FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 4, 2014

AGENDA

8:30	**Cancelled due to weather**	J. Hamilton Lambert Conference Center, Dedication Ceremony - Reception Area of the Conference Center
9:30	**Cancelled due to weather**	Presentations
10:30	**Adopted**	Report on General Assembly Activities
10:40	**Done**	Items Presented by the County Executive
	ADMINISTRATIVE ITEMS	
1	**Approved**	Installation of "Watch for Children" Signs as Part of the Residential Traffic Administration Program (Dranesville, Mason, Mount Vernon and Providence Districts)
2	**Approved**	Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Springdale Residential Permit Parking District, District 33 (Mason District)
3	**Approved**	Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Culmore Residential Permit Parking District, District 9 (Mason District)
4	**Approved**	Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Northern Virginia Community College Residential Permit Parking District, District 39 (Braddock District)
5	**Approved**	Authorization to Advertise a Public Hearing to Remove Parking Restrictions on Terry Drive and Utica Street (Lee District)
6	**Approved**	Authorization to Advertise a Public Hearing on the Proposed Consolidated Plan One-Year Action Plan for FY 2015
7	**Approved**	Extension of Review Periods for 2232 Review Applications (Hunter Mill and Mount Vernon Districts)
8	**Approved**	Supplemental Appropriation Resolution AS 14187 for the Fire and Rescue Department to Accept Grant Funding from the Department of Homeland Security for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant
9	**Approved with Amendments**	Authorization to Advertise Publication of the FY 2015 Budget and Required Tax Rates, the FY 2015 Effective Tax Rate Increase, and the Capital Improvement Program for Fiscal Years 2015 - 2019 (With Future Fiscal Years to 2024)

FAIRFAX COUNTY
BOARD OF SUPERVISORS
March 4, 2014

	ADMINISTRATIVE ITEMS (Continued)	
10	**Approved**	Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in FY 2014 Revised Budget Plan
11	**Approved**	Authorization to Advertise a Public Hearing to Consider the Adoption of an Amendment to Chapter 41.1 of the Fairfax County Code to Increase Adoption and Boarding Fees for Dogs and Cats
	ACTION ITEMS	
1	**Approved**	Approval of a Resolution to Authorize the Refunding of Fairfax County Sewer Revenue Bonds Series 2004
	INFORMATION ITEMS	
1	**Noted**	2013 Virginia Pollutant Discharge Elimination System Permit Annual Report for Fairfax County, Virginia
2	**Noted**	Detailed Operational Analysis of New Tysons Dulles Toll Road Ramps (Dranesville, Hunter Mill, and Providence Districts)
10:50	**Done**	Matters Presented by Board Members
11:40	**Not Held**	Closed Session
	PUBLIC HEARINGS	
3:30	**Approved**	Public Hearing on RZ 2013-SP-005 (MHI Spring Lake L.L.C.) (Springfield District)
3:30	**Approved**	Public Hearing on RZ 2013-HM-012 (Sekas Homes LTD) (Hunter Mill District)
3:30	**Deferred to March 25, 2014 at 3:30 p.m.**	Public Hearing on SE 2013-MV-011 (Kimberly B. & Kelly P. Campbell) (Mount Vernon District)
4:00	**Approved**	Public Hearing on a Proposal to Abandon a Portion of Former South Van Dorn Street (Lee District)
4:00	**Approved**	Public Hearing on Proposed Plan Amendment 2013-CW-2CP to Update Comprehensive Plan Procedural References

Fairfax County, Virginia

BOARD OF SUPERVISORS AGENDA

Tuesday
March 4, 2014

9:30 a.m.

PRESENTATIONS

RECOGNITIONS

- RESOLUTION – To recognize and thank J. Hamilton Lambert for his service as Fairfax County executive and his role to establish the Government Center. Requested by Chairman Bulova.

DESIGNATIONS

- PROCLAMATION – To designate March 2014 as Women's History Month in Fairfax County. Requested by Chairman Bulova.

- PROCLAMATION – To designate March 2014 as Nutrition Month in Fairfax County. Requested by Supervisor Cook.

- PROCLAMATION – To designate March 2014 as Alternative Dispute Resolution Month in Fairfax County. Requested by Supervisor Cook.

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

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

10:30 a.m.

Report on General Assembly Activities

ENCLOSED DOCUMENTS:
None. Materials to be distributed to the Board of Supervisors on March 4, 2014

PRESENTED BY:
Supervisor Jeff McKay, Chairman, Board of Supervisors' Legislative Committee
Edward L. Long Jr., County Executive

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

10:40 a.m.

Items Presented by the County Executive

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

ADMINISTRATIVE - 1

Installation of "Watch for Children" Signs as Part of the Residential Traffic Administration Program (Dranesville, Mason, Mount Vernon and Providence Districts)

ISSUE:
Board endorsement for the installation of "Watch for Children" signs, as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:
The County Executive recommends that the Board endorse the installation of "Watch for Children" signs on the following roads:

- Birch Road (1) (Dranesville District)
- Lorraine Avenue (1) (Dranesville District)
- Franklin Avenue (2) (Dranesville District)
- N. Rockingham Street (2) (Dranesville District)
- Clifton Street (2) (Mason District)
- Southrun Road (2) (Mount Vernon District)
- Steven Martin Drive (1) (Providence District)
- Susan Rosemary Ln (1) (Providence District)

TIMING:
Board action is requested on March 4, 2014.

BACKGROUND:
The RTAP allows for installation of "Watch for Children" signs at the primary entrance to residential neighborhoods, or at a location with an extremely high concentration of children relative to the area, such as playgrounds, day care centers, or community centers. FCDOT reviews each request to ensure the proposed sign will be effectively located and will not be in conflict with any other traffic control devices. On February 12, 2013 (N. Rockingham Street); February 13, 2013 (Birch Road, Lorraine Avenue and Franklin Avenue); June 1, 2013 (Steven Martin Drive); June 24, 2013 (Clifton Street); and September 9, 2013 (Southrun Road), FCDOT received written verification from the appropriate local supervisors confirming community support for the referenced "Watch for Children" signs. Susan Rosemary Lane was added during the field review to give a more complete coverage for the entire community.

On October 15, 2012, the Fairfax County Department of Transportation (FCDOT) submitted to the Fairfax County Board of Supervisors a memorandum for the purpose of

temporarily halting the Watch for Children (WFC) Program. The memorandum noted that the WFC Signage Program was being temporarily suspended to allow for a change in the statewide program. In particular the *Code of Virginia* provided that the Board could request, by resolution to the Commissioner of Highways, signs alerting motorists that children may be at play nearby. The cost for the installation of these signs was borne by the jurisdiction requesting the installation. However, in 2012, the General Assembly passed HB 914, providing that localities enter into agreements with the VDOT and install the WFC signs themselves, rather than requesting approval from the Commissioner.

This legislation is similar to a suggestion that FCDOT submitted to the Governor's Commission on Government Reform and Restructuring in 2010. In March 2010, the Secretary of Transportation requested proposals for possible Code and policy changes to improve the efficiency for transportation projects and programs for the Reform Commission to consider. Among the list of suggestions submitted by the Fairfax County staff was to allow WFC signs to be included in blanket permit agreements that the County has with the Commonwealth to install other signs within VDOT rights-of-way, such as No Parking and Yield to Pedestrian signs.

On August 6, 2013, FCDOT received from VDOT a copy of a Memorandum of Agreement (MOA) for the Installation and Maintenance of "Watch for Children" Signs. This MOA notes Fairfax County's desire to enter into an agreement with VDOT and allows the County to install and maintain these signs, subject to terms set by VDOT. The agreement has been reviewed to form by the Fairfax County Attorney's office.

On November 19, 2013, the Board of Supervisors authorized execution of the MOA for the installation of "Watch for Children" signs. The agreement has been signed. The agreement allows several signage requests to proceed.

FISCAL IMPACT:
The cost for signs at the 11 locations is approximately $1,800. Funding in the amount of $1,800 is available in Fund100-C10001, General Fund, under Job Number 40TTCP.

ENCLOSED DOCUMENTS:
None.

STAFF:
Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Traffic Operations Division, FCDOT
Neil Freschman, Chief, Traffic Operations Section, FCDOT
Steven K. Knudsen, Transportation Planner, FCDOT

Board Agenda Item
March 4, 2014

ADMINISTRATIVE - 2

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Springdale Residential Permit Parking District, District 33 (Mason District)

ISSUE:
Board authorization to advertise a public hearing to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Springdale Residential Permit Parking District (RPPD), District 33.

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

TIMING:
The Board should take action on March 4, 2014, to advertise a public hearing for March 25, 2014, at 4:30 p.m.

BACKGROUND:
Section 82-5A-4(b) of *The Code of the County of Fairfax*, *Virginia*, authorizes the Board to establish or expand an RPPD in any residential area of the County if: (1) the Board receives a petition requesting establishment or expansion of an RPPD that contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block of the proposed District, (2) the proposed District contains a minimum of 100 contiguous or nearly contiguous on-street parking spaces 20 linear feet in length per space, unless the subject area is to be added to an existing district, (3) 75 percent of the land abutting each block within the proposed District is developed residential, and (4) 75 percent of the total number of on-street parking spaces of the petitioning blocks are occupied, and at least 50 percent of those occupied spaces are occupied by nonresidents of the petitioning blocks, as authenticated by a peak-demand survey. In addition, an application fee of $10 per petitioning address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

A peak parking demand survey was conducted for the south side of Summers Lane from Munson Road to the end, excluding areas designated as “No Parking” by the Virginia Department of Transportation (VDOT). This survey verified that more than 75 percent of the total number of on-street parking spaces of the petitioning blocks were occupied by parked vehicles, and more than 50 percent of those occupied spaces were occupied by nonresidents of the petitioning blocks. All other requirements to expand the RPPD have been met.

FISCAL IMPACT:
The cost of sign installation is estimated at $500 to be paid out of Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Amendment to *The Code of the County of Fairfax, Virginia*
Attachment II: Map Depicting Proposed Limits of RPPD Establishment

STAFF:
Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Neil Freschman, Chief, Traffic Operations Section, FCDOT
Maria Turner, Sr. Transportation Planner, FCDOT

Attachment I

Proposed Amendment

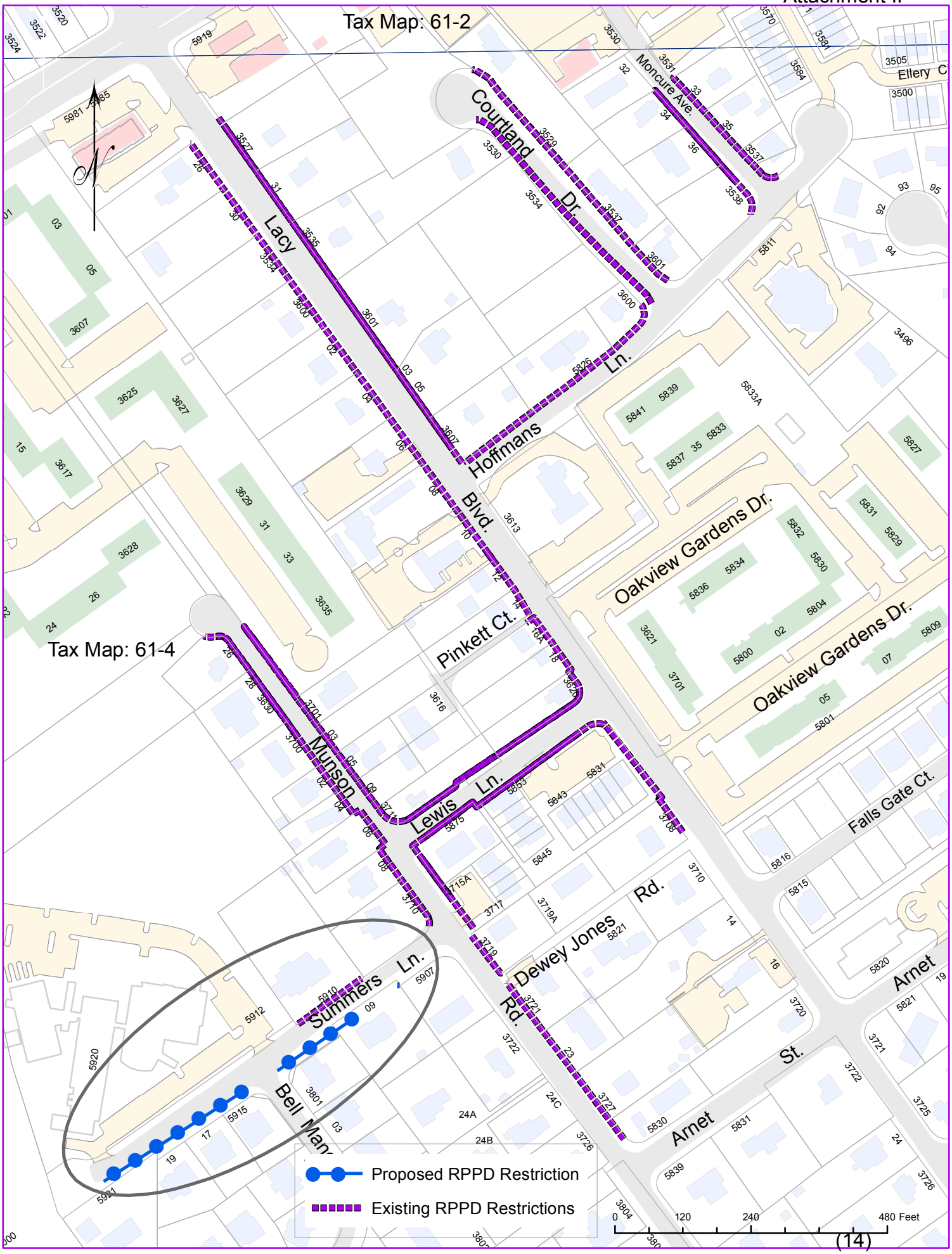
Amend *The Code of the County of Fairfax*, *Virginia*, by adding the following streets to Appendix G-33, Section (b), (2), Springdale Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

~~*Summers Lane (Route 3399) north side:*~~
Summers Lane (Route 3399):

From eastern boundary of 61-4((1)) parcel 0042 to the western boundary of 61-4((1)) parcel 0041A, north side only

From Munson Road to the end, south side only, excluding areas designated as “No Parking” by the Virginia Department of Transportation (VDOT)

Attachment II



Board Agenda Item
March 4, 2014

ADMINISTRATIVE - 3

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Culmore Residential Permit Parking District, District 9 (Mason District)

ISSUE:
Board authorization to advertise a public hearing to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Culmore Residential Permit Parking District (RPPD), District 9.

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

TIMING:
The Board should take action on March 4, 2014, to advertise a public hearing for March 25, 2014, at 4:00 p.m.

BACKGROUND:
Section 82-5A-4(b) of *The Code of the County of Fairfax*, *Virginia*, authorizes the Board to establish or expand an RPPD in any residential area of the County if: (1) the Board receives a petition requesting establishment or expansion of an RPPD that contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block of the proposed District, (2) the proposed District contains a minimum of 100 contiguous or nearly contiguous on-street parking spaces 20 linear feet in length per space, unless the subject area is to be added to an existing district, (3) 75 percent of the land abutting each block within the proposed District is developed residential, and (4) 75 percent of the total number of on-street parking spaces of the petitioning blocks are occupied, and at least 50 percent of those occupied spaces are occupied by nonresidents of the petitioning blocks, as authenticated by a peak-demand survey. In addition, an application fee of $10 per petitioning address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

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

FISCAL IMPACT:
The cost of sign installation is estimated at $900 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Amendment to *The Code of the County of Fairfax, Virginia*
Attachment II: Map Depicting Proposed Limits of RPPD Establishment

STAFF:
Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Neil Freschman, Chief, Traffic Operations Section, FCDOT
Maria Turner, Sr. Transportation Planner, FCDOT

Attachment I

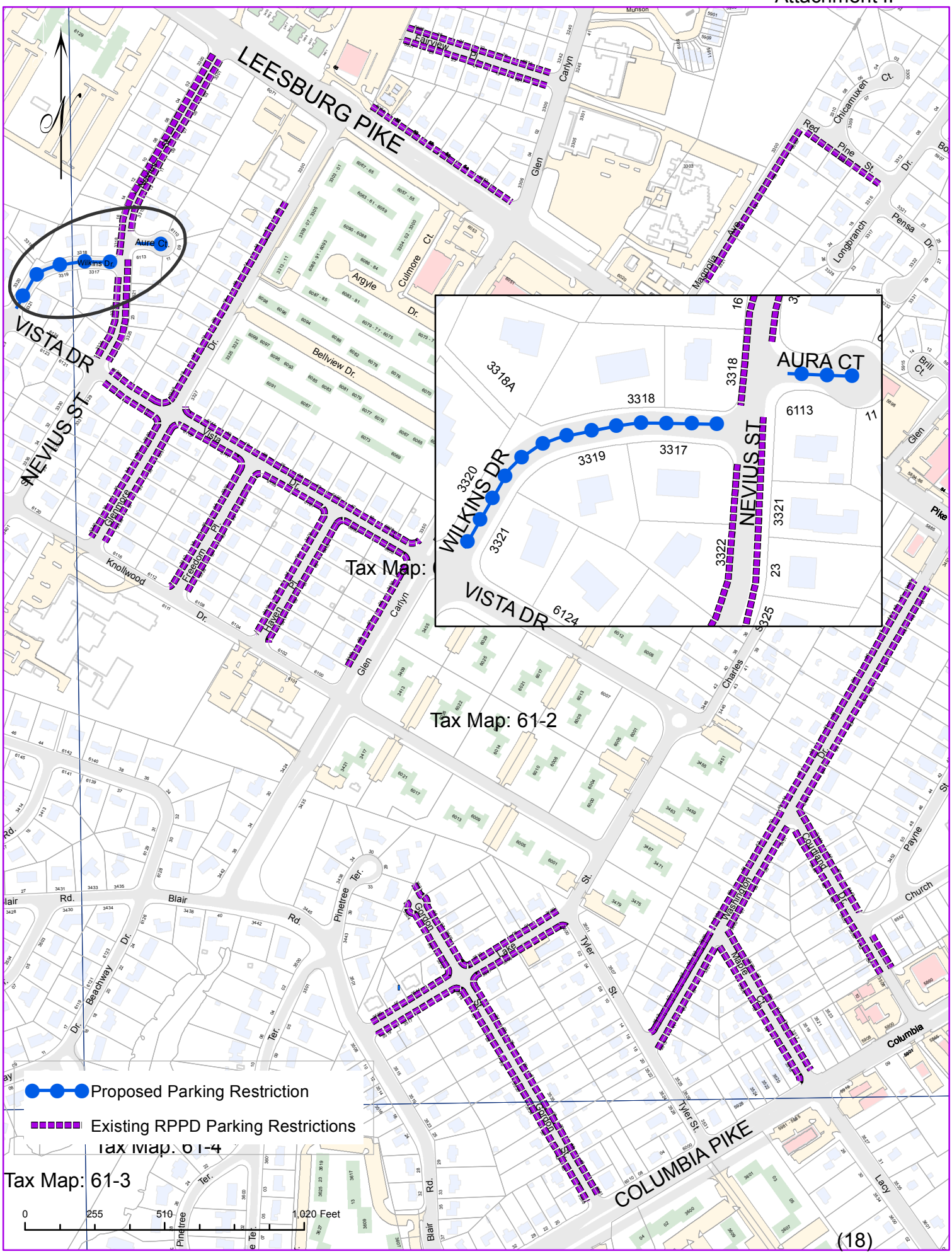
Proposed Amendment

Amend *The Code of the County of Fairfax*, *Virginia*, by adding the following streets to Appendix G-9, Section (b), (2), Culmore Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

Aura Court (Route 1922):
From Nevius Street to cul-de-sac inclusive

Wilkins Drive (Route 1922):
From Nevius Street to Vista Drive

Attachment II



Board Agenda Item
March 4, 2014

ADMINISTRATIVE - 4

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Northern Virginia Community College Residential Permit Parking District, District 39 (Braddock District)

ISSUE:
Board authorization to advertise a public hearing to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Northern Virginia Community College (NVCC) Residential Permit Parking District (RPPD), District 39.

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

TIMING:
The Board should take action on March 4, 2014, to advertise a public hearing for March 25, 2014, at 4:00 p.m.

BACKGROUND:
Section 82-5A-4(a) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish RPPD restrictions encompassing an area within 2,000 feet walking distance from the pedestrian entrances and/or 1,000 feet from the property boundaries of an existing or proposed high school, existing or proposed rail station, or existing Virginia college or university campus if: (1) the Board receives a petition requesting the establishment or expansion of such a District, (2) such petition contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block face of the proposed District, and (3) the Board determines that 75 percent of the land abutting each block within the proposed District is developed residential. In addition, an application fee of $10 per address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

Staff has verified that the requested portion of Chapel Drive is within 2,000 feet walking distance to the NVCC pedestrian entrance, and all other requirements to expand the RPPD have been met.

FISCAL IMPACT:
The cost of sign installation is estimated at $1,200 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Amendment to *The Code of the County of Fairfax, Virginia*
Attachment II: Map Depicting Proposed Limits of RPPD Establishment

STAFF:
Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Neil Freschman, Chief, Traffic Operations Section, FCDOT
Maria Turner, Sr. Transportation Planner, FCDOT

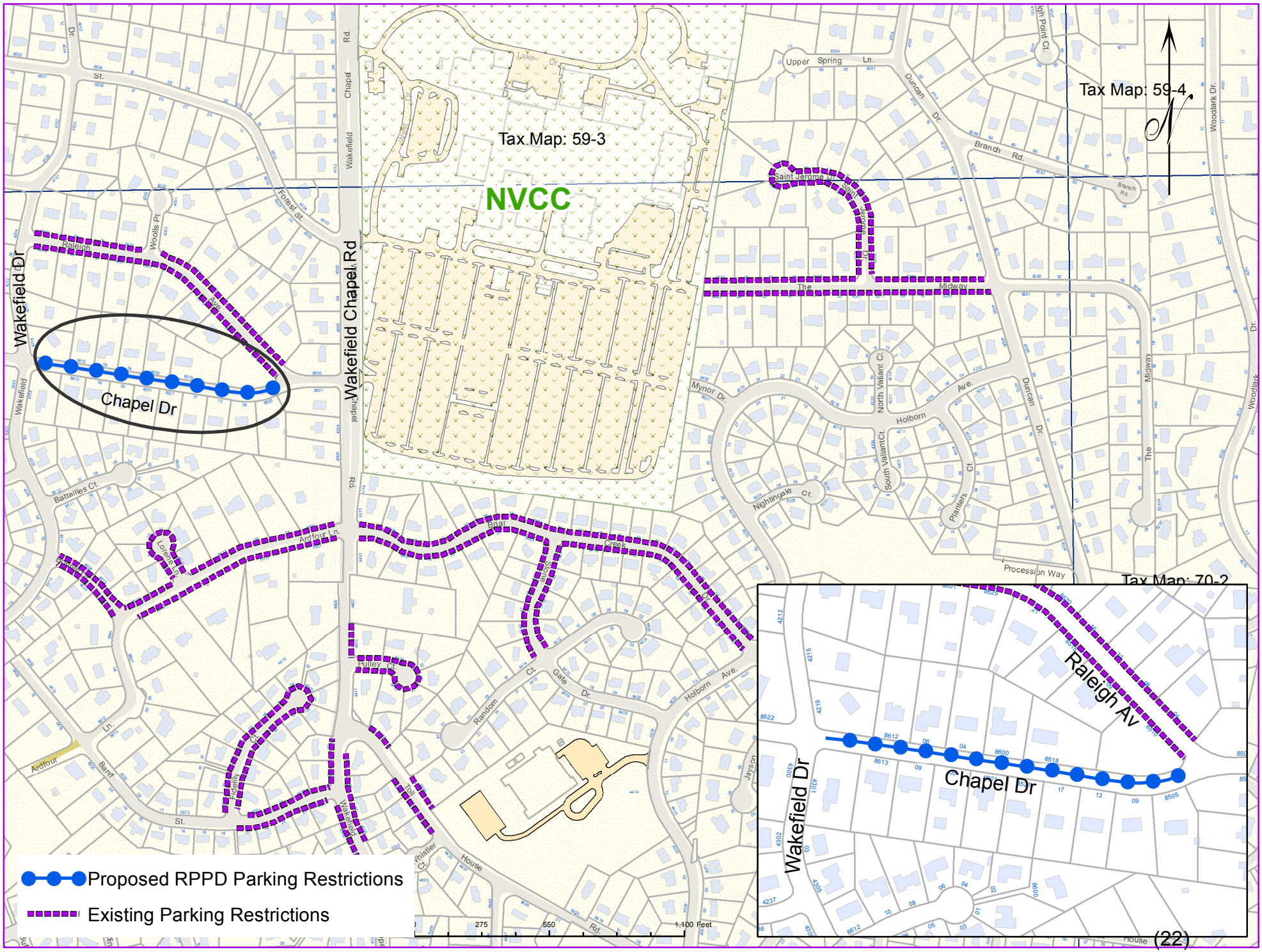
Attachment I

Proposed Amendment

Amend *The Code of the County of Fairfax*, *Virginia*, by adding the following street to Appendix G-39, Section (b), (2), Northern Virginia Community College Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

Chapel Drive (Route 2473):
From Wakefield Drive to Raleigh Avenue

Attachment II



Board Agenda Item
March 4, 2014

ADMINISTRATIVE - 5

Authorization to Advertise a Public Hearing to Remove Parking Restrictions on Terry Drive and Utica Street (Lee District)

ISSUE:
Board authorization to advertise a public hearing to consider a proposed amendment to Appendix R of *The Code of the County of Fairfax, Virginia* (Fairfax County Code) to remove parking restrictions on Terry Drive and Utica Street in the Lee District.

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing for March 25, 2014, at 4:00 p.m. to consider adoption of a Fairfax County Code amendment (Attachment I) to Appendix R to remove parking restrictions that prohibit parking Monday through Friday on Terry Drive and Utica Street.

TIMING:
The Board of Supervisors should take action on March 4, 2014, to provide sufficient time for advertisement of the public hearing on March 25, 2014, at 4:00 p.m.

BACKGROUND:
In 1983 and 1984 the Office of Transportation received requests to restrict parking on Terry Drive and Utica Street. The requests were the result of vehicle “spillover” from the Springfield Untied Methodist Church commuter lot. On December 3, 1984, the Board adopted a resolution to restrict parking Monday through Friday and signs were installed the following year.

On July 31, 2012, the Board amended Fairfax County Code Section 82-5-37 (Designation of Restrictied Parking) and adopted Appendix R. The Terry Drive and Utica Street parking restrictions were included in Appendix R.

On December 5, 2013, the Lee District office forwarded a letter from the Springvale Civic Association that requests removal of the parking restrictions on Terry Drive and Utica Street, because the commuter parking situation no longer exists. The correspondence also contained a signed petition from the residents that live on Terry Drive and Utica Street.

FISCAL IMPACT:
The cost of sign removal is estimated at $1,000 to be paid out of Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:
Attachment I: Amendment to the Fairfax County Code, Appendix R (General Parking Restrictions)
Attachment II: Area Map of Existing Parking Restriction

STAFF:
Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Neil Freschman, Chief, Traffic Operations Section, FCDOT
Maria Turner, Sr. Transportation Planner, FCDOT

Attachment I

PROPOSED CODE AMENDMENT

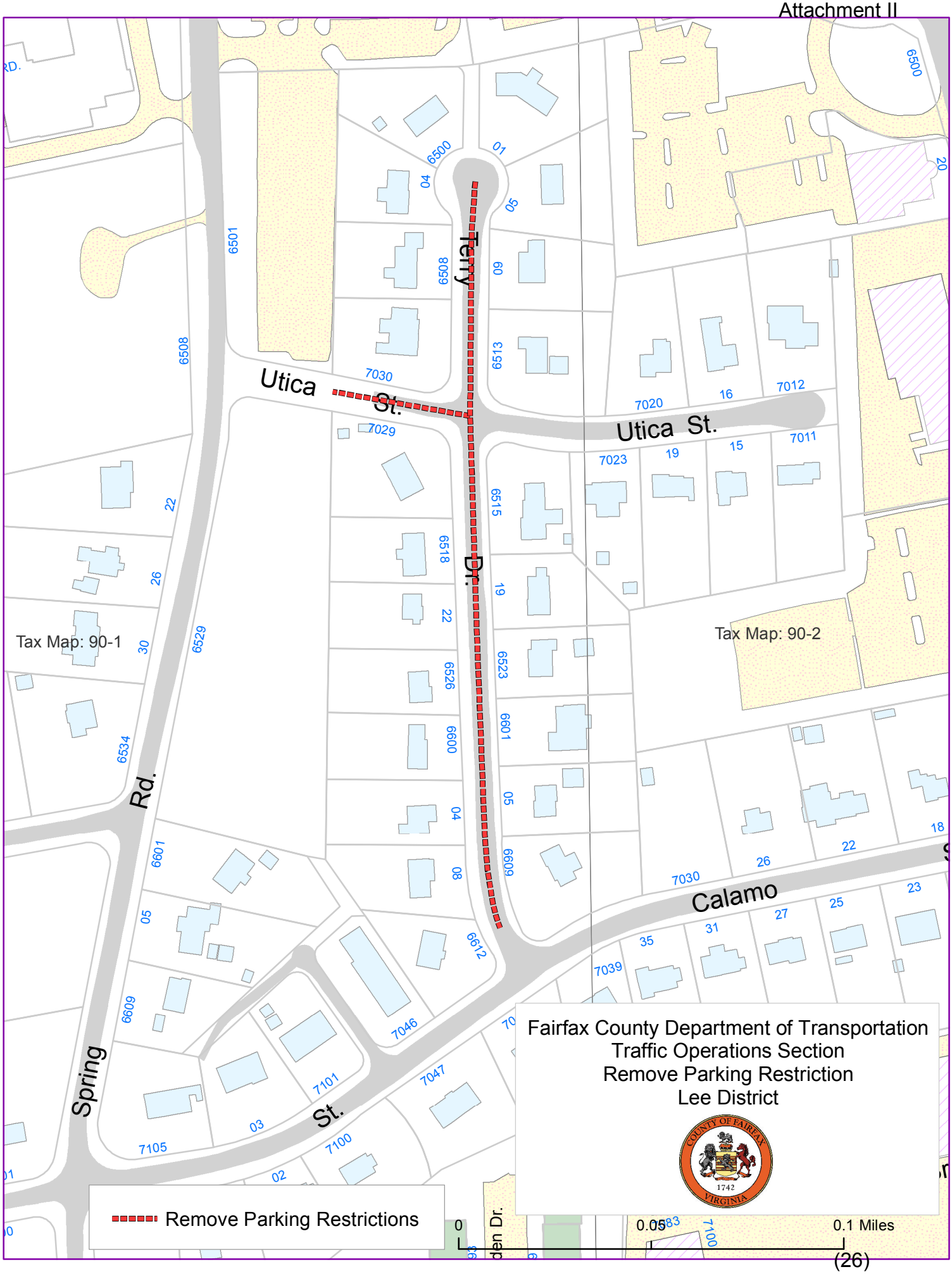
THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA
APPENDIX R

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

~~Terry Drive (Route 1294) from Calamo Street to cul-de-sac end.~~
~~No parking along Terry Drive (Route 1294) from Calamo Street to the cul-de-sac end, Monday through Friday.~~

~~Utica Street (Route 1295) from Terry Drive to the west end.~~
~~No parking along Utica Street (Route 1295) from Terry Drive to the west end, Monday through Friday.~~

Attachment II



Board Agenda Item
March 4, 2014

ADMINISTRATIVE – 6

Authorization to Advertise a Public Hearing on the Proposed Consolidated Plan One-Year Action Plan for FY 2015

ISSUE:
Board of Supervisors' authorization to advertise a public hearing on the *Proposed Consolidated Plan One-Year Action Plan for FY 2015* as forwarded by the Consolidated Community Funding Advisory Committee (CCFAC).

