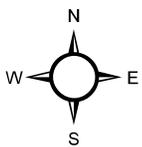
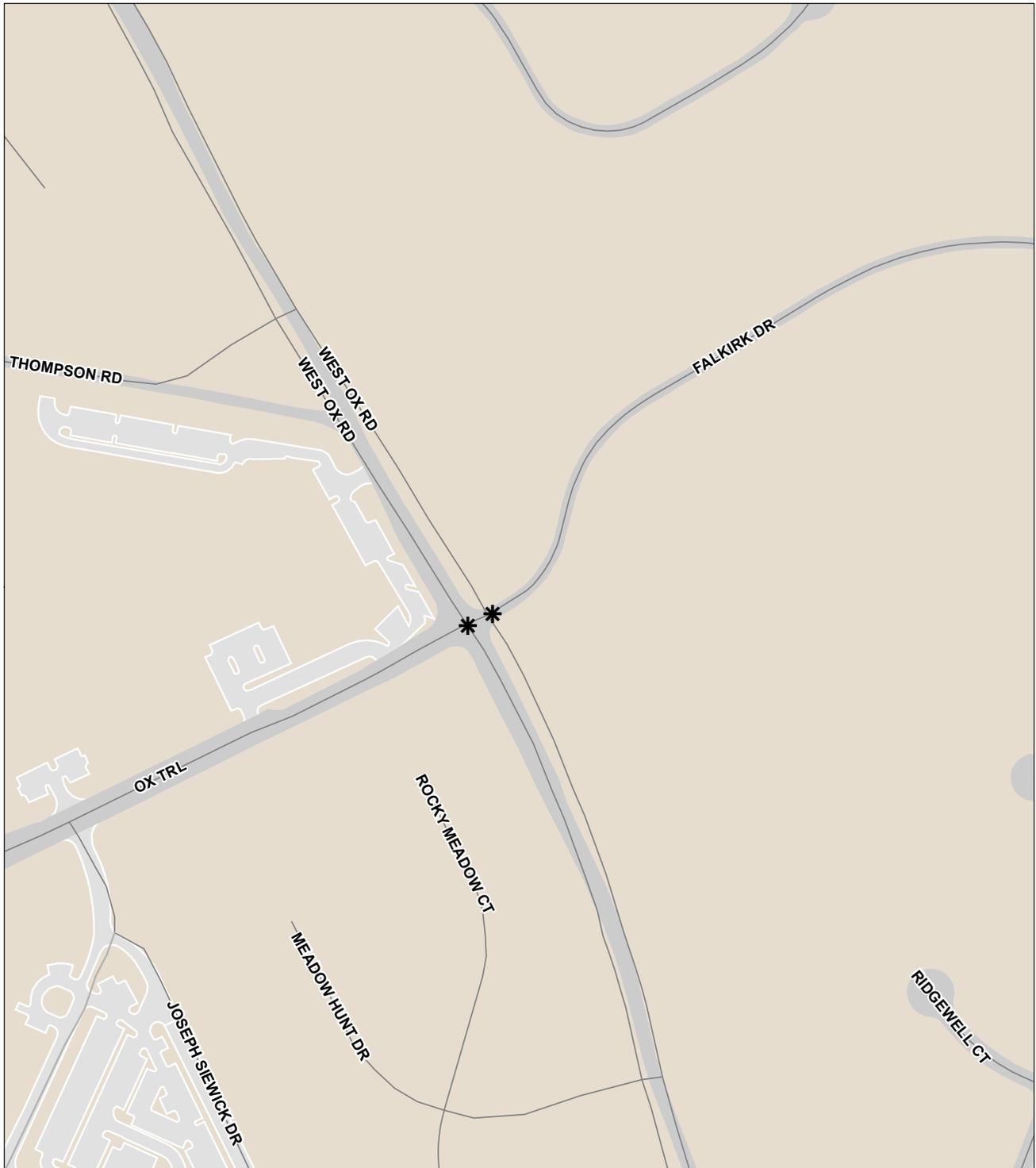


**Link B-M
(0.023 Mi)**

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

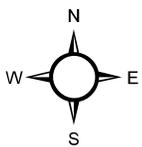
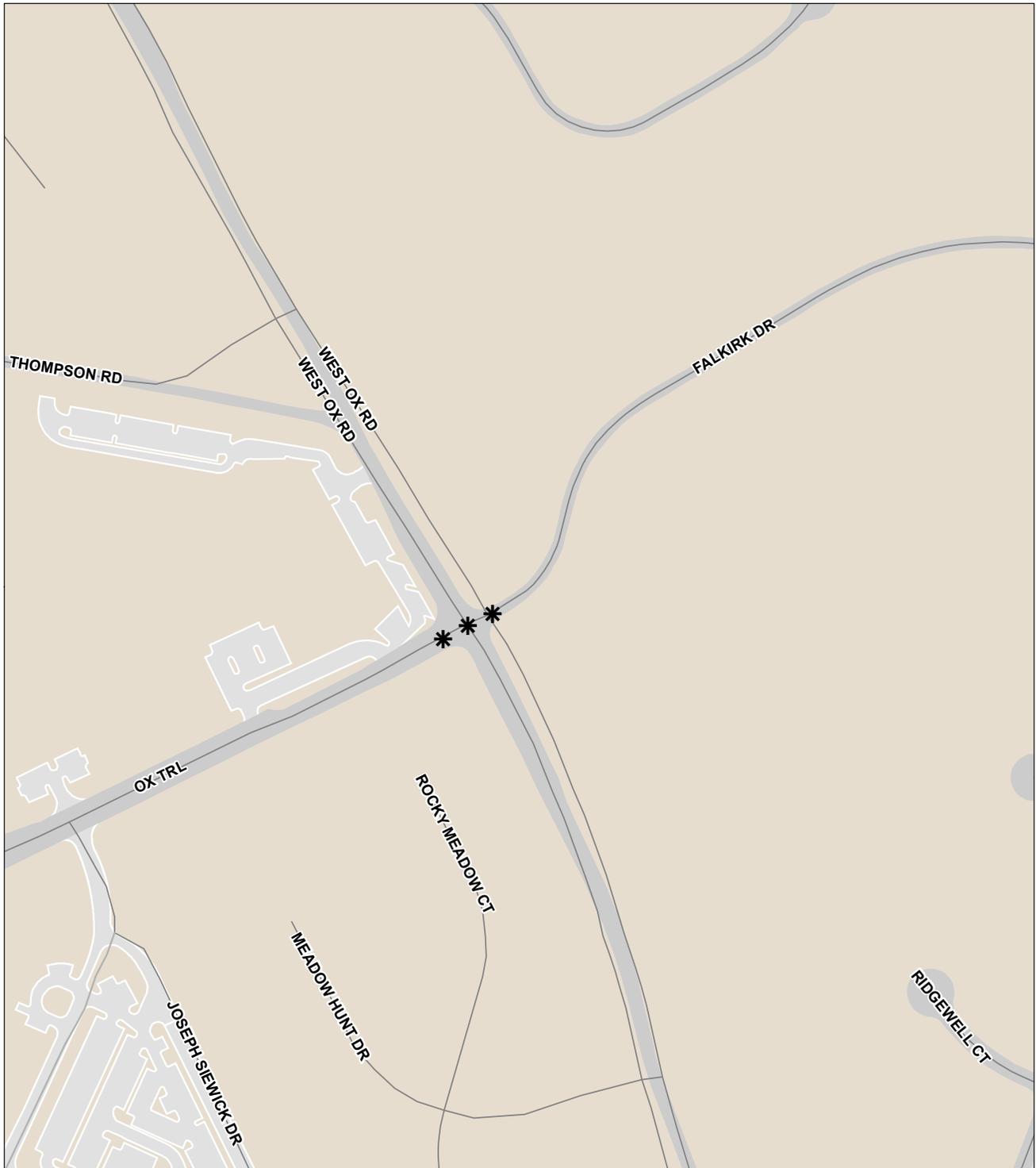


**Link C-N
(0.029 Mi)**

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

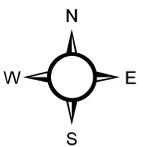
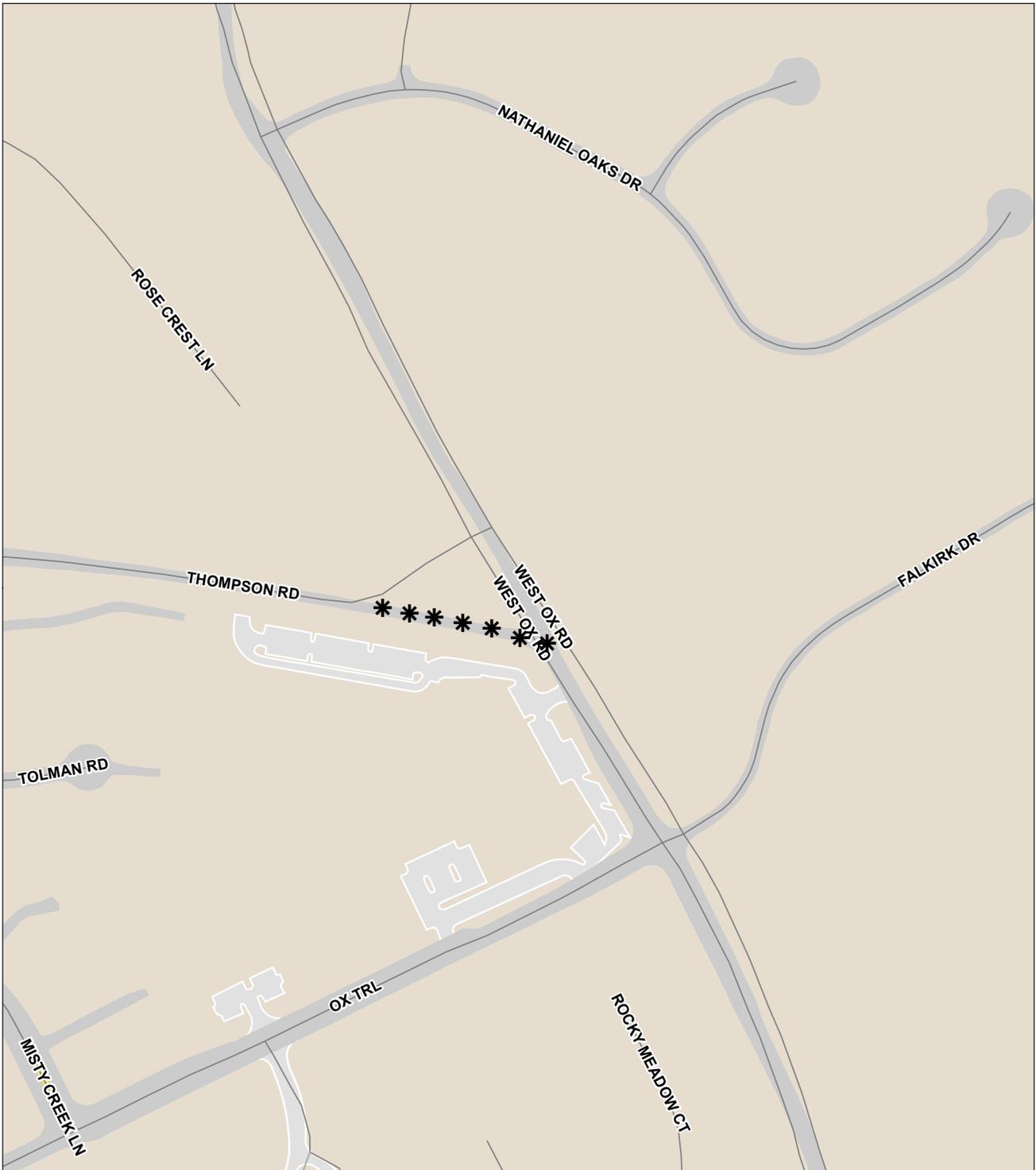


**Link C-O
(0.035 Mi)**

Tax Map 35-2 & 35-4 & 45-2

Discontinue / #0608-029-301, C503

Sully District

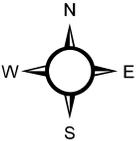
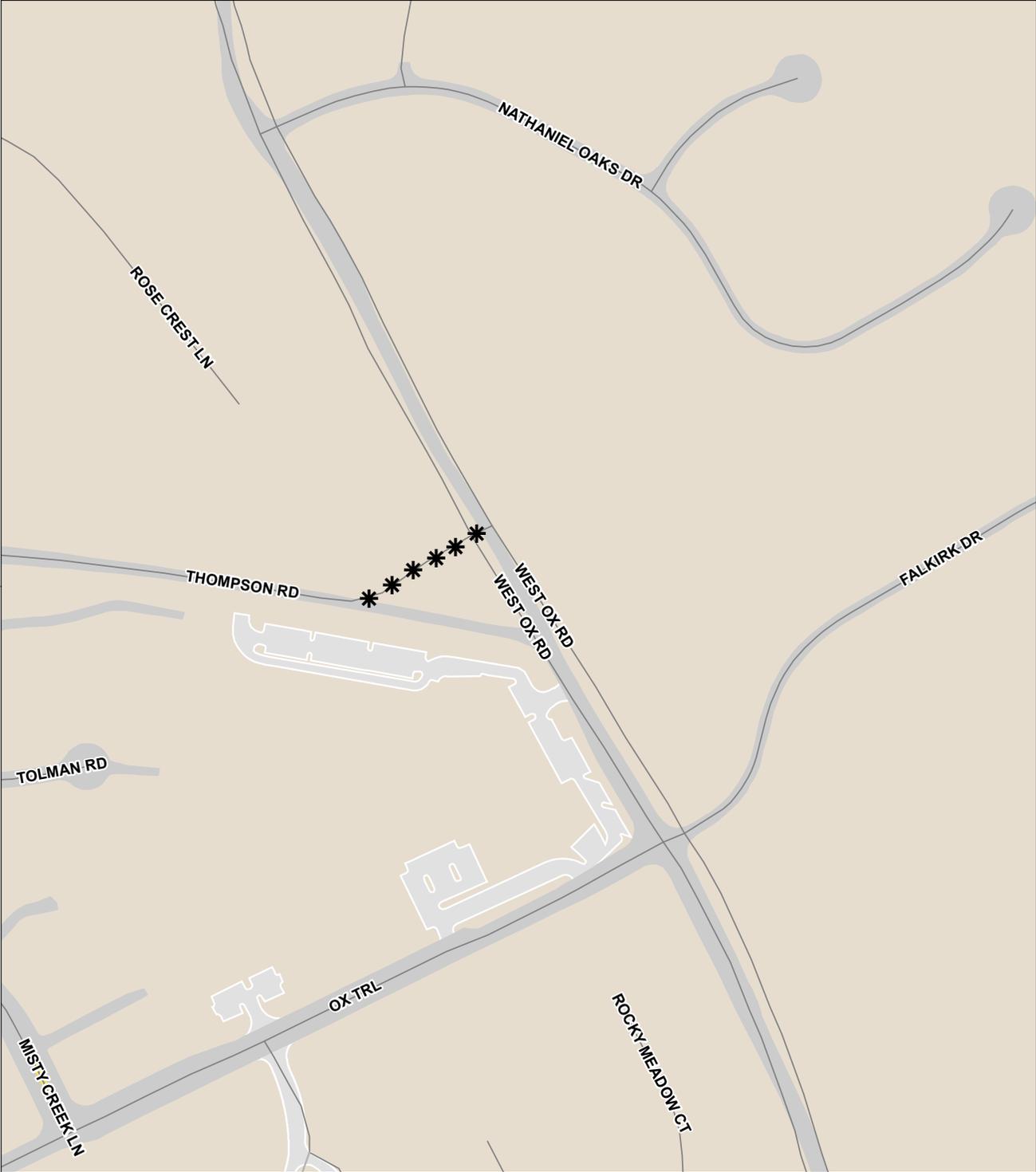


**Link D-P
(0.080 Mi)**

Tax Map 35-2 & 35-4 & 45-2

New Centerline Mileage / #0608-029-301, C503

Sully District

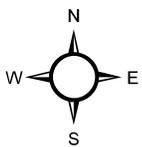
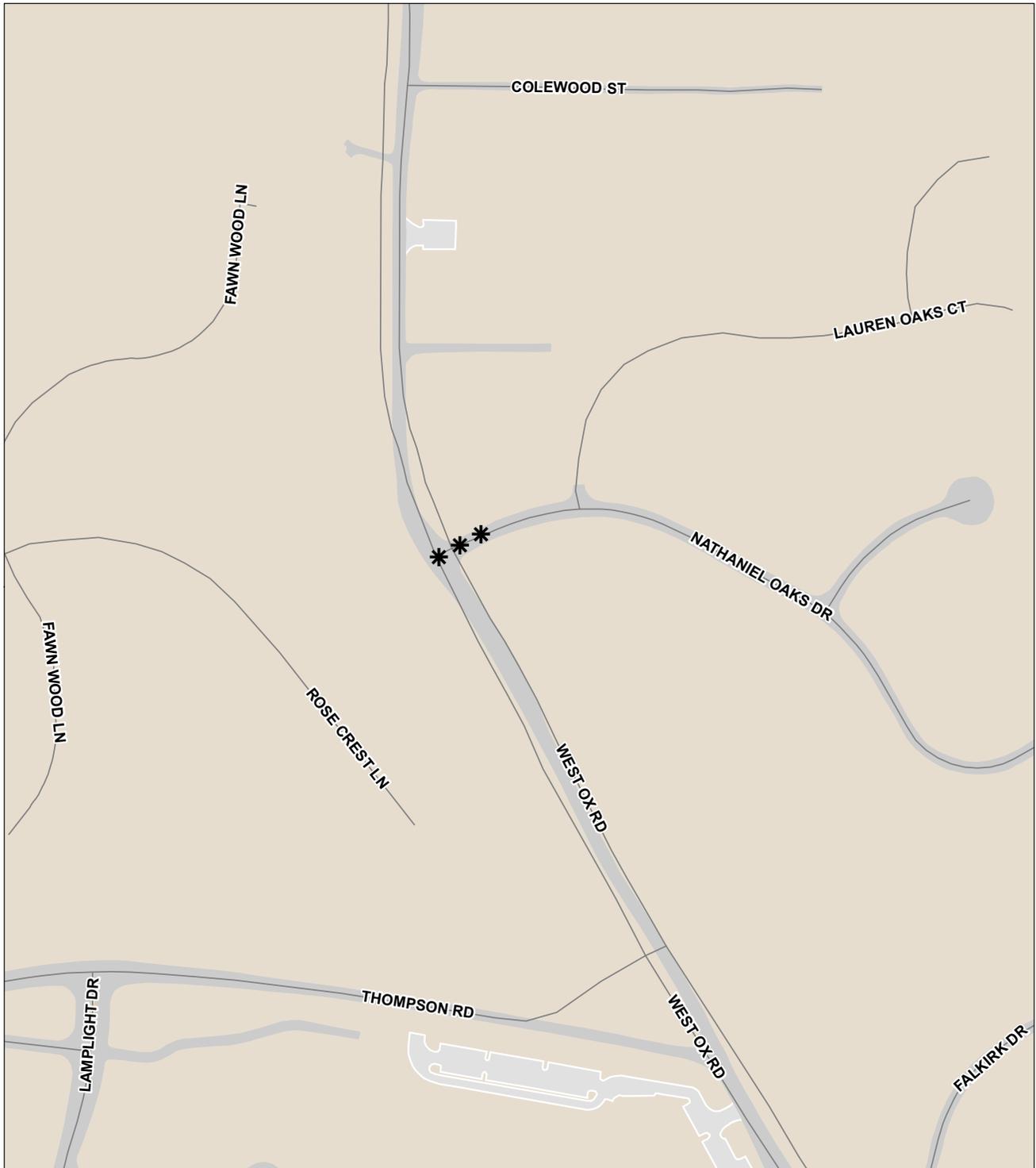


**Link E-Q
(0.071 Mi)**

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

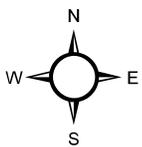
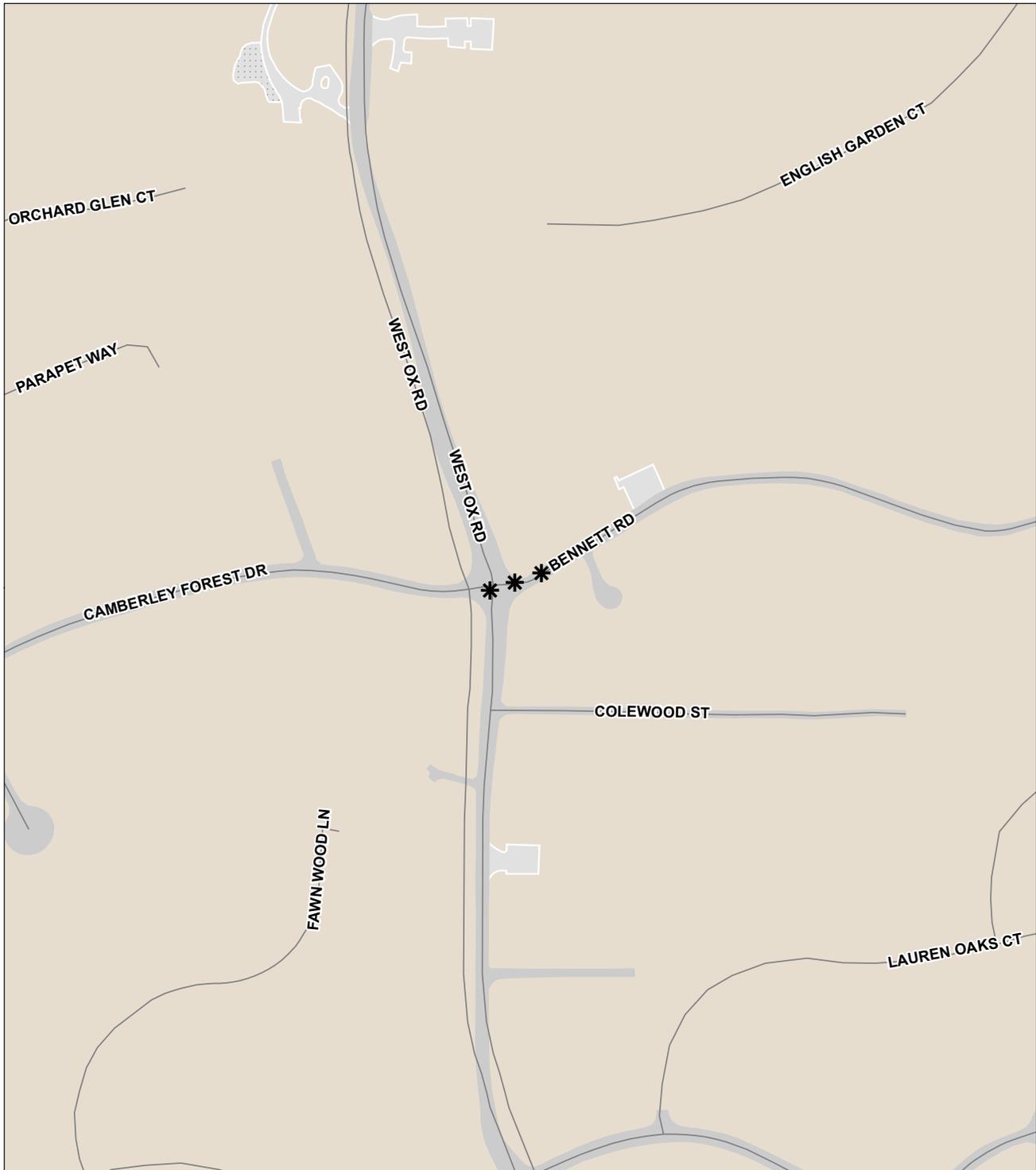


Link F-R
(0.032 Mi)

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

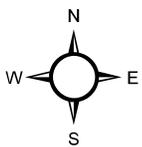
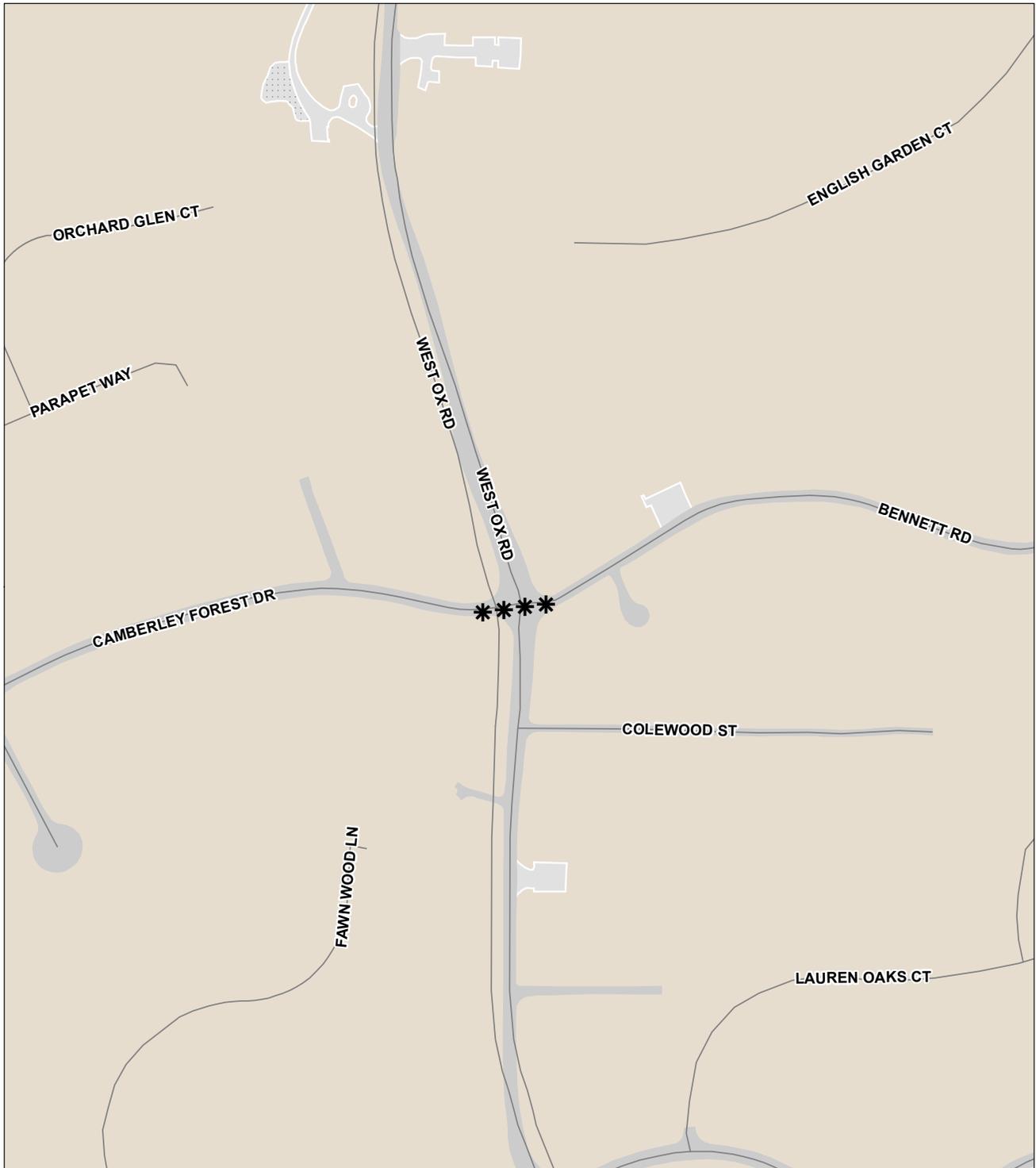


**Link G-S
(0.032 Mi)**

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

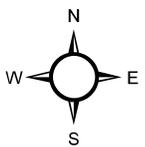
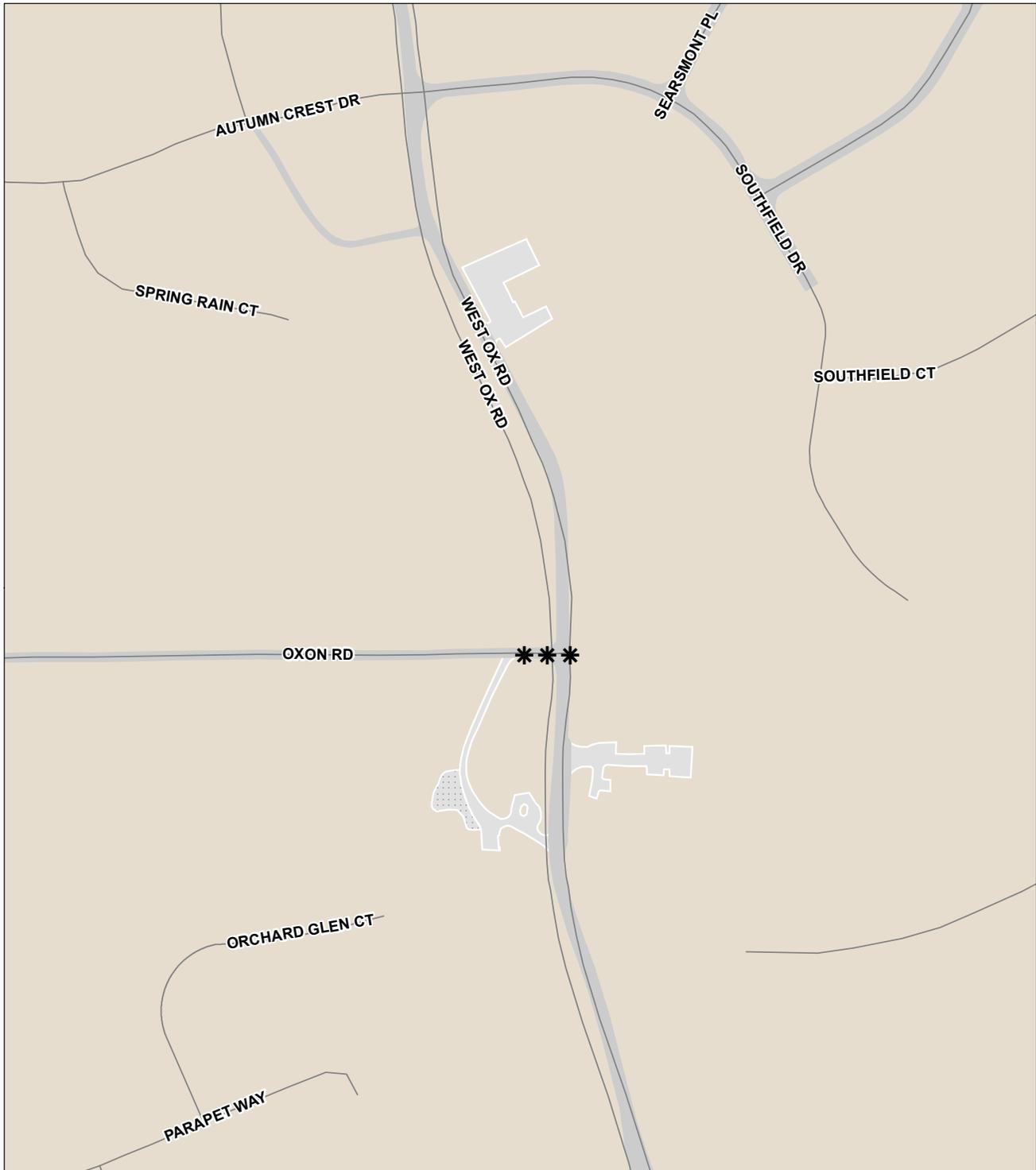


**Link G-T
(0.092 Mi)**

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

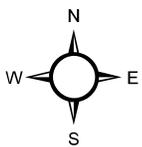
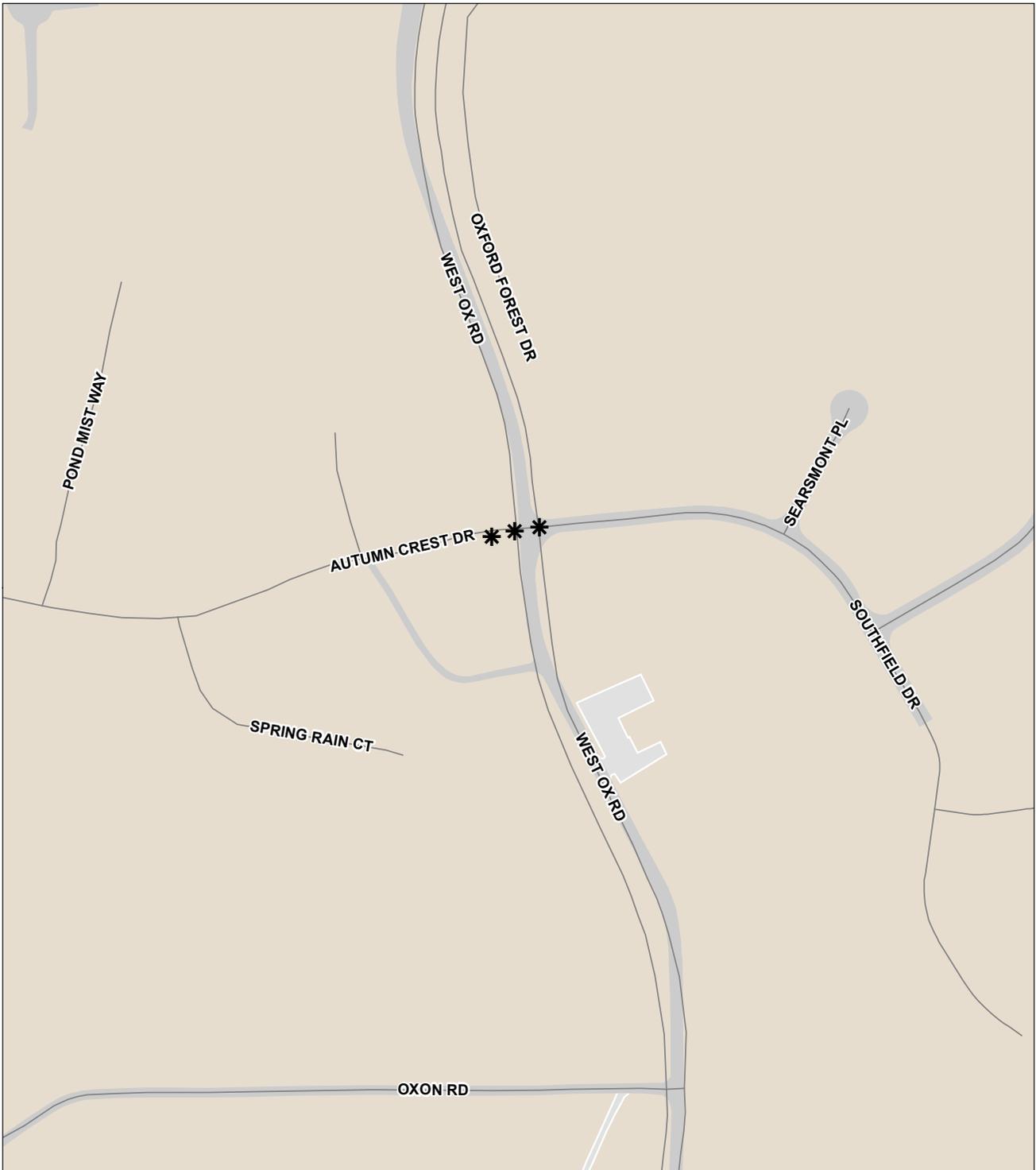


Link H-U
(0.052 Mi)

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

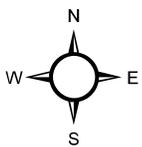
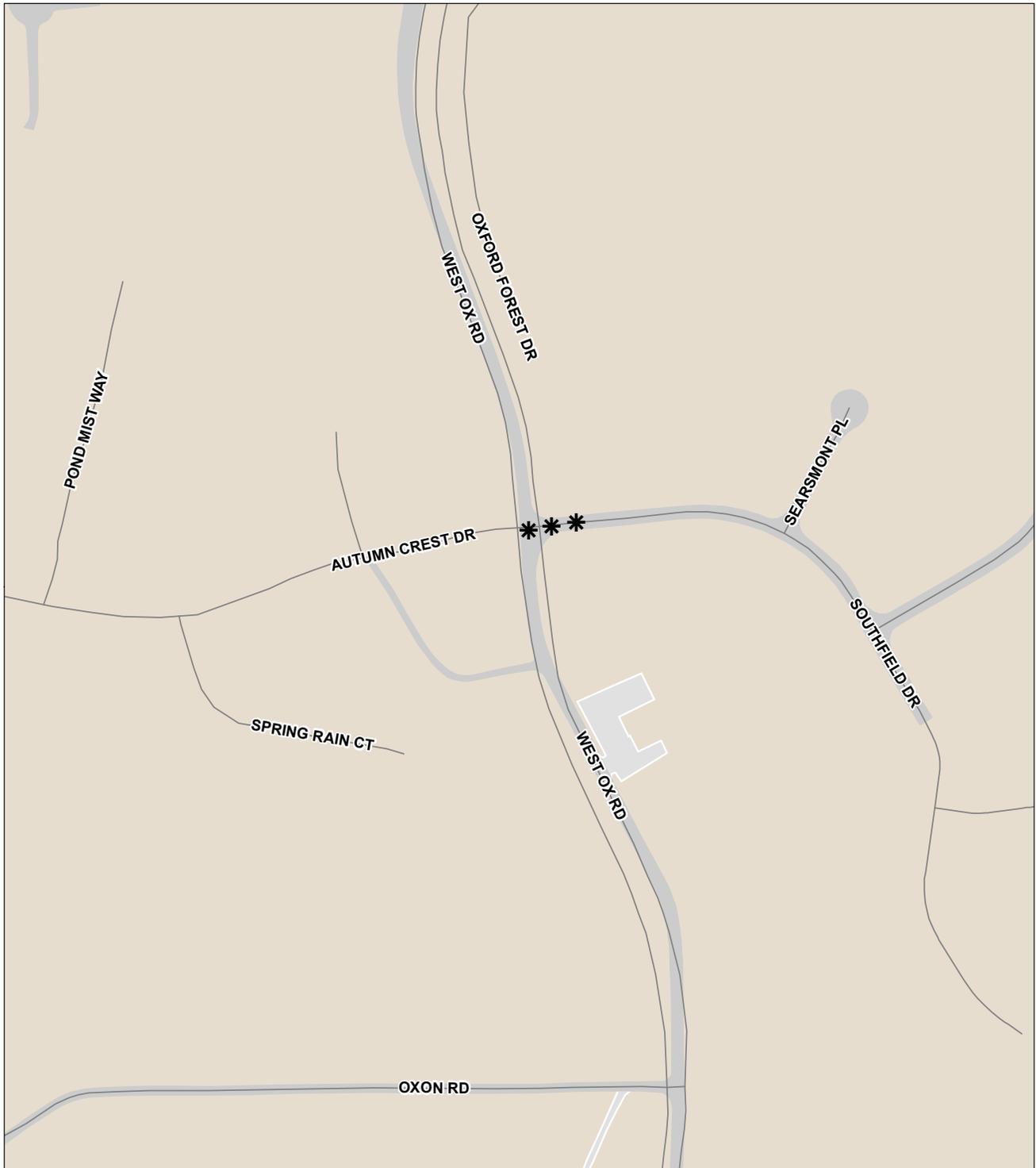


Link I-V
(0.047 Mi)

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

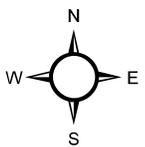
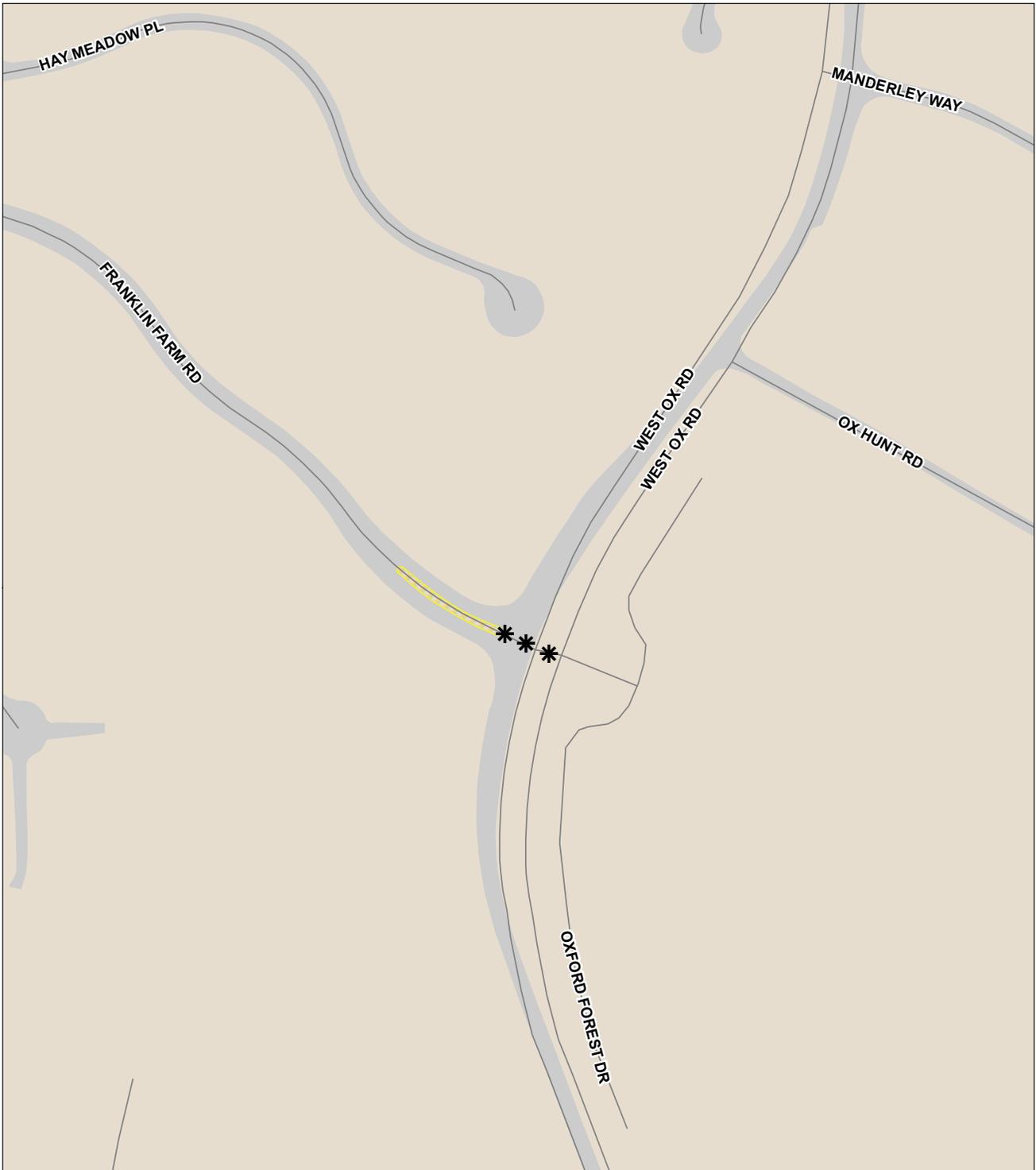


Link I-W
(0.035 Mi)

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District

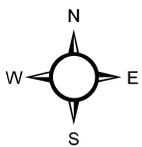
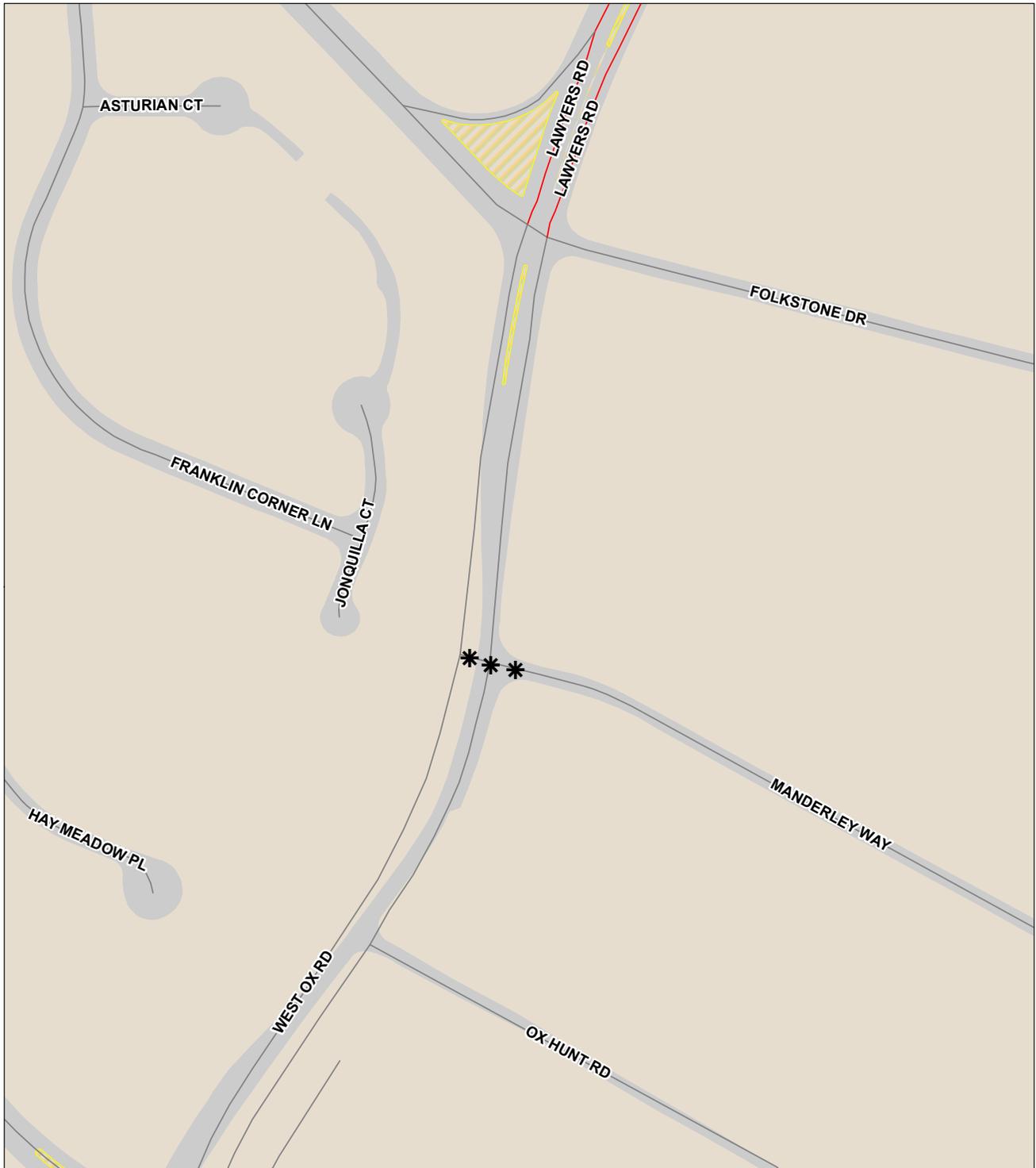


Link J-X
(0.042 Mi)

Tax Map 35-2 & 35-4 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C503

Sully District



Link K-Y
(0.039 Mi)

Tax Map 35-2 & 35-4 & 45-2

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ADMINISTRATIVE - 10

Additions and Discontinuances of Right of Way Associated with the Construction of Improvements to West Ox Road / Route 608 and Waples Mill Road / Route 664 (Sully District)

ISSUE:

Board adoption of the attached resolution requesting the addition and discontinuance of road segments from the Secondary System of State Highways (Secondary System).