RECOMMENDATION:
The County Executive recommends that the Board authorize the advertisement of a public hearing on the *Proposed Consolidated Plan One-Year Action Plan for FY 2015* to be held at 4:30 p.m. on Tuesday, March 25, 2014. The public will have an opportunity to comment on the proposed use of funds as described in the *Proposed One-Year Action Plan for FY 2015* in accordance with United States Department of Housing and Urban Development (HUD) regulations and guidelines. Citizens may also comment on housing and community service needs in Fairfax County as well as provide information concerning changes in housing and community service trends since the last Board public hearing on the Consolidated Plan in 2013.

TIMING:
Board authorization on March 4, 2014 to advertise the public hearing on March 25, 2014 at 4:30 p.m. is requested in order to proceed in a timely manner with required public notification and to maintain the schedule for the Consolidated Plan process.

BACKGROUND:
The *Proposed One-Year Action Plan for FY 2015* (Attachment 1) presents the proposed uses of funding for programs to be implemented in the fifth year of the Five-Year Consolidated Plan for FY 2011 - 2015. An annual action plan is required by HUD. These programs include: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The *Proposed Consolidated Plan One-Year Action Plan for FY 2015* includes the first year of the two-year (FY 2015-2016) funding cycle for the Consolidated Community Funding Pool (CCFP). Although the CCFP FY 2015 funding awards will be made by the Board in April 2014, the awards are subject to annual appropriations, and approval of the annual Action Plan which is required by HUD.

Funding allocations under the *Proposed Consolidated Plan One-Year Action Plan for FY 2015* have been reviewed by the Fairfax County Redevelopment and Housing Authority (FCRHA) and the CCFAC-FCRHA Working Advisory Group (WAG). The WAG is a group established to strengthen coordination between the FCRHA and the CCFAC in the proposed use of funds and is composed of seven members: three appointed by the FCRHA Chairman, three appointed by the CCFAC Chairman, and one who serves on both the FCRHA and the CCFAC. Recommendations from the WAG were forwarded to the CCFAC as were supportive recommendations from the FCRHA. The final recommendations contained in the *Proposed Consolidated Plan One-Year Action Plan for FY 2015* are consistent with what the WAG, the FCRHA and the CCFAC recommended.

Estimated allocations for FY 2015 are based on the current funding levels. The County's FY 2014 CDBG entitlement grant is currently $4,750,027. The HOME entitlement grant is currently $1,417,514. The Emergency Solutions Grant (ESG) is currently $322,031. With the approval of this item, anticipated FY 2014 balances that total $1,879,520 from CDBG ($1,010,750) and HOME ($868,770) funds will be carried forward.

It should be noted that the anticipated HOME and CDBG allocations may be subject to reductions or increases depending on the final formula allocation provided by HUD. The FY 2014 Omnibus Appropriations Act requires HUD to make the allocations known 60 days after the Act was signed on January 17, 2014. Based on available information, it is anticipated that Fairfax County's CDBG, HOME, ESG and HOPWA allocations would remain at levels similar to those in FY 2014. HUD mandated contingency language regarding actual allocation amounts has been added to the *Proposed Consolidated Plan One-Year Action Plan for FY 2015* and approved by the WAG and the CCFAC.

The *Proposed Consolidated Plan One-Year Action Plan for FY 2015* was released by the CCFAC to allow for a 30-day public comment period, and will also be the subject of the public hearing by the Board on March 25, 2014, as authorized by this item. Following the public hearing and the conclusion of the public comment period, the CCFAC will make any necessary revisions and forward the Plan to the Board for approval in April 2014. The *One-Year Action Plan for FY 2015* will include the first year of the two-year (FY 2015-2016) funding cycle for the CCFP. The CCFP awards are based on the recommendations from the Selection Advisory Committee appointed to review the proposals received through the CCFP Request for Proposal process for FY 2015-2016.

The Fairfax County Citizen Participation Plan and HUD regulations require advertisement of the public hearing (Attachment 2) prior to the date of the Board meeting. The notice will include sufficient information about the purpose of the public

hearing to permit informed comment from citizens. Upon approval of the Board, a public hearing on the *Proposed Consolidated Plan One-Year Action Plan for FY 2015* will be scheduled for Tuesday, March 25, 2014 at 4:30 p.m. An advertisement will appear in a newspaper(s) of general circulation and at least one minority and non-English speaking publication at least 15 days prior to the date of the public hearing, and will be included in the Weekly Agenda, as well as in information released by the Fairfax County Office of Public Affairs.

STAFF IMPACT:
None. No positions will be added as a result of this action.

FISCAL IMPACT:
Funds identified in the *Proposed Consolidated Plan One-Year Action Plan for FY 2015* include CDBG ($4,750,027), HOME ($1,417,514), ESG ($322,031), and HOPWA ($438,386) funds. In addition, a total of $1,879,520 in CDBG and HOME funds is recommended to be carried forward at this time ($1,010,750 CDBG and $868,770 HOME). Total estimated CDBG program income of $400,000 and HOME program income of $40,000 will also be programmed through this action.

ENCLOSED DOCUMENTS:
Attachment 1: *Proposed Consolidated Plan One-Year Action Plan for FY 2015*
The *Proposed One-Year Action Plan for FY 2015* （Copy provided to Board members under separate cover and available online at: http://www.fairfaxcounty.gov/rha.)
Attachment 2: Public Hearing Advertisement

STAFF:
Patricia D. Harrison, Deputy County Executive
Paula C. Sampson, Director, Department of Housing and Community Development (HCD)
John Payne, Deputy Director, Real Estate and Development, HCD
Aseem K. Nigam, Director, Real Estate Finance and Grants Management (REFGM) Division, HCD
Robert C. Fields, Interim Associate Director, REFGM, HCD
David P. Jones, Senior Program Manager, REFGM, HCD

THIS PAGE INTENTIONALLY LEFT BLANK

Attachment 2

PUBLIC HEARING ON
PROPOSED CONSOLIDATED PLAN
ONE-YEAR ACTION PLAN FOR FY 2015

The Fairfax County Board of Supervisors will hold a public hearing on Tuesday, March 25, 2014 at 4:30 p.m. in the Board Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on the Proposed Consolidated Plan One-Year Action Plan for FY 2015.

The Consolidated Community Funding Advisory Committee (CCFAC) is the citizen advisory group that oversees the preparation of the Proposed One-Year Action Plan for FY 2015 and the Five-Year Consolidated Plan. The FY 2015 Action Plan covers the fifth year of the County's Five-Year Consolidated Plan for Fiscal Years 2011-2015.

The Proposed One-Year Action Plan for FY 2015 identifies the proposed use of funds for the four federal programs with an estimated amount of $6.9 million: Community Development Block Grant (CDBG - $4,750,027), HOME Investment Partnerships Program (HOME - $1,417,514), Emergency Solutions Grant (ESG - $322,031), and Housing Opportunities for Persons with AIDS (HOPWA - $438,386). The funding levels used for CDBG, HOME, and ESG are based on funding levels of FY 2014 until formal notification from HUD of actual grant levels. Funding for the HOPWA program is estimated at the FY 2013 expenditure level and actual funding will depend on the final allocation made available to Northern Virginia jurisdictions through the Northern Virginia Regional Commission and the District of Columbia, recipient of the funds. It is estimated that there will be approximately $400,000 in CDBG program income and HOME program income of $40,000.

The Proposed One-Year Action Plan for FY 2015 also includes the first year of the two-year funding cycle for the Consolidated Community Funding Pool (CCFP) for FY 2015-2016. It identifies funding (an estimated $11.6 million in federal, state, and local funds, which includes $1.8 million of CDBG funds) to be made available to nonprofit organizations for community-based programs that are recommended for awards. The awards are based on the recommendations from the Selection Advisory Committee appointed to review the proposals received through the competitive CCFP solicitation process for FY 2015-2016. However, final awards for FY 2015 are subject to appropriations by the Fairfax County Board of Supervisors, to be decided through the County budget approval process in April 2014.

In addition, the Proposed Consolidated Plan One-Year Action Plan for FY 2015 identifies: (1) various public and private resources available for housing and community development activities; (2) the goals and objectives for the Five-Year Consolidated Plan; and (3) the FY 2015-2016 CCFP funding priorities.

Citizens are also invited to express their views on housing, community development, fair housing, homelessness and community service needs in Fairfax County, as well as comment on Fairfax County's community development performance. The public is encouraged to provide information concerning changes in housing and community service trends since the last Board public hearing on the Consolidated Plan in March 2013.

To Obtain Copies of the Proposed Consolidated Plan One-Year Action Plan for FY 2015:

Copies of the Proposed Consolidated Plan One-Year Action Plan for FY 2015 are available for review on line at http://www.fairfaxcounty.gov/rha, at the Citizen Information Desk located on the lobby level of the Government Center, and at the information desk of all branches of the Fairfax County Public Library system. Copies may be obtained at the Fairfax County Department of Housing and Community Development, 3700 Pender Drive, Suite 300, Fairfax, Virginia 22030. All of the above mentioned locations are accessible to persons with disabilities.

To Testify at the Public Hearing:

Citizens wishing to comment on the Proposed Consolidated Plan One-Year Action Plan for FY 2015 may do so by testifying in person at the Public Hearing on Tuesday, March 25, 2014. All persons wishing to testify may register in advance by calling the Clerk to the Board of Supervisors at 703-324-3151 (TDD 703-324-3903).

To Submit Written Comments:

Citizens wishing to comment on the Proposed Consolidated Plan One-Year Action Plan for FY 2015 may also do so by writing to the attention of David Jones, Senior Program Manager, at the Department of Housing and Community Development, 3700 Pender Drive, Fairfax, Virginia 22030 or by email at david.jones@fairfaxcounty.gov. The deadline for receipt of written comments on the Proposed One-Year Action Plan for FY 2015 will be 4:00 p.m. on Monday, March 31, 2014.

For additional information on the Proposed Consolidated Plan One-Year Action Plan for FY 2014, contact the Department of Housing and Community Development at 703-246-5170, TTY: 703-385-3578.

EQUAL HOUSING OPPORTUNITY

Fairfax County is committed to a policy of nondiscrimination in all County programs, services and activities and will provide reasonable accommodations upon request. To request special accommodations call 703-246-5101 or TTY 703-385-3578. Please allow seven working days in advance of the event in order to make the necessary arrangements

Board Agenda Item
March 4, 2014

ADMINISTRATIVE – 7

Extension of Review Periods for 2232 Review Applications (Hunter Mill and Mount Vernon Districts)

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

RECOMMENDATION:
The County Executive recommends that the Board extend the review periods for the following applications: applications 2232-H13-16 to May 6, 2014 and 2232A-V00-36-2 to September 4, 2014.

TIMING:
Board action is required on March 4, 2014, to extend the review periods of the applications noted above before their expirations.

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

The Board should extend the review period for application 2232-H13-16; which was accepted for review by the Department of Planning and Zoning (DPZ) on December 6, 2013. This application is for a telecommunications facility and thus is subject to the State Code provision that the Board may extend the time required for the Planning Commission to act on these applications by no more than sixty additional days.

The Board should extend the review period for application 2232A-V00-36-2; which was accepted for review by the DPZ on January 3, 2014. This application is for a non-

telecommunication public facility, and thus is not subject to the State Code provision for extending the review period by no more than sixty additional days.

The review periods for the following applications should be extended:

2232-H13-16	New Path Networks, LLC 9940 Fair Oaks Road Distributed Antenna System (DAS) Vienna, Virginia Hunter Mill District Extend to May 6, 2014
2232A-V00-36-2	Fairfax County Department of Public Works and Environmental Services Fairfax Connector Bus Maintenance Facility Expansion 8101 Cinder Bed Road Lorton, Virginia Mount Vernon District Extend to September 4, 2014

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

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
None

STAFF:
Robert A. Stalzer, Deputy County Executive
Fred R. Selden, Director, Department of Planning and Zoning, DPZ
Chris B. Caperton, Chief, Facilities Planning Branch, Planning Division, DPZ
Connie A. Maier, Planner, Facilities Planning Branch, Planning Division, DPZ

Board Agenda Item
March 4, 2014

ADMINISTRATIVE - 8

Supplemental Appropriation Resolution AS 14187 for the Fire and Rescue Department to Accept Grant Funding from the Department of Homeland Security for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant

ISSUE:
Board of Supervisors' approval of Supplemental Appropriation Resolution AS 14187 for the Fire and Rescue Department (FRD) to accept grant funding in the amount of $2,089,236 from the U.S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) for the Staffing for Adequate Fire and Emergency Response (SAFER) grant program. Funding will support 12/12.0 FTE merit firefighter positions from April 30, 2014 through April 29, 2016. There is no Local Cash Match directly associated with accepting the grant funds; however, costs associated with training, equipment, and overtime are not covered by the grant and must be funded by the County. Therefore, the required Fairfax County contribution over the two year period is $275,016 bringing total funding for this initiative to $2,364,252. It is anticipated that the Fire and Rescue Department will have the flexibility to fund the County contribution in FY 2014 with the remaining County contribution coming from the Federal-State Grant Fund, spread between FY 2015 and FY 2016.

As the Board may recall, a Board item was submitted on April 9, 2013 requesting approval to apply for 2013 SAFER funding, including 19/19.0 FTE firefighter positions. However, due to the federal government shutdown, the program year 2013 application deadline was delayed. Before the 2013 SAFER application was submitted, the FRD received notification that funding for 19/19.0 FTE firefighter positions was awarded through the 2012 SAFER award. Therefore, the 2013 SAFER application, submitted on August 30, 2013, was for 12/12.0 FTE firefighter positions, the number of positions currently eligible under the SAFER re-hiring of firefighters category.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors approve Supplemental Appropriation Resolution AS 14187 for the Fire and Rescue Department to accept grant funding in the amount of $2,089,236 from the U.S. Department of Homeland Security and the Federal Emergency Management Agency for the SAFER grant program. Funding will support 12/12.0 FTE merit firefighter positions for a two year period. There is no Local Cash Match directly associated with accepting the grant funds; however, costs associated with training, equipment, and overtime are not covered by the grant and must be funded by the County. Therefore, the required Fairfax County contribution over the two year period is $275,016 bringing total funding for this initiative to $2,364,252.

TIMING:
Board approval is requested on March 4, 2014.

BACKGROUND:
The purpose of SAFER is to assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, assuring communities have adequate protection from fire related hazards as prescribed by the National Fire Protection Association (NFPA) standards. NFPA 1710, section 5.2.2.2.1, states truck companies shall be staffed with a minimum of four firefighters. Achieving industry standard staffing levels will increase firefighter safety, reduce injuries and provide citizens with the best chance of rescue and survival. FRD will utilize SAFER funds to bring three truck companies (each with three shifts) into compliance with NFPA safe-staffing standards. Fairfax County truck companies are currently staffed below recommended standards - with only three person crews. By adding the previously awarded 19/19.0 FTE program year 2012 SAFER positions, along with the offered 12/12.0 FTE program year 2013 SAFER positions, FRD will be able to staff eight of the County's 14 truck companies with four person crews. Accomplishing the objective of staffing ladder trucks with four person crews is FRD's top safe staffing priority.

The County is not required to retain SAFER-funded firefighters beyond the two year period. However, grantees are required to maintain the number of authorized funded positions as declared at the time of application plus the awarded firefighter positions throughout the two year period of performance. Additionally, while there is no requirement to continue funding these positions after grant funding expires, if the Board chooses to continue these positions, funding of approximately $1.2 million will need to be included in the FY 2017 budget for this effort. It should also be noted that in order to fully implement the fourth on truck on the remaining six units, an additional 21/21.0 FTE merit positions are needed at an approximate cost of $2.06 million.

Crew size is a crucial factor affecting the capability to accomplish critical fireground tasks on-scene safely, efficiently, and effectively. Without sufficient staffing to accomplish vital tasks simultaneously, some tactical objectives must be delayed placing firefighters and citizens at risk. In 2010, the National Institute of Standards and Technology (NIST) conducted a study of firefighter crew sizes. The study demonstrated a four person crew was the minimum necessary to provide effective forcible entry, ventilation, search and rescue of trapped occupants. FRD committed staff to participate in over 60 of the fire experiments in this study; therefore, the findings are particularly relevant to Fairfax County operations.

A further benefit of adding the fourth firefighter/paramedic crew member is that by adding a paramedic to truck companies, advanced life support (ALS) capability will be provided on-scene more quickly, especially when ALS engine companies or ALS units are already assigned to other events. This will provide a paramedic on-scene with any first arriving unit, allowing emergency medical intervention to be initiated immediately, and improving advanced life support response times.

FRD received notification of award February 7, 2014 and although the Board has not yet accepted the award, per SAFER guidelines, the allowed 90-day recruitment begins the day the award is offered. The two year grant performance period begins immediately after the 90-day recruitment period. The grant period of performance is April 30, 2014 through April 29, 2016.

FISCAL IMPACT:
Funding in the amount of $2,089,236 has been received from the U.S. Department of Homeland Security and the Federal Emergency Management Agency for the SAFER grant program. There is no Local Cash Match directly associated with accepting the grant funds; however, costs associated with training, equipment, and overtime are not covered by the grant and must be funded by the County. Therefore, the required Fairfax County contribution over the two year period is $275,016 bringing total funding for this initiative to $2,364,252. It is anticipated that the Fire and Rescue Department will have the flexibility to fund the County contribution in FY 2014 with the remaining County contribution coming from the Federal-State Grant Fund, spread between FY 2015 and FY 2016. This grant does allow for the recovery of indirect costs; however, because the SAFER grant awards are highly competitive, the FRD did not include indirect costs as part of the application. This action does not increase the expenditure level in the Federal-State Grant Fund, as funds are held in reserve for unanticipated grant awards in FY 2014.

CREATION OF NEW POSITIONS:
A total of 12/12.0 FTE merit positions will be created through this grant award. The County is under no obligation to continue funding these positions once grant funding is expended. However, grantees are required to maintain the number of authorized funded positions as declared at the time of application plus the awarded firefighter positions throughout the period of performance.

ENCLOSED DOCUMENTS:
Attachment 1 – Supplemental Appropriation Resolution AS 14187
Attachment 2 – Award Letter

STAFF:
David M. Rohrer, Deputy County Executive
Richard R. Bowers, Fire Chief, Fire and Rescue Department
Cathy Rose, Grants Coordinator, Fire and Rescue Department

THIS PAGE INTENTIONALLY LEFT BLANK

SUPPLEMENTAL APPROPRIATION RESOLUTION AS 14187

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax Virginia on March 4, 2014, at which a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that in addition to appropriations made previously for FY 2014, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

Appropriate to:

Fund:	500-C50000, Federal-State Grant Fund	
Agency:	G9292, Fire and Rescue Department	$2,364,252
Grant:	1920028-2013, SAFER Grant	

Reduce Appropriation to:

Fund:	500-C50000, Federal-State Grant Fund	
Agency:	G8787, Unclassified Administrative Expenses	$2,364,252

Source of Funds: U.S. Department of Homeland Security, $2,089,236
County Contribution, $275,016

A Copy - Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

FY 2013 Staffing for Adequate Fire and Emergency Response
Session Time out in 30 mins

Application **Awards**

Direct Deposit Form 1199A

Return to Status Page

Log Off

Award Package

U.S. Department of Homeland Security
Washington, D.C. 20472

FEMA

Mrs. Cathy Rose
Fairfax County Fire and Rescue Department
4100 Chain Bridge Road
Fairfax, Virginia 22030-7000

Re: Grant No.EMW-2013-FH-00589

Dear Mrs. Rose:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2013 Staffing for Adequate Fire and Emergency Response (SAFER) grants has been approved. FEMA's Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to $2,089,236.00. The Federal share is $2,089,236.00 of the approved amount and your share of the costs is $0.00.

Before you request and receive any of the Federal Grant funds awarded to you, you must establish acceptance of the Grant and Grant Agreement Articles through the Assistance to Firefighters Grant Programs' (AFG) e-grant system. Please make sure you read and understand the articles as they outline the terms and conditions of your grant award. By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval, via amendment request, from FEMA. Maintain a copy of these documents for your official file.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the process to request your grant funds, please call 1-866-274-0960.

Sincerely,

Brian E. Kamoie
Assistant Administrator
Grant Programs Directorate

Summary Award Memo

SUMMARY OF ASSISTANCE ACTION
STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANTS
Application

INSTRUMENT:	GRANT
AGREEMENT NUMBER:	EMW-2013-FH-00589
GRANTEE:	Fairfax County Fire and Rescue Department
AMOUNT:	$2,089,236.00, Hiring

Project Description

The purpose of the Staffing for Adequate Fire and Emergency Response program is to provide funding directly to fire departments and volunteer firefighter interest organizations in order to help them increase or maintain the number of trained, "front line" firefighters available in their communities.

After careful consideration, FEMA has determined that the recipient's project submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Staffing for Adequate Fire and Emergency Response Grants program's purpose and worthy of award. The recipient shall perform the work described in the approved grant application as itemized in the request details section of the application and further described in the grant application narrative. These sections of the application are made a part of these grant agreement articles by reference. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

Grantee Concurrence

By providing the Primary Contact's electronic signature and indicating acceptance of the award, the recipient accepts and agrees to abide by the terms and conditions of the grant as set forth in this document. Recipients agree that they will use the funds provided through the Fiscal Year 2013 Staffing for Adequate Fire and Emergency Response grant in accordance with these Articles of Agreement and the program guidelines provided in the Fiscal Year 2013 Staffing for Adequate Fire and Emergency Response program guidance. All documents submitted as part of the original grant application are made a part of this agreement by reference.

Period of Performance

30-APR-14 to 29-APR-16

Amount Awarded

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel:	$1,330,848.00
Fringe Benefits	$758,388.00
Travel	$0.00
Equipment	$0.00
Supplies	$0.00
Contractual	$0.00
Other	$0.00
Indirect Charges	$0.00
Total	$2,089,236.00

NEGOTIATION COMMENTS IF APPLICABLE (max 4000 characters)

Any questions pertaining to the award package, please contact the GPD Grants Management Specialist: Jacqueline Lee at Jacqueline.Lee@dhs.gov

3855 characters left

System for Award Management (SAM)

Prior to requesting federal funds, all recipients are required to register their entity information in the System for Award Management (SAM.gov). As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information at least annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at https://www.sam.gov/portal/public/SAM/. It is your entity's responsibility to have a valid DUNS number at the time of registration.

FEMA Officials

Program Officer: The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

Grants Assistance Officer: The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

Grants Operations POC: The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 4000 characters)

4000 characters left

Agreement Articles

FEMA

U.S. Department of Homeland Security
Washington, D.C. 20472

AGREEMENT ARTICLES

STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE

GRANTEE: Fairfax County Fire and Rescue Department

PROGRAM: Staffing for Adequate Fire and Emergency Response (SAFER) - Hiring

AGREEMENT NUMBER: EMW-2013-FH-00589

AMENDMENT NUMBER:

TABLE OF CONTENTS

Article I	Administrative Requirements
Article II	Lobbying Prohibitions
Article III	Financial Reporting
Article IV	GPD - Trafficking Victims Protection Act of 2000
Article V	GPD - Drug-Free Workplace Regulations
Article VI	Fly America Act of 1974
Article VII	Activities Conducted Abroad
Article VIII	Acknowledgement of Federal Funding from DHS
Article IX	Copyright
Article X	Use of DHS Seal, Logo and Flags
Article XI	DHS Specific Acknowledgements and Assurances
Article XII	Civil Rights Act of 1964
Article XIII	Civil Right Act of 1968
Article XIV	Americans with Disabilities Act of 1990

Article XV	Age Discrimination Act of 1975
Article XVI	Title IX of the Education Amendments of 1972
Article XVII	Rehabilitation Act of 1973
Article XVIII	Limited English Proficiency
Article XIX	Animal Welfare Act of 1966
Article XX	Clean Air Act of 1970 and Clean Water Act of 1977
Article XXI	Protection of Human Subjects
Article XXII	National Environmental Policy Act (NEPA) of 1969
Article XXIII	National Flood Insurance Act of 1968
Article XXIV	Flood Disaster Protection Act of 1973
Article XXV	Coastal Wetlands Planning, Protection, and Restoration Act of 1990
Article XXVI	USA Patriot Act of 2001

Article I - Administrative Requirements

The administrative requirements that apply to most DHS award recipients through a grant or cooperative agreement arise from two sources: - Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"), found under FEMA regulations at Title 44, Code of Federal Regulations (CFR) Part 13, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments." - OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215. The requirements for allowable costs/cost principles are contained in the A-102 Common Rule, OMB Circular A-110 (2 CFR § 215.27), DHS program legislation, Federal awarding agency regulations, and the terms and conditions of the award. The four costs principles circulars are as follows: - OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220. - OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225. - OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230. – OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article II - Lobbying Prohibitions

None of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal of any Federal contract, rant, loan, cooperative agreement. These lobbying prohibitions can be found at 31 U.S.C. § 1352.

Article III - Financial Reporting

Recipients will be required to submit a semi-annual Federal Financial Report (FFR), Standard Form (SF-425) through the AFG online e-grant system. The FFR is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements throughout the government. The FFR is due semi-annually based on the calendar year beginning with the period after the award is made. Recipients are required to submit an FFR throughout the entire period of performance of the grant. The reporting periods for the FFR are January 1 through June 30 (report due by July 31), and July 1 through December 31 (report due by January 31). At the end of the grant's period of performance, all recipients are required to produce a final report on how the grant funding was used and the benefits realized from the award. Recipients must submit a final financial report and a final performance report within 90 days after the end of the period of performance.

Article IV - GPD - Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007. In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient - (a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect; (b) Procures a commercial sex act during the period of time that the award is in effect; or (c) Uses forced labor in the performance of the award or subawards under the award. Full text of the award term is provided at 2 CFR § 175.15.

Article V - GPD - Drug-Free Workplace Regulations

All recipients of financial assistance will comply with the requirements of the Drug-Free Workplace Act of 1988 (41 U.S.C. §701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. These regulations are codified at 2 CFR3001.

Article VI - Fly America Act of 1974

All recipients of financial assistance will comply with the requirements of the Preference for U.S. Flag Air Carriers: Travel

supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C.-4 -§ 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article VII - Activities Conducted Abroad

All recipients of financial assistance will comply with the requirements that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article VIII - Acknowledgement of Federal Funding from DHS

All recipients of financial assistance will comply with requirements to acknowledge Federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article IX - Copyright

All recipients of financial assistance will comply with requirements that publications or other exercise of copyright for any work first produced under Federal financial assistance awards hereto related unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations). For any scientific, technical, or other copyright work based on or containing data first produced under this award, including those works published in academic, technical or professional journals, symposia proceedings, or similar works, the recipient grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and to authorize others to do so, for Government purposes in all such copyrighted works. The recipient shall affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under an award.

Article X - Use of DHS Seal, Logo and Flags

All recipients of financial assistance must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XI - DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree-and require any subrecipients, contractors, successors, transferees, and assignees acknowledge and agree-to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS. 2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties. 6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office. The United States has the right to seek judicial enforcement of these obligations.

Article XII - Civil Rights Act of 1964

Recipients of financial assistance will comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C.§ 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Article XIII - Civil Right Act of 1968

All recipients of financial assistance will comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C.§ 3601 et seq.),as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features (see 24 CFR § 100.201).

Article XIV - Americans with Disabilities Act of 1990

All recipients of financial assistance will comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101-12213).

Article XV - Age Discrimination Act of 1975

All recipients of financial assistance will comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article XVI - Title IX of the Education Amendments of 1972

All recipients of financial assistance will comply with the requirements of Title IX of the Education Amendments of 1972(20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. These regulations are codified at 44 CFR Part 19.

Article XVII - Rehabilitation Act of 1973

All recipients of financial assistance will comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

Article XVIII - Limited English Proficiency

All recipients of financial assistance will comply with the requirements of Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding LEP obligations, go to http://www.lep.gov.

Article XIX - Animal Welfare Act of 1966

All recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

Article XX - Clean Air Act of 1970 and Clean Water Act of 1977

All recipients of financial assistance will comply with the requirements of 42 U.S.C. § 7401 et seq. and Executive Order 11738, which provides for the protection and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters is considered research for other purposes.

Article XXI - Protection of Human Subjects

All recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

Article XXII - National Environmental Policy Act (NEPA) of 1969

All recipients of financial assistance will comply with the requirements of the National Environmental Policy Act (NEPA),as amended, 42 U.S.C. § 4331 et seq., which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, DHS requires the environmental aspects of construction grants (and certain non-construction projects as specified by the Component and awarding office) to be reviewed and evaluated before final action on the application.

Article XXIII - National Flood Insurance Act of 1968

All recipients of financial assistance will comply with the requirements of Section 1306(c) of the National Flood Insurance Act,

as amended, which provides for benefit payments under the Standard Flood Insurance Policy for demolition or relocation of a structure insured under the Act that is located along the shore of a lake or other body of water and that is certified by an appropriate State or local land use authority to be subject to imminent collapse or subsidence as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels. These regulations are codified at 44CFR Part 63.

Article XXIV - Flood Distaster Protection Act of 1973

All recipients of financial assistance will comply with the requirements of the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. § 4001 et seq.), which provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within one year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DHS support. Lists of flood prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

Article XXV - Coastal Wetlands Planning, Protection, and Restoration Act of 1990

All recipients of financial assistance will comply with the requirements of Executive Order 11990, which provides that federally funded construction and improvements minimize the destruction, loss, or degradation of wetlands. The Executive Order provides that, in furtherance of Section 101(b)(3) of NEPA (42 U.S.C. § 4331(b)(3)), Federal agencies, to the extent permitted by law, must avoid undertaking or assisting with new construction located in wetlands unless the head of the agency finds that there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. In making this finding, the head of the agency may take into account economic, environmental, and other pertinent factors. The public disclosure requirement described above also pertains to early public review of any plans or proposals for new construction in wetlands. This is codified at 44 CFR Part 9.

Article XXVI - USA Patriot Act of 2001

All recipients of financial assistance will comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c. Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose. The act also establishes restrictions on access to specified materials. "Restricted persons," as defined by the act, may not possess, ship, transport, or receive any biological agent or toxin that is listed as a select agent.

FEDERAL EMERGENCY MANAGEMENT AGENCY
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT

1. AGREEMENT NO.	2. AMENDMENT NO.	3. RECIPIENT NO.	4. TYPE OF ACTION	5. CONTROL NO.
EMW-2013-FH-00589	0	54-0787833	AWARD	W497249N

6. RECIPIENT NAME AND ADDRESS	7. ISSUING OFFICE AND ADDRESS	8. PAYMENT OFFICE AND ADDRESS
Fairfax County Fire and Rescue Department 12000 Government Center Parkway Fairfax Virginia, 22035-0001	Grant Programs Directorate 500 C Street, S.W. Washington DC, 20472 POC: Andrea Gordon 202-786-9462	FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472

9. NAME OF RECIPIENT PROJECT OFFICER	PHONE NO.	10. NAME OF PROJECT COORDINATOR	PHONE NO.
Cathy Rose	7032462315	Catherine Patterson	1-866-274-0960

11. EFFECTIVE DATE OF THIS ACTION	12. METHOD OF PAYMENT	13. ASSISTANCE ARRANGEMENT	14. PERFORMANCE PERIOD
30-APR-14	SF-270	Cost Sharing	From:30-APR-14 To:29-APR-16 Budget Period From:21-OCT-13 To:30-SEP-14

15. DESCRIPTION OF ACTION
a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMMULATIVE NON-FEDERAL COMMITMENT
SAFER	97.083	2014-M3-C211-P4310000-4101-D	$0.00	$2,089,236.00	$2,089,236.00	$0.00
		TOTALS	$0.00	$2,089,236.00	$2,089,236.00	$0.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.
N/A

16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) SAFER recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records. 16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.	
17. RECIPIENT SIGNATORY OFFICIAL (Name and Title) N/A	DATE N/A
18. FEMA SIGNATORY OFFICIAL (Name and Title) Rosalie Vega	DATE 15-JAN-14

Go Back

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

ADMINISTRATIVE - 9

Authorization to Advertise Publication of the FY 2015 Budget and Required Tax Rates, the FY 2015 Effective Tax Rate Increase, and the Advertised Capital Improvement Program for Fiscal Years 2015-2019 (With Future Fiscal Years to 2024)

ISSUE:
Board authorization to advertise the FY 2015 County budget, Capital Improvement Program, and the tax rates that are proposed to support the FY 2015 budget. Advertising these rates will not prevent the Board from lowering any advertised tax rate, but higher tax rates could not be imposed without advertising such rates.