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached resolution requesting that the identified portions of subject roadway be added and discontinued from the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance and discontinuance of roads associated with VDOT's construction project number 0608-029-301, C502 (West Ox Road / Route 608 and Waples Mill Road / Route 664). VDOT has prepared a sketch depicting the changes required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting changes

Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michael A. Davis, FCDOT

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0608-029-301, C502 (UPC=5551) was completed and accepted by the Virginia Department of Transportation as meeting current standards on June 30, 2008; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated October 24, 2011, depicting any changes required to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final 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 Systems of State highways the following roads:

West Ox Road – Route 608 Additional right of way and improvements	Link A↔H (1.00 Mi)	<u>From:</u> Begin Project @ STA 77+58.112 – 117 ft N to CL Ox Hill Rd (Rte 6558) <u>To:</u> End Project @ STA 93+68.100 – 313 ft S of CL Meadow Hunt Dr (Rte 10654)
Ox Hill Road – Route 6558 Additional right of way and improvements	Link B↔I (0.042 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 2190 ft N of CL Lee Jackson Memorial Hwy. (Rte 50) <u>To:</u> 221 ft W to connection with existing original Ox Hill Road
Penderwood Drive – Route 788 Additional right of way and improvements	Link C↔J (0.028 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 1327 ft N of CL Ox Hill Rd (Rte 6558) <u>To:</u> 145 ft W to connection with existing original Penderwood Drive
Penderwood Drive – Route 788 Additional right of way and improvements	Link C↔K (0.031 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 1327 ft N of CL Ox Hill Rd (Rte 6558) <u>To:</u> 165 ft E to connection with existing original Penderwood Drive
Penderwood Drive – Route 788 Additional right of way and improvements	Link N↔R (0.022 Mi)	<u>From:</u> CL Waples Mill Rd (Rte 664) – 585 ft E of CL West Ox Rd (Rte 608) <u>To:</u> 115 ft N to connection with existing original Penderwood Drive
Waples Mill Road – Route 664 New Centerline Mileage	Link D↔BB (0.091 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 648 ft N of CL Penderwood Dr (Rte 788) <u>To:</u> 482 ft E to connection with existing original Waples Mill Road
Waples Mill Road – Route 664 Additional right of way and improvements	Link BB↔O (0.36 Mi)	<u>From:</u> Connection with existing original Waples Mill Road – 482 ft E of CL West Ox Rd. <u>To:</u> 187 ft SE to connection with existing original Waples

		Mill Road
Waples Mill Road – Route 664 Discontinuance	Link BB↔AA (0.054 Mi)	<u>From:</u> CL Waples Mill Rd – 180 ft E of CL Waples Mill Ct (Rt 10558) <u>To:</u> 284 ft N to CL Waples Mill Ct (Rte 10558) – 143 ft N of CL Waples Mill Rd.
Waples Mill Road – Route 664 Discontinuance	Link P↔Q (0.018 Mi)	<u>From:</u> End of Waples Mill Ct cul-de-sac - 290 ft N of CL Waples Mill Rd. <u>To:</u> 95 ft N to center of eradicated Waples Mill/Vale Rd intersection
Vale Road – Route 672 Discontinuance	Link DD↔Q (0.034 Mi.)	<u>From:</u> CL West Ox Rd (Rte 608) – 299 ft N of CL relocated Waples Mill Rd <u>To:</u> 177 ft E to center of eradicated Vale Rd/Waples Mill Rd intersection
Vale Road – Route 672 Discontinuance	Link Q↔QQ (0.047 Mi.)	<u>From:</u> Center of eradicated Vale Rd/Waples Mill Rd intersection <u>To:</u> 248 ft N to CL of new Vale Rd alignment – 55 ft E of CL West Ox Rd
Waples Mill Court – Route 10558 New Centerline Mileage	Link M↔AA (0.027 Mi)	<u>From:</u> CL Waples Mill Rd (Rte 664) – 302 ft E of CL West Ox Rd (Rte 608) <u>To:</u> 143 ft N to connection with existing original Waples Mill Court
Ox Ridge Road – Route 10171 Additional right of way and improvements	Link D↔L (0.020 Mi)	<u>From:</u> CL West Ox Road (Rte 608) – 648 ft N of CL Penderwood Dr (Rte 788) <u>To:</u> 108 ft W to connection with original existing Ox Ridge Rd.
Waples Mill Court – Route 10558 Additional right of way and improvements	Link AA↔P (0.028 Mi)	<u>From:</u> End of new Waples Mill Ct – 143 ft to CL Waples Mill Road (Rte 664) <u>To:</u> 147 ft NW to end of cul-de-sac
Vale Road – Route 672 Additional right of way and improvements	Link E↔X (0.115 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 550 ft N of CL Waples Mill Rd (Rte 664) <u>To:</u> 608 ft NE to connection with existing original Vale Rd.
Brecknock Street – Route 5443 Additional right of way and improvements	Link S↔U (0.019 Mi)	<u>From:</u> CL Vale Rd (Rte 772) – 459 ft NE of CL West Ox Rd (Rte 608) <u>To:</u> 98 ft NW to connection with existing original Brecknock Street
Fox Valley Court – Route 6563 Additional right of way and improvements	Link T↔V (0.025 Mi)	<u>From:</u> CL Vale Rd (Rte 772) – 3 ft NE of CL Brecknock St (Rte 5443) <u>To:</u> 131 ft SE to connection with existing original Fox Valley Ct
Tilton Valley Drive – Route 5442 Additional right of way and improvements	Link G↔Y (0.053 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 621 ft N of CL Frost Leaf Ct (Rte 10173) <u>To:</u> 279 ft NE to connection with existing original Tilton Valley Dr
Frost Leaf Court – Route 10173 Additional right of way and improvements	Link F↔FF (0.017 Mi)	<u>From:</u> CL West Ox Rd (Rte 608) – 1198 ft N of CL Vale Rd (Rte 772) <u>To:</u> 88 ft NE to connection with existing original Frost Leaf Ct

A Copy Teste:

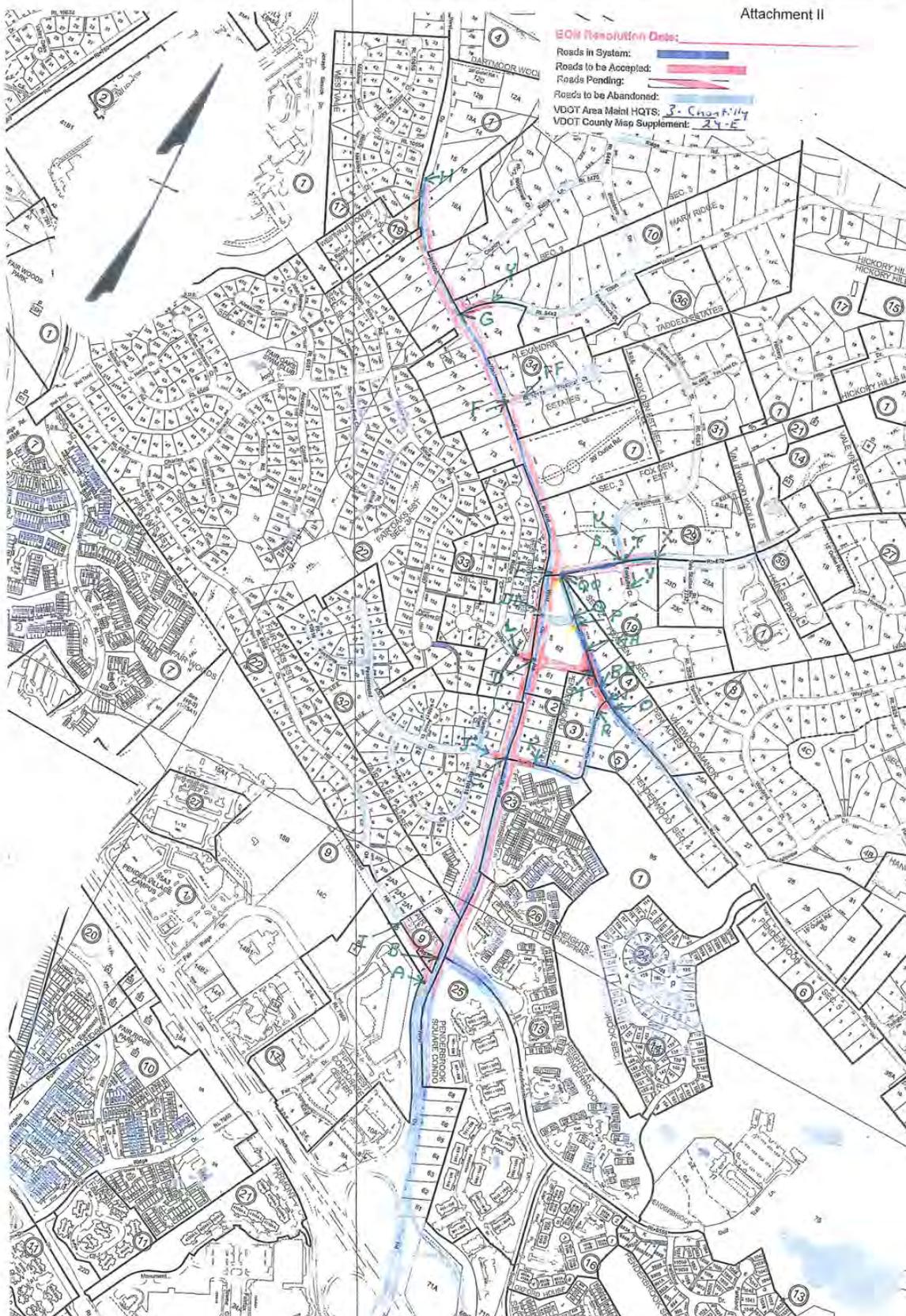
Catherine A. Chianese
Clerk to the Board of Supervisors

Attachment

VDOT Project # 0608-029-301, C502 UPC=5551	D.B. N/A Pages N/A	District Sully Inspector VDOT	Date 10/24/11 By WHD	Tax Grid Reference 46-3, 46-1 45-2
VDOT County Map Supp. E Mant.Hqts. 3 - Chantilly	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:			XXXXXX OOOOOO □□□□

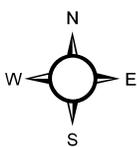
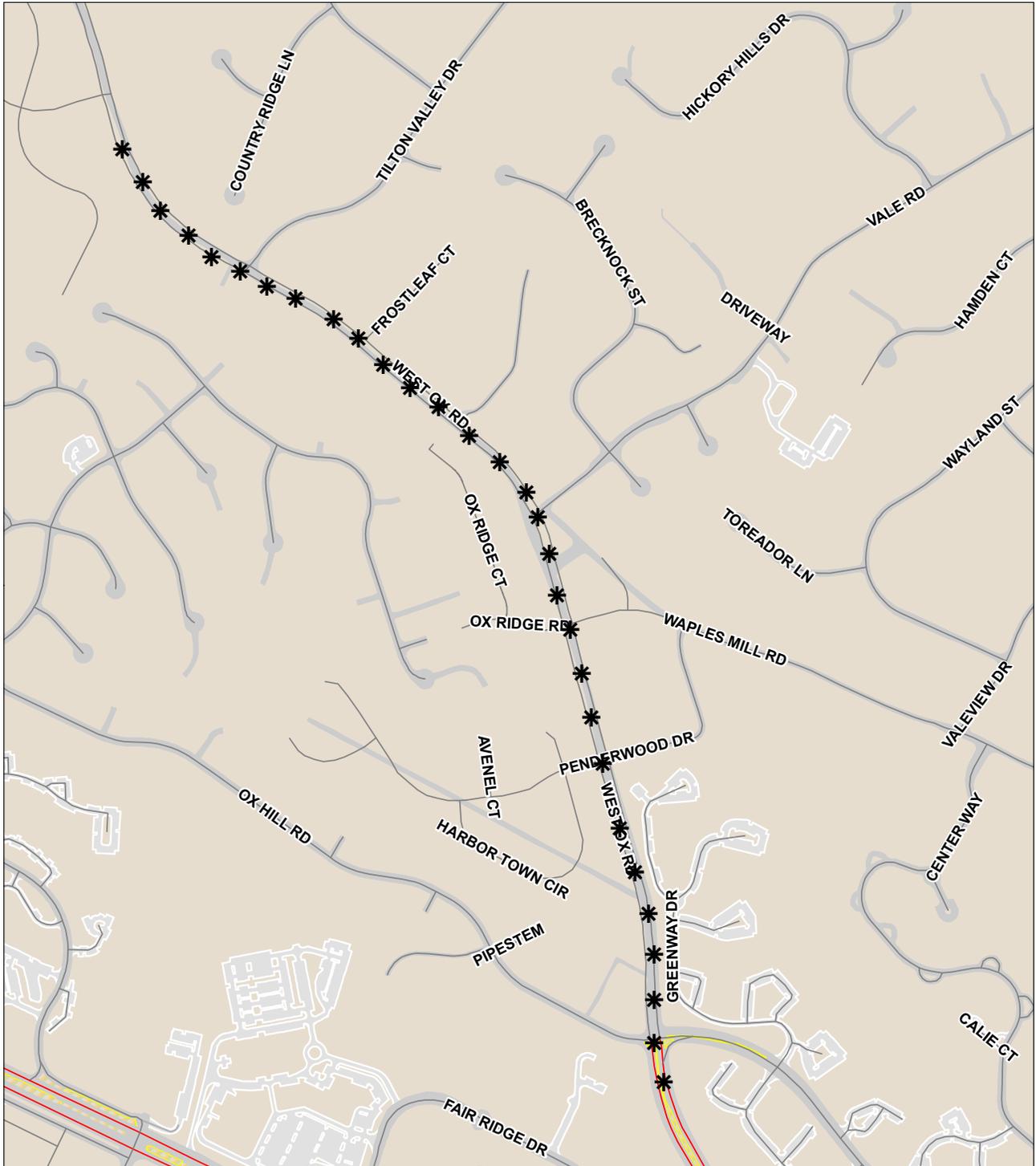
Attachment II

Attachment II



Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

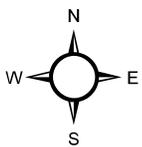
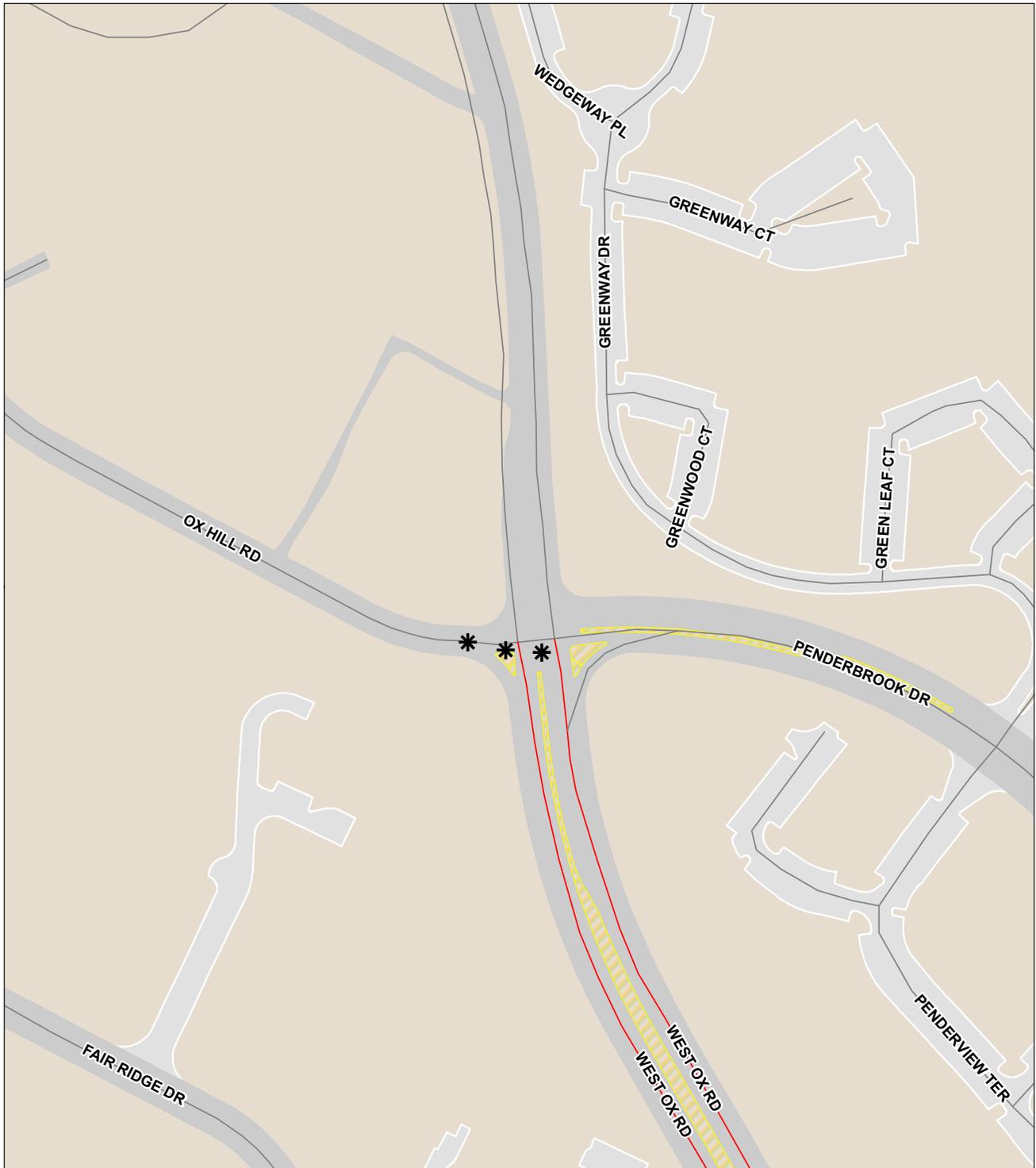


Link A-H
(1.00 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

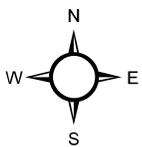
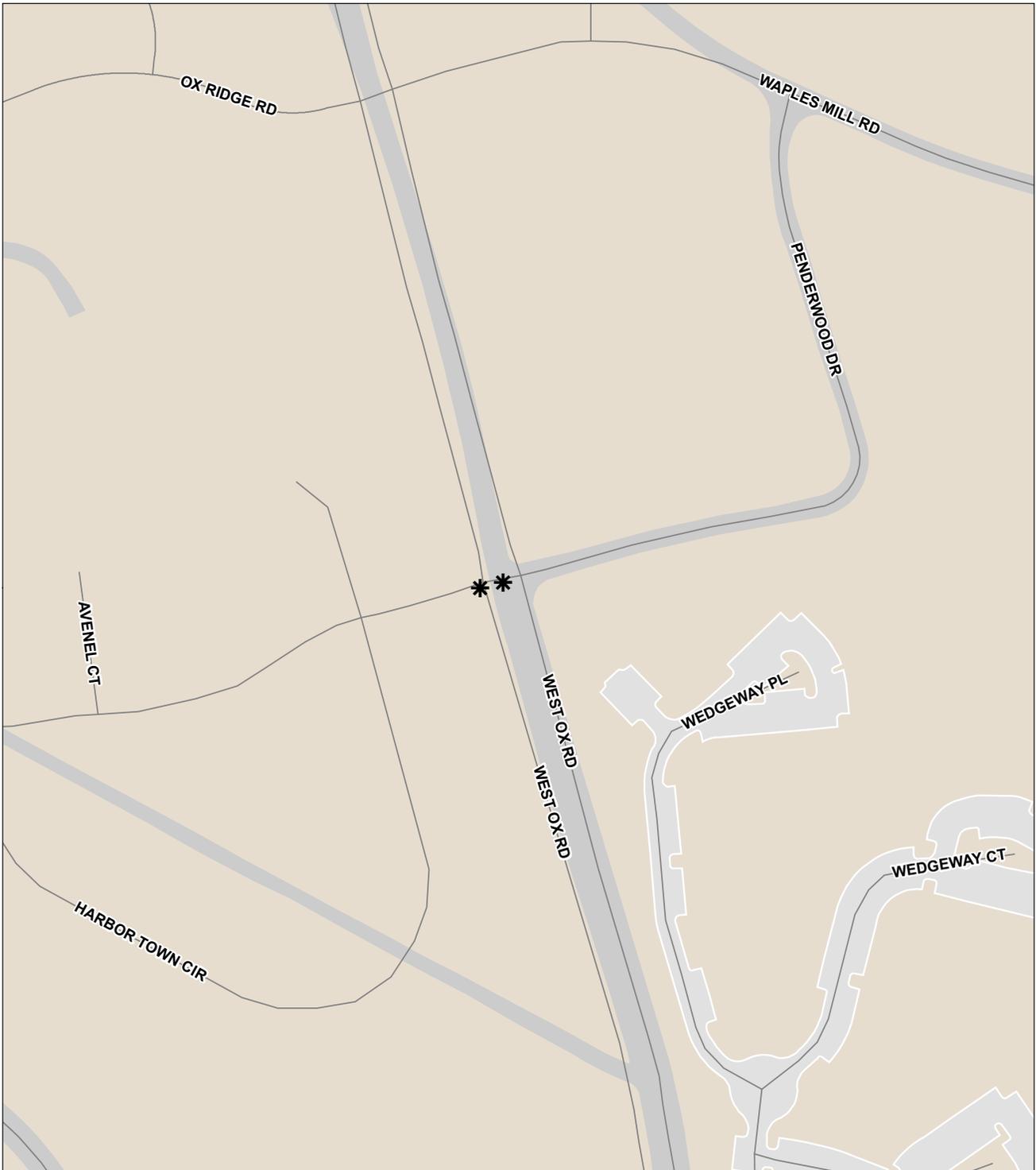


Link B-I
(0.042 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

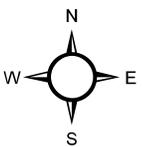
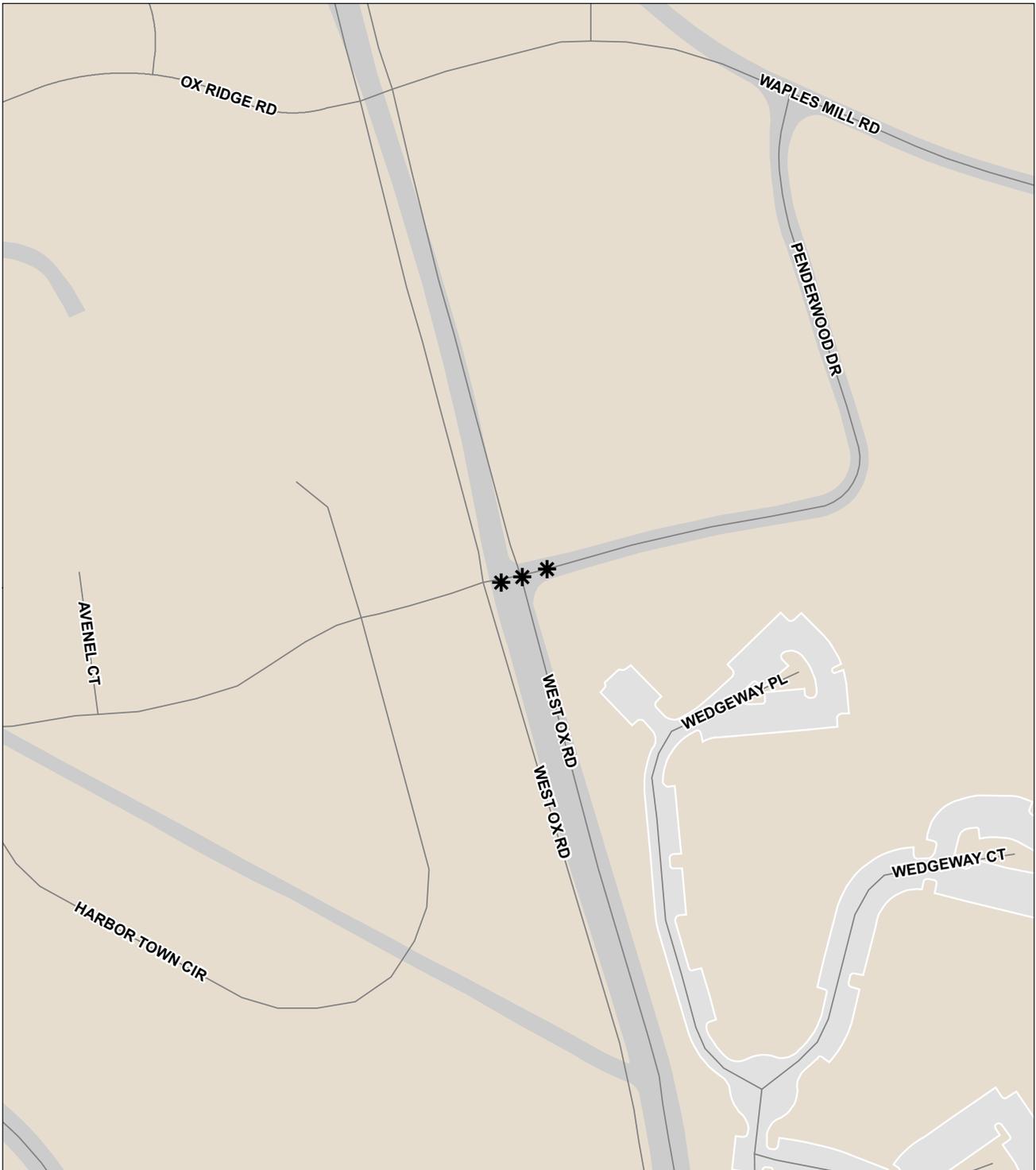


**Link C-J
(0.028 Mi)**

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

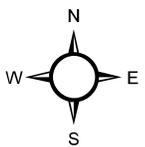
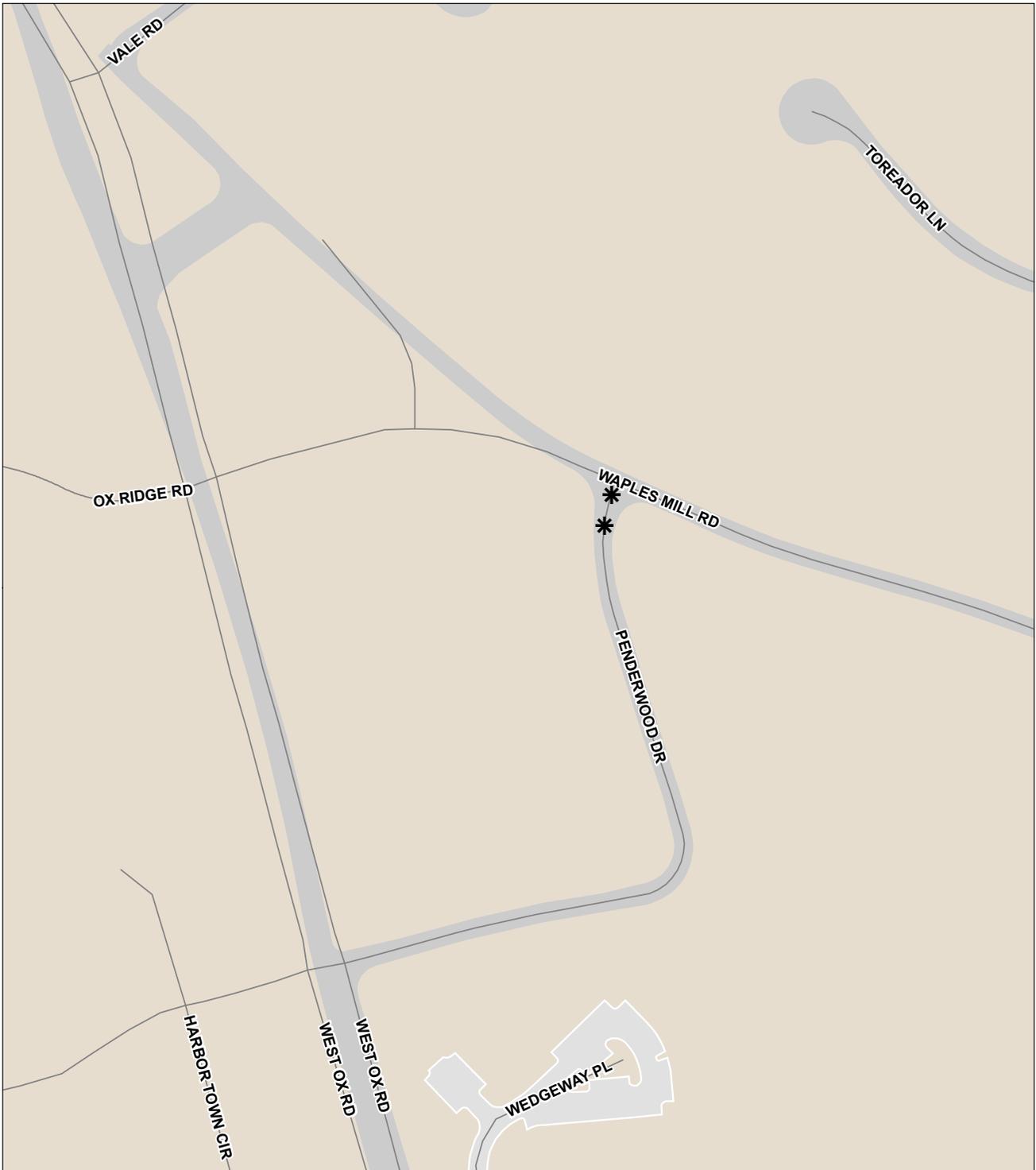


**Link C-K
(0.031 Mi)**

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

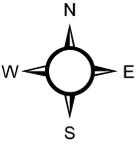
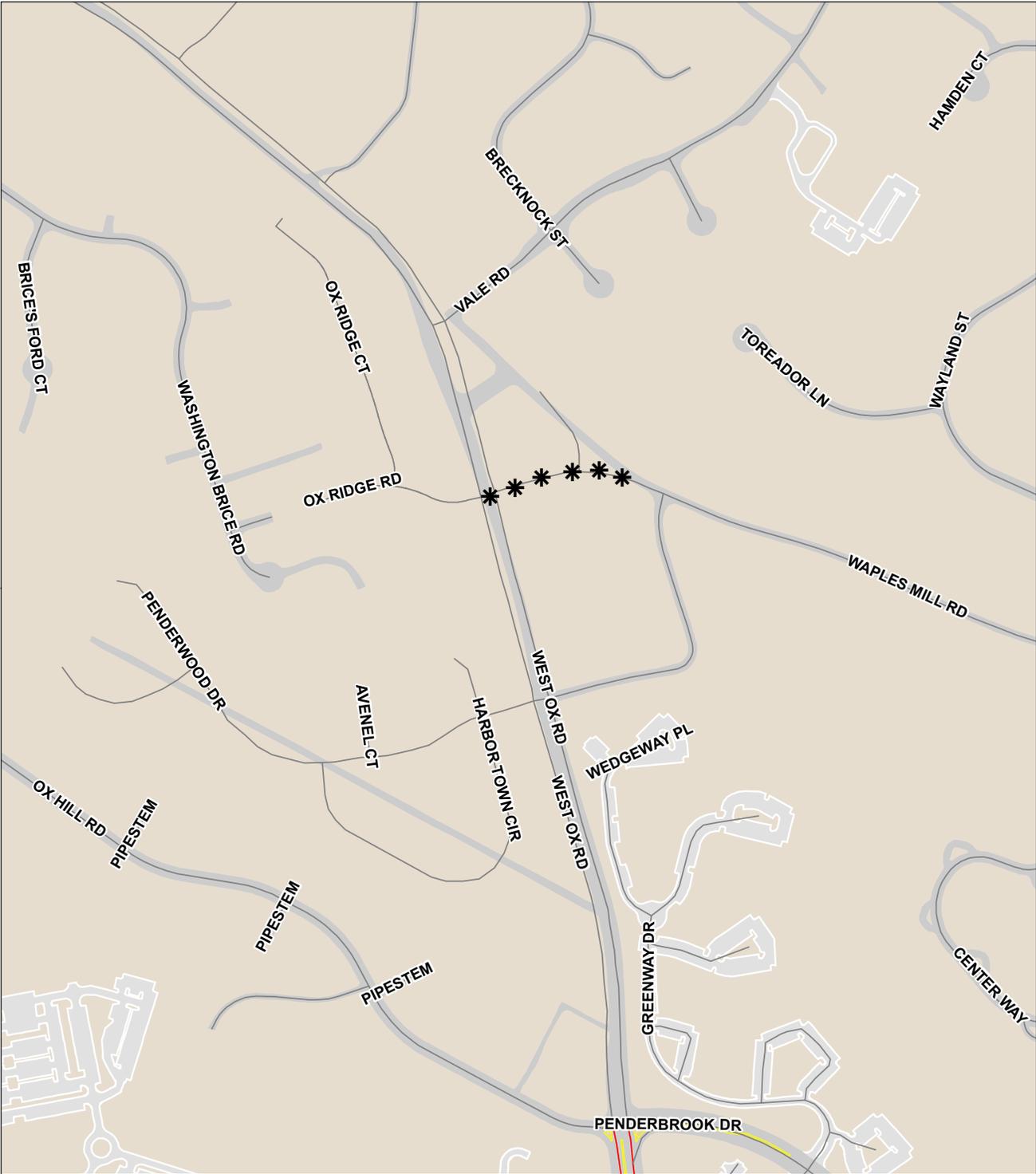


Link N-R
(0.022 Mi)

Tax Map 46-3 & 46-1 & 45-2

New Centerline Mileage / #0608-029-301, C502

Sully District

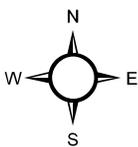
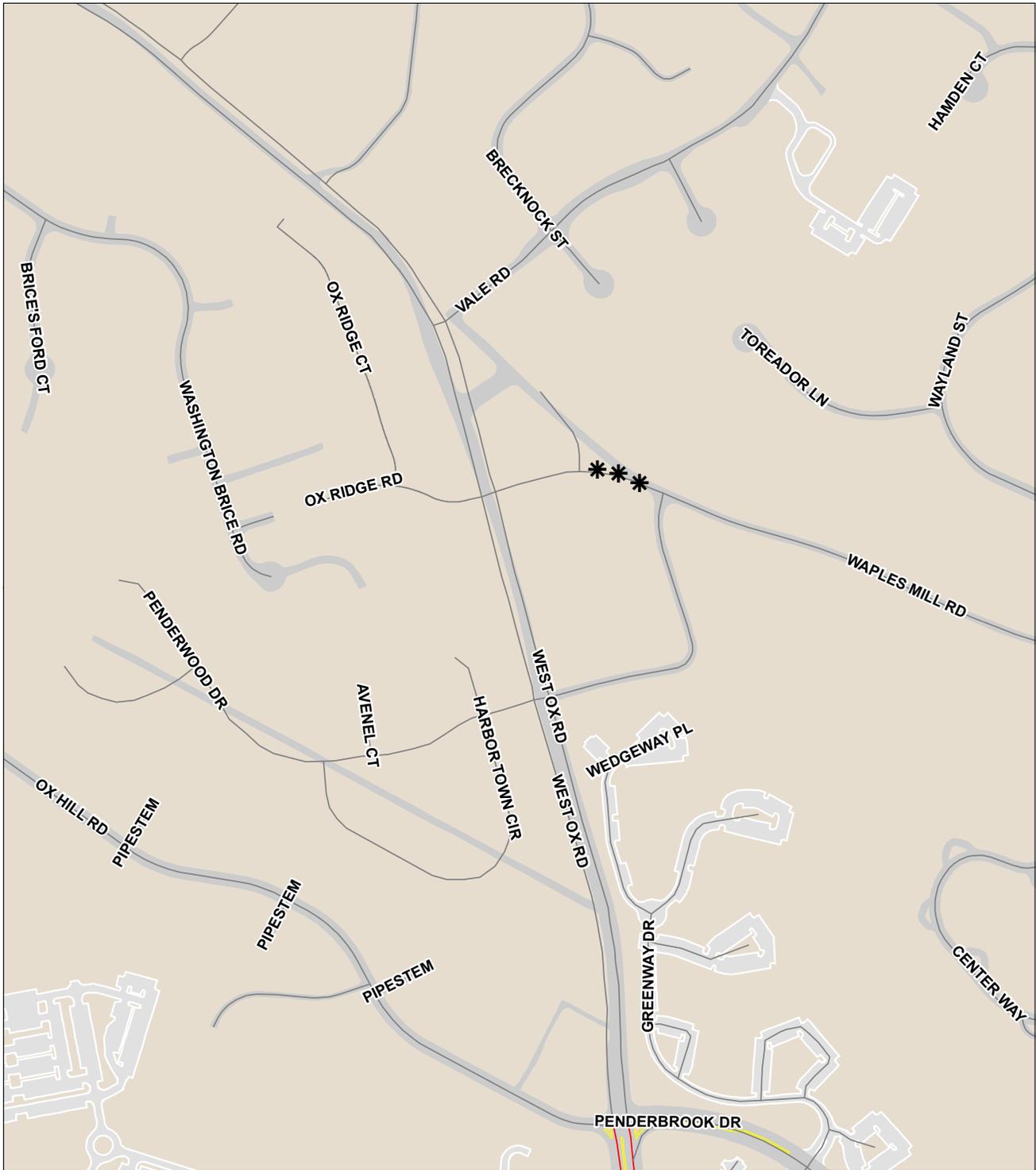


**Link D-BB
(0.091 Mi)**

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way / #0608-029-301, C502

Sully District

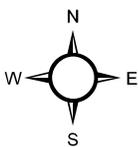
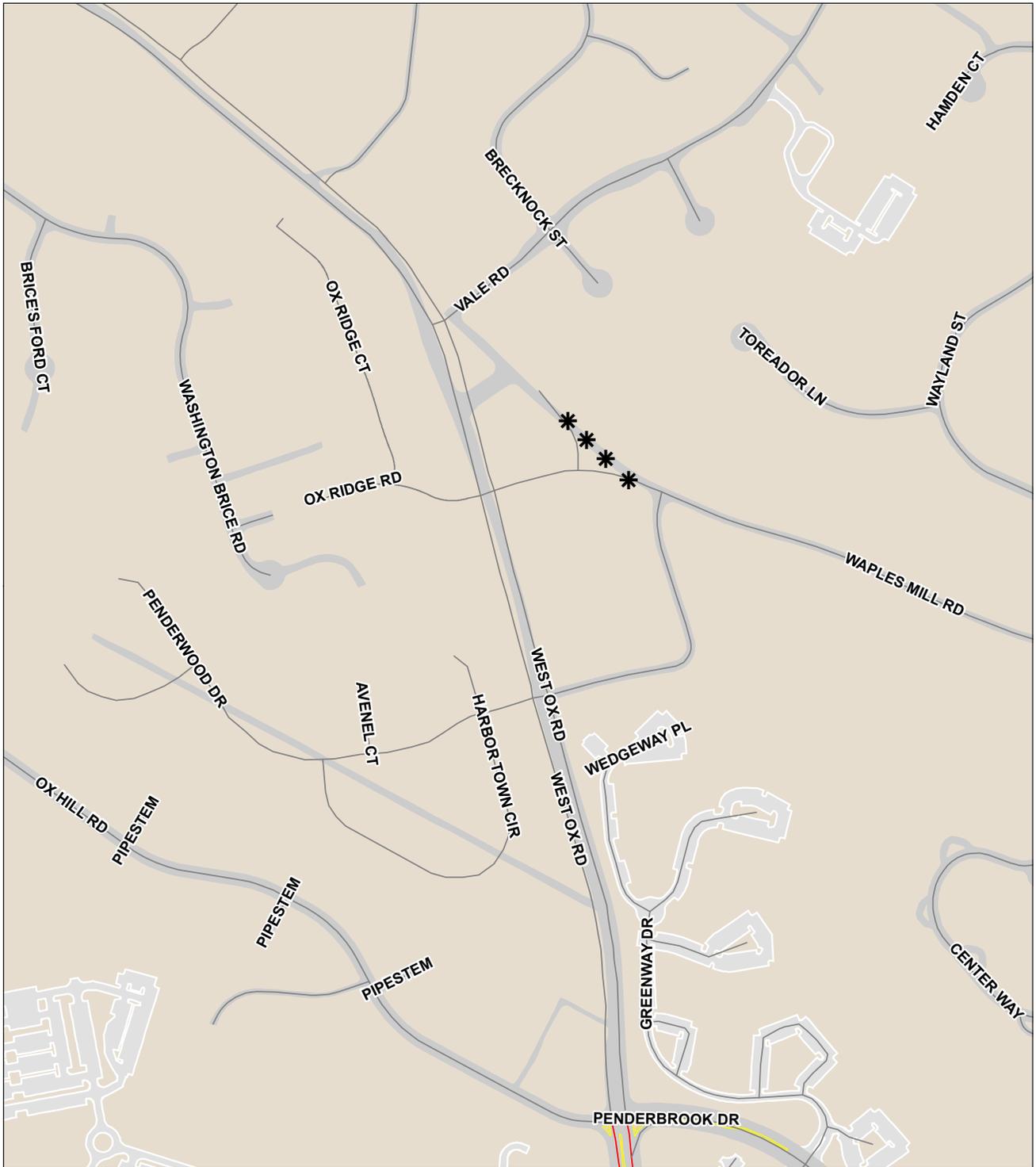


Link BB-O
(0.036 Mi)

Tax Map 46-3 & 46-1 & 45-2

Discontinue / #0608-029-301, C502

Sully District

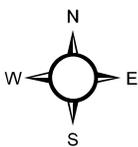
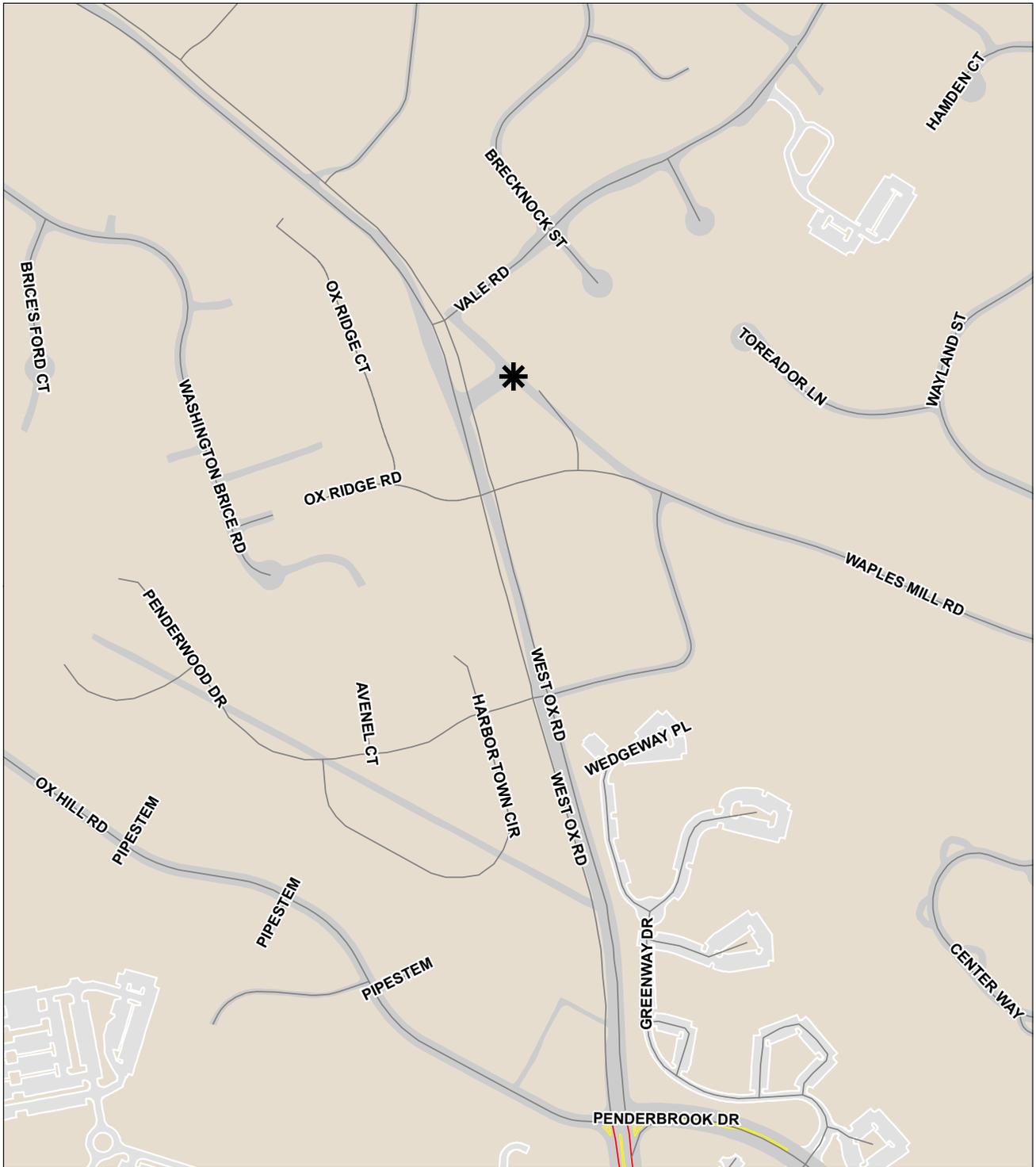


Link BB-AA
(0.054 Mi)

Tax Map 46-3 & 46-1 & 45-2

Discontinue / #0608-029-301, C502

Sully District

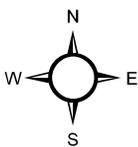
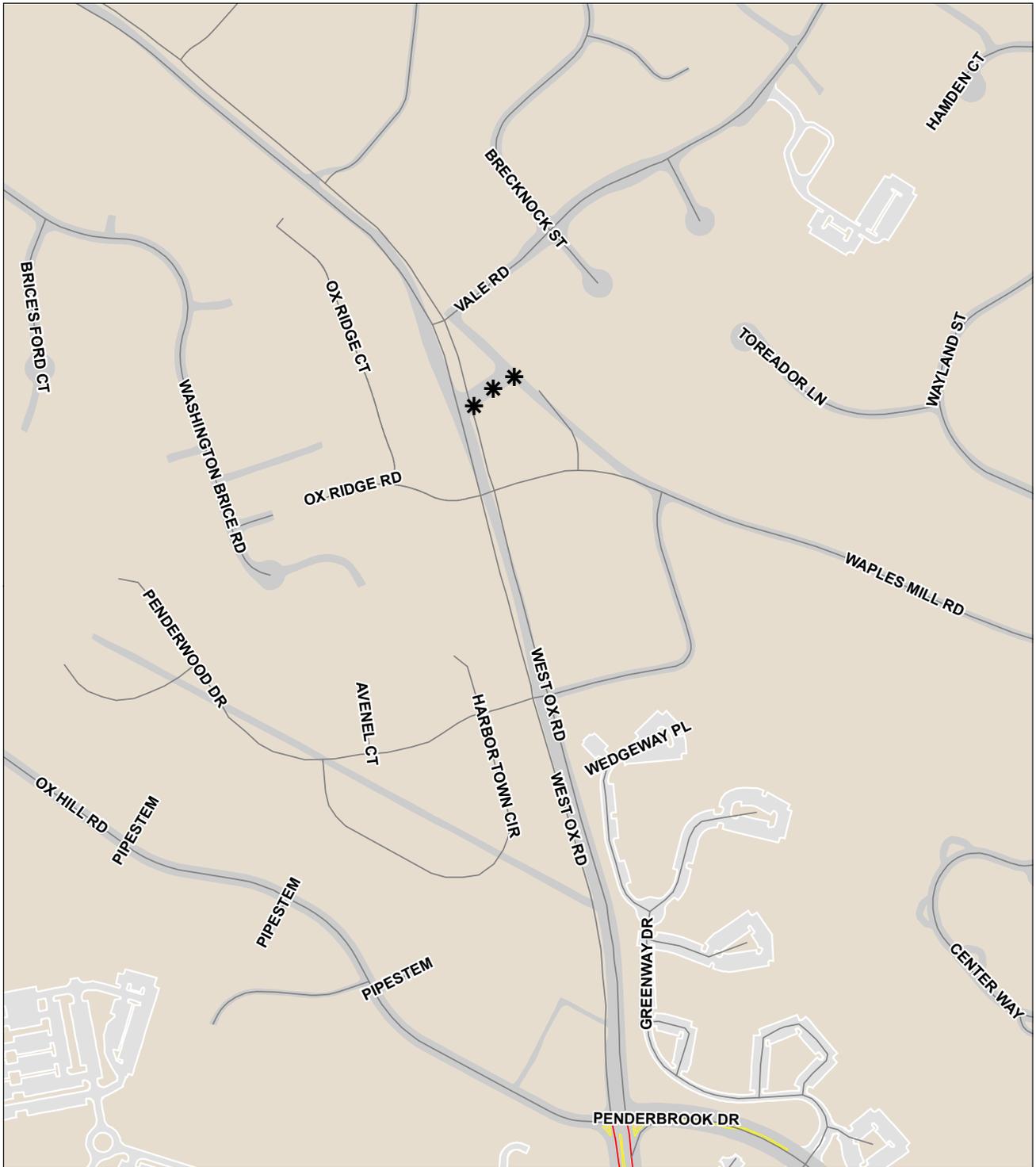


Link P-Q
(0.018 Mi)

Tax Map 46-3 & 46-1 & 45-2

Discontinue / #0608-029-301, C502

Sully District

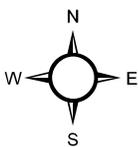
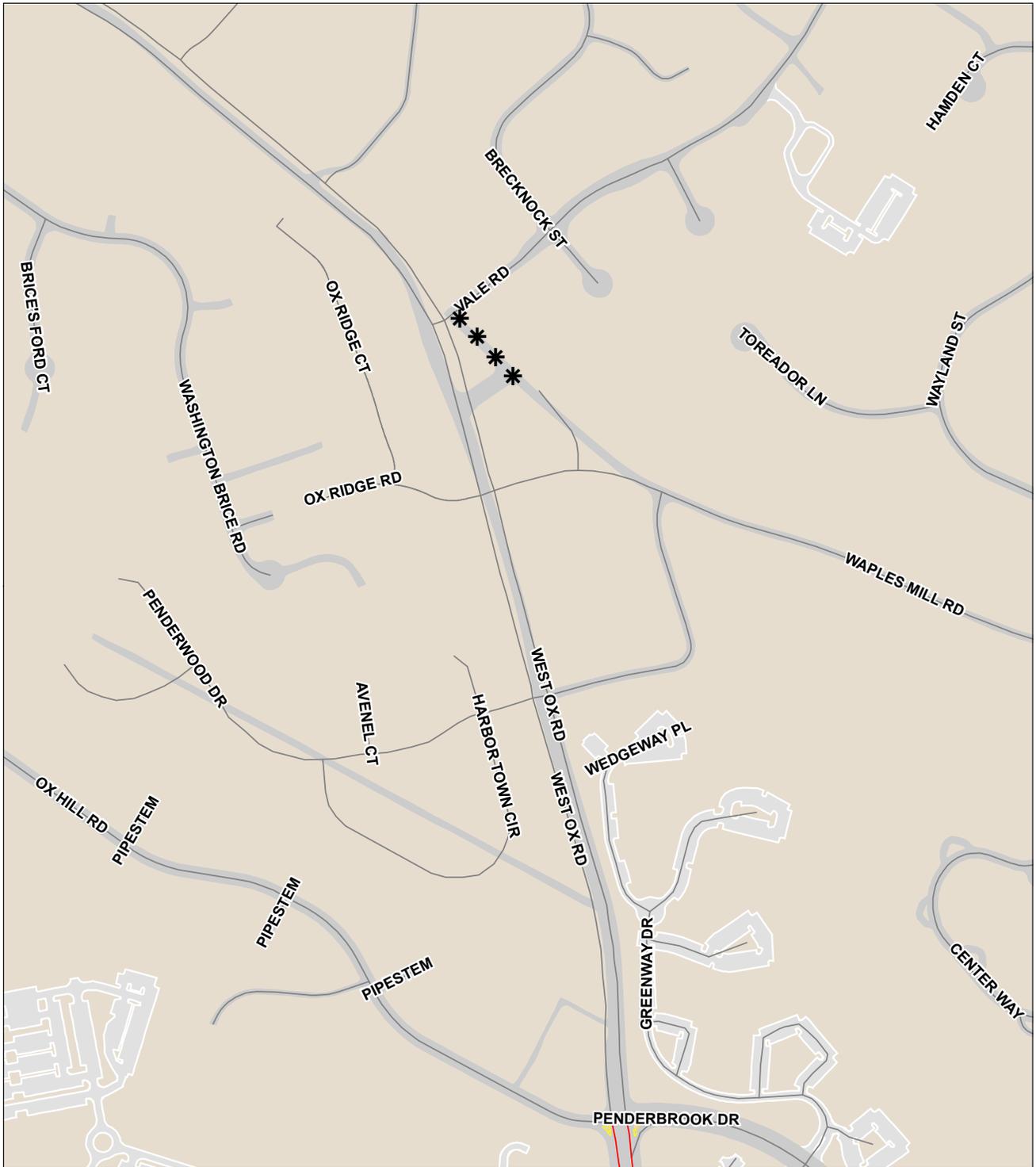


Link DD-Q
(0.034 Mi)

Tax Map 46-3 & 46-1 & 45-2

Discontinue / #0608-029-301, C502

Sully District

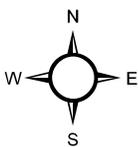
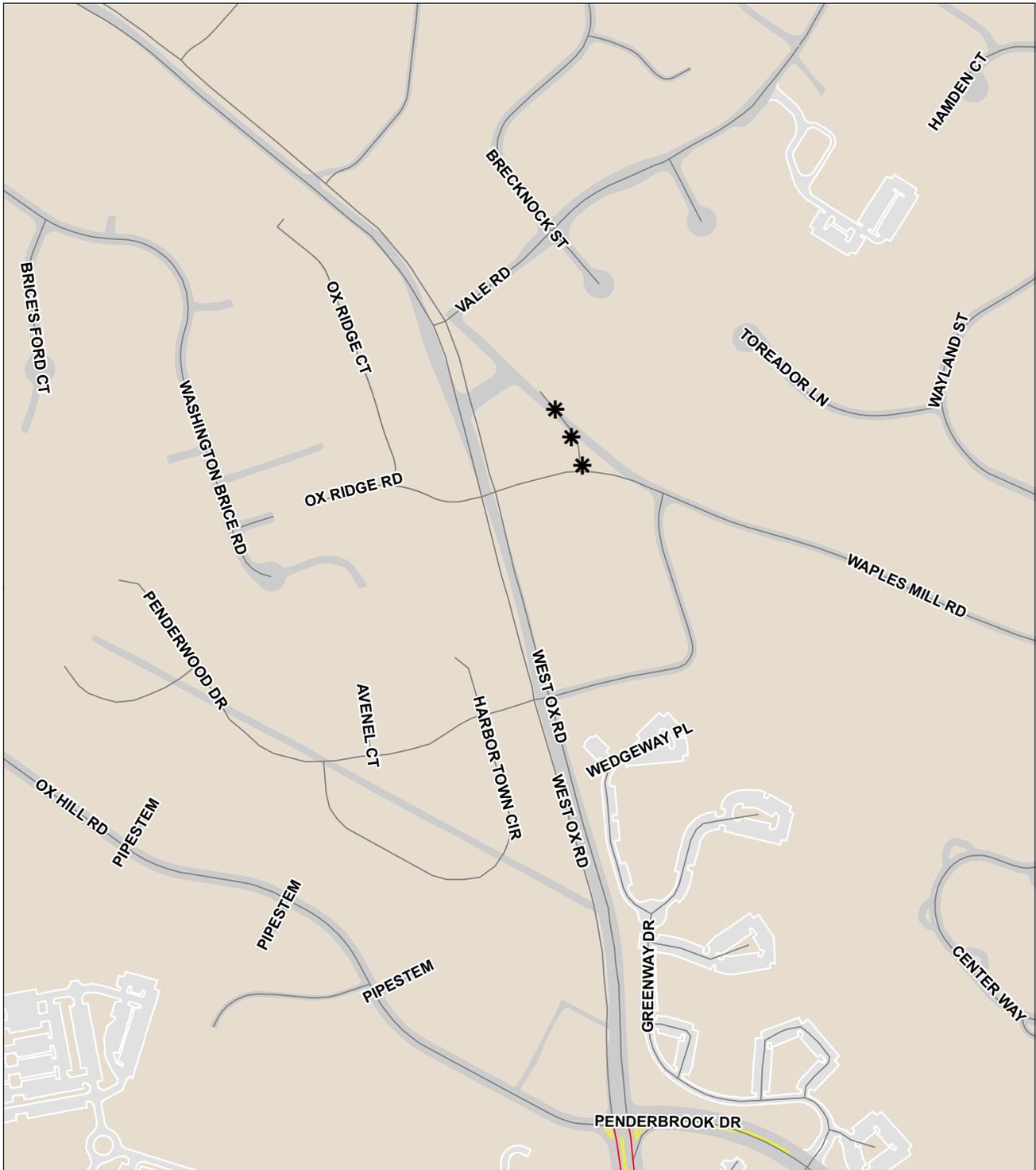


Link Q to QQ
(0.047 Mi)

Tax Map 46-3 & 46-1 & 45-2

New Centerline Mileage / #0608-029-301, C502

Sully District

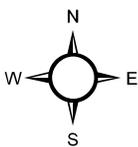
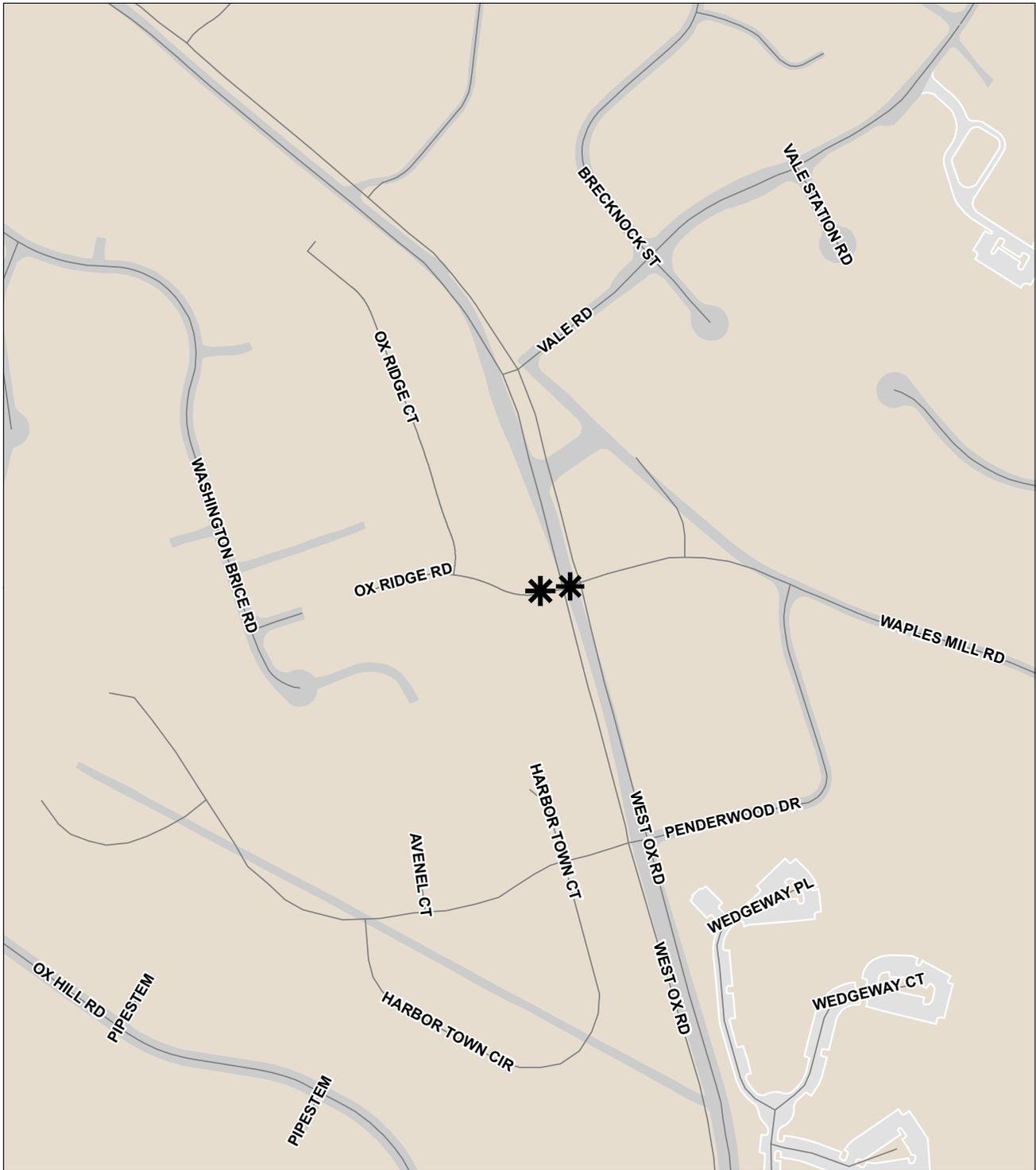


Link M-AA
(0.027 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

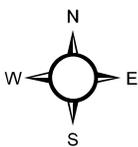
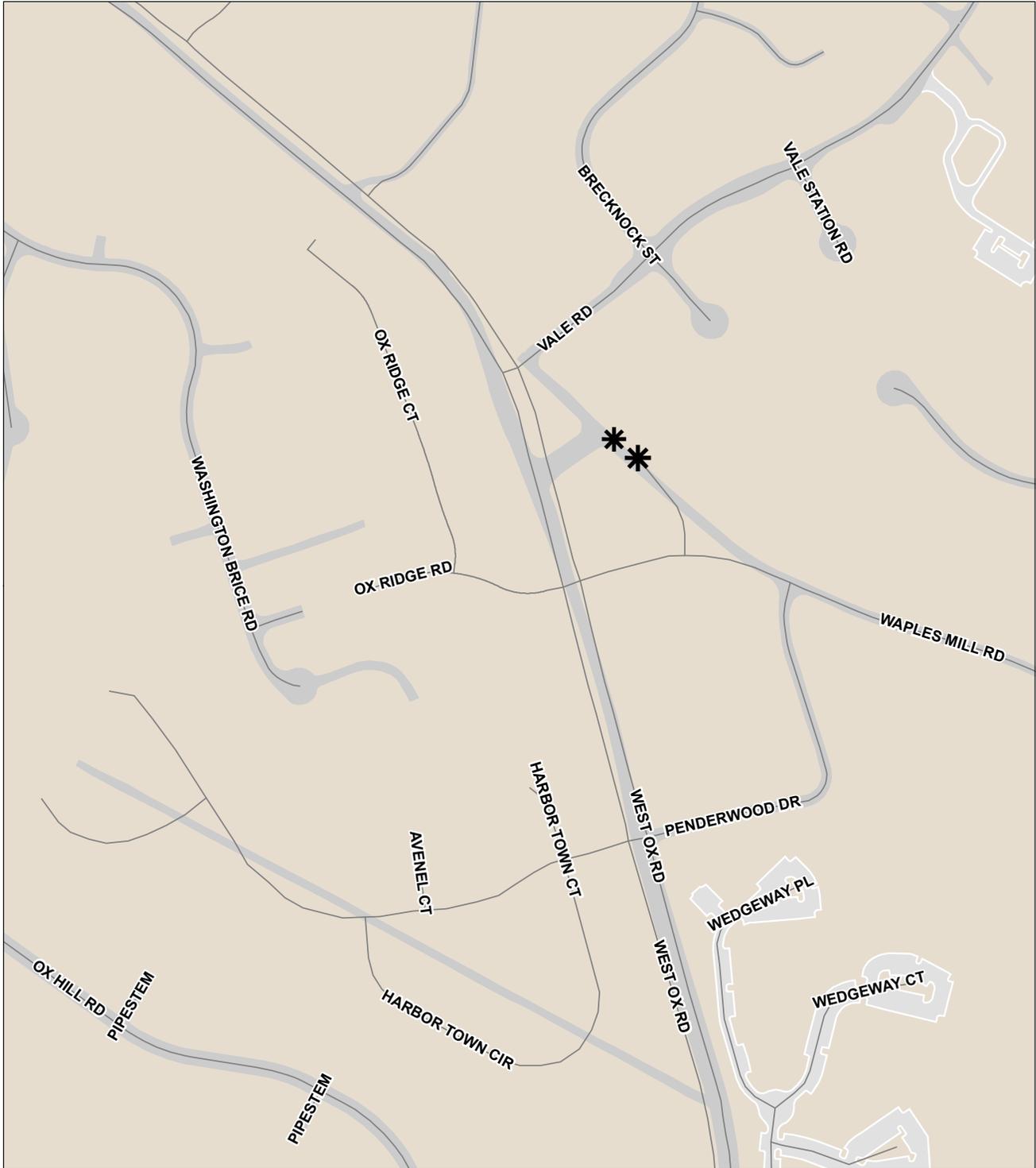