RECOMMENDATION:
The FY 2015 Advertised Budget Plan is balanced at the existing Real Estate Tax rate of $1.085 per $100 of assessed value. However, given the topics that will likely be the focus of the discussion on the budget, employee pay and the transfer to FCPS, it may be prudent for the Board to advertise a tax rate increase higher than the $1.085 rate to allow the flexibility to address issues beyond the County Executive's budget recommendations. In addition, the most recent revenue estimates show a weakening in a number of categories, and so flexibility may also be needed to address changes in revenue projections from the FY 2015 Advertised Budget Plan. Advertising an increase in the rate does not prevent the Board from lowering any advertised tax rate, but a higher tax rate cannot be imposed without advertising the higher rate.

It should also be noted that the effective tax rate in FY 2015, based on the assessed value of existing property, has increased more than one percent. As required by Virginia Code Section 58.1-3321, a separate advertisement is included. The total increase in assessed value of existing properties is expected to be 4.84 percent. In FY 2015, the assessed value of residential real property is expected to increase by 6.54 percent and non-residential property is expected to decrease by 0.10 percent. As the Board will recall, a separate advertisement for the effective tax rate increase was also required in FY 2014.

In addition, the County Executive recommends that the Board authorize advertisement of a public hearing on the Advertised Capital Improvement Program for Fiscal Years 2015-2019 (With Future Fiscal Years to 2024).

Please note that the draft tax resolution to be advertised includes the following recommendations regarding rates for FY 2015.

The following rates are recommended to increase:

- McLean Community Center from $0.022 per $100 assessed value to $0.023 per $100 assessed value.

- I-95 Ash Disposal Fee from $19.50 per ton to $22.50 per ton.

- Stormwater Service District Levy from $0.020 per $100 assessed value to $0.0225 per $100 assessed value.

- Tysons Service District from $0.04 per $100 assessed value to $0.05 per $100 assessed value.

- EMS Transport Fee: (1) a service fee from $400 to $500 for Basic Life Support transport (BLS), (2) from $500 to $650 for Advanced Life Support, level 1 transport (ALS1), (3) from $675 to $800 for Advanced Life Support, level 2 transport (ALS2), and (4) from $10.00 to $12.00 per mile for ground transport mileage.

- Animal Shelter adoption fees for cats from $30 to a range of $50 to $125 depending on age, adoption fees for dogs from $40 to a range of $100 to $175 depending on age, and boarding fees from $10 to $15 per day. A separate Board item is included in today's package requesting Board authorization of a public hearing to consider an amendment to Chapter 41.1 of the Fairfax County Code. A separate public hearing on the proposed fee increase will be held on Tuesday, April 8, 2014.

The following rates are not recommended to change:

- Commercial and Industrial Tax for Transportation at $0.125 per $100 assessed value.

- Burgundy Village Community Center at $0.02 per $100 assessed value.

- Reston Community Center at $0.047 per $100 assessed value.

- Leaf Collection Districts at $0.015 per $100 assessed value.

- Refuse Collection Services assessment at $345 per household unit.

- Energy Resource Recovery Facility fee at $29 per ton.

- Route 28 Taxing District Levy at $0.18 per $100 assessed value.
- Rail to Dulles Phase I Transportation Improvement District Levy at $0.21 per $100 assessed value.
- Rail to Dulles Phase II Transportation Improvement District Levy at $0.20 per $100 assessed value.
- Special service district for pest infestations at $0.0010 per $100 assessed value.

Also included in the brief synopsis of the FY 2015 budget advertisement is information as it relates to the Personal Property Tax Relief Act (PPTRA) and the percentage of state "Car Tax" subsidy on qualifying personal property tax levy. On November 21, 2005, as part of Action Item 3, the Board of Supervisors adopted a resolution to implement the state "Car Tax" changes found in the Executive Amendments to the 2004-2006 Biennial Budget, specifically state Budget Item 503(E) of the Central Appropriations Act, in accordance with the requirements set forth in Virginia Code Sections 58.1-3524(C)(2) and 58.1-3912(E), as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503(E)(Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly.

Beginning in tax year 2006, the state "Car Tax" subsidy on qualifying vehicles was "capped" to a statewide total of $950 million. Based on the final report from the state Auditor of Public Accounts, dated February 2006, Fairfax County's share of this $950 million was fixed at 22.2436 percent, or $211,313,944.16. The annual subsidy is frozen at this amount and is factored into the FY 2015 Advertised Budget Plan.

Consistent with the November 21, 2005 Board resolution, the state "Car Tax" funding is estimated to provide a 100 percent subsidy of the levy for tax year 2014 for qualifying vehicles valued at $1,000 or less. Furthermore, the state "Car Tax" funding is estimated to provide a 62 percent subsidy of the tax year 2014 levy for all other qualifying vehicles on the value up to $20,000.

A separate public hearing on the effective tax rate will be held on Tuesday, April 8, 2014 as required by Virginia Code Section 58.1-3321. In addition, public hearings on the FY 2015 budget, the advertised capital improvement plan (CIP) and proposed tax rates for tax year 2014 will be held on April 8-10, 2014.

Please note that a separate item recommending Board authorization to advertise public hearings for sewer rate revision notices was included in the February 25, 2014, Board package. The sewer rate revision notices authorize the increase in the Base Charge

from $12.79 per quarter, totaling $51.16 per year, to $15.86 per quarter, totaling $63.44 per year. The Sewer Service Charge will increase from $6.55 per 1,000 gallons of water consumption to $6.62 per 1,000 gallons of water consumption. The Sewer Availability Fee will remain at the current rate of $7,750 per new home being constructed. A separate public hearing on sewer rate revisions will be held on Tuesday, April 8, 2014.

TIMING:
Action must be taken on March 4, 2014 in order to provide adequate time to include the effective tax rate advertisement in the newspaper no later than March 7, 2014 to meet advertising legal requirements and ensure as broad a circulation as possible.

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

Virginia Code Section 58.1-3321 also specifies advertisement requirements for an increase in the real estate tax levy for existing property based on an equalization increase greater than one percent. The assessed value of existing real estate is projected to increase 4.84 percent due to equalization, which exceeds the one-percent threshold for that statute. That section requires the publication of a notice in the paper at least thirty days prior to the date set for the public hearing and a separate public hearing is required to consider the effective tax increase.

Therefore, this item requests Board authorization to advertise the following items in accordance with the notification requirements listed above.

- A brief synopsis of the FY 2015 Budget , including information as it relates to the impact of the Personal Property Tax Relief Act (PPTRA) on the percentage of state “Car Tax” subsidy on qualifying personal property tax levy
- Proposed Tax Rates for tax year 2014
- The effective tax rate notice required by Virginia Code Section 58.1-3321
- Notice of public hearings on the Advertised Capital Improvement Program for Fiscal Years 2015 - 2019 (With Future Fiscal Years to 2024)

In order to meet these legal requirements and hold to the scheduled public hearing dates, the advertisements must be approved no later than March 4, 2014. This will permit the County to adhere to the following budget schedule:

- Public Hearing on the FY 2015 Effective Tax Rate – April 8, 2014. Please note the Public Hearing on the Effective Tax Rate is separate from the Public Hearings on the Budget. However, citizens may speak on the Effective Tax Rate during the Public Hearings on the FY 2015 Budget.

- Public Hearings on the FY 2015 Budget, the Advertised Capital Improvement Program for Fiscal Years 2015-2019 (With Future Fiscal Years to 2024) and proposed FY 2015 Tax Rates – April 8-10, 2014.

- Public Hearings on the *FY 2014 Third Quarter Review* – April 8-10, 2014.

- FY 2015 Budget Mark-up and Board Adoption of the *FY 2014 Third Quarter Review* – April 22, 2014.

- Board Adoption of Fiscal Plan, Tax Levies, and Appropriation Resolution – April 29, 2014.

- School transfer set (required by May 1 or 30 days after the State approves aid to schools).

In addition, it should be noted that during FY 2015 the allowable asset limits and income limits associated with the Real Estate Tax Relief Program for the Elderly and Disabled are maintained at the FY 2014 level. In FY 2015, the income limits of the Tax Relief program provide 100 percent exemption for elderly and disabled taxpayers with incomes up to $52,000; 50 percent exemption for eligible applicants with income between $52,001 and $62,000; and 25 percent exemption if income is between $62,001 and $72,000. The allowable asset limit in FY 2015 is $340,000 for all ranges of tax relief and that limit does not include the value of the residence of the applicant and one acre of land on which the residence is located. In addition, veterans who have a 100 percent and total disability related to military service, or their surviving spouse, are eligible for full Real Estate Tax relief regardless of income and assets.

FISCAL IMPACT:
None.

Board Agenda Item
March 4, 2014

ENCLOSED DOCUMENTS:
Attachment I - Brief Synopsis of the FY 2015 Budget
Attachment II - Draft Resolution Adopting Fairfax County Tax Rates for FY 2015
Attachment III - Notice of a Proposed Tax Increase for FY 2015

STAFF:
Edward L. Long Jr., County Executive
Susan W. Datta, Chief Financial Officer
Kevin C. Greenlief, Director, Department of Tax Administration
Patricia McCay, Assistant County Attorney

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

In accordance with Virginia law, notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will meet in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on April 8 at 6:00 P.M. and April 9 and April 10 at 3:00 P.M. The purpose of these meetings shall be to consider the adoption of a FY 2015 County Budget and to consider such tax rate changes as described therein. A brief synopsis of the FY 2015 Advertised Budget Plan is shown below. Citizens may appear and be heard for and against the following estimates of revenues, expenditures, transfers and surpluses as contained in the FY 2015 Advertised Budget Plan and proposed tax rate changes. Fiscal Year 2015 begins on July 1, 2014 and ends on June 30, 2015.

At the same time, the Board of Supervisors will hear public testimony regarding proposed adoption of the Advertised Capital Improvement Program for Fiscal Years 2015-2019 (With Future Fiscal Years to 2024).

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

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

Copies of the FY 2015 Advertised Budget Plan and the Advertised Capital Improvement Program for Fiscal Years 2015-2019 (With Future Fiscal Years to 2024) are available at all Fairfax County Public Libraries, on the Internet at http://www.fairfaxcounty.gov/dmb and at the Office of the Clerk to the Board of Supervisors at 12000 Government Center Parkway, Suite 533, Fairfax, Virginia.

Fund	EXPENDITURES	TRANSFERS OUT	TOTAL EXPENDITURES & TRANSFERS OUT	TAX REQUIRED AMOUNT	TAX REQUIRED FY 2015 RATE	TAX REQUIRED FY 2014 RATE	TAX REQUIRED FY 2013 RATE	OTHER RESOURCES STATE AID	OTHER RESOURCES FEDERAL AID	OTHER RESOURCES OTHER RECEIPTS	OTHER RESOURCES TRANSFERS IN	OTHER RESOURCES APPROPRIATED FROM/(ADDED TO) SURPLUS
GOVERNMENTAL FUNDS												
General Fund Group												
10001 General Fund [1]	$1,361,286,419	$2,343,108,157	$3,704,394,576	$2,711,664,569	1.085 a	1.085 a	1.075 a	$306,785,768 c	$27,473,750	$661,781,181	$8,148,516	($11,459,208) d
					4.57 b	4.57 b	4.57 b					
10010 Revenue Stabilization	0	0	0	0				0	0	650,000	1,031,348	(1,681,348)
10020 Consolidated Community Funding Pool	10,611,143	0	10,611,143	0				0	0	0	10,611,143	0
10030 Contributory Fund	15,385,015	0	15,385,015	0				0	0	0	15,361,234	23,781
10040 Information Technology	10,359,500	0	10,359,500	0				0	0	108,240	10,251,260	0
Total General Fund Group	**$1,397,642,077**	**$2,343,108,157**	**$3,740,750,234**	**$2,711,664,569**				**$306,785,768**	**$27,473,750**	**$662,539,421**	**$45,403,501**	**($13,116,775)**
Debt Service Funds												
20000 Consolidated Debt Service	$316,009,005	$0	$316,009,005	$0				$0	$0	$580,000	$315,429,005	$0
Capital Project Funds												
30000 Metro Operations and Construction	$36,156,089	$2,492,207	$38,648,296	$0				$0	$0	$26,800,000	$11,848,296	$0
30010 General Construction and Contributions	24,086,981	0	24,086,981	0				0	0	5,168,000	18,918,981	0
30020 Capital Renewal Construction	8,000,000	0	8,000,000	0				0	0	0	8,000,000	0
30030 Library Construction	0	0	0	0				0	0	0	0	0
30040 Contributed Roadway Improvement	0	550,000	550,000	0				0	0	550,000	0	0
30050 Transportation Improvements	0	0	0	0				0	0	0	0	0
30060 Pedestrian Walkway Improvements	300,000	0	300,000	0				0	0	0	300,000	0
30070 Public Safety Construction	0	0	0	0				0	0	0	0	0
30080 Commercial Revitalization Program	0	0	0	0				0	0	0	0	0
30090 Pro Rata Share Drainage Construction	0	0	0	0				0	0	0	0	0
30300 The Penny for Affordable Housing	16,478,400	0	16,478,400	10,930,000 e				0	0	5,548,400	0	0
30310 Housing Assistance Program	0	0	0	0				0	0	0	0	0
30400 Park Authority Bond Construction	0	0	0	0				0	0	0	0	0
S31000 Public School Construction	162,724,928	0	162,724,928	0				0	0	155,306,000	7,418,928	0
Total Capital Project Funds	**$247,746,398**	**$3,042,207**	**$250,788,605**	**$10,930,000**				**$0**	**$0**	**$193,372,400**	**$46,486,205**	**$0**
Special Revenue Funds												
40000 County Transit Systems	$98,258,672	$0	$98,258,672	$0				$26,491,972	$0	$10,748,258	$63,266,181	($2,247,739)
40010 County and Regional Transportation Projects	71,333,234	26,426,235	97,759,469	50,495,455	0.125 f	0.125 f	0.11 f	0	5,000,000	42,264,014	0	0
40030 Cable Communications	9,815,088	15,126,601	24,941,689	0				0	0	24,372,126	0	569,563
40040 Fairfax-Falls Church Community Services Board	151,405,267	0	151,405,267	0				13,153,665	4,234,459	21,446,708	112,570,435	0
40050 Reston Community Center	8,586,705	0	8,586,705	6,518,071	0.047 g	0.047 g	0.047 g	0	0	1,301,639	0	766,995
40060 McLean Community Center	6,220,284	0	6,220,284	4,056,566	0.023 g	0.022 g	0.022 g	0	0	1,276,693	0	887,025
40070 Burgundy Village Community Center	45,039	0	45,039	20,463	0.020 h	0.020 h	0.020 h	0	0	29,823	0	(5,247)
40080 Integrated Pest Management Program	3,115,655	138,000	3,253,655	2,182,547	0.001 i	0.001 i	0.001 i	0	0	7,691	0	1,063,417
40090 E-911	44,548,989	0	44,548,989	0				4,400,000	0	40,263,082	0	(114,093)
40100 Stormwater Services	48,185,000	1,000,000	49,185,000	49,185,000	0.0225 j	0.0200 j	0.0200 j	0	0	0	0	0
40110 Dulles Rail Phase I Transportation Improvement District	17,454,463	0	17,454,463	23,828,109	0.21 k	0.21 k	0.22 k	0	0	0	0	(6,373,646)
40120 Dulles Rail Phase II Transportation Improvement District	500,000	0	500,000	14,470,344	0.20 l	0.20 l	0.15 l	0	0	14,634	0	(13,984,978)
40130 Leaf Collection	2,187,182	0	2,187,182	0	0.015 m	0.015 m	0.015 m	0	0	2,187,133	0	49
40140 Refuse Collection and Recycling Operations	21,409,383	535,000	21,944,383	0	345 n	345 n	345 n	145,292	0	19,570,296	0	2,228,795
40150 Refuse Disposal	52,918,551	535,000	53,453,551	0	62 o	60 o	60 o	0	0	50,461,193 p	0	2,992,358
40160 Energy Resource Recovery (ERR) Facility	21,507,539	42,000	21,549,539	0	29 q	29 q	29 q	0	0	31,468,600	0	(9,919,061)
40170 I-95 Refuse Disposal	9,247,876	175,000	9,422,876	0	22.50 r	19.50 r	17.50 r	0	0	7,702,766	0	1,720,110
40180 Tysons Service District	0	0	0	5,976,235	0.05 s	0.04 s		0	0	0	0	(5,976,235)
40300 Housing Trust	639,972	0	639,972	0				0	0	639,972	0	0
40330 Elderly Housing Programs	3,339,229	0	3,339,229	0				0	0	1,644,057	1,862,125	(166,953)
40360 Homeowner and Business Loan Programs	2,230,085	0	2,230,085	0				0	0	2,187,600	0	42,485
50000 Federal/State Grants	100,394,265	0	100,394,265	0				25,880,228	66,831,988	2,473,585	5,208,464	0
50800 Community Development Block Grant	4,750,027	0	4,750,027	0				0	4,750,027	0	0	0
50810 HOME Investment Partnerships Grant	1,417,514	0	1,417,514	0				0	1,417,514	0	0	0

ATTACHMENT I

Fund	EXPENDITURES	TRANSFERS OUT	TOTAL EXPENDITURES & TRANSFERS OUT	AMOUNT	FY 2015 RATE	FY 2014 RATE	FY 2013 RATE	STATE AID	FEDERAL AID	OTHER RECEIPTS	TRANSFERS IN	APPROPRIATED FROM/(ADDED TO) SURPLUS
Special Revenue Funds (Cont.)												
S10000 Public School Operating [2]	2,424,359,401	29,051,601	2,453,411,002	0				547,537,195	41,964,699	66,037,917	1,751,928,506	45,942,685
S40000 Public School Food and Nutrition Services	91,401,235	0	91,401,235	0				1,048,179	33,933,782	46,315,214	0	10,104,060 t
S43000 Public School Adult and Community Education	9,696,824	0	9,696,824	0				1,172,815	1,666,438	6,622,571	235,000	0
S50000 Public School Grants & Self Supporting Programs	64,954,989	0	64,954,989	0				10,273,469	26,441,526	8,010,330	20,229,664	0
Total Special Revenue Funds	**$3,269,922,468**	**$73,029,437**	**$3,342,951,905**	**$156,732,790**				**$630,102,815**	**$186,240,433**	**$387,045,902**	**$1,955,300,375**	**$27,529,590**
TOTAL GOVERNMENTAL FUNDS	**$5,231,319,948**	**$2,419,179,801**	**$7,650,499,749**	**$2,879,327,359**				**$936,888,583**	**$213,714,183**	**$1,243,537,723**	**$2,362,619,086**	**$14,412,815**
PROPRIETARY FUNDS												
Internal Service Funds												
60000 County Insurance	$24,237,219	$0	$24,237,219	$0				$0	$0	$895,859	$23,226,489	$114,871
60010 Department of Vehicle Services	83,547,156	0	83,547,156	0				0	0	82,069,796	0	1,477,360
60020 Document Services Division	5,997,980	0	5,997,980	0				0	0	3,180,910	2,398,233	418,837
60030 Technology Infrastructure Services	36,920,307	0	36,920,307	0				0	0	30,126,711	5,870,771	922,825
60040 Health Benefits	166,187,368	0	166,187,368	0				0	0	164,384,297	0	1,803,071
S60000 Public School Insurance	23,369,886	0	23,369,886	0				0	0	14,081,339	0	9,288,547 u
S62000 Public School Health and Flexible Benefits	418,370,805	0	418,370,805	0				0	5,000,000	372,676,263	0	40,694,542 v
S63000 Public School Central Procurement	6,500,000	0	6,500,000	0				0	0	6,500,000	0	0
Total Internal Service Funds	**$765,130,721**	**$0**	**$765,130,721**	**$0**				**$0**	**$5,000,000**	**$673,915,175**	**$31,495,493**	**$54,720,053**
Enterprise Funds												
69000 Sewer Revenue	$0	$219,193,176	$219,193,176	$0	6.62 w 7,750 x 15.86 y	6.55 w 7,750 x 12.79 y	6.55 w 7,750 x 5.50 y	$0	$0	$214,459,757	$0	$4,733,419
69010 Sewer Operation and Maintenance	97,678,460	1,800,000	99,478,460	0				0	0	0	92,000,000	7,478,460
69020 Sewer Bond Parity Debt Service	21,909,094	0	21,909,094	0				0	0	0	18,500,000	3,409,094 z
69030 Sewer Bond Debt Reserve	0	0	0	0				0	0	0	0	0
69040 Sewer Bond Subordinate Debt Service	26,512,623	0	26,512,623	0				0	0	0	25,000,000	1,512,623
69300 Sewer Construction Improvements	83,693,176	0	83,693,176	0				0	0	0	83,693,176	0
69310 Sewer Bond Construction	0	0	0	0				0	0	0	0	0
Total Enterprise Funds	**$229,793,353**	**$220,993,176**	**$450,786,529**	**$0**				**$0**	**$0**	**$214,459,757**	**$219,193,176**	**$17,133,596**
TOTAL PROPRIETARY FUNDS	**$994,924,074**	**$220,993,176**	**$1,215,917,250**	**$0**				**$0**	**$5,000,000**	**$888,374,932**	**$250,688,669**	**$71,853,649**
FIDUCIARY FUNDS												
Agency Funds												
70000 Route 28 Taxing District	$10,707,629	$0	$10,707,629	$9,707,629	0.18 aa	0.18 aa	0.18 aa	$0	$0	$1,000,000	$0	$0
70040 Mosaic District Community Development Authority	3,842,902	0	3,842,902	3,842,902				0	0	0	0	0
Total Agency Funds	**$14,550,531**	**$0**	**$14,550,531**	**$13,550,531**				**$0**	**$0**	**$1,000,000**	**$0**	**$0**
Trust Funds												
73000 Employees' Retirement Trust	$299,342,642	$0	$299,342,642	$0				$0	$0	$428,461,848	$0	($129,119,206)
73010 Uniformed Employees Retirement Trust	102,291,335	0	102,291,335	0				0	0	172,316,153	0	(70,024,818)
73020 Police Retirement Trust	72,808,065	0	72,808,065	0				0	0	132,384,085	0	(59,576,020)
73030 OPEB Trust	9,174,944	0	9,174,944	0				0	1,250,000	3,475,606	28,000,000	(23,550,662)
S71000 Educational Employees' Retirement	203,081,017	0	203,081,017	0				0	0	357,884,318	0	(154,803,301)
S71100 Public School OPEB Trust	27,299,452	0	27,299,452	0				0	0	43,211,957	0	(15,912,505)
Total Trust Funds	**$713,997,455**	**$0**	**$713,997,455**	**$0**				**$0**	**$1,250,000**	**$1,137,733,967**	**$28,000,000**	**($452,986,512)**
TOTAL FIDUCIARY FUNDS	**$728,547,986**	**$0**	**$728,547,986**	**$13,550,531**				**$0**	**$1,250,000**	**$1,138,733,967**	**$28,000,000**	**($452,986,512)**
TOTAL ALL FUNDS	**$6,954,792,008**	**$2,640,172,977**	**$9,594,964,985**	**$2,892,877,890**				**$936,888,583**	**$219,964,183**	**$3,270,646,622**	**$2,641,307,755**	**($366,720,048)**

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

[2] The proposed County General Fund transfer for school operations in FY 2015 totals $1,751,328,506 which reflects an increase of $34,339,775, or 2.0 percent, over the FY 2014 Adopted Budget Plan level. It should be noted that the actual transfer request approved by the School Board on February 6, 2014 reflects a General Fund transfer of $1,815,133,009, an increase of $98,144,278, or 5.7 percent, over the FY 2014 Adopted Budget Plan. The advertisement expenditure total for School Operating reflects the level that is supportable by the proposed General Fund transfer.

ATTACHMENT I

FOOTNOTES

OTHER REAL ESTATE & PERSONAL PROPERTY TAX RATES	Revenue Amount	Tax Required 2015 Rate	2014 Rate	2013 Rate
PUBLIC SERVICE CORPORATIONS				
Equalized **a**	$36,835,863	1.085	1.085	1.075
Vehicles **b**	441,540	4.57	4.57	4.57
OTHER				
Mining and Manufacturing Machinery and Tools (General Fund Revenue) **b**	2,439,379	4.57	4.57	4.57
Research and Development (General Fund Revenue) **b**	21,420	4.57	4.57	4.57
Antique Automobiles **b**	-	0.01	0.01	0.01
Mobile Homes **a**	203,516	1.085	1.085	1.075
Van Pools-Privately Owned Vans **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of a Volunteer Rescue Squad or Volunteer Fire Department **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of the Auxiliary Police **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of the Auxiliary Deputy Sheriff **b**	-	0.01	0.01	0.01
Homeowners Associations Furniture, office equipment and maintenance equipment **b**	-	0.01	0.01	0.01
Aircraft and Flight Simulators **b**	-	0.01	0.01	0.01
Motor Vehicles Specially Equipped to Provide Transportation to Physically Handicapped Individuals **b**	-	0.01	0.01	0.01
Boats **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Disabled Veterans **b**	-	0.01	0.01	0.01
Motor Vehicles Owned by Certain Qualifying Elderly and Disabled Individuals **b**	-	0.01	0.01	0.01
Special Service District for Pest Infestations **i**	2,182,547	0.001	0.001	0.001

a. Real Estate Tax Rate per $100 of assessed value. **It should be noted that the FY 2015 Advertised Budget Plan was developed assuming a tax rate of $1.085 per $100 of assessed value. Because of increases in residential assessments, the real estate tax bill for the typical residential homeowner would increase by $332 in FY 2015 with a real estate tax rate of $1.085 per $100 of assessed value. Advertising an increase in the rate does not prevent the Board from lowering any advertised tax rate, but a higher tax rate cannot be imposed without advertising the higher rate.**

b. Personal Property Tax Rate per $100 of assessed value (excluding household furnishings). Tax collections, as a percentage of total taxes levied, are estimated as follows:
   - 10001 General Fund - Real Estate, 99.65 percent; Personal Property, 98.0 percent
   - Sanitary District - Refuse Assessments, 100 percent.

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

   Beginning in tax year 2006, the state "Car Tax" subsidy on qualifying vehicles was "capped" to a statewide total of $950 million. Based on the final report from the state Auditor of Public Accounts, dated February 2006, Fairfax County's share of this $950 million was fixed at 22.2436%, or $211,313,944.16. The annual subsidy is frozen at this amount and is factored into the FY 2015 Advertised Budget Plan.

   Consistent with the November 21, 2005, Board resolution, the state "Car Tax" funding is estimated to provide a 100% subsidy of the levy for tax year 2014 for qualifying vehicles valued at $1,000 or less. Furthermore, the state "Car Tax" funding is estimated to provide a 62% subsidy of the tax year 2014 levy for all other qualifying vehicles on the value up to $20,000.

d. Fund 10001, General Fund, does not reflect carryover of FY 2013 Audit Adjustment Reserve of ($1,469,450) and Reserve for FY 2014 Third Quarter of ($15,097,928) from FY 2014 to FY 2015.

e. Real Estate revenue reflected in Fund 30300, The Penny for Affordable Housing Fund, reflects the Board of Supervisors policy to allocate the approximate value of one penny on the real estate tax rate to this program. It should be noted that the FY 2015 Advertised Budget Plan includes the allocation of one-half penny on the real estate tax rate to this fund.

f. Additional tax assessment per $100 of assessed value for commercial and industrial property in the County to support transportation.

g. Operating costs and debt service - Community Center. Tax Rate per $100 of assessed value.

h. Utilities and other operating costs - Community Center. Tax Rate per $100 of assessed value.

i. Additional special tax levy of real estate within Fairfax County, but exclusive of the Lake Barcroft Water Improvement District to control infestations of pests. Tax Rate per $100 of assessed value.

j. Additional special tax levy of real estate to support operating and construction requirements for the stormwater management program. Tax Rate per $100 of assessed value.

k. Additional tax assessment per $100 of assessed value for commercial and industrial property for the Phase I Dulles Rail Transportation Improvement District.

l. Additional tax assessment per $100 of assessed value for commercial and industrial property for the Phase II Dulles Rail Transportation Improvement District.

m. Leaf Collection rate per $100 of assessed value. (See districts listed below)

Leaf Collection:
Small District 2 Braddock
Local District 1A11 Dranesville
Local District 1A21 Dranesville
Local District 1A22 Dranesville
Local District 1A61 Dranesville
Local District 1B1 Dranesville
Local District 1E Dranesville
Small District 3 Dranesville
Small District 7 Dranesville
Small District 8 Dranesville
Small District 10 Dranesville
Small District 12 Dranesville
Small District 15 Dranesville
Local District 1B Lee
Local District 1C Lee
Local District 1D Lee
Local District 1E Lee
Small District 1 Mason
Local District 1A Mason
Small District 2 Mason
Small District 4 Mason
Local District 7A Mason
Small District 9 Mason
Small District 10 Mason
Local District 1A Mount Vernon
Local District 1B Mount Vernon
Local District 1C Mount Vernon
Local District 1D Mount Vernon
Local District 1E Mount Vernon
Small District 1 Providence
Small District 2 Providence
Small District 4 Providence
Small District 6 Providence
Small District 7 Providence
Small District 8 Providence

n. Refuse Collection assessment - the base annual charge for refuse collection service to be added to the regular real estate tax bill. (See districts listed below)

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

Refuse Service (continued):
Small District 8 Mason
Local District 7A Mason
Small District 9 Mason
Small District 10 Mason
Small District 11 Mason
Small District 1 Mount Vernon
Local District 1A Mount Vernon
Local District 1B Mount Vernon
Local District 1C Mount Vernon
Local District 1D Mount Vernon
Local District 1E Mount Vernon
Small District 2 Mount Vernon
Local District 2A Mount Vernon
Local District 2B Mount Vernon
Small District 1 Providence
Local District 1A Providence
Local District 1B Providence
Small District 3 Providence
Small District 4 Providence
Small District 6 Providence
Small District 7 Providence
Small District 8 Providence
Small District 9 Providence
Small District 11 Providence
Small District 12 Providence
Small District 13 Providence
Small District 4 Springfield
Small District 6 Springfield

o. Per ton refuse disposal fee charged to County refuse collectors, other jurisdictions, and private haulers.

p. Includes revenues from user fees charged at the Recycling and Disposal Center. Information regarding the schedule of fees is available from the Department of Public Works and Environmental Services (DPWES) Solid Waste Management Program at 12000 Government Center Parkway, Suite 458, Fairfax, Virginia, 22035 or online at www.fairfaxcounty.gov/dpwes. Residents who use the Recycling and Disposal Center are charged for disposal of waste based on weight and category of waste. There are different fees for disposal of brush, yard waste, white goods, tires, and other materials.

q. Per ton tipping fee charged to the County for the incineration of refuse and the disposal of ash generated from the process.

r. Per ton ash disposal fee charged to the County and participating jurisdictions.

s. Additional tax assessment per $100 of assessed value for the Tysons Service District.

t. Fund S40000, School Food and Nutrition Services, assumes carryover of General Reserve of $10,104,060 from FY 2014 to FY 2015.

u. Fund S60000, School Insurance Fund, assumes carryover of allocated reserve of $9,288,547 from FY 2014 to FY 2015.

v. Fund S62000, School Health and Flexible Benefits, assumes carryover of premium stabilization reserve of $40,694,542 from FY 2014 to FY 2015.

w. Sewer service rate per 1,000 gallons of water.

x. Sewer availability fee for single family homes.

y. Sewer Service per bill Base Charge.

z. Fund 69020, Sewer Bond Parity Debt Service, does not reflect non-appropriated amortization expense of ($25,000).

aa. Additional tax assessment per $100 of assessed value for road improvements to State Route 28.

DRAFT
Resolution Adopting Tax Rates for Fairfax County
Fiscal Year 2015

ATTACHMENT II

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, April 29, 2014, at which meeting a quorum was present and voting, the following resolution was adopted:

RESOLUTION ADOPTING TAX RATES FOR FAIRFAX COUNTY

FISCAL YEAR 2015

BE IT RESOLVED that, pursuant to the provisions of Virginia Code § 58.1-3001, and after having first complied with the provisions of the Virginia Code §§ 15.2-2506 and 58.1-3321, the Board does hereby establish the tax levies for the fiscal budget year beginning July 1, 2014, and ending June 30, 2015, and calendar tax year beginning January 1, 2014 and ending December 31, 2014, as follows to wit:

COUNTY LEVIES

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

Real Estate*

On each $100.00 of the assessed valuation of real estate and improvements on real estate in the County the tax rate shall be.....$1.085

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

Commercial and Industrial Real Estate Tax for Transportation*

On each $100.00 of assessed valuation of the taxable commercial and industrial real estate in the County the tax rate in support of transportation shall be an additional.....$0.125

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

Personal Property

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

Except for the following:

Mobile Homes

On each $100.00 of assessed valuation of mobile homes, as separately classified by Virginia Code § 58.1-3506(A)(10), the tax rate shall be $1.085

Machinery and Tools

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

Research and Development

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

Certain Personal Property of Homeowner Associations

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

Van Pools - Privately Owned Vans

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

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

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

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

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

Motor Vehicles Specially Equipped to Provide
Transportation for Physically Handicapped Individuals

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

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

Motor Vehicles Owned
By Certain Qualifying Elderly and Disabled Individuals

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

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

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

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

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

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

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

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

Aircraft and Flight Simulators

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

Antique Motor Vehicles

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

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

Boats

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

Motor Vehicles Owned By Qualified Disabled Veterans

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

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

SANITARY DISTRICT LEVIES*

Local District 1A Lee
(Burgundy Village Community Center)

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

Small District 1 Dranesville
(McLean Community Center)

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

Small District 5 Hunter Mill
(Reston Community Center)

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

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

Leaf Collection:

Small District 2 Braddock
Local District 1A11 Dranesville
Local District 1A21 Dranesville
Local District 1A22 Dranesville
Local District 1A61 Dranesville
Local District 1B1 Dranesville
Local District 1E Dranesville
Small District 3 Dranesville
Small District 7 Dranesville
Small District 8 Dranesville
Small District 10 Dranesville
Small District 12 Dranesville
Small District 15 Dranesville
Local District 1B Lee
Local District 1C Lee
Local District 1D Lee
Local District 1E Lee
Small District 1 Mason
Local District 1A Mason
Small District 2 Mason
Small District 4 Mason
Local District 7A Mason
Small District 9 Mason
Small District 10 Mason
Local District 1A Mount Vernon
Local District 1B Mount Vernon
Local District 1C Mount Vernon
Local District 1D Mount Vernon

Leaf Collection (continued):
Local District 1E Mount Vernon
Small District 1 Providence
Small District 2 Providence
Small District 4 Providence
Small District 6 Providence
Small District 7 Providence
Small District 8 Providence

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

On any real estate which is deleted from a sanitary district effective July 1, 2014, as a result of the contraction of such sanitary district, such real estate will be entitled to pro rata abatement from the amount of the annual charge hereby established for leaf collection.

On any real estate, which is added to a sanitary district effective July 1, 2014, as a result of either the creation or the enlargement of a sanitary district, such real estate will be charged a pro rata fee for the annual charge hereby established for leaf collection.

Refuse Service:

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

Refuse Service (continued):
Small District 8 Providence
Small District 9 Providence
Small District 11 Providence
Small District 12 Providence
Small District 13 Providence
Small District 4 Springfield
Small District 6 Springfield

On each single-family dwelling and on each unit of two-family dwellings, excluding apartments (garden through high-rise), multi-family condominiums (garden through high-rise), and/or other multi-unit dwelling type buildings, existing or under construction January 1, 2014, within the boundaries of the above enumerated Districts, a base annual charge of $345.00 for refuse collection service to be added to the regular real estate tax bill, and that annual charge shall be subject to penalty and interest charges and becoming a lien against the property if not paid, in the same manner as any other real estate tax.

On any dwelling that is neither completed nor occupied by June 30, 2014, the owner thereof shall, upon application to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling, made prior to December 5, 2014, be entitled to relief in the amount of the pro-rata portion based on the service period of the base annual charge hereby established. The claimant must provide acceptable evidence that the dwelling was not occupied, nor generating waste to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling.

On any dwelling that is neither completed nor occupied by December 31, 2014, the owner thereof shall, upon application to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling, made prior to March 31, 2015, be entitled to relief in the amount of the pro-rata portion based on the service period of the base annual charge hereby established. The claimant must provide acceptable evidence that the dwelling was not occupied, nor generating waste to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling.

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

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

Water Service:

Small District One within Springfield District

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

Small District Three within Springfield District

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

TRANSPORTATION IMPROVEMENT DISTRICT LEVIES*

State Route 28 Transportation Improvement District

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

Phase I Dulles Rail Transportation Improvement District

On each $100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of Phase I Dulles Rail Transportation Improvement District, as specified by Virginia Code § 33.1-435, the tax rate shall be $0.21

Phase II Dulles Rail Transportation Improvement District

On each $100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of Phase II Dulles Rail Transportation Improvement District, as specified by Virginia Code § 33.1-435, the tax rate shall be $0.20

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

SPECIAL SERVICE DISTRICT FOR THE CONTROL OF PEST INFESTATIONS*

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

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

SPECIAL SERVICE DISTRICT FOR STORMWATER MANAGEMENT*

On each $100.00 of assessed valuation of real estate within Fairfax County, within the service district, the tax rate shall be.....$0.0225

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

SPECIAL SERVICE DISTRICT FOR TYSONS*

On each $100.00 of assessed valuation of real estate within Fairfax County, within the service district, the tax rate shall be.....$0.05

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

DRAFT
Resolution Adopting Tax Rates for Fairfax County
Fiscal Year 2015

ATTACHMENT II

SERVICE CHARGES FOR AMBULANCE TRANSPORT SERVICE

Pursuant to Fairfax County Code § 4-26-1, each person being transported by any emergency medical services vehicle that is operated or maintained by the County or for which a permit has been issued to the County by the Virginia Office of Emergency Medical Services will be charged (1) a service fee of $500 for Basic Life Support transport (BLS), (2) $650 for Advanced Life Support, level 1 transport (ALS1), (3) $800 for Advanced Life Support, level 2 transport (ALS2), and (4) $12.00 per mile for ground transport mileage. The term "emergency medical services vehicle" has the definition specified in Virginia Code § 32.1-111.1.

GIVEN under my hand this _____ day of April, 2014

By: _____
Catherine A. Chianese
Clerk to the Board of Supervisors

ATTACHMENT III

FAIRFAX COUNTY NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

In accordance with Virginia Code Section 58.1-3321, notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will meet in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on April 8, 2014 at 3:00 P.M. At that meeting, the Board of Supervisors shall consider the matters described below.

The Fairfax County Executive has proposed the advertisement of a real estate tax rate of $1.085 per $100 of assessed value. No numerical change in the Real Estate tax rate is being proposed; however, the total assessed value of existing property has increased. It should be noted that the total increase in assessed value of existing properties is expected to be 4.84 percent, including an increase of 6.54 percent for residential real property and a decrease of 0.10 percent for non-residential real property. As a result, most property owners will experience an increase in their real estate tax bill. The tax rate being proposed remains the same as FY 2014. Nevertheless, because the average value of real property in Fairfax County has appreciated by at least one percent, Virginia Code Section 58.1-3321 requires Fairfax County to publish the following notice.

Fairfax County, Virginia proposes to increase property tax levies.

1. Assessment Increase: Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 4.84 percent.

2. Lowered Rate Necessary to Offset Increased Assessment: The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be $1.0349 per $100 of assessed value. This rate will be known as the "lowered tax rate."

3. Effective Rate Increase: Fairfax County, Virginia, proposes to adopt a tax rate of $1.085 per $100 of assessed value. The difference between the lowered tax rate and the proposed rate would be $0.0501 per $100, or 4.84 percent. This difference will be known as the "effective tax rate increase."

   Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. Proposed Total Budget Increase: Based on the proposed real property tax rate and changes in other revenues, the total budget of Fairfax County, Virginia, will exceed last year's by 3.44 percent[1].

A public hearing on this issue will be held at 3:00 P.M. on April 8, 2014 in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway.

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

ATTACHMENT III

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

The Board will conduct a separate public hearing on the FY 2015 Advertised Budget Plan which will commence on April 8, 2014 at 6:00 PM and on April 9 and April 10 at 3:00 PM.

Copies of the FY 2015 Advertised Budget Plan and the Advertised Capital Improvement Program for Fiscal Years 2015-2019 (With Future Fiscal Years to 2024) are available at all Fairfax County Public Libraries, on the Internet at http://www.fairfaxcounty.gov/dmb and at the Office of the Clerk to the Board of Supervisors at 12000 Government Center Parkway, Suite 533, Fairfax, Virginia.

A Copy - Teste:

Catherine A. Chianese, Clerk
Board of Supervisors

---

[1] The total budget increase is based on all revenues received by the General Fund of Fairfax County. Projected FY 2015 disbursements reflect an increase of 1.12 percent over the FY 2014 level.

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

ADMINISTRATIVE – 10

Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in FY 2014 Revised Budget Plan

This Board item will be distributed under separate cover on Monday, March 3, 2014.

THIS PAGE INTENTIONALLY LEFT BLANK

ADMINISTRATIVE - 11

Authorization to Advertise a Public Hearing to Consider the Adoption of an Amendment to Chapter 41.1 of the Fairfax County Code to Increase Adoption and Boarding Fees for Dogs and Cats

ISSUE:
Authorization to advertise a public hearing to consider an amendment to Chapter 41.1 of the Fairfax County Code, governing Animal Control and Care. The proposed amendment to Chapter 41.1 will (i) combine the spay or neuter fee with the adoption fee for dogs and cats, (ii) create a three-tiered adoption fee structure for dogs and cats based on the age of the animal, and (iii) increase boarding fees for dogs and cats. The purpose of this amendment is to facilitate the welfare and sterilization of dogs and cats prior to their adoption and cover the costs to do so.

RECOMMENDATION:
The County Executive recommends that the Board authorize the advertisement of a public hearing to consider the proposed amendment to Chapter 41.1.

TIMING:
Board action is requested on March 4, 2014, to provide sufficient time to advertise the proposed public hearing on April 8, 2014 at 3:00 p.m. If approved by the Board after the public hearing, these provisions will become effective July 1, 2014.

BACKGROUND:
The current adoption fees for dogs and cats have been in place since 2004, and the current boarding fees for dogs and cats have been in place since 2008. The proposed amendments to Chapter 41.1 will bring adoption and boarding fees in line with neighboring jurisdictions. On February 6, 2014, the Animal Services Advisory Commission voted unanimously to support the proposed amendment.

Combining the Spay or Neuter Fee with the Adoption Fee
State law requires that all dogs and cats adopted from the County's Animal Shelter must be spayed or neutered. Under the current arrangement, the animal is transported post-adoption to one of the Shelter's contract veterinarians who perform the sterilization procedure. The veterinarian charges the adopter directly for the cost of sterilization. The procedure costs approximately $125 for cats and $200 for dogs. The Shelter's current adoption fees of $30 for cats and $40 for dogs do not include the cost of spaying and neutering. The total cost to adopt an unsterilized cat or dog is now approximately $155 and $240, respectively.

The Shelter does not currently have sufficient funding to pay for the sterilization procedures prior to adoption, nor can it charge the adopter both the adoption and spay or neuter fees in a single transaction. The adopter is required to pay the veterinarian at a later date, which is a source of confusion and involves at least one additional trip to pick up the animal at the veterinarian's office days or even weeks later. For some potential adopters, these requirements are a barrier to adoption because they consider the veterinary clinic to be too far away or are unwilling to wait to bring the animal home. Shelter staff must also follow up to ensure compliance with the sterilization requirements.

Spaying or neutering animals prior to adoption will reduce costs, improve customer service at the Shelter, and is more humane. Adopted animals typically have to wait at least four days for a veterinary appointment, which lengthens their stay at the Shelter and increases Shelter costs. A shorter stay helps prevent a decline in behavior and mental health of the animals and also opens up more space to aid others in the community. Finally, potential adopters will have a greater incentive to adopt because they can complete the adoption process in less time and fewer steps.

Three-Tiered Adoption Fee Structure

The current adoption fee does not take into account the age of the animal. In conjunction with the proposed combination of adoption fees with spay or neuter fees, a three-tiered fee structure based on the age of the animal will increase overall adoptions as well as generate additional revenue. Older animals are typically more challenging to adopt and are often already spayed or neutered. Puppies and kittens are in greater demand and almost always need to be spayed and neutered. A three-tiered structure will spread the cost recovery out over all the animals and aid in getting older animals adopted. The proposed fee structure is as follows:

Cat adoption: $125 (kittens under six months)
$75 (cats up to five years)
$50 (cats over five years)

Dog adoption: $175 (puppies under six months)
$125 (dogs up to five years)
$100 (dogs over five years)

Staff believes that the proposed amendment will lead to an overall increase in adoptions, especially for older animals. This change will bring the Shelter into alignment with other shelters in the region, all of which charge one fee that covers both adoption and spaying or neutering and some of which take into account the age of the animal (see tables below). Although all of these proposed fees are higher than the current adoption fees, the actual cost to adopt an animal that would otherwise need to be spayed or neutered is lower. The collection of higher fees for all dogs and cats will cover the anticipated cost of those requiring sterilization before adoption.

Jurisdiction	Puppies ($)	Dogs up to 5 years in Fairfax ($)	Dogs over 5 years in Fairfax ($)
Fairfax (current)	40	40	40
Fairfax (proposed)	175	125	100
Arlington	200	175	175
Alexandria	150	150	75
Prince William	185	185	185
Loudoun	150	125	100
Washington, DC	170	170	170
Montgomery County	175	175	175

Jurisdiction	Kittens ($)	Cats up to 5 years in Fairfax ($)	Cats over 5 years in Fairfax ($)
Fairfax (current)	30	30	30
Fairfax (proposed)	125	75	50
Arlington	150	100	100
Alexandria	120	120	60
Prince William	145	145	145
Loudoun	100	80	70
Washington, DC	85	85	85
Montgomery County	175	175	175

Boarding Fees

The current boarding fee for dogs and cats at the Shelter is $10 per day. This fee has not been increased since 2008. Costs for food and other supplies as well as staffing have risen since 2008, leading to an overall increase in the cost of housing an animal at the Shelter.

The proposed boarding fee is $15 per day. Nearby jurisdictions charge from $7 to $25 (see table below), and the proposed fee of $15 per day will be within this range.

Jurisdiction	Boarding Fee ($)
Fairfax County Animal Shelter (current)	10
Fairfax County Animal Shelter (proposed)	15
Welfare League of Alexandria	15
Tri-County Animal Shelter	15
Montgomery County Humane Society	10
Animal Welfare League of Arlington	25
Loudon County Animal Care	15
Prince William County Shelter	15
Washington Humane Society	7

FISCAL IMPACT:

Three-Tiered Adoption Fee Structure with Spay and Neuter Fees Included
Under the proposed fee structure, additional revenue of $87,695 would be generated.

Increased Boarding Fee
The increase in the Boarding fee from $10 to $15 would result in additional revenue of $14,465.

It should be noted that this additional revenue has been included in the FY 2015 Advertised Budget Plan.

ENCLOSED DOCUMENTS
Attachment 1 – Proposed Amendments to Chapter 41.1, Animal Control and Care

STAFF:
David M. Rohrer, Deputy County Executive
Colonel Edwin C. Roessler Jr., Chief of Police
John W. Burton, Assistant County Attorney
Tawny Hammond, Animal Shelter Director

AN ORDINANCE AMENDING CHAPTER 41.1 OF THE FAIRFAX COUNTY CODE, RELATING TO ANIMAL CONTROL AND CARE

Draft of February 12, 2014

AN ORDINANCE to amend the Fairfax County Code by amending and readopting Section 41.1-2-5, related to animal control and care.

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

1. **That Section 41.1-2-5 of the Fairfax County Code is amended and readopted as follows:**

Section 41.1-2-5. County animal shelter; confinement and disposition of stray animals; impoundment and boarding fees; adoption fees.

(a) The County Animal Shelter shall be operated and maintained in accordance with Virginia law, and it shall be accessible to the public at reasonable hours during the week.

(b) Except as otherwise provided by Section 41.1-2-9, whenever any animal is confined at the Animal Shelter, it shall be kept for a period of not less than 5 days, such period to commence on the day immediately following the day the animal is initially confined in the facility, unless sooner claimed by the rightful owner. If any animal confined at the Animal Shelter is claimed by its rightful owner, such owner shall be charged the applicable fee or fees set forth in this Section.

(c) Any animal impounded that is not known or suspected of being rabid may be redeemed by its rightful owner upon: (1) presentation of proof of ownership and personal identification; (2) payment of all applicable fees set forth in this Section; (3) if the animal being claimed is a dog or a cat that is 4 months of age or older, presentation of a certificate that shows the animal being claimed has been vaccinated for rabies in accordance with the requirements of Section 41.1-2-1; (4) if the animal being claimed is a dog that is 4 months old or older, presentation of evidence of payment of a valid dog license, as required by Section 41.1-2-2; and (5) payment of any necessary veterinary expenses incurred for the benefit of that animal by the Animal Shelter. Any rightful owner who fails to produce the certificate of vaccination or proof of payment of the license fee shall be allowed to have custody of the animal, but shall be subject to issuance of a summons for violation of Section 41.1-2-1 or Section 41.1-2-2. Any dog not redeemed may be destroyed in a humane

manner or otherwise lawfully disposed of by the Director of the Animal Shelter or the designated agent of the Director. The Director or the designated agent of the Director shall not knowingly give, sell, or otherwise release any animal to any person who intends to use that animal for research purposes.

(d) Any person who adopts an animal from the Animal Shelter shall pay the applicable adoption fee set forth in this Section and shall sign an adoption contract agreeing to comply with laws regulating the adoption and ownership of the animal and to appropriately care for the animal. The Animal Shelter shall not release any dog or cat for adoption unless the animal is already sterilized or the person who adopts the animal signs an agreement as required by Virginia law to have the animal sterilized ~~and pays, in addition to the adoption fee, the applicable spay or neuter fee set forth in this Section~~.

(e) Fee Schedules:

Impoundment fees:

Dogs and cats, first impoundment .....$ 25.00

Second impoundment 50.00

Third or subsequent impoundment 75.00

Livestock, under 150 pounds 50.00

150 pounds or more 100.00

Reptiles and exotic animals 20.00

Rodents, ferrets, and rabbits 20.00

Boarding fees (for each day boarded):

Dogs and cats .....~~10.00~~ 15.00

Livestock (under 150 pounds) 25.00

(150 pounds or more) 50.00

Reptiles and exotic animals 10.00

Rodents, ferrets, and rabbits 10.00

Adoption fees:

Dogs under six (6) months of age .....~~40.00~~ 175.00

Dogs age six (6) months to five (5) years 125.00

Dogs age five (5) years and older 100.00

Cats under six (6) months of age .....~~30.00~~ 125.00

Cats age six (6) months to five (5) years 75.00

Cats age five (5) years and older 50.00

Rabbits and ferrets 15.00

Reptiles and small birds 10.00

Other small animals 5.00

Equine and bovine 200.00

Other livestock 20.00

Large birds 100.00

~~Spay and neuter fees: Any person who adopts an unsterilized dog or cat shall pay the spay or neuter fee directly to the County-contracted veterinarian when the newly adopted pet is picked up after surgery. The fee shall be established in the contract between the County and the veterinarian. In the event a dog or cat is sterilized for health reasons at the request of the Animal Shelter Director prior to being made available for adoption, the County shall provide a receipt to the adopter showing the cost paid and the adopter shall pay that amount directly to the County.~~

The Animal Shelter Director may waive or reduce the impoundment or boarding fees established in this subsection (e) for good cause shown. The Animal Shelter Director's determination of good cause shall be based on guidelines set forth in Standard Operating Procedures approved by the Fairfax County Police Department.

(f) The owner of any animal that is held pursuant to Va. Code Ann. § 3.2-6569 for more than 30 days shall post a bond in surety with the County in an amount equal to the cost of boarding the animal for 9 months at the rates established in this Section. If the owner satisfies this obligation by obtaining a commercial bond, then the bond must be issued by a surety that is licensed to do business in Virginia and that has an A-IV or better rating from A.M Best. Upon a request by an owner, the County may reduce the bond for good cause shown. (26-04-41.1; 67-08-41.1.)

2. **That the provisions of this ordinance are severable, and if any provision of this ordinance or any application thereof is held invalid, that invalidity shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid provision or application.**
3. **That the provisions of this ordinance shall take effect on July 1, 2014.**

GIVEN under my hand this day of _____ 2014.

_____

Clerk to the Board of Supervisors

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

ACTION – 1

Approval of a Resolution to Authorize the Refunding of Fairfax County Sewer Revenue Bonds Series 2004

ISSUE:
Board approval of a resolution to authorize the sale of Fairfax County Sewer Revenue Refunding Bonds for the refunding of the 2004 Bond Series.

RECOMMENDATION:
The County Executive recommends approval of the sale of Sewer Revenue Refunding Bonds up to $75 million.

TIMING:
Board action is requested on March 4, 2014.

BACKGROUND:
In October 2004, Fairfax County issued $94,005,000 of Sewer Revenue Bonds, backed by revenues collected by the County's Integrated Sewer System. The proceeds were primarily to be used to support the capital improvement projects, as required by the Commonwealth of Virginia, Department of Environmental Quality (DEQ), at certain wastewater treatment plants that provide wastewater capacity to the Integrated Sewer System. Staff is presenting the Board with the necessary documents to proceed with a refunding sale for the purpose of reducing debt service payments through lower interest rates. The sale is expected to occur on or about April 1, 2014 followed by a closing date scheduled for the week of April 14, 2014.

FISCAL IMPACT:
Based on market conditions as of January 2014, refunding the balance of $69.745 million of the existing debt is estimated to generate a net present value savings of $7.7 million or 11.0% of the refunded bonds.

The Integrated Sewer System revenue bonds have held Aa1 rating from Moody's, AAA rating from Standard and Poor's, and AAA rating from Fitch Ratings.

Board Agenda Item
March 4, 2014

ENCLOSED DOCUMENT:
Attachment 1: Resolution of Approval
Attachment 2: Bond Sale Schedule of Events
Attachment 3: Continuing Disclosure Agreement
Attachment 4: Preliminary Official Statement (Available in the Office of the Clerk of the Board)
Attachment 5: Notice of Sale
Attachment 6: Escrow Deposit Agreement

STAFF:
Robert A. Stalzer, Jr. Deputy County Executive
Joseph LaHait, Debt Coordinator, Department of Management and Budget
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)
Randolph W. Bartlett, Deputy Director, DPWES
Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, DPWES

At a regular meeting of the Board Supervisors of Fairfax County, Virginia, held in the Board auditorium in the Government Center at 12000 Government Center Parkway, Fairfax, Virginia on March 4, 2014, at which meeting a quorum was present and voting, the following resolution was adopted:

FAIRFAX COUNTY

Virginia

SERIES RESOLUTION

SERIES RESOLUTION SUPPLEMENTING THE GENERAL BOND RESOLUTION OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AUTHORIZING THE ISSUANCE OF SEWER REVENUE BONDS, TO PROVIDE FOR THE ISSUANCE OF AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $75,000,000 SEWER REVENUE REFUNDING BONDS, IN ONE OR MORE SERIES; DELEGATING TO THE CHAIRMAN AND VICE CHAIRMAN OF THE BOARD, THE COUNTY EXECUTIVE AND THE CHIEF FINANCIAL OFFICER OF THE COUNTY AUTHORITY TO DETERMINE CERTAIN DETAILS OF SUCH BONDS; DESIGNATING A PAYING AGENT AND BOND REGISTRAR AND DEPOSITARY FOR THE BONDS; APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT RELATING TO SUCH BONDS; APPROVING THE USE OF A NOTICE CALLING FOR BIDS TO PURCHASE SUCH BONDS OR THE EXECUTION OF A BOND PURCHASE AGREEMENT RELATING TO THE PURCHASE OF SUCH BONDS; APPROVING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; AND DIRECTING THE AUTHENTICATION AND DELIVERY OF SUCH BONDS.

WHEREAS, the Board of Supervisors (the "Board of Supervisors" or "Board") of Fairfax County, Virginia ("County"), has adopted a General Bond Resolution authorizing the

issuance initially of not exceeding $179,000,000 Sewer Revenue Bonds and thereafter the issuance of additional and refunding sewer revenue bonds (such Resolution as initially adopted on July 29, 1985, amended and restated on July 21, 1986, further amended on January 9, 1989, further amended and restated on June 26, 1989, further amended and restated on May 18, 2009 effective July 1, 2009, and as supplemented, herein called the "General Bond Resolution"); and

WHEREAS, the County has determined, based on the advice of its Financial Advisor and subject to favorable market conditions, that it is advantageous to the County to refund on their earliest redemption dates all of its outstanding Sewer Revenue Refunding Bonds, Series 2004 (the "2004 Bonds") stated to mature on or after July 15, 2015, that are subject to optional redemption by the County; and

WHEREAS, 2004 Bonds in the aggregate principal amount of $69,745,000 stated to mature on and after July 15, 2015 (the "Refunding Candidates"), are subject to redemption at the option of the County on their July 15, 2014 redemption date at the redemption price of 100% thereof; and

WHEREAS, the County has determined to provide for the issuance of a series of refunding bonds pursuant to Section 210 of the General Bond Resolution for the purpose of providing funds, with any other available funds, for refunding all or any of the Refunding Candidates (the Refunding Candidates actually refunded, the "Refunded Bonds"), including the payment of the redemption price thereon and interest that will accrue on the Refunded Bonds to their respective redemption dates and the expenses in connection with such refunding; and

WHEREAS, the Board has determined to delegate, pursuant to the terms of this Series Resolution, to each of the Chairman and Vice Chairman of the Board and the County Executive and the Chief Financial Officer of the County (each a "Delegate") authority to determine whether a competitive sale or negotiated sale of the bonds to be issued pursuant to this Series Resolution is in the best interest of the County; and

WHEREAS, the Board has found and determined that the issuance and sale of the refunding bonds authorized hereby on the terms contemplated hereby are in the public interest and otherwise beneficial to the County; and

WHEREAS, Section 210 of the General Bond Resolution contemplates that the County will fix in this Series Resolution the aggregate principal amount of the refunding bonds and the details thereof and describe the indebtedness to be refunded; and

WHEREAS, the staff of the County has prepared a draft of the Preliminary Official Statement to be furnished for use in connection with a sale of the bonds authorized hereby upon the terms set forth therein and will prepare a final Official Statement to be furnished to the purchasers or underwriters of the bonds for their use in connection with a bona fide public offering of the bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AS FOLLOWS:

Section 1. Authorization of Bonds. Pursuant to Section 210 of the General Bond Resolution, Bonds of Fairfax County, Virginia, are hereby authorized to be issued as Current Interest Bonds, in one or more series, in the aggregate principal amount of not to exceed

$75,000,000 to provide funds, with any other available funds, for refunding the Refunded Bonds, including the payment of the redemption price thereon and interest that will accrue on such Refunded Bonds to their earliest respective redemption dates and the expenses in connection with such refunding. The refunding bonds authorized hereby shall be designated "Sewer Revenue Refunding Bonds, Series 2014" (the "Refunding Bonds"). The definitive Refunding Bonds shall be issuable as fully registered bonds without coupons, in the denominations of $5,000 and any whole multiple thereof, shall be dated, and shall be numbered from R-1 upwards. The Refunding Bonds will be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York, and immobilized in its custody.

All of the Refunding Bonds shall mature on July 15 of such year and in such principal amounts, and shall bear interest, payable on January 15 and July 15 of each year unless such different dates are determined pursuant to Sections 2(c) and (f) hereof.

Section 2. Delegation. The Board of Supervisors hereby delegates to each of the Delegates, the powers and duties to determine the following, such delegation to be effective only if the Board of Supervisors shall not then be in session (the Board not to be deemed in session if less than a quorum is present and voting):

(a) The aggregate principal amount (the "Principal Amount") of the Refunding Bonds, such amount not to exceed the lesser of (X) $75,000,000 and (Y) the amount required to fund a sufficient escrow to defease the Refunded Bonds in accordance with the General Bond Resolution and pay the costs of issuance of the Refunding Bonds and defeasing the Refunded Bonds.

(b) Subject to the provisions of Section 5 hereof, whether the Refunding Bonds shall be sold in a competitive sale process or in a negotiated sale to one or more underwriters;

(c) The respective annual maturity dates and any mandatory redemption dates of the Bonds, and the respective principal amounts of the Refunding Bonds to mature or be redeemed on such dates, provided that the first maturity date shall occur no later than December 31, 2015, and the final maturity date shall not be later than December 31, 2028;

(d) The dated date of the Bonds; provided, however, the bonds shall be dated their date of issue or as of a customary date preceding their date of issue;

(e) The Bonds shall be dated as of a customary date preceding their date of issue and shall bear interest from such dated date payable semi-annually thereafter, provided that the first interest payment date shall be not more than ten (10) months after the dated date of the Bonds;

(f) The semi-annual interest payment dates, or such other interest payment dates deemed applicable, for the bonds and the record date for the Refunding Bonds;

(g) The status of the Refunding Bonds as Serial Bonds or Term Bonds or a combination thereof, whichever is most likely to be best received by bidders for the Bonds;

(h) The amount to release from the Debt Service Subfund and Reserve Subfund, if any, as an additional source of funds to defease the Refunded Bonds; provided that the amount

on deposit on deposit in the Reserve Subfund after such release shall not be less than the Reserve Subfund Requirement;

(i) The optional redemption provisions of the Refunding Bonds, provided that the Refunding Bonds shall be made subject to redemption at the option of the County on a date or dates and at the price of par plus accrued interest plus a redemption premium ("Redemption Premium") not in excess of three percent (3%), the first such date on which such a redemption may occur (the "First Redemption Date") to be no later than the eleventh (11th) anniversary of the dated date of the Bonds.

(j) The particular Escrow Securities (as defined in the Escrow Deposit Agreement hereinafter mentioned) and the form thereof and the terms of any related agreement with respect thereto that in his judgment will improve the efficiency of the Escrow Securities in defeasing the Refunded Bonds; and

(k) The particular Refunding Candidates to be refunded if less than all of the Refunding Candidates are selected to be refunded.

Section 3. Designations. Pursuant to the General Bond Resolution, the County hereby appoints U.S. Bank National Association, Richmond, Virginia, as (i) Paying Agent and Bond Registrar for the Bonds, (ii) as Depositary for the Bonds and (iii) Escrow Agent under the Escrow Deposit Agreement.

Section 4. Redemption Provisions. (a) When the Refunding Bonds become subject to redemption as determined in accordance with Section 2(i), they may be redeemed prior to their respective maturities, at the option of the County, from any moneys that may be made available for such purpose other than moneys set aside in respect of the Sinking Fund Requirement, either in whole or in part on any date, at the applicable redemption prices expressed as a percentage of the principal amount of Refunding Bonds to be redeemed, together with the interest accrued thereon to the date fixed for redemption.

Any notice of optional redemption of the Refunding Bonds may state that it is conditioned upon there being available an amount of money sufficient to pay the redemption price plus interest accrued and unpaid to the redemption date, and any conditional notice so given may be rescinded at any time before the payment of the redemption price if any such condition so specified is not satisfied. If a redemption does not occur after a conditional notice is given due to an insufficient amount of funds on deposit by the County, the corresponding notice of redemption shall be deemed to be revoked.

If the County gives an unconditional notice of redemption, then on the redemption date the Refunding Bonds called for redemption will become due and payable. If the County gives a conditional notice of redemption, and the amount of money to pay the redemption price of the affected Refunding Bonds shall have been set aside with the Trustee or a depositary (either, a "depositary") for the purpose of paying such Refunding Bonds, then on the redemption date the Refunding Bonds will become due and payable. In either case, if on the redemption date the County holds money to pay the Refunding Bonds called for redemption, thereafter no interest will accrue on those Refunding Bonds, and a bondholder's only right will be to receive payment of the redemption price upon surrender of those Refunding Bonds.

The County shall give notice as contemplated by Securities Exchange Act of 1934 Release No. 34-23856, dated December 3, 1986, including the requirement that notice be given to The Electronic Municipal Market Access ("EMMA") system administered by the Municipal Securities Rulemaking Board.