Link D-L
(0.020 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

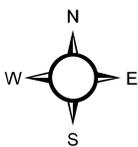
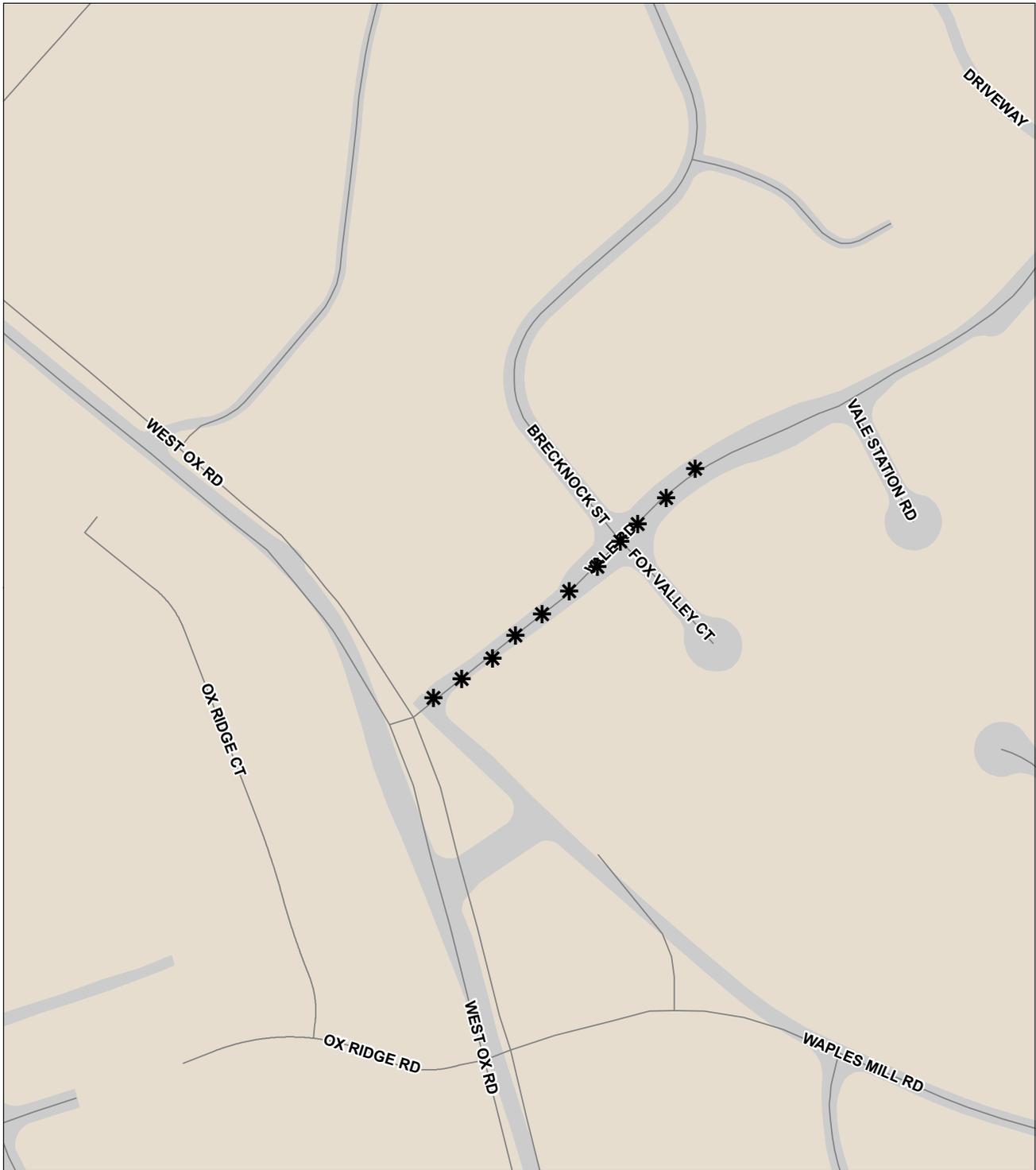


Link AA-P
(0.028 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

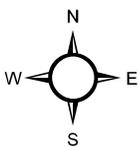
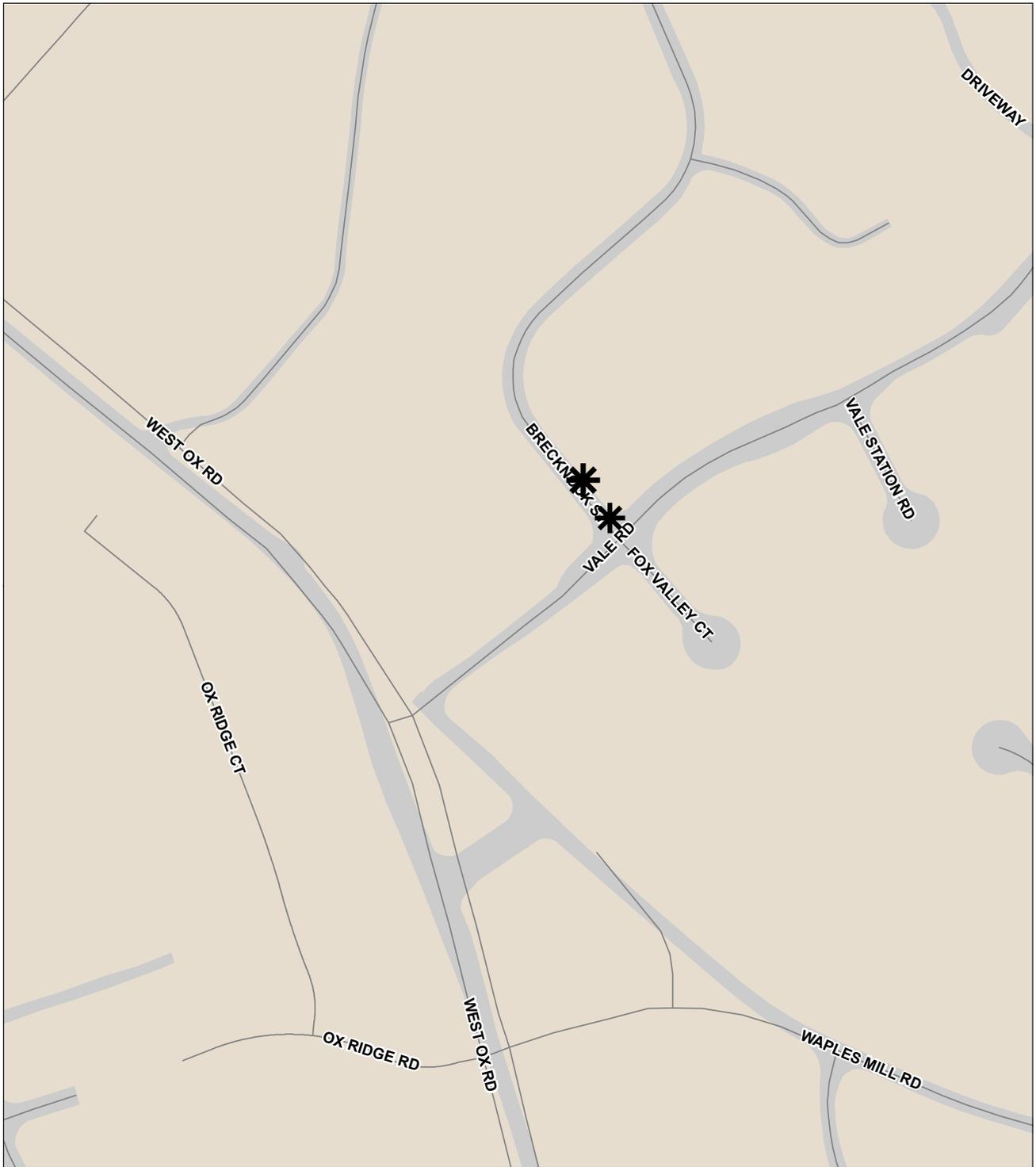


Link E to X
(0.115 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

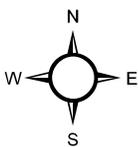
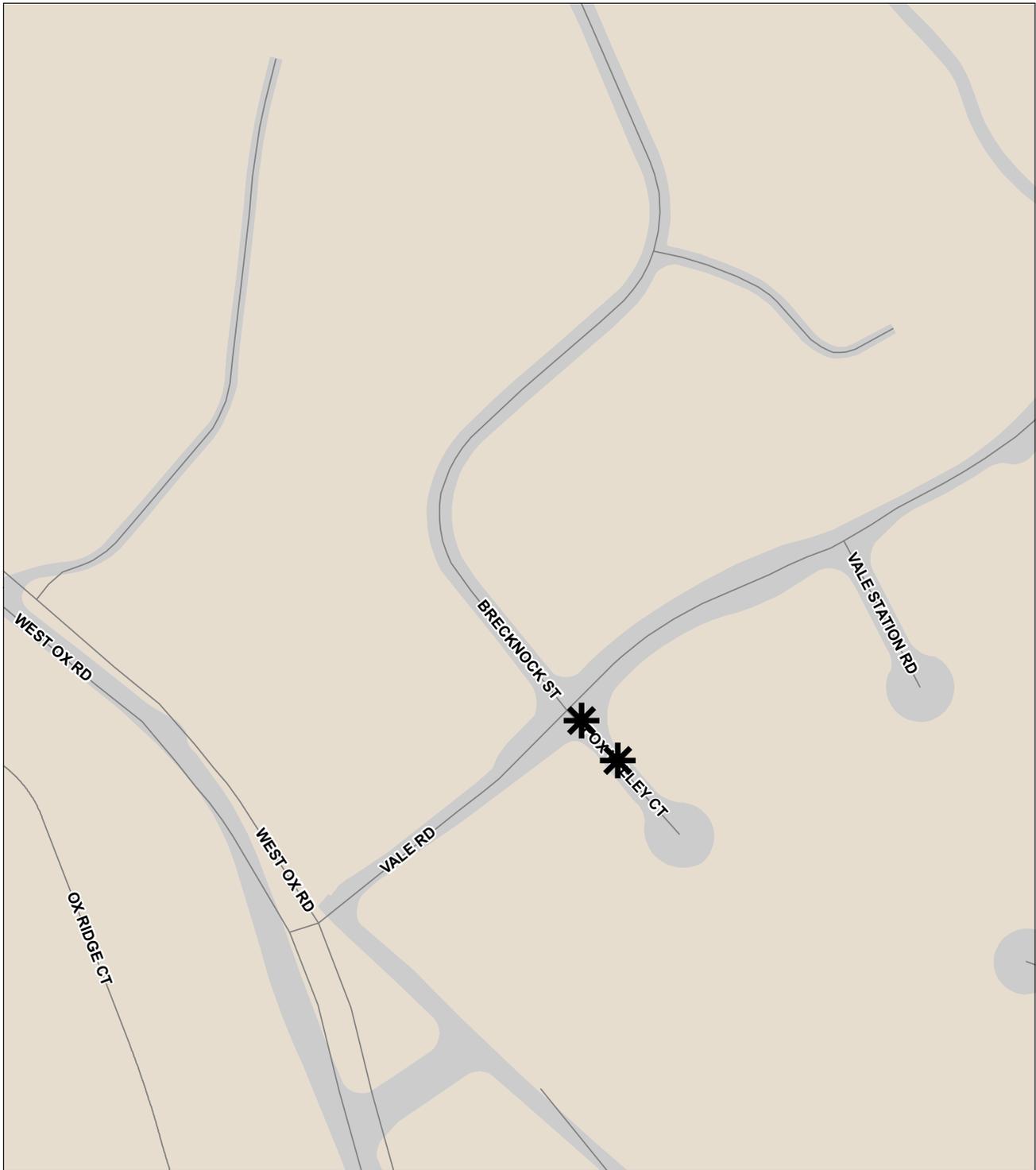


Link S to U
(0.019 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

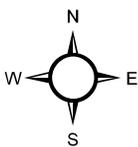
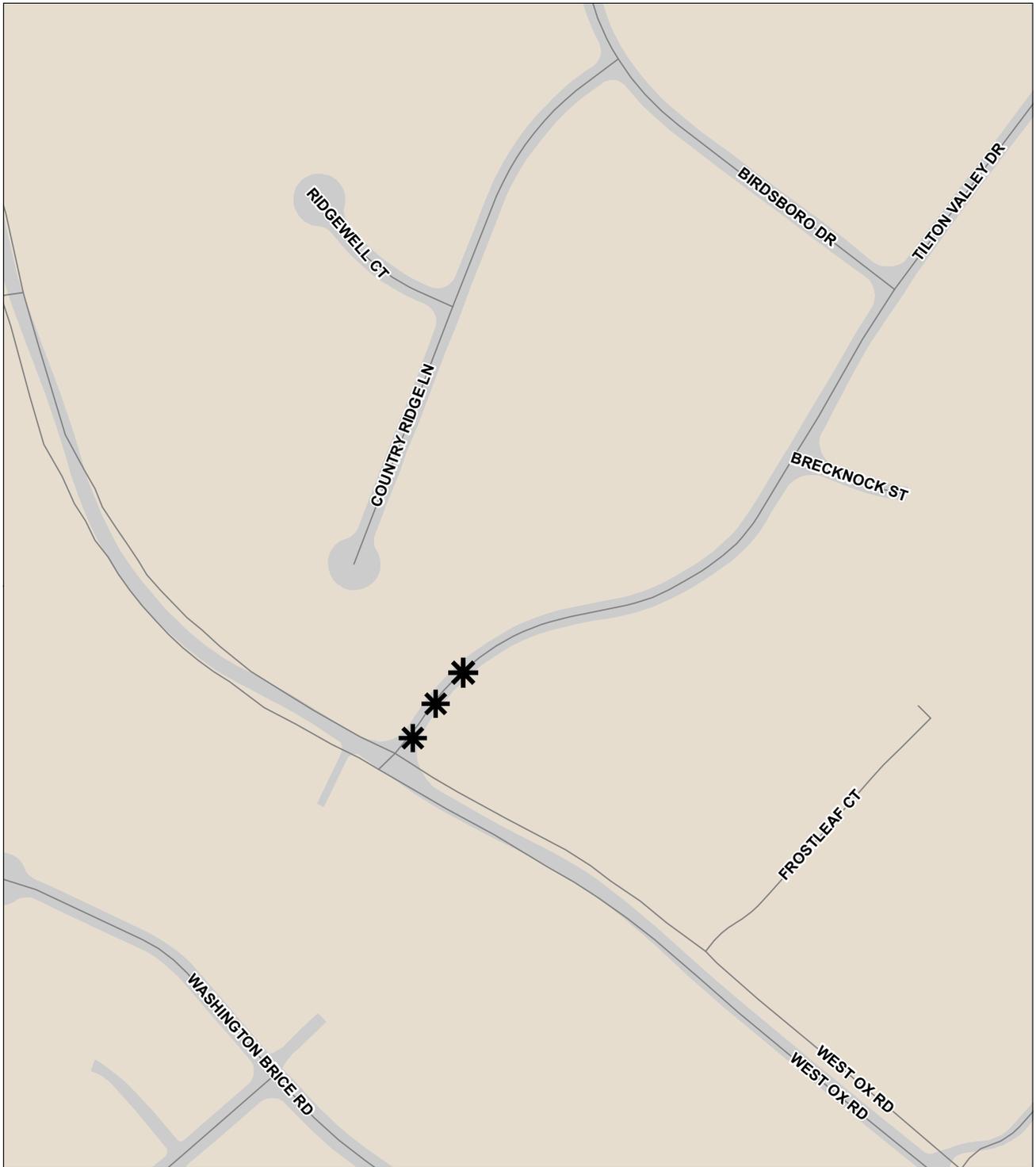


Link T to V
(0.025 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District

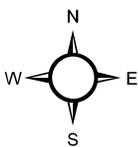
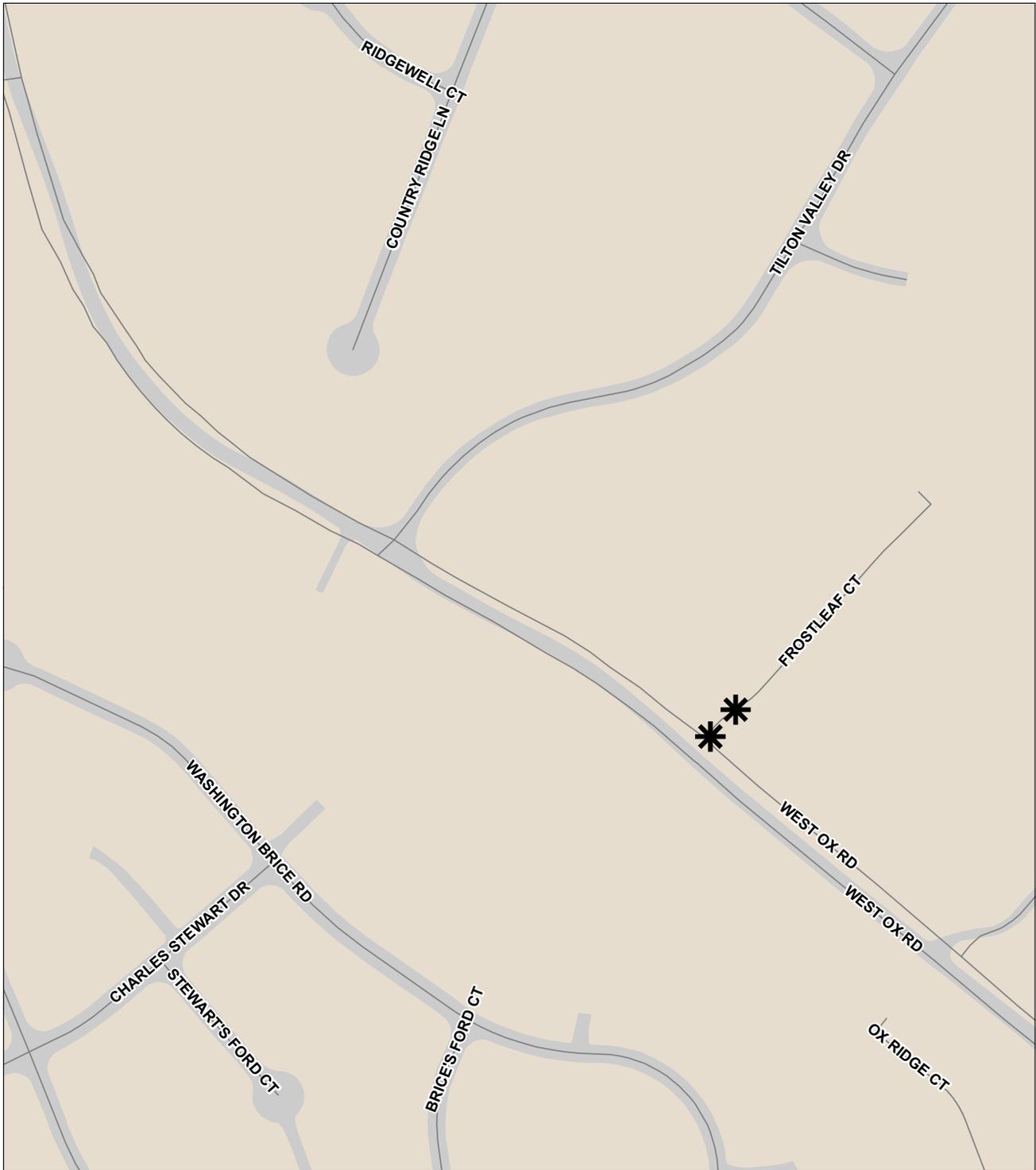


Link G to Y
(0.053 Mi)

Tax Map 46-3 & 46-1 & 45-2

Additional Right of Way & Improvements / #0608-029-301, C502

Sully District



Link F to FF
(0.017 Mi)

Tax Map 46-3 & 46-1 & 45-2

ADMINISTRATIVE - 11

Addition of Right of Way (South Kings Highway / Route 633) to the Secondary System of State Highways (Mount Vernon District)

ISSUE:

Board adoption of the attached resolution requesting the addition of a completed road segment 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 roadway be added to the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance of the completed road associated with VDOT's construction project number 0241-029-102, C501 (South Kings Highway / Route 633) to the Secondary System of State Highways. VDOT has prepared a sketch depicting the addition required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting 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

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0241-029-102, C501 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated December 29, 2010, depicting the additions required to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final acceptance into the Secondary System of State highways:

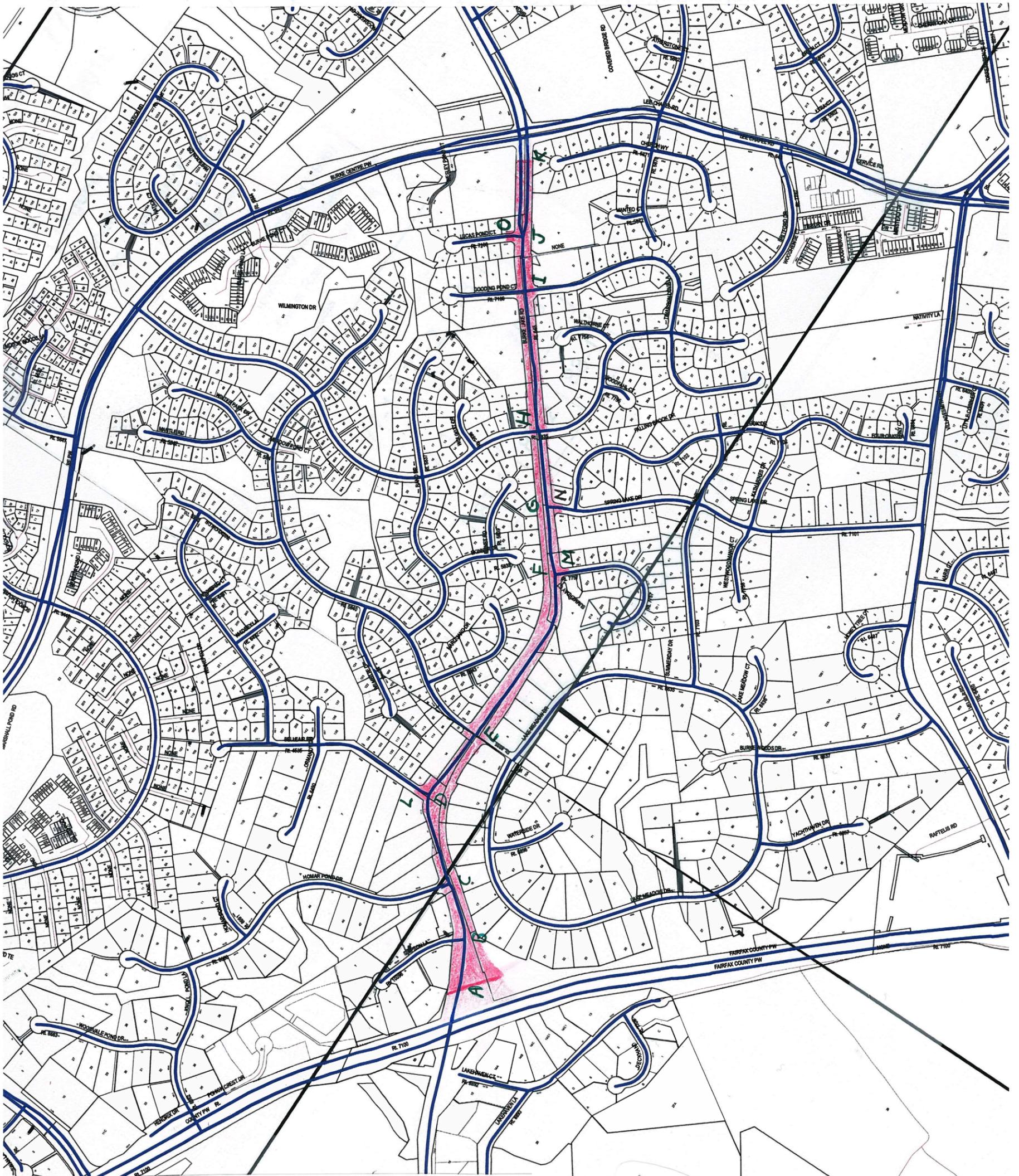
NOW THEREFORE BE IT RESOLVED, that this Board hereby requests, pursuant to Virginia Code Section 33.1-229, that the Commonwealth Transportation Commissioner, with the approval of the Commonwealth Transportation Board, add to the Secondary Systems of State highways the following roads:

South Kings Highway – Route 633 Additional Right of Way Only	Link A↔E (0.16 Mi)	<u>From:</u> Begin project @ STA 4+03.10 – Centerpoint of the Intersection of Richmond Highway (Rte 1) and South Kings Highway (Rte 633) <u>To:</u> 833 ft North to CL School Street (Rte 1647)
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A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

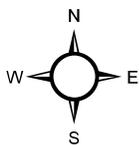
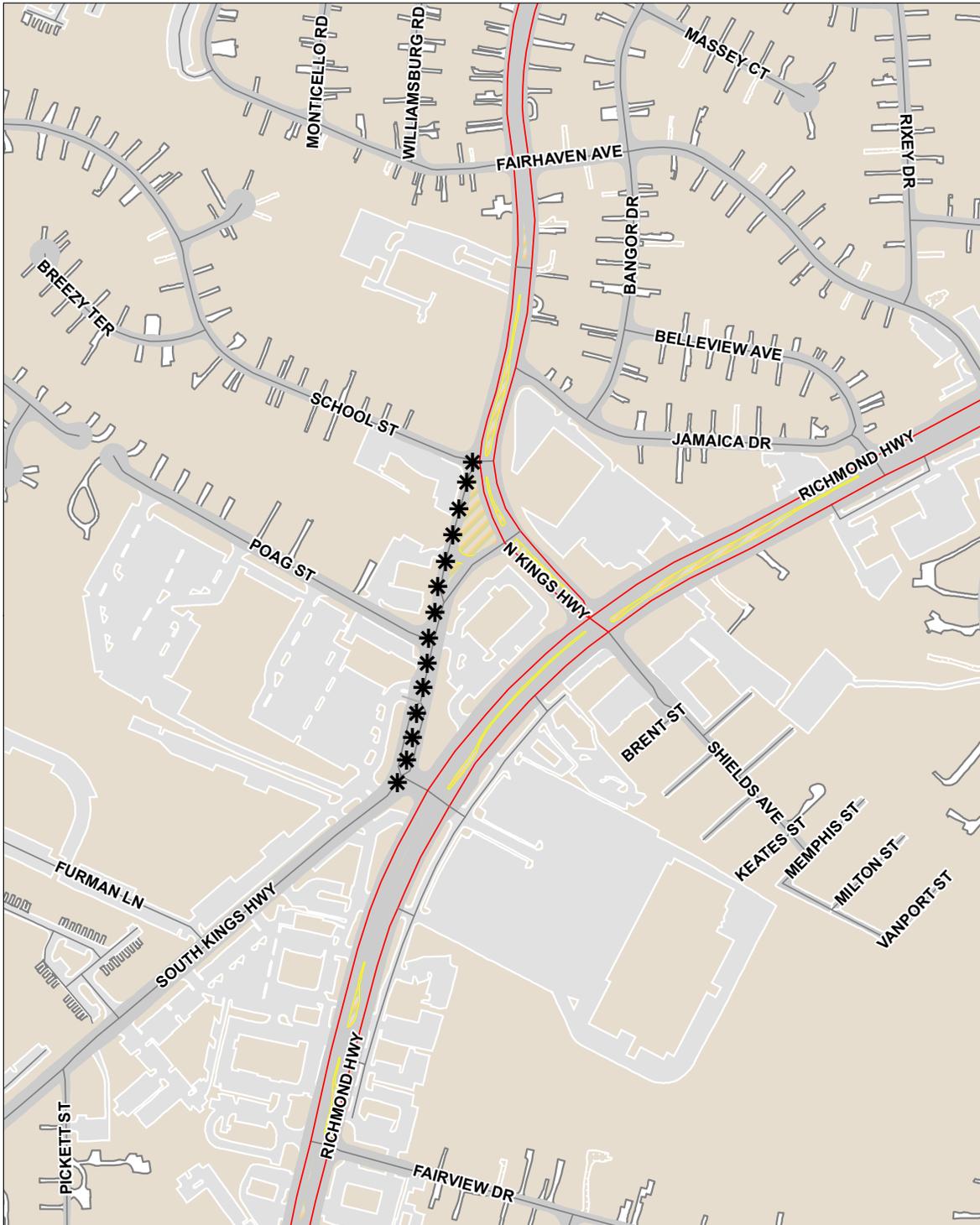
VDOT Project # 0645-029-253, C503 VDOT County Map Supp. I&J Mant.Hqts. 11 - Burke	D.B. N/A	District Braddock	Date 12/27/10	Tax Grid Reference
	Pages N/A	Inspector VDOT	By WHD	77-4 78-3 87-2
VDOT will maintain sidewalks only if marked as follows: Fairfax County will maintain sidewalks only if marked as follows: Fairfax County will maintain trails only if marked as follows:			XXXXXXXX OOOOOO □□□□	



BOS Resolution Date:			
Route	Action	Segm	ngth
645	Additional Right of Way Only		1.01 Mi
4535	Additional CL Mileage		0.02 Mi
7757	Additional CL Mileage	F ↔ M	0.01 Mi
7101	Additional CL Mileage	G ↔ N	0.01 Mi
7108	Additional CL Mileage	J ↔ O	0.01 Mi
Lege			
		Blue	
		Red	
		Green	

Additional ROW Project #0241-029-102, C501

Lee District



Tax Map 83-3

Link A-E
(0.16 Mi)

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ADMINISTRATIVE - 12

Changes to the Secondary System Resulting from Road Improvements and
Realignments (Hampton Road / Route 647) (Mount Vernon District)

ISSUE:

Board adoption of the attached resolution requesting changes to the Secondary System of State Highways (Secondary System) for Hampton Road / Route 647.

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached resolution requesting that the identified portions of Secondary System roadways be added and discontinued.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for changes to the Secondary System associated with VDOT's construction project number 0123-029-F28, C503 (Hampton Road / Route 647). VDOT has prepared a sketch depicting the changes required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting changes

Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michael A. Davis, FCDOT

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0123-029-F28, C503 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated January 25, 2011, depicting the required changes to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final 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 Systems of State highways the following roads:

Addition:

New Alignment of Rte 647 (Hampton Road)	Link J↔I (0.15 Mi)	<u>From:</u> CL new alignment of Rte 123 (Ox Road) – 1056 ft N of CL Rte 7691 (Hampton Station Court) <u>To:</u> 780 ft W to tie with existing Rte 647 (Hampton Road)
---	-----------------------	--

Discontinuance:

Former centerline mileage of Rte 647 (Hampton Road)	Link H↔I (0.07 Mi)	<u>From:</u> 499 ft W to corner of VDOT right of way boundary near the corners of lots 1061-03-0018Z & 1061-03-0014Z <u>To:</u> 391 ft W to tie with existing Rte 647 (Hampton Road)
Former right of way alignment and centerline mileage of Rte 647 (Hampton Road)	Link G↔H (0.10 Mi)	<u>From:</u> CL Old Alignment of Rte 123 (Ox Road) – 589 ft N of CL Rte 7691 (Hampton Station Court) <u>To:</u> 499 ft W to corner of VDOT right of way boundary

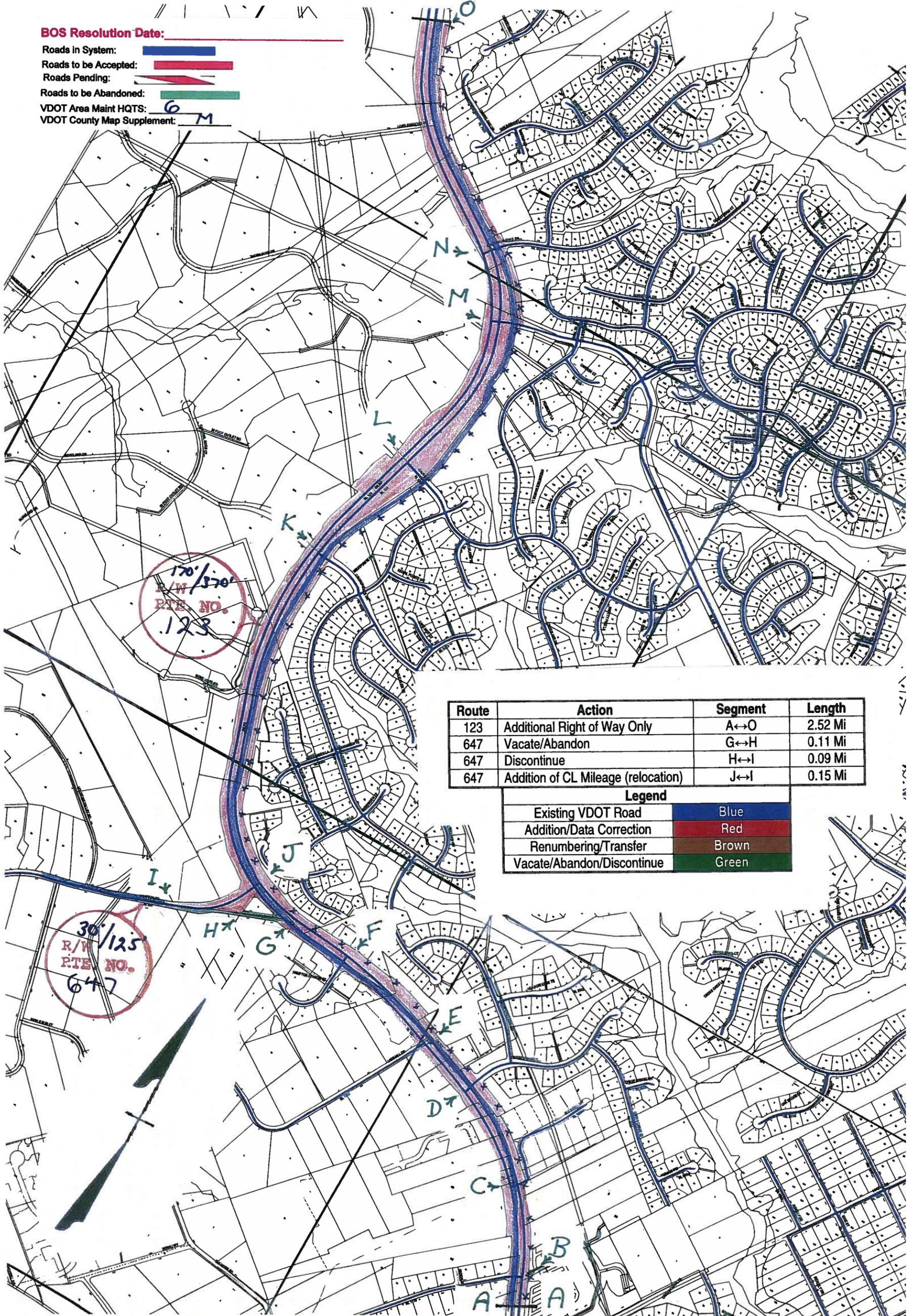
A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

VDOT Project # 0123-029-F28, C503		D.B. N/A Pages N/A	District Springfield Inspector VDOT	Date 01/25/2011 By WHD	Tax Grid Reference 97-1 & 3 106-1 & 2
VDOT County Map Supp. M Mant.Hqts. 6 - Newington		VDOT will maintain sidewalks and/or trails only if marked as follows: XXXXXXXX Fairfax County will maintain sidewalks only if marked as follows: 000000 Fairfax County will maintain trails only if marked as follows: □□□□			

BOS Resolution Date: _____

- Roads in System: █
- Roads to be Accepted: █
- Roads Pending: █
- Roads to be Abandoned: █
- VDOT Area Maint HQTS: 6
- VDOT County Map Supplement: M

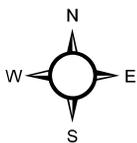
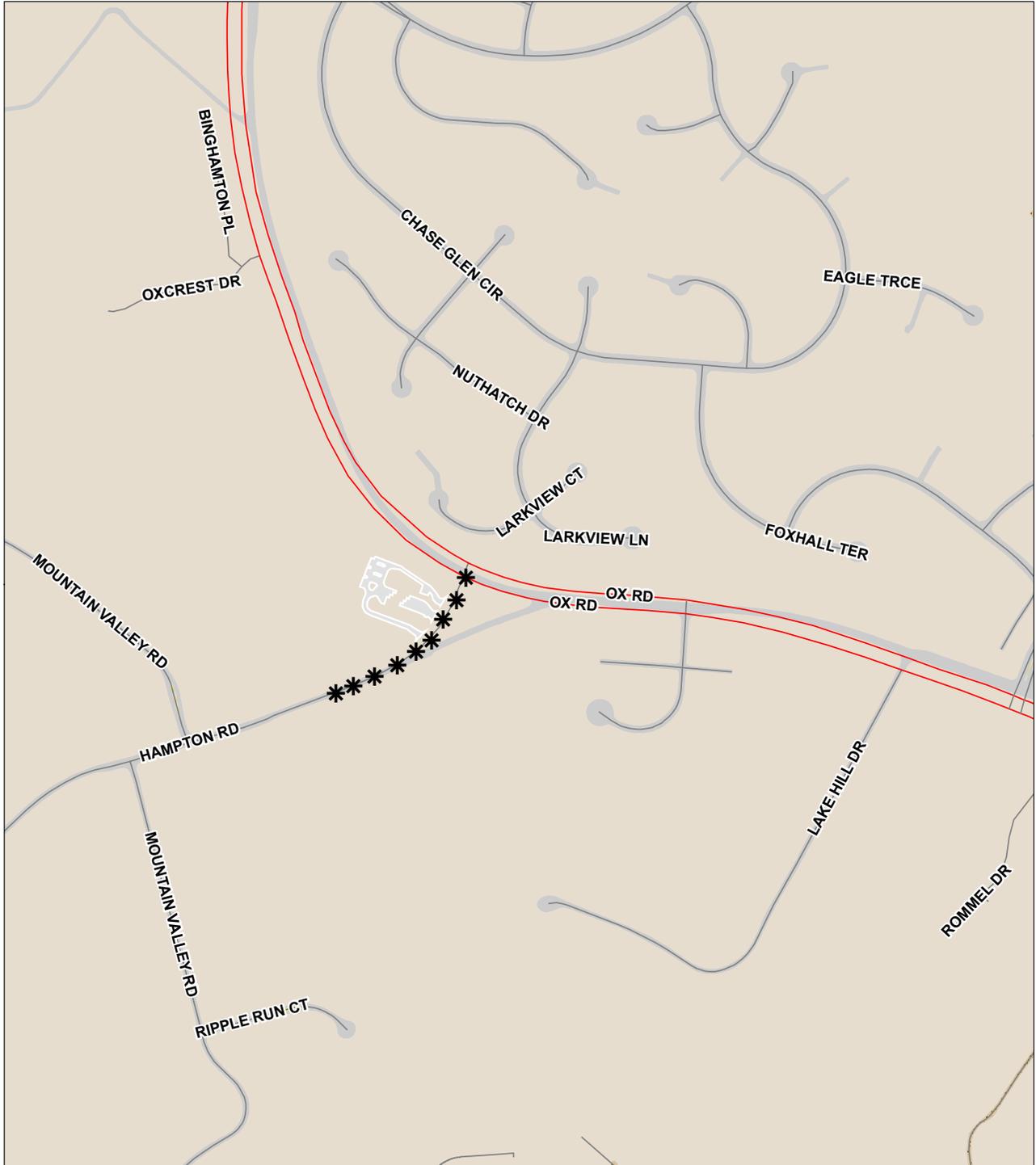


Route	Action	Segment	Length
123	Additional Right of Way Only	A↔O	2.52 Mi
647	Vacate/Abandon	G↔H	0.11 Mi
647	Discontinue	H↔I	0.09 Mi
647	Addition of CL Mileage (relocation)	J↔I	0.15 Mi

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

New Alignment Project #0123-029-F28, C503

Springfield District

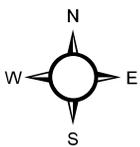
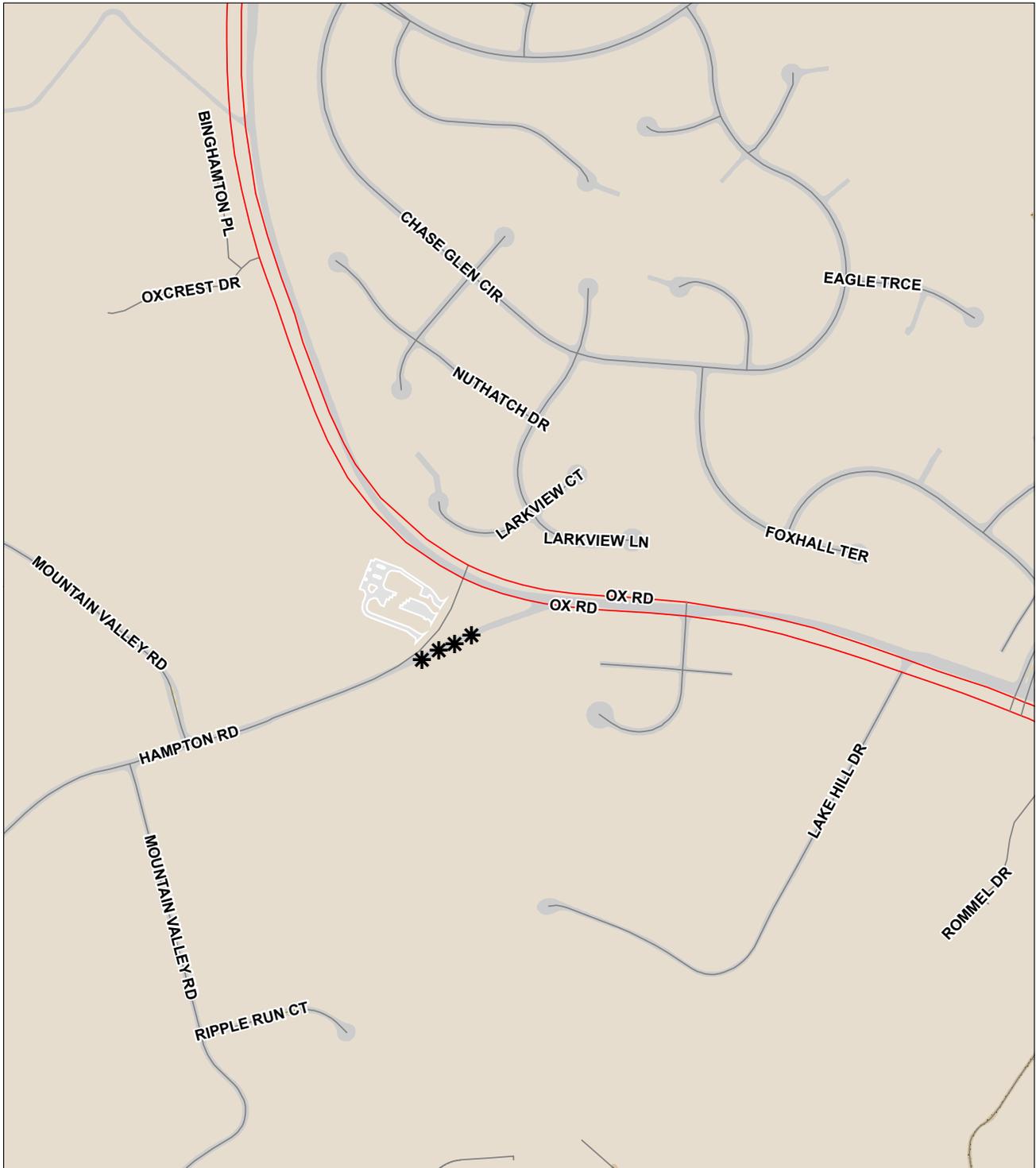


Tax Map 106-1 & 2

Link J-I
(0.15 Mi)

Discontinuance Project #0123-029-F28, C503

Springfield District

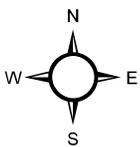
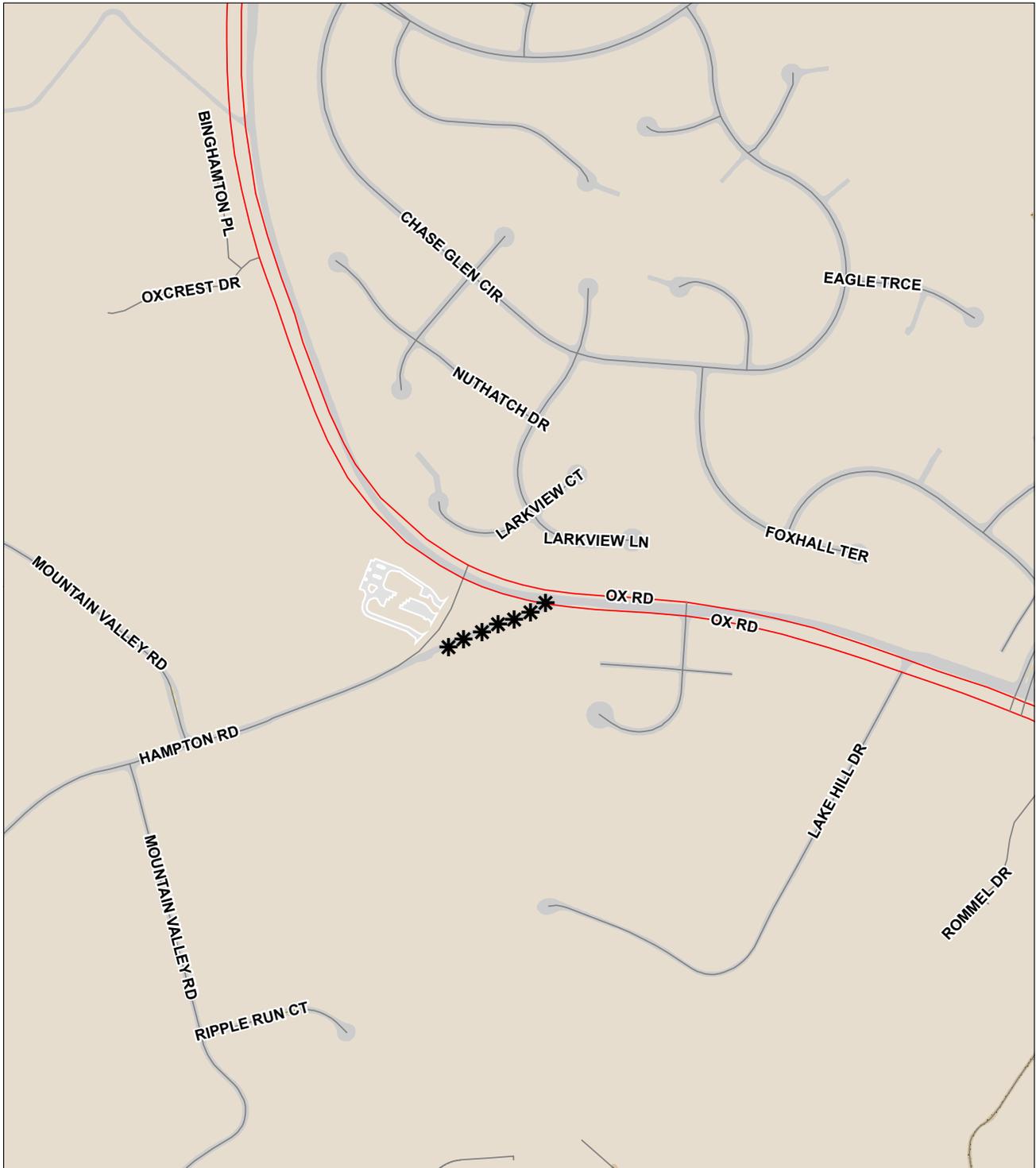


Tax Map 106-1 & 2

Link H-I
(0.07 Mi)

Discontinuance Project #0123-029-F28, C503

Springfield District



Tax Map 106-1 & 2

Link G-H
(0.10 Mi)

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ADMINISTRATIVE - 13

Road Improvements and Addition of Right of Way Associated with the Route 123
Widening Project to the Secondary System of State Highways (Mount Vernon District)

ISSUE:

Board adoption of the attached resolution requesting the additions of completed road segments 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 portions of subject roadway be added to the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance of the completed roads associated with VDOT's construction project number 0123-029-F28, C501 (Lorton Road / Route 642 and Ox Road / Route 123) to the Secondary System of State Highways. VDOT has prepared a sketch depicting the additions required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting additions

Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michael A. Davis, FCDOT

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0123-029-F28, C501 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated November 19, 2010, depicting the additions required to the secondary system of state highways as a result of these projects, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final 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 Systems of State highways the following roads:

Former Alignment of Route 123 (Ox Road) Transfer to Secondary Route 10549	Link M↔Q (0.64 Mi)	<u>From:</u> CL Rte 642 (Lorton Rd) <u>To:</u> CL Rte 611 (Furnace Rd)
Service Road – Route 8986	Link I↔W (0.04 Mi)	<u>From:</u> CL of Rte 123 (Ox Road) – 394 ft N of CL Rte 611 <u>To:</u> 189 ft SE (0.04 mi) to CL Rte 8986
Former Alignment of Route 123 (Ox Road) Transfer to Secondary Route 8986	Link W↔V (0.07 Mi)	<u>From:</u> CL Former Alignment of Route 123 (Ox Road) – 189 ft E of CL Rte 123 (new align) <u>To:</u> 360 ft (0.07) SE to end of cul-de-sac
Hooes Road – Route 636	Link F↔P (0.08 Mi)	<u>From:</u> CL Rte 123 (Ox Road) <u>To:</u> 437 ft NE to CL Rte 10549 (old 123 alignment)
Hooes Road – Route 636 Additional Right of Way Only	Link P↔S (0.40 Mi)	<u>From:</u> CL Rte 10549 (old 123 alignment) <u>To:</u> 2132 ft NE to end of project & existing Rte 636
Furnace Road – Route 611	Link H↔Q (0.09 Mi)	<u>From:</u> CL Rte 123 (Ox Road) <u>To:</u> 492 ft SE to CL Rte 10549 (old 123 alignment)
Furnace Road – Route 611 Additional Right of Way Only	Link Q↔T (0.29 Mi)	<u>From:</u> CL Rte 10549 (old 123 alignment) <u>To:</u> 1543 ft SE to end of project & existing Rte 611
Lorton Road – Route 642	Link D↔M (0.06 Mi)	<u>From:</u> CL Rte 123 (Ox Road) <u>To:</u> 311 ft E to CL Rte 10549 (old 123 alignment)
Lorton Road – Route 642 Additional Right of Way Only	Link M↔N (0.03 Mi)	<u>From:</u> CL Rte 10549 (old 123 alignment) <u>To:</u> 181 ft NE to end of project & existing Rte 642

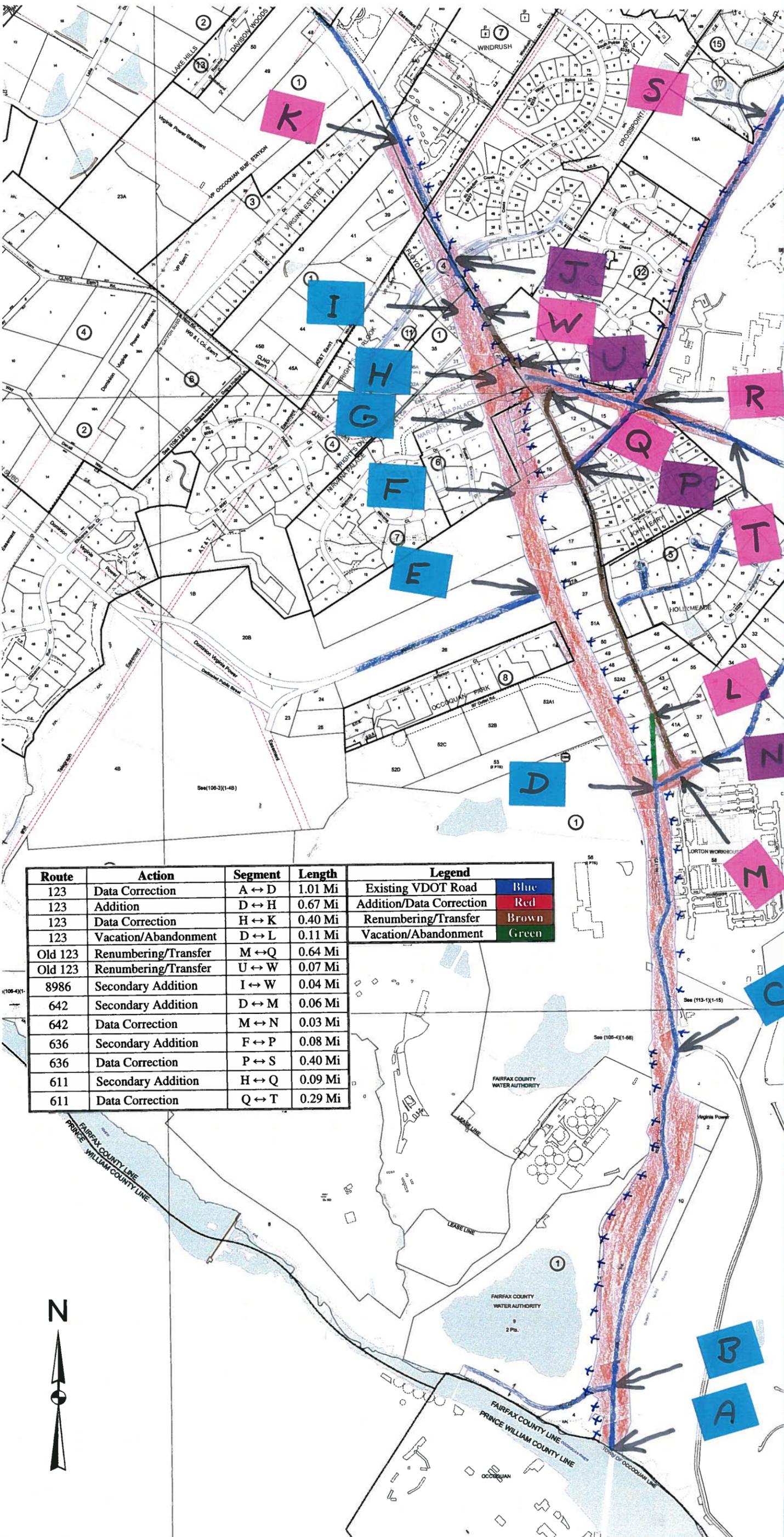
A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