(b) In the event that the successful bidder shall designate any portion of the Bonds as a Term Bond or Bonds, then the following provisions shall apply to such Term Bond or Bonds:

Any Term Bond or Refunding Bonds shall be called for redemption, in part, on July 15, or date determined pursuant to the delegation in Section 2 hereof, in such years and in the principal amounts equal to the respective Sinking Fund Requirements for such Term Bonds, which Sinking Fund Requirement shall correspond to the maturities of the Serial Bonds subsumed in such Term Bond or Refunding Bonds (less the principal amount of any Term Bond retired by purchase and otherwise subject to adjustment as herein provided in this Section) from moneys in the Debt Service Subfund at a redemption price equal to par plus accrued interest thereon to the date fixed for redemption.

Amounts accumulated for each Sinking Fund Requirement may be applied by the County prior to the giving of notice of redemption of the Refunding Bonds on account of such Sinking Fund Requirement to the purchase for cancellation of Refunding Bonds at a cost not exceeding the principal amount thereof plus accrued interest, and upon any such purchase, an amount equal to the principal amount thereof shall be credited toward the applicable Sinking Fund Requirement. The accrued interest on any Refunding Bonds so purchased shall be paid from moneys in the appropriate special account in the Debt Service Subfund established in respect of the interest accrued on the Refunding Bonds.

If at the close of any Principal Payment Date the total principal amount of the Term Bonds of any maturity of each series retired by purchase or redemption or called for redemption under the provisions of this Series Resolution prior to such Principal Payment Date shall be in excess of the total amount of the Sinking Fund Requirements for the Term Bonds of such maturity and Series on such Principal Payment Date, then, the total amount of the Sinking Fund Requirements for the Term Bonds of such maturity and series for all subsequent Principal Payment Dates shall be reduced by the amount of such excess. The amount of the reduction in the Sinking Fund Requirement for each such subsequent Principal Payment Date shall be specified in a certificate of a County Representative filed with the Clerk to the Board of Supervisors.

It shall be the duty of the Department of Finance of the County, on or before the 1st day of December, to compute the Sinking Fund Requirements for all subsequent Principal Payment Dates for the Term Bonds of each Series then Outstanding. The Sinking Fund Requirements for the next succeeding Principal Payment Date shall continue to be applicable and no further adjustment shall be made therein by reason of Refunding Bonds purchased or redeemed prior to the next succeeding Principal Payment Date.

Any such redemption, either in whole or in part, shall be made in the manner and under the terms and conditions provided in the General Bond Resolution.

Section 5. Sale of the Refunding Bonds.

(a) Sale. The Refunding Bonds shall be offered for competitive bidding or negotiated sale to one or more underwriters on such dates as a Delegate determine in consultation with the County's Financial Advisor, such dates to be not later than December 31, 2014.

(b) Official Notice of Sale. If the Refunding Bonds are to be sold on a competitive basis the distribution of the Official Notice of Sale, substantially in the form presented at the meeting at which this Series Resolution is adopted, together with such changes as County staff deems necessary or appropriate (the "Official Notice of Sale"), is hereby authorized. County staff is also authorized to take any actions necessary or appropriate for selling the Bonds in a competitive sale pursuant to bids received electronically via the PARITY Competitive Bidding System or similar electronic based competitive bidding system. The award of the Bonds as contemplated by Section 5(c)(i) of this Series Resolution shall be conclusive evidence of the approval of all such changes and actions.

(c) (i) Competitive Sale Delegation. Each Delegate, is hereby authorized to accept the lowest bid (determined in accordance with the Official Notice of Sale) for the Refunding Bonds, being offered for sale by the Board of Supervisors at competitive bidding on one or more dates not later than December 31, 2014, subject to the following conditions: (A) a Delegate shall have determined that the bid conforms in all material respects to the requirements of the Notice of Sale, (B) a Delegate shall have determined that the bid to be accepted is the lowest bid conforming to the terms of the Notice of Sale, (C) the Financial Advisor to the County shall have recommended that the lowest conforming bid be accepted, (D) the true interest cost of such bid shall not exceed 5.0% and (E) the present value of the debt service savings, as calculated by the Financial Advisor, to be obtained from the issuance of the Refunding Bonds and the refunding of the Refunded Bonds is not less than 3.0% of the principal amount of the Refunded Bonds.

(ii) Negotiated Sale Delegation. Each Delegate, is hereby authorized to sell the Refunding Bonds in a negotiated sale to one or more underwriters on one or more dates not later than December 31, 2014, subject to the following conditions: (A) the Financial Advisor to Fairfax County shall have recommended that due to financial market conditions such a negotiated sale best serves the interest of the County, (B) the true interest cost of the Refunding Bonds sold shall not exceed 5.0%, (C) the underwriter(s) of the Refunding Bonds shall have been chosen pursuant to County guidelines and regulations and (D) the present value of the debt service savings, as calculated by the Financial Advisor, to be obtained from the issuance of the Refunding Bonds and the refunding of the Refunded Bonds is not less than 3.0% of the principal amount of the Refunded Bonds.

In the event of a negotiated sale the Chairman or Vice Chairman of the Board of Supervisors, the County Executive and the Chief Financial Officer, or such other officer or officers of the County as may be designated by any one of them, is hereby authorized and directed to execute a bond purchase agreement setting forth the terms of the sale of the Refunding Bonds. Such bond purchase agreement shall only be executed (i) if such agreement does not contain any terms contradictory to the terms of this Series Resolution and (ii) Bond Counsel to Fairfax County and the Financial Advisor to the County shall recommend to the County the execution of such agreement.

Section 6. Official Statement. A Preliminary Official Statement of the County relating to the Bonds shall be prepared, and the preparation and circulation thereof, the completion thereof with the results of the sale and the printing and delivery to the winning bidder or

underwriter of a reasonable number of copies thereof as so completed (the "final Official Statement") are hereby approved and authorized, and the Chairman or Vice Chairman of the Board of Supervisors is hereby authorized and directed to execute and deliver the final Official Statement, both the Preliminary Official Statement and the final Official Statement to be in substantially the form of the draft Preliminary Official Statement presented at this meeting, with the changes contemplated hereby and such other changes as the Chairman or Vice Chairman may approve, his or her signature on the final Official Statement to be conclusive evidence of his or her approval thereof.

Section 7. Continuing Disclosure Agreement. The execution and delivery of a continuing disclosure agreement (the "Continuing Disclosure Agreement") is hereby authorized, said Continuing Disclosure Agreement to be substantially in the form presented at the meeting at which this Series Resolution is adopted, with such changes, insertions and omissions as may be approved by the Chairman or Vice Chairman of the Board of Supervisors, the County Executive or the Chief Financial Officer of the County, the execution of the Continuing Disclosure Agreement to be conclusive evidence of any such approval of any such changes, insertions and omissions therein.

Section 8. Manner of Execution of Bonds. The Refunding Bonds shall be executed with the facsimile signatures of the Chairman of the Board of Supervisors and the Clerk of the Board, and a facsimile of the official seal of the Board shall be imprinted on the Refunding Bonds. The Refunding Bonds shall be authenticated by the Bond Registrar for the Refunding Bonds, and shall be delivered to or for the account of the purchaser of the Refunding Bonds upon receipt of the purchase price of the Refunding Bonds.

Section 9. Escrow Deposit Agreement. The execution and delivery of an escrow deposit agreement (the "Escrow Deposit Agreement" between the County and U.S. Bank National Association, Richmond, Virginia which will act as escrow agent for the Refunding Bonds), is hereby authorized, said Escrow Deposit Agreement to be substantially in the form presented to this meeting, with such changes, insertions and omissions as may be approved by a Delegate, the execution of the Escrow Deposit Agreement by the Delegate to be conclusive evidence of any such approval of any changes, insertions and omissions therein.

Section 10. Application of Proceeds of Bonds. The proceeds of the Refunding Bonds shall be deposited in accordance with the provisions of Section 210 of the General Bond Resolution as follows:

(1) The proceeds of the Refunding Bonds shall be deposited in accordance with the provisions of Section 210 of the General Bond Resolution as follows:

(2) the accrued interest on the Refunding Bonds shall be paid to the Depositary thereof for deposit to the Debt Service Subfund;

(3) an amount that taking into account the amount described in the following paragraph, together with the interest that shall accrue and the principal that shall mature on the Escrow Securities, if any, shall be sufficient to pay the principal of and redemption premium, if any, and the interest on the Refunded Bonds to their redemption date shall be paid to the Escrow Agent, for deposit to the credit of the Escrow Fund, to be held in trust by such Escrow Agent for the sole and exclusive purpose of paying such principal, redemption premium and interest;

(4) to the credit of a separate account within the Revenue Subfund, the estimated amount of the cost of issuing such Refunding Bonds; and

(5) any balance of such proceeds shall be paid to the Depositary for deposit to the credit of the Debt Service Subfund.

In the event that after a valuation by the Depositary or the County, as appropriate, of the amounts to the credit of the Reserve Subfund or any other Subfund or account created pursuant to the General Bond Resolution, the Depositary determines that the balance of the credit of such Subfund or account exceeds the amount required to be on deposit therein on account of all Bonds and Parity Indebtedness outstanding after the issuance of the Refunding Bonds, such excess shall be paid to the Escrow Agent for deposit to the credit of the escrow for the Refunded Bonds or for any other purpose allowed by the General Bond Resolution.

Moneys deposited in each of the Subfunds shall be held in trust and disbursed in accordance with the General Bond Resolution.

Section 11. Tax Covenant. The County covenants that it will comply with the provisions of the Internal Revenue Code of 1986, as amended, to the extent necessary so that interest on the Refunding Bonds will remain excludable from gross income from existing Federal income tax to the same extent as it is excludable on the date of the issuance of the Refunding Bonds.

Section 12. Definitions. All terms not otherwise defined herein shall have the meanings ascribed thereto by the General Bond Resolution.

Section 13. Authority of Officers. The officers and agents of Fairfax County are hereby authorized and directed to do all the acts and things required of them by the bonds and by this resolution for the full, punctual and complete performance of all of the terms, covenants, provisions and agreements contained in the bonds and in this Series Resolution.

Section 14. Effectiveness. This Series Resolution shall take effect immediately upon its adoption. This Series Resolution shall also serve as a supplemental resolution to the General Resolution pursuant to Section 1101 of the General Resolution.

A Copy - Teste:

_____

Catherine A. Chianese
Clerk to the Board of Supervisors.

Attachment 2

***DRAFT* Critical Path Events**
Fairfax County, Virginia
Sewer Revenue Refunding Bonds, Series 2014

January 2014						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2014						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2014						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2014						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Week of	Activity & Event	Responsible Party
January 13th	First draft of Bond Documents distributed	SA
January 20th	Monday, January 20th – Dr. Martin Luther King Jr, Holiday (County Offices Closed) Comments due on Bond Documents First draft of Rating Agency Presentation distributed	FX All PFM
January 27th	Second draft of Bond Documents distributed	SA
February 3rd	Wednesday, February 5th – Board Title due *Thursday, February 6th- GO Series 2014 closing* Comments due on Bond Documents Friday, February 7th – Board Item due Friday, February 7th – Ratings Preparation and Credit Assessment Meeting	FX -- All FX PFM, FX
February 10th	Comments Due on Rating Agency presentation	FX
February 17th	Monday, February 17th – President's Day (County Offices closed) Second draft of Rating Agency Presentation distributed	-- PFM
February 24th	Tuesday, February 25th – County Executive Presents FY2015 Advertised Budget Finalize Rating Agency Presentation Draft Bond Documents sent to Rating Agencies	FX PFM PFM
March 3rd	Tuesday, March 4th – Board considers Bond Documents Tuesday, March 4th & Friday, March 7th – Rating Agency conference calls	FX FX, PFM
March 17th	Monday, March 17th – Deadline to send conditional call notices Thursday, March 20th – Ratings Received Friday, March 21st – POS and NOS distributed	Trustee, SA - SA
March 31st	Tuesday, April 1st – Competitive Bond Sale	FX, PFM
April 7th	Finalize and Mail OS and Closing Documents	All
April 14th	Wednesday, April 16th – Closing and escrow funding	All

Legend:

FX = Fairfax County
PFM = Public Financial Management, Financial Advisor
SA = Sidley Austin, Bond Counsel

CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (the "Disclosure Agreement") is executed and delivered by Fairfax County, Virginia (the "County") in connection with the issuance by the County of $_____ aggregate principal amount of its Sewer Revenue Refunding Bonds, Series 2014 (the "Bonds" or "2014 Bonds") pursuant to the provisions of the General Bond Resolution adopted by the Board of Supervisors of Fairfax County (the "Board of Supervisors") on July 29, 1985, amended and restated on July 21, 1986, further amended on January 9, 1989, further amended and restated on June 26, 1989, and further amended and restated on May 18, 2009, effective July 1, 2009 (the "General Bond Resolution"). The General Bond Resolution was supplemented by the Series Resolution adopted by the Board of Supervisors on July 21, 1986 as amended and restated on August 4, 1986, supplemented on June 26, 1989, further supplemented by the Series Resolution adopted by the Board of Supervisors on April 12, 1993, further supplemented by the Series Resolution adopted by the Board of Supervisors on June 17, 1996, further supplemented by the Series Resolution adopted by the Board of Supervisors on September 13, 2004 further amended and supplemented by the Series Resolution adopted by the Board of Supervisors on May 18, 2009, further supplemented by the Series Resolution adopted by the Board of Supervisors on June 18, 2012, further supplemented by the Series Resolution adopted by the Board of Supervisors on March 4, 2013 providing for the issuance of the 2014 Bonds (the "2014 Series Resolution"). The 2014 Bonds are being issued to provide funds for (i) refunding certain of the outstanding Sewer Revenue Refunding Bonds, Series 2004 and (ii) paying the costs of issuing the 2014 Bonds. The County hereby covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Agreement. This Disclosure Agreement is being executed and delivered by the County for the benefit of the holders of the 2012 Bonds and in order to assist the Participating Underwriters (defined below) in complying with the Rule (defined below). The County acknowledges that it is undertaking primary responsibility for any reports, notices or disclosures that may be required under this Agreement.

SECTION 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Agreement unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the County pursuant to, and as described in, Sections 3 and 4 of this Disclosure Agreement.

"Dissemination Agent" shall mean the County, acting in its capacity as Dissemination Agent hereunder, or any successor Dissemination Agent designated in writing by the County and which has filed with the County a written acceptance of such designation.

"Filing Date" shall have the meaning given to such term in Section 3(a) hereof.

"Fiscal Year" shall mean the twelve-month period at the end of which financial position and results of operations are determined. Currently, the County's Fiscal Year begins July 1 and continues through June 30 of the next calendar year.

"Holder" or "holder" shall mean, for purposes of this Disclosure Agreement, any person who is a record owner or beneficial owner of a 2014 Bond.

"Listed Events" shall mean any of the events listed in subsection (b)(5)(i)(C) of the Rule, which are as follows:

principal and interest payment delinquencies;

non-payment related defaults; if material;

unscheduled draws on debt service reserves reflecting financial difficulties;

unscheduled draws on credit enhancements reflecting financial difficulties;

substitution of credit or liquidity providers, or their failure to perform;

adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 570-TEB) or other material notices or determinations with respect to or events affecting the tax-exempt status of the Bonds;

modifications to rights of holders, if material;

bond calls, if material, and tender offers;

defeasances;

release, substitution, or sale of property securing repayment of the Bonds, if material;

rating changes;

bankruptcy, insolvency, receivership or similar event of the County; which event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the County in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets of business of the County, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court of governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the County;

the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating any such actions, other than pursuant to its terms, if material; and

appointment of a successor or additional paying agent or the change of name of a paying agent, if material.

"Participating Underwriter" shall mean any of the original underwriters of the County's 2014 Bonds required to comply with the Rule in connection with the offering of such Bonds.

"Repository" shall mean The Electronic Municipal Market Access ("EMMA") system administered by the Municipal Securities Rulemaking Board. EMMA is recognized as a National Repository for purposes of the Rule.

"Rule" shall mean Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

SECTION 3. Provision of Annual Reports.

A. The County shall, or shall cause the Dissemination Agent to, provide to each Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Agreement. Such Annual Report shall be filed on a date (the "Filing Date") that is not later than March 31 after the end of any Fiscal Year (commencing with its Fiscal Year ending June 30, 2014). Not later than ten (10) days prior to the Filing Date, the County shall provide the Annual Report to the Dissemination Agent (if applicable). In such case, the Annual Report (i) may be submitted as a single document or as separate documents comprising a package, (ii) may cross-reference other information as provided in Section 4 of this Disclosure Agreement and (iii) shall include the County's audited financial statements for the County's Integrated Sewer System (the "System") or, if audited financial statements are not available, such unaudited financial statements as may be required by the Rule. In any event, audited financial statements for the System must be submitted, if and when available, together with or separately from the Annual Report.

B. The annual financial statements for the System shall be prepared on the basis of generally accepted accounting principles and will be audited. Copies of the audited annual financial statements, which may be filed separately from the Annual Report, will be filed with the Repository when they become publicly available.

C. If the County fails to provide an Annual Report to the Repository by the date required in subsection (a) hereto or to file its audited annual financial statements for the System with the Repository when they become publicly available, the County shall send a notice to the Repository in substantially the form attached hereto as Exhibit B.

SECTION 4. Content of Annual Reports. Except as otherwise agreed, any Annual Report required to be filed hereunder shall contain or incorporate by reference, at a minimum, annual financial information relating to the System, including operating data, updating such information relating to the System as described in Exhibit A, all with a view toward assisting Participating Underwriters in complying with the Rule.

Any or all of such information may be incorporated by reference from other documents, including official statements of securities issues with respect to which the County is an "obligated person" (within the meaning of the Rule), which have been filed with the Repository or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the Repository. The County shall clearly identify each such other document so incorporated by reference.

SECTION 5. Reporting of Listed Events. The County will provide within 10 business days to the Repository notice of any of the Listed Events.

SECTION 6. Termination of Reporting Obligation. The County's obligations under this Disclosure Agreement shall terminate upon the earlier to occur of the legal defeasance or final retirement of all the 2012 Bonds.

SECTION 7. Dissemination Agent. The County may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Agreement and may

discharge any such Agent, with or without appointing a successor Dissemination Agent. If at any time there is not any other designated Dissemination Agent, the County shall be the Dissemination Agent.

SECTION 8. Amendment. Notwithstanding any other provision of this Disclosure Agreement, the County may amend this Disclosure Agreement, if such amendment is supported by an opinion of independent counsel with expertise in federal securities laws, to the effect that such amendment is permitted or required by the Rule.

SECTION 9. Additional Information. Nothing in this Disclosure Agreement shall be deemed to prevent the County from disseminating any other information, using the means of dissemination set forth in this Disclosure Agreement or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Agreement. If the County chooses to include any information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is specifically required by this Disclosure Agreement, the County shall have no obligation under this Agreement to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. Any person referred to in Section 11 (other than the County) may take such action as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to file its Annual Report or to give notice of a Listed Event. The holders of not less than a majority in aggregate principal amount of Bonds outstanding may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to challenge the adequacy of any information provided pursuant to this Disclosure Agreement, or to enforce any other obligation of the County hereunder. A default under this Disclosure Agreement shall not be deemed an event of default under the General Bond Resolution, the 2014 Series Resolution or the 2014 Bonds of the County, and the sole remedy under this Disclosure Agreement in the event of any failure of the County to comply herewith shall be an action to compel performance. Nothing in this provision shall be deemed to restrict the rights or remedies of any holder pursuant to the Securities Exchange Act of 1934, the rules and regulations promulgated thereunder, or other applicable laws.

SECTION 11. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the County, the Participating Underwriters, and holders from time to time of the County's Bonds, and shall create no rights in any other person or entity.

Date: _____, 2014

FAIRFAX COUNTY, VIRGINIA

By: _____
Susan W. Datta
Chief Financial Officer

Exhibit A

CONTENT OF ANNUAL REPORT

For the most recent complete fiscal year:

(a) Number of connections (or accounts).

(b) Rate schedule.

(c) Total amounts for:

(i) Service charge revenues,

(ii) Availability/connection fee revenues,

(iii) Interest income revenues,

(iv) Total System Gross Revenues,

(v) System Operating Expenses,

(vi) Expense payments,

(vii) Debt service payments on Bonds and Parity Indebtedness, and

(viii) Debt service payments on Subordinate Obligations.

(d) Identity of any customer of the System paying over 5% of the total service charge revenues charge revenues of the System and the specific percentage for such customer.

(e) System capacity (flows in mgd) and System wastewater flows.

In general, the foregoing will include information as of the end of the most recent fiscal year or as of the most recent practicable date. Where information for the fiscal year just ended is provided, it may be preliminary and unaudited. Where information has historically been provided for more than a single period, comparable information will in general be provided for the same number of periods where valid and available. Where, in the judgment of the County, an accompanying narrative is required to make data presented not misleading, such narrative will be provided.

Exhibit B

NOTICE OF FAILURE TO FILE ANNUAL REPORT
[AUDITED ANNUAL FINANCIAL STATEMENTS]

Re: FAIRFAX COUNTY, VIRGINIA
SEWER REVENUE REFUNDINGBONDS,
SERIES 2014

CUSIP NOS.:

Dated: _____,

NOTICE IS HEREBY GIVEN that Fairfax County, Virginia has not provided an Annual Report [Audited Annual Financial Statements] as required by Section 3 of the Continuing Disclosure Agreement, which was entered into in connection with the above-named bonds issued pursuant to that certain Series Resolution adopted on June 18, 2012 by the Board of Supervisors of the County, the proceeds of which were used to finance a portion of the construction costs for capital improvement programs allocable to the County at certain wastewater treatment facilities that are owned by, or that provide service to, the County; paying upgrade costs at such facilities to ensure compliance with environmental regulations; the purchase of additional capacity at certain wastewater treatment facilities for the benefit of the County; and the costs of certain additions, extensions and improvements to the County's sewage collection, treatment and disposal systems; (ii) making a deposit to a reserve subfund and (iii) paying the costs of issuing the 2012 Bonds. [The County anticipates that the Annual Report [Audited Annual Financial Statements] will be filed by _____.]

Dated: _____

FAIRFAX COUNTY, VIRGINIA

By _____

NOTICE OF SALE

$_____*

FAIRFAX COUNTY, VIRGINIA

Sewer Revenue Refunding Bonds, Series 2014

Electronic Bids, BiDCOMP/Parity Competitive Bidding System ("BiDCOMP/Parity") only, will be received by the Board of Supervisors of Fairfax County, Virginia, until [11:00 a.m.*, Fairfax, Virginia Time], on

April 1, 2014*

for the purchase of $_____* Sewer Revenue Refunding Bonds, Series 2014, of Fairfax County, Virginia (the "Series 2014 Bonds"), dated the date of their delivery and maturing, subject to the right of prior redemption as hereinafter set forth, on the 15th day of July in the following years and in the following amounts, respectively:

Initial Maturity Schedule*

Year of Maturity	Principal Amount*
[2015	$
2016	
2017	
2018	
2019	
2020	
2021	
2022	
2023	
2024	
2025	
2026	
2027	
2028]	

The County reserves the right to change the date for receipt of bids (the "Scheduled Bid Date") in accordance with the section of this Notice of Sale entitled "Change of Bid Date and Closing Date; Other Changes to Notice of Sale."

BID PARAMETERS TABLE

---

* Preliminary, subject to change.

INTEREST		PRICING	
Dated Date:	Date of Delivery	Max. Aggregate Bid Price:	____%
Anticipated Delivery Date:	_____, 2014	Min. Aggregate Bid Price:	___%
Interest Payments Dates:	[1/15 and 7/15]	High Coupon per Maturity	____%
First Interest:	7/15/2014	Minimum Coupon per Maturity	___%
Coupon Multiples:	1/8 or 1/20 of 1%		
Split Coupons:	Not Allowed		
		PROCEDURAL	
PRINCIPAL		Sale Date and Time:	Bids due _____, 2014 at 11:00 AM Fairfax Time
First Optional Redemption:	[July 15, 2024 at 100%]	Bid Submission:	Electronic bids through PARITY Only
Post-bid Principal Increases in Aggregate:	10%	All or None?	Yes
Post-bid Principal Reductions in Aggregate:	10%	Bid Award Method:	Lowest TIC
Term Bonds:	Any two or more consecutive maturities may be designated as term bonds	Good Faith Deposit:	1% of aggregate par amount, as more fully described below, under "Good Faith Deposit"

Changes to Initial Maturity Schedule

The Initial Maturity Schedule set forth above represents an estimate of the principal amount of Series 2014 Bonds to be sold. The County hereby reserves the right to change the Initial Maturity Schedule, based on market conditions prior to the sale, by announcing any such change not later than one hour prior to the scheduled sale time, on the date for receipt of bids via TM3 (www.tm3.com). The resulting schedule of maturities will become the "Bid Maturity Schedule." If no such change is announced, the Initial Maturity Schedule will become the Bid Maturity Schedule.

Changes to Bid Maturity Schedule

The County hereby further reserves the right to change the Bid Maturity Schedule after the determination of the winning bidder, by increasing or decreasing the aggregate principal amount of the Series 2014 Bonds, subject to the limitation of no more than a 10% increase or decrease in the aggregate principal amount of the Series 2014 Bonds.

THE SUCCESSFUL BIDDER MAY NOT WITHDRAW ITS BID OR CHANGE THE INTEREST RATES BID OR THE INITIAL REOFFERING TERMS (AS HEREAFTER DEFINED) AS A RESULT OF ANY CHANGES MADE TO THE PRINCIPAL AMOUNTS WITHIN THESE LIMITS. The dollar amount bid by the successful bidder will be adjusted to reflect any adjustments in the final aggregate principal amount of the Series 2014 Bonds. Such adjusted bid price will reflect changes in the dollar amount of the underwriter's discount and original issue discount/premium, if any, but will not change the selling compensation per $1,000 of par amount of Series 2014 Bonds from the selling compensation that would have been received based on the purchase price in the winning bid and the Initial Reoffering Terms. The interest rates specified by the successful bidder for the various maturities at the Initial Reoffering Terms will not change. The County anticipates that the final annual principal amounts and the final aggregate principal amount of the Series 2014 Bonds will be communicated to the successful bidder within twenty-four hours of the County's receipt of the initial public offering prices and yields of the Series 2014 Bonds (the "Initial Reoffering Terms").

Book-Entry System

The Series 2014 Bonds will be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. The book-entry system will evidence beneficial ownership interests of the Series 2014 Bonds in the principal amount of $5,000 and any multiple thereof, with transfers of beneficial ownership interests effected on the records of DTC participants and, if necessary, in turn by DTC pursuant to rules and procedures established by DTC and its participants. The successful bidder, as a condition to delivery of the Series 2014 Bonds, shall be required to deposit the bond certificates with DTC, registered in the name of Cede & Co., nominee of DTC. Interest on the Series 2014 Bonds will be payable on each January 15 and July 15, the first interest payment date being July 15, 2014, and principal of and any redemption premium on the Series 2014 Bonds will be payable at maturity or upon prior redemption, to DTC or its nominee as registered owner of the Series 2014 Bonds. Transfer of principal, interest and any redemption payments to participants of DTC will be the responsibility of DTC, and transfer of principal, interest and any redemption payments to beneficial owners of the Series 2014 Bonds by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The County will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Series 2014 Bonds or (b) the County determines that continuation of the book-entry system of evidence and transfer of ownership of the Series 2014 Bonds would adversely affect the interests of the beneficial owners of the Series 2014 Bonds, the County will discontinue the book-entry system with DTC. If the County fails to select another qualified securities depository to replace DTC, the County will deliver replacement Series 2014 Bonds in the form of fully registered certificates.

The Series 2014 Bonds

The Series 2014 Bonds are being issued under the General Bond Resolution adopted by the Board of Supervisors of Fairfax County (the "Board of Supervisors") on July 29, 1985, amended and restated on July 21, 1986, further amended on January 9, 1989, further amended and restated on June 26, 1989, and further amended and restated on May 18, 2009, effective July 1, 2009 (the "General Bond Resolution"). The General Bond Resolution has been supplemented by various Series Resolutions, including the Series Resolution adopted by the Board of Supervisors on ____, 2014 providing for the issuance of the Series 2014 Bonds (the "2014 Series Resolution"). The Series 2014 Bonds are being issued to provide funds, with other available funds, to refund all or a portion of the County's outstanding Sewer Revenue

Refunding Bonds, Series 2004 that mature on July 15, 201,5 through July 15, 2028***,** and that are subject to redemption prior to maturity at the option of the County.

Payment of the principal of and redemption premium, if any, and the interest on the Series 2014 Bonds is secured by a pledge of gross revenues (as defined in the General Bond Resolution) derived by the County from the ownership and the operation of the System, after provision for payment of the operating expenses (as defined in the General Bond Resolution) of the System. The Series 2014 Bonds do not constitute general obligations of Fairfax County, the Commonwealth of Virginia or any political subdivision thereof, and will not directly, or indirectly, obligate Fairfax County, the Commonwealth of Virginia or any political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment.

Term Bonds

The successful bidder may designate two or more of the consecutive serial maturities as any number of term bond maturities equal in aggregate principal amount, and with sinking fund requirements corresponding, to such designated serial maturities.

Optional Redemption

Except under the circumstances described in the following paragraph, the Series 2014 Bonds maturing on or before July 15, 2024, are not subject to optional redemption prior to their stated date of maturity. The Series 2014 Bonds maturing after July 15, 2024, are subject to optional redemption at the option of the County, in whole or in part, at any time on or after July 15, 2024, at a redemption price equal to 100% of the principal amount of the Series 2014 Bonds to be redeemed plus interest accrued thereon to the redemption date.

Electronic Bidding and Bidding Procedures

Registration to Bid

All prospective bidders must be contracted customers of i-Deal LLC's BiDCOMP/Parity Competitive Bidding System. If you do not have a contract with BiDCOMP/Parity, call (212) 404-8102 to become a customer. By submitting a bid for the Series 2014 Bonds, a prospective bidder represents and warrants to the County that such bidder's bid for the purchase of the Series 2014 Bonds (if a bid is submitted in connection with the sale) is submitted for and on behalf of such prospective bidder by an officer or agent who is duly authorized to bind the prospective bidder to a legal, valid and enforceable contract for the purchase of the Series 2014 Bonds. By contracting with BiDCOMP/Parity a prospective bidder is not obligated to submit a bid in connection with the sale.

IF ANY PROVISIONS OF THIS NOTICE OF SALE SHALL CONFLICT WITH INFORMATION PROVIDED BY BiDCOMP/Parity AS APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE OF SALE, AS IT MAY BE AMENDED BY THE COUNTY AS DESCRIBED WITHIN, SHALL CONTROL. Further information about BiDCOMP/Parity, including any fee charged, may be obtained from BiDCOMP/Parity at (212) 404-8102.

---

* Preliminary, subject to change.

Disclaimer

Each prospective bidder shall be solely responsible to register to bid via BiDCOMP/Parity. Each qualified prospective bidder shall be solely responsible to make necessary arrangements to access BiDCOMP/Parity for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the County nor BiDCOMP/Parity shall have any duty or obligation to undertake such registration to bid for any prospective bidder or to provide or assure such access to any qualified prospective bidder, and neither the County nor BiDCOMP/Parity shall be responsible for a bidder's failure to register to bid or for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, BiDCOMP/Parity. The County is using BiDCOMP/Parity as a communication mechanism, and not as the County's agent, to conduct the electronic bidding for the bonds. The County is not bound by any advice and determination of BiDCOMP/Parity to the effect that any particular bid complies with the terms of this Notice of Sale and in particular the "Bid Specifications" hereinafter set forth. All costs and expenses incurred by prospective bidders in connection with their registration and submission of bids via BiDCOMP/Parity are the sole responsibility of the bidders; and the County is not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in registering to bid or submitting, modifying or withdrawing a bid for the Series 2014 Bonds, it should telephone BiDCOMP/Parity and notify Public Financial Management, Inc., the County's financial advisor, by telephone at (703) 741-0175. After receipt of bids is closed, the County through BiDCOMP/Parity will indicate the apparent successful bidder. Such message is a courtesy only for viewers and does not constitute the award of the Series 2014 Bonds. Each bid will remain subject to review by the County to determine its true interest cost rate and compliance with the terms of this Notice of Sale.

Bidding Procedures

Bids must be submitted electronically for the purchase of the Series 2014 Bonds (all or none) by means of the Fairfax County, Virginia AON Bid Form (the "Bid Form") via Parity. Bids must be communicated electronically to Parity by 11:00 a.m., Fairfax, Virginia Time on the Scheduled Bid Date unless postponed as described herein (see "Change of Bid Date and Closing Date"). Prior to that time, a prospective bidder may input and save the proposed terms of its bid in BiDCOMP/Parity. Once the final bid has been saved in BiDCOMP/Parity, the bidder may select the final bid button in BiDCOMP/Parity to submit the bid to Parity. Once the bids are released electronically via Parity to the County, each bid will constitute an irrevocable offer to purchase the Series 2014 Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained on BiDCOMP shall constitute the official Fairfax, Virginia Time. For information purposes only, bidders are requested to state in their bids the true interest cost to the County, as described under "Award of Series 2014 Bonds" below, represented by the rate or rates of interest and the bid price specified in their respective bids.

No bids will be accepted in written form, by facsimile transmission or in any other medium or on any system other than by means of the Bid Form via BiDCOMP/Parity. No bid will be received after the time for receiving such bids specified above.

Good Faith Deposit

After receipt of bids is closed and prior to the award (no later than 4:00 p.m., Fairfax, Virginia time), the apparent successful bidder indicated on BidCOMP/Parity must submit a good faith deposit (Deposit) for 1% of the amount of the Bid Maturity Schedule to the County by wire transfer. The award to the apparent successful bidder is contingent upon receipt of the Deposit, and the Series 2014 Bonds will not be awarded to such bidder until the County has confirmation of receipt of the Deposit.

Wire instructions for the Deposit are as follows:

[Bank Name: Bank of America VA/Rich
ABA: 026 009 593
Account Name: County of Fairfax
Account Number: 0000 7902 5799
Attention: Tammy Kennedy-Nichols, 410-547-4320]

Award of Series 2014 Bonds

Award or rejection of bids will be made by the County prior to 4:00 p.m., Fairfax, Virginia Time on the date of receipt of bids. ALL BIDS SHALL REMAIN FIRM UNTIL 4:00 P.M., FAIRFAX, VIRGINIA TIME, ON THE DATE OF RECEIPT OF BIDS. An award of the Series 2014 Bonds, if made, will be made by the County within such [five-hour period of time (11:00 a.m. – 4:00 p.m.).]

The Series 2014 Bonds will be awarded to the bidder offering to purchase the Series 2014 Bonds at the lowest "True or Canadian" interest cost, such cost to be determined by doubling the semiannual interest rate (compounded semiannually) necessary to discount to the price bid the payments of the principal of and the interest on the Series 2014 Bonds from their payment dates to their date of delivery of the Series 2014 Bonds.

Change of Bid Date and Closing Date; Other Changes to Notice of Sale

The County reserves the right to postpone, from time to time, the date and time established for the receipt of bids and will undertake to announce any such change via TM3 (www.tm3.com).

Any postponement of the bid date will be announced via TM3 not later than one hour prior to the scheduled sale time on the announced date for receipt of the bids. An alternative bid date and time will be announced via TM3 at least 18 hours prior to such alternative bid date.

On such alternative bid date and time, the County will accept bids for the purchase of the Series 2014 Bonds, such bids to conform in all respects to the provisions of this Notice of Sale, except for the changes in the date and time for bidding and any other changes announced via TM3 at the time the bid date and time are announced.

The County may change the scheduled delivery date for the Series 2014 Bonds by notice given in the same manner as set forth for a change in the date for the receipt of bids.

The County reserves the right to otherwise change this Notice of Sale. The County anticipates that it would communicate any such changes via TM3 by 4:00 p.m., Fairfax, Virginia Time on the day prior to the scheduled date for receipt of bids but no later than one hour prior to the scheduled date for receipt of bids.

Conflict Waiver

Sidley Austin LLP is serving as Bond Counsel in connection with the issuance and sale of the Series 2014 Bonds. By placing a bid, each bidder represents that it understands that Sidley Austin LLP, in its capacity as Bond Counsel, represents the County, and the successful bidder agrees to waive any conflict of interest that Sidley Austin LLP's involvement in connection with the issuance and sale of the Series 2014 Bonds to such successful bidder presents.

Undertakings of the Successful Bidder

The successful bidder shall make a bona fide public offering of all of the Series 2014 Bonds to the general public (excluding bond houses, brokers, or similar persons acting in the capacity of underwriters or wholesalers who are not purchasing for their own account as ultimate purchasers without

a view to resell) and will, within 30 minutes after being notified of the award of the Series 2014 Bonds, advise the County in writing (via facsimile transmission) of the Initial Reoffering Terms. Prior to the delivery of the Series 2014 Bonds, the successful bidder will furnish a certificate acceptable to Bond Counsel as to the "issue price" of the Series 2014 Bonds. It will be the responsibility of the successful bidder to institute such syndicate reporting requirements, to make such investigation, or otherwise to ascertain the facts necessary to enable it to make such certification with reasonable certainty.

Delivery

The Series 2014 Bonds will be delivered on or about _____, 2014 in New York, New York, at DTC against payment of the purchase price therefor (less the amount of the Deposit) in Federal Reserve funds.

The approving opinion of Sidley Austin LLP, Washington, D.C., in substantially the form appearing in the Preliminary Official Statement, will be furnished without cost to the successful bidder. There will also be furnished the usual closing papers, including certifications as to the Official Statement and no-litigation.

CUSIP Numbers

CUSIP numbers are to be applied for by the successful bidder with respect to the Series 2014 Bonds. The County will assume no obligation for the assignment of such numbers or for the correctness of such numbers, and no error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery or make payment for the Series 2014 Bonds.

Official Statements

Copies of the Preliminary Official Statement may be obtained without cost via the Internet at www.i-dealprospectus.com. The Preliminary Official Statement at its date was "deemed final" by the County for purposes of SEC Rule 15c2-12 but is subject to revision, amendment and completion.

After the award of the Bonds, the County will prepare copies of the Official Statement (no more than 300) and will include therein such additional information concerning the reoffering of the Series 2014 Bonds as the successful bidder may reasonably request; provided, however, that the County will not include in the Official Statement an "NRO" ("not reoffered") designation with respect to any maturity of the Series 2014 Bonds. The successful bidder will be responsible to the County in all respects for the accuracy and completeness of information provided by such successful bidder with respect to such reoffering. The County expects the successful bidder to deliver copies of such Official Statement to all persons to whom such bidder initially sells the Bonds and to The Electronic Municipal Market Access System ("EMMA") administered by the Municipal Securities Rulemaking Board ("MSRB"). The successful bidder will be required to acknowledge receipt of such Official Statement, to certify that it has made delivery of the Official Statement to EMMA and to acknowledge that the County [expects the successful bidder to deliver copies of such Official Statement] to all persons to whom such bidder initially sells the Series 2014 Bonds and to certify that the Series 2014 Bonds will only be offered pursuant to such Official Statement and only in jurisdictions where the offer is legal. The successful bidder will be responsible to the County in all respects for the accuracy and completeness of information provided by such successful bidder with respect to such reoffering.

The Securities and Exchange Commission adopted Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (the "Rule"). In general, the Rule prohibits an underwriter from purchasing or selling municipal securities, such as the Series 2014 Bonds, unless it has determined that the issuer of such securities has committed to provide annually certain information, including audited financial information, and notice of various events described in the Rule, if material. The County will provide to

EMMA annual information respecting the County, including audited financial statements. In addition, the County will provide to EMMA notice of the occurrence of any events described in the Rule if material.

Official Statements will be provided within seven (7) business days after the date of the award of the Bonds in such quantities as may be necessary for the successful bidder's regulatory compliance.

Further information will be furnished upon application to Public Financial Management, Inc., at (703) 741-0175.

Reservation of Rights

The right to reject any or all bids and to waive any irregularity or informality in any bid is reserved.

BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

By: Catherine A. Chianese, Clerk

ESCROW DEPOSIT AGREEMENT

THIS ESCROW DEPOSIT AGREEMENT, dated as of _____ __, 2014, by and between **Fairfax County, Virginia** (the "County"), a political subdivision of the Commonwealth of Virginia, and **U.S. Bank National Association**, Richmond, Virginia, a national banking association organized and existing under the laws of the United States of America, and any successor thereto, as escrow agent (the "Escrow Agent"),

W I T N E S S E T H:

WHEREAS, the County has issued $_____ Sewer Revenue Refunding Bonds, Series 2004, dated and issued on _____, 2002, maturing June 1, 2003 to 2022, inclusive, and first subject to optional redemption on _____, 2010 (the "2004 Bonds") pursuant to the provisions of a General Bond Resolution and a Series Resolution duly adopted by the Board of Supervisors of the County on ____, 20__ and _____, 20_- respectively, (the "Bond Resolution"); and

WHEREAS, the County has determined to refund for debt service savings all the outstanding portions of each of the _____, 2015 through 20___ maturities, inclusive, of the 2004 Bonds (the "Refunded Bonds") and to give the Director of the Department of Finance of Fairfax County, Virginia as bond registrar and paying agent for the Refunded Bonds (the "Refunded Bonds Paying Agent") irrevocable instructions to call such Refunded Bonds for redemption on _____, 2014, at the applicable redemption price of 100% of the principal amount of each Refunded Bond plus accrued interest to the redemption date; and

WHEREAS, the County has deposited with the Escrow Agent $_____ (the "Deposit") derived from a portion of the proceeds of the $_____ Fairfax County, Virginia, Sewer Revenue Refunding Bonds, Series 2014 (the "Refunding Bonds"), and has made arrangements for and has directed the Escrow Agent to purchase from the Deposit the securities listed in Appendix A (the "Escrow Securities"), that, without consideration of any reinvestment of the maturing principal and interest on the Escrow Securities, will provide sufficient moneys, to enable the Escrow Agent to pay to the registered owners, on behalf of the County and the Refunded Bonds Paying Agent, the Refunded Bonds as follows (a) the principal of, the Refunded Bonds on _____, 2014, (the "Refunded Bonds Redemption Date") and (b) the interest to accrue on the Refunded Bonds at the Refunded Bonds Redemption Date all as set forth in Appendix B; and

WHEREAS, in order to insure that the procedures required for the redemption of the Refunded Bonds will be followed, the County and the Escrow Agent have agreed to enter into this Agreement;

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

1. **Receipt of Verification Report**. [Receipt of a true and correct copy of the verification report (Appendix E to this Agreement) of the _____, dated _____, 2014 (the "Verification Report")], is hereby acknowledged by the Escrow Agent.

2. **Creation of and Deposits to Escrow Fund**. There is hereby created and established with the Escrow Agent a special, segregated and irrevocable escrow fund, designated the "Fairfax County Public Improvement and Refunding Bonds 2011 A Escrow Fund" (the "Escrow Fund"), to be held in the custody of the Escrow Agent as a trust fund for the benefit of the holders of the Refunded Bonds, and separate and apart from other funds of the County and the Escrow Agent. The Escrow Agent hereby accepts the Escrow Fund and acknowledges the receipt of, and deposit to the credit of the Escrow Fund, the Deposit, a portion of which has been or is to be used to purchase the Escrow Securities listed in Appendix A.

3. **Investment of Escrow Fund**. The Escrow Agent represents and acknowledges that on the date hereof it will use [$_____ of the Deposit to purchase the Escrow Securities, described in Appendix A, in the principal amount of $_____ at the respective purchase prices indicated in Appendix A and credit such Escrow Securities to the Escrow Fund. The Escrow Agent further represents that it will hold $0.80 of the Deposit uninvested.

4. **Sufficiency Representation**. (a) In sole reliance upon the Verification Report, the County represents that the interest on and the maturing principal amounts of the Escrow Securities in accordance with their terms (without consideration of any reinvestment of such maturing principal and interest) are sufficient to assure that moneys will be available to the Escrow Agent in the amounts and on the dates required to pay (i) the principal of and premium on the Refunded Bonds on the Refunded Bonds Redemption Date (the "Redemption Date") and (ii) when due and payable, the interest to accrue on the Refunded Bonds, to the Redemption Date, all as described in Appendix B. If the Escrow Securities (hereinafter defined) shall be insufficient to make such payments as they become due and payable, the County shall, from available moneys, timely pay to the Escrow Agent for deposit to the Escrow Fund such additional amounts as may be required to meet fully the amount so due and payable. Notice of any insufficiency in the Escrow Fund shall be given by the Escrow Agent to the County as promptly as possible, but the Escrow Agent shall in no manner be responsible for the County's failure to make any payments to the Escrow Fund.

(b) The Escrow Agent shall not be liable for the accuracy of the calculations as to the sufficiency of the Escrow Securities and the Deposit to meet the payment requirements of the Refunded Bonds, nor shall the Escrow Agent be liable for any deficiencies in the amounts necessary to meet the payment requirements.

5. **Escrow Fund**. The Escrow Agent shall hold the cash and the book-entry credits of the Escrow Securities in the Escrow Fund at all times as a special and separate escrow fund for the benefit of the holders of the Refunded Bonds, wholly segregated from other funds and securities on deposit with it, shall never commingle the Escrow Securities with other funds or securities owned or held by it, and shall never at any time use, loan, or borrow the same in any way other than as provided in this Agreement. The Escrow Fund is hereby irrevocably pledged to the payment of the Refunded Bonds in the amount and on the date set forth in Appendix B.

Nothing herein contained shall be construed as requiring the Escrow Agent to keep the identical money, or any part thereof, in the Escrow Fund if it is impractical, but money of an equal amount, except to the extent represented by the Escrow Securities, must always be maintained on deposit in the Escrow Fund as an escrow fund held by the Escrow Agent; and a special account for the Escrow Fund evidencing such holdings shall at all times, until the termination of this Agreement in accordance with Paragraph 23 hereof, be maintained on the books of the Escrow Agent, together with the Escrow Securities so purchased and any cash on deposit therein.

6. **Investment Income**. (a) The Escrow Agent shall from time to time collect and receive the interest accruing and payable on the Escrow Securities and any Substituted Escrow Securities (as defined in Paragraph 7(b)) (collectively, the "Escrow Securities") and the maturing principal amounts of the Escrow Securities as the same become due, and credit the same to the Escrow Fund, so that the interest on and proceeds of the Escrow Securities, as the same become due, will be available to meet the payment requirements of the Refunded Bonds, as shown in Appendix B to this Agreement.

(b) The County, in its capacity as the Refunded Bonds Paying Agent, hereby irrevocably instructs the Escrow Agent to apply the principal and interest received from the Escrow Securities to the payment, for the account of the County, of the interest and premium on and principal of the Refunded Bonds. The Escrow Agent shall make such payments directly to The Depository Trust Company ("DTC") for Cede & Co., as registered owner of the Refunded Bonds and the partnership nominee of DTC, in the amounts and at the times specified within Appendix B. Specific wire instructions for these payments on the Refunded Bonds are provided below:

Wire Instructions for Redemption Payments:

J.P. Morgan Chase
4 New York Plaza- 15th Floor
ABA 021 000 021
New York NY 10004
For Credit of A/C Depository Trust Company
Redemption/Principal Account 066-027306
Redemption/Interest Account 066-026776

No further direction will be required by the Escrow Agent upon receipt of this wire transfer information.

7. **Reinvestment; Substitution**. (a) Except as otherwise provided in this Paragraph 7, neither the County nor the Escrow Agent shall otherwise invest or reinvest any money in the Escrow Fund.

(b) Upon the prior written request of the County and upon compliance with the conditions hereinafter stated, the Escrow Agent shall sell, transfer or otherwise dispose of, or request the redemption of Escrow Securities (or any previously acquired Substituted Escrow Securities) as shall be specified in such request by the County and shall substitute for such Escrow Securities (or Substituted Escrow Securities) direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America designated by the County in such written request (the "Substituted Escrow Securities"). The Escrow Agent shall purchase the Substituted Escrow Securities with the proceeds derived from the sale, transfer, disposition or redemption of the Escrow Securities (or previously acquired Substituted Escrow Securities) and moneys, if any, provided by the County. No substitution for the Escrow Securities (or previously acquired Substituted Escrow Securities) shall be made by the Escrow Agent unless:

(i) the Escrow Agent shall have received the opinion of Sidley Austin LLP, Washington, D.C., Bond Counsel, or other nationally recognized bond counsel, designated by the County, stating that such substitution will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Refunded Bonds or on the Refunding Bonds and that such substitution is permitted by this Agreement; and

(ii) the Escrow Agent shall have received a verification report from an independent certified public accountant or firm of independent public accountants/financial consultants selected by the County, stating that the principal of and interest on the Substituted Escrow Securities, together with any cash or Escrow Securities (or any previously acquired Substituted Escrow Securities) in the Escrow Fund for which substitution is not then being made, will be fully sufficient, without reinvestment, to meet the payment requirements with respect to the Refunded Bonds.

(c) Investments in mutual funds or unit investment trusts are prohibited.

8. **No Liability**. The Escrow Agent shall not be liable or responsible for any loss resulting from any investment or reinvestment made in the Escrow Securities.

9. **Inviolability of Escrow Fund**. In the event of the Escrow Agent's failure to account for any funds or securities received by it for the County's account under this Agreement, such funds and securities shall be and remain the property of the Escrow Fund, and the County and the holders of the Refunded Bonds shall be entitled to such preferred claims, and shall have such first liens, upon such funds and securities as are enjoyed by a trust beneficiary. If for any reason particular Escrow Securities or moneys cannot be identified, the Escrow Agent shall proceed as promptly as possible to make such identification. The moneys and securities received by the Escrow Agent under this Agreement shall not be considered banking deposits by the County, and the County shall have no right or title with respect thereto. The moneys and

securities so received by the Escrow Agent as Escrow Agent under this Agreement shall not be subject to checks or drafts drawn by the County.

10. **[Reserved.]**

11. **Notice of Establishment of Escrow Fund; Redemption**. (a) The County directs the Escrow Agent, and the Escrow Agent agrees, to cause the notice of the establishment of the Escrow Fund, and of the deposit of the Deposit and Escrow Securities to the Escrow Fund, to be sent by via electronic means only to The Electronic Municipal Market Access system administered by the Municipal Securities Rulemaking Board ("EMMA"), within two (2) days after the date of this Agreement, such notice to be in the form set forth in Appendix C.

(b) The County hereby specifically and irrevocably elects to redeem on the Refunded Bonds Redemption Date the Refunded Bonds at the applicable redemption price of 101% of the principal amount of each Refunded Bond plus accrued interest to the Refunded Bonds Redemption Date, as set forth in Appendix B.

(c) The County directs the Escrow Agent, and the Escrow Agent agrees, to cause the notice of redemption, to be sent by certified mail, postage prepaid to the registered owners of the Refunded Bonds no later than February 10, 2011, which is at least 30 but not more than 60 days prior to the Refunded Bonds Redemption Date. The County agrees to take all other steps necessary for the redemption thereof, as provided in and in accordance with the applicable provisions of the Bond Resolution. Notice of such redemption shall be in substantially the form set forth in Appendix D.

The Escrow Agent shall also take the following actions with respect to such notice of redemption:

(a) No later than on _____, 2014, notice of such redemption shall be given by (i) confirmed email transmission, (ii) telephonically confirmed facsimile transmission or (iii) through EMMA and the following securities depository at the address and transmission number given, or such other address or transmission number as may have been delivered in writing to the Escrow Agent for such purpose not later than the close of business on the day before such notice is given:

The Depository Trust Company
55 Water Street
New York, New York 10041
Telephone: (212) 855-1000
Facsimile transmission:
(212) 855-7232
(212) 855-7233
Email: redemptions@dtcc.com

12. **Duties of Escrow Agent**. The Escrow Agent shall have no responsibility to any person in connection herewith except the responsibilities specifically provided herein and shall

not be responsible for anything done or omitted to be done by it except for its own negligence or misconduct in the performance of any obligation imposed on it hereunder. The Escrow Agent, except as herein specifically provided for, is not a party to, nor is it bound by nor need it give consideration to the terms or provisions of any other agreement or undertaking between the County and other persons, and the Escrow Agent assents to and is to give consideration only to the terms and provisions of this Agreement. Unless it is specifically provided, the Escrow Agent has no duty to determine or to inquire into the happening or occurrence of any event or contingency or the performance or failure of performance of the County with respect to arrangements or contracts with others, with the Escrow Agent's sole duty hereunder being to safeguard the Escrow Fund and to dispose of and deliver the same in accordance with this Agreement. If, however, the Escrow Agent is called upon by the terms of this Agreement to determine the occurrence of any event or contingency, the Escrow Agent shall be obligated, in making such determination, to exercise reasonable care and diligence, and in the event of error in making such determination the Escrow Agent shall be liable for its own misconduct and its negligence. In determining the occurrence of any such event or contingency, the Escrow Agent may request from the County or any other person such reasonable additional evidence as the Escrow Agent in its discretion may deem necessary to determine any fact relating to the occurrence of such event or contingency and, in this connection, may inquire and consult with the County, among others, at any time. The Escrow Agent shall be entitled to rely upon such evidence that it in good faith believes to be genuine. The Escrow Agent may consult with legal counsel, and the opinion of such counsel shall be full and complete authority and protection to the Escrow Agent as to any action taken or omitted by it in good faith and in accordance with such opinion.

13. **Benefits of Agreement**. This Agreement is between the County and the Escrow Agent only, and, in connection herewith, the Escrow Agent is authorized by the County to rely upon the representations of the County in connection with this Agreement, and the Escrow Agent shall not be liable to any person in any manner for such reliance. The duties of the Escrow Agent hereunder shall only be to the County and the owners of the Refunded Bonds. Neither the County nor the Escrow Agent shall assign or transfer or attempt to assign or transfer its interest hereunder or any part thereof. Any such assignment or attempted assignment shall be in direct conflict with this Agreement and shall be void and without effect.

14. **Reliance on Instruments**. The Escrow Agent may act upon any written notice, request, waiver, consent, certificate, receipt, authorization, power of attorney, or other instrument or document that the Escrow Agent in good faith believes to be genuine and to be what it purports to be.

15. **Notices**. Any notice, authorization, request, or demand required or permitted to be given between the parties hereunder shall be in writing and shall be deemed to have been duly given when mailed by registered or certified mail, postage prepaid, addressed as follows:

to the County:

Board of Supervisors of the County of Fairfax, Virginia
12000 Government Center Parkway
Fairfax, VA 22035

Attention: County Executive

With a copy to:

Department of Finance
Fairfax County, Virginia
12000 Government Center Parkway
Fairfax, VA 22035

Attention: Director

to the Escrow Agent:

U.S. Bank National Association
U.S. Bank Corporate Trust Services
1021 East Cary Street, Suite 1850
Richmond, VA 23219

Attention:

16. **Business Days**. Whenever under the terms of this Agreement the performance date of any act to be done hereunder shall fall on a day that is not a legal banking day in Richmond, Virginia, and upon which the Escrow Agent is not open for business, the performance thereof on the next succeeding business day of the Escrow Agent shall be deemed to be in full compliance with this Agreement. Whenever time is referred to in this Agreement, it shall be the time recognized by the Escrow Agent in the ordinary conduct of its respective normal business transactions.

17. **Agreement Binding Upon Assigns**. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective personal representatives, successors, and assigns.

18. **Fee of Escrow Agent**. The compensation for the Escrow Agent under this Agreement has been agreed upon by the Escrow Agent and the County and is to be paid from funds other than the Deposit and Escrow Securities and the income thereon.

Any legal expenses, or any costs, charges or expenses associated with the mailing of any notice with respect to the Refunded Bonds under this Agreement of the Escrow Agent, shall be paid by the County solely from funds of the County, and in no event shall such costs, charges or expenses give rise to any claim against the Escrow Fund, the moneys of which are solely for the benefit of the holders of the Refunded Bonds.

19. **Resignation of Escrow Agent**. The Escrow Agent may resign and thereby become discharged from the duties hereby created, by notice in writing given to the County not less than sixty (60) days before such resignation shall take effect. The Escrow Agent shall continue to serve as Escrow Agent until a successor is appointed. Such resignation shall take effect immediately, however, upon the appointment of a new Escrow Agent hereunder, if such new Escrow Agent shall be appointed before the time limited by such notice and such new

Escrow Agent shall have accepted the trusts hereof. In the event of a resignation, the Escrow Agent shall be liable for all costs and expenses (but not including administrative fees) associated with the appointment of a new Escrow Agent and the transfer of the responsibilities outlined in this Agreement to the new Escrow Agent.

20. **Removal of Escrow Agent**. The Escrow Agent may be removed at any time by an instrument or concurrent instruments in writing, executed by the owners of not less than a majority in aggregate principal amount of the Refunded Bonds then unpaid, such instruments to be filed with the County. A photographic copy of any instrument filed with the County under the provisions of this paragraph shall be delivered by the County to the Escrow Agent.

The Escrow Agent may also be removed at any time for any breach of trust or for acting or proceeding in violation of, or for failing to act or proceed in accordance with, any provisions of this Agreement with respect to the duties and obligations of the Escrow Agent, by any court of competent jurisdiction upon the application of the County or the owners of not less than a majority in aggregate principal amount of the Refunded Bonds then unpaid.

21. **Appointment of Successor Escrow Agent**. If at any time hereafter the Escrow Agent shall resign, be removed, be dissolved or otherwise become incapable of acting, or shall be taken over by any governmental official, agency, department or board, the position of Escrow Agent shall thereupon become vacant. If the position of Escrow Agent shall become vacant for any of the foregoing reasons or for any other reason, the County shall appoint an Escrow Agent to fill such vacancy. The County shall notify the registered owners of any such appointment made by it by mail, postage prepaid within sixty (60) days of such appointment.

At any time after such appointment by the County, and prior to the termination of this Agreement in accordance with Paragraph 23, the owners of a majority in aggregate principal amount of the Refunded Bonds then outstanding, by an instrument or concurrent instruments in writing, executed and filed with the County, may appoint a successor Escrow Agent that shall supersede any Escrow Agent theretofore appointed by the County. Photographic copies of each such instrument shall be delivered promptly by the County to the predecessor Escrow Agent and to the Escrow Agent so appointed by the owners of the Refunded Bonds.

If no appointment of a successor Escrow Agent shall be made pursuant to the foregoing provisions of this section, the owner of any Refunded Bond or the retiring Escrow Agent may apply to any court of competent jurisdiction to appoint a successor Escrow Agent. Such court may thereupon, after such notice, if any, as such court may deem proper and prescribe, appoint a successor Escrow Agent.

If the Escrow Agent shall merge into another banking or other similar institution with trust powers, or if substantially all of the assets of the Escrow Agent shall otherwise be acquired by any such banking or other similar institution, the surviving or acquiring institution shall be substituted for the Escrow Agent as Escrow Agent and shall succeed to the rights and obligations of the Escrow Agent hereunder without the necessity of execution of any instrument or the taking of any other action by the Escrow Agent, such surviving or acquiring bank, or the County and without giving any notice, by publication or otherwise, to anyone other than the County.

22. **Amendment.** This Agreement shall be irrevocable and may not be amended, without the consent of all the owners of the Refunded Bonds then unpaid; provided, however, that this Agreement may be amended, without the consent of the owners of unpaid Refunded Bonds, for the following purposes:

(a) the insertion of unintentionally omitted material or the correction of mistakes or clarification of ambiguities;

(b) the pledging of additional security to the Refunded Bonds;

(c) the deposit of additional cash or securities to the Escrow Fund; or

(d) any other amendment that a rating agency then rating the Refunded Bonds has confirmed in writing will not result in a reduction in its respective ratings on the Refunded Bonds.

23. **Termination**. This Agreement shall terminate on the date upon which the Escrow Agent makes the final payment to DTC in an amount sufficient to pay the balance of the principal of and interest coming due on the Refunded Bonds. Upon the final payment of all of the Refunded Bonds and except as otherwise requested in writing by the County, the Escrow Agent shall sell or redeem any Escrow Securities remaining in the Escrow Fund and shall remit to the County the proceeds thereof, together with all other money, if any, then remaining in the Escrow Fund.

24. **Identifying Information**. To help the government fight the funding of terrorism and money laundering activities, federal law requires all financial institutions to obtain, verify and record information that identifies each person who opens an account. For a non-individual person such as a business entity, a charity, a Trust or other legal entity the Escrow Agent will ask for documentation to verify its formation and existence as a legal entity. The Escrow Agent may also ask to see financial statements, licenses, and identification and authorization documents from individuals claiming authority to represent the entity or other relevant documentation.

25. **Shareholder Communications Act.** The Shareholder Communications Act of 1985 and its regulations require that banks and trust companies make an effort to facilitate communication between issuers of U.S. securities and the parties who have the authority to vote or direct the voting of those securities regarding proxy dissemination and other corporate communications. Unless objected to in writing, the Escrow Agent will provide the obligatory information to the registrant upon request. If objected to by any party hereto, such objection will apply to all securities held for the parties hereto in the accounts described herein now and in the future unless such objection is withdrawn in writing.

26. **Severability**. If any one or more of the covenants or agreements provided in this Agreement on the part of the County or the Escrow Agent to be performed are determined by a court of competent jurisdiction to be contrary to law, such covenant or agreement shall be deemed and construed to be severable from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Agreement.

27. **Counterparts**. This Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

28. **Governing Law**. This Agreement shall be governed by the domestic law of the Commonwealth of Virginia.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have each caused this Agreement to be executed by their duly authorized officers as of the date first above written.

Fairfax County, Virginia

By: _____
Name: Edward L. Long Jr.
Title: County Executive

U.S. Bank National Association

By: _____
Name:
Title:

APPENDIX A

[ESCROW SECURITIES: SLGS

Type	Maturity Date	Par	Coupon	Price	Cost

]

APPENDIX B

Fairfax County, Virginia
Sewer Revenue Refunding Bonds,
Series 2004

Pay to the registered owner of the Refunded Bonds, the amounts shown in the Total Debt Service column on the corresponding date.

Schedule of Debt Service

Period Ending	Principal	Interest	Total Debt Service
	$	$	$

APPENDIX C

NOTICE OF DEFEASANCE
AND ESTABLISHMENT OF ESCROW FUND

NOTICE TO OWNERS OF
Fairfax County, Virginia Public Improvement and Refunding Bonds Series 2004, Dated _____, 200

NOTICE IS HEREBY GIVEN to the owners of the Fairfax County, Virginia Public Improvement and Refunding Bonds described below (the "Refunded Bonds") that there has been deposited, in trust, with U.S. Bank National Association, Richmond, Virginia, as escrow agent (the "Escrow Agent"), United States Treasury obligations and cash in an amount that, together with interest thereon, will provide for the payment in full of the interest on the Refunded Bonds to their earliest redemption date, as set forth below, and the principal amount and applicable redemption premium on the Refunded Bonds on their redemption date.

SERIES 2004 BONDS
Redemption Date: _____, 2014

Maturity Date	Principal Amount	Interest Rate	Redemption Price	CUSIP Numbers[1]

This is not a notice of redemption. The Escrow Agent for the Refunded Bonds has been given irrevocable instructions to call the applicable Refunded Bonds, and has been directed to give notice of the redemption not more than sixty (60), and at least thirty (30), days before the respective redemption dates of the Refunded Bonds. The principal on all the Refunded Bonds will be payable at the office of the Director of Finance of Fairfax County, Virginia, as the Refunded Bonds Paying Agent.

Fairfax County, Virginia

Dated: _____, 2014

[1]The County shall not be responsible for the accuracy of the CUSIP numbers provided above. The CUSIP numbers are provided solely for the convenience of bondholders.

APPENDIX D

NOTICE OF REDEMPTION

Fairfax County, Virginia

SEWER REVENUE REFUNDING BONDS, SERIES 2004, Dated _____, 2004, and Maturing _____ of each of the years 20__ through 20___, inclusive

NOTICE IS HEREBY GIVEN to the owners of the following outstanding Fairfax County, Virginia Sewer Revenue Refunding Bonds, Series 2004 (the "Refunded Bonds") that such Bonds shall be redeemed on the date at the redemption price (expressed as a percentage of the principal amount of such Bonds) referred to below together with the interest accrued thereon to the redemption date:

REFUNDED BONDS

Redemption Date: March 12, 2011

Maturity Date	Principal Amount	Interest Rate	Redemption Price	CUSIP Numbers[1]

On their Redemption Date, the Refunded Bonds shall become due and payable at their Redemption Price (together with the interest accrued thereon to the Redemption Date), interest on the Refunded Bonds shall cease to accrue, and from and after the Redemption Date the owners shall have no rights in respect thereof except to receive payment of the Redemption Price plus accrued interest to the Redemption Date.