SUBDIVISION - SECTION

0123-029-F28, C501

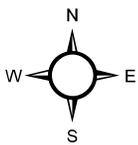
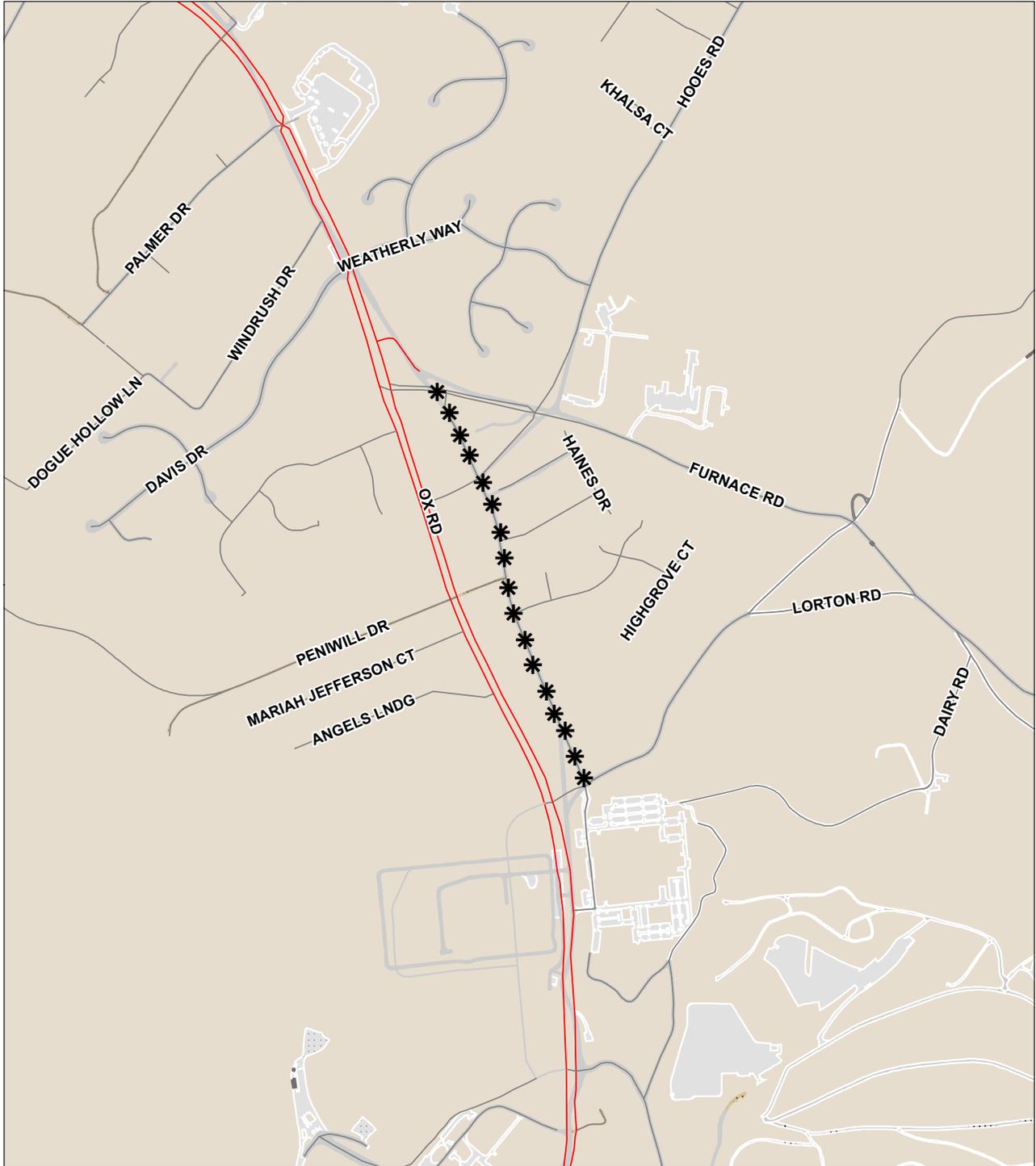
D.B.	N/A	DISTRICT	NOVA	DATE:	11/19/10	MAP SCALE	TAX GRID
PAGES	N/A	0123-029-F28, C501	BY:	WHD	N/A	REFERENCE	106-2 106-4 112-2
VDOT WILL MAINTAIN SIDEWALKS ONLY IF MARKED AS FOLLOWS: <input checked="" type="checkbox"/> X <input type="checkbox"/> O SIDEWALK MAINTAINED BY FAIRFAX COUNTY IF MARKED AS FOLLOWS: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> TRAILS MAINTAINED BY FAIRFAX COUNTY IF MARKED AS FOLLOWS: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>							



Route	Action	Segment	Length	Legend
123	Data Correction	A ↔ D	1.01 Mi	Existing VDOT Road █ Blue
123	Addition	D ↔ H	0.67 Mi	Addition/Data Correction █ Red
123	Data Correction	H ↔ K	0.40 Mi	Renumbering/Transfer █ Brown
123	Vacation/Abandonment	D ↔ L	0.11 Mi	Vacation/Abandonment █ Green
Old 123	Renumbering/Transfer	M ↔ Q	0.64 Mi	
Old 123	Renumbering/Transfer	U ↔ W	0.07 Mi	
8986	Secondary Addition	I ↔ W	0.04 Mi	
642	Secondary Addition	D ↔ M	0.06 Mi	
642	Data Correction	M ↔ N	0.03 Mi	
636	Secondary Addition	F ↔ P	0.08 Mi	
636	Data Correction	P ↔ S	0.40 Mi	
611	Secondary Addition	H ↔ Q	0.09 Mi	
611	Data Correction	Q ↔ T	0.29 Mi	

Street Acceptance Project #0123-029-F28, C501

Mount Vernon District

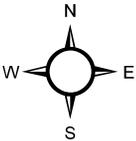
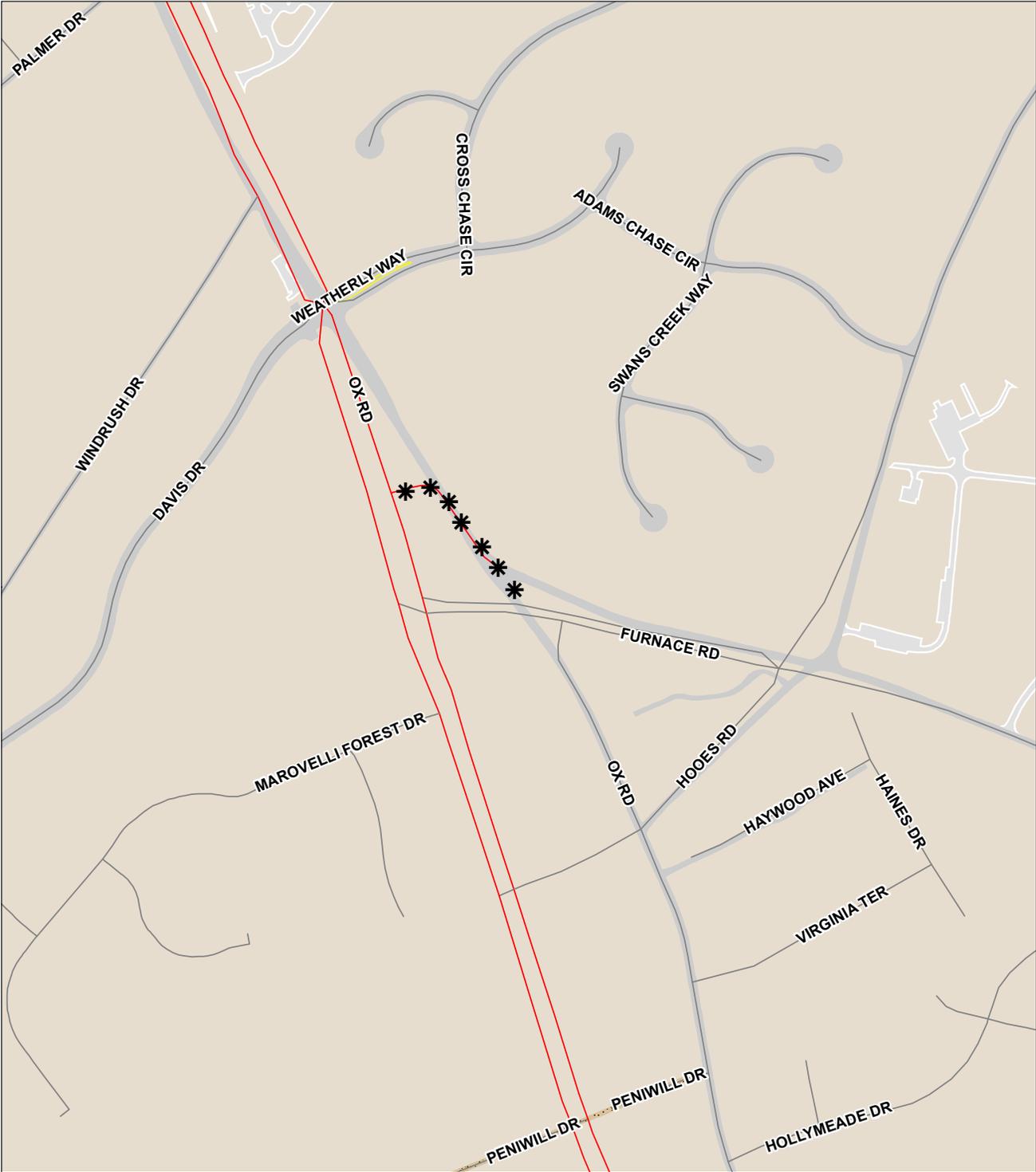


Tax Map 106-2 & 4

Link M - Q
(0.64 Mi)

Street Acceptance Project #0123-029-F28, C501

Mount Vernon District

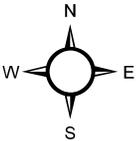


Tax Map 106-2 & 4

Links I-W and W-V
(total 0.11 Mi)

Street Acceptance Project #0123-029-F28, C501

Mount Vernon District

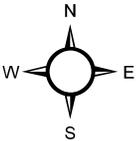
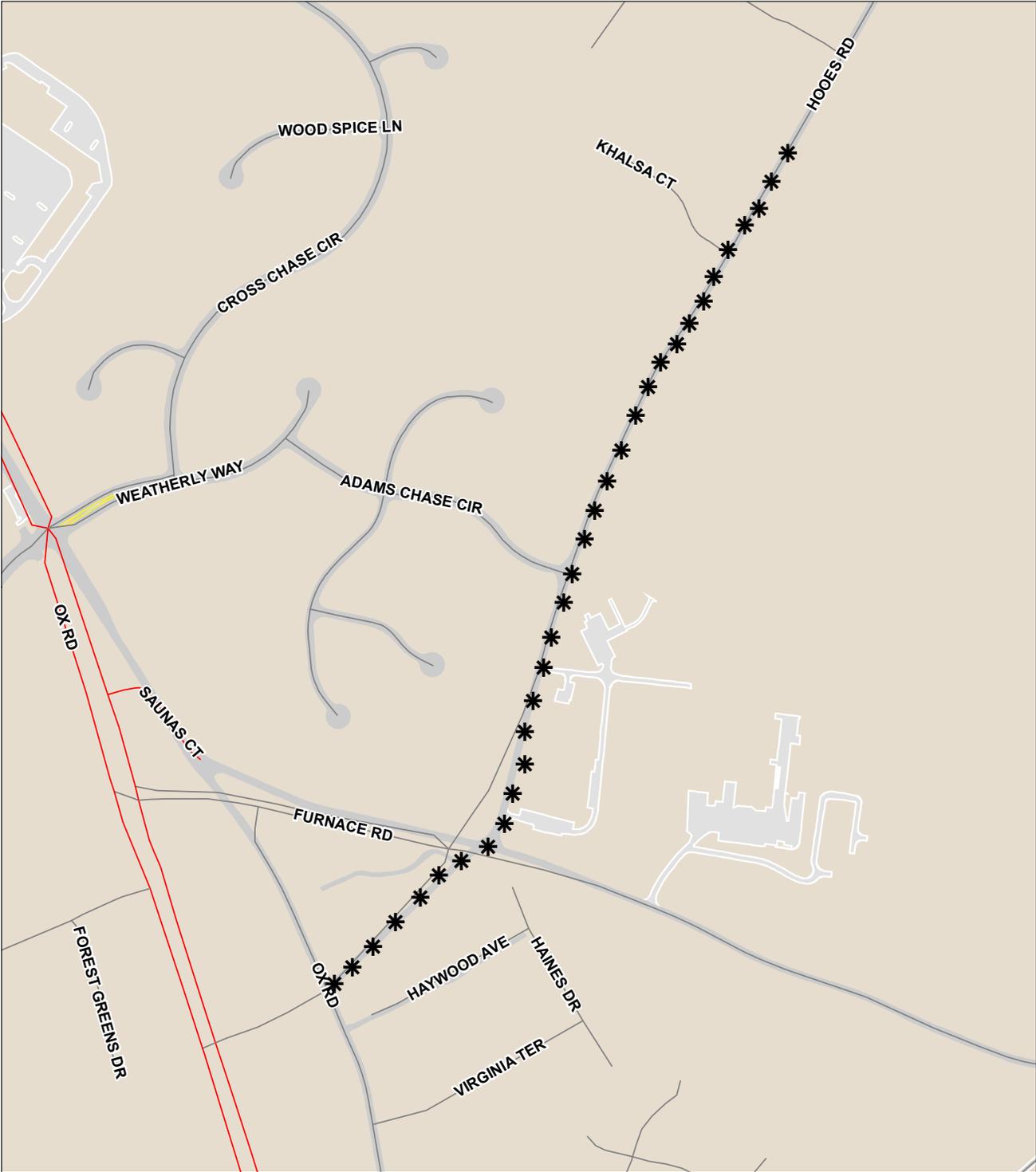


Tax Map 106-2 & 4

Link F-P
(0.08 Mi)

Street Acceptance Project #0123-029-F28, C501

Mount Vernon District

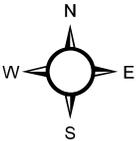
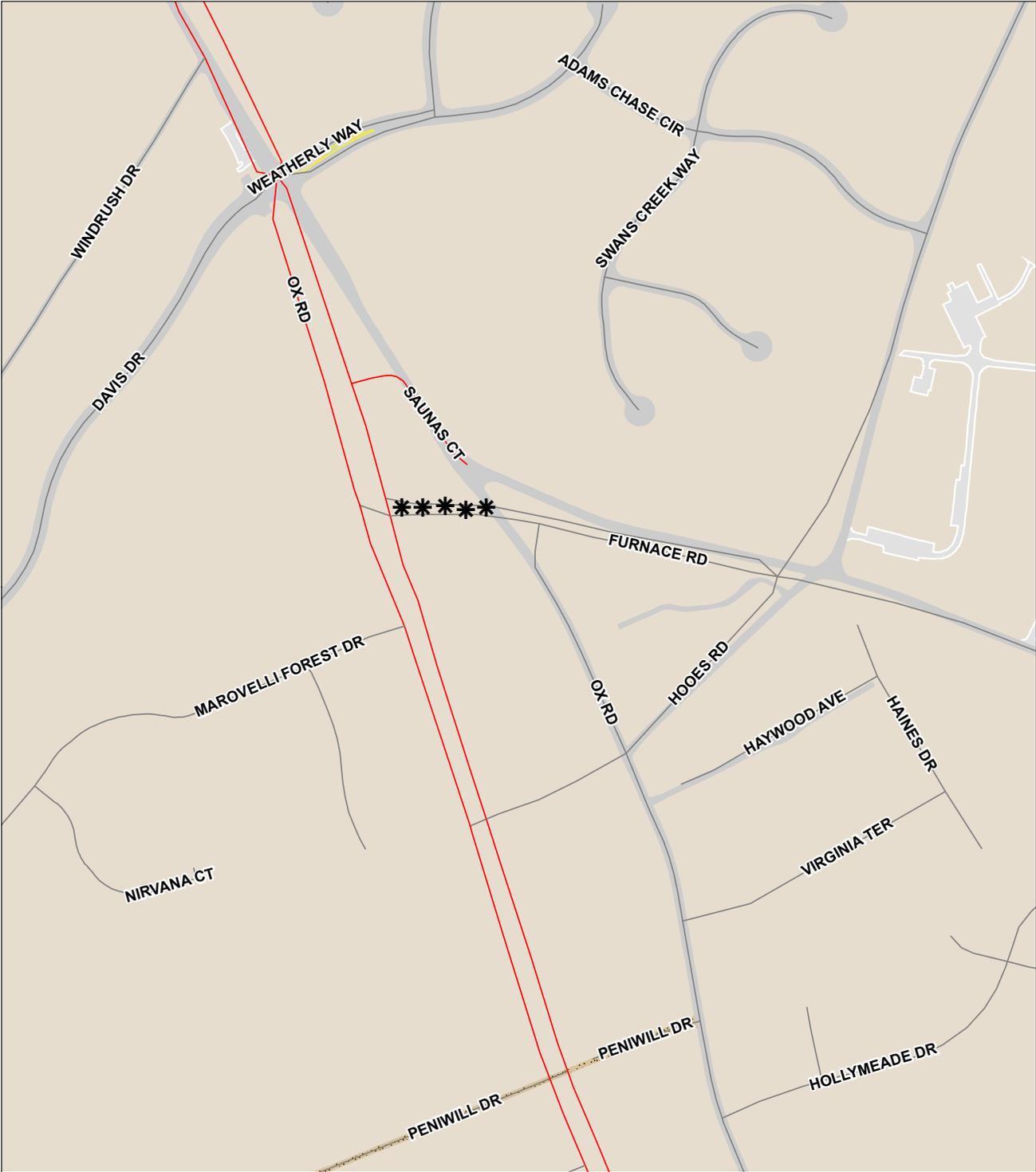


Tax Map 106-2 & 4

**Link P-S Additional ROW
(total 0.40 Mi)**

Street Acceptance Project #0123-029-F28, C501

Mount Vernon District

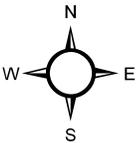
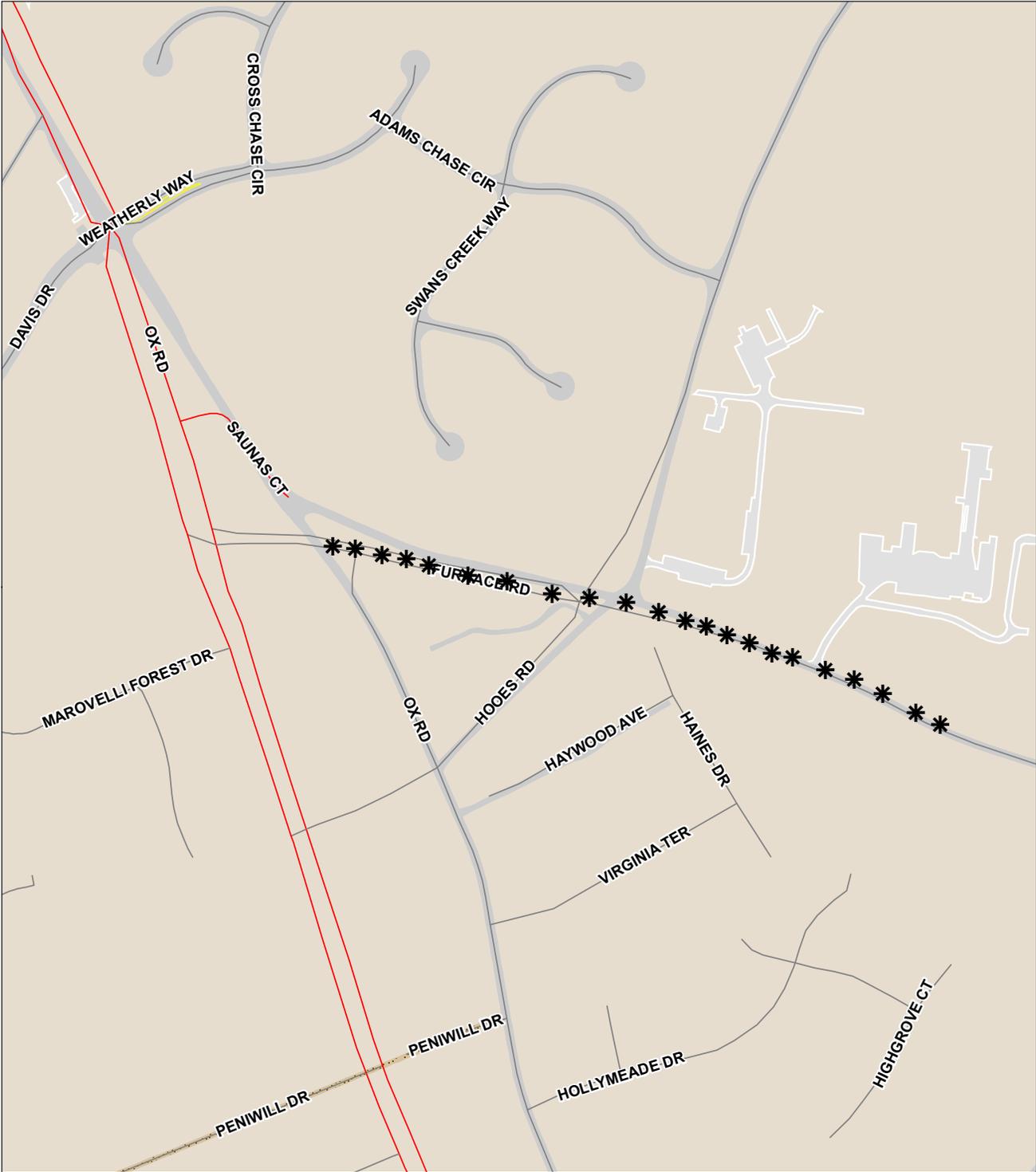


Tax Map 106-2 & 4

Link H-Q
(0.09 Mi)

Street Acceptance Project #0123-029-F28, C501

Mount Vernon District

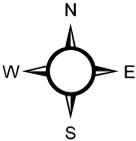


Tax Map 106-2 & 4

Link Q-T Additional ROW
(0.29 Mi)

Street Acceptance Project #0123-029-F28, C501

Mount Vernon District

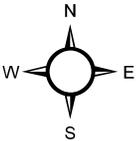
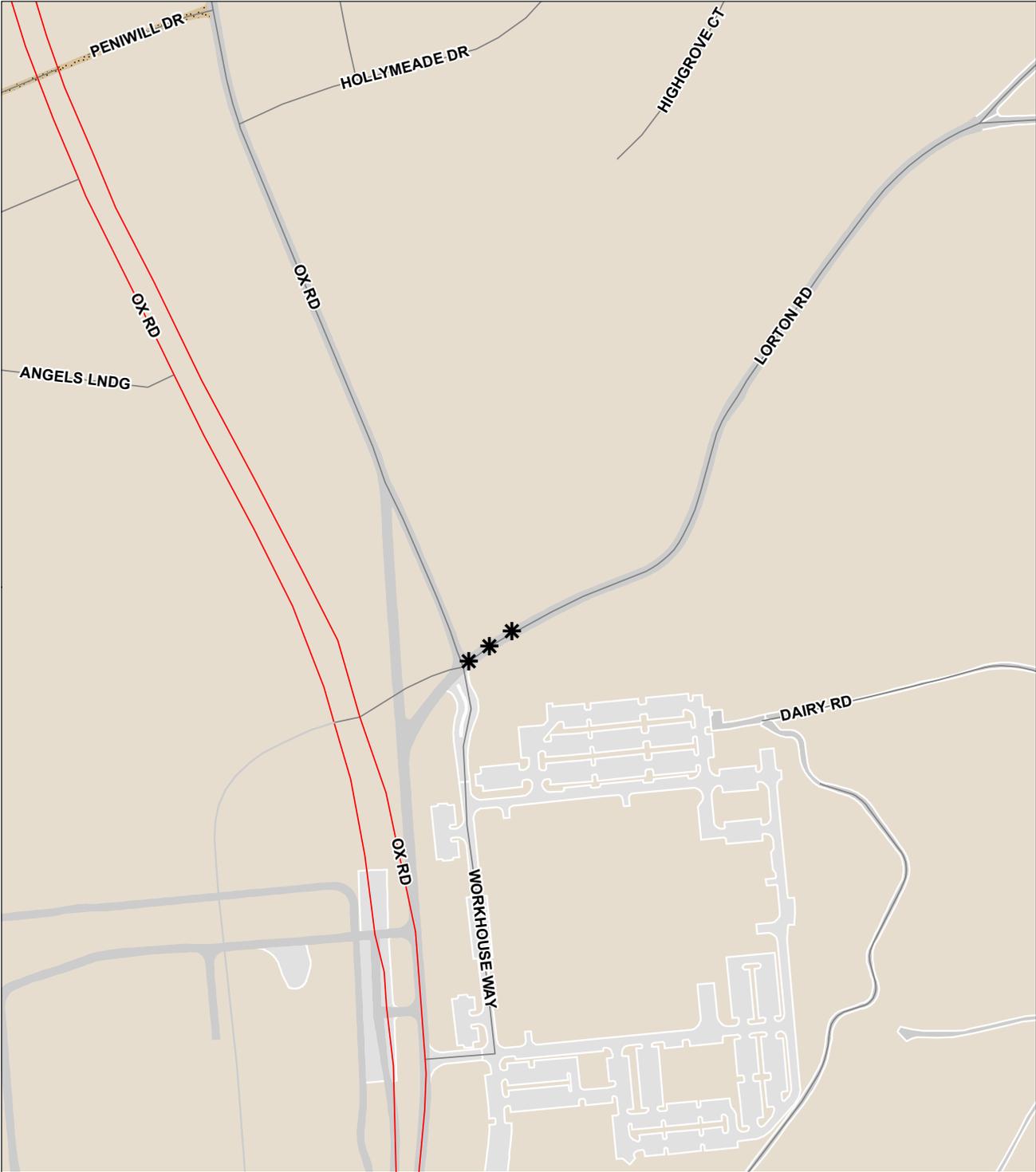


Tax Map 106-2 & 4

Link D-M
(0.06 Mi)

Street Acceptance Project #0123-029-F28, C501

Mount Vernon District



Tax Map 106-2 & 4

Link M-N Additional ROW
(0.03 Mi)

ADMINISTRATIVE - 14

Addition of Little Ox Road / Route 8475 and Averett Drive / Route 8511 and
Discontinuance of a Former Segment of Averett Drive from the Secondary System of
State Highways (Springfield District)

ISSUE:

Board adoption of the attached resolution requesting the additions and discontinuances of completed road segments 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 portions of subject roadway be added and discontinued from the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance of the completed roads and discontinuance of a former road alignment associated with VDOT's construction project number 0123-029-F11, C501 (Ox Road / Route 123, Little Ox Road / Route 8475, Averett Drive / Route 8511). VDOT has prepared a sketch depicting the additions and discontinuances required as a result of this project which is included for reference. Additions, discontinuances, and renumbering of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Resolution

Attachment II: Sketch Prepared by VDOT depicting additions and discontinuances

Attachment III: Location Maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michael A. Davis, FCDOT

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0123-029-F11, C501 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated January 13, 2011, depicting the additions and changes required to the secondary system of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final 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 Systems of State highways the following roads:

Former Alignment of Ox Road (Route 123) Transfer to Secondary Route 8475 (Little Ox Road)	Link E↔X (0.97 Mi)	<u>From:</u> Centerpoint of intersection of Ox Road, Averett Dr, and Little Ox Road <u>To:</u> 5139 ft N to End of Project at a point 74 ft N of CL Old Stone Fence Rd (Route 8521)
Averett Drive (Route 8511) - Relocated	Link E↔Z (0.05 Mi)	<u>From:</u> CL of Rte 123 (Ox Road) <u>To:</u> 274 ft W to tie with existing Averett Dr (Rte 8511)
Averett Drive (Route 8511) – Old location to be discontinued	Link Y↔Z (0.09 Mi)	<u>From:</u> CL Former Alignment of Route 123 (Ox Road) <u>To:</u> 400 ft W to tie with existing Averett Dr (Rte 8511)

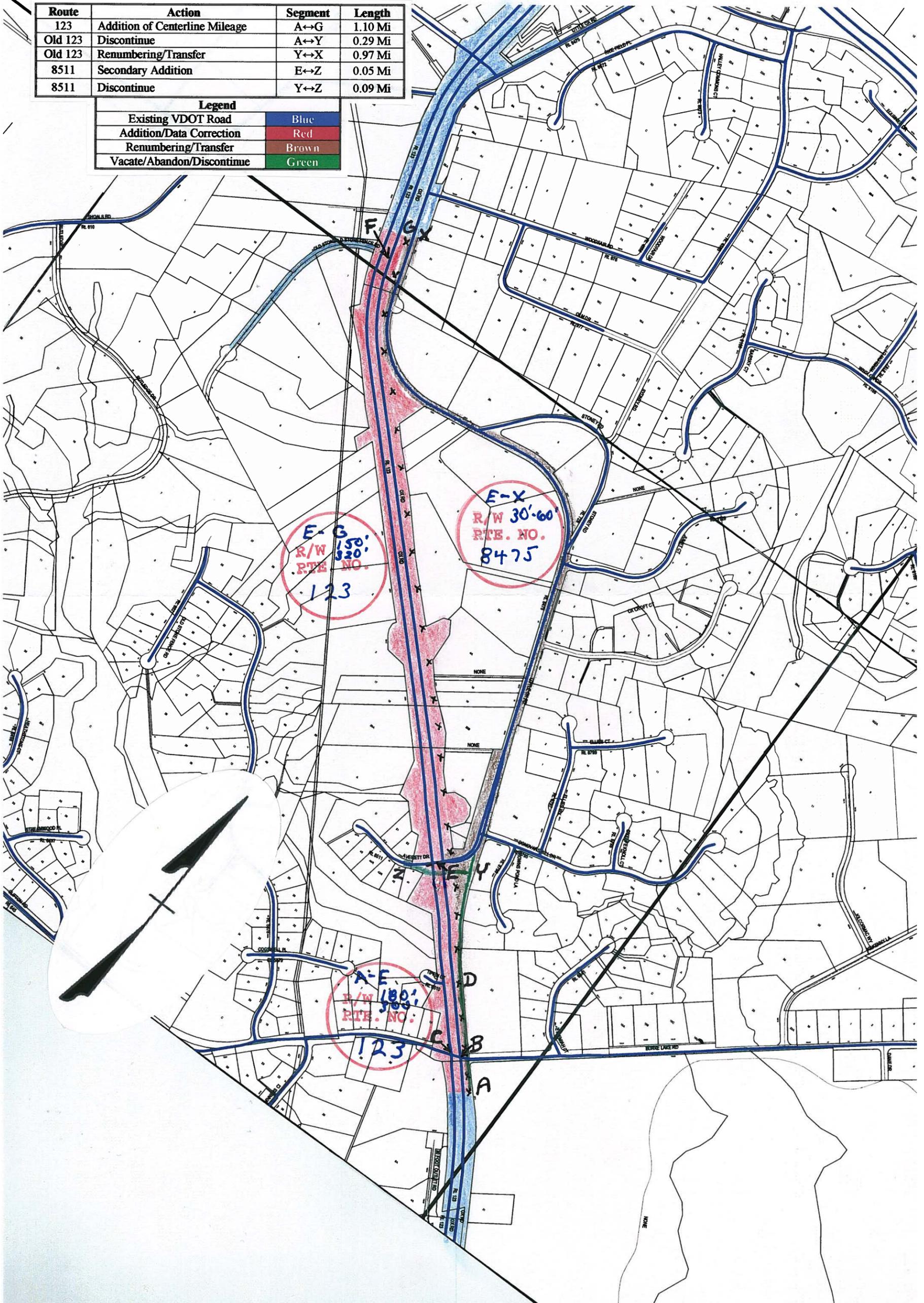
A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

VDOT Project # 0123-029-F11, C501		D.B. N/A Pages N/A	District Springfield Inspector VDOT	Date 01/13/2011 By WHD	Tax Grid Reference 077-3 087-1
VDOT County Map Supp. I&L Mant.Hqts. 11 - West Parcel		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:			XXXXXXXX OOOOOO □□□□

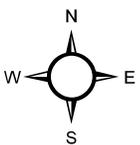
Route	Action	Segment	Length
123	Addition of Centerline Mileage	A↔G	1.10 Mi
Old 123	Discontinue	A↔Y	0.29 Mi
Old 123	Renumbering/Transfer	Y↔X	0.97 Mi
8511	Secondary Addition	E↔Z	0.05 Mi
8511	Discontinue	Y↔Z	0.09 Mi

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



New Alignment Project #0123-029-F11, C501

Springfield District

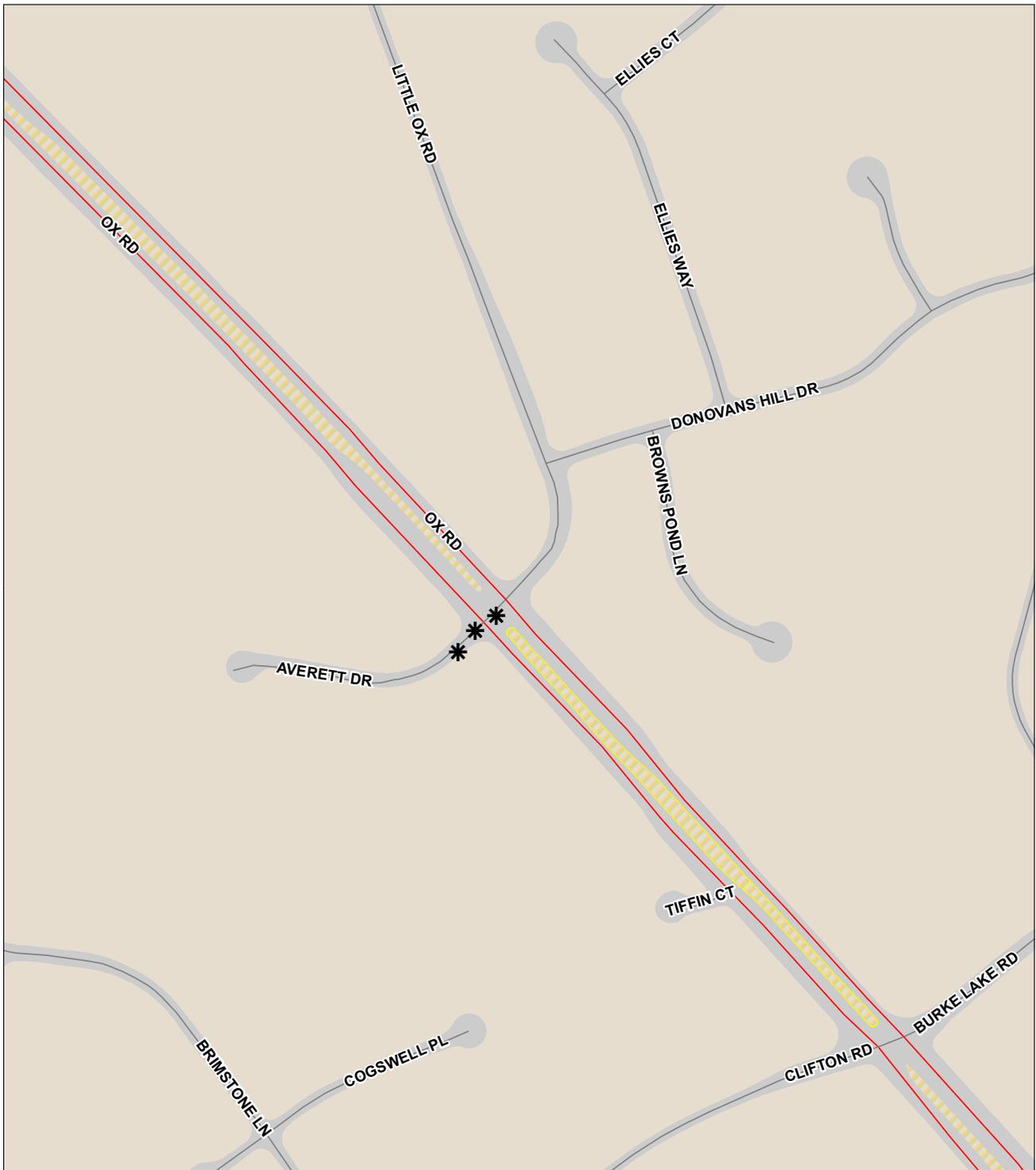


**Link E-X
(0.97Mi)**

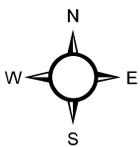
Tax Map 77-3 & 87-1

Road Relocation Project #0123-029-F11, C501

Springfield District



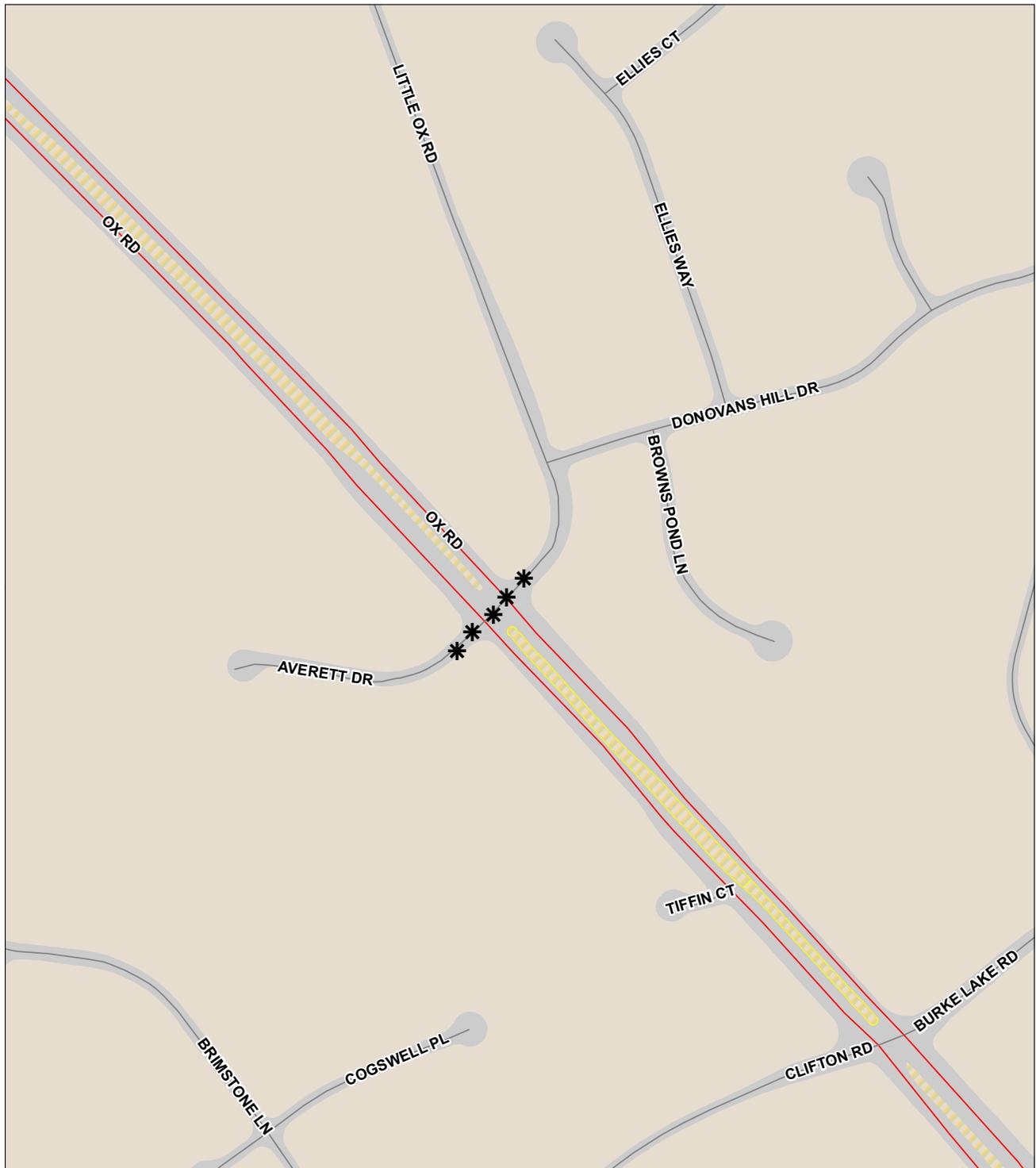
Tax Map 77-3 & 87-1



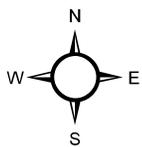
**Link E-Z
(0.05 Mi)**

Discontinuance Project #0123-029-F11, C501

Springfield District



Tax Map 77-3 & 87-1



Link Y-Z
(0.09 Mi)

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ADMINISTRATIVE - 15

Addition of Right of Way (Henderson Road / Route 643) to the Secondary System of State Highways (Springfield District)

ISSUE:

Board adoption of the attached resolution requesting the addition of a portion of Henderson Road / Route 643 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 roadway be added to the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Virginia Department of Transportation (VDOT) is requesting Board adoption of the attached resolution for acceptance of a portion of Henderson Road / Route 643 associated with VDOT's construction project number 0123-029-132, C501 to the Secondary System of State Highways. VDOT has prepared a sketch depicting the addition required as a result of this project which is included for reference. Additions and discontinuances of roadways within Fairfax County require formal approval by the Board prior to VDOT changes to the Secondary System of State Highways.

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

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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 12000 Government Center Parkway, Fairfax, Virginia on September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the construction of roads associated with the Virginia Department of Transportation project number 0123-029-132, C501 is complete; and

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated April 6, 2011, depicting the additions and changes required to the Secondary System of state highways as a result of this project, which sketch is hereby incorporated herein by reference; and

WHEREAS, the changes [or “additions” as applicable] to the road segments require Board of Supervisors approval prior to final acceptance into the Secondary System of State highways:

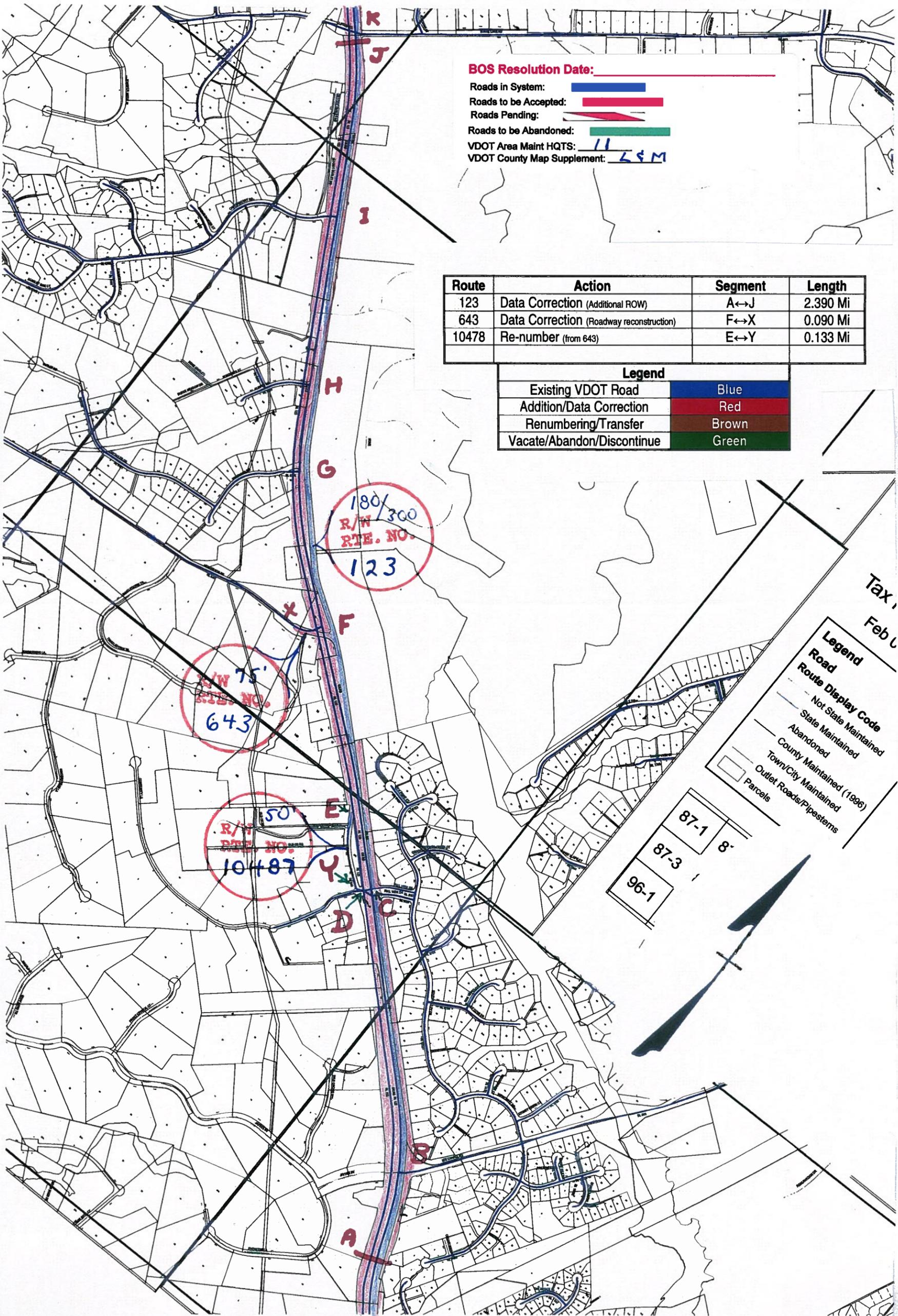
NOW THEREFORE BE IT RESOLVED, that this Board hereby requests, pursuant to Virginia Code Section 33.1-229, that the Commonwealth Transportation Commissioner, with the approval of the Commonwealth Transportation Board, add to the Secondary Systems of State highways the following roads:

Henderson Road – Route 643 Additional Right of Way Only	Link F↔X (0.09 Mi)	<u>From:</u> CL Ox Road (Rte 123) – 1953 ft N of CL Old Ox Road (Rte 10478) <u>To:</u> 474 ft W to tie with existing right of way boundary
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A Copy Teste:

 Catherine A. Chianese
 Clerk to the Board of Supervisors

VDOT Project # 0123-029-132, C501 UPC=16622	D.B. N/A Pages N/A	District Springfield Inspector VDOT	Date 04/06/2011 By WHD	Tax Grid Reference 87-1,2,4 96-2, 97-1
VDOT County Map Supp. L&M Mant.Hqts. 11-Burke	VDOT will maintain sidewalks only if marked as follows: XXXXXXXX Fairfax County will maintain sidewalks only if marked as follows: OOOOOO Fairfax County will maintain trails only if marked as follows: □□□□			



BOS Resolution Date: _____

Roads in System: █

Roads to be Accepted: █

Roads Pending: █

Roads to be Abandoned: █

VDOT Area Maint HQTS: 11

VDOT County Map Supplement: L&M

Route	Action	Segment	Length
123	Data Correction (Additional ROW)	A↔J	2.390 Mi
643	Data Correction (Roadway reconstruction)	F↔X	0.090 Mi
10478	Re-number (from 643)	E↔Y	0.133 Mi

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

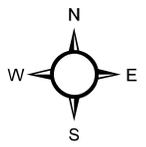
Tax Grid

Feb 06

Legend	
Road	Route Display Code
---	Not State Maintained
---	State Maintained
---	Abandoned
---	County Maintained
---	Town/City Maintained (1996)
---	Outlet Roads/Pipesters
□	Parcels

Additional ROW Project #0123-029-132, C501

Springfield District



Tax Map 87-4

Link F-X
(0.09 Mi)

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ADMINISTRATIVE - 16

Authorization to Advertise a Public Hearing on Proposed Amendments to the Code, Chapter 84.1, Public Transportation, Pertaining to Taxicab Rates

ISSUE:

On August 21, 2012, the Consumer Protection Commission (CPC) approved a recommendation to the Board to increase taxicab fares from \$2.00 per mile to \$2.10 per mile.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing for October 16, 2012 at 4 p.m., on the adoption of amendments to Chapter 84.1 of the Fairfax County Code, pertaining to taxicab rates.

TIMING:

Board authorization is requested on September 25, 2012 to advertise a public hearing.

BACKGROUND:

As a result of a request from the Fairfax Taxicab Drivers Association for an increase in rates, and as a part of the annual review of rates by the Department of Cable and Consumer Services, the Consumer Protection Commission held a public hearing on August 21, 2012, on proposed increases to taxicab rates. At the public hearing, the CPC voted unanimously to recommend to the Board to increase the taxicab mileage rate from its current \$2.00 per mile to \$2.10 a mile, which results in an average increase in rates of 4.7%. Permanent taxicab rates were last increased in November 2008. In the period, 2004 to 2007, a series of gasoline surcharges had been approved to reflect the rising costs of fuel. A staff report will be made available for the Public Hearing.

STAFF:

David J. Molchany, Deputy County Executive
Michael S. Liberman, Director, DCCS
Steve Sinclair, Chief, Public Utility Branch, DCCS

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ACTION - 1

Authorization for the County Executive to Sign the 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 Programmatic Agreement (PA) that has been 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 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), substantially as shown in Attachment 1. The County Executive further recommends that, should the PA be revised, the Board authorize him to sign the revised PA provided that the revisions do not increase County obligations and responsibilities beyond those currently stipulated. If the PA revisions increase the County's obligations and responsibilities, the document will not be signed by the County Executive and will be brought to the Board for authorization to sign. The County Attorney's office has reviewed the document and will review all modifications, if proposed, prior to execution by the County Executive.

TIMING:

Board action is requested on September 25, 2012.

BACKGROUND:

The Federal Highway Administration (FHWA) will administer the construction project with Department of Defense Office of Economic Adjustment (OEA) funding for transportation improvements to improve patient access to the new Fort Belvoir Community Hospital, constructed as one of the recommendations of BRAC 2005. Improvements to Route 1 are proposed beginning south of the Telegraph Road

Board Agenda Item
September 25, 2012

intersection with U.S. Route 1 adjacent to historic Pohick Church and continue north through the Woodlawn Historic District to the intersection of new Mulligan Road (Old Mill Road) with U.S. Route 1 and Mount Vernon Memorial Highway, adjacent to Woodlawn Plantation National Historic Landmark (NHL). This segment of Route 1 totals approximately 3.4 miles of roadway. Proposed improvements include, but are not limited to, construction and/or widening from four lanes to six lanes, construction of left and right turn lanes at intersecting roadways, reservation of a median to accommodate future transit, pedestrian and bicycle improvements, traffic signalization, utilities and drainage improvements, and other associated improvements.

The FHWA determined and the Virginia Department of Historic Resources (DHR) concurred that the proposed project will constitute an adverse effect on the Fort Belvoir Military Railroad bed and bridge, the National Register-eligible Woodlawn Historic District (WHD), the Sharpe Stable Complex, and the NHL. The FHWA and DHR, in consultation with the U.S. Army Garrison, Fort Belvoir, Virginia Department of Transportation, National Trust for Historic Preservation, Catawba Indian Nation, Advisory Council on Historic Preservation, and County of Fairfax, Virginia agree that the project will be implemented in accordance with stipulations which take into account its effect on historic properties. The attached PA was drafted to ensure the stipulations are carried out.

The principal stipulations in the PA require FHWA in consultation with Fairfax County and other consulting parties, as may be appropriate to the specific activity, to:

- facilitate design workshops among the PA signatories and other consulting parties to include discussion of a shared-use driveway to Woodlawn, Woodlawn Baptist Church and Woodlawn Quaker Meetinghouse with a signalized intersection, developing appropriate site features such as fencing, lighting, and signage for gateways into the WHD, developing and implementing a landscape plan to rehabilitate and maintain viewsheds within the WHD, and addressing location and design of storm water management facilities;
- design and implement driveway modifications, restore landscaping, and relocate signs for the Woodlawn Baptist Church and Cemetery;
- discuss proposals for the relocation of the Otis Mason House and non-historic Woodlawn Stables equestrian facility within the WHD;
- prepare a draft National Register nomination for the Woodlawn Historic District;
- oversee the distribution of project grant funding between \$400,000 and \$500,000 to mitigate impacts to the NHL;
- document and market the Fort Belvoir Military Railroad Bridge for relocation;
- provide protective measures for Pohick Episcopal Church to avoid damage to the historic church during construction;

Board Agenda Item
September 25, 2012

- facilitate design workshops among the PA signatories and other consulting parties to evaluate alternative designs for proposed mitigation of adverse effects to properties at the intersection of Telegraph Road and U.S. Route 1;
- complete archaeological surveys within the project area including the vicinity of Accotink Village and Telegraph Road; and
- develop a treatment plan for archaeological sites identified as eligible for listing in the National Register.

FISCAL IMPACT:

On November 1, 2011, the OEA announced that the County had submitted a successful grant proposal for transportation projects associated with improving the 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 will be 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_frbelvoir_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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9/17/2012

NATIONAL HISTORIC PRESERVATION ACT SECTION 106

PROGRAMMATIC AGREEMENT

AMONG THE

**DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION;**

U.S. ARMY GARRISON, FORT BELVOIR;

COUNTY OF FAIRFAX, VA;

**COMMONWEALTH OF VIRGINIA
VIRGINIA DEPARTMENT OF TRANSPORTATION;**

DEPARTMENT OF DEFENSE OFFICE OF ECONOMIC ADJUSTMENT;

CATAWBA INDIAN NATION;

NATIONAL TRUST FOR HISTORIC PRESERVATION;

ADVISORY COUNCIL ON HISTORIC PRESERVATION;

And

VIRGINIA STATE HISTORIC PRESERVATION OFFICER

**REGARDING CONSTRUCTION OF
ROUTE 1 IMPROVEMENTS PROJECT
IN FAIRFAX COUNTY, VIRGINIA**

DHR File No. 2001-0007

RECITALS

- 29
30
31 1. **WHEREAS**, the Federal Highway Administration, Eastern Federal Lands
32 Highway Division (herein “FHWA”), serves as the lead Federal agency for the
33 National Environmental Policy Act (herein “NEPA”) and for National Historic
34 Preservation Act (16 U.S.C. § 470; herein “NHPA”) Section 106 compliance for
35 the construction of proposed improvements to the Richmond Highway (U.S.
36 Route 1) corridor between Telegraph Road (Route 611) and Mount Vernon
37 Memorial Highway (Route 235) (herein “Undertaking”) in Fairfax County,
38 Virginia; and
39
40 2. **WHEREAS**, FHWA, the U.S. Army Garrison Fort Belvoir (herein “the Army”),
41 the County of Fairfax, Virginia (herein “the County”) and the Virginia
42 Department of Transportation (herein “VDOT”), as Signatories to this
43 Programmatic Agreement (herein “Agreement”), have also drafted the separate
44 Project Memorandum of Agreement (herein “Project MOA”) (**Attachment A**)
45 detailing the obligations and responsibilities of each party in relation to the
46 funding, preliminary engineering, land acquisition, construction and maintenance
47 of the Undertaking; and
48
49 3. **WHEREAS**, the Army has NEPA and NHPA Section 106 responsibility and the
50 Army has designated FHWA as the lead Federal agency to fulfill its Federal
51 responsibilities under NHPA Section 106 for the Undertaking (letter dated June
52 23, 2011, **Attachment B**); however, the determination of eligibility for any future
53 discoveries on Army property shall be made by the Army; and
54
55 4. **WHEREAS**, pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1251
56 et seq.), a Department of the Army (herein “DA”) permit will likely be required
57 from the Norfolk District of the U.S. Army Corps of Engineers (herein “the
58 Norfolk District”) for this Undertaking, and the Norfolk District has designated
59 FHWA as the lead federal agency to fulfill federal responsibilities under Section
60 106 (letter dated June 21, 2011, **Attachment B**); and
61
62 5. **WHEREAS**, the Department of Defense Office of Economic Adjustment (OEA)
63 has approved the County's application for funding assistance in an amount not to
64 exceed \$180 million for the design and construction of transportation
65 infrastructure improvements to Route 1 that are needed to improve patient access
66 to the new Fort Belvoir Community Hospital, which was constructed to facilitate
67 recommendations of the 2005 Defense Base Realignment and Closure
68 Commission; and OEA has agreed to be a signatory to this Agreement (email
69 dated August 24, 2012, **Attachment B**); and
70
71 6. **WHEREAS**, the National Trails System Act of 2009 (P.L. 90-453, as amended
72 through P.L. 111-11, March 30, 2009) authorized the establishment of the
73 Potomac Heritage National Scenic Trail and the Washington-Rochambeau
74 Revolutionary Route National Historic Trail (herein “PHNST/WARO NHT”), a

75 portion of which may be sited within the footprint of the Undertaking and
76 administered by the National Park Service (herein “NPS”); and the *Virginia*
77 *Outdoors Plan: Charting a Course for Virginia’s Outdoors* (2007) and the Fairfax
78 County Trails Plan, a component of the Fairfax County Comprehensive Plan,
79 recognize the PHNST/WARO NHT as a regional, state and national resource;
80 however, NPS, and not FHWA, would be the lead federal agency for
81 NEPA/NHPA compliance if the National Trail designation within the footprint of
82 the undertaking is finalized by NPS in the future; and

83
84 7. **WHEREAS**, the proposed improvements to Route 1 include:

- 85
86 a) Reconstructing Route 1 to provide six through travel lanes between
87 Telegraph Road and Mount Vernon Memorial Highway;
- 88 b) Realignment of Route 1 between Belvoir Road and Mount Vernon
89 Memorial Highway south of the existing roadway, as depicted in
90 **Attachment C**;
- 91 c) **Telegraph Road Intersection** – Modifying the northbound approach to
92 include a third left-turn lane. The roadway would be widened to the north,
93 and the existing Route 1 curb-line that abuts the historic Pohick Episcopal
94 Church property would remain unchanged. The southbound approach
95 would provide for one left-turn lane and one right-turn lane at Telegraph
96 Road;
- 97 d) **Cook Inlet Drive Intersection** – Providing for one left-turn lane in the
98 northbound direction, and one right-turn lane in the southbound direction;
- 99 e) **Fairfax County Parkway Intersection** – Reconstruction of the
100 intersection to provide for two left-turn lanes in the northbound direction,
101 and two right-turn lanes and one right-turn bay in the southbound
102 direction;
- 103 f) **Pohick/Backlick Roads Intersection** – Reconstruction of the intersection
104 to provide one left-turn lane and two right-turn lanes in the northbound
105 direction, and one right-turn lane and one left-turn lane in the southbound
106 direction;
- 107 g) **Belvoir Road Intersection** – Reconstruction of the intersection to provide
108 two left-turn lanes (to the new Lieber Gate ACP) and one right-turn lane
109 in the northbound direction, and two left-turn lanes and one right-turn lane
110 in the southbound direction;
- 111 h) **Woodlawn Road Intersection** – Reconstruction of the intersection to
112 provide one left-turn lane in the northbound direction (existing Woodlawn
113 Road would be extended to connect with the realigned Route 1 roadway,
114 just to the west of Woodlawn Baptist Church; the extension shall be
115 serviced and maintained by VDOT), and one right-turn lane in the
116 southbound direction. A traffic signal shall also be provided at the
117 intersection;
- 118 i) **Mount Vernon Memorial Highway Intersection** – Reconstruction of the
119 intersection to provide two left-turn lanes and one right-turn lane in the
120 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 consulting parties, 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 consulting parties, 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

- 165 14. **WHEREAS**, FHWA, in consultation with the SHPO and other consulting parties,
166 has determined, and the SHPO concurs, that the Undertaking will have an
167 Adverse Effect under NHPA Section 106 on the following properties:
168
- 169 a) Fort Belvoir Military Railroad bed (029-5648); the portion of the railroad bed
170 within the limits of construction will be physically altered and destroyed;
 - 171 b) Facility No. 1433, Railroad bridge (029-5424); the bridge will be removed
172 from its current location, and may be permanently destroyed if a suitable
173 recipient cannot be identified;
 - 174 c) Woodlawn Historic District (029-5181); adverse effects include: alteration of
175 the viewshed; visual and auditory impacts; changes in relationship among the
176 contributing properties; physical destruction of a portion of the historic
177 landscape for a road and stormwater management infrastructure; and
178 relocation of the two non-historic Woodlawn Stables structures to another
179 location within the Historic District; physical relocation of Otis T. Mason
180 House (029-5181-0006) and changes in land use and circulation patterns;
 - 181 d) Sharpe Stable Complex (029-5181-0005), including the individually NR
182 eligible Bank Barn; adverse effects include: changes in land use that will
183 impact the historic setting; and visual and auditory impacts; and
184
- 185 15. **WHEREAS**, FHWA, in consultation with the SHPO and other consulting parties,
186 has determined, and the SHPO concurs, that the Undertaking will have an
187 Adverse Effect under NHPA Section 106 on Woodlawn NHL (029-0056), owned
188 by the National Trust for Historic Preservation (herein “the Trust”); and these
189 adverse effects include: taking of Woodlawn NHL property; physical destruction
190 of a portion of the historic landscape for a road and stormwater management
191 infrastructure; changes in land use and access between different parts of the
192 property; alteration of the viewshed; noise impacts; and cumulative impacts from
193 the combination of the proposed project and the widening of Old Mill Road in
194 connection with the Mulligan Road construction project; and
195
- 196 16. **WHEREAS**, FHWA acknowledges that additional Adverse Effects may occur to
197 historic properties due to specific design features of the Undertaking, such as the
198 location and appearance of noise barriers and stormwater management ponds,
199 once the final design is known and that additional mitigation measures may be
200 necessary; and
201
- 202 17. **WHEREAS**, FHWA, in accordance with 36 CFR § 800.10(a) and in consultation
203 with the parties to the Agreement, has ensured that, to the maximum extent
204 possible, planning and actions to minimize harm to Woodlawn NHL have taken
205 place, including an analysis of alternatives considered to avoid, minimize, and /or
206 mitigate adverse effects; and
207
- 208 18. **WHEREAS**, FHWA, in consultation with the SHPO and other consulting parties,
209 has conditionally determined, and the SHPO concurs, that the Undertaking will
210 have no adverse effect on King’s Highway/Old Colchester Road (029-0953) if the

- 211 final project plans maintain existing curb lines adjacent to Pohick Church and
212 minimize realignment of Route 1 south of the Inlet Cove community; and
213
- 214 19. **WHEREAS**, a determination of effect that the Undertaking will have on Pohick
215 Episcopal Church (029-0046) and the archaeological deposits associated with
216 Woodlawn Plantation (44FX1146) cannot be made at this time and will be
217 deferred until the processes contained in Sections IV and VI of the Agreement
218 support such determinations; and
219
- 220 20. **WHEREAS**, the following archaeological sites have been identified, but
221 additional survey will be required to evaluate their significance and potential
222 impacts resulting from the Undertaking:
223 a) 44FX1810
224 b) 44FX1936; and
225
- 226 21. **WHEREAS**, FHWA acknowledges that additional historic properties may be
227 adversely affected by the Undertaking once the final design is known and any
228 further identification and evaluation efforts shall be completed pursuant to
229 Sections V through VIII of the Agreement; and
230
- 231 22. **WHEREAS**, FHWA has invited, in accordance with 36 CFR § 800.6(a)(1), the
232 Advisory Council on Historic Preservation (herein “ACHP”) to participate in
233 consultation and the ACHP has agreed to participate (letter dated June 18, 2012,
234 **Attachment B**); and
235
- 236 23. **WHEREAS**, the Trust has requested to participate in consultation as a signatory
237 to the Agreement (letter dated June 8, 2012, **Attachment B**) and FHWA has
238 agreed to the request based on the significant level of involvement, oversight, and
239 management that will be required in order for the Trust to ensure fulfillment of
240 mitigation requirements stipulated through the execution of the Agreement; and
241
- 242 24. **WHEREAS**, FHWA has invited, in accordance with 36 CFR § 800.10(c), the
243 Secretary of the Interior (herein “Secretary”) through the NPS to participate in
244 consultation on the Undertaking, and FHWA has received no response indicating
245 the Secretary’s willingness to participate in consultation; and
246
- 247 25. **WHEREAS**, pursuant to 36 CFR § 800.2(c)(2), and in recognition of the
248 obligation conferred upon FHWA by the American Indian Religious Freedom Act
249 (42 U.S.C. § 1996; herein “AIRFA”), and Section 3(c) of the Native American
250 Graves Protection and Repatriation Act (25 USC § 3002(c); herein “NAGPRA”),
251 FHWA has invited the Catawba Indian Nation, the Eastern Band of Cherokee
252 Indians, the United Keetoowah Band of Cherokees, and the Tuscarora Nation to
253 participate in the consultation process; and
254
- 255 26. **WHEREAS**, the Tribal Historic Preservation Officer representing the Catawba
256 Indian Nation (herein “CIN-THPO”) agreed to participate in consultation as an

- 257 invited signatory to the Agreement (email dated May 4, 2012, **Attachment B**);
258 and
259
- 260 27. **WHEREAS**, the Eastern Band of Cherokee Indians (herein “EBCI”) (during a
261 telephone conversation, in which EBCI stated that the Undertaking is not located
262 within its area of interest; see **Attachment G**) declined to participate, the United
263 Keetoowah Band of Cherokees (email dated April 10, 2012; **Attachment B**)
264 deferred consultation, and no response was received from the Tuscarora Nation;
265 and
266
- 267 28. **WHEREAS**, VDOT is the State agency with administrative oversight,
268 maintenance, and jurisdictional authority for the Undertaking once the
269 Undertaking is completed and accepted into the systems of state highways; has
270 participated as a consulting party; and has been invited by FHWA to be a
271 signatory to this Agreement; and
272
- 273 29. **WHEREAS**, the County, through its Department of Transportation, has
274 significant obligations related to implementing and overseeing the stipulations of
275 the Agreement and has agreed to participate in consultation as a signatory to the
276 Agreement; however, the county is not an Agency Official within the meaning of
277 36 CFR 800.2, and has no legal or financial duties, responsibilities, obligations, or
278 liabilities with regard to the Undertaking other than those explicitly described in
279 the Agreement, or within any other written agreement signed by the County; and
280
- 281 30. **WHEREAS**, the Army is obligated through Stipulation II of the existing Base
282 Realignment and Closure Programmatic Agreement (BRAC PA) to develop
283 strategies to avoid or minimize any adverse effects to the designated open space
284 areas adjacent to the Woodlawn Historic District which currently consist of 61.5
285 acres and are depicted in **Attachment H**; and
286
- 287 31. **WHEREAS**, construction of the Undertaking will encroach on, and cause the
288 unavoidable loss of, approximately 3.21 acres of designated open space; however,
289 the Army has identified suitable open space totaling approximately 68.7 acres, as
290 depicted in **Attachment I** to compensate for the loss that shall be designated as
291 open space following the guidelines of the BRAC PA; and
292
- 293 32. **WHEREAS**, FHWA has invited, in accordance with 36 CFR § 800.2(c)(5), the
294 following parties to participate in the process, and the following parties have
295 participated as Consulting Parties:
296 a) Woodlawn Baptist Church
297 b) Alexandria Monthly Meeting of the Religious Society of Friends (herein
298 “Friends”)
299 c) Pohick Episcopal Church
300 d) National Park Service – Potomac Heritage National Scenic Trail
301 e) National Park Service – Washington-Rochambeau Trail
302 f) Inlet Cove Home Owners Association

- 303 g) Save Woodlawn Stables
- 304 h) Mount Vernon Ladies Association
- 305 i) Gum Springs Historical Society
- 306 j) Fairfax County Architectural Review Board (herein “ARB”)
- 307 k) Fairfax County Department of Planning and Zoning
- 308 l) Fairfax County Park Authority
- 309 m) Fairfax County History Commission; and
- 310

311 33. **WHEREAS**, FHWA has invited, in accordance with 36 CFR § 800.2(c)(5), the
312 following parties to participate in the process, and the following parties have not
313 participated:

- 314 a) Virginia Council on Indians
- 315 b) National Park Service – George Washington Memorial Parkway
- 316 c) Historical Society of Fairfax County
- 317 d) Accotink United Methodist Church; and
- 318

319 34. **WHEREAS**, FHWA, in accordance with 36 CFR § 800.2(d), has provided the
320 public an opportunity to comment on this Undertaking through combined
321 NEPA/NHPA notifications related to the three public meetings held on December
322 10, 2010, October 19, 2011, and June 5, 2012;

323
324 **NOW, THEREFORE**, FHWA, the Army, the County, VDOT, OEA, the Catawba
325 Indian Nation, the Trust, ACHP, and the SHPO agree that this undertaking shall be
326 implemented in accordance with the following stipulations in order to take into account
327 the effects of the undertaking on historic properties.
328

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 consulting parties participating in the design workshops (herein “workshop participants”), and shall occur no later than six (6) months after the first workshop. Other consulting parties not specified above are welcome to participate in the design workshops. ARB and the Fairfax County History Commission shall represent the County at 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. FHWA and the County shall amend and submit revised design plans within thirty (30) days after the end of a comment period. Plan review and submittal deadlines may be changed with the agreement of all workshop participants but in no event shall any comment period be less than two (2) weeks after receipt. If the relevant issues cannot be resolved after two

374 design workshops have been conducted, FHWA may schedule additional
375 workshops.

376

377 Features to be discussed shall include, but not be limited to:

378

- 379 i. The shared-use driveway, a portion of which will be controlled and
380 maintained by VDOT, providing access to the Trust, Woodlawn Baptist
381 Church, and Woodlawn Quaker Meetinghouse, including ownership and
382 maintenance issues.
- 383 ii. A signalized intersection at Woodlawn Road, which will be constructed to
384 provide safe access to Woodlawn Baptist Church, Woodlawn Quaker
385 Meetinghouse, and the Trust properties within the District.
- 386 iii. Landscaping needed to rehabilitate the setting and maintain viewsheds, to
387 the greatest extent possible, for all Woodlawn Historic District properties,
388 including plantings within and outside VDOT Right-of-Way. Any
389 landscaping proposed within VDOT Right-of-Way would be subject to
390 VDOT regulations and approval. Land owner permission would be
391 required for any proposed plantings. FHWA shall be responsible for the
392 installation of all approved landscaping and for its maintenance and
393 replacement over a one-year establishment period.
- 394 iv. Circulation patterns within the District, including vehicular, pedestrian and
395 equestrian access, including portions of the PHNST/ WARO NHT, and the
396 abandoned section of Rt. 1.
- 397 v. FHWA shall fund the fabrication and installation of interpretive signage
398 related to the District and its contributing properties will be developed,
399 including the proposal of two (2) Virginia Historical Highway Markers,
400 the replacement of two (2) interpretive signs manufactured as part of the
401 Mulligan Road project using updated maps of the new roadway and
402 District configuration, and the development of two (2) new interpretive
403 signs similar in format to the Mulligan Road interpretive signs.
404 Installation of the Virginia Historical Highway Markers is contingent upon
405 the approval of suitable locations by VDOT and the approval of text by
406 SHPO Board of Historic Resources.
- 407 vi. Reducing the width of the roadway section, pursuant to Stipulation I.(b),
408 reducing the impacts of the new road construction, and determining future
409 usage of the section of the existing Route 1 corridor that will be
410 abandoned.
- 411 vii. Re-establishment of appropriately designed fencing on Trust property.
- 412 viii. Location and design of storm water management ponds or drainage areas
413 that minimize the total disturbance of natural vegetation and soil within
414 the boundaries and viewshed of the Woodlawn Historic District so as to
415 minimize adverse effects. The primary objective for designing storm water
416 management areas shall be to create subtle and nearly imperceptible
417 depressions into the landscape through terracing, berming, and
418 terraforming. Biofiltration and bioretention methods such as vegetated

- 419 filter strips and swales shall be the preferred approach to managing
420 stormwater.
- 421 ix. Design of gateways into the Woodlawn Historic District, including, but
422 not limited to any lighting, and the size and location of sidewalks, trails,
423 fences, and signs.
- 424 x. Proposals for the relocation of the Otis Mason House and the non-historic
425 Woodlawn Stables commercial equestrian facility.
- 426 xi. The appropriateness and feasibility of sound abatement measures, if such
427 measures are requested by qualifying landowners.
- 428

429 If conflicts arise that cannot be resolved to the satisfaction of all parties, they shall
430 be addressed through the dispute resolution process outlined in Stipulation XII.

431

432 b) DESIGN AND MINIMIZATION OF ROADWAY SECTION THROUGH
433 WOODLAWN HISTORIC DISTRICT

434

435 In an effort to minimize the adverse effects of the project on the Woodlawn
436 Historic District, consistent with Section 4(f) of the Department of Transportation
437 Act, NEPA and NHPA, to enhance the experience of visiting and traveling
438 through the Woodlawn Historic District, and to provide a safer environment for
439 motorists, pedestrians, and cyclists, FHWA, VDOT, and the County shall work
440 together, in consultation with the Trust and other interested parties, to reduce the
441 width of the right-of-way and roadway section to the maximum extent possible
442 through the Woodlawn Historic District. These efforts shall include the following:

443

- 444 i. Submit design waivers and exceptions necessary to seek VDOT approval
445 to reduce the posted speed limit below 45 mph for the segment of Route 1
446 through the Woodlawn Historic District. The primary goal should be to
447 seek approval for a posted speed limit of 35 mph, with a secondary goal of
448 reducing the posted speed limit to 40 mph.
- 449 ii. Pursue necessary approvals to extend the roadway section at the eastern
450 terminus of the project (with little or no median) as far into the historic
451 district as is feasible and prudent.
- 452 iii. FHWA and the County shall include a requirement in the project's
453 Request for Proposals, and in the design and construction contract, which
454 directs the contractor to seek design waivers and exceptions to minimize
455 the width of the road and the right-of-way through the Woodlawn Historic
456 District. In attempting to minimize the width of the road, FHWA shall
457 direct the contractor to seek design waivers and exceptions from VDOT
458 for lane width (for traffic, bicycle, and pedestrian lanes), length of turning
459 lanes, median and shoulder width, size of gutter pan, limitations on
460 signage, and other elements of the standard roadway design that may be
461 required by VDOT, with the ultimate goal of narrowing the width of the
462 road section and the right-of-way through the Woodlawn Historic District
- 463

464 iv. VDOT shall consider all design waivers and exceptions presented by the
465 contractor and shall work with the contractor to accommodate such
466 waivers and exceptions as provided for in VDOT Instructional and
467 Informational Memorandum: Design Exceptions/Waivers, IIM-LD-227.5
468 and IIM-S&B-70.3, which recognizes the FHWA publication “Mitigation
469 Strategies for Design Exceptions,” as providing mitigation efforts that
470 shall be followed when processing design exceptions.
471

472 c) WOODLAWN BAPTIST CHURCH AND CEMETERY
473

474 i. Within six (6) months of execution of this Agreement the Army shall
475 initiate the granting of an easement for the construction of an access
476 driveway to serve the Baptist property and a use permit with related
477 conditions allowing limited usage of the land on Fort Belvoir located
478 adjacent to the Woodlawn Baptist Church property and bounded by the
479 realigned Route 1 and new access road. The permit would allow the area
480 to be used and maintained by the Baptists for recreation, occasional
481 parking, and other temporary, low impact activities. The construction of
482 permanent buildings, including dwellings, will not be permitted. The
483 construction of certain structures, such as retaining walls, and signage,
484 may be permitted with Army approval. Granting of the access easement
485 and use permit are subject to Department of the Army (DA) approval.
486 ii. FHWA shall include in its design and implement the removal of pavement
487 from the church’s existing driveway in order to restore the historic
488 character of the landscape. Driveway modifications shall conform to
489 Secretary of the Interior’s Standards for the Treatment of Historic
490 Properties as they relate to the Guidelines for the Treatment of Cultural
491 Landscapes.
492 iii. FHWA shall include in its design and implement landscaping that will
493 replace vegetation removed due to the Undertaking. Any landscaping
494 proposed within the Rt. 1 Right-of-Way would be subject to VDOT
495 regulations and approval. Any landscaping proposed on Baptist property
496 will be subject to Baptist approval as described in Stipulation I(a)(iii) of
497 this Agreement. FHWA shall be responsible for the installation of all
498 approved landscaping and for its maintenance and replacement over a one-
499 year establishment period.
500 iv. FHWA contracted the services of archaeologists with specialized mortuary
501 experience to document the cemetery (FHWA 2012c), including a grave
502 location survey and the cataloging of gravestone data. The survey used
503 minimally invasive techniques, such as Ground Penetrating Radar, to
504 determine the locations of graves. The survey included areas within the
505 known boundaries of the cemetery, and extended beyond the known
506 boundaries to areas that may have contained associated graves. A
507 searchable database of gravestone information includes inscriptions,
508 descriptions of the stones, photographs, and other data. The survey was
509 intended as mitigation, but was implemented in advance to assist in the

510 design and project impact analysis process. FHWA shall provide final
511 copies of all materials resulting from Stipulation I(b)(iv) to the Woodlawn
512 Baptist Church, SHPO, the Virginia Room at the City of Fairfax Regional
513 Library, and Cultural Resource Management Branch, Fairfax County Park
514 Authority in a form that is acceptable to each party.

515 v. Additional activities impacting the Woodlawn Baptist Church, including
516 the relocation of church signs, relocation/replacement of utilities, noise
517 abatement and other details will be determined separately from this
518 Agreement by FHWA, the Woodlawn Baptist Church, and other parties,
519 as appropriate to the specific activity.

520

521 d) OTIS TUFTON MASON HOUSE

522

523 FHWA shall relocate the Otis Tufton Mason House according to the following
524 procedures:

525

526 i. FHWA shall relocate the building to a permanent site selected by the
527 Trust, nearby and on Trust property, as a means of recreating the historic
528 setting, association, and general feel of the Otis Tufton Mason House to
529 the extent possible. FHWA shall ensure that Consulting Parties will have
530 the opportunity to provide input regarding the proposed relocation site,
531 including site improvements such as access and parking area, during the
532 design workshops described in Stipulation I.

533 ii. FHWA shall contract a professional building mover that is bonded and
534 insured to undertake the relocation of the Otis Tufton Mason House. The
535 SHPO and the Trust will review and approve the experience and
536 professional qualifications of the mover prior to FHWA entering into a
537 contract.

538 iii. FHWA shall develop a stabilization and moving plan for the Otis Tufton
539 Mason House, in conformance with *Moving Historic Buildings* (Curtis,
540 1979), before relocation of the house or any part thereof. The plan shall be
541 developed in consultation with and shall receive the concurrence of the
542 Trust and the SHPO. At a minimum, the plan will consist of the following
543 elements: recordation of significant architectural features of the Otis
544 Tufton Mason House, documentation of the history of the building
545 (through research in federal, state and local archival depositories),
546 documentation of missing architectural features of the Otis Tufton Mason
547 House, identification of features that require stabilization prior to
548 relocation, the method of moving the building, the route which the
549 building will take from its existing site to its new site, and the method of
550 securing and stabilizing the Otis Tufton Mason House after relocation.
551 FHWA shall ensure that any contract entered into related to the relocation
552 will include the specific regulations or requirements governing the
553 performance of the mover's responsibilities.

554 iv. FHWA shall secure any necessary permits and approvals required to move
555 and site the house. Within twelve (12) months of relocation to its new site

- 556 the FHWA shall ensure that the Otis Tufton Mason House, once relocated
557 on its new site, is in a habitable condition and receives a certificate of
558 occupancy from the appropriate local government agency. This will
559 include, at a minimum, connecting utilities to the house in order to provide
560 the building electrical, water, and sewer service. Comparable electrical,
561 water, and sewer service shall also be provided to benefit the other
562 buildings within the Sharpe Stables Complex. NTHP shall be responsible
563 for the final connections to the interior of Sharpe Stables Complex
564 structures. Access and parking will also be provided by FHWA.
- 565 v. Within twelve (12) months of the move, FHWA shall demonstrate to the
566 satisfaction of the Trust and the SHPO that the relocation occurred
567 according to the previously approved stabilization and moving plan.
- 568 vi. FHWA shall be responsible for the following costs as may be necessary to
569 satisfy the terms of this Agreement: architectural and engineering services,
570 stabilization of the Otis Tufton Mason House prior to relocation, moving
571 the Otis Tufton Mason House, the construction of a new foundation that is
572 compatible with the historic character of the Otis Tufton Mason House,
573 installation of utilities consistent with Stipulation I(d)(iv), and
574 access/parking modifications.
- 575 vii. FHWA shall ensure that prior to the construction of the new foundation
576 the proposed relocation site is adequately surveyed for archaeological
577 deposits according to the processes outlined in Stipulations V through VII.
- 578 viii. FHWA shall ensure that archaeological monitors are present when the
579 existing foundation and/or associated builder's trench are disturbed and
580 that an archaeological monitoring report is prepared and submitted to the
581 SHPO and other consulting parties.
- 582
- 583 e) Within twelve (12) months of execution of this Agreement FHWA shall prepare a
584 draft NR nomination form for the Woodlawn Historic District. The draft
585 nomination shall be developed in consultation with the SHPO and other
586 consulting parties. Development of the supporting documentation will commence
587 after the completion of Stipulations I.A, V and VI. FHWA shall submit the final
588 NR nomination form to SHPO for listing on the Virginia Landmarks Register
589 (VLR) transmittal to the National Park Service for listing to the NR.
- 590
- 591 f) Within six (6) months of execution of this Agreement, FHWA shall complete
592 draft SHPO Intensive Level Survey for the following properties contributing to
593 the District:
- 594 1. Sharpe Stables Complex (Dairy, Corncrib, Stable, and Bank Barn)
- 595 2. Grand View
- 596 FHWA shall ensure that the forms are entered electronically into the Virginia
597 Department of Historic Resources (DHR) Data Sharing System. FHWA shall
598 submit the draft Intensive Level Survey forms to the SHPO for review and
599 acceptance.
- 600

- 601 g) Within six (6) months of execution of this Agreement FHWA shall complete
602 measured drawings of the following individually listed or eligible properties
603 within the District:
604 1. Woodlawn Quaker Meetinghouse
605 2. Pope-Leighey House
606 3. George Washington's Grist Mill
607 FHWA shall provide the respective owners of these properties copies of the
608 completed measured drawings for the properties which they own, and the SHPO
609 copies of the completed measured drawings for these properties.
610
611 h) The Department of the Army shall provide a permanent ingress/egress easement
612 to the Trust, Alexandria Monthly Meeting of the Religious Society of Friends, and
613 Woodlawn Baptist Church for a shared use driveway to ensure access to Route 1.
614
615 i) Upon completion of the Undertaking and the re-opening of the improved Route 1,
616 VDOT, through its Commissioner of Highways, shall file application with the
617 Commonwealth Transportation Board requesting the abandonment of any sections
618 of Route 1 through the Woodlawn Historic District that are no longer needed.
619 The Commonwealth Transportation Board will consider such application in
620 accordance with the requirements and procedures set forth in Article 10 of Title
621 33.1 (33.1-145 et seq.) of the *Code of Virginia*. The Commissioner of Highways
622 has the authority to convey any abandoned section of Route 1 by deed to another
623 party in accordance with the requirements of Article 10 of Title 33.1 (33.1-149) of
624 the *Code of Virginia* and VDOT's *Right of Way Manual of Instructions*. Within
625 six (6) months of execution of this Agreement, the FHWA shall prepare a survey
626 of existing Route 1 depicting any and all easements, including but not limited to
627 utility easements and drainage easements, within the right-of-way.
628

629 **II. Treatment for Woodlawn National Historic Landmark**

- 630
631 a) FHWA shall oversee the distribution of project grant funding between \$400,000
632 and \$500,000, the final amount to be negotiated between the FHWA and NTHP
633 before a construction contract is awarded, intended to mitigate for impacts to
634 Woodlawn NHL. These funds can be applied to benefit any structure or landscape
635 within the NHL boundaries including the Woodlawn Plantation, Grand View, and
636 Pope-Leighey House The following is a list of mitigation measures that will be
637 funded within the boundaries of Woodlawn NHL, in prioritized order, until the
638 fund is exhausted
639
640 i. Installation of public water service sufficient to serve the Woodlawn
641 property. Upgraded water mains will be provided with stubs from the
642 water main towards the buildings. NTHP shall be responsible for the final
643 connections to the buildings. The water service shall be sufficient to
644 provide fire protection through the use of fire hydrants and water mains
645 adequate in capacity for fire protection and a sprinkler system.

- 646 ii. Installation of a sanitary sewer service line sufficient to serve the
647 Woodlawn property. NTHP shall be responsible for the final connections
648 from the buildings to the lateral stubs and manholes at the main sewer line.
649 iii. Installation of natural gas service. NTHP shall be responsible for the final
650 connections to the buildings.
651
652 b) FHWA shall ensure that the areas for proposed location of water and sewer lines,
653 landscaping and other ground disturbing activity resulting from mitigation
654 measures are adequately surveyed for archaeological deposits according to the
655 processes outlined in Stipulations V – VII.
656
657 c) FHWA shall develop and submit design plans for review and comment by the
658 Trust and the SHPO. The Trust and the SHPO shall provide comments on
659 preliminary design plans within thirty (30) calendar days of receipt. If no
660 comments are received from the Trust or the SHPO, FHWA may assume that the
661 non-responding party has no comments. FHWA shall amend and submit revised
662 design plans within thirty (30) days after the end of a comment period. Plan
663 review and submittal deadlines may be changed with the agreement of all parties.
664
665 d) FHWA shall ensure that all work conducted on the Trust’s property under this
666 project shall be closely coordinated with the Trust in order to avoid any harm to
667 the property through the construction of the mitigation measures and to minimize
668 impacts on the Trust’s operation of the property. Prior to beginning work on the
669 mitigation measures on the Trust’s property, the FHWA must receive written
670 permission from the Trust in the form of a right of entry agreement, which
671 outlines the scope of the work being performed and the roles, responsibilities, and
672 obligations of each party.
673

674 **III. Documentation and Treatment for Fort Belvoir Military Railroad Bed and**
675 **Bridge**
676

- 677 A. Prior to its removal FHWA shall conduct Historic American Engineering Record
678 (HAER) Level I documentation of the Bridge and portions of the Railroad Bed
679 within the APE. The documentation will include large-format photography, a
680 narrative history of the structures, and measured drawings. Upon completion of
681 the HAER documentation, FHWA shall provide final copies to the Army, the
682 Virginia Room at the City of Fairfax Regional Library, the Fairfax County
683 Department of Planning and Zoning, the Cultural Resource Management Branch,
684 Fairfax County Park Authority and the SHPO in a form that is acceptable to each
685 party.
686
687 B. In consultation with the Army and the SHPO, FHWA shall develop within six (6)
688 months of execution of this Agreement a marketing plan for determining if there
689 is a capable party willing to relocate and assume ownership of Railroad Bridge
690 Facility No. 1433. The marketing plan shall identify parties to whom FHWA shall
691 send direct solicitations for expressions of interest as well as the media outlets

- 692 through which the availability of the bridge will be advertised to the general
693 public. FHWA shall provide the marketing plan to the Army and the SHPO for
694 review and approval.
695
- 696 C. Once the marketing plan has been approved by the Army and the SHPO, FHWA
697 shall follow the process outlined below to identify a capable party to relocate and
698 assume ownership of Railroad Bridge Facility No. 1433:
699
- 700 1. FHWA shall implement the marketing plan developed pursuant to Stipulation
701 III.B. Interested parties shall have until 5:00 pm on the thirtieth (30th) calendar
702 day following receipt of a direct solicitation from FHWA or following initial
703 publication notice of the bridge's availability to submit to FHWA a detailed
704 proposal for the relocation and preservation of the bridge.
705
 - 706 2. Proposals must describe in detail:
 - 707 a) the individual, organization, or government agency that will assume
708 ownership;
 - 709 b) the prospective use of the bridge and a plan for implementing that
710 use;
 - 711 c) a plan and schedule for moving the bridge in accordance with a
712 construction schedule specified by FHWA;
 - 713 d) the financial and technical capabilities of the recipient to move and
714 maintain the bridge; and
 - 715 e) the ability of the recipient to indemnify the Army from all future
716 liability and claims.
717
 - 718 3. Proposals must include a map showing the location of the proposed new site
719 for the existing structure, maps or drawings depicting any areas of the new site
720 where the ground surface will be disturbed by the reconstruction activities,
721 and a plan to identify any archaeological sites that might be present at the new
722 site and for avoiding harm to any archaeological sites eligible for the NR.
723
 - 724 4. Proposals must certify that the recipient will:
 - 725 a) assume responsibility for conducting all work associated with the
726 bridge relocation, including complying with all applicable
727 environmental regulations and laws, obtaining all appropriate
728 environmental clearances and permits, conducting any necessary
729 archaeological studies, and moving, dismantling, and reconstructing
730 the bridge according to *The Secretary of the Interior's Standards for
731 the Treatment of Historic Properties* (36 CFR Part 68);
 - 732 b) assume all liability associated with the bridge and will indemnify the
733 Army from any further responsibility; and
 - 734 c) consent to offer the donation of a preservation easement on the bridge
735 to the Board of Historic Resources, to be administered by the Virginia
736 Department of Historic Resources (*Code of Virginia* 10.1-2204), or to
737 another party selected in consultation with the SHPO and other

- 738 consulting parties. The Board of Historic Resources or another
739 selected party is not obligated to accept a preservation easement
740 offered pursuant to this Agreement. If no entity is found that will
741 accept an easement on the bridge, the parties to this Agreement shall
742 consult in order to decide upon a mutually acceptable alternative.
743
- 744 5. FHWA shall consider only those proposals submitted in accordance with the
745 established schedule. If FHWA receives no expressions of interest in
746 acquiring the bridge by the close of the thirtieth (30th) day following receipt of
747 a direction solicitation from FHWA or following initial publication of any
748 notice of the bridge's availability, FHWA shall so notify the Army and the
749 SHPO. After fulfilling the additional requirements of Stipulation III.g) of this
750 Agreement, FHWA may proceed to demolish the bridge.
751
- 752 6. In consultation with the Army and the SHPO, FHWA shall review any
753 proposal received in accordance with the established schedule for submission,
754 but FHWA reserves the exclusive right to accept or reject any or all proposals.
755
- 756 7. FHWA shall reject any proposal that fails:
757 a) to include the information or certifications requested;
758 b) to preserve the historic significance of Railroad Bridge Facility No.
759 1433 by using the entire bridge at another location within either the
760 District or a location nearby;
761 c) to demonstrate that the prospective recipient has the financial and
762 technical capabilities to move and maintain the bridge;
763 d) to ensure that the bridge will be moved in accordance with FHWA's
764 specified construction schedule; or
765 e) to include appropriate and adequate measures for avoiding harm to
766 archaeological sites eligible for the NR that may be present at the new
767 site for the bridge.
768
- 769 8. In reviewing the proposals FHWA shall also consider:
770 a) the degree to which each proposal conforms to the *Secretary of the*
771 *Interior's Standards for the Treatment of Historic Properties* (36 CFR
772 68); and
773 b) any comments received from the Army or the SHPO within thirty (30)
774 calendar days of receipt of the proposals from FHWA.
775
- 776 D. FHWA shall inform the Army and the SHPO of its final decision to accept or
777 reject any proposals received for relocating and assuming ownership and
778 responsibility for maintenance and preservation of Railroad Bridge Facility No.
779 1433. If an acceptable proposal is identified and the bridge is subsequently
780 relocated, FHWA shall submit to the Army and the SHPO both black and white
781 and color 35 mm photographs of the bridge at its new location within thirty (30)
782 calendar days of completion of the relocation and installation.
783

PROGRAMMATIC AGREEMENT

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- 784 E. After fulfilling the requirements of Stipulation III.A. through III.D and
785 Stipulation III.G of this Agreement, and after coordinating with the Army, FHWA
786 may demolish Railroad Bridge Facility No. 1433 if (a) FHWA identifies no
787 willing party or acceptable proposal for moving and assuming ownership and
788 responsibility for maintenance and preservation of the bridge, or (b) FHWA
789 accepts such a proposal from a willing party but the selected party fails to execute
790 an agreement with FHWA for ownership, removal, and maintenance and
791 preservation of the bridge within forty-five (45) calendar days of acceptance of its
792 proposal or fails to remove the bridge in accordance with the construction
793 schedule specified by FHWA. After demolishing the bridge, and in addition to
794 the documentation required by Stipulation III(a), FHWA shall update VDHR's
795 Data Sharing System (DSS) file on the rail bridge. This update shall indicate that
796 the bridge has been demolished and reference the HAER Level I documentation.
797
- 798 F. FHWA shall offer as an incentive to ownership a one-time monetary payment up
799 to an amount not to exceed the cost of demolition (approximately \$50,000, as
800 estimated and approved for reimbursement by the FHWA) to be used by a new
801 owner for implementing a plan, approved by the Army, the SHPO and FHWA, for
802 the relocation and preservation of the Railroad Bridge Facility No. 1433. FHWA
803 shall provide this payment only on a reimbursement basis for funds already
804 expended by the new owner on the relocation and preservation plan.
805
- 806 G. The portions of the FBMRR track bed north of Telegraph Road have suffered
807 erosion damage due to severe weather in 2011. FHWA shall repair and stabilize
808 the damaged sections of the track bed. Repairs shall meet all necessary storm
809 water regulations and the standards outlined in Section X of this Agreement.
810
- 811 H. FHWA and the Army shall develop and install six (6) Fort Belvoir historic
812 markers at key locations along the route of the Fort Belvoir Military Railroad
813 (FBMRR) which will interpret the history of the route. The markers will conform
814 to the style of the existing Fort Belvoir historical sign program using upright cast
815 metal markers. Marker locations shall include the crossings at Telegraph Road,
816 John J. Kingman Road, Pohick Road, 21st Street, Rail Bridge 1433, which will be
817 demolished as a part of the widening, and Rail Bridge 2298, which crosses over
818 Beulah Road in Accotink Village. Fort Belvoir will provide FHWA with a copy
819 of the FBMRR Multi-Property National Register Nomination to assist FHWA in
820 the development of the signage. FHWA shall submit a draft historic marker
821 development plan to the SHPO and Fort Belvoir for review and comment. This
822 plan will include, but is not limited to, design graphics, draft language, and site
823 plans for marker location. This mitigation will be implemented within twenty-four
824 (24) months of this Agreement. FHWA shall submit to the SHPO and other
825 consulting parties drafts of the markers texts and design for their review and
826 comment. The SHPO and other consulting parties shall have thirty (30) days
827 upon receipt of complete information in which to respond. If the SHPO or
828 another consulting party does not respond within thirty (30) days FHWA may

829 assume that the non-responding party(ies) has no comment. FHWA shall fund the
830 fabrication and location of the historic markers.

831

832 **IV. Protective Measures and Determination of Effects for Pohick Episcopal**
833 **Church**

834

835 **A. VIBRATION MONITORING**

836

837 1) Prior to beginning construction, FHWA shall contract the services of a
838 qualified individual or firm to conduct a Pre-Construction Survey of Pohick
839 Episcopal Church. The contractor must demonstrate experience in working
840 with historic masonry buildings, and have at least five (5) years of
841 professional experience as a Building Conservation Specialist. The
842 contractor will have successfully completed at least three (3) building
843 conservation projects where he/she has taken into account the effects of
844 different levels of vibration on historic masonry and frame buildings.
845 FHWA shall ensure that all contract documents contain the specifications
846 described in this stipulation.

847 2) The Pre-Construction Survey shall establish baseline conditions for
848 monitoring vibration impacts during construction, and shall:
849 a) Establish an area of vibration impact;
850 b) Establish existing vibration levels unrelated to construction activity
851 from the Undertaking;
852 c) Provide details about fragility of building materials and the existing
853 conditions of the foundation and masonry/brick structure using
854 photographs, measurements, and other documentation, as appropriate;
855 d) Specify site-specific environmental conditions in the area of impact
856 that would affect the transmission of vibrations including geology, soil
857 types, water table, etc.;

858 e) Recommend appropriate vibration thresholds for monitoring during
859 construction to prevent damage Pohick Episcopal Church; and
860 f) Recommend appropriate vibration mitigation strategies that may be
861 incorporated into the Vibration Monitoring Plan (herein "VMP").
862 3) Prior to beginning construction, FHWA shall prepare a VMP based on the
863 findings from the Pre-Construction Survey. The VMP shall include the
864 following:
865 a) Construction activities that require monitoring;
866 b) General timeframes for monitoring; and
867 c) Thresholds of vibration levels that should not be exceeded during
868 construction in the vicinity of Pohick Episcopal Church..

- 869 4) FHWA shall submit the VMP to the SHPO and Pohick Episcopal Church
870 for review and comment prior to beginning construction. The SHPO and
871 Pohick Episcopal Church shall have fifteen (15) days for review and
872 comment. If the SHPO and Pohick Episcopal Church do not respond within
873 fifteen (15) days, FHWA may assume that the non-responding party has no
874 comment. FHWA shall submit any modifications to the VMP to the SHPO
875 and Pohick Episcopal Church for review and comment. The SHPO and
876 Pohick Episcopal Church shall have fifteen (15) days for review and
877 comment. If the SHPO and Pohick Episcopal Church do not respond within
878 fifteen (15) days, FHWA may assume that the non-responding party(ies)
879 have no comment.
- 880 5) If vibrations are found to exceed the thresholds established for protection of
881 the church, the work causing that vibration will cease and corrective action
882 shall be taken to return the vibration level to acceptable thresholds.
- 883 6) FHWA shall be responsible for repair to damage to the church resulting
884 from construction activities within the vibration monitoring area, in
885 accordance with *The Secretary of the Interior's Standards for*
886 *Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1994).
887 Before initiating repairs, FHWA shall, in consultation with Pohick
888 Episcopal church, develop specifications for rehabilitation work. FHWA
889 shall submit rehabilitation plans to the SHPO, for a period not to exceed
890 thirty (30) calendar days, for review and comment. If no comments are
891 received from the SHPO within thirty (30) days, FHWA can assume
892 concurrence.

893
894 B. TELEGRAPH ROAD INTERSECTION DESIGN WORKSHOPS

895
896 FHWA shall facilitate two (2) design workshops among VDOT, the County, the
897 SHPO, the Army, Pohick Episcopal Church and representatives of the Inlet Cove
898 Board of Directors or Home Owners Association to evaluate alternative designs at
899 the intersection of Telegraph Road and Route 1. The first design workshop shall
900 take place within three (3) months of execution of this Agreement. The date and
901 location of the second workshop shall occur at a mutually agreeable time and
902 place among the workshop participants, and shall occur no later than six (6)
903 months after the first workshop. Other consulting parties may participate in the
904 design workshops.

905
906 FHWA and the County, in consultation with workshop participants, shall develop
907 and submit design plans for review and comment by workshop participants.
908 Designs may be distributed to workshop participants electronically, by mail, or at
909 workshop meetings, as determined appropriate by workshop participants. FHWA
910 shall provide design plans to workshop participants at least fifteen (15) days prior
911 to each workshop. Workshop participants shall provide comments on preliminary

912 design plans within thirty (30) calendar days of receipt. If no comments are
913 received from the workshop participants, FHWA may assume that the non-
914 responding party has no comments. FHWA and the County shall amend and
915 submit revised design plans within thirty (30) days after the end of a comment
916 period. Plan review and submittal deadlines may be changed with the agreement
917 of all workshop participants but in no event shall any comment period be less than
918 two (2) weeks after receipt. If the relevant issues cannot be resolved after two
919 design workshops have been conducted, FHWA may schedule additional
920 workshops.

921
922 If conflicts arise that cannot be resolved to the satisfaction of all parties, they will
923 be addressed through the dispute resolution process outlined in Stipulation XII.

924
925 **C. DETERMINATION OF EFFECT FOR POHICK CHURCH**

926
927 A determination of effect cannot be made at this time due to uncertainty related to
928 the final design, particularly the potential construction of sound walls, and the
929 possibility of damage resulting from construction vibration. When the design
930 plans are finalized. A determination of effect based on visual impacts will be
931 made by FHWA in consultation with the parties to this Agreement. If the project
932 will have an adverse effect on Pohick Church, an appropriate minimization and
933 mitigation strategy will be developed in consultation with the parties to the
934 Agreement. If construction vibration results in an adverse impact, corrective
935 action will be taken as described in Stipulation IV.A.

936
937 **V. Additional Testing of Archaeological Properties**

938
939 A. FHWA acknowledges that identification surveys have not been conducted in all
940 portions of the APE, including the vicinity of Accotink Village and near Telegraph
941 Road. All areas within the archaeological APE shall be surveyed prior to
942 construction in accordance with the stipulations of this agreement.

943
944 B. An archaeological survey of the entire Trust property was conducted by the
945 Chicora Foundation in 1999; however the survey recommendations and results did
946 not receive SHPO concurrence. Within six (6) months of the execution of this
947 agreement, FHWA shall review and update the Chicora survey, as necessary, to
948 identify and evaluate archaeological sites throughout the entire Trust property.
949 This will help guide the design of mitigation measures so that impacts to any
950 significant deposits can be avoided or minimized, including the archaeological
951 deposits associated with the NHL (44FX1146).

952
953 C. FHWA shall evaluate sites 44FX1810 and 44FX1936 for NR eligibility. FHWA
954 shall consult with the Signatories, and other consulting parties, regarding the NR
955 eligibility of the sites, and seek concurrence and development of avoidance,
956 minimization, or mitigation measures.

957

- 958 D. If activities related to the implementation of the Undertaking, and having the
959 potential to impact archaeological resources, are to occur outside the previously
960 identified APE, FHWA shall identify and evaluate archaeological properties prior
961 to initiation of any land disturbing construction activities. If, as a result of testing,
962 archaeological sites are identified that are eligible for listing in the NR, a plan for
963 their treatment will be developed as described under Stipulation VII.
964
- 965 E. FHWA shall ensure that archaeological properties occurring within the APE that
966 are to be impacted by activities related to the implementation of the Undertaking
967 (including, but not limited to, construction of stormwater management measures,
968 borrow and staging areas, or tree removal and revegetation) are evaluated for NR
969 eligibility by FHWA in consultation with SHPO. Evaluation shall be accomplished
970 prior to initiation of land disturbing activities. FHWA shall consult with the
971 Signatories, and other consulting parties, regarding the NR eligibility of
972 archaeological properties evaluated, and seek concurrence and development of
973 avoidance, minimization, or mitigation measures.
974

975
976 **VI. Eligibility Determination and Determinations of Effect for Archaeological**
977 **and Architectural Properties**
978

- 979 A. FHWA shall submit its findings regarding archaeological Phase I and II testing in a
980 report to the SHPO with a formal request for concurrence. FHWA shall apply the
981 NR criteria for eligibility to surveyed archeological sites in consultation with the
982 SHPO, CIN-THPO, Signatories, and other consulting parties, to reach one of the
983 following conclusions:
- 984 1. If FHWA determines the criteria are not met, and the SHPO and CIN-THPO
985 agrees, the property shall be considered not eligible. Such sites shall typically
986 require no further review or consideration under this Agreement. If FHWA
987 and the SHPO or CIN-THPO do not agree, or if ACHP or the Secretary so
988 request, FHWA shall obtain a determination of eligibility from the Secretary
989 pursuant to 36 CFR Part 63.
 - 990 2. If FHWA determines any of the NR criteria are met and the SHPO or CIN-
991 THPO agree, the property shall be considered eligible for listing in the NR for
992 purposes of this Agreement, and shall be included in the Archeological
993 Property Treatment Plan (herein "Treatment Plan") described in Stipulation
994 VII if such property would be adversely affected by the Project.
995
- 996 B. For those archaeological properties identified subsequent to the signing of this
997 Agreement, FHWA shall oversee the Determination of Effects, which shall be
998 based on the APEs for the Project (see Attachment D), preliminary engineering
999 data, the Determinations of Eligibility (Stipulation VI.A.), and consultation with
1000 the Signatories and consulting parties. This determination shall be in accordance
1001 with procedures outlined in 36 CFR § 800.5.
1002

- 1003 C. A determination of effect for archaeological site 44FX1146, the deposits
1004 associated with Woodlawn Plantation, shall be made after the site has been
1005 delineated as described in Stipulation V.B and the locations of any utility
1006 installations or other components of the Undertaking have been determined.
1007 Significant deposits shall be avoided to the extent possible. If an adverse effect
1008 cannot be avoided, an Archaeological Treatment Plan shall be developed in
1009 consultation with the parties to this Agreement.
1010
- 1011 D. If future design modifications, such as the proposed construction of sound walls or
1012 storm water management facilities, would adversely impact an architectural
1013 property in a manner that was not previously anticipated, a revised determination
1014 of effect shall be issued by FHWA and appropriate avoidance, minimization,
1015 and/or mitigation measures shall be developed in consultation with the parties to
1016 this agreement.
1017
- 1018 E. If any architectural property is inadvertently damaged as a result of the
1019 Undertaking in a manner that was not previously anticipated, a revised
1020 determination of effect shall be issued by FHWA and appropriate mitigation
1021 measures shall be developed in consultation with the parties to this agreement.
1022

1023 **VII. Archaeological Property Treatment Plan**
1024

- 1025 A. If, as a result of the testing program, archaeological sites are identified that are
1026 eligible for listing in the NR, a plan to avoid, minimize, or mitigate adverse effects
1027 shall be developed by FHWA in consultation with the Signatories, and other
1028 consulting parties; and approved by the SHPO prior to implementation.
1029
- 1030 B. When adverse effects to archaeological properties cannot be avoided, a Treatment
1031 Plan shall provide specific treatment measures that could include, but shall not
1032 necessarily be limited to, data recovery or other documentation.
1033
- 1034 C. Wherever prudent and feasible, the Treatment Plan shall provide for the
1035 preservation of archaeological sites in place, with as little change as possible, and
1036 include provisions for long term management. Where necessary to preserve such
1037 sites, the plan shall provide for such management actions as physical stabilization,
1038 planting, and fencing where applicable and appropriate.
1039
- 1040 D. With respect to archaeological sites associated with Native American occupation
1041 and use of the area, regardless of age, the Treatment Plan shall be developed in full
1042 consultation with the CIN THPO and the appropriate state-recognized tribe(s) to
1043 the extent the CIN THPO and the appropriate state-recognized tribe(s) are willing
1044 to participate. To the maximum extent prudent and feasible, the plan shall give
1045 deference to their wishes for treatment of archaeological sites and/or objects of
1046 cultural significance.
1047

- 1048 E. Where physical disturbance is unavoidable, and data recovery is agreed to be the
1049 appropriate option, all data recovery plans prepared under the terms of this
1050 Agreement shall include the following elements:
1051
- 1052 1. Information on the archeological property or properties where data recovery is
1053 to be carried out and the context in which such properties are eligible for the
1054 NR;
 - 1055 2. Information on any properties, or portions of properties that will be destroyed
1056 without data recovery;
 - 1057 3. Discussion of the research questions to be addressed through the data recovery
1058 with an explanation/ justification of their relevance and importance;
 - 1059 4. Description of the recovery methods to be used, with an explanation of
1060 techniques of analysis, data management and dissemination of data;
 - 1061 5. Information on arrangements for any regular progress reports or meetings to
1062 keep the signatory and consulting parties up to date on the course of the work.
1063 The plan shall contain the expected timetable for excavation, analysis and
1064 preparation of the final report.
 - 1065 6. Proposed methods for disseminating results for the work to the interested
1066 public; and
 - 1067 7. If Native American human remains or associated funerary objects are
1068 expected to be encountered, information on consultation with the CIN THPO,
1069 and/or the appropriate state-recognized tribe(s) regarding final treatment and
1070 disposition of the materials, including a Plan of Action pursuant to NAGPRA,
1071 if appropriate.
 - 1072 8. The disposition of recovered materials and records shall be in accordance with
1073 Stipulation X.C of this Agreement regarding curation, dependent upon
1074 whether material/and or records are found on Federal, Commonwealth or
1075 private lands.
1076
1077

1078 **VIII. Late Discoveries of Archaeological Properties**
1079

- 1080 A. In order to address the potential for the late discovery of archaeological properties
1081 within the APE, the parties to this Agreement are bound to the provisions of this
1082 stipulation. Additionally, FHWA shall ensure that all contract documents contain
1083 the provisions of this stipulation, as appropriate to the contractor's involvement,
1084 and that contractors are appropriately notified of their obligation to protect
1085 archaeological discoveries.
1086
- 1087 B. In the event that previously unidentified archaeological properties are discovered
1088 during ground disturbing activities, the contractor shall immediately halt all
1089 construction work involving subsurface disturbance in the area of the property
1090 and in the surrounding area, and immediately notify FHWA. FHWA shall notify
1091 the SHPO, Signatories, and other consulting parties of the discovery within two
1092 (2) business days.
1093

- 1094 C. Using a qualified archaeologist meeting the Secretary's *Professional*
1095 *Qualifications Standards for Archaeology*, FHWA and Signatories, to the extent
1096 that the Signatories are willing to participate, shall promptly inspect the work site
1097 and determine the area and nature of the affected archaeological property.
1098 Construction work may then continue in the area outside the archaeological
1099 property as defined by FHWA and the SHPO, or their designated representative.
1100
- 1101 D. Within five (5) business days of the original notification of discovery, FHWA, in
1102 consultation with the Signatories and other consulting parties, shall determine the
1103 NR eligibility of the property and provide the eligibility determination to SHPO
1104 for concurrence.
1105
- 1106 E. If the property is determined eligible for the NR, or contains human burials,
1107 FHWA shall prepare a plan for its avoidance, protection, or recovery of
1108 information. The plan shall be submitted to the Signatories and other consulting
1109 parties for review and approval prior to its implementation. If comments are not
1110 received within five (5) business days following receipt, it shall be presumed that
1111 the party has no objection and the plan may be implemented.
1112
- 1113 F. Work in the affected area shall not proceed until either:
1114 1. The development and implementation of appropriate data recovery or other
1115 recommended mitigation procedures is completed, or
1116 2. The determination is made that the located properties are not eligible for
1117 inclusion on the NR.
1118
- 1119 G. Any disputes over the evaluation or treatment of previously unidentified
1120 properties shall be resolved as provided in the section of this Agreement entitled
1121 Dispute Resolution (Stipulation XII).
1122

1123 **IX. Discovery of Human Remains or Funerary Objects**
1124

1125 If suspected human remains or funerary objects are identified during construction,
1126 FHWA shall require that construction be halted immediately at the location of the
1127 remains. The County Police Department or Army Military Police, as appropriate, shall
1128 be immediately contacted by the on-site FHWA engineer to determine if the discovery
1129 is a crime scene. FHWA shall ensure that further construction does not occur within
1130 200 feet in any direction of the discovery until a qualified archeologist arrives to
1131 assess the discovery. FHWA shall secure the area of the apparent human remains to
1132 ensure no further disturbance or removal of those remains and associated material
1133 occurs. FHWA shall also ensure that vehicular traffic across the area is restricted to a
1134 location removed from the discovery. After arrival at the site, FHWA shall ensure that
1135 a qualified archaeologist shall evaluate the discovery. If it does consist of human
1136 remains, the archaeologist shall follow the procedures as follows:
1137

1138 A. HUMAN REMAINS ON FEDERAL LANDS
1139

1140 If Native American human remains and cultural items, as defined by NAGPRA,
1141 are encountered on Federal lands during inventory, testing, data recovery or any
1142 construction-related activities, work within 200 feet of the discovery shall cease.
1143 FHWA shall immediately notify the SHPO, CIN-THPO and all other Signatories
1144 and consulting parties, of the discovery. The Army, as the Federal land-
1145 management agency, shall comply with the requirements of NAGPRA (43 CFR §
1146 10) and shall take into account, if applicable, the *Catawba Indian Nation THPO*
1147 *Burial Policy and Procedures*, provided as **Attachment J**.