Payment of the Redemption Price will be made upon presentation and surrender of the Refunded Bonds, on or after _____, 2014, at the office of the Director, as provided below.

The Refunded Bonds should be presented for payment as follows:

[1]The County shall not be responsible for the accuracy of the CUSIP numbers provided above. The CUSIP numbers are provided solely for the convenience of bondholders.

If mailed:

Department of Finance
12000 Government Center Parkway
Suite 214
Fairfax, Virginia 22035
Attention: Director

If hand delivered:

Department of Finance
12000 Government Center Parkway
Suite 214
Fairfax, Virginia 22035
Attention: Director

If bonds are presented by mail, the manner of shipment of bonds is at the bondholder's discretion; however, transmittal by insured, registered mail is suggested.

Under current federal law, a paying agent making payments of principal and interest on municipal securities may be obligated to withhold tax from the remittances to registered owners who are not "exempt recipients" and who fail to furnish the paying agent with a valid Taxpayer Identification Number. Generally, individuals are not exempt recipients, whereas corporations and certain other entities generally are exempt recipients. Registered owners of the Refunded Bonds who wish to avoid the imposition of this tax should submit certified Taxpayer Identification Numbers when presenting their Refunded Bonds for collection.

Fairfax County, Virginia

Dated: _____, 2014

Appendix E

VERIFICATION REPORT

Board Agenda Item
March 4, 2014

INFORMATION – 1

2013 Virginia Pollutant Discharge Elimination System Permit Annual Report for Fairfax County, Virginia

Fairfax County Department of Public Works and Environmental Services prepared the enclosed annual report for submission to the Virginia Department of Environmental Quality (DEQ) in compliance with Virginia Pollutant Discharge Elimination System (VPDES) Permit VA0088587, Part I, Section C.4. The annual report documents activities performed by the County between January 1, 2013, and December 31, 2013, to satisfy requirements of its VPDES permit to operate a municipal separate storm sewer system (MS4). The report is a concise summary of activities related to each permit requirement presented in the order in which they appear in the MS4 permit. The current permit was issued January 24, 2002, and expired January 24, 2007. The County is currently operating under an administrative continuance of the existing permit in anticipation of permit renewal later this year.

Unless otherwise directed by the Board of Supervisors, the County Executive will forward the "2013 VPDES Permit Annual Report" to DEQ and to others as requested, and will publish it on the County's Web site.

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

ENCLOSED DOCUMENT:
Attachment 1: 2013 VPDES Permit Annual Report

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

THIS PAGE INTENTIONALLY LEFT BLANK

2013 VPDES Permit Annual Report

Prepared by

Fairfax County, Virginia
VPDES Permit No. 0088587

Submitted to

Virginia Department of Environmental Quality

March 4, 2014

A Fairfax County, Va., publication

To request this information in an alternate format,
call the Stormwater Planning Division at 703-324-5500, TTY 711.

Table of Contents

a) Watershed Management Program Implementation 1
a.1) Structural and Source Controls 2
a.2) Areas of New Development and Significant Redevelopment 2
a.3) Roadways 3
a.4) Retrofitting 3
a.5) Pesticides, Herbicide, and Fertilizer Application 4
a.6) Illicit Discharges and Improper Disposal 5
a.7) Spill Prevention and Response 6
a.8) Industrial & High Risk Runoff 7
a.9) Construction Site Runoff 8
a.10) Storm Sewer Infrastructure Management 9
a.11) Public Education 9
a.12) Monitoring Programs 10
b) Proposed Changes to the Stormwater Management Program 16
c) Assessments of controls and the fiscal analysis 16
d) Annual Expenditures for the Stormwater Management Program and Budget 16
e) Identification of water quality improvements or degradation 17

List of Attachments

Attachment 1: Fairfax County's Watershed Management Plans 18

Attachment 2: 2013 Public Education Program 19

List of Tables

Table 1: Results of statistical analysis to determine if there is a significant difference between observed constituent concentrations at Vienna and Occoquan Stations for 2005 through 2013 183

Table 2: Computed seasonal and annual unit-area constituent loadings at monitored locations for 2013 193

The following annual report is submitted to the Virginia Department of Environmental Quality (DEQ) in compliance with Fairfax County's Virginia Pollutant Discharge Elimination System (VPDES) permit. The permit was issued on January 24, 2002, and expired on January 24, 2007. The county is currently operating under an administrative continuance of the existing permit in anticipation of permit renewal. This report covers the previous calendar year from January 1, 2013, through December 31, 2013, and describes the activities performed to satisfy the county's permit requirements.

NOTE: Annual Report requirements as specified in Part I.C.4 of the permit are indicated below by **bold** section headings and the stormwater program requirements as specified in Part I sections B.1, C.1, C.2 and C.3 of the permit are in *italics* directly beneath the applicable section heading.

a) Watershed Management Program Implementation

The permittee shall develop and implement Watershed Management Plans to maintain water quality and manage environmental resources within the county's watersheds (B.1).

Starting with the Little Hunting Creek Watershed Management Plan in 2003, the county embarked on a watershed planning initiative that assessed the needs of and resulted in proposed improvements for the county's 30 watersheds over approximately the next 25 years. The watershed management planning process is one component of the county's MS4 Program and is part of the Fairfax County Board of Supervisors' Environmental Agenda. The overarching goals for the watershed plans are:

1. Improve and maintain watershed functions in Fairfax County, including water quality, habitat and hydrology.
2. Protect human health, safety and property by reducing stormwater impacts.
3. Involve stakeholders in the protection, maintenance and restoration of County watersheds.

A total of 13 plans, which cover all 30 watersheds, were developed during this watershed planning initiative. The plans were developed with the assistance of the community through public meetings and individual plan stakeholder groups. This public involvement process helped to ensure that the plans meet the needs in the watershed and have the support of county residents. The county completed and adopted six watershed plans between 2005 and 2008 as part of the first round of planning. By early February 2011, the seven remaining watershed management plans were completed and adopted by the Fairfax County Board of Supervisors. Attachment 1 lists the 13 county watershed management plans and their year of adoption by the Board of Supervisors.

Five of the retrofits projects completed in 2013 were specific recommendations identified in the watershed management plans. A full summary of retrofit projects can be found in section a.4.

It is anticipated that structural projects proposed in the plans will be primarily funded from the Stormwater Services fund and from the Pro Rata Share Drainage Construction fund. The number of projects selected for implementation annually will be determined as part of the annual budgetary process. Efforts to include implementation of non-structural projects and policy recommendations from the watershed plans are ongoing.

a.1) Structural and Source Controls

The Municipal Separate Storm Sewer System and any storm water structural controls shall be operated in a manner that reduces the discharge of pollutants to the maximum extent practicable (B.1.a).

a.1 (a) Report all inspections performed on SWM facilities and BMP Ponds.

In 2013 the county inspected 1,459 (87.5 percent) of the 1,668 county-maintained stormwater management (SWM) and best management practice (BMP) facilities at least once. In 2013 the county inspected 736 (approximately 20 percent) of the 3,716 privately-maintained facilities, with the goal of inspecting all privately-maintained facilities at least once during the permit cycle as required by the permit.

a.1 (b) Report all maintenance performed on SWM facilities and BMP Ponds.

In 2013 the county cleaned and/or mowed 1,364 dam embankments, including 52 regional ponds which were maintained four times each during the calendar year. Cleaning involves removing trash, sediment, and debris from the trash rack, control structure, and all inflow channels leading to the control structure. At each stormwater management facility, deposited sediment is removed from the trickle ditch upstream of the control structure and disposed of offsite. The cleaning helps keep the facility functioning properly by conveying water and performing the BMP function as it was designed. The county completed 2,760 maintenance work orders to correct deficiencies in publicly maintained SWM/BMP facilities. The overall number of work orders increased from 2012 to 2013 due to an increase in LID facility maintenance and additional preventative maintenance on county maintained ponds.

a.2) Areas of New Development and Significant Redevelopment

The permittee shall comply with and enforce all components of the County's Comprehensive Land Use Plan that are relevant to storm water discharges. The goals of such controls shall be to limit increases in the discharge of pollutants from storm water as a result of development and significant re-development (B.1.b).

The Comprehensive Plan, as amended through 2013, provides explicit support for better site design and low impact development (LID) measures, and opportunities to implement such measures are explored during the zoning process. A 2010 Area Plan amendment for the Tysons Corner Urban Center included recommendations for attainment of LEED stormwater design credits and retention of at least the first inch of rainfall on-site for zoning applications proposing significant increases in development density/intensity. Plan amendments for the Annandale and Baileys Crossroads Community Business Centers also included recommendations for attainment of the LEED stormwater design credits for some or all development and redevelopment proposals. A more recent Plan amendment for a transit station area near Dulles Airport was adopted in 2013 and included guidelines for optimization of stormwater management for development proposals exceeding a specific threshold of intensity. This Comprehensive Plan guidance helps staff to negotiate for measures such as reductions in proposed impervious cover and LID measures that will serve to reduce stormwater discharges.

The Department of Planning and Zoning (DPZ) provides a full range of environmental review, and does not track stormwater efforts independently from other environmental efforts. In coordination with other DPZ staff and staff from other county agencies, DPZ accepted and reviewed 68 rezonings

and related applications (e.g., amendments), 38 special exceptions and amendments, and 124 special permits and amendments in fiscal year 2013 for environmental considerations.

a.3) Roadways

Public streets, roads, and highways maintained by the permittee shall be operated and maintained in a manner to minimize discharge of pollutants, including those pollutants related to deicing or sanding activities (B.1.c).

The Virginia Department of Transportation (VDOT), which is covered by a separate Phase II MS4 permit, is responsible for maintenance and operation of public roads (interstate, primary, secondary, and residential) in Fairfax County. The county is only responsible for maintaining several miles of discontinuous road segments, many of which are unpaved. A significant component of Fairfax County's roadways program is sweeping parking lots associated with county facilities such as government centers, libraries, public schools (funded by Fairfax County Public Schools), fire stations, police stations, health centers, bus transit facilities, park and ride lots, commuter rail stations, public housing facilities, and staffed park locations.

In an effort to limit the discharge of pollutants from parking lots into the county's streams, the county provides sand and chemical treatment only when dictated by safety. The county sweeps material from each treated parking area once annually during the spring. As part of a continued effort to limit the discharge of pollutants from county facilities, the county developed and finalized Standard Operating Procedures (SOPs) for both Snow Removal Operations and Street Sweeping in 2013. These SOPs are intended to be used county-wide by Fairfax County agencies.

The county's parking lot sweeping program is currently carried out by three organizations: Department of Public Works and Environmental Services (DPWES), Department of Housing and Community Development (DHCD), and Fairfax County Park Authority (FCPA). DPWES sweeps parking lots at county government and public schools sites as well as paved county road segments, where feasible. DHCD sweeps parking lots on residential developments such as apartment complexes, townhouse developments, group homes, and senior facilities that are owned and operated by DHCD. FCPA maintains (plows and/or treats) essential use parking areas at staffed park locations and commuter parking lots on a case-by-case basis to remove snow and provide for safe driving and footing. In 2013 more than 1,167 cubic yards of material were removed from 140 county government facilities, 182 public schools sites, 41 residential sites, 26 essential use areas at parks, and 33 county-maintained road segments through sweeper trucks and hand sweeping.

a.4) Retrofitting

Receiving water quality impacts shall be assessed for all storm water management facilities. When the permittee determines water quality impact, they shall continue to evaluate and implement retrofitting existing storm water management facilities and areas without stormwater controls (B.1.d).

Fairfax County agencies completed 15 retrofit projects to enhance stormwater management functionality in 2013. While the majority of the projects involved dry extended detention pond retrofits, the county also employed urban filtration practices (such as installation of pervious pavement or bioretention). The results of the county's retrofit efforts are summarized as follows:

- Projects were completed in nine of the 30 county watersheds: Cameron Run (two), Cub Run (one), Difficult Run (two), Pimmit Run (one), Pohick Creek (four), Popes Head (two), Sandy Run (one), Scotts Run (one) and Sugarland Run (one).
- Five of the projects were retrofitting opportunities specifically mentioned in county watershed management plans.
- The impervious area treated by the retrofits totals approximately 250 acres while the total area treated was more than 830 acres.
- Combined, the 15 retrofits are estimated to remove nitrogen, phosphorus, and sediment at rates of approximately 1,300 pounds/year, 210 pounds/year, and 93,800 pounds/year, respectively.
- The approximate cost of these retrofits is more than $4.9 million.

Retrofit project documentation is maintained by the Maintenance and Stormwater Management Division (MSMD) and the Stormwater Planning Division (SWPD) of DPWES, FCPA and the Northern Virginia Soil and Water Conservation District (NVSWCD).

a.5) Pesticides, Herbicide, and Fertilizer Application

The permittee will implement controls to reduce the discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied to public right of ways, parks, and other municipal property. The permittee shall develop and implement a program within one year of the effective date of the permit to achieve the above goal (B.1.e).

County agencies involved in the administration of public rights-of-way, parks and other municipal properties currently have some form of nutrient and pest management plans and either implement the plans themselves or have contractors implement them. County personnel and private contractors follow the Virginia Department of Conservation and Recreation's nutrient management guidelines, the Virginia Department of Agriculture's guidelines, and the Virginia Pesticide Control Act.

Fairfax County Park Authority continued to maintain and monitor previous riparian buffer enhancement projects installed during the last five years. To date there are 37 projects on parkland throughout the county that have focused on the conversion of mowed grass to areas of native trees and shrubs typical of riparian areas.

The Park Authority currently has two Virginia state-certified nutrient management planners on staff, one for parks and a recently certified planner for golf courses. Two nutrient management plans were completed for golf courses in 2013 while five plans are currently under development. To date FCPA has nutrient management plans for approximately 515 acres of golf courses and 252 acres of natural turf athletic fields with an additional 31 acres managed under an integrated pest management plan. An additional 872 acres of FCPA managed turf do not receive any fertilization or pesticide application.

An additional 188 acres of parkland were operated under nutrient management plans prepared by a Virginia state-certified nutrient management planner from NVSWCD.

a.6) Illicit Discharges and Improper Disposal

Non-storm water discharges to the Municipal Separate Storm Sewer System will be effectively prohibited (B.1.f).

a.6 (a) Report all identified illicit dischargers. This shall include site inspections and a description of any follow-up activities associated with illicit dischargers (see section a.12 below for related dry weather screening program activities and findings);

Of the 108 representative MS4 outfalls selected for screening in 2013, illicit discharges were identified at five. Fairfax County's efforts regarding the permit requirements related to Illicit Discharges and Improper Disposal are also presented in section a.12 (a) of this report, which contains a discussion of the county's Dry Weather Screening Program.

The Fire and Rescue Department's (FRD) Fire and Hazardous Materials Investigative Services (FHMIS) section enforces County Code Chapters 62, 105 and 106 in conjunction with DPWES and DPZ. FHMIS also issues criminal citations during investigations of hazardous materials incidents. Chapter 62 establishes that the Fire Marshal and all permitted members of the Fire Marshal's staff have police powers to investigate and prosecute certain offenses including those related to storage, use, and transportation of hazardous materials and hazardous waste, and environmental crimes. Chapters 105 and 106 contain provisions that address illicit discharges to state waters and the county's storm drainage system. Procedural Memorandum No. 71-01, Illegal Dump Site Investigation, Response, and Cleanup, outlines the process of follow-up action for non-emergency incidents of illegal dumping; establishes action under County Code Chapter 46, Health or Safety Menaces; and provides referrals for action on complaints that are neither public health hazards nor regulated.

Programs that can help to prevent, detect, and eliminate illicit discharges of sanitary wastes into the MS4 are implemented and documented by the Wastewater Management (WWM) business area of DPWES. The Sanitary Sewer Infiltration Abatement Program conducts wastewater flow measurements and analysis to identify areas of the wastewater collection system with excessive inflow/infiltration problems, and uses closed circuit television (CCTV) to inspect trunk sewer mains in an effort to specifically identify defective sewer lines for repair and rehabilitation. In 2013, 1,227,280 linear feet of old sewer lines and 46,780 linear feet of new sewer lines were inspected, resulting in the identification of sanitary sewer lines and manholes needing repair and rehabilitation. In 2013, 147,307 linear feet of sanitary sewer lines were rehabilitated, bringing the total length of sewer lines repaired since the permit was issued in 2002 to 1,275,960 linear feet.

The Sanitary Sewer Extension and Improvement Program addresses pollution abatement and public health considerations by providing sanitary sewer service to areas identified by the Health Department as having non-repairable, malfunctioning septic systems. In 2013 four Extension and Improvement projects were completed consisting of approximately 8,200 linear feet of gravity sanitary sewer, approximately 1,320 feet of low-pressure sanitary sewer including 11 individual grinder pumps, and sanitary sewer connections for 97 existing homes and seven vacant properties.

The Health Department mailed 14,963 flow diversion valve reminder notices in 2013. The notices are sent to homeowners on the anniversary of the installation of their septic system to remind them to turn their flow diversion valve once a year. The notice also reminds homeowners to pump out their septic tank every three to five years.

In 2013, 1,471 non-compliance letters were mailed to owners of homes that have not pumped out their septic tank during the five-year period required in Chapter 68.1 of the Fairfax County Code and the Chesapeake Bay Preservation Area Designation and Management Regulations. If a homeowner fails to comply, a follow-up letter is mailed to them informing them that action will be taken under the regulations to insure their septic tank is pumped out as required.

There were 70 new alternative onsite sewage systems approved in 2013, bringing the total number of alternative systems in Fairfax County to 786. It is required that each of these systems is inspected annually by a licensed operator and a report is filed with the Health Department. Regulations for these systems went into effect December 7, 2011. The Health Department will notify all owners of alternative onsite sewage systems who are not in compliance with the operation and maintenance requirements of the regulations.

a.7) Spill Prevention and Response

A program to prevent, contain, and respond to spills that may discharge into the Municipal Separate Storm Sewer System shall be implemented. The spill response program may include a combination of spill response actions by the permittee (and/or another public or private entity), and legal requirements for private entities within the permittees' jurisdiction (B.1.g).

When requested by first responders, 911 dispatch protocols or the Fire Marshal's Office, FRD's Hazardous Materials Response Team (HMRT) responds to reported incidents of hazardous material releases, spills and discharges in the county (regardless of whether the material has potential to enter the county-operated MS4, another system such as VDOT's, or waters of the state). The department maintains and tracks firefighter training/certification under OSHA 29 CFR 1910.120 (q) and NFPA 472. HMRT personnel receive regular training in pollution prevention and are equipped to initiate spill control measures to reduce the possibility of hazardous materials reaching the MS4. Resources available to personnel include personal protective equipment, technical tools and equipment for spill control, and absorbent products such as pads and booms for spill containment. The Fire Marshal's Office maintains a contract with a major commercial hazardous materials response company to provide additional containment and clean-up support for large-scale incidents.

In 2013 FHMIS received 579 complaints. Approximately 264 of the complaints involved the actual release of various petroleum or chemical substances. Of the 264 releases, most involved the release of petroleum products including diesel fuel (37), home heating fuel oil (30), gasoline (18), motor oil (28), or hydraulic oil (21). Other releases investigated involved antifreeze, paint, sewage, waste water discharges, water treatment chemicals and mercury. Storm drains or water ways were involved in 31 of the releases. Documentation of individual releases and the county's responses is maintained by FHMIS.

In both emergency and non-emergency spills that reach the MS4, FHMIS enforces appropriate codes and ordinances to ensure that responsible parties take appropriate spill control and cleanup actions to protect and restore the environment.

Fire and Hazardous Materials Investigative Services section of FRD monitors, on a long-term basis, contaminated sites that have a potential for the contaminant coming in contact with surface waters or stormwater management facilities. As a part of the oversight program, FHMIS, as an agent of the Director of DPWES, accepts, reviews and processes requests to discharge treated groundwater from remedial activities at contaminated sites into county storm sewers. FHMIS then monitors the discharge for the duration of the agreement. In 2013 the Hazardous Materials Technical Support

Branch of FHMIS monitored 8 oversight cases. Most of these oversight files involve contaminated underground storage tank sites.

The Fire and Rescue Department continued to maintain membership in the Fairfax Joint Local Emergency Planning Committee (FJLEPC), which includes representatives of Fairfax County, the City of Fairfax, and the towns of Vienna and Herndon. FRD periodically updates its Hazardous Material Emergency Response Plan.

a.8) Industrial & High Risk Runoff

A program to identify and control pollutants in storm water discharges to the Municipal Separate Storm Sewer System (municipal landfills; other treatment, storage, or disposal facilities for municipal waste; hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313) and any other industrial or commercial discharge the permittee determine are contributing a substantial pollutant loading to the Municipal Separate Storm Sewer System shall be implemented under this program (B.1.h).

a.8 (a) Report on all inspections of any new or previously unidentified facilities.

The County has drafted a standard operating procedure (SOP) to identify and control pollutants in stormwater discharges to the MS4 from IHRR facilities and created two new positions for the purpose of conducting inspections of these facilities. In 2013 SWPD hired two Code Specialists and continued program development by conducting preliminary site visits as a test-run of the draft SOP. The preliminary site assessments provided valuable information for the continuing development of the IHRR program and results are being used to further refine the draft SOP.

New educational materials were also developed to assist businesses with identifying and controlling stormwater runoff and will be provided to facilities during inspections.

a.8 (b) Report an updated list of all industrial storm water sources and VPDES permitted facilities that discharge into the MS4.

In 2013 SWPD updated its list of facilities holding Virginia Pollutant Discharge Elimination System (VPDES) permits. There are currently 40 facilities that are covered under a VPDES general permit and seven facilities covered under a VPDES individual permit that drain to Fairfax County's MS4. A spreadsheet was developed to track discharge monitoring reports (DMRs) that are submitted by these facilities to the County and is discussed in more detail in section a.12 (c).

Additionally, as part of the process initiated to improve the IHRR inspection program, the County developed a database of all facilities that have the potential to discharge to the MS4. The database of potential dischargers is currently being used and refined to identify those industrial and high-risk facilities that have the potential to contribute a significant pollutant loading to the County's MS4.

a.9) Construction Site Runoff

A program to reduce the discharge of pollutants from construction sites (land disturbing activities equal to or greater than one acre) shall be implemented under this program (B.1.i).

a.9 (a) Report all Erosion and Sediment Control Plans the permittee has approved for sites disturbing greater than 1 acre of land for that year.

In 2013 a total of 856 erosion and sediment (E&S) control plans for projects that would disturb a land area of 2,500 square feet or more were submitted and approved. Written monthly reports listing these individual sites were submitted to DEQ.

Fairfax County's E&S control program is fully approved by DCR and is implemented by Land Development Services (LDS). In 2013, 23,619 E&S inspections were performed through the county's Alternative Inspection Program on all sites under construction. Those E&S inspections represent 54.5 percent of the 43,305 total site inspections that were performed by Site Development and Inspection Division (SDID) personnel. The site inspections total also includes 2,110 projects that were inspected for purposes other than strictly E&S control (e.g., pre-construction, streets, sanitary sewer, storm sewer, and project release).

In 2013 SDID wrote 514 "20/30" E&S control reports, which identify the E&S control deficiencies developers must correct within five days. Failure to comply within the specified time frame can result in issuance of a violation to the developer. In 2013 SDID issued 68 violations and 58 of those were later cleared. SDID is working to resolve the remaining 10 violations either through implementation of required corrections or initiation of court action. SDID held 202 escrows for either landscaping or stabilization issues.

The Land Disturbance and Post Occupancy Branch of LDS investigates complaints alleging violations of Fairfax County's Erosion and Sediment Control Ordinance (Chapter 104). The branch also investigates complaints alleging violations of the county's Chesapeake Bay Preservation Ordinance (Chapter 118). In 2013 the branch received 250 total complaints. In most instances, there was either no violation or there was timely compliance if a violation was cited. The branch issued 23 Resource Protection Area (RPA) violations and 44 land disturbance violations. The branch undertook four criminal proceedings to ensure compliance. Currently ten RPA violations and 27 land disturbance violations are being resolved while the remaining 26 violations (both RPA and land disturbance) have been addressed.

The county sponsors an annual Land Conservation and Tree Preservation Awards program to recognize developers, designers, site superintendents, and contractors whose projects demonstrate an exemplary effort in E&S control and a commitment to tree preservation and planting in Fairfax County. The 2013 program gave awards to seven of twelve project sites nominated in the following categories: Large Commercial, Small Commercial, Large Single Family Residential, Small Single Family Residential, Special Project, and Linear Project. In addition, two sites were recognized as the Best Protected Environmentally Sensitive Site of the year and six sites received awards for Tree Planting and Preservation. An Outstanding Developer, Engineering Firm, Contractor, and Superintendent were also recognized. County employees were also recognized with awards for Outstanding E&S County Inspectors and Outstanding E&S County Reviewers. These awards are valued by recipients in the construction industry and provide incentives to do excellent work in protecting our natural resources.

Residents may report complaints about erosion and sedimentation to the county by phone or through e-mail. Residents can visit the following website to find contacts for specific land development issues:

http://www.fairfaxcounty.gov/dpwes/publications/urbanfor.htm

a.10) Storm Sewer Infrastructure Management

A program to maintain and update the accuracy and inventory of the storm sewer system shall be implemented. The permittee shall submit to the Department of Environmental Quality, Northern Virginia Office a plan and schedule by which the entire storm sewer Infrastructure will be mapped. The plans and schedule shall be submitted within 180 days of the effective date of this permit (B.1.j).

A Storm Sewer Infrastructure Management Plan and Schedule was submitted to DEQ on July 24, 2002, in accordance with the requirements of the permit. Fairfax County staff field verified the location of the storm drainage conveyance system on 436 tax map grids covering 399 square miles. The effort identified storm sewer pipes, outfalls and associated appurtenant structures, and resulted in the development of a GIS-based data layer which was completed in 2005. The requirements in the plan have been fulfilled and the infrastructure inventory is now continuously updated in accordance with the permit.

During 2013 the GIS inventory was updated with new as-built plans and field verification of system components within identified easements. Over 115 as-built construction plans were digitized while continuing efforts to review the inventory's completeness and spatial accuracy resulted in updates to 197 tax map grids. Routine maintenance of the GIS-based stormwater easement database continued through 2013.

The county continued implementation of its infrastructure inspection and rehabilitation program. Over 13,000 pipe segments and over 12,000 storm structures were inspected with ground surface inspections and video or photo documentation during 2013. Under the rehabilitation program, more than 950,400 linear feet of pipe were videoed. The videos document the existing structural and service conditions of the interior of the storm drainage system. All of the inspection efforts represent more than 2.3 million linear feet, or one-third of the storm drainage network being photographed or screened for obvious deficiencies. The inventory continues to be assessed for ongoing repair of identified deficiencies. As a result of the inspection efforts, 19,387 linear feet of storm pipe were rehabilitated or repaired through replacement or by lining entire pipe segments using cured-in-place pipe lining methods.

a.11) Public Education

A public education program shall be implemented (B.1.k).

Fairfax County's public education program is an essential component of stormwater management. The program raises awareness about stormwater challenges throughout the county and offers opportunities for residents to become involved in efforts to restore and protect Fairfax County's local waterways, the Occoquan Reservoir, the Potomac River and the Chesapeake Bay. A number of county organizations contribute to the public education program including SWPD, Solid Waste Management (SWM), FCPA and NVSWCD as well as the regional Clean Water Partners (CWP). County staff used a variety of methods to provide public education including in-person presentations, print publications, television, radio and online resources.

In 2013 the county's public education program reached several thousand adults and children including public school students, homeowners, businesses and members of the general public. The program addressed topics such as watersheds; recognition and reporting of illicit discharges into the MS4; proper management and disposal of wastes, pesticides, herbicides and fertilizers; and stream cleanups and other stewardship opportunities. A detailed listing of public education efforts is included in Attachment 2.

a.12) Monitoring Programs

a.12 (a) Report on the Dry Weather Screening Program; (1) Number of outfalls inspected and test results; (2) Follow-up activities to investigate problematic areas and illicit dischargers.

The permittee shall continue ongoing efforts to detect the presence of illicit connections and improper discharges to the Municipal Separate Storm Sewer System. Representative outfalls of the entire Municipal Separate Storm Sewer System must be screened at least once during the permit term. Screening methodology may be modified based on experience gained during actual field screening activities and need not conform to the protocol at 40 CFR 122.26(d)(1)(iv)(D). Sample collection and analysis need not conform to the requirements of 40 CFR Part 136 (B.1.I.1).

In 2013 the county selected 108 MS4 outfalls for dry weather screening in accordance with the general protocol outlined in "Fairfax County Dry Weather Screening Program: Site Selection and Screening Plan" (September 2012). Physical parameters were recorded at each outfall. Water was found to be flowing at 58 of the outfalls, and was tested for a range of pollutants (conductivity, surfactants, fluoride, pH, phenol, copper, and temperature) using field test kits. Of the outfalls tested, 10 required follow-up investigations because they exceeded the allowable limit for at least one pollutant. Upon retesting these sites, five continued to exceed the screening criteria, and further testing was conducted in an attempt to track down the source. This track down procedure consisted of using the county's GIS mapping system. A map of the county's storm drainage system was printed from GIS and used to track the storm network upstream of each site. Staff recorded observations of flowing water and surrounding land use, and tested the water where flow was found. This procedure was followed up the network of storm sewer pipes until the source was found or flowing water was no longer found.

Three of the track downs are being investigated with Fairfax Water as potential water line leaks. One of the leaks has been located while the other two are still being investigated. A fourth track down identified an illicit connection of the sanitary line serving a set of townhomes to the storm sewer network. The connection was eliminated with the help of Fairfax County's Department of Code Compliance. The fifth and final track down was initiated due to high chlorine readings and the source was identified as water line cleaning associated with construction activities at a VPDES permitted construction site. Section I.A.1.b) of the county's permit authorizes discharges regulated by a separate VPDES permit and the activity was complete upon arrival to the site therefore no action was taken.

a.12 (b) Report on the Wet Weather Screening Program; (1) Number of outfalls inspected and test results; (2) Follow-up activities to investigate problematic areas and illicit dischargers.

The permittee shall investigate, and address known areas within their jurisdiction that are contributing excessive levels of pollutants to the Municipal Separate Storm Sewer System. The Permittee shall specify the sampling and nonsampling techniques to be used for initial screening and follow-up purposes. Sample collection and analysis need not conform to the requirements of 40 CFR Part 136 (B.1.l.2).

Wet Weather Screening was conducted during 2013 using the "Wet Weather Site Selection and Screening Plan" (2006). Two sites were monitored over two storm events. Samples were analyzed for total suspended solids (TSS), turbidity, ortho-phosphorous, total phosphorous, total Kjeldahl nitrogen, nitrate-nitrite, ammonia, chemical oxygen demand (COD), hardness, total petroleum hydrocarbons and for the metals copper, cadmium, lead, zinc, nickel and chromium. These two sites were part of a larger suite of 10 targeted sites that were monitored during 12 storm events over an 18-month period between 2011 and 2013. These sites were primarily identified in industrial and commercial areas and were ranked according to their county land use code and potential to contribute pollutants to the MS4.

The water quality analysis indicates that the runoff from the 2013 sites is not a significant source of pollutants to the MS4. Levels of two pollutants, copper and zinc, were elevated in the majority of storms at most of the 10 sites throughout the study period. Elevated copper and zinc concentrations are common in urban and suburban runoff (Davis, Shokouhian and Ni, 2001). [1]

a.12 (c) Report on the Industrial and High Risk Runoff Monitoring Program

The permittee may include monitoring for pollutants in storm water discharges to the Municipal Separate Storm Sewer System which include: municipal landfills; other treatment, storage, or disposal facilities for municipal waste; hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313. Monitoring may also be required on other industrial or commercial discharges the permittee determines are contributing a substantial pollutant loading to the Municipal Separate Storm Sewer System. Permittee may require the industrial facility to conduct self-monitoring to satisfy this requirement (B.1.l.3).