1148

1149 B. HUMAN REMAINS ON COMMONWEALTH OR PRIVATE LANDS

1150

1151 The treatment of any human skeletal remains and associated funerary objects
1152 recovered from non-Federal lands, including those controlled by the
1153 Commonwealth, shall be in accordance with the terms of the burial permit issued
1154 by the Director of the SHPO governing the removal of such remains, and if
1155 applicable, the *Catawba Indian Nation THPO Burial Policy and Procedures*, as
1156 provided in Attachment J.

1157

1158 C. PERMITS

1159

1160 A permit for the archaeological removal of human remains on Commonwealth
1161 and private lands is required under Virginia Code 10.1-2305(A), together with
1162 assurances that any such remains shall be treated with dignity and respect.

1163

1164 1. FHWA shall ensure that human skeletal remains and associated funerary
1165 objects encountered during the course of actions taken as a result of this
1166 agreement shall be treated in accordance with the Regulations Governing
1167 Permits for the Archaeological Removal of Human Remains (Virginia
1168 Register 390-01-02) found in the Code of Virginia (17VAC5-20-30, 10.1-
1169 2305, et seq., Virginia Antiquities Act) and the *Catawba Indian Nation THPO*
1170 *Burial Policy and Procedures*, as applicable, provided in Attachment J.

1171

1172 FHWA shall obtain a permit from the SHPO for the removal of human
1173 remains in accordance with the regulations stated above.

1174

1175 2. FHWA shall notify the appropriate state-recognized tribe(s) and CIN-THPO
1176 when burials, human skeletal remains, or funerary objects are encountered on
1177 the Project, prior to any analysis or recovery.

1178

1179 3. FHWA shall ensure that the general public is excluded from viewing any
1180 Native American burial sites, human remains, or associated funerary objects.
1181 The Signatories, and the consulting parties to this Agreement, shall not release
1182 any photographs of any American Indian burial site or associated funerary
1183 objects to the press or the general public.

1184

1185 4. Any Native American human remains and associated funerary objects
recovered pursuant to this agreement shall be re-interred in consultation with
the CIN THPO and the appropriate state-recognized tribe(s). The appropriate
state-recognized tribe(s) or CIN THPO shall consult with the SHPO to
determine the party or parties that shall assume responsibility for planning and
executing the re-interment. FHWA shall deliver these remains and objects to

1186 the party or parties designated by the CIN THPO and the appropriate state-
1187 recognized tribe(s) and shall be responsible for the costs of re-interment. The
1188 disposition of any other human skeletal remains and associated funerary
1189 objects shall be governed as specified in any permit issued by the SHPO or
1190 any order of the local court authorizing their removal.
1191

1192

1193 **X. Standards**

1194

1195 **A. PRESERVATION STANDARDS AND PROFESSIONAL QUALIFICATIONS**

- 1196 1. All work carried out pursuant to this agreement shall be conducted by or
1197 under the direct supervision of an individual or individuals who meet, at a
1198 minimum, the Secretary of the Interior professional qualification standards for
1199 history, archaeology, or architecture, as appropriate to the specific property,
1200 and as defined in 36 CFR Part 61.
1201 2. In accordance with Section 4 of the Archaeological Resource Protection Act
1202 of 1979 (ARPA), all archaeological investigations on Federal land shall be
1203 performed under an appropriate ARPA Cultural Resource Use Permit issued
1204 by the Army. FHWA shall ensure that all contract documents contain
1205 procedures for obtaining the permit.
1206 3. A Department of Historic Resources permit (under Code of Virginia § 10.1-
1207 2302) and a VDOT Land Use Permit (under 24VAC30-151-20) are required
1208 for archaeological investigation on Commonwealth highway right of way.
1209

1210

1210 **B. DOCUMENTATION STANDARDS**

- 1211 1. All archaeological reports, including data recovery plans included in
1212 Treatment Plans, shall be consistent with the Secretary's *Standards for*
1213 *Archaeological Documentation* (48 FR 44734-37, September 29, 1983) and
1214 the professional standards set forth in SHPO's *Guidelines for Conducting*
1215 *Historic Resources Survey in Virginia* (October 2011), and shall take into
1216 account the ACHP's publications, *Recommended Approach for Consultation*
1217 *on Recovery of Significant Information from Archeological Sites* (1999) and
1218 *Section 106 Archaeology Guidance* (June 2007).
1219 2. All historical and architectural reports and survey documentation shall be
1220 consistent with pertinent standards and guidelines of the Secretary, including
1221 as applicable the *Standards for Historical Documentation* (48 FR 44728-30),
1222 the Secretary of the Interior's *Standards for Architectural and Engineering*
1223 *Documentation* (48 FR 44730-34, September 29, 1983), and the SHPO's
1224 *Guidelines for Conducting Historic Resources Survey in Virginia* (October
1225 2011).
1226

1227

1227 **C. CURATION AND CURATION STANDARDS**

- 1228 1. The material remains and associated records resulting from the actions within
1229 the APE shall be curated in accordance with 36 CFR Part 79, with the
1230 exception of artifacts found on private land, human skeletal remains and
1231 associated funerary objects.

- 1232 2. The curator of artifacts potentially discovered as a result of the Undertaking
1233 shall be dependent upon the owner of the lands where the artifacts are found.
1234 3. On Federal lands, material and records obtained from the Army shall be
1235 curated at a curation center or another depository as specified in the Cultural
1236 Resource Use Permit issued by the Army. Currently, an agreement is in place
1237 with the County to curate artifacts at the Cultural Resource curation facility at
1238 the James Lee Center in Falls Church, VA.
1239 4. Pursuant to the Code of Virginia §10.1-2302 all material remains (with the
1240 exception of materials found on Army property, human skeletal remains and
1241 associated funerary artifacts) resulting from the actions cited in this
1242 Agreement, and recovered from lands controlled by the Commonwealth,
1243 including highway right of way, are the property of the Commonwealth.
1244 SHPO shall pursue the execution of a loan agreement documenting the loan of
1245 collections recovered from Commonwealth land or within Commonwealth
1246 owned/maintained right of way. The loan agreement would specify that any
1247 such collections would be curated by the County, pursuant to Federal
1248 regulation at 36 CFR § 79. If the County should ever close the curatorial
1249 facility, or terminate the agreement, the County shall notify the SHPO and
1250 arrange for the transfer of any curated materials. VDOT shall receive one
1251 paper and one electronic copy of all final technical cultural resources reports
1252 prepared for the Undertaking.
1253 5. Any private landowner shall have claim to artifacts found on its land as a
1254 result of this undertaking, as prescribed by the laws of the Commonwealth.
1255

1256 **XI. Continuing Review Process**
1257

- 1258 A. The SHPO and the parties to this Agreement agree to provide comments to
1259 FHWA on all plans, technical materials, findings and other documentation arising
1260 from this Agreement within thirty (30) calendar days of their receipt, unless
1261 otherwise stipulated in this Agreement. If no comments are received from the
1262 SHPO or the concurring parties to this Agreement, FHWA may assume that the
1263 non-responding party has no comment. FHWA shall take into consideration all
1264 comments received in writing from the SHPO and the concurring parties to this
1265 Agreement within the thirty (30) calendar day review period, unless otherwise
1266 stipulated in this Agreement.
1267
1268 B. All roadway design, signage, landscaping, and other mitigation measures
1269 proposed as part of this agreement that will be accepted into the state highway
1270 system must meet VDOT standards and requirements, and are subject to VDOT
1271 approval, including the granting of exceptions as specified in Stipulation I.b of
1272 this Agreement.
1273
1274
1275 C. Unanticipated Effects on Historic Properties: An unanticipated adverse effect is
1276 accidental damage or destruction of a historic property or contributing landscape
1277 feature. In the event that any contributing features or properties are subject to

1278 unanticipated adverse effect(s), FHWA shall immediately notify the SHPO and
1279 ACHP, and shall ensure that the Signatories and Consulting Parties are notified of
1280 the unanticipated adverse effect within one (1) business day. FHWA shall
1281 immediately enter into consultation in an effort to resolve the unanticipated effect
1282 in accordance with Stipulation VI.E. of this Agreement.
1283

1284 **XII. Dispute Resolution**

1285 **A. OBJECTIONS BY SIGNATORY PARTIES**

1286
1287
1288 Should any signatory to this agreement object in writing to FHWA regarding any
1289 action carried out or proposed with respect to the undertaking or implementation of
1290 this agreement, FHWA shall consult with the objecting Signatory to resolve the
1291 objection. If after initiating such consultation FHWA determines that the objection
1292 cannot be resolved through consultation, the agency shall forward all documentation
1293 relevant to the objection to the ACHP, including the agency's proposed response to
1294 the objection. Within thirty (30) days after receipt of all pertinent documentation, the
1295 ACHP shall exercise one of the following options:
1296

- 1297 1. Advise the FHWA that the ACHP concurs in the agency's proposed response to
1298 the objection, whereupon the agency will respond to the objection accordingly; or
1299
- 1300 2. Provide the FHWA with recommendations, which the agency shall take into
1301 account in reaching a final decision regarding its response to the objection; or
1302
- 1303 3. Notify the FHWA that the objection will be referred for comment pursuant to 36
1304 CFR Part 800.2(b)(2), and proceed to refer the objection and comment. The
1305 agency shall take the resulting comment into account.
1306

1307 Should the ACHP not exercise one of the above options within 30 days after receipt
1308 of all pertinent documentation, the FHWA may assume ACHP has no comment.
1309 The FHWA shall take into account any ACHP recommendation or comment provided
1310 in accordance with this stipulation with reference only to the subject of the objection;
1311 the agency's responsibility to carry out all actions under this Agreement that are not
1312 the subjects of the objection shall remain unchanged.
1313

1314 **B. CONSULTING PARTY COMMENTS AND DISPUTE RESOLUTION**

1315
1316 Should any consulting party to this Agreement object in writing to the FHWA
1317 regarding any action carried out or proposed with respect to the undertaking or
1318 implementation of this Agreement, the FHWA, in conjunction with all other
1319 Signatories to this Agreement, will consult with the objector regarding such
1320 objections.
1321

1322 The Signatories shall consult with the objecting consulting party within thirty (30)
1323 days after receipt of written comments. If the Signatories and the consulting party
1324 cannot resolve the matter with respect to the project, the FHWA shall notify SHPO

1325 and provide copies of the objection. SHPO, as appropriate, shall advise the FHWA of
1326 measures, if any, that could resolve the matter.

1327

1328 If the Signatories, in consultation with SHPO, cannot resolve the matter with respect
1329 to the project, and the Signatories consider the issue of sufficient importance, the
1330 Signatories shall proceed as set forth in Stipulation XII.A. above.

1331

1332

1333 **XIII. Amendment and Termination**

1334

1335 A. Any signatory to this Agreement may propose to FHWA that the Agreement be
1336 amended, whereupon FHWA shall consult with the other signatories to consider
1337 such an amendment. 36 CFR § 800.6(c)(7) shall govern the execution of any such
1338 amendment. Any signatory to this Agreement may terminate it in accordance with
1339 the provisions of 36 CFR § 800.6(c)(8).

1340

1341 B. If FHWA decides they will not proceed with the Undertaking, they may so notify
1342 the signatories and concurring parties and then this Agreement shall become null
1343 and void.

1344

1345 C. In the event that this Agreement is terminated or rendered null and void, FHWA
1346 shall submit to the SHPO a technical report on the results of any archaeological
1347 investigations conducted prior to and including the date of termination, and shall
1348 ensure that any associated collections and records recovered are curated in
1349 accordance with Stipulation X.C. of this Agreement.

1350

1351 D. In the event of termination, FHWA shall either execute a Section 106 agreement
1352 pursuant to 36 CFR § 800.6(c)(1) or request the comments of the ACHP under 36
1353 CFR § 800.7(a). All parties to this Agreement would be notified and given the
1354 opportunity to participate in the development of any new agreements.

1355

1356 **XIV. Duration**

1357

1358 A. Unless this Agreement is terminated pursuant to Stipulation XIII or superseded by
1359 another Agreement executed for the Undertaking, or the Undertaking has been
1360 terminated, this Agreement shall remain in effect for a period of ten (10) years
1361 from the date of the final signature.

1362

1363 B. FHWA shall provide quarterly updates to the parties of this Agreement regarding
1364 the status of the mitigation commitments contained herein. Upon a determination
1365 by FHWA that construction of all aspects of the Undertaking have been
1366 completed and that all terms of this Agreement have been fulfilled in a
1367 satisfactory manner, FHWA shall notify the other Signatories and consulting
1368 parties of that determination in writing. If no objections to the determination are
1369 submitted in writing to FHWA by a Signatory within 30 days, this Agreement
1370 shall no longer have any effect.

1371

1372 C. At any time during the six-(6) month period prior to expiration of the Agreement,
1373 the Signatories may agree to extend this Agreement with or without amendments.

1374

1375

1376 **XV. Other Clauses**

1377

1378 A. This Agreement is intended to be consistent with the Project MOA attached hereto
1379 as Attachment A. Furthermore, this agreement will be funded as described in the
1380 MOA, and no party will incur any financial obligation not specifically provided for
1381 in the MOA.

1382

1383 B. All requirements for funds to be borne by Fairfax County shall be subject to
1384 annual appropriations by the Fairfax County Board of Supervisors.

1385

1386 C. This agreement shall not be construed as creating any personal liability on the
1387 party of any officer, employee, or agent of the parties, nor shall it be construed as
1388 giving any rights or benefits to anyone other than the parties hereto.

1389

1390 D. This agreement shall not be construed as a waiver of the sovereign immunity of
1391 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 of the NHPA.

FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: _____
Karen A. Schmidt, Director of Program Administration
Federal Highway Administration
Eastern Federal Lands Highway Division

VIRGINIA STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: _____
Kathleen S. Kilpatrick, Director
Department of Historic Resources

VIRGINIA DEPARTMENT OF TRANSPORTATION

By: _____ Date: _____
Earl T. Robb, Environmental Division Administrator

COUNTY OF FAIRFAX, VIRGINIA

By: _____ Date: _____
Edward L. Long, Jr., Fairfax County Executive

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U.S. ARMY GARRISON, FORT BELVOIR

By: _____ Date: _____
Colonel Gregory Gadsen, Garrison Commander

DEPARTMENT OF DEFENSE OFFICE OF ECONOMIC ADJUSTMENT

By: _____ Date: _____
Patrick J. O'Brien, Director

CATAWBA INDIAN NATION

By: _____ Date: _____
Wenonah G. Haire, Tribal Historic Preservation Officer

NATIONAL TRUST FOR HISTORIC PRESERVATION

By: _____ Date: _____

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: _____

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1485 **CONCURRING PARTY**

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1488 **WOODLAWN BAPTIST CHURCH**

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1491 By: _____ Date: _____

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1495 **ALEXANDRIA MONTHLY MEETING OF THE RELIGIOUS SOCIETY OF**
1496 **FRIENDS**

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1500 By: _____ Date: _____

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1503 **POHICK EPISCOPAL CHURCH**

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1507 By: _____ Date: _____

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1510 **POTOMAC HERITAGE NATIONAL SCENIC TRAIL & WASHINGTON-**
1511 **ROCHAMBEAU NATIONAL HISTORIC TRAIL, NATIONAL PARK SERVICE**

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1515 By: _____ Date: _____

1516 Donald E. Briggs, Superintendent, Potomac Heritage National Scenic Trail

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1518 **INLET COVE HOME OWNERS ASSOCIATION**

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1522 By: _____ Date: _____

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1525 **SAVE WOODLAWN STABLES**

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MOUNT VERNON LADIES ASSOCIATION

By: _____ Date: _____

FAIRFAX COUNTY PARK AUTHORITY

By: _____ Date: _____

GUM SPRINGS HISTORICAL SOCIETY

By: _____ Date: _____

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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1979 Moving Historic Buildings. U.S. Department of the Interior, Heritage Conservation and Recreation Service, Technical Preservation Services Division; For sale by the Supt. Of Docs., U.S. Govt. Print. Off., Washington

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2012a Archaeological Survey of Proposed Area of Potential Effects Route 1 Improvements at Fort Belvoir (Telegraph Road to Mount Vernon Memorial Highway), Fairfax County, Virginia. The Federal Highway Administration, Sterling, VA.

2012a Architectural Survey of Proposed Area of Potential Effects Route 1 Improvements at Fort Belvoir (Telegraph Road to Mount Vernon Memorial Highway), Fairfax County, Virginia. The Federal Highway Administration, Sterling, VA.

2012c Grave Marker Assessment and Ground Penetrating Radar Survey of the Woodlawn Baptist Church Cemetery, Fairfax County, Virginia. Federal Highway Administration, Sterling, VA.

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1994 Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Secretary of the Interior, Washington D.C.

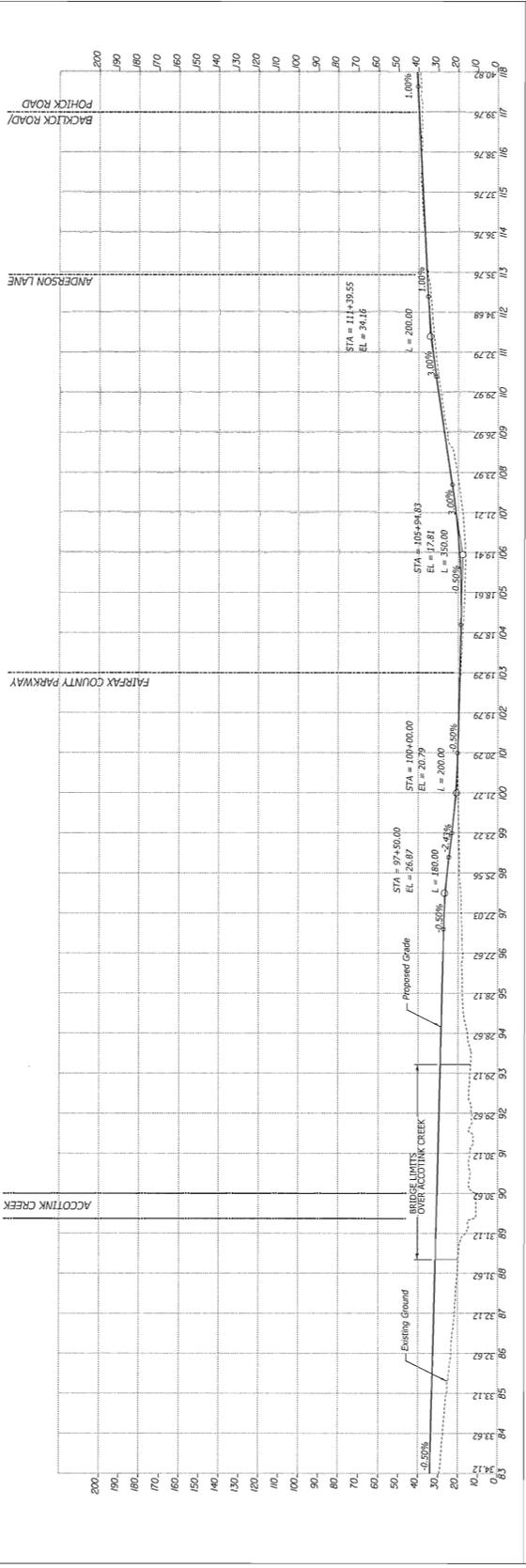
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- 1622 United States Government
1623 2004 *Federal Register* Vol. 69, No.50. Government Printing Office, Washington
1624 D.C.
1625
1626 Virginia Department of Historic Resources
1627 1992 *Guidelines for Preparing Identification and Evaluation Reports for Submission*
1628 *Pursuant to Sections 106 and 110, National Historic Preservation Act,*
1629 *Environmental Impact Reports of State Agencies, Virginia Appropriation Act,*
1630 *1992 Session Amendments.* Virginia Department of Historic Resources,
1631 Richmond VA.
1632
1633 2011 *Guidelines for Conducting Historic Resources Survey in Virginia.* Virginia
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1635
1636 Virginia Department of Conservation and Recreation
1637 2007 Virginia Outdoors Plan. Virginia Department of Conservation and Recreation,
1638 Richmond, VA.
1639
1640 Virginia Department of Transportation
1641 2002 *Road and Bridge Specifications.* Virginia Department of Transportation,
1642 Richmond VA.

Attachment C

* * *

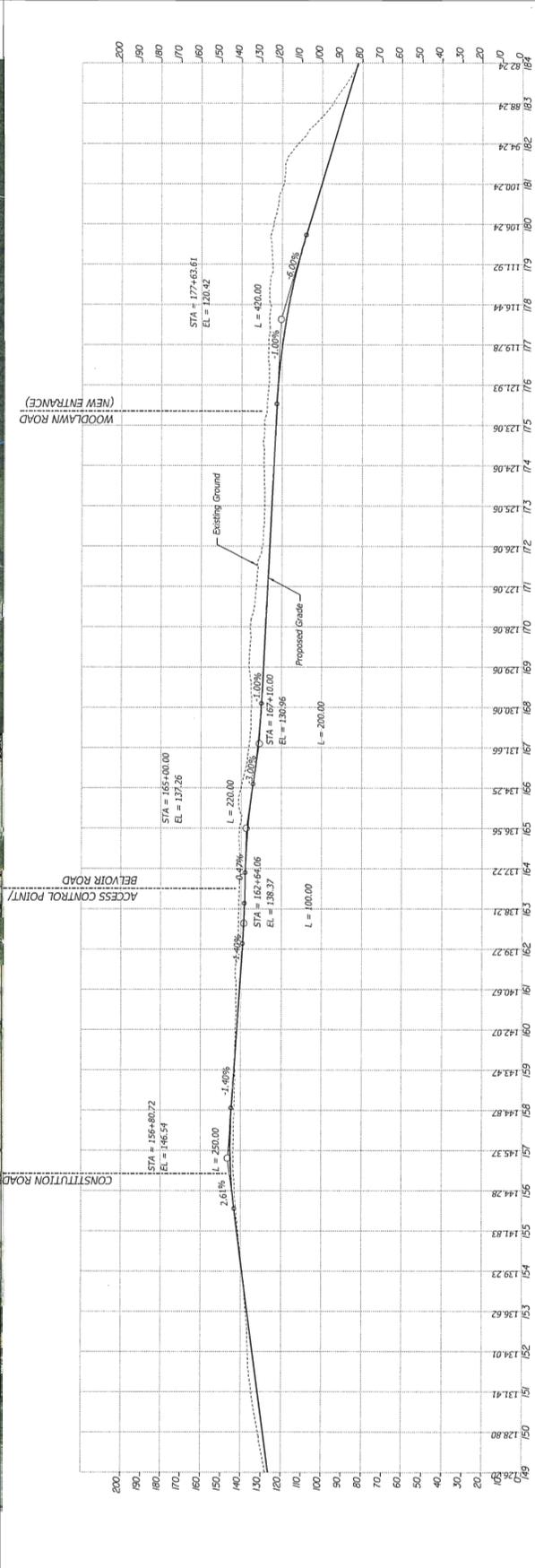
Proposed New Alignment for Route 1



RICHMOND HIGHWAY (U.S. ROUTE 1)
TELEGRAPH ROAD TO MULLIGAN ROAD - PLAN AND PROFILE
ALTERNATIVE B - SHEET 3

SCALE: 1"=100'

AUGUST 29, 2012



RICHMOND HIGHWAY (U.S. ROUTE 1)
 TELEGRAPH ROAD TO MULLIGAN ROAD - PLAN AND PROFILE
ALTERNATIVE B (REVISED) - SHEET 5

AUGUST 29, 2012
 SCALE: 1"=100'

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ACTION - 2

Authorization to Make a Loan to MVH Partners, LP from Housing Blueprint Funds for the Acquisition and Rehabilitation of Mount Vernon House (Mount Vernon District)

ISSUE:

The Board of Supervisors is requested to authorize funding in an amount not to exceed \$3,900,000, from Housing Blueprint Funds for the Acquisition and Rehabilitation of Mount Vernon House.

RECOMMENDATION:

The County Executive recommends that the Board approve this item to enable this project to move forward and to ensure that this property is preserved for the long-term.

TIMING:

Board action is requested on September 25, 2012, in order to enable this project to move forward and to ensure that this property is preserved for the long-term. AHP Virginia, LLC (AHP) entered into a contract of sale on May 2, 2012 to purchase Mount Vernon House (the Property) for \$13,170,000. At the time the contract was signed, AHP paid an initial deposit of \$100,000. A second deposit of \$150,000 was required at the end of the inspection period which expired on June 30, 2012. A third deposit of \$100,000 is due at the end of the Contingency period which expires September 30, 2012. All deposits become non-refundable after September 30, 2012.

BACKGROUND:

AHP Virginia, LLC (AHP) is proposing to form a limited partnership, to be known as MVH Partners, LP, to acquire and rehabilitate the 130-unit Mount Vernon House project located at 8199 Tis Well Road, Alexandria, Virginia, in the Mount Vernon District. Mount Vernon House is located just south of Mount Vernon Hospital in the Hybla Valley section of Fairfax County. It is close to Martin Luther King, Jr. Park, Wal-Mart and other retail and restaurants along Richmond Highway (See Attachment 1). AHP has a proven track record as an affordable housing developer. AHP is the general partner for nearby Creekside Village (formerly Janna Lee) and Hunting Creek Townhomes, both located on the Richmond Highway corridor of Fairfax County. The developer anticipates an allocation of four percent (4%) Low-Income Housing Tax Credits from the Virginia Housing Development Authority (VHDA) and a tax credit investor will be admitted as a limited partner.

Seller Information

The current owner of the property is Mount Vernon House Associates, L.L.P. (the Seller). AHP Virginia, LLC (AHP) entered into a sales contract with the Seller on May 2, 2012 to purchase Mount Vernon House (the Property) for \$13,170,000 (\$101,308 per unit).

The closing date is to be no later than December 17, 2012. Upon closing, all deposits will be credited toward the purchase price.

Project Description

Built in 1983, Mount Vernon House consists of one four-story building situated on 1.593 acres. There are 119 one-bedroom units and 11 two-bedroom units, for a total of 130 units. There are two elevators in the building. The Property currently has affordable rents based on an existing federal project-based Section 8 contract which is set to expire in June 2013. There is a second parcel of approximately half an acre across the street which can be converted to parking if needed.

The site is zoned PDH-5 (Planned Development Housing District). The property is part of a larger development which was rezoned under Rezoning Application RZB-715. The property is subject to proffer conditions associated with Development Plan DP-113, which shows the referenced property approved for housing for the elderly with 130 units.

Potential Benefits

The Property will assist in meeting multiple Housing Blueprint goals and will result in the following benefits:

1. Mount Vernon House is a 130-unit elderly independent living property; all units will be operated as Low-Income Housing Tax Credit units, subject to approval by VHDA. The Property will remain affordable for at least 50 years under the Extended Use Agreement with VHDA.
2. This Property will preserve 130 units as affordable, serving households at or below 30%, 50%, and 60% of the Area Median Income. The Property will continue to provide affordable housing to new households, through turnover, for decades to come.
3. The Property will provide eight (8) handicapped accessible units which will meet federal Section 504 requirements. The property currently has four (4) handicapped- accessible units. The Borrower will add four (4) more units.
4. The Property will incorporate Universal Design features to the greatest extent possible consistent with Fairfax County Redevelopment Housing Authority (FCRHA) policy.
5. The Property will be rehabilitated in order to sustain its long-term viability.
6. The FCRHA will have a Right of First Refusal, should the borrower wish to sell or transfer the Property.

Rehabilitation

A preliminary engineering study was completed by Meyer Consulting Engineers Corporation. Total rehabilitation costs are estimated to be about \$4,862,000 (or \$37,400 per unit).

Interior improvements will include:

- updating kitchens
- kitchen cabinets and countertops
- replace appliances
- bathroom fixtures and vanities
- HVAC systems
- replacing dryers in the laundry room
- community room, library and rental office improvements
- four additional accessible units and universal design

Exterior renovations will include:

- new windows
- upgrade entry dial system
- upgrade landscaping

Affordability

The current rents are project-based Section 8 rents. Tenants pay 30 percent of their income towards rent. The current Section 8 contract expires on June 2013.

Currently, the Section 8 contract is being renewed on an annual basis. However, under the Housing and Economic Recovery Act of 2008, Section 8 contracts may be renewed for a 20-year period, subject to annual appropriations. AHP will be required to pursue the longer contract period. In the event that the contract is not renewed by U.S. Department of Housing and Urban Development (HUD) for the 20-year period, an annual renewal of the contract will be sought.

Since Mount Vernon House has project-based Section 8 for all units, tenants will pay up to 30% of their income for rent regardless of the rent level; rents are based on Fair Market Rents (FMR), as determined by HUD.

The Borrower is expected to maintain renewal of the Section 8 contract and meet the Housing Blueprint goals as long as the funding for the Section 8 program is available from HUD. Should the Borrower choose not to renew the Section 8 contract, the outstanding balance of the Housing Blueprint Loan will become due and payable. In the event that HUD discontinues the Section 8 Program and a similar program is not available, the Borrower will have the option of keeping the rents on all of the units affordable to households earning up to 60% of AMI. The Borrower will maintain the Property as affordable housing according to the requirements of the Housing Blueprint. This affordability will be achieved through attrition and no dislocation is anticipated.

Housing Blueprint Affordability

Number of Units	Percentage of Units	Household Income Levels as % of Area Median Income
26	20%	30% or below AMI
78	60%	50% or below AMI
26	20%	60% or below AMI
130	100%	TOTAL

Relocation

It is anticipated that all rehabilitation will be completed without relocating tenants. If temporary relocation is needed, affected households will be relocated for no more than 5 days. Currently, \$50,000 has been set aside in the project budget for temporary relocation. A relocation plan has been provided and is currently under review by the Department of Housing and Community Development (HCD).

Appraised Value

The as-is appraised value according to the appraisal ordered by HCD is \$13,300,000 and completed in August 2012. The as-rehabilitated value is \$14,900,000.

Assessed Value

The 2012 assessed value in County records is \$10,163,660.

Financing

Permanent financing will be as follows:

SOURCES	
VHDA	\$ 10,700,000
Housing Blueprint	3,900,000
Deferred Developer Fee	1,335,215
Tax Credit Equity	5,917,099
Total Sources	\$ 21,852,314
USES	
Acquisition Costs	\$ 13,170,000
Construction/Rehab Costs	4,862,000
Developer's Fee	2,016,838
Soft Costs	1,368,476
Relocation	50,000
Reserves	385,000
Total Uses	\$ 21,852,314

The developer fee of \$2,016,838 is within the maximum allowed by VHDA. Currently, AHP intends to defer approximately 65% of the fee. Moreover, the deferred developer fee may be increased in order to balance the sources and uses, depending on final interest rates on the VHDA mortgage and tax credit price from the equity investor.

The VHDA's tax-exempt loan will have an estimated interest rate of 4.03 percent. The pro forma reflects a first year debt coverage ratio of 1.15.

AHP has applied to VHDA for a reservation of non-competitive 4 percent low-income housing tax credits. VHDA is in the process of reviewing the application; however, approval is very likely.

Terms of Housing Blueprint Loan

The Blueprint Loan, secured by a second deed of trust, will be closed simultaneously with all other permanent funding sources in this transaction. The Blueprint Loan will have two percent (2%) simple interest per annum with a maximum rate equal to the Applicable Federal Rate (AFR). Interest will start accruing at the time the first mortgage begins to amortize; until then, it will be zero percent (0%).

The payment of all principal and interest will be deferred with simple interest accruing for 35 years or such other term as is co-terminus with the permanent loans. The entire indebtedness will become due and payable upon transfer of the Property, refinancing, or failure to comply with the Blueprint Loan documents requirements. During the 35-year term or such other term as is co-terminus with the permanent loans, refinancing may occur at the discretion of the FCRHA and as allowed by FCRHA policies. Although the principal and interest are deferred, the loan from the FCRHA will be a cash flow loan which means that any cash flow will get applied first to the accrued interest and then to the principal. At the end of the term of 35 years, the outstanding principal balance, along with any accrued interest, shall become due and payable.

Closing

The loan will be closed following approval by the FCRHA and the Board of Supervisors. However, requirements for the closing include, but are not limited to satisfactory completion of following:

1. Reservation of low income housing tax credits
2. VHDA loan commitment financing and disbursement of funds
3. Commitment and disbursement from tax credit investor
4. Environmental Phase I review accepted and approved by the FCRHA
5. Relocation plan reviewed and accepted
6. Final underwriting by the HCD Staff
7. Other factors as deemed necessary to protect the interest of the FCRHA and Fairfax County

FISCAL IMPACT:

Funding in an amount up to \$3,900,000 will be allocated from funds identified as part of the FY 2012 and FY 2013 Housing Blueprint Project.

FY 12 Housing Blueprint HOME Funds	\$1,213,574
FY 12 Housing Blueprint Find 319*	2,000,000
FY 12 Housing Blueprint Housing Trust Funds	130,081
FY 13 Housing Blueprint Fund 319*	556,345
TOTAL	\$3,900,000

*Focus Fund 300-C30300

There will also be an annual monitoring fee of \$5,000 to be received by the FCRHA from the MVH Partners, LP and placed in Fund 810-C81000, FCRHA General Operating Fund.

ENCLOSED DOCUMENTS:

Attachment1 - Vicinity Map

STAFF:

Patricia Harrison, Deputy County Executive

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

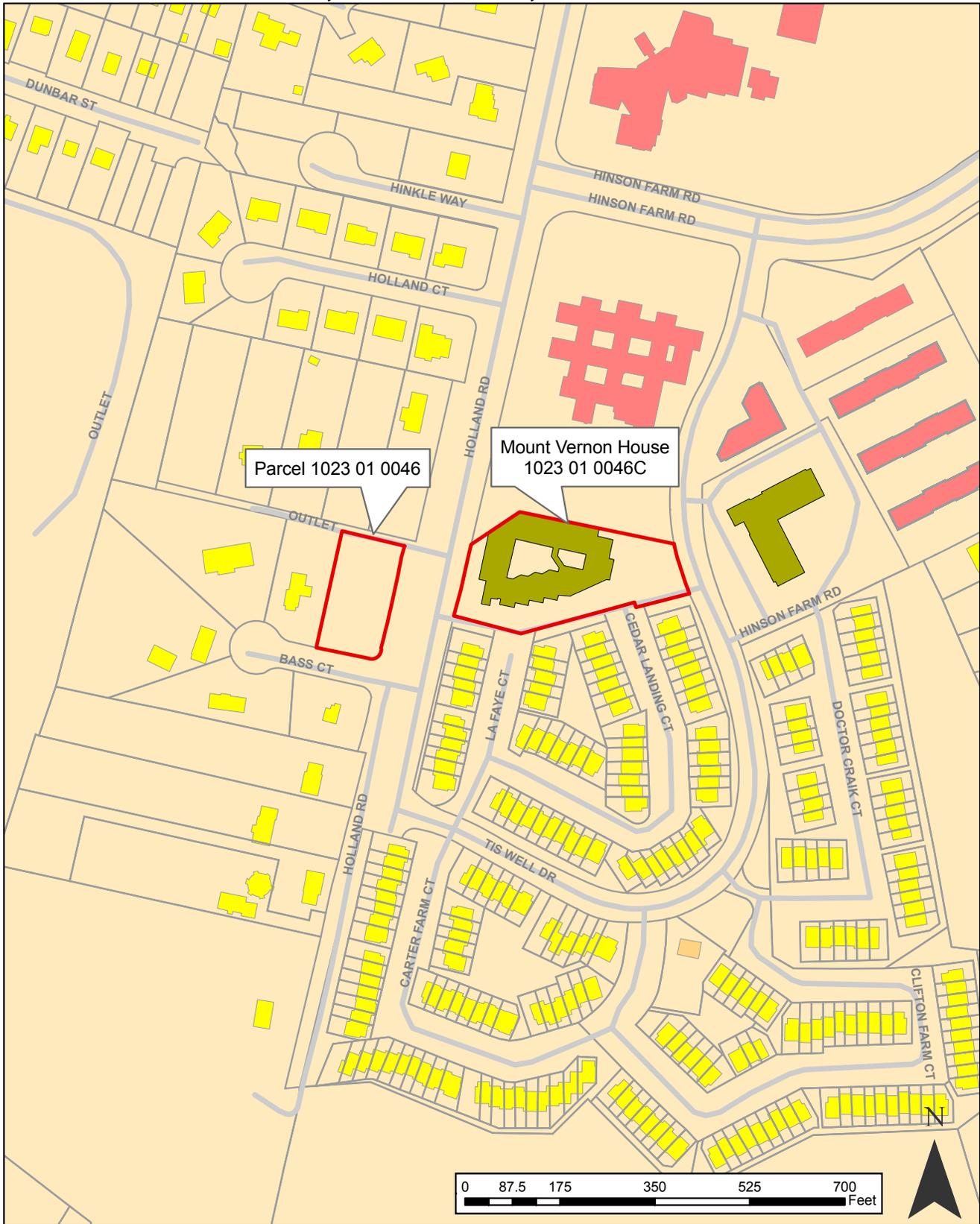
John Payne, Director, Real Estate, HCD

Aseem K. Nigam, Director, Real Estate Finance and Grants Management Division, HCD

Molly Norris, Associate Director, Real Estate Finance and Grants Management Division, HCD

Mount Vernon House

8199 Tis Well Drive, Alexandria, VA 22306



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ACTION - 3

Authorization for the Department of Transportation to Apply for the FY 2014 Virginia Department of Transportation Revenue Sharing Program Funds (Providence District)

ISSUE:

Board approval of the application for and use of a maximum of \$10,000,000 in FY 2014 Virginia Department of Transportation (VDOT) Revenue Sharing Program funds to partially pay for the extension of Jones Branch Connector.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize the Department of Transportation to apply for FY 2014 VDOT Revenue Sharing Funds, and approve the attached resolution (Attachment 1) designating a maximum of \$10,000,000 in FY 2014 VDOT Revenue Sharing Program funds for the Jones Branch Connector extension project. There is a local cash match of \$10,000,000 required for these funds. The project currently has over \$10,000,000 in local funding allocated that will satisfy the local cash match requirement.

TIMING:

The Board of Supervisors should act on this item on September 25, 2012, in order for staff to complete the application process by the October 15, 2012, VDOT deadline.

BACKGROUND:

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

The Board previously approved funding in the amount of \$41,000,000 for the Jones Branch Connector project in July 2012, as part of the Four-Year Transportation Plan. The local funding already approved for this project will be used to match up to the maximum of \$10,000,000 in the FY 2014 VDOT Revenue Sharing Program.

FISCAL IMPACT:

Funds previously approved for the extension of the Jones Branch Connector will be used to pay the required local cash match of up to \$10,000,000 for the VDOT Revenue Sharing funds. There is no fiscal impact on the County for this action. If these Revenue Sharing Program funds are approved, there will be an additional \$10,000,000 for other transportation needs.

ENCLOSED DOCUMENTS:

Attachment 1: Resolution - Designation of FY 2014 Revenue Sharing Program Funds

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
Todd Wigglesworth, Acting Chief, Coordination and Funding Division, FCDOT
Ray Johnson, Senior Transportation Planner, Coordination & Funding Division, FCDOT

RESOLUTION

DESIGNATION OF FY 2014 REVENUE SHARING PROGRAM FUNDS

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium, of the Fairfax County Government Center, in Fairfax, Virginia, on Tuesday, September 25, 2012, at which meeting a quorum was present and voting, the following resolution was adopted.

WHEREAS, Fairfax County desires to submit an application for an allocation of funds of up to \$10,000,000 through the Virginia Department of Transportation Fiscal Year 2014 Revenue Sharing Program; and,

WHEREAS, \$10,000,000 of these funds are requested to fund the Jones Branch Connector extension project; and,

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

BE IT FURTHER RESOLVED THAT the Board of Supervisors of Fairfax County hereby grants authority for the County Executive (or his Designee) to execute the project administration agreements for any approved revenue sharing projects.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

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ACTION – 4

Approval of the FY 2013-14 State Performance Contract Between the Fairfax-Falls Church Community Services Board and the Virginia Department of Behavioral Health and Developmental Services

ISSUE:

Board of Supervisors approval for the Fairfax-Falls Church Community Services Board's acceptance of funds and approval of the FY 2013-14 State Performance Contract.

RECOMMENDATION:

The County Executive recommends that the Board approve the FY 2013-14 State Performance Contract between the Fairfax-Falls Church Community Services Board and the Virginia Department of Behavioral Health and Developmental Services and the associated acceptance of funds.

TIMING:

Immediate.

BACKGROUND:

By law, the Fairfax-Falls Church Community Services Board (CSB) must make its proposed State Performance Contract available for public review prior to the CSB Board's final recommendations and approval and prior to the CSB submitting the State Performance Contract for review and approval by Fairfax County and the Cities of Fairfax and Falls Church. A recent change in state code, however, removed the requirement for this review by local jurisdictions and CSB Boards and also increased the contract to a two year time period.

The proposed FY 2013-14 State Performance Contract was available for thirty days for public review and comment. The web-link to the FY 2013-14 State Performance Contract was provided to the County Regional Libraries, two City Councils, the CSB, CSB outpatient treatment sites and to the Board of Supervisors District Offices. Notices were sent to the CSB distribution list and posted on the CSB's Web page. Comments were received until July 25, 2012.

On July 25, 2012, the CSB Board approved the FY 2013-14 State Performance Contract, following which the FY 2013-14 State Performance Contract is being presented for review and approval by Fairfax County and the Cities of Fairfax and Falls Church.

The contract transfers \$40,561,032 in state-controlled funds to the CSB, which is the total estimate of \$21,092,633 in State funds, \$4,391,231 in Federal funds, \$12,406,165 in Medicaid State Plan Option funds and \$2,671,003 in MR Waiver funds.

FISCAL IMPACT:

This is the contractual mechanism used by the State to receive \$40,561,032 in state-controlled funds to the CSB. This is \$2,832,636 or 7.5% greater than the FY 2012 annual contract amount of state-controlled funds, largely attributable to the estimated revenues from Medicaid State Plan Option in the CSB's FY2013 Adopted Budget.

ENCLOSED DOCUMENT:

Attachment A-1: FY 2013 Attached CSB-Specific Information

Attachment A-2: FY 2013 Community Services Performance Contract (This document can be found online: <http://www.dbhds.virginia.gov/OCC-default.htm>).

Please note: Board offices were sent the full copy of the State Performance Contract document on June 28, 2012.

STAFF:

Patricia Harrison, Deputy County Executive for Human Services

George Braunstein, Executive Director, Fairfax-Falls Church Community Services Board

Cathy Pumphrey, Director of Informatics, Fairfax-Falls Church Community Services Board

FY2013 Community Services Performance Contract

Quarter C

Exhibit A: Resources and Services

Fairfax-Falls Church Community Services Board

Consolidated Budget (Pages AF-3 through AF-7)				
Funding Sources	Mental Health Services	Developmental Services	Substance Abuse Services	TOTAL
State Funds	15,227,161	1,561,417	3,648,109	20,436,687
Local Matching Funds	36,594,548	37,068,260	24,015,042	97,677,850
Total Fees	11,419,488	6,788,067	1,383,433	19,590,988
Transfer Fees In/(Out)	0	0	0	0
Federal Funds	1,459,595	0	3,891,736	5,351,331
Other Funds	65,000	0	134,913	199,913
State Retained Earnings	0	0	0	0
Federal Retained Earnings	0		0	0
Other Retained Earnings	0	0	0	0
Subtotal Funds	64,765,792	45,417,744	33,073,233	143,256,769
State Funds One-Time	0		0	0
Federal Funds One-Time	0		0	0
Subtotal One -Time Funds	0	0	0	0
TOTAL ALL FUNDS	64,765,792	45,417,744	33,073,233	143,256,769
Cost for MH/DV/SA	50,147,368	44,745,542	28,207,884	123,100,794
Cost for Services Available Outside of a Program Area (SAOPA) (AP-4)				18,912,766
Total Cost				142,013,560

Local Match Computation	
Total State Funds	20,436,687
Total Local Matching Funds	97,677,850
Total State and Local Funds	118,114,537
Total Local Match % (Local/Total State + Local)	82.70%

Administrative Expenses	
Total Admin. Expenses	5,458,893
Total Expenses	142,013,560
Administrative Percent	3.84%

*FY2013 Community Services Performance Contract
 Exhibit A: Resources and Services
 Fairfax-Falls Church Community Services Board
 Financial Comments*

Comment1	MH Fees Other: \$1,707,596 self pay, \$447,401 insurances, \$1,342,113 CSA,
Comment2	\$81,074 State Courts
Comment3	MH Other Fed-CSB: \$171,031 PATH estimate, \$134,417 VASAVOR
Comment4	MH Other Funds: \$65,000 MH CEP
Comment5	MH Total Regional Transfer In/Out is detailed on the Regional Funds
Comment6	DV Fees Other: Self pay
Comment7	DV Crisis Stabilization updated 6/18/2012; \$1,536,097
Comment8	SA Fees Other: \$1,104,219 self pay, \$24,955 insurances, \$36,287 LRP fees
Comment9	SA Other Fed-CSB: \$254653 HUD, \$400,000 HIDTA
Comment10	SA Other Funds: \$74,913 Day Reporting, \$60,000 VHFYAI's Pals
Comment11	Administration expenses reflect current presentation of management structure
Comment12	and business supports in a centralized administrative cost senter.
Comment13	
Comment14	
Comment15	
Comment16	
Comment17	
Comment18	
Comment19	
Comment20	
Comment21	
Comment22	
Comment23	
Comment24	
Comment25	

FY 2013 Community Services Performance Contract Financial Summary
Exhibit A: Resources and Services
Mental Health (MH) Services
Fairfax-Falls Church Community Services Board

Funding Sources	<u>Funds</u>
<u>FEES</u>	
MH Medicaid Fees	7,841,304
MH Fees: Other	3,578,184
Total MH Fees	11,419,488
MH Transfer Fees In/(Out)	0
MH NET FEES	11,419,488
<u>FEDERAL FUNDS</u>	
MH FBG SED Child & Adolescent (93.958)	235,636
MH FBG SMI (93.958)	890,940
MH FBG SMI PACT (93.958)	0
MH FBG SMI SWVMH Board (93.958)	0
Total MH FBG SMI Funds	890,940
MH FBG Geriatrics (93.958)	0
MH FBG Consumer Services (93.958)	0
Total MH FBG Adult Funds	890,940
MH Federal PATH (93.150)	27,571
MH Other Federal - DBHDS	0
MH Other Federal - CSB	305,448
TOTAL MH FEDERAL FUNDS	1,459,595
<u>STATE FUNDS</u>	
<u>Regional Funds</u>	
MH Acute Care (Fiscal Agent)	1,635,801
MH Regional DAP (Fiscal Agent)	1,749,374
MH Crisis Stabilization (Fiscal Agent)	833,667
MH Recovery (Fiscal Agent)	543,192
MH Other Regional (Fiscal Agent)	760,153
MH Total Regional Transfer In/(Out)	-929,190
Total MH Net Regional Funds	4,592,997
<u>Children's Funds</u>	
MH Child & Adolescent Services Initiative	515,529
MH Children's Outpatient	75,000
Total Restricted MH Children's Funds	590,529
MH State Children's Services	0
MH Juvenile Detention	111,724
MH Demo Proj-System of Care (Child)	0
Total Unrestricted MH Children's Funds	111,724
Total MH State Children's Funds (Restricted for Children)	702,253

Report Date #Name?

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FY 2013 Community Services Performance Contract Financial Summary
Exhibit A: Resources and Services
Mental Health (MH) Services
Fairfax-Falls Church Community Services Board

Funding Sources	<u>Funds</u>
<u>Other State Funds</u>	
MH Law Reform	530,387
MH Pharmacy - Medication Supports	1,665,990
MH Jail Diversion/Service	321,050
MH Expanded Community Capacity (Fiscal Agent)	0
MH Expanded Community Capacity Transfer In/(Out)	0
Total MH Net Expanded Community Capacity	0
Total Restricted MH Other State Funds	2,517,427
MH State Funds	5,372,035
MH State Regional Deaf Services	23,750
MH State NGRI Funds	0
MH PACT	700,000
MH Discharge Assistance (DAP)	1,318,699
MH Geriatric Services	0
Total Unrestricted MH Other State Funds	7,414,484
Total MH Other State Funds	9,931,911
TOTAL MH STATE FUNDS	15,227,161
<u>OTHER FUNDS</u>	
MH Other Funds	65,000
MH Federal Retained Earnings	0
MH State Retained Earnings	0
MH State Retained Earnings - Regional Prog	0
MH Other Retained Earnings	0
TOTAL MH OTHER FUNDS	65,000
<u>LOCAL MATCHING FUNDS</u>	
MH Local Government Appropriations	36,594,548
MH Philanthropic Cash Contributions	0
MH In-Kind Contributions	0
MH Local Interest Revenue	0
TOTAL MH LOCAL MATCHING FUNDS	36,594,548
TOTAL MH FUNDS	64,765,792
<u>ONE-TIME FUNDS</u>	
MH FBG SMI (93.958)	0
MH FBG SED Child & Adolescent (93.958)	0
MH State Funds	0
TOTAL MH ONE-TIME FUNDS	0
TOTAL All MH FUNDS	64,765,792

Report Date #Name?

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FY 2013 Community Services Performance Contract Financial Summary

Exhibit A: Resources and Services

Developmental (DV) Services

Fairfax-Falls Church Community Services Board

Funding Sources	<u>Funds</u>
<u>FEES</u>	
DV Medicaid Fees	6,524,620
DV Medicaid ICF/MR	0
DV Fees: Other	263,447
Total DV Fees	<u>6,788,067</u>
DV Transfer Fees In/(Out)	0
DV NET FEES	<u>6,788,067</u>
<u>FEDERAL FUNDS</u>	
DV Other Federal - DBHDS	0
DV Other Federal - CSB	0
TOTAL DV FEDERAL FUNDS	<u>0</u>
<u>STATE FUNDS</u>	
DV State Funds	0
DV OBRA	25,320
Total DV Unrestricted State Funds	<u>25,320</u>
DV Crisis Stabilization (Fiscal Agent)	1,536,097
DV Crisis Stabilization Transfer In/(Out)	0
Total DV Net Crisis Stabilization (Restricted)	<u>1,536,097</u>
DV Trust Fund (Restricted)	0
Total DV Restricted State Funds	<u>1,536,097</u>
TOTAL DV STATE FUNDS	<u>1,561,417</u>
<u>OTHER FUNDS</u>	
DV Workshop Sales	0
DV Other Funds	0
DV State Retained Earnings	0
DV Other Retained Earnings	0
TOTAL DV OTHER FUNDS	<u>0</u>
<u>LOCAL MATCHING FUNDS</u>	
DV Local Government Appropriations	37,068,260
DV Philanthropic Cash Contributions	0
DV In-Kind Contributions	0
DV Local Interest Revenue	0
TOTAL DV LOCAL MATCHING FUNDS	<u>37,068,260</u>
TOTAL DV FUNDS	<u>45,417,744</u>
<u>ONE-TIME FUNDS</u>	
TOTAL ALL DV FUNDS	<u>45,417,744</u>

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FY 2013 Community Services Performance Contract Financial Summary

Exhibit A: Resources and Services

Substance Abuse (SA) Services

Fairfax-Falls Church Community Services Board

Funding Sources	<u>Funds</u>
<u>FEES</u>	
SA Medicaid Fees	212,411
SA Fees: Other	1,171,022
Total SA Fees	1,383,433
SA Transfer Fees In/(Out)	0
SA NET FEES	1,383,433
<u>FEDERAL FUNDS</u>	
SA FBG Alcohol/Drug Trmt (93.959)	1,802,688
SA FBG SARPOS (93.959)	207,611
SA FBG Jail Services (93.959)	159,802
SA FBG Co-Occurring (93.959)	115,716
SA FBG New Directions (93.959)	0
SA FBG Recovery (93.959)	0
Total SA FBG A/D Trmt Funds	2,285,817
SA FBG Women (Includes LINK at 6 CSBs) (93.959)	443,444
SA FBG Prevention-Women (LINK) (93.959)	0
Total SA FBG Women Funds	443,444
SA FBG Prevention (93.959)	507,823
SA FBG Prev-Strengthening Families (93.959)	0
Total SA FBG Prevention Funds	507,823
SA Other Federal - DBHDS	0
SA Other Federal - CSB	654,652
TOTAL SA FEDERAL FUNDS	3,891,736
<u>STATE FUNDS</u>	
<u>Regional Funds</u>	
SA Facility Reinvestment (Fiscal Agent)	0
SA Facility Reinvestment Transfer In/(Out)	0
SA Net Facility Reinvestment Funds	0
<u>Other State Funds</u>	
SA Women (Includes LINK at 4 CSBs) - Restricted	129,200
SA State Funds	3,081,319
SA Region V Residential	0
SA Jail Services/Juv Detention	243,526
SA MAT - Medically Assisted Treatment	0
SA SARPOS	148,528
SA Recovery	0
SA HIV/AIDS	45,536
Total Unrestricted SA Other State Funds	3,518,909
Total SA Other State Funds	3,648,109
TOTAL SA STATE FUNDS	3,648,109

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FY 2013 Community Services Performance Contract Financial Summary

Exhibit A: Resources and Services

Substance Abuse (SA) Services

Fairfax-Falls Church Community Services Board

Funding Sources	<u>Funds</u>
 <u>OTHER FUNDS</u>	
SA Other Funds	134,913
SA Federal Retained Earnings	0
SA State Retained Earnings	0
SA State Retained Earnings-Regional Prog	0
SA Other Retained Earnings	0
TOTAL SA OTHER FUNDS	134,913
 <u>LOCAL MATCHING FUNDS</u>	
SA Local Government Appropriations	24,015,042
SA Philanthropic Cash Contributions	0
SA In-kind Contributions	0
SA Local Interest Revenue	0
TOTAL SA LOCAL MATCHING FUNDS	24,015,042
TOTAL SA FUNDS	33,073,233
 <u>ONE TIME FUNDS</u>	
SA FBG Alcohol/Drug Trmt (93.959)	0
SA FBG Women (includes LINK at 6 CSBs) (93.959)	0
SA FBG Prevention (93.959)	0
SA State Funds	0
TOTAL ONE TIME SA FUNDS	0
TOTAL ALL SA FUNDS	33,073,233

FY 2013 Community Services Performance Contract
Exhibit A: Resources and Services
Local Government Tax Appropriations
Fairfax-Falls Church Community Services Board

<u>City/County</u>	<u>Tax Appropriation</u>
Fairfax County	96,028,120
Falls Church City	513,802
Fairfax City	1,135,928
Total Local Government Tax Funds:	97,677,850

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FY 2013 Community Services Performance Contract
Exhibit A: Resources and Services
CSB 100 Mental Health Services
Fairfax-Falls Church Community Services Board

Report for Form 11

Core Services Code	Costs
250 Acute Psychiatric or SA Inpatient Services	\$392,592
310 Outpatient Services	\$7,513,408
350 Assertive Community Treatment	\$1,497,161
320 Case Management Services	\$10,733,440
410 Day Treatment or Partial Hospitalization	\$2,431,327
425 Rehabilitation or Habilitation	\$1,782,439
430 Sheltered Employment	\$192,426
465 Group Supported Employment	\$366,863
460 Individual Supported Employment	\$316,431
501 Highly Intensive Residential Services	\$2,899,674
510 Residential Crisis Stabilization Services	\$2,985,981
521 Intensive Residential Services	\$4,185,668
551 Supervised Residential Services	\$8,537,402
581 Supportive Residential Services	\$6,312,556
Total Costs	\$50,147,368

FY 2013 Community Services Performance Contract
Exhibit A: Resources and Services
CSB 200 Developmental Services
Fairfax-Falls Church Community Services Board

Report for Form 21

Core Services Code	Costs
320 Case Management Services	\$6,899,470
425 Rehabilitation or Habilitation	\$8,091,904
430 Sheltered Employment	\$2,435,755
465 Group Supported Employment	\$6,303,255
460 Individual Supported Employment	\$897,697
510 Residential Crisis Stabilization Services	\$1,675,041
521 Intensive Residential Services	\$13,759,085
551 Supervised Residential Services	\$3,469,978
581 Supportive Residential Services	\$1,213,357
Total Costs	\$44,745,542

FY 2013 Community Services Performance Contract
Exhibit A: Resources and Services
CSB 300 Substance Abuse Services
Fairfax-Falls Church Community Services Board

Report for Form 31

Core Services Code	Costs
310 Outpatient Services	\$5,240,535
320 Case Management Services	\$2,604,984
410 Day Treatment or Partial Hospitalization	\$3,145,101
521 Intensive Residential Services	\$6,935,811
551 Supervised Residential Services	\$940,365
581 Supportive Residential Services	\$6,153,327
610 Prevention Services	\$3,187,761
Total Costs	\$28,207,884

FY 2013 Community Services Performance Contract
Exhibit A: Resources and Services
CSB 400 Services Available Outside of a Program Area
Fairfax-Falls Church Community Services Board

Report for Form 01

Core Services Code	Costs
100 Emergency Services	\$3,722,167
390 Consumer Monitoring Services	\$4,362,022
720 Assessment and Evaluation Services	\$10,285,385
620 Early Intervention Services	\$0
730 Consumer Run Services	\$543,192
Total Costs	\$18,912,766

FY 2013 Community Services Performance Contract
Table 1: Board of Directors Membership Characteristics

Name of CSB:	Fairfax-Falls Church Community Services Board		
Total Appointments:	<input type="text" value="16"/>	Vacancies:	<input type="text" value="1"/> Filled Appointments: <input type="text" value="15"/>
Number of Consumers:	<input type="text" value="1"/>	Number of Family Members:	<input type="text" value="9"/>

**FY 2013 Community Services Performance Contract
Exhibit D: CSB Board of Directors Membership List**

Fairfax-Falls Church Community Services Board

Name	Address	Phone Number	Start Date	End Date	Term No.
Pamela Barrett	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	9/14/2009	6/1/2015	2
Mary Ann Beall	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	4/25/2005	6/1/2014	3
Susan Beeman	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	9/25/2006	6/1/2013	2
Jessica Burnmaster	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	7/31/2009	6/1/2015	2
Lynne Crammer	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	9/26/2005	6/1/2014	2
Mark L. Gross	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	5/25/2004	6/1/2014	3
Glenn Kamber	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	6/22/2009	6/1/2018	3
Lisa Kania	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	10/1/2011	6/1/2013	1
Karen Margensey	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	10/1/2011	6/1/2014	1
Jean P. McNeal	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	5/1/2006	6/1/2014	2
Mattie L. Palmore	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	1/9/2006	6/1/2013	2
Major Mark Sites	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	7/25/2008	6/1/2014	1
Lori Stillman	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	10/17/2005	6/1/2014	2
Woody Witt	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	9/22/1008	6/1/2013	1
Jane Woods	12011 Government Center Parkway; Suite 836 Fairfax, VA	(703) 324-7000	11/17/2008	6/1/2013	1

FY 2013 Community Services Performance Contract

Table 2: Board Management Salary Costs

Name of CSB:	Fairfax-Falls Church Community Services Board		FY 2013	
Table 2a:	FY 2013	Salary Range	Budgeted Tot.	Tenure
Management Position Title	Beginning	Ending	Salary Cost	(yrs)
Executive Director	\$107,936.00	\$179,893.00	\$168,300.00	3.50

Table 2: Integrated Behavioral and Primary Health Care Questions

1. Is the CSB participating in a partnership with a federally qualified health center, free clinic, or local health department to integrate the provision of behavioral health and primary health care?

Yes

2. If yes, who is the partner?

a federally qualified health center
Name:

a free clinic
Name:

a local health department, or
Name: FFX COUNTY HEALTH DEPT, COMMUNITY HEALTHCARE NETWO

another organization
Name:

3. Where is primary health (medical) care provided?

on-site in a CSB program,
 on-site at the primary health care provider, or
 another site --specify:

4. Where is behavioral health care provided?

on-site in a CSB program,
 on-site at the primary health care provider, or
 another site --specify:

FY 2013 Community Services Performance Contract

Fairfax-Falls Church Community Services Board

Table 2: Board Management Salary Costs

Explanations for Table 2a

Table 2b: Community Service Board Employees

1.	2.	3.	4.	5.	6.	7.
No. of FTE CSB Employees	MH	DEV	SA	SAOPA	ADMIN	TOTAL
Consumer Service FTEs	365.00	159.00	226.00	128.00		878.00
Peer Staff Service FTEs	11.00	0.00	2.00	1.00		14.00
Support Staff FTEs	59.00	15.00	31.00	0.00	32.00	137.00
TOTAL FTE CSB Employees	435.00	174.00	259.00	129.00	32.00	1,029.00

Report Date #Name?

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ACTION - 5

Authorization to Sign Department of Rail and Public Transportation Project Funding Agreements

ISSUE:

Board of Supervisors' authorization for the County Executive, or his designee, to sign agreements with the Virginia Department of Rail and Public Transportation (DRPT) for Fiscal Year 2013 for Washington Metropolitan Area Transit Authority (WMATA) capital and operations projects, and for Fairfax County transit capital projects and operations.

RECOMMENDATION:

The County Executive recommends that the Board approve the execution of three Project Agreements between DRPT and Fairfax County for funding for Fairfax County and WMATA Capital and Operations Projects. The County Executive also recommends that the Board authorize the County Executive or his designee to execute the project agreements in substantial form, and to execute DRPT's form Agent Authorization Letters to designate the Northern Virginia Transportation Commission (NVTC) as the County's agent for purposes of financial grants administration for these funds (Attachments I, II, and III). In addition, the County Executive recommends that the Board authorize the County Executive or his designee to execute a Project Agreement related to NVTC administrative operations funding, if the County Executive and the County Attorney agree that it is substantially similar to the Project Agreements now before the Board for its approval. Otherwise, this agreement will be returned to the Board for its consideration.

TIMING:

The Board of Supervisors should act on this item on September 25, 2012, so that DRPT will release funding for Fairfax County and WMATA Capital and Operating Projects and for NVTC operations.

BACKGROUND:

For more than 30 years, the state has disbursed state transit assistance to the Northern Virginia jurisdictions served by WMATA through NVTC, which has used a Subsidy Allocation Model (SAM) to distribute this regional transit funding between the jurisdictions, as required by the Code of Virginia. While the SAM has been amended in the past, the Northern Virginia jurisdictions are satisfied with the current SAM which has essentially been in place for approximately ten years.

On May 15, 2012, DRPT Director Thelma Drake announced her Department's decision to send state transit assistance directly to WMATA and five Northern Virginia jurisdictions, rather than to NVTC. At its June 20, 2012, meeting, the Commonwealth Transportation Board (CTB) approved the DRPT Six Year Improvement Program for Fiscal Years 2013-2018, including providing funds directly to localities and WMATA, but also approved a resolution delaying the disbursement of funds for Northern Virginia transit services to allow for further discussions on this matter (Attachment IV). Throughout this process discussions were held between CTB members and NVTC commissioners on the issue. On July 18, 2012, the CTB approved a resolution directing the distribution of the local and WMATA funds to the transit provider locality, conditioned upon the locality recording the allocated funding in accordance with Generally Accepted Government Accounting Principles for that transit service (Attachment V).

Following CTB action and conversations between DRPT, NVTC, and jurisdictional staff, DRPT noted that NVTC is allowed to create accounts for the direct receipt of these funds and can continue to administer these funds. However, DRPT will now require the local jurisdictions to record the funding within their financial documents. Fairfax County can comply with that requirement, and DRPT funding has been included in County budget documents for many years.

DRPT has provided Project Agreements associated with the transfer of this funding. Each Project Agreement includes a form letter through which a locality is to designate NVTC as its agent in matters pertaining to the administration of these grants. Localities must accept the three attached Project Agreements and the designation letters as presented by DRPT. Accordingly, staff requests that the Board authorize the County Executive, or his designee, to execute the three Project Agreements and designation letters. Staff expects DRPT to present a fourth Project Agreement, for NVTC administrative funding, in the near future. Therefore, staff is also requesting that the Board authorize the County Executive, or his designee, to execute that fourth Project Agreement and designation letter, if the County Executive and the County Attorney agree that they are substantially similar to the three Project Agreements and designation letters attached.

FISCAL IMPACT:

The Six-Year Improvement Program provides the County with \$16,810,750 for Approved Fairfax County Transit Capital Projects, \$11,699,306 for Fairfax Connector Operating Assistance, \$18,171,101 for Approved WMATA Capital Projects, and \$40,080,142 for WMATA Operating Assistance. However, funding from the

Commonwealth for Transit Capital Projects is provided on a reimbursement basis after the purchase and/or project is completed. Therefore, these funds are already included into Fairfax County's FY 2013 Adopted Budget, and there will be no fiscal impact if this item is approved. The exact amount of the funding provided through the fourth project

Board Agenda Item
September 25, 2012

agreement for NVTC administrative operations is currently unknown, but it is anticipated to be less than \$200,000 for the entire Northern Virginia region.

ENCLOSED DOCUMENTS:

Attachment I: Fiscal Year 2013 Project Agreement and Authorization Letter for Approved Funding for Transit Capital Projects in Fairfax County

Attachment II: Fiscal Year 2013 Project Agreement and Authorization Letter for Approved Funding for WMATA Capital Projects

Attachment III: Fiscal Year 2013 Project Agreement and Authorization Letter for Approved Funding for WMATA and Fairfax County Operations

Attachment IV: Commonwealth Transportation Board Resolution Delaying the Distribution of funds to Northern Virginia Transit Providers – June 20, 2012

Attachment V: Commonwealth Transportation Board Resolution Regarding Funding for Northern Virginia Transit Operating and Capital Projects – July 18, 2012

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

Michael Long, Deputy County Attorney

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**Project Agreement for Use Of
Commonwealth Transportation Funds
Fiscal Year 2013
Six Year Improvement Program Approved Projects
Grant Numbers 73113-35 thru 73113-45**

This Project Agreement ("Agreement") is entered into this ___ day of _____, 20___ by and between the Commonwealth of Virginia ("Commonwealth"), Department of Rail and Public Transportation ("Department"), and the Fairfax County ("Grantee"), for the provision of funding for approved Capital Projects.

WHEREAS, the Northern Virginia Transportation Commission, on behalf of the Grantee, submitted an application to the Department for funding in the Fiscal Year 2013 – Fiscal Year 2018 Six Year Improvement Program (SYIP) for capital assistance to support the Grantee's locally provided transit service; and

WHEREAS, on May 15, 2012, the DRPT Director notified the Grantee that SYIP funds distributed as state transit assistance would be provided directly to each jurisdiction beginning in FY2013, and by letter dated June 8, 2012, the Grantee accepted the NVTTC application funding on its behalf and notified DRPT of its acceptance; and

WHEREAS, the Department approved the application for funding for capital assistance and made recommendation for approval to the Commonwealth Transportation Board; and

WHEREAS, on June 20, 2012, the Commonwealth Transportation Board ("CTB") allocated funding for capital assistance, but delayed distribution of funds allocated to the Northern Virginia jurisdictions; and

WHEREAS, on July 18, 2012, the CTB directed the distribution of SYIP funds to support the Northern Virginia transit services provided by the Grantee to be made by the Department directly to the Grantee with the intended purpose of providing for Grantee's locally provided transit service; and

WHEREAS, the Grantee understands and acknowledges the Special Capital Provisions of the Master Agreement, and the Work produced pursuant to Article 1 of this Agreement will comply with these provisions; and

WHEREAS, it is desired by the Parties hereto to define the extent of the Projects addressed herein, the responsibilities of each party, the manner of performing the necessary Work, the method and time of payment, and to set out additional conditions associated with the Projects; and

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth, it is agreed and bound between the Parties hereto as follows:

ARTICLE 1. SCOPE OF WORK, TERM AND BUDGET

1. The Work under the terms of this Agreement is as follows:
 - a. purchase twenty replacement buses to replace buses that are past their 12 year life cycle, and
 - b. purchase fifteen expansion buses to implement service expansions in support of Dulles Rail Phase I, and additional service to Tysons Corner and Reston, and
 - c. hire a third party contractor to inspect new buses while being built, and perform a final inspection once they arrive from the factory, and
 - d. purchase a service truck for the on-call maintenance staff to support new buses being added to the fleet, due to increased service anticipated in the coming years, and
 - e. hire a consultant to develop a technology plan and purchase new hardware including cameras, Automatic Vehicle Locators (“AVL”), Automatic Passenger Counters (“APC”), real-time transit information, stop annunciators, and
 - f. make improvements to Fairfax Connector and Washington Metropolitan Area Transit Authority (“WMATA”) bus stops and shelters in Fairfax County, and
 - g. complete design work for the West Ox Road facility to expand the administration and maintenance buildings, and
 - h. repair the Herndon/Monroe Parking Deck, and
 - i. improve Springfellow Road facility by expanding Park and Ride Lot and adding bus transfer facilities due to plans for increased bus service along the I-66 corridor, and
 - j. improve the Lorton VRE station by adding approximately 150 additional parking spaces in park and ride lot, including design and construction of paved surface level parking, drainage, landscaping and lighting, and
 - k. upgrade Huntington Garage Probing and Service Lane, including installation of area storage tanks, pumping facility tanks, probing, service lanes and other related equipment.
2. The Grantee may designate the Northern Virginia Transportation Commission (“NVTC”) or

any other entity as their authorized agent to perform administrative activities. In order to do so, the Grantee must notify the Department in writing using a letter in the format of the letter hereto attached and marked as Appendix 12. If the Grantee designates an entity other than NVTC, they must request the Department's approval in advance, in accordance with the terms of the Master Funding Agreement. If the Grantee designates NVTC as their authorized agent, they must follow these conditions:

- a. In the event that the Grantee designates NVTC as their authorized agent pursuant to §15.2-4518 Section 5 of the Code of Virginia to perform administrative activities as required by this Agreement, the Grantee is required to notify the Department of such duties and activities with NVTC (the "NVTC Agent Letter"). The Grantee must provide the Department such NVTC Agent Letter specifying the terms, powers, and duties of NVTC in this relationship for review and concurrence before the Department can take the appropriate actions to establish the financial relationship and controls with NVTC as the Grantee's authorized agent. This NVTC Agent Letter must provide that NVTC will follow the terms of this Agreement, and that no modification or change to the terms and conditions contained in the NVTC Agent Letter can be made without the prior written notification to the Department by the Grantee and concurrence by the Department.
- b. In the event that an agent is designated as the grantee's authorized agent to perform administrative activities as required by this Agreement, the Grantee remains responsible to the Department for the Work and terms of this Agreement.
- c. In the event that the Grantee designates NVTC as their authorized agent to perform administrative activities as required by this Agreement, and the Department concurs with the terms, powers, and duties of NVTC in this relationship, and the Grantee joins the other WMATA service jurisdictions within NVTC to pool state transit funding provided for the provision of local transit operations and/or to also pool its state transit funding provided as the payment of state contribution subsidy to WMATA for transit services provided to the WMATA Compact member jurisdictions to meet the WMATA service jurisdictions' obligations of the WMATA Compact, the Grantee must ensure that NVTC provides a statement letter showing the net impact of the reallocation of the State assistance by NVTC's Subsidy Allocation Model ("SAM") between the WMATA Compact jurisdictions, and send such letter to both the Grantee's Governing Board and its individual membership and the Department within 120 days after the end of the Fiscal Year 2013. If an audit of NVTC or its member jurisdictions reveals that the net impact of reallocation is changed, an adjusted letter showing the net impact must be submitted to the Department and the Grantee's Governing Board by December 31 of each year.
- d. Regardless of whether or not NVTC is designated as the Grantee's agent, the Grantee is responsible to the Department for the full value allocation, distribution, terms, and recording of allocated funding made by the Department pursuant to the terms of this Agreement.

3. The Department agrees to provide funding as detailed below:

- a. State grant funding to purchase twenty buses to replace buses that are past their 12 year life cycle, in the amount of \$5,335,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 1, which is hereto attached and made a part of this Agreement.
- b. State grant funding to purchase fifteen expansion buses to implement service expansions in support of Dulles Rail Phase I, and additional service to Tysons Corner and Reston, in the amount of 4,001,250 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 2, which is hereto attached and made a part of this Agreement.
- c. State grant funding to hire a third party contractor to inspect new buses while being built, and perform a final inspection one they arrive from the factory, in the amount of \$165,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 3, which is hereto attached and made a part of this Agreement.
- d. State grant funding to purchase a service truck for the on-call maintenance staff to support new buses being added to the fleet, due to increased service anticipated in the coming years, in the amount of \$49,500 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 4, which is hereto attached and made a part of this Agreement.
- e. State grant funding to purchase new hardware including cameras, AVL, APC, real-time transit information, and stop annunciators, in the amount of \$1,375,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 5, which is hereto attached and made a part of this Agreement.
- f. State grant funding for improvements to the Fairfax Connector and WMATA bus stops and shelters in Fairfax County, in the amount of \$715,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 6, which is hereto attached and made a part of this Agreement.
- g. State grant funding to complete design work for the West Ox Road facility to expand the administration and maintenance buildings, in the amount of \$825,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 7, which is hereto attached and made a part of this Agreement.

- h. State grant funding for repairs to the Herndon/Monroe Parking Deck, in the amount of \$495,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 8, which is hereto attached and made a part of this Agreement.
 - i. State grant funding for improvements to the Springfellow Road facility by expanding the Park and Ride Lot and adding bus transfer facilities due to plans for increased bus service along the I-66 corridor, in the amount of \$2,365,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 9, which is hereto attached and made a part of this Agreement.
 - j. State grant funding for improvements to the Lorton VRE station by adding approximately 150 additional parking spaces in the park and ride lot, including design and construction of paved surface level parking, drainage, landscaping and lighting, in the amount of \$825,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 10, which is hereto attached and made a part of this Agreement.
 - k. State grant funding to upgrade Huntington Garage Probing and Service Lane, including installation of area storage tanks, pumping facility tanks, probing, service lanes and other related equipment, in the amount of \$660,000 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 11, which is hereto attached and made a part of this Agreement.
4. The Grantee hereby acknowledges that state grant funding for these grants cannot exceed the amount allocated by the Commonwealth Transportation Board ("CTB") and that state grant funding is contingent upon appropriation by the General Assembly of Virginia.

ARTICLE 2. INCORPORATION OF MASTER AGREEMENT FOR USE OF COMMONWEALTH FUNDS

The parties hereby agree to incorporate the Master Agreement for Use of Commonwealth Transportation Funds, dated May 30, 2012, as if set out in full herein.

This space intentionally left blank

IN WITNESS WHEREOF, the Department and the Grantee execute this Project Agreement for the Use of Commonwealth Transportation Funds on the date first written above.

DEPARTMENT OF RAIL AND
PUBLIC TRANSPORTATION

WITNESS:

Date: _____

By: _____

Thelma Drake
Director

WITNESS:

Date: _____

FAIRFAX COUNTY

By: _____

Name: _____

Title: _____

Appendix 1

**Grantee: Fairfax County
Capital Project Agreement**

**Project: Purchase Twenty 40 foot Replacement
Buses**

**Project Number: 73113-35
Project Start Date: July 1, 2012
Project Expiration Date: December 31, 2014
EIN: 540787833-00**

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$5,335,000
1400	Local share of project cost (45%)	\$4,365,000
	Total Project Expense	\$9,700,000

In no event shall this grant exceed \$5,335,000.

Appendix 2

**Grantee: Fairfax County
Capital Project Agreement**

Project: Purchase Fifteen Expansion 40 foot Buses

**Project Number: 73113-36
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00**

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$4,001,250
1400	Local share of project cost (45%)	\$3,273,750
	Total Project Expense	\$7,275,000

In no event shall this grant exceed \$4,001,250.

Appendix 3

**Grantee: Fairfax County
Capital Project Agreement**

Project: Hire Third Party Contractor to Inspect New Buses

**Project Number: 73113-37
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00**

Fund Code		Item Amount
	Grant Amount (State share of project cost 55%)	
478		\$165,000
1400	Local share of project cost (45%)	\$135,000
	Total Project Expense	\$300,000

In no event shall this grant exceed \$165,000.

Appendix 4

**Grantee: Fairfax County
Capital Project Agreement**

**Project: Purchase Service Truck for On-Call Maintenance
Staff**

**Project Number: 73113-38
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00**

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$49,500
1400	Local share of project cost (45%)	\$40,500
	Total Project Expense	\$90,000

In no event shall this grant exceed \$49,500.

Appendix 5

**Grantee: Fairfax County
Capital Project Agreement**

**Project: Purchase New ITS hardware Including Cameras, AVL, APC,
Real-Time Transit Information, and Stop Annunciators**

**Project Number: 73113-39
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00**

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$1,375,000
1400	Local share of project cost (45%)	\$1,125,000
	Total Project Expense	\$2,500,000

In no event shall this grant exceed \$1,375,000.

Appendix 6

Grantee: Fairfax County
Capital Project Agreement

Project: Improvements to the Fairfax Connector and WMATA Bus Stops
and Shelters in Fairfax County

Project Number: 73113-40
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$ 715,000
1400	Local share of project cost (45%)	\$ 585,000
	Total Project Expense	\$1,300,000

In no event shall this grant exceed \$715,000.

Appendix 7

**Grantee: Fairfax County
Capital Project Agreement**

**Project: Engineering & Design of Administration//Maintenance
Facility
West Ox Phase II**

**Project Number: 73113-41
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00**

Fund Code		Item Amount
	Grant Amount (State share of project cost (55%))	
478		\$ 825,000
1400	Local share of project cost (45%)	\$ 675,000
	Total Project Expense	\$1,500,000

In no event shall this grant exceed \$825,000.

Appendix 8

**Grantee: Fairfax County
Capital Project Agreement**

Project: Repairs to the Herndon Monroe Parking Deck

**Project Number: 73113-42
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2013
EIN: 540787833-00**

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$495,000
1400	Local share of project cost (45%)	\$405,000
	Total Project Expense	\$900,000

In no event shall this grant exceed \$495,000.

Appendix 9

**Grantee: Fairfax County
Capital Project Agreement**

**Project: Improvements to the Springfellow Road Facility by Expanding the
Park and Ride Lot and Adding Bus Transfer Facilities**

**Project Number: 73113-43
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00**

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$2,365,000
1400	Local share of project cost (45%)	\$1,935,000
	Total Project Expense	\$4,300,000

In no event shall this grant exceed \$2,365,000.

Appendix 10

**Grantee: Fairfax County
Capital Project Agreement**

**Project: Improve the Lorton VRE Station by Adding Approximately 150
Additional Parking Spaces in Park and Ride Lot, Including Design and
Construction of Paved Surface Level Parking, Drainage, Landscaping and
Lighting**

**Project Number: 73113-44
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00**

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$ 825,000
1400	Local share of project cost (45%)	\$ 675,000
	Total Project Expense	\$1,500,000

In no event shall this grant exceed \$825,000.

Appendix 11

**Grantee: Fairfax County
Capital Project Agreement**

**Project: Upgrade Huntington Garage Probing and Service Lane, Including
Installation of Area Storage Tanks, Pumping Facility Tanks, Probing,
Service Lanes and Other Related Equipment.**

**Project Number: 73113-45
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2014
EIN: 540787833-00**

Fund Code		Item Amount
478	Grant Amount (State share of project cost 55%)	\$ 660,000
1400	Local share of project cost (45%)	\$ 540,000
	Total Project Expense	\$1,200,000

In no event shall this grant exceed \$660,000.

Appendix 12
Sample Agent Authorization Letter

Dear Director Drake:

As the duly authorized representative of (name of Local Jurisdiction/Grantee), I am writing to notify the Department that (name of Local Jurisdiction/Grantee) designates the Northern Virginia Transportation Commission (NVTC) as its agent, pursuant to §15.2-4518 Section 5 of the Code of Virginia, in matters pertaining to the financial grants administration of the following Project Agreement(s) for the Use of Commonwealth Transportation Funds for Fiscal Year 2013, which are a part of the Six Year Improvement Program approved Projects, in accordance with the provisions of Section 2 of the Project Agreement(s) for the Use of Commonwealth Transportation Funds for Fiscal Year 2013:

(list the grants by name and number)

By this letter of agent authorization, (Name of Jurisdiction Here) grants the authority to NVTC to act as its agent and apply on its behalf for Fiscal Year 2014 State Transit Assistance in the DRPT On-Line Grant Administration (OLGA) system and perform other grant administrative activities with DRPT as required under the terms and conditions of the Fiscal Year 2013 Master and Project Grant Agreement(s). This grant of authority is contingent upon concurrence with the terms, powers, and duties of NVTC in this relationship specified above, and shall become effective immediately upon execution of Agreements by the Department.

Sincerely,

XXXXXXXXXX

**Project Agreement for Use Of
Commonwealth Transportation Funds
Fiscal Year 2013
Six Year Improvement Program Approved Projects
Grant Numbers 73113-81 thru 73113-85**

This Project Agreement (“Agreement”) is entered into this ____ day of _____, 20____ by and between the Commonwealth of Virginia (“Commonwealth”), Department of Rail and Public Transportation (“Department”), and Fairfax County (“Grantee”), for the provision of funding for Fiscal Year 2013 capital assistance.

WHEREAS, the Northern Virginia Transportation Commission, on behalf of the Grantee, submitted application to the Department for funding in the Fiscal Year 2013 – Fiscal Year 2018 Six Year Improvement Program (SYIP) for operating and capital assistance to support Washington Metropolitan Area Transportation Authority (WMATA) as a state contribution distribution to each local WMATA service area jurisdiction’s obligation to provide funding subsidy to WMATA and for operating and capital assistance to support the Grantee’s locally provided transit service; and

WHEREAS, on May 15, 2012, the DRPT Director notified the Grantee that SYIP funds distributed as state transit assistance would be provided directly to each jurisdiction beginning in FY2013, and by letter dated June 8, 2012, the Grantee accepted the NVTC application funding on its behalf and notified DRPT of its acceptance; and

WHEREAS, the Department approved the application for funding for the operating and capital assistance and made recommendation for approval to the Commonwealth Transportation Board; and

WHEREAS, on June 20, 2012, the Commonwealth Transportation Board (“CTB”) allocated funding for operating and capital assistance, but delayed distribution of funds allocated to the Northern Virginia jurisdictions and WMATA; and

WHEREAS, on July 18, 2012, the CTB directed the distribution of SYIP funds to support the Northern Virginia transit services provided by the Grantee to be made by the Department directly to the Grantee conditioned upon the Grantee recording the allocated funding in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing for Grantee’s locally provided transit service; and

WHEREAS, on July 18, 2012, the CTB approved a revision to the SYIP to reallocate operating and capital assistance funding, previously allocated in the SYIP to the Washington Metropolitan Area Transit Authority (“WMATA”), to the Grantee, as included in the WMATA jurisdictions, based on the individual jurisdiction’s proportionate subsidy share as identified by WMATA, conditioned that the WMATA Compact member jurisdictions must record the allocated funding in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction’s obligation to provide subsidy

funding for WMATA service within its jurisdiction; and

WHEREAS, it is desired by the Parties hereto to define the extent of the Projects addressed herein, the responsibilities of each party, the manner of performing the necessary Work, the method and time of payment, and to set out additional conditions associated with the Projects; and

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth, it is agreed and bound between the Parties hereto as follows:

ARTICLE 1. SCOPE OF WORK, TERM AND BUDGET

1. The Work under the terms of this Agreement is as follows:
 - a. Payment of state contribution subsidy to WMATA for the Grantee's share of the debt service on the Gross Revenue Transit Refunding Bonds, Series 2003 maturing in Fiscal Year 2014 for the construction of the original rail system operated by WMATA. The Grantee must record the state contribution subsidy funding provided by the Department to the Grantee as allocated in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA service within its jurisdiction.
 - b. Payment of state contribution subsidy for the Grantee's share of the debt service incurred during Fiscal Year 2013 on the amount of funding used by the WMATA Compact member jurisdiction to opt out of the Metro Matters bond issue in June of 2009. The Grantee must record the state contribution subsidy funding provided by the Department to the Grantee as allocated in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA service within its jurisdiction.
 - c. Payment of state contribution subsidy to WMATA for the Grantee's share of project development costs incurred by WMATA. The Grantee must record the state contribution subsidy funding provided by the Department to the Grantee as allocated in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA service within its jurisdiction.
 - d. Payment of state contribution subsidy to WMATA for the Grantee's share of other asset and credit facility expenses included in WMATA's Fiscal Year 2013 Annual Work Plan. The Grantee must record the state contribution subsidy funding provided by the Department to the Grantee as allocated in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA service within its jurisdiction.

- e. Payment of state contribution subsidy to WMATA for the Grantee's share of replacement rolling stock expenses included in WMATA's Fiscal Year 2013 Annual Work Plan. The Grantee must record the state contribution subsidy funding provided by the Department to the Grantee as allocated in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA service within its jurisdiction.
2. The Grantee may designate the Northern Virginia Transportation Commission ("NVTC") or any other entity as their authorized agent to perform administrative activities. In order to do so, the Grantee must notify the Department in writing using a letter in the format of the letter hereto attached and marked as Appendix 6. If the Grantee designates an entity other than NVTC, they must request the Department's approval in advance, in accordance with the terms of the Master Funding Agreement. If the Grantee designates NVTC as their authorized agent, they must follow these conditions:
 - a. In the event that the Grantee designates NVTC as their authorized agent pursuant to §15.2-4518 Section 5 of the Code of Virginia to perform administrative activities as required by this Agreement, the Grantee is required to notify the Department of such duties and activities with NVTC (the "NVTC Agent Letter"). The Grantee must provide the Department such NVTC Agent Letter specifying the terms, powers, and duties of NVTC in this relationship for review and concurrence before the Department can take the appropriate actions to establish the financial relationship and controls with NVTC as the Grantee's authorized agent. This NVTC Agent Letter must provide that NVTC will follow the terms of this Agreement, and that no modification or change to the terms and conditions contained in the NVTC Agent Letter can be made without the prior written notification to the Department by the Grantee and concurrence by the Department.
 - b. In the event that an agent is designated as the grantee's authorized agent to perform administrative activities as required by this Agreement, the Grantee remains responsible to the Department for the Work and terms of this Agreement.
 - c. In the event that the Grantee designates NVTC as their authorized agent to perform administrative activities as required by this Agreement, and the Department concurs with the terms, powers, and duties of NVTC in this relationship, and the Grantee joins the other WMATA service jurisdictions within NVTC to pool state transit funding provided for the provision of local transit operations and/or to also pool its state transit funding provided as the payment of state contribution subsidy to WMATA for transit services provided to the WMATA Compact member jurisdictions to meet the WMATA service jurisdictions' obligations of the WMATA Compact, the Grantee must ensure that NVTC provides a statement letter showing the net impact of the reallocation of the State assistance by NVTC's Subsidy Allocation Model ("SAM") between the WMATA Compact jurisdictions, and send such letter to both the Grantee's Governing Board and its individual membership and the

Department within 120 days after the end of the Fiscal Year 2013. If an audit of NVTC or its member jurisdictions reveals that the net impact of reallocation is changed, an adjusted letter showing the net impact must be submitted to the Department and the Grantee's Governing Board by December 31 of each year.

- d. Regardless of whether or not NVTC is designated as the Grantee's agent, the Grantee is responsible to the Department for the full value allocation, distribution, terms, and recording of allocated funding made by the Department pursuant to the terms of this Agreement.

3. The Department agrees to provide funding as detailed below:

- a. State grant funding for Grantee's share of WMATA's debt service on the Gross Revenue Transit Refunding Bonds, Series 2003 maturing in Fiscal Year 2014 for the construction of the original rail system operated by WMATA in the amount of \$1,027,181 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 1, which is hereto attached and made a part of this Agreement.
- b. State grant funding for Grantee's share of the debt service incurred during Fiscal Year 2013 on the amount of funding used by each WMATA Compact member jurisdiction to opt out of the Metro Matters bond issue in June of 2009 in the amount of \$4,392,528 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 2, which is hereto attached and made a part of this Agreement.
- c. State grant funding for state contribution subsidy to WMATA for the Grantee's share of project development costs incurred by WMATA in the amount of \$229,350 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 3, which is hereto attached and made a part of this Agreement.
- d. State grant funding for state contribution subsidy to WMATA for the Grantee's share of other asset and credit facility expenses included in WMATA's Fiscal Year 2013 Annual Work Plan in the amount of \$10,274,353 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 4, which is hereto attached and made a part of this Agreement.
- e. State grant funding for state contribution subsidy to WMATA for the Grantee's share of replacement rolling stock expenses included in WMATA's Fiscal Year 2013 Annual Work Plan in the amount of \$2,248,689 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 5, which is hereto attached and made a part of this Agreement.

4. The Grantee hereby acknowledges that state grant funding for this grant cannot exceed the amount allocated by the Commonwealth Transportation Board ("CTB") and that state grant funding is contingent upon appropriation by the General Assembly of Virginia.

**ARTICLE 2. INCORPORATION OF MASTER AGREEMENT
FOR USE OF COMMONWEALTH FUNDS**

The parties hereby agree to incorporate the Master Agreement for Use of Commonwealth Transportation Funds, dated May 30, 2012, as if set out in full herein.

This space intentionally left blank

IN WITNESS WHEREOF, the Department and the Grantee execute this Project Agreement for the Use of Commonwealth Transportation Funds on the date first written above.

DEPARTMENT OF RAIL AND
PUBLIC TRANSPORTATION

WITNESS:

Date: _____

By: _____

Thelma Drake
Director

FAIRFAX COUNTY

WITNESS:

Date: _____

By: _____

Name: _____

Title: _____

Appendix 1

Grantee: Fairfax County

**Funding for WMATA Debt Service
Capital Project Agreement**

**Project Number: 73113-81
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2013
EIN: 540787833**

Fund Code		Item Amount
477	State share of project cost (55%)	\$1,027,181
1400	Local share of project cost (45%)	\$ 840,420
	Total Project Expense	\$1,867,601

In no event shall this grant exceed \$1,027,181.

Appendix 2

Grantee: Fairfax County

**Funding for WMATA Metro Matters - Jurisdiction Debt Service
Capital Project Agreement**

Project Number: 73113-82
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2013
EIN: 540787833

Fund Code		Item Amount
477	State share of project cost (55%)	\$4,392,528
1400	Local share of project cost (45%)	\$3,593,886
	Total Project Expense	\$7,986,414

In no event shall this grant exceed \$4,392,528.

Appendix 3

Grantee: Fairfax County

**Funding for WMATA Project Development
Capital Project Agreement**

Project Number: 73113-83
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2013
EIN: 540787833

Fund Code		Item Amount
477	State share of project cost (55%)	\$229,350
1400	Local share of project cost (45%)	\$187,650
	Total Project Expense	\$417,000

In no event shall this grant exceed \$229,350.

Appendix 4

Grantee: Fairfax County

**Funding for WMATA Capital Improvement Program
Other Assets and Credit Facility
Capital Project Agreement**

**Project Number: 73113-84
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2013
EIN: 540787833**

Fund Code		Item Amount
477	State share of project cost (51%)	\$ 9,486,703
478	State share of project cost (4%)	\$ 787,650
1400	Local share of project cost (45%)	\$ 8,406,289
	Total Project Expense	\$18,680,642

In no event shall this grant exceed \$10,274,353.

Appendix 5

Grantee: Fairfax County

**Funding for WMATA Capital Improvement Program
Replacement Rolling Stock
Capital Project Agreement**

**Project Number: 73113-85
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2013
EIN: 540787833**

Fund Code		Item Amount
478	State share of project cost (80%)	\$2,248,689
1400	Local share of project cost (20%)	\$ 562,172
	Total Project Expense	\$2,810,861

In no event shall this grant exceed \$2,248,689.

Appendix 6
Sample Agent Authorization Letter

Dear Director Drake:

As the duly authorized representative of (name of Local Jurisdiction/Grantee), I am writing to notify the Department that (name of Local Jurisdiction/Grantee) designates the Northern Virginia Transportation Commission (NVTC) as its agent, pursuant to §15.2-4518 Section 5 of the Code of Virginia, in matters pertaining to the financial grants administration of the following Project Agreement(s) for the Use of Commonwealth Transportation Funds for Fiscal Year 2013, which are a part of the Six Year Improvement Program approved Projects, in accordance with the provisions of Section 2 of the Project Agreement(s) for the Use of Commonwealth Transportation Funds for Fiscal Year 2013:

(list the grants by name and number)

By this letter of agent authorization, (Name of Jurisdiction Here) grants the authority to NVTC to act as its agent and apply on its behalf for Fiscal Year 2014 State Transit Assistance in the DRPT On-Line Grant Administration (OLGA) system and perform other grant administrative activities with DRPT as required under the terms and conditions of the Fiscal Year 2013 Master and Project Grant Agreement(s). This grant of authority is contingent upon concurrence with the terms, powers, and duties of NVTC in this relationship specified above, and shall become effective immediately upon execution of Agreements by the Department.

Sincerely,

XXXXXXXXXX

**Project Agreement for Use Of
Commonwealth Transportation Funds
Fiscal Year 2013
Six Year Improvement Program Approved Projects
Grant Numbers 72013-32 and 72013-60**

This Project Agreement ("Agreement") is entered into this _____ day of _____, 20____ by and between the Commonwealth of Virginia ("Commonwealth"), Department of Rail and Public Transportation ("Department"), and the Fairfax County ("Grantee"), for the provision of funding for Fiscal Year 2013 operating assistance.

WHEREAS, the Northern Virginia Transportation Commission, on behalf of the Grantee, submitted application to the Department for funding in the Fiscal Year 2013 – Fiscal Year 2018 Six Year Improvement Program (SYIP) for operating assistance to support Washington Metropolitan Area Transportation Authority (WMATA) as a state contribution distribution to each local WMATA service area jurisdiction's obligation to provide funding subsidy to WMATA and for operating and capital assistance to support the Grantee's locally provided transit service; and

WHEREAS, on May 15, 2012, the DRPT Director notified the Grantee that SYIP funds distributed as state transit assistance would be provided directly to each jurisdiction beginning in FY2013, and by letter dated June 8, 2012, the Grantee accepted the NVTC application funding on its behalf and notified DRPT of its acceptance; and

WHEREAS, the Department approved the application for funding for the operating assistance and made recommendation for approval to the Commonwealth Transportation Board; and

WHEREAS, on June 20, 2012, the Commonwealth Transportation Board ("CTB") allocated funding for operating assistance, but delayed distribution of funds allocated to the Northern Virginia jurisdictions and WMATA; and

WHEREAS, on July 18, 2012, the CTB directed the distribution of SYIP funds to support the Northern Virginia transit services provided by the Grantee to be made by the Department directly to the Grantee conditioned upon the Grantee recording the allocated funding in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing for Grantee's locally provided transit service; and

WHEREAS, on July 18, 2012, the CTB approved a revision to the SYIP to reallocate operating assistance funding, previously allocated in the SYIP to the Washington Metropolitan Area Transit Authority ("WMATA"), to the Grantee, as included in the WMATA jurisdictions, based on the individual jurisdiction's proportionate subsidy share as identified by WMATA, conditioned that the WMATA Compact member jurisdictions must record the allocated funding in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA

service within its jurisdiction; and

WHEREAS, it is desired by the Parties hereto to define the extent of the Projects addressed herein, the responsibilities of each party, the manner of performing the necessary Work, the method and time of payment, and to set out additional conditions associated with the Projects; and

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth, it is agreed and bound between the Parties hereto as follows:

ARTICLE 1. SCOPE OF WORK, TERM AND BUDGET

1. The Work under the terms of this Agreement is as follows:
 - a. Operation of Fairfax County's transit service. In providing this service, the Grantee must record the allocated funds provided by this Agreement in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing for Grantee's locally provided transit service.
 - b. Payment of state contribution subsidy to WMATA for transit services provided to the WMATA Compact member jurisdictions based on the Grantee's proportionate subsidy share as identified by WMATA. In providing for this service obligation, the Grantee must record the state contribution subsidy funding provided by the Department to the Grantee as allocated in accordance with Governmental Generally Accepted Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA service within its jurisdiction.
2. The Grantee may designate the Northern Virginia Transportation Commission ("NVTC") or any other entity as their authorized agent to perform administrative activities. In order to do so, the Grantee must notify the Department in writing using a letter in the format of the letter hereto attached and marked as Appendix 3. If the Grantee designates an entity other than NVTC, they must request the Department's approval in advance, in accordance with the terms of the Master Funding Agreement. If the Grantee designates NVTC as their authorized agent, they must follow these conditions:
 - a. In the event that the Grantee designates NVTC as their authorized agent pursuant to §15.2-4518 Section 5 of the Code of Virginia to perform administrative activities as required by this Agreement, the Grantee is required to notify the Department of such duties and activities with NVTC (the "NVTC Agent Letter"). The Grantee must provide the Department such NVTC Agent Letter specifying the terms, powers, and duties of NVTC in this relationship for review and concurrence before the Department can take the appropriate actions to establish the financial relationship and controls with NVTC as the Grantee's authorized agent. This NVTC Agent Letter must provide that NVTC will follow the terms of this Agreement, and that no

modification or change to the terms and conditions contained in the NVTC Agent Letter can be made without the prior written notification to the Department by the Grantee and concurrence by the Department.

- b. In the event that an agent is designated as the grantee's authorized agent to perform administrative activities as required by this Agreement, the Grantee remains responsible to the Department for the Work and terms of this Agreement.
 - c. In the event that the Grantee designates NVTC as their authorized agent to perform administrative activities as required by this Agreement, and the Department concurs with the terms, powers, and duties of NVTC in this relationship, and the Grantee joins the other WMATA service jurisdictions within NVTC to pool state transit funding provided for the provision of local transit operations and/or to also pool its state transit funding provided as the payment of state contribution subsidy to WMATA for transit services provided to the WMATA Compact member jurisdictions to meet the WMATA service jurisdictions' obligations of the WMATA Compact, the Grantee must ensure that NVTC provides a statement letter showing the net impact of the reallocation of the State assistance by NVTC's Subsidy Allocation Model ("SAM") between the WMATA Compact jurisdictions, and send such letter to both the Grantee's Governing Board and its individual membership and the Department within 120 days after the end of the Fiscal Year 2013. If an audit of NVTC or its member jurisdictions reveals that the net impact of reallocation is changed, an adjusted letter showing the net impact must be submitted to the Department and the Grantee's Governing Board by December 31 of each year.
 - d. Regardless of whether or not NVTC is designated as the Grantee's agent, the Grantee is responsible to the Department for the full value allocation, distribution, terms, and recording of allocated funding made by the Department pursuant to the terms of this Agreement.
3. The Department agrees to provide funding as detailed below:
- a. State grant funding for Fiscal Year 2013 transit operating assistance for Fairfax County's transit service in the amount of \$11,699,306 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 1, which is hereto attached and made a part of this Agreement.
 - b. State grant funding for Fairfax County's state contribution subsidy owed to WMATA for transit services provided to the WMATA Compact member jurisdictions in the amount of \$40,080,142 approved in the Fiscal Year 2013 Six Year Improvement Program. Details concerning this funding are contained in Appendix 2, which is hereto attached and made a part of this Agreement.
4. The Grantee hereby acknowledges that state grant funding for this grant cannot exceed the amount allocated by the Commonwealth Transportation Board ("CTB") and that state grant funding is contingent upon appropriation by the General Assembly of Virginia.

**ARTICLE 2. INCORPORATION OF MASTER AGREEMENT
FOR USE OF COMMONWEALTH FUNDS**

The parties hereby agree to incorporate the Master Agreement for Use of Commonwealth Transportation Funds, dated May 30, 2012, as if set out in full herein.

This space intentionally left blank

IN WITNESS WHEREOF, the Department and the Grantee execute this Project Agreement for the Use of Commonwealth Transportation Funds on the date first written above.

DEPARTMENT OF RAIL AND
PUBLIC TRANSPORTATION

WITNESS:

Date: _____

By: _____

Thelma Drake
Director

WITNESS:

Date: _____

FAIRFAX COUNTY

By: _____

Name: _____

Title: _____

Appendix 1

Grantee: Fairfax County

Project Number: 72013-32
Project Start Date: July 1, 2012
Project Expiration Date: June 30, 2013
EIN: 540787833

Operating Assistance Payment Schedule

Payment No.	Estimated Payment Date	Payment Amount
1	August 15, 2012	\$ 2,632,345
2	October 15, 2012	\$ 2,632,345
3	January 15, 2013	\$ 2,632,345
4	April 15, 2013	\$ 2,632,345
5	Final Payment *	\$ 1,169,926
TOTAL GRANT AMOUNT		\$ 11,699,306

* Final Payment will be processed when a properly completed and signed copy of the Final Eligibility Report is received by the Department. The Final Eligibility Report must be submitted to the Department no later than September 30, 2013, as described in the Grantee Handbook.

Appendix 2

Grantee: Fairfax County

**WMATA Operating Costs - Fairfax County Obligation - State Contribution
Subsidy**

Project Number: 72013-60

Project Start Date: July 1, 2012

Project Expiration Date: June 30, 2013

EIN: 540787833

WMATA Operating Assistance Payment Schedule

Payment No.	Estimated Payment Date	Payment Amount
1	July 15, 2012	\$ 3,340,012
2	August 15, 2012	\$ 3,340,012
3	September 15, 2012	\$ 3,340,012
4	October 15, 2012	\$ 3,340,012
5	November 15, 2012	\$ 3,340,012
6	December 15, 2012	\$ 3,340,012
7	January 15, 2013	\$ 3,340,012
8	February 15, 2013	\$ 3,340,012
9	March 15, 2013	\$ 3,340,012
10	April 15, 2013	\$ 3,340,012
11	May 15, 2013	\$ 3,340,012
12	Final Payment *	\$ 3,340,010
TOTAL GRANT AMOUNT		\$ 40,080,142

* Final Payment will be processed when a properly completed and signed copy of the Final Eligibility Report is received by the Department. The Final Eligibility Report must be submitted to the Department no later than September 30, 2013, as described in the Grantee Handbook.

Appendix 3
Sample Agent Authorization Letter

Dear Director Drake:

As the duly authorized representative of (name of Local Jurisdiction/Grantee), I am writing to notify the Department that (name of Local Jurisdiction/Grantee) designates the Northern Virginia Transportation Commission (NVTC) as its agent, pursuant to §15.2-4518 Section 5 of the Code of Virginia, in matters pertaining to the financial grants administration of the following Project Agreement(s) for the Use of Commonwealth Transportation Funds for Fiscal Year 2013, which are a part of the Six Year Improvement Program approved Projects, in accordance with the provisions of Section 2 of the Project Agreement(s) for the Use of Commonwealth Transportation Funds for Fiscal Year 2013:

(list the grants by name and number)

By this letter of agent authorization, (Name of Jurisdiction Here) grants the authority to NVTC to act as its agent and apply on its behalf for Fiscal Year 2014 State Transit Assistance in the DRPT On-Line Grant Administration (OLGA) system and perform other grant administrative activities with DRPT as required under the terms and conditions of the Fiscal Year 2013 Master and Project Grant Agreement(s). This grant of authority is contingent upon concurrence with the terms, powers, and duties of NVTC in this relationship specified above, and shall become effective immediately upon execution of Agreements by the Department.

Sincerely,

XXXXXXXXXX



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
Richmond, Virginia 23219

(804) 786-1830
Fax: (804) 225-4700

Agenda item 10-B

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

June 20, 2012

MOTION

Made By: Mr. Koelemay Seconded By: Mr. Garczynski
Action: Motion Carried, Unanimously

**Title: Delay of Distribution of Fiscal Year 2013 -2018 Six Year Improvement Program
Funds to the Northern Virginia Transit Providers**

WHEREAS, Section 33.1-12(9)(b) of the *Code of Virginia* requires the Commonwealth Transportation Board (Board) to adopt by July 1 of each year a Six-Year Improvement Program (SYIP) of anticipated projects and programs and that the Program shall be based on the most recent official revenue forecasts and a debt management policy; and

WHEREAS, Section 58.1-638(A)(4)(c) of the *Code of Virginia* requires the Board to allocate funds for mass transit in accordance with the statutory formula set forth therein; and,

WHEREAS, public transparency and establishing a clear pathway of the role of statewide revenues and how those revenues are applied by the Commonwealth and distributed to a grantee for a specific given project or service within each jurisdiction are fundamental in the distribution and expenditure of state funds for mass transit; and,

WHEREAS, the funding for mass transit appropriated by the General Assembly and programmed by the Commonwealth Transportation Board to support the Northern Virginia transit services provided by the Washington Metropolitan Area Transit Authority (WMATA), Fairfax Connector (County of Fairfax), ART (County of Arlington), DASH (City of Alexandria), CUE (City of Fairfax), and previously George (City of Falls Church) have historically been distributed in the SYIP to the Northern Virginia Transportation Commission (NVTC); and,

WHEREAS, in the spirit of public transparency and of establishing a clear pathway of the role of statewide revenues for mass transit, the Director of the Department of Rail and Public Transportation notified the Counties of Fairfax and Arlington, the Cities of Alexandria, Falls Church, and Fairfax and WMATA on May 15, 2012 that SYIP funds distributed as state transit assistance would be shifted from NVTC to be provided directly to each jurisdiction and to WMATA beginning in FY2013; and,

Resolution of the Board
Delay of Distribution of Fiscal Year 2013 -2018 SYIP Funds
NOVA Transit Providers
June 20, 2012
Page Two

WHEREAS, several discussions and meetings with the NVTC jurisdictions have taken place since May 15, 2012; and,

WHEREAS, DRPT has requested that the local jurisdictions provide their concerns as to this funding change by June 19, 2012; and,

WHEREAS, DRPT is evaluating comments by the NVTC local jurisdictions and the NVTC local jurisdictions have indicated in conversations that additional time is necessary to continue discussions and deliberations; and,

WHEREAS, DRPT will report to the Board at its July 18, 2012 meeting and the Board will make final determination as to the best resolution of the issues being considered; and,

WHEREAS, in consideration of the timing of events, the Board has developed and taken action on a Final FY2013-2018 Six-Year Improvement Program on this day prior to this consideration of this action item; and,

WHEREAS, the Board adopted FY2013-2018 SYIP provides mass transit funds directly to WMATA and to the local jurisdictions providing for transit services and not to NVTC.

NOW THEREFORE, BE IT RESOLVED, that funds programmed in the FY2013-2018 Six Year Improvement Program to support the Northern Virginia transit services provided by WMATA, Fairfax Connector (County of Fairfax), ART (county of Arlington), DASH (City of Alexandria), CUE (City of Fairfax), and previously George (City of Falls Church) will be delayed in distribution by the Department of Rail and Public Transportation until after the July 18, 2012 Commonwealth Transportation Board meeting to allow for further discussions and deliberations on this matter and to determine through findings and recommendations as to whether to distribute SYIP funds directly to NVTC or distribute funds to the listed Northern Virginia transit providers.

####



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
Richmond, Virginia 23219

(804) 786-1830
Fax: (804) 225-4700

Agenda Item # 14

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

July 18, 2012

MOTION

Made By: Mr. Koelemay Seconded By: Mr. Garczynski
Action: Motion Carried, Unanimously

Title: Distribution of Fiscal Year 2013 -2018 Six Year Improvement Program Funds to the Northern Virginia Transit Providers

WHEREAS, Section 33.1-12(9)(b) of the *Code of Virginia* requires the Commonwealth Transportation Board (Board) to adopt by July 1 of each year a Six-Year Improvement Program (SYIP) of anticipated projects and programs and that the Program shall be based on the most recent official revenue forecasts and a debt management policy; and

WHEREAS, Section 58.1-638(A)(4)(c) of the *Code of Virginia* requires the Board to allocate funds for mass transit in accordance with the statutory formula set forth therein; and

WHEREAS, public transparency and establishing a clear pathway of the role of statewide revenues and how those revenues are applied by the Commonwealth and distributed to a grantee for a specific given project or service within each jurisdiction are fundamental in the distribution and expenditure of state funds for mass transit; and

WHEREAS, the funding for mass transit appropriated by the General Assembly and allocated by the Commonwealth Transportation Board to support the Northern Virginia transit services provided by the Washington Metropolitan Area Transit Authority (WMATA), Fairfax Connector (County of Fairfax), ART (County of Arlington), DASH (City of Alexandria), CUE (City of Fairfax), and previously George (City of Falls Church) have historically been distributed in the SYIP to the Northern Virginia Transportation Commission (NVTC); and

WHEREAS, in the spirit of public transparency, the Director of the Department of Rail and Public Transportation (DRPT) notified the Counties of Fairfax and Arlington, the Cities of Alexandria, Falls Church, and Fairfax, and WMATA on May 15, 2012, that SYIP funds

Resolution of the Board
Distribution of Fiscal Year 2013 -2018 SYIP Funds
NOVA Transit Providers
July 18, 2012
Page 2 of 4

distributed as state transit assistance would be shifted from NVTC to be provided directly to each jurisdiction and to WMATA beginning in FY2013; and

WHEREAS, DRPT held several discussions and meetings with the NVTC jurisdictions and received comments between May 15 and June 19, 2012; and

WHEREAS, in its Board discussion of the FY2013-2018 Six-Year Improvement Program (SYIP), DRPT reported its progress and that the NVTC local jurisdictions requested additional time to continue discussions and deliberations before the Board set the distribution of transit funds to Northern Virginia; and

WHEREAS, in consideration of the timing of events, the Board took action and adopted the SYIP on June 20, 2012; and

WHEREAS, the Board adopted SYIP provides mass transit funds directly to WMATA and to the local jurisdictions providing for transit services, and not to NVTC; and

WHEREAS, following adoption of the SYIP, the Board took action to delay the distribution of the funds that were allocated to support the Northern Virginia transit services provided by WMATA, Fairfax Connector (County of Fairfax), ART (county of Arlington), DASH (City of Alexandria), CUE (City of Fairfax), and previously George (City of Falls Church) until after the July 18, 2012, Board meeting to allow for further discussions and deliberations on this matter and to seek consensus as to whether to distribute SYIP funds directly to NVTC or distribute funds to the listed Northern Virginia transit providers; and

WHEREAS, following the action to delay the distribution of the funds to the Northern Virginia transit services, the Board Chairman appointed two Board members to join the DRPT Director to work with the Northern Virginia Transportation Commission and the Northern Virginia transit provider jurisdictions to further discuss and deliberate and seek to gain consensus on this matter and report to the Board its findings and recommendation as to the best resolution of the issues being considered at the Board's July 18, 2012, action meeting; and

WHEREAS, the Board Committee met several times with representatives of the Northern Virginia Transportation Commission and local transit provider jurisdictions, and DRPT staff met with local transportation and finance staff to reach consensus on how to best distribute funds to support Northern Virginia transit services; and

WHEREAS, in consideration of the deliberations, the Board Committee reported that the best approach to resolve the issues being considered for the distribution of local jurisdiction transit funds is for the Board to distribute funds to support the Northern Virginia transit services provided by Fairfax Connector (County of Fairfax), ART (county of Arlington), DASH (City of Alexandria), and CUE (City of Fairfax), and previously George (City of Falls Church) directly to the transit provider locality, and each locality to record the allocated funding in accordance with

Resolution of the Board
Distribution of Fiscal Year 2013 -2018 SYIP Funds
NOVA Transit Providers
July 18, 2012
Page 3 of 4

Generally Accepted Government Accounting Principles and with the intended purpose of providing for the local jurisdiction's transit service; and

WHEREAS, also in consideration of the deliberations, the Board Committee reported that the best approach to administer the allocations made to support the Washington Metropolitan Area Transportation Authority (WMATA) is for the Board to reallocate the funds to the County of Fairfax, County of Arlington, City of Alexandria, City of Fairfax, and the City of Falls Church based on the individual jurisdiction's proportionate subsidy share as identified by WMATA, conditioned that the WMATA Compact member jurisdictions must record the allocated funding in accordance with Generally Accepted Government Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA service within its jurisdiction; and

NOW THEREFORE, BE IT RESOLVED, that, in consideration of the Board Committee recommendations, the Board directs that distribution of FY2013-2018 Six-Year Improvement Program (SYIP) funds to support the Northern Virginia transit services provided by Fairfax Connector (County of Fairfax), ART (county of Arlington), DASH (City of Alexandria), and CUE (City of Fairfax), and previously George (City of Falls Church) be made by the Department of Rail and Public Transportation directly to the transit provider locality conditioned upon the locality recording the allocated funding in accordance with Generally Accepted Government Accounting Principles and with the intended purpose of providing for the local jurisdiction's transit service; and

NOW THEREFORE BE IT FURTHER RESOLVED, that, in consideration of the Board Committee recommendations, the Board reallocates the funds originally allocated on June 20, 2012 to support Washington Metropolitan Area Transportation Authority (WMATA) to the County of Fairfax, County of Arlington, City of Alexandria, City of Fairfax, and the City of Falls Church based on the individual jurisdiction's proportionate subsidy share as identified by WMATA, conditioned that the WMATA Compact member jurisdictions must record the allocated funding in accordance with Generally Accepted Government Accounting Principles and with the intended purpose of providing funding to offset the jurisdiction's obligation to provide subsidy funding for WMATA service within its jurisdiction; and

NOW THEREFORE BE IT FURTHER RESOLVED, that, the Board hereby amends the FY2013-FY2018 Six Year Improvement Program and de-allocates the WMATA funds in the amount of \$104,331,767; and

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Board hereby approves and amends the FY2013-FY2018 Six Year Improvement Program for the \$104,331,767 of Mass Transit Trust Fund and Mass Transit Capital Fund amounts de-allocated from WMATA and allocates those funds to the County of Fairfax, County of Arlington, City of Alexandria, City of Fairfax, and the City of Falls Church as a state contribution subsidy for the provision of WMATA provided transit services provided to the WMATA Compact member jurisdictions as follows:

Resolution of the Board
Distribution of Fiscal Year 2013 -2018 SYIP Funds
 NOVA Transit Providers
 July 18, 2012

**State Contribution Subsidy for the Provision of WMATA Provided Transit Services Provided to the WMATA Compact Member Jurisdictions
 Changes to the FY2013-2018 Six Year Improvement Program July 20, 2012**

	Previously Allocated to:	Reallocated to:				
	WMATA	Arlington County	City of Alexandria	City of Fairfax	City of Falls Church	Fairfax County
Operating Budget	\$ 71,819,420	\$ 19,095,469	\$ 11,146,934	\$ 638,058	\$ 858,817	\$ 40,080,142
Capital Budget:						
WMATA-Debt Service	\$ 2,402,720	\$ 888,219	\$ 459,702	\$ 15,138	\$ 12,480	\$ 1,027,181
Metro Matters Program	\$ 29,116	\$ -	\$ -	\$ -	\$ 29,116	\$ -
Metro Matters - Jurisdiction Debt Service	\$ 5,777,891	\$ 882,368	\$ 502,995	\$ -	\$ -	\$ 4,392,528
WMATA Project Development	\$ 453,750	\$ 143,550	\$ 73,150	\$ 3,300	\$ 4,400	\$ 229,350
WMATA - Capital Improvement Program	\$ 23,848,870	\$ 7,068,805	\$ 3,760,967	\$ 248,028	\$ 248,028	\$ 12,523,042
Total	\$ 104,331,767	\$ 28,078,411	\$ 15,943,748	\$ 904,524	\$ 1,152,841	\$ 58,252,243

####

ACTION - 6

Approval of the Distribution of Plain English Information Statements for the November 2012 County Referenda on Issuing Bonds for Improvements to Park, Public Safety, Public Library, and Storm Drainage Facilities

ISSUE:

Board approval of the printing and distribution of explanatory statements for the four referenda at the November general elections on whether the County should be authorized to issue bonds to improve public park, public safety, public library, and public storm drainage facilities. If approved by the Board, staff plans to make these explanatory statements available at County polling places for absentee voters prior to the referendum and for all other voters on Election Day.

RECOMMENDATION:

The County Executive recommends that the Board authorize the preparation and printing of the four plain English statements for these County bond referenda.

TIMING:

Early Board action is recommended to provide time for the printing and distribution of the explanation to citizens prior to the election.

BACKGROUND:

On May 22, 2012, the Board adopted four resolutions, each of which asked the Fairfax County Circuit Court to order a special election on November 6, 2012, on a different bond authorization question. More specifically, the Board asked the Court to order separate special elections on whether the Board should be authorized to issue bonds for (1) parks and park facilities in the maximum principal amount of \$75,000,000, (2) public safety facilities in the maximum principal amount of \$55,000,000, (3) public library facilities in the maximum principal amount of \$25,000,000, and (4) public storm water drainage in the maximum principal amount of \$30,000,000. Pursuant to that Board action, the County Attorney petitioned the Circuit Court for such orders, and on June 8, 2012, Chief Circuit Court Judge Dennis J. Smith entered four orders for the special elections, as requested.

Subsequently, the County Attorney submitted the proposed special elections to the United States Department of Justice for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended. On July 26, 2012, the Department of Justice notified the County that the Department had no objection to the proposed special elections. Therefore, these special elections may be conducted as planned on November 6, 2012.

Virginia Code § 24.2-687 requires localities to prepare "plain English" explanations of

referendum questions involving the issuance of bonds. Prior to 2011, the preparation of such plain English statements was at the discretion of each locality, but this statute was amended in 2011 to make the publication of such statements mandatory. As amended, Virginia Code § 24.2-687 requires an explanation that (i) states the estimated maximum amount of the bonds proposed to be issued, and (ii) states the proposed use of the bond proceeds, and if there is more than one use, states the proposed uses for which more than 10 percent of the total bond proceeds is expected to be used. As in the past, the law requires each explanation to include the ballot question and a neutral “plain English” statement of not more than 500 words prepared by the locality’s attorney.

Staff recommends that the Board authorize the printing and distribution of plain English statements for each referendum in sufficient numbers to make them available to voters at County polling places for absentee voters prior to the general election and at all polling places during the general election on November 6, 2012. If the Board authorizes the distribution of these plain English statements, each explanation will be printed on distinctive paper so that it will be readily recognizable to poll workers and voters.

Finally, pursuant to Section 203 of the federal Voting Rights Act and to the language minority determinations of the Director of the United States Bureau of the Census on October 13, 2011, these explanations must be translated into Spanish and made available inside polling places. As in the past, staff will prepare translations of other common, non-English languages for interested citizens, but because Virginia law strictly limits the material that may be distributed within a polling place, the non-Spanish translations will be made available at places other than inside polling places.

FISCAL IMPACT:

The cost of translating and printing these plain English statements is estimated at \$3,000, and that cost can be met by existing Board appropriations.

ENCLOSED DOCUMENTS:

- Attachment 1 – Virginia Code § 24.2-687
- Attachment 2 – Draft Explanatory Statement for Parks and Park Facilities Bonds
- Attachment 3 – Draft Explanatory Statement for Public Safety Bonds
- Attachment 4 – Draft Explanatory Statement for Public Library Bonds
- Attachment 5 – Draft Explanatory Statement for Storm Drainage Improvement Bonds

STAFF:

Susan Datta, Chief Financial Officer and Director, Department of Management and Budget
Leonard Wales, County Financing Advisor
Joseph LaHait, Debt Coordinator
Michael Long, Deputy County Attorney
Erin C. Ward, Assistant County Attorney

VIRGINIA CODE § 24.2-687

§ 24.2-687. Authorization for distribution of information on referendum elections.

A. The governing body of any county, city or town may provide for the preparation and printing of an explanation for each referendum question to be submitted to the voters of the county, city or town to be distributed at the polling places on the day of the referendum election. The governing body may have the explanation published by paid advertisement in a newspaper with general circulation in the county, city or town one or more times preceding the referendum.

The explanation shall contain the ballot question and a statement of not more than 500 words on the proposed question. The explanation shall be presented in plain English, shall be limited to a neutral explanation, and shall not present arguments by either proponents or opponents of the proposal. The attorney for the county, city or town or, if there is no county, city or town attorney, the attorney for the Commonwealth shall prepare the explanation. "Plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession.

If the referendum question involves the issuance of bonds by a locality, the locality shall provide for such printed explanation. The explanation shall (i) state the estimated maximum amount of the bonds proposed to be issued, and (ii) state the proposed use of the bond proceeds, and if there is more than one use, state the proposed uses for which more than 10 percent of the total bond proceeds is expected to be used.

B. Nothing in this section shall be construed to limit a county, city or town from disseminating other neutral materials or advertisements concerning issues of public concern that are the subject of a referendum; however, the materials or advertisements shall not advocate the passage or defeat of the referendum question.

C. This section shall not be applicable to statewide referenda.

D. Any failure to comply with the provisions of this section shall not affect the validity of the referendum.

Attachment 2

PARKS AND PARK FACILITIES IMPROVEMENT BOND EXPLANATION

BALLOT QUESTION

PARKS AND PARK FACILITIES BONDS

Shall the Board of Supervisors contract a debt, borrow money and issue bonds of Fairfax County, Virginia, in addition to the parks and park facilities bonds previously authorized, in the maximum aggregate principal amount of \$75,000,000 for the purpose of providing funds with any other available funds to finance the cost of providing parks and park facilities including the acquisition, constructions, development and equipment of additional parks and park facilities, and the purchase of permanent easements for the preservation of open-space land and the development and improvement of existing parks and park facilities by the Fairfax County Park Authority, and including an amount not to exceed \$12,000,000 allocable to the County as its share of the cost of parks and park facilities to be acquired, constructed, developed and equipped by the Northern Virginia Regional Park authority?

YES

NO

EXPLANATION

Virginia law permits the Fairfax County government to borrow money to buy land and/or construct projects by issuing general obligation bonds. General obligation bonds are sold to investors, and the bonds are repaid with future County revenues. The money received from the sale of the bonds is used as a source of funding for many County facilities. Bond financing permits the costs of those County facilities to be repaid over a period of years. However, prior to incurring such a debt, the voters of the County must authorize the County to borrow those funds.

The question being presented in this referendum asks the voters of the County whether the County government should be authorized to contract a debt and issue bonds in the maximum amount of \$75,000,000 for the acquisition of new parks and improvement of existing parks owned and operated by the Fairfax County Park Authority (\$63,000,000) and by the Northern Virginia Regional Park Authority (\$12,000,000). If this question is approved by a majority of the voters who vote on this question and bonds are sold, then the proceeds from the sale of such bonds must be used for the purposes set forth in the ballot question. More specifically, the proceeds of the bonds would be used for stewardship and land acquisition, renovation of existing facilities, new facilities and expanded facilities at community parks, and the expansion and

renovation of existing parks and facilities, the needs for which have been identified in the 10-Year Park Capital Improvement Plan adopted by the Fairfax County Park Authority.

Also, the County is a member of the Northern Virginia Regional Park Authority, a regional organization that provides parks and recreational facilities in the County and elsewhere in Northern Virginia to address the recreational needs of our residents and visitors. A total of \$12,000,000 would be allocated to pay for the County's share of the Capital Improvement Program of the Northern Virginia Regional Park Authority. Planned improvements include waterfront enhancement at the Occoquan River, W&OD Trail renovations and safety improvements, campground improvements at Bull Run and Pohick Bay, and renovations at Meadowlark Botanical Gardens.

This explanation was prepared, printed, and made available at voter registration sites and at election polling places in accordance with Virginia Code § 24.2-687

Attachment 3

PUBLIC SAFETY FACILITIES IMPROVEMENT BOND EXPLANATION

BALLOT QUESTION

PUBLIC SAFETY BONDS

Shall the Board of Supervisors of Fairfax County contract a debt, borrow money and issue bonds of Fairfax County, Virginia, in addition to the public safety facilities bonds previously authorized, in the maximum aggregate amount of \$55,000,000, for the purpose of providing funds, with any other available funds, to finance the cost of providing public safety facilities, including the construction, reconstruction, enlargement, renovation and equipment of civil and criminal justice facilities, police training facilities and stations, fire and rescue training facilities and stations, including fire and rescue stations owned by volunteer organizations, and the acquisition of necessary land?

YES

NO

EXPLANATION

Virginia law permits the Fairfax County government to borrow money to buy land and/or construct projects by issuing general obligation bonds. General obligation bonds are sold to investors, and the bonds are repaid with future County revenues. The money received from the sale of the bonds is used as a source of funding for many County facilities. Bond financing permits the costs of those County facilities to be repaid over a period of years. However, prior to incurring such a debt, the voters of the County must authorize the County to borrow those funds.

The question being presented in this referendum asks the voters of the County whether the County government should be authorized to contract a debt and issue bonds in the maximum amount of \$55,000,000 for the design and construction of a range of planned improvements to the County's public safety facilities. Those plans include the renovation of the Bailey's Crossroads Volunteer Fire Station, the Jefferson Fire Station, and the Herndon Fire Station. The planned improvements also include renovations to the Courthouse for 22 courtrooms and other facilities in the General District Court and Circuit Court. These planned improvements would make the courthouse safer, more efficient, comfortable, and compliant with the federal Americans with Disabilities Act. If this question is approved by a majority of the voters who vote on this question and bonds are sold, then the proceeds from the sale of such bonds must be used for the purposes set forth in the ballot question.

**This explanation was prepared, printed, and made available at voter registration sites
and at election polling places in accordance with Virginia Code § 24.2-687**

PUBLIC LIBRARY IMPROVEMENT BONDS EXPLANATION

BALLOT QUESTION

PUBLIC LIBRARY BONDS

Shall the Board of Supervisors of Fairfax County contract a debt, borrow money and issue bonds of Fairfax County, Virginia, in addition to the public library facilities bonds previously authorized, in the maximum aggregate principal amount of \$25,000,000 for the purpose of providing funds, with any other available funds, to finance the cost of additional public library facilities, the reconstruction, enlargement and equipment of existing library facilities and the acquisition of necessary land?

YES

NO

EXPLANATION

Virginia law permits the Fairfax County government to borrow money to buy land and/or construct projects by issuing general obligation bonds. General obligation bonds are sold to investors, and the bonds are repaid with future County revenues. The money received from the sale of the bonds is used as a source of funding for many County facilities. Bond financing permits the costs of those County facilities to be repaid over a period of years. However, prior to incurring such a debt, the voters of the County must authorize the County to borrow those funds.

The question being presented in this referendum asks the voters of the County whether the County government should be authorized to contract a debt and issue bonds in the maximum amount of \$25,000,000 for planned additional and improved library facilities. If this question is approved by a majority of the voters who vote on this question and bonds are sold, then the proceeds from the sale of such bonds must be used for the purposes set forth in the ballot question. The planned library improvements include the renovation of three public libraries and the renovation or replacement of a fourth library. More specifically, these planned improvements include the renovation of the John Marshall Library, the Pohick Regional Library, and the Tysons-Pimmit Regional Library. Each of these libraries is at least twenty-five years old and the planned renovations include the addition of public computers and additional quiet and group study areas. Also, the Reston Regional Library may be renovated or replaced as part of redevelopment planned near the new Reston Metro Station.

This explanation was prepared, printed, and made available at voter registration sites and at election polling places in accordance with Virginia Code § 24.2-687

**STORM DRAINAGE FACILITIES IMPROVEMENT BONDS
EXPLANATION**

BALLOT QUESTION

STORM DRAINAGE IMPROVEMENTS BONDS

Shall the Board of Supervisors of Fairfax County contract a debt, borrow money and issue bonds of Fairfax County, Virginia in the maximum aggregate principal amount of \$30,000,000 for the purpose of providing funds, with any other available funds, to finance the cost of providing storm drainage improvements to prevent flooding and soil erosion, including the acquisition of necessary land?

YES

NO

EXPLANATION

Virginia law permits the Fairfax County government to borrow money to buy land and/or construct projects by issuing general obligation bonds. General obligation bonds are sold to investors, and the bonds are repaid with future County revenues. The money received from the sale of the bonds is used as a source of funding for many County facilities. Bond financing permits the costs of those County facilities to be repaid over a period of years. However, prior to incurring such a debt, the voters of the County must authorize the County to borrow those funds.

The question being presented in this referendum asks the voters of the County whether the County government should be authorized to contract a debt and issue bonds in the maximum amount of \$30,000,000 for the design and construction of flood control measures, and the principal planned flood control measure to be built would be along Cameron Run in order to control the storm water runoff from a large area of the County that now floods residences in the Huntington community. More specifically, this project would include the design and construction of a levee and a pumping station, along with the acquisition of any land needed for that purpose. If this question is approved by a majority of the voters who vote on this question and bonds are sold, then the proceeds from the sale of such bonds must be used for the purposes set forth in the ballot question.

**This explanation was prepared, printed, and made available at voter registration sites
and at election polling places in accordance with Virginia Code § 24.2-687**

INFORMATION – 1

Service Adjustments for Fairfax Connector Bus Service Effective October 2012

The Fairfax County Department of Transportation (FCDOT) intends to make several schedule and/or routing changes to Fairfax Connector service effective October 2012.

Service adjustments:

Route 333 (Lee, Springfield): A major route alignment and schedule change to provide 15-minute service to the National Geospatial-Intelligence Agency (NGA) (Ft. Belvoir North Area) to/from the Franconia Springfield Metrorail Station in the peak periods. (Attachment 1)

Route 334 (Lee, Springfield): A major route alignment and schedule change that maintains connections of the previous 333/334. The modification will continue service to Northern Virginia Community College (NVCC) Medical College, Defense Logistics Agency (DLA) and Gateway 95. (Attachment 2)

Route 231 (Lee): Modify schedule to eliminate service to the Landsdowne and Island Creek neighborhoods along Morning View and View Lane after 6:45 a.m. to avoid duplication of services provided by Route 335. (Attachment 3)

Route 232 (Lee): Modify schedule to eliminate service to the Landsdowne and Island Creek neighborhoods along Morning View and View Lane before 6 p.m. to avoid duplication of services provided by Route 335. (Attachment 3)

Route 927 (Hunter Mill) - Modify route alignment to remove bus service from Dulles Corner Boulevard. (Attachment 4)

BACKGROUND:

Routes 333/334

In conjunction with the Base Realignment and Closure (BRAC) personnel transfers in September 2011, changes were made to several Fairfax Connector bus services to help alleviate increased traffic caused by the influx of military and civilian workers. These changes included the realignment of several existing Fairfax Connector routes and the implementation of a new, direct, express service to Fort Belvoir, Route 335. Due to the

secure nature of the installations, these changes did not provide a service to the Fort Belvoir North Area that accommodates the NGA East Campus.

In the first few months following the BRAC related service changes, ridership increased in the corridor overall. However, the success of a few restructured and newly implemented routes negatively impacted the ridership on Routes 333 and 334. Ridership on routes 333 and 334 dropped 35 percent, causing them to perform poorly.

Noting the successful implementation of security controls for the operation of Route 335 during the same period, the NGA requested Fairfax County consider providing similar direct public transit service to Fort Belvoir North Area to help accommodate the 8,500 plus employees assigned during the BRAC personnel transfers. In March 2012, staff conducted an on-board ridership surveys on routes 333 and 334 to determine the usage patterns of the riders. Using the data collected, staff developed a plan to provide bus service to the NGA, with minimal budgetary impacts while continuing to serve the largest ridership generators along the existing routes.

Routes 231/232

In June 2012, modifications were made to Route 335 that included the addition of a local segment through the Landsdowne neighborhood along View Lane and Morning View Lane. The addition of this service provides duplicative service to Routes 231 and 232 at certain time periods during the day. Duplicative service will be removed from routes 231 and 232 in the Landsdowne neighborhood, and time saved in the schedule will be allocated back to help improve the on-time performance of the routes.

Staff held two public meetings to receive comments on the proposed service changes to routes 333/334 and 231/232, as well as other proposed changes. Staff considered all public comments and made adjustments to the proposed service plan. While the plan does not maintain connections to all the previous generators, it provides connections to the busiest generators, while providing a new connection to a large employment base.

Route 927

On September 4, 2012, service was removed from Dulles Corner Park at the request of the property management due to wear and tear caused by buses on their property. Transit buses are heavy vehicles that cause accelerated wear to asphalt roads and parking lots. The accelerated wear makes it necessary for the property owner to repave their private lots and streets more frequently than with regular wear. The removal of service only minimally impacts riders as there are bus stops along Sunrise Valley Drive that are a short walk from the current bus stop, allowing commuters to continue to use public transit when traveling to Dulles Corner Park.

Board Agenda Item
September 25, 2012

Unless otherwise directed by the Board, the Department of Transportation will implement these service changes on October 13, 2012 and first quarter FY2013.

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

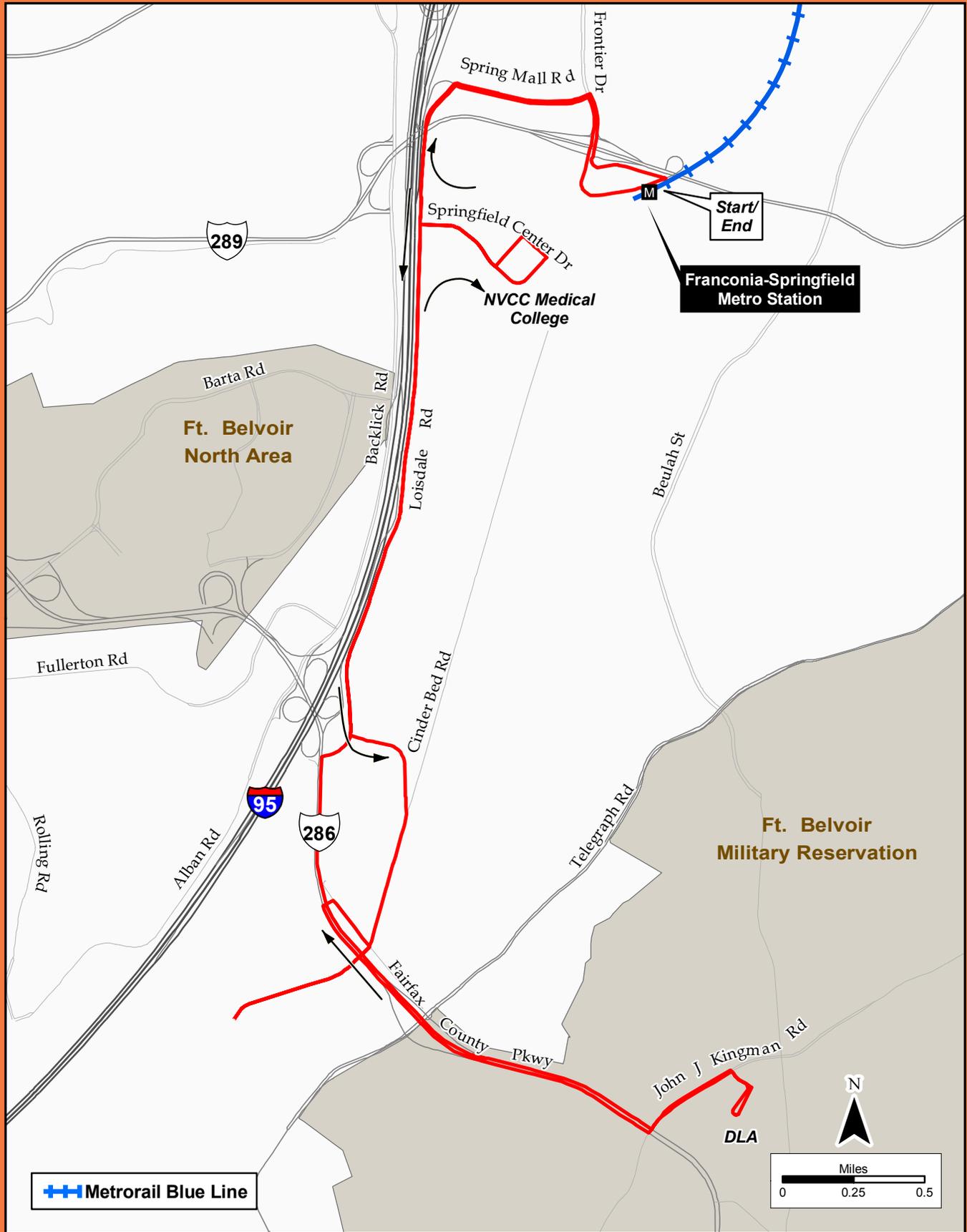
- Attachment 1: Route 333: NGA Connector Line
- Attachment 2: Route 334: Franconia-Springfield – DLA Circulator
- Attachment 3: Route 231/232: Kingstowne Circulator
- Attachment 4: Route 927: South Herndon Line

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Acting Chief, Transit Services Division, FCDOT
Christy Wegener, Section Chief, Fairfax Connector Section, FCDOT
Paul Mounier, Fairfax Connector Section, FCDOT

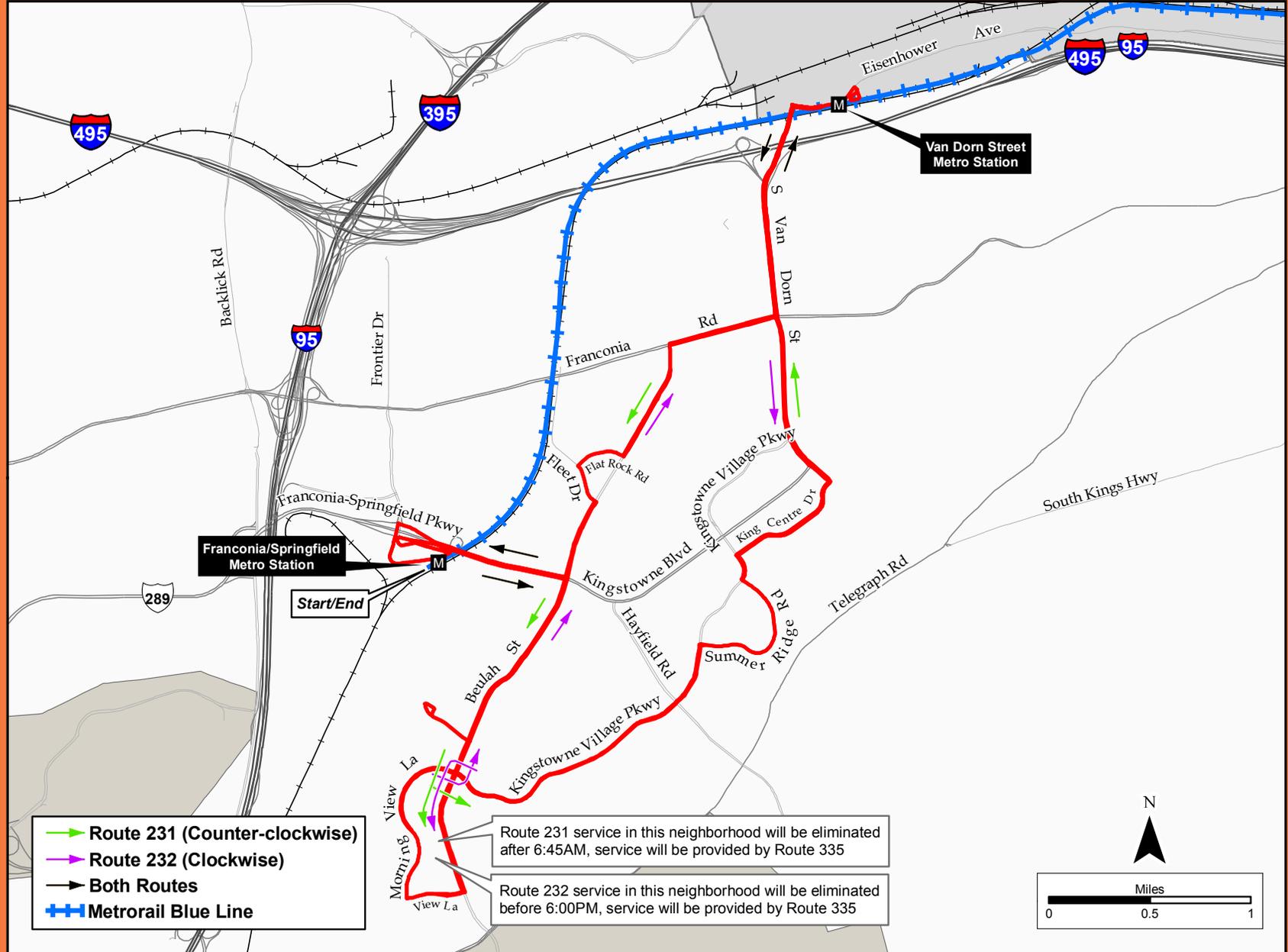
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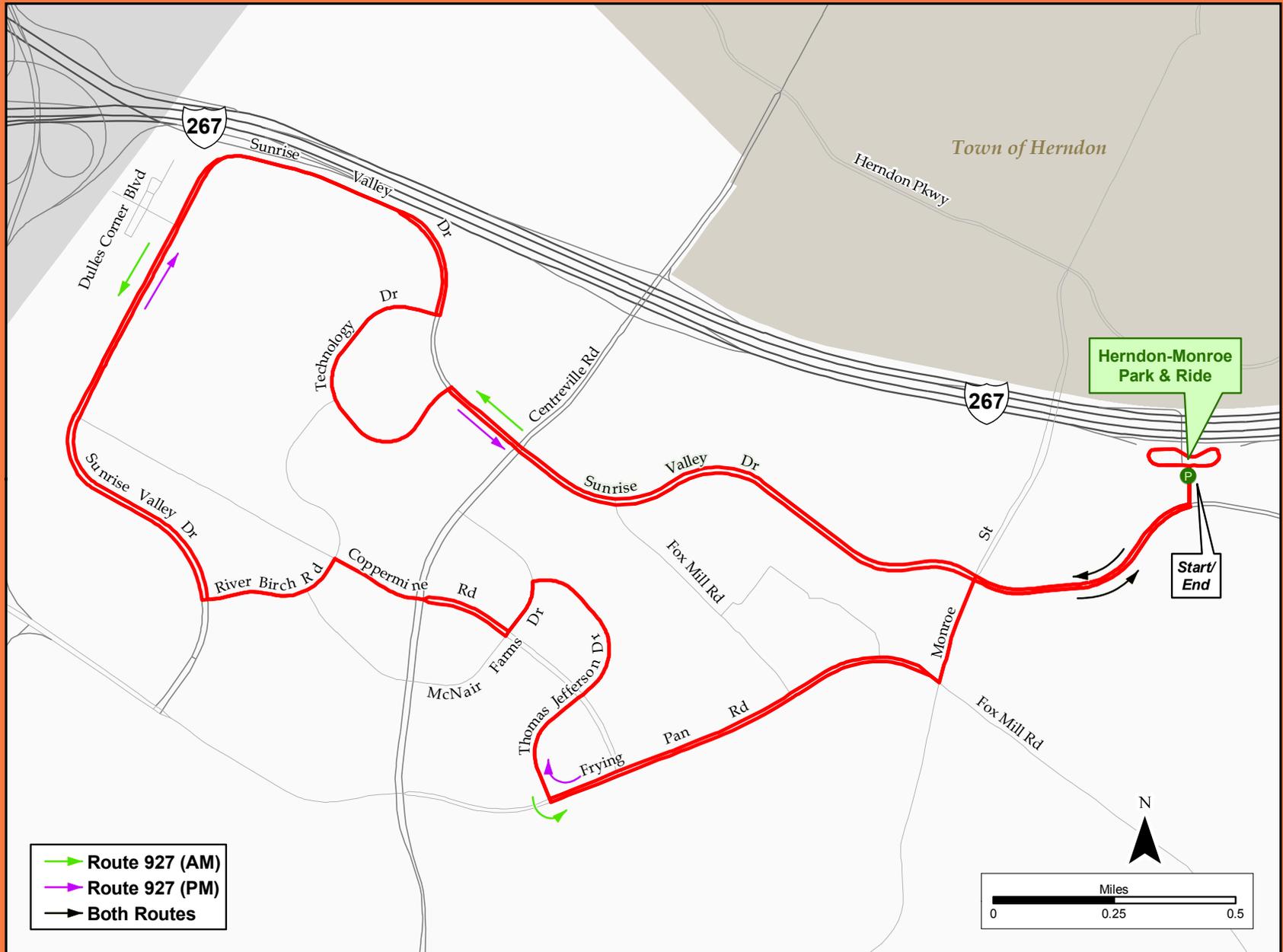




Fairfax Connector 231 / 232 - Kingstowne Circulator

Attachment 3





Board Agenda Item
September 25, 2012

11:00 a.m.

Matters Presented by Board Members

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11:50 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. *Kathryn T. Hollis v. Schaefer Pyrotechnics, Inc., et al.*, Case No. CL-2011-0001605 (Fx. Co. Cir. Ct.)
 - 2. *Shirley Brown-Cuffee v. Fairfax County, Virginia*, Case No. CL-2012-0012579 (Fx. Co. Cir. Ct.)
 - 3. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Shifflett, Sr.*, Case No. CL-2012-0003389 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 - 4. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Shifflett, Sr., et al.*, Case No. CL-2009-0014727 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 - 5. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bao T. Nguyen and Ninh T. Nguyen*, Case No. CL-2012-0008795 (Fx. Co. Cir. Ct.) (Mason District)
 - 6. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tesfaye Negussie*, Case No. CL-2012-0005771 (Fx. Co. Cir. Ct.) (Lee District)
 - 7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sparrowen, LLC*, Case No. CL-2011-0013081 (Fx. Co. Cir. Ct.) (Mount Vernon District)

8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Stephanie D. Clark and David A. Wilkey*, Case No. CL-2012-0007065 (Fx. Co. Cir. Ct.) (Providence District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ali Abd-Allah Darab and Samila E. Darab*, Case No. CL-2012-0005050 (Fx. Co. Cir. Ct.) (Providence District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Stephen L. Spitz and Marie Pierre Menu-Orsinger*, Case No. CL-2012-0010797 (Fx. Co. Cir. Ct.) (Mason District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bryce A. Schwarzmman*, Case No. 2012-0006422 (Fx. Co. Cir. Ct.) (Mason District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Aaron Samson and Mary Samson*, Case No. CL-2012-0008508 (Fx. Co. Cir. Ct.) (Mason District)
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Richard A. Haynes, Trustee, Joelle A. MacDonald, Trustee, and Harold N. Haynes Residential Trust*, Case No. CL-2012-0008644 (Fx. Co. Cir. Ct.) (Mason District)
14. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Memorial Venture, LLC*, Case No. CL-2012-0008505 (Fx. Co. Cir. Ct.) (Mount Vernon District)
15. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Sang Jin Hwang and Myung Sook Hwang*, Case No. CL-2012-0010800 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Antoniel F. Deleon and Estela C. Barrios*, Case No. CL-2012-0010803 (Fx. Co. Cir. Ct.) (Mason District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tri Le and Nancy Thai*, Case No. CL-2012-0010804 (Fx. Co. Cir. Ct.) (Mason District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. MY Leesburg Pike, LLC*, Case No. CL-2012-0011300 (Fx. Co. Cir. Ct.) (Mason District)

19. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Carlos Eduardo Perdomo*, Case No. CL-2012-0011298 (Fx. Co. Cir. Ct.) (Springfield District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Washington Gastroenterology, PLLC*, Case No. CL-2012-0011301 (Fx. Co. Cir. Ct.) (Mason District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Stuart H. McIntyre, Hispanos Multiservice, and Air Club Travel*, Case No. CL-2012-0011302 (Fx. Co. Cir. Ct.) (Mason District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gregory L. Kinzelman*, Case No. CL-2012-0012264 (Fx. Co. Cir. Ct.) (Mason District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Orlando Camacho and Yolanda Camacho*, Case No. CL-2012-0012541 (Fx. Co. Cir. Ct.) (Lee District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Michelle Sotiropoulos*, Case No. CL-2012-0012540 (Fx. Co. Cir. Ct.) (Dranesville District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. John V. Kearney*, Case No. CL-2012-0012916 (Fx. Co. Cir. Ct.) (Lee District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ruben R. Nunez and Lucila N. Nunez*, Case No. CL-2012-0013470 (Fx. Co. Cir. Ct.) (Braddock District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ida Medina and Jesus Medina*, Case No. CL-2012-0013482 (Fx. Co. Cir. Ct.) (Lee District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kim Living Trust, Hie C. Kim, Trustee, Hea J. Kim, Trustee, and Best Therapeutics, Inc.*, Case No. CL-2012-0013484 (Fx. Co. Cir. Ct.) (Sully District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John Hicks, Betty Pearson-Pavone, Dallas Hicks, Harold E. Pearson, Alice Hicks, and Edward Hicks*, Case No. CL-2012-0013536 (Fx. Co. Cir. Ct.) (Providence District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rafael Antonio Trejo Nolasco*, Case Nos. GV12-017057 and GV12-017060 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Cory A. Miller*, Case No. GV12-019326 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Frank R. Tacaraya, Anthony R. Tacaraya, Richard Tacaraya, and Carlos Marin*, Case No. GV12-019320 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
33. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Robert J. Stalker*, Case No. GV12-020651 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District/Town of Vienna)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Hever Joel Rosales and Margarita Rosales*, Case No. GV12-019429 (Fx. Co. Gen. Dist. Ct.) (Lee District)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Daniel Flores-Alvarez and Leonor Flores-Alvarez*, Case No. GV12-019430 (Fx. Co. Gen. Dist. Ct.) (Mason District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eagle Tattoo, Ltd., Giovan V. Nguyen, and Nhat T. Nguyen*, Case No. GV12-021957 (Fx. Co. Gen. Dist. Ct.) (Mason District)

3:00 p.m.

Public Hearing on SE 2012-MA-004 (Jooan Peace, Inc.) to Permit Parking in an R District, Located on Approximately 26,939 Square Feet of Land Zoned R-2 and HC (Mason District)

This property is located at 4119 Hummer Rd., Annandale, 22003. Tax Map 59-4 ((6)) 20B.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, July 26, 2012, the Planning Commission voted unanimously (Commissioners Alcorn and Sargeant absent from the meeting) to recommend to the Board of Supervisors approval of the following actions pertinent to the subject application:

- Approval of SE 2012-MA-004, subject to the development conditions dated July 12, 2012, and the inclusion of an additional development condition requiring that the construction of the parking lot abutting the buffer minimize potential damage to local tree roots;
- Modification of the transitional screening requirement along the northern property line in favor of the SE plat and development conditions;
- Modification of the transitional screening requirement along the western property line in favor of the SE plat; and
- Waiver of the barrier requirements along the western property line.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4391710.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Kristen Abrahamson, Department of Planning and Zoning

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Planning Commission Meeting
July 26, 2012
Verbatim Excerpt

SE 2012-MA-004 – JOOAN PEACE, INC.

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Ms. Hall please.

Commissioner Hall: Thank you, Mr. Chairman. I want to thank both speakers for coming out this evening and sharing their thoughts about this application. It's amazing how two people can see the same thing, but have two separate opinions and that happens in life. In Mason District, we do try and reach out to the community, but all we can do is notify the homeowners association for the applications that are reviewed at the Mason District Office. I – this application was heard twice. There were concerns about the buffer and to make sure that there was sufficient buffering to take care of the existing residential. I know that the Minister spoke about flashing – bright lights and everything, but the lighting is going to be – I would like to ask staff to address lighting. The acorn lights really don't give up that much lighting and the rest of it is shielded, isn't it?

Kristen Abrahamson, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ) and Miriam Bader, ZED, DPZ: Yes.

Commissioner Hall: So the fact that the townhomes are across the way – and there's a significant amount of open space between Hummer Road and where these townhomes are with trees and so forth. So the likelihood of them being impacted by lights is – I don't think it'll be an issue because of the concerns. That's one. As far as it impacting on the cost of the real estate – your other concern – I don't know that I can really speak to it. But I can say – based on the illustrations – and these are the requirements, the pavers and the acorn lights – these are the requirements of the Annandale Revitalization Group, which the applicant has agreed to provide. I really don't – I think this would have a better impact on your values than what is currently there because old houses that regrettably are left to fall apart really do have a very negative impact and there has been a few of them in Mason District. So while I appreciate you coming and sharing your thoughts, I have to agree with staff that this is a valid application in keeping with the Comprehensive Plan. And so, therefore, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2012-MA-004, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 12, 2012.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion?

Commissioner Lawrence: Mr. Chairman?

Chairman Murphy: Yes, Mr. Lawrence.

Commissioner Lawrence: Point of clarification. Would the Commissioner consider MY SUGGESTION ABOUT THE CONDITION ASKING FOR A BRIEFING OF THE PEOPLE WHO ARE GOING TO PUT THE PARKING LOT IN NEXT TO THE BUFFER?

Planning Commission Meeting

Page 2

July 26, 2012

SE 2012-MA-004

Commissioner Hall: I'm sorry?

Chairman Murphy: To preserve the roots of the trees to protect –

Commissioner Hall: Oh, that certainly is something the applicant can do.

Commissioner Lawrence: I think that would help.

Commissioner Hall: Well, I think it would especially if – those were actually the discussions we had at Mason District. It was specifically about that, so I think that would be a good idea.

Chairman Murphy: So I think what we're ASKING is for STAFF TO CRAFT A DEVELOPMENT CONDITION TO PUT IT INTO THE APPLICATION PRIOR TO THE BOARD MEETING, OKAY?

Ms. Abrahamson and Ms. Bader: Okay.

Commissioner Hall: If you would.

Commissioner Lawrence: Thank you, Mr. Chairman.

Chairman Murphy: All those in –

Commissioner Lawrence: Thank you, Ms. Hall.

Chairman Murphy: All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hall.

Commissioner Hall: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS – there are three:

- MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE north – NORTHERN PROPERTY LINE IN FAVOR OF THE SE PLAT AND DEVELOPMENT CONDITIONS;
- MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE WESTERN PROPERTY LINE IN FAVOR OF THE SE PLAT;

- AND FINALLY, A WAIVER OF THE BARRIER REQUIREMENTS ALONG THE WESTERN PROPERTY LINE.

Commissioners Hart and Lawrence: Second.
Planning Commission Meeting
July 26, 2012
SE 2012-MA-004

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Chairman Murphy: Seconded by Mr. Hart and Mr. Lawrence. Is there a discussion of that motion?
All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

Commissioner Hall: Again, thank you very much for coming out.

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(The motions carried unanimously with Commissioners Alcorn and Sargeant absent from the meeting.)

JLC

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Board Agenda Item
September 25, 2012

3:00 p.m.

Public Hearing on SEA 88-S-077-05 (Brookfield-Beverly Road Associates, Limited Partnership) to Amend SE 88-S-077 (Previously Approved for a Service Station, Quick-Service Food Store, Car Wash, Drive-In Financial Institutions, Fast Food Restaurants with Drive-Thru Windows, Increase in Building Height, Hotels and Vehicle Rental Establishment) to Permit Waiver of Certain Sign Regulations and Associated Modifications to Site Design and Development Conditions, Located on Approximately 49.73 Acres of Land Zoned C-6, AN and WS (Sully District)

This property is located at 4320, 4335 and 4368 Chantilly Shopping Center, Chantilly, 20151. Tax Map 44-1 ((9)) A, B, C, D1, E2, F2 and F3.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, July 26, 2012, the Planning Commission voted 9-0-1 (Commissioner Hart abstaining, Commissioners Alcorn and Sargeant absent from the meeting) to recommend that the Board of Supervisors approve SEA 88-S-077-05, subject to the development conditions dated July 23, 2012, with the following modifications to development condition 6:

- Remove the text reading, "The image displayed on the electronic changeable copy sign (LED panel) shall not be changed more than two (2) times in a 24-hour period. In addition;" and
- Capitalize the letter "t" at the beginning of the text reading, "the LED panel."

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4379770.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
July 26, 2012
Verbatim Excerpt

SEA 88-S-077-05 – BROOKFIELD-BEVERLY ROAD ASSOCIATES, LIMITED PARTNERSHIP

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Litzenberger. And we appreciate this application...

Commissioner Litzenberger: Moving forward, I am going to make a motion to approve this – this evening with the change to item 6. I MOVE THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 88-S-077-05, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 23, 2012, WITH THE FOLLOWING CHANGE TO DEVELOPMENT CONDITION 6 –

Commissioner Flanagan: Second.

Commissioner Litzenberger: Well I have to –

Commissioner Hall: Wait, he isn't done yet.

Commissioner Litzenberger: Okay.

Chairman Murphy: Somebody held up a sign that said, "Second."

Commissioner Litzenberger: Okay, I wish TO STRIKE THE SENTENCE IN DEVELOPMENT CONDITION 6 THAT READS, "THE IMAGE DISPLAYED ON THE ELECTRONIC CHANGEABLE COPY SIGN (LED PANEL) SHALL NOT BE CHANGED MORE THAN TWO (2) TIMES IN A 24-HOUR PERIOD. IN ADDITION" AND THEN CAPITALIZE THE T FOR "THE LED PANEL."

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. No surprise to anyone. 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 85-S-077-05 [sic], say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Hart: Abstain.

Chairman Murphy: Motion carries. Thank you very much.

Commissioner Hart: Abstain.
Planning Commission Meeting
July 26, 2012
SEA 88-S-077-05

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Chairman Murphy: Mr. Hart abstains. Mr. McDermott, thank you for a very colorful evening.

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(The motion carried by a vote of 9-0-1 with Commissioner Hart abstaining; Commissioners Alcorn and Sargeant absent from the meeting.)

JLC

Board Agenda Item
September 25, 2012

3:30 p.m.

Public Hearing on PCA 90-L-050-03 (Sunoco, Inc. (R&M)) to Amend the Proffers for RZ 90 L-050 Previously Approved for Commercial Development to Permit Modifications to Proffers and Site Design, Located on Approximately 1.15 Acres of Land Zoned C-6, CRD, HC and SC (Lee District)

and

Public Hearing on SEA 90-L-045-03 (Sunoco, Inc. (R&M)) to Amend SE 90-L-045 Previously Approved for Service Station, Quick Service Food Store, Car Wash and Vehicle Light Service Establishment to Permit Service Station, Quick Service Food Store, Waiver of Certain Sign Regulations, Modifications in the Commercial Revitalization District and Associated Modifications to Development Conditions, Located on Approximately 1.15 Areas of Land Zoned C-6, CRD, HC and SC (Lee District)

This property is located in the Southwest quadrant of the intersection of Old Keene Mill Road and Springfield Boulevard. Tax Map 80-4 ((1)) 11 and 11A1

This property is located at 7025 and 7037 Old Keene Mill Rd., Springfield, 22150. Tax Map 80-4 ((1)) 11 and 11A1.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing will be held on Thursday, September 20, 2012. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4397020.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
St. Clair Williams, Department of Planning and Zoning

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3:30 p.m.

Public Hearing on PCA 89-A-001-02 (Board of Supervisors' Own Motion) to Amend the Proffers for RZ 89-A-001 Previously Approved for Assisted and Independent Living for the Elderly and Related Programs at an Existing 0.18 Floor Area Ratio for the Adult Day Care, to Permit Additional Participants in the Elder Day Care Program with Associated Modifications to Proffers, Located on Approximately 14.04 Acres of Land Zoned R-3 (Braddock District)

and

Public Hearing on PCA 87-A-011-02 (Board of Supervisors' Own Motion) to Amend the Proffers for RZ 87-A-011 Previously Approved for Assisted and Independent Living for the Elderly and Related Programs at an Existing 0.18 Floor Area Ratio for the Adult Day Care, to Permit Additional Participants in the Elder Day Care Program with Associated Modifications to Proffers, Located on Approximately 7.28 Acres of Land Zoned R-2 (Braddock District)

This property is located in the Southeast quadrant of the intersection of Little River Turnpike and Olley Lane. Tax Map 58-4 ((1)) 47A1, 47A2 and 47L, and Tax Map 58-4 ((1)) 41A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, September 13, 2012, the Planning Commission voted unanimously (Commissioners Donahue and Flanagan absent from the meeting) to recommend to the Board of Supervisors approval of the following actions pertinent to the subject applications:

- Approval of PCA 87-A-011-02 and PCA 89-A-001-02, subject to the execution of proffers consistent with those dated May 4, 2012;
- Reaffirmation of the waiver of the service drive; and
- Reaffirmation of the modification of screening and waivers of barriers in favor of that provided on the Generalized Development Plan (GDP)/Special Exception Amendment (SEA) plat and proffered conditions.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpt

Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4396197.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Laura Gumkowski, Department of Planning and Zoning

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Planning Commission Meeting
September 13, 2012
Verbatim Excerpt

PCA 87-A-011-02 AND PCA 89-A-001-02 – BOARD OF SUPERVISORS’ OWN MOTIONS

After the Close of the Public Hearing

Chairman Murphy: Public Hearing is closed; without objection, Ms. Hurley.

Commissioner Hurley: Very briefly, this proposal is to permit a new program called PACE at the Little River Glen complex at the corner of 236 and Olley Lane. PACE is the Program of All-Inclusive Care for the Elderly. It’s a - there’s already six such programs in Virginia. The Board of Supervisors is the applicant and, for almost a decade, Fairfax County has been trying to initiate this public-private partnership that would allow the operation of this adult day care health services to the residents of Fairfax County. So with that in mind, I MOVE APPROVAL OF PCA 87-A-011-02 AND PCA 89-A-001-02, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE FOUND IN APPENDIX A OF THIS REPORT.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to approve - recommend the Board of Supervisors to approve PCA - oh, I’m sorry - PCA 87-A-011-02 and PCA 89-A-001-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hurley: I MOVE REAFFIRMATION OF THE PREVIOUSLY-APPROVED WAIVERS AND MODIFICATION, TO WIT, WAIVER OF THE SERVICE DRIVE AND MODIFICATION OF SCREENING, AND WAIVERS OF BARRIERS IN FAVOR OF THAT PROVIDED ON GDP/SEA PLAT AND PROFFERED CONDITIONS.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motions carried unanimously with Commissioners Donahue and Flanagan absent from the meeting.)

JN

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3:30 p.m.

Public Hearing on PCA 92-H-015 (GBI Corporation) to Amend the Proffers and Conceptual Development Plans for RZ 92-H-015 Previously Approved for a Child Care Center to Permit an Increase in Floor Area Ratio for the Child Care Center to 0.24 and Associated Modifications to Proffers and Site Design, Located on Approximately 40,075 Square Feet of Land Zoned PDH-20 and SC (Dranesville District)

This property is located in the Northeast quadrant of the intersection of Sunrise Valley Drive and Dulles Town Boulevard. Tax Map 15-4 ((1)) 3E.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, September 13, 2012, the Planning Commission voted unanimously (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:

- Approval of PCA 92-H-015, subject to the proffers dated June 13, 2012;
- Modification of the barrier requirement between the proposed child care center and the adjacent multi-family development to the south and east;
- Modification of the peripheral parking lot landscaping requirement; and
- Modification of the ten-year tree canopy requirement.

In addition, the Planning Commission voted unanimously (Commissioners Donahue and Flanagan absent from the meeting) to approve FDP A 92-H-015, subject to the development conditions dated June 28, 2012, and subject to the Board of Supervisors' approval of PCA 92-H-015.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpt

Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4389079.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Kristen Abrahamson, Department of Planning and Zoning

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Planning Commission Meeting
September 13, 2012
Verbatim Excerpt

PCA/FDPA 92-H-015 – GBI CORPORATION

After the Close of the Public Hearing

Chairman Murphy: Public Hearing is closed; recognize Mr. Litzenberger.

Commissioner Litzenberger: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PCA 92-H-015, SUBJECT TO THE PROFFERS DATED JUNE 13TH, 2012.

Commissioners Alcorn and Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors to approve PCA 92-H-015, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Litzenberger.

Commissioner Litzenberger: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 92-H-015, SUBJECT TO THE BOARD'S APPROVAL OF PCA 92-H-015 AND SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 28TH, 2012.

Commissioners Alcorn and Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio and Mr. Alcorn. Is there a discussion? I presume there is a typo on that motion. It's not -25, it's -015 on both. Right? Okay. All those in favor of the motion to approve FDPA 92-H-015, subject to the Board's approval of the PCA, say aye. *(NOTE: Chairman Murphy was referring to the incorrect application number listed on the inside of the title page of the staff report.)*

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Litzenberger.

Commissioner Litzenberger: I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE THE FOLLOWING MODIFICATIONS IN FAVOR OF THE TREATMENTS DEPICTED ON THE FDPA:

- FIRST, OF THE BARRIER REQUIREMENT BETWEEN THE PROPOSED CHILD CARE CENTER AND THE ADJACENT MULTI-FAMILY DEVELOPMENT TO THE SOUTH AND EAST; AND

- OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENT; AND
- LASTLY, OF THE TEN-YEAR TREE CANOPY REQUIREMENT.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of that motion – or all those motions? All those in favor of the motions, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motions carried unanimously with Commissioners Donahue and Flanagan absent from the meeting.)

JN

Board Agenda Item
September 25, 2012

3:30 p.m.

Public Hearing on RZ 2010-PR-021 (Capital One Bank (USA) NA) to Rezone from C-3 and HC to PTC and HC to Permit Mixed Use Development, Located on Approximately 26.22 Acres of Land (Providence District)

And

Public Hearing on PCA 92-P-001-08 (Capital One Bank (USA) NA) to Amend the Proffers for RZ 92-P-001-08 Previously Approved for Office Development to Permit Partial Proffer Condition Amendment to West Gate and Associated Modifications to Proffers and Site Design, Located on Approximately 24.77 Acres of Land Zoned C-3 and HC (Providence District)

This property is located East of I-495, North of Route 123 and Southwest of Scotts Crossing Road in Fairfax County, Virginia. Tax Map 29-4 ((5)) A2.

This property is located East of I-495, North of Route 123 and Southwest of Scotts Crossing Rd. in Fairfax County, Virginia, less and except the vacated portions of Old Springhouse Road. Tax Map 29-4 ((5)) A2 pt.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on Wednesday, July 25, 2012, and decision was deferred to Thursday, September 20, 2012. The Commission's recommendations will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Staff Report and addendum previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4391702.PDF> and
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4392302.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Suzanne Lin, Department of Planning and Zoning

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