As mentioned in section a.8, Fairfax County has continued improvement of the IHRR inspection program and refinement of a draft SOP to identify and control pollutants in stormwater discharges to the MS4 from IHRR facilities.

As part of the effort to screen for possible discharges of significant pollutants, the Code Specialists review DMRs submitted to the County by facilities holding VDPES permits. SWPD worked with DEQ to establish procedures for coordination regarding facilities that fail to submit DMRs to the County and facilities that discharge significant pollutant loadings to the County's MS4. In 2013 the county did not receive DMRs from 11 permitted facilities and subsequently notified DEQ.

[1] Davis, Allen P., Shokouhian M., and Ni, S. 2001. Loading estimates of lead, copper, cadmium, and zinc in urban runoff from specific sources. *Chemosphere*, *Volume 44, Issue 5*, *August 2001*, *Pages 997-1009*

a.12 (d) Report on the Watershed Monitoring Program; (1) Monitoring plan; (2) Summarize the implementation including, Storm Event Data, Station test results, Seasonal Loadings and Yearly Loadings.

The permittee shall develop a long-term monitoring plan and trend analysis to verify the effectiveness and adequacy of control measures in the County's Storm Water Management Plan and to identify water quality improvement or degradation. The permittee shall submit an approvable monitoring program to the Department of Environmental Quality no later than one year from the effective date of this permit. The program shall be implemented within two years of the effective date of the permit. Monitoring shall be conducted on representative stations to characterize the quality of storm water in at least two watersheds during the term of this permit (C.1).

In 2013 storm event sampling continued at the two monitoring sites, Henderson Road in Occoquan (OQN) and Kingsley Avenue in Vienna (VNA) in accordance with Fairfax County's Watershed Water Quality Monitoring Program (2003). Samples were tested for concentrations of nine constituents identified in Attachment A of the permit. Table 1 contains the median, high and low concentrations of each of the nine constituents during the eight-year period from 2005 to 2013.

In addition, statistical analyses using the Mann-Whitney 2-sample test were performed to determine if there were significant differences between constituent concentrations at the two stations. In 2013, as in 2012, 2011 and 2010, the analysis found significant statistical differences for concentrations of all of the nine constituents measured at the two sites. In addition, seasonal and annual unit-area constituent loadings for 2013 were calculated and are presented in Table 2.

Table 1: Results of statistical analysis to determine if there is a significant difference between observed constituent concentrations at Vienna and Occoquan Stations for 2005 through 2013

Constituent	Vienna			Occoquan			Differences Statistically Significant?
	Median	High	Low	Median	High	Low	
NH_3-N	0.18	0.73	0.00	0.00	0.27	0.00	YES
COD	55	292	22	23	122	0	YES
E. Coli	1214	200000	0	583	59100	20	YES
Fecal Strep	6700	129000	100	925	51000	18	YES
NO_3+NO_2-N	0.73	1.64	0.16	0.42	0.73	0.10	YES
TDS	122	836	51	100	160	71	YES
TKN	1.73	11.30	0.48	0.60	2.41	0.00	YES
TP	0.30	1.61	0.06	0.06	0.80	0.00	YES
TSS	53	1207	4.9	18	485	1.40	YES

All constituent units are expressed in milligrams per liter, other than *E. coli* and Fecal Strep which are in colonies per 100 milliliters. Statistical significance was based on a Mann-Whitney 2-sample test at a 0.1 significance level.

Table 2: Computed seasonal and annual unit-area constituent loadings at monitored locations for 2013

Constituent	Winter		Spring		Summer		Fall		Annual	
	Vienna	Occoquan	Vienna	Occoquan	Vienna	Occoquan	Vienna	Occoquan	Vienna	Occoquan
NH_3-N	0.150	0.002	0.155	0.032	0.106	0.007	0.109	0.009	0.519	0.050
COD	42	5	47	20	31	4	96	12	215	41
E. Coli	0.51	0.11	25.06	13.75	92.25	13.33	28.59	7.82	146.41	35.05
Fecal Strep	2.97	0.61	34.77	11.94	69.21	23.76	82.06	7.65	189.01	43.96
NO_3+NO_2-N	0.41	0.09	0.54	0.16	0.39	0.10	0.48	0.14	1.83	0.49
TDS	119	25	95	36	45	25	109	40	368	126
TKN	0.99	0.09	2.18	0.46	0.89	0.18	1.07	0.23	5.13	0.96
TP	0.15	0.01	0.18	0.12	0.17	0.02	0.46	0.06	0.96	0.20
TSS	55	3	67	70	62	12	146	29	330	114

All loadings are expressed in pounds per acre, except for *E. coli* and Fecal Strep which are in billions of colonies per acre. To compute total loads in pounds or billions of colonies, unit-area loading was multiplied by the drainage area of the monitoring station in acres.

a.12 (e) Report on the Bioassessment Monitoring Program; (1) Monitoring plan; (2) Summarize test results.

The permitee can use and is encouraged to use a rapid bioassessment monitoring program to demonstrate the effectiveness of the stormwater management plan. The program will be implemented within one year of the effective date of the permit and an approvable program must be submitted within six months of the effective date of the permit (C.2).

A probability-based site selection sampling methodology was used to identify randomly-selected stream bioassessment locations throughout Fairfax County. These sites were stratified and proportionally distributed throughout the county based on Strahler stream order applied to all

perennially flowing streams in Fairfax County. This methodology eliminates any site selection bias and is commonly used as a cost-effective way of obtaining a statistically defensible determination of stream conditions at a countywide scale.

A total of 52 sites were sampled for benthic macroinvertebrates in 2013: 40 sites randomly selected within Fairfax County as part of the annual probabilistic monitoring program; 11 Piedmont reference locations in Prince William National Forest Park; and one Coastal Plain reference site in the Kane Creek watershed of Fairfax County. Of the 40 randomly selected sites, a total of 16 sites were also sampled for fish. Multi-metric Indices of Biological Integrity (IBIs) have previously been developed for both the aquatic benthic macroinvertebrate and fish communities within Fairfax county. IBI results from the 40 randomly selected macroinvertebrate sites suggest that approximately 32.5 percent of the county's waterways are classified as being in "excellent" or "good" condition while 67.5 percent are classified as "fair," "poor" or "very poor" based on a decrease in biological integrity of the streams. Of the 16 sites sampled for fish, 50 percent were classified as having fish communities that are in "fair," "poor" or "very poor" condition. The biological monitoring program is part of the framework to evaluate future changes and trends in watershed conditions at the county scale.

a.12. (f) Report on the Floatables Monitoring Program

The permittee shall conduct surveys of floatables. The intent of the survey is to document the effectiveness of the litter control programs for the Municipal Separate Storm Sewer System. Surveys shall be done in accordance with the following procedures: c) The above may be accomplished through the "Adopt a Stream" program referenced in Part I.B.1.k.2 (C.3.c).

In 2013 SWPD began to develop a logical model to organize and analyze data collected using the Trash Assessment for Improved Environments (TAFIE) stream condition assessment protocols and data forms. When completed, this will enable TAFIE data collected by the county as well as by volunteer groups to be integrated and compared with stream cleanup data collected using similar methodologies (particularly the Alice Ferguson Foundation's Visible Trash Survey and the International Coastal Cleanup), as well as allow cleanup data to be merged with other permit-related information (for example, stream cleanup results and stream biomonitoring data).

TAFIE forms and guidance were provided to elementary schools and to individuals seeking volunteer services for the Virginia Master Naturalist certification program.

The county continued to work with and support the following organizations that coordinate large and small-scale volunteer cleanups:

- Clean Fairfax Council
- The Alice Ferguson Foundation (Potomac River Watershed Cleanup)
- Clean Virginia Waterways (International Coastal Cleanup)

Clean Fairfax Council documented the following metrics regarding litter and clean-up activities that they organized in 2013:

- "Report a Litterer" reports (via anonymous fill-in form at Clean Fairfax website or the "Report a Litterer" hotline – 125
- Total number of clean up events either planned or supported – 85
- Total number of volunteers at clean up events – 1,223
- Total number of volunteer hours – 6,620

- Pounds of garbage collected – 66,829

The county continued to provide support and staff for various stream and river cleanup events. In the spring of 2013 approximately 86 sites were established throughout the county for the Alice Ferguson Foundation's annual Potomac River Watershed Cleanup. Cleanups were conducted at numerous state, county and local parks, schools, the county wastewater treatment plant and other locations. These cleanups were advertised in publications such as SWM's SCRAPBook and FCPA's Parktakes Magazine, as well as on the internet. Staff from SWPD, SWM, WWM, FCPA and NVSWCD participated in these cleanups. More than 2,211 volunteers removed approximately 89,508 pounds of loose litter and bulk trash from county streams.

According to Clean Virginia Waterways, a total of 959 volunteers participated in the International Coastal Cleanup in Fairfax County during September and October 2013. Nearly 13,000 pounds of trash and marine debris were removed from beaches and shorelines. Plastic bags, beverage bottles, food wrappers and containers, and litter from recreational activities and fast food consumption (i.e. cups, plates, etc.) were the most commonly collected trash items in the county.

Fairfax County Park Authority organized and/or assisted with a number of stream cleanups in 2013:

- Sugarland Run Stream Valley Park: Residents organized a stream clean up in April 2013 and removed 25 bags of trash.
- Lake Accotink Park: Staff organized two Watershed Clean-up Days on April 6 and October 19, 2013 that attracted as many as 220 volunteers and removed nearly 2,000 pounds of trash from the Accotink Creek watershed. Separately, Friends of Accotink Creek organized multiple clean-ups at twelve points along Accotink Creek. Throughout the year, the park supported numerous volunteer groups and individuals who collected trash.
- County-wide clean up days were also held on April 6 and October 19, 2013. Participating FCPA sites included: Frying Pan Farm Park, Hidden Oaks Nature Center, Roundtree Park (Holmes Run), Hidden Pond Nature Center (Pohick Creek), Huntley Meadows Park (Little Hunting Creek), Riverbend Visitor Center (Potomac River), Sully Historic Site (Cain's Branch), Walney Visitor Center in Ellanor C. Lawrence Park (Flatlick Branch, Big Rocky Run, Cub Run and Frog Branch).

The county continued to promote the "Adopt a Stream" program. SWPD distributed copies of its Floatables Monitoring Program Brochure to various public offices and during educational activities and outreach events throughout the county. The brochure was also made available on the county Stream Litter website:

http://www.fairfaxcounty.gov/dpwes/stormwater/streamlitter.htm

Stream cleanup event organizers were encouraged to record their cleanup information on the Floatables Data Reporting Form (available in the brochure or on the county website) and return the completed form to the county. Cleanup data submitted to the county are entered in the Floatables database.

b) Proposed Changes to the Stormwater Management Program

Storm Water Management Program Review and Update (B.4).

In 2009 Fairfax County and Fairfax County Public Schools proposed to DCR that the two jurisdictions be covered by the county's Phase I MS4 permit. The arrangement would be contingent upon the two jurisdictions submitting formal documentation to the state outlining the commitments of each jurisdiction and upon renewal of the county's Phase I MS4 permit. In 2009 the county and Public Schools drafted a memorandum of understanding (MOU) outlining the roles and responsibilities of each jurisdiction that pertain to specific requirements of the MS4 permit. In 2013, Fairfax County Public Schools was issued a renewed Phase II MS4 permit (VAR040104). Both parties are working to address requirements which may impact specific terms of the draft MOU and are continuing toward finalizing the document.

c) Assessments of controls and the fiscal analysis of the effectiveness of new controls established by the Stormwater Management Program

As the county approaches build-out conditions, it has become increasingly challenging to mitigate the impacts of impervious area and nonpoint source pollution on streams. Several efforts through the existing stormwater management program are helping to reduce or minimize water quality impacts. They include: the mandate of controls (BMPs) by the Chesapeake Bay Preservation Ordinance; development and implementation of Comprehensive Watershed Management Plans; development of a retrofitting program for existing developed areas; and ongoing changes to stormwater management codes, policies, ordinance, and guidelines.

d) Annual Expenditures for the Stormwater Management Program and Budget

The county has not tracked expenditures to meet permit requirements separately from its overall stormwater program administered by DPWES, nor have other agencies tracked the resources they have expended on programs that contribute towards meeting MS4 permit conditions. For calendar year 2013, the total expenditures in the Stormwater Management business unit from January 1, 2013, through December 31, 2013, were $29.8 million.

In FY 2006 the Board of Supervisors had dedicated the value of one penny of the real estate tax, or approximately $20 million annually to stormwater capital projects. As part of the FY 2010 Adopted Budget Plan, a new service district was created to support the stormwater management program, as authorized by Virginia Code Annotated Sections 15.2-2400. As part of the FY 2014 budget, the Board of Supervisors maintained a stormwater service district levy of $0.02 (two cents) per $100 of assessed real estate value that was previously adopted in FY 2013. The stormwater service district will generate approximately $41.2 million in FY 2014 that will be dedicated to funding the entire stormwater management program which includes both staff operating requirements and stormwater capital projects.

e) Identification of water quality improvements or degradation

Fairfax County continues to use the monitoring programs identified within this report to track the water quality of streams within the county. The county also stays abreast of DEQ's water quality assessment program to track and address Total Maximum Daily Loads (TMDLs). To date, the following TMDLs have been established in Fairfax County:

- Bacteria (Fecal Coliform and/or E. coli):
  - Accotink Creek
  - Four Mile Run
  - Bull Run
  - Pope's Head Creek
  - Difficult Run
  - Hunting Creek (includes Cameron Run and Holmes Run)
- Sediment (Benthic Impairment):
  - Bull Run
  - Pope's Head Creek
  - Difficult Run
- PCBs: Tidal Potomac (includes Accotink Creek, Belmont Bay, Dogue Creek, Four Mile Run, Gunston Cove, Hunting Creek, Little Hunting Creek, Occoquan River and Pohick Creek)

The county will continue to implement best management practices to control stormwater pollutants, meet regulatory requirements, and take a holistic approach to watershed restoration and preservation. Efforts include enhanced infrastructure maintenance and inspections, implementation of watershed management plans, a continued construction inspection program, and ongoing outreach efforts to increase public awareness. It is anticipated that these efforts will have a positive long-range impact on the future health of county watersheds, will help to satisfy stream water quality standards and support the goals of restoring both local waterways and the Chesapeake Bay.

Attachment 1: Fairfax County's Watershed Management Plans

The following is a list of Fairfax County's thirteen watershed management plans. The date of plan adoption is specified as well as the watershed or watersheds that were included in the watershed planning group.

1. Little Hunting Creek Watershed Management Plan (February 2005)
    - Included watershed: Little Hunting Creek
2. Popes Head Creek Watershed Management Plan (January 2006)
    - Included watershed: Popes Head Creek
3. Cub Run and Bull Run Watershed Management Plan (February 2007)
    - Included watersheds: Cub Run and Bull Run
4. Difficult Run Watershed Management Plan (February 2007)
    - Included watershed: Difficult Run
5. Cameron Run Watershed Management Plan (August 2007)
    - Included watershed: Cameron Run
6. Middle Potomac Watersheds Management Plan (May 2008)
    - Included watersheds: Bull Neck Run, Dead Run, Pimmit Run, Scotts Run, and Turkey Run
7. Pohick Creek Watershed Management Plan (December 2010)
    - Included watershed: Pohick Creek
8. Sugarland Run and Horsepen Creek Watershed Management Plan (December 2010)
    - Included watersheds: Sugarland Run and Horsepen Creek
9. Belle Haven, Dogue Creek and Four Mile Run Watershed Management Plan (January 2011)
    - Included watersheds: Belle Haven, Dogue Creek, and Four Mile Run
10. Lower Occoquan Watershed Management Plan (January 2011)
    - Included watersheds: High Point, Kane Creek, Mill Branch, Occoquan, Old Mill Branch, Ryans Dam, Sandy Run, and Wolf Run
11. Nichol Run and Pond Branch Watershed Plan (January 2011)
    - Included watersheds: Nichol Run and Pond Branch
12. Accotink Creek Watershed Management Plan (February 2011)
    - Included watershed: Accotink Creek
13. Little Rocky Run and Johnny Moore Creek Watershed Plan (February 2011)
    - Included watersheds: Little Rocky Run and Johnny Moore Creek

Print copies of final approved plans are available at the SWPD office, Fairfax County Public Libraries, and Board of Supervisors District offices. Digital copies are available upon request from the SWPD and are available online at http://www.fairfaxcounty.gov/dpwes/watersheds.

Attachment 2: 2013 Public Education Program

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Public events (incl. Earth Day/Arbor Day Celebration, Celebrate Fairfax, Fall For Fairfax Kidsfest, 4-H Fair)	Environmental awareness, watershed-friendly behaviors, proper waste management and recycling	General public	Several thousand visitors	Fairfax County
Podcasts (aired on Fairfax County website)	Fats, oils and grease (FOG); pet waste, litter, fertilizers, tree care and tree pests, water reuse, rain gardens and rain barrels, native plants, swimming pools, flood and sanitary sewer backup insurance, flood protection, stream restorations, pollinators and back yard composting	General public	350 listeners per program (each program airs for two weeks)	Department of Public Works and Environmental Services (DPWES)
Fairfax County's Environmental Facebook Page	Water quality, trash in streams, "Friends of Trees," water reuse, rain barrels, stream restoration	General public	458 "Likes"	DPWES
SlideShare PowerPoint Presentations (online)	Stream restoration projects, tree care, rain gardens and rain barrels, flood protection, and water quality	General public	10,908 views	DPWES
Public Service Announcements (County website, television and YouTube)	Plastic bags, "Stormy the Raindrop" watershed education, cigarette butts, flood prevention	General public	17,981 views	DPWES, Fairfax County Channel 16
Stormwater Presentations	Watersheds, management of stormwater and solid wastes	High school students	Over 625 students (29+ presentations)	Stormwater Planning Division (SWPD)
Stormwater Improvement Project Websites	Project information	General public	4 Project specific pages	SWPD
"What's That Stuff in the Stream?" Web Page Update	Illicit discharge recognition and reporting	General public		SWPD
Stormy the Raindrop Activity Books	Stormwater, watersheds, stewardship	Children (Kindergarten through 4th grade)	1,584 books	SWPD
Flood Protection Newsletter and Web Page	Flood prevention	Residents	20,000 residents	SWPD
Stormy the Raindrop Reusable Bag Giveaway	Litter, stewardship	General public	Approx. 700 bags	SWPD
Field Guide	Ecology and Water Quality	Children and teachers (5th grade, Scout troops, Library reference, and homeschool groups)	13,800 5th graders and teachers	SWPD
Stormy the Raindrop's Watershed Journey Puppet Show (filmed)	Stormwater, watersheds, stewardship	Children (Kindergarten through 4th grade)		SWPD, Channel 16
News Releases	Floodplain management plan progress report' Wolftrap Creek restoration, Huntington levee bond referendum, water reuse project completion, Government Center stream restoration wins NACO award, water quality field day workshop	Media	Eight news release sent to the media; resulted in radio and television interviews and newspaper articles with subject matter experts	SWPD, WWM, UFMD

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Staff Interviews (Local and National Media)	Stormwater tax district, water quality, flood mitigations, sanitary sewers, resource protection areas, the Chesapeake Bay TMDLs, the MS4 permit, illicit discharges, industrial/high risk runoff, trash and litter, completed projects, hazardous trees and more.	General public	Approximately 30 interviews by television, radio and print reporters	SWPD, WWM, Urban Forestry
Sewer Science Laboratory	Distinguishing between storm drainage versus sanitary sewer systems	High school students	1,250 students (15 high schools, 45 classes) Two Sewer Science Workshops were also held at the treatment plant	Wastewater Management (WWM)
Clean Fairfax Council Online Information	Litter, environment	General public	75,000 impressions (i.e., web hits, tweets, Facebook)	Clean Fairfax Council
Environmental Clubs Pilot Program	Environment	Elementary school students	Group of 12 attending	Clean Fairfax Council
Support to Fairfax County Visitors' Center	Environment	General public	More than 15,000 auto litter bags, brochures and environmental bookmarks	Clean Fairfax Council
Johnnie Forte Environmental Grant Program	Annual grants to support environmental projects	Public schools	8 Environmental Education and Action grants (between $500-$1000) awarded to Fairfax County Public Schools	Clean Fairfax Council (CFC), SWM
Television and Banner Ads and Public Service Announcements	Pet waste, general stormwater pollution reduction measures	General public	4 TV ads, aired on 12 channels (incl. 3 Spanish-language) 1,530 times, 3,768,412 viewers; Banner ads were aired 427,872	Clean Water Partners
Onlyrain.org Website	Clean water messages	General public	400 visits (as a result of banner and TV ads)	Clean Water Partners
Meaningful Watershed Educational Experience (MWEE)	Runoff, water quality, potable water, streams, soils, benthic macroinvertebrates, healthy watersheds, nonpoint and point source pollution, stewardship	Elementary and middle school students; adults (including school staff)	5,740 students, >520 adults and 5,850 students, 500 adults on Park Authority land or Lakefronts taught by college students	Fairfax County Park Authority (FCPA)
Earth and Sky School Program	Weathering, Erosion, Stormwater	5th Grade Students	3,465 students and more than 300 adults	FCPA
"Wetlanders" Summer Camp	Watersheds	7- to 9-year-old children	62 children in week-long camp	FCPA
"Secrets of Soil" Class (two hours) at Green Spring Gardens Park	Soils, effects of development on watersheds, Enviroscape® model, conservation	Students	>600 students	FCPA
Wetlands Awareness Day at Huntley Meadows Park	Healthy watersheds	General public		FCPA
Stream Water Quality Monitoring	Water quality, training for citizen volunteer monitors	General public	Several Resource Management sites	FCPA
Lake and Stream Valley Cleanup Days	Litter, water protection, stewardship	General public	Hosted at five parks	FCPA

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Green Spring Gardens Symposiums and Workshops	Climate change, Sustainability, Water conservation and Water quality	General public, County families, Teachers	167 attendees 271 kids and scouts 19 teachers	FCPA = Green Spring Gardens Park
Green Spring Gardens Field Trips	Geology, Erosion & Conservation, Water Cycle, and Water Sheds	Elementary School Students	389 students	FCPA – Green Spring Gardens Park
Storm Drain Marking Program	Stewardship, nonpoint source pollution, proper disposal of wastes	General public	27 projects, 3,478 storm drains, 17,000+ households educated, 550 volunteers contributing 2,000 volunteer hours	Northern Virginia Soil and Water Conservation District (NVSWCD)
Enviroscape® Model Presentations	Nonpoint source pollution prevention, watersheds	Children	821 students and scouts (45 presentations)	NVSWCD
Watershed Calendar	Watershed Events and Trainings	General Public	1000 recipients	NVSWCD
Volunteer Stream Monitoring Program	Watershed awareness, stream health	General Public	30 volunteers monitored 25 sites four times per year; 435 residents attended workshops and field trips	NVSWCD
Conservation Currents Newsletter	Stream health, stream monitoring, stream restoration, stewardship	General public	2,500 copies distributed in print and online	NVSWCD
Technical Assistance Site Visits	Drainage and erosion	Homeowners and HOAs	119 site visits	NVSWCD
Solving Drainage and Erosion Problems Website for Homeowners	Drainage and erosion, controlling runoff	Homeowners	3,000+ views in four months	NVSWCD
NVSWCD Website	Managing land, protecting water quality, controlling stormwater, preventing erosion, encouraging native vegetation	Homeowners	173,944 views by 124,741 visitors	NVSWCD
Earth Friendly Suburban Horse Farming Publication	Stewardship	Horse-keeping community	Distributed at events and online with over 15,000 views of guide and related articles	NVSWCD
Conservation Planning	Nutrient management and composting	Horse-keeping operations	Managers of 907 acres received education. Conservation plans included instructions for 1,815 linear feet of new vegetated buffer and 41,458 linear feet of replanted buffers.	NVSWCD
"Build-your-own" Composter Workshops	Composting	General public	20 participants constructed 15 tumbler-style composters	NVSWCD
Watershed Friendly Garden Tour (June 2013)	LID practices (that can be adopted at home or area schools)	General public	Eight sites were featured with over 100 participants	NVSWCD
Rain Garden Workshops	LID practices	Residents and industry professionals	Educated and trained 57 people	NVSWCD
Residential LID Landscaping Guide (hard copy and electronic formats)	LID, design and installation information, sources of supplies, plant materials	Homeowners	Published	NVSWCD

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Northern Virginia Rain Barrel Initiative	LID practices	General public	Fourteen build-your own rain barrel workshops with 309 participants total, 388 rain barrels. Since 2007 barrels distributed capture 200,000 gallons of stormwater from County roofs annually.	NVSWCD
Artist Rain Barrel Program	LID practices	Students	25 teams of students painted and decorated rain barrels for auction at an Earth Day event	NVSWCD in partnership with Artistic Rain Barrel Program
Rain Garden Design and Construction: A Northern Virginia Homeowner's Guide (hard copy and electronic formats)	LID practices, instructions and calculations needed to build a rain garden	Homeowners	Distributed in print and online with nearly 10,000 downloads	NVSWCD, FCPA
SCRAPmail	Electronic resource available by email subscription (news, event announcements, updates, reviews of environmental education resources available to county schools)	Teachers, students, school administrators	250 subscribers (messages sent quarterly)	Schools/County Recycling Action Partnership
Household Hazardous Waste Management Program	Proper disposal of household hazardous wastes	County residents	Two permanent facilities where residents can dispose of waste at no charge	SWM
Electric Sunday Program	Recycling	County residents	1.2 million pounds of electronic waste for recycling	SWM
Solid Waste Management Presentations	Solid waste and recycling	Students, community groups, businesses	15 presentations to schools reaching more than 2,000 students	SWM
Solid Waste Management Recycling Web Content	Recycling and Source Reduction	General public	83,280 views	SWM
Solid Waste Management Outreach and Facility Tours	Solid waste management	General public	85 events	SWM
Solid Waste Management "listserv"	Trash collection and Leaf Collection	Residents	2,150 subscribers (messages sent monthly)	SWM
Recycling Survey	Bottle and Can recycling	County Chamber of Commerce, the Apartment & Building Owners Association and area collection companies	Fifty-five business respondents	SWM
Shredding Sponsored Events	Document shredding	Residents	9 Shredding events collecting approximately 248,875 pounds	SWM
"Trash Free Potomac" and "Your Litter Hits Close to Home" Advertisements	Litter Prevention	General public	200+ ads on public transportation Ad in the Community & Newcomers Guide	SWM with the Alice Ferguson Foundation
Rechargeable Battery Recycling	Recycling	General public	Collection boxes available at County Board of Supervisors' offices and county government buildings	SWM with industry-funded Rechargeable Battery Recycling Corporation Program

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Annual *Go Recycle* Radio Campaign	Recycling	General public	Two weeks of announcements regarding recycling on five major Washington DC radio stations	SWM with the Metropolitan Washington Council of Governments
Regional KnowToxics Program	Federal and state regulations requiring proper disposal or recycling of spent fluorescent lamps, rechargeable batteries, computers and related electronics	Business owners		SWM with the Northern Virginia Regional Commission (NVRC)
Solid Waste Managers "train the trainer"	Proper management of universal waste and hazardous waste	Commercial Property Managers and General Public	60 attendees	SWM with NVRC

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

INFORMATION – 2

Detailed Operational Analysis of New Tysons Dulles Toll Road Ramps (Dranesville, Hunter Mill, and Providence Districts)

The Fairfax County Department of Transportation (FCDOT) has completed a detailed operational analysis of new Tysons Dulles Toll Road (DTR) Ramps in response to the Board's approval of the Tysons Comprehensive Plan Amendment in June 2010. As part of the Board's approval of this plan amendment, 20 follow-on motions were adopted. Follow-on Motion 8 states: "The Board directs staff to commence the planning and operational analysis necessary to implement the higher priority transportation facilities listed in the Plan table titled "Transportation Infrastructure, Programs, and Services, As They Relate to the Level of Development in Tysons." The new Tysons Dulles Toll Road Ramps are included on this list of facilities.

FCDOT expects a significant number of future Tysons residents and workers to use transit and other high occupancy modes of transportation, and is working to maximize the number of travelers using these options. However, there will still be a need to improve vehicular access into and out of Tysons from the DTR to support the 85,000 additional residents and 100,000 additional workers that are envisioned by the Comprehensive Plan Amendment.

The study was initiated on September 23, 2011, with a workshop to discuss previous alternatives and brainstorm new ramp alternatives focused on access to and from the west to identify options to be carried through a detailed operational analysis. The study looked at three general locations: West of Route 7; between Route 7 and Spring Hill Road; and east of Spring Hill Road to provide access to and from the Dulles Toll Road into Tysons. These alternatives were screened from previous two planning studies as well as numerous alternatives that were identified through meetings with Virginia Department of Transportation (VDOT) and Metropolitan Washington Airport Authority (MWAA) and analyzed using traffic modeling software to evaluate various impacts, and to determine advantages and disadvantages of each of the viable alternatives.

The analysis indicated that the two existing ramps along the DTR into Tysons would be insufficient to handle the increased traffic demand expected within the study area. The study identified two options that would provide two different types of access to Tysons in the future. Both options would separate the DTR through traffic from the trips that initiate or end in Tysons. These two preferred options are:

Option I - Boone Boulevard Ramp, Greensboro Drive Ramp, and Jones Branch Drive Ramp with a Collector-Distributor (C-D) Road

Option II - Boone Boulevard Ramp, Urban Frontage Roads, and Jones Branch Drive Ramp

Option I would be a more traditional solution of C-D roads and ramps providing continuous movements into and out of the Tysons Grid of Streets. Option II would be a more urban solution of low speed frontage roads with elevated, signalized intersections and overpasses providing an even distribution of traffic into and out of the Tysons Grid of Streets.

Options I and II would provide solutions which, although they are different in concept, were indistinguishable from a traffic analysis standpoint. Therefore, neither could be eliminated from further evaluation and both warrant more detailed analysis with the following considerations, including:

- Expanding the study area
- Coordinating with MWAA's Dulles Toll Road/Dulles Airport Access Road corridor study. This study is viewed as a critical element in addressing future traffic growth along the corridor.
- Conducting detailed surveys, right-of-way determination, topography, mapping and traffic data collection
- Including changes to the Comprehensive Plan that reflect the outcome of the Metropolitan Washington Council of Government Constrained Long Range Plan updates, this study and redevelopment plans
- Advancing the concept plans to a 30% Preliminary Engineering Design
- Conducting National Environmental Policy Act (NEPA) analysis
- Conducting an Interchange Justification Report (IJR) or Interchange Modification Report (IMR) and analysis
- Continuing to coordinate and collaborate with representatives of VDOT, MWAA, and other stakeholders
- Public meetings, hearings, and other community outreach

Preliminary planning level estimates of the options are:

Option I - Boone Boulevard Ramp, Greensboro Drive Ramp, and Jones Branch Drive Ramp with a C-D Road	$250 Million
Option II - Boone Boulevard Ramp, Urban Frontage Roads, and Jones Branch Drive Ramp	$330 Million

The timing for completion of the Boone Boulevard, Collector-Distributor/Urban Frontage Roads and Greensboro Drive Ramp Improvements has been set in the CLRP as 2037

and 2036 respectively. In addition, the Jones Branch Ramp is planned to be completed by 2051. Actual schedules for implementing these projects will depend on the rate of development in Tysons. No additional study work on these ramps is scheduled at this time.

FISCAL IMPACT:
These projects are part of the Tysons Table 7 Improvements in the Comprehensive Plan for Tysons, and funded by the Tysons Transportation Funding Plan approved by the Board of Supervisors on January 8, 2013. No additional funding is being sought at this time, and there is no impact to the General Fund.

ATTACHMENTS:
Attachment 1: Preferred Option I Alignment Plan
Attachment 2: Preferred Option II Alignment Plan

Attachments 1 & 2 are available online at:
http://www.fairfaxcounty.gov/tysons/transportation/tollroadramps.htm
(Hard copies delivered to Board members under separate cover)

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
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Karyn L. Moreland, Chief, Capital Projects Section, FCDOT
Seyed A. Nabavi, Engineer III, Transportation Design Division, FCDOT

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

10:50 a.m.

Matters Presented by Board Members

THIS PAGE INTENTIONALLY LEFT BLANK

11:40 a.m.

CLOSED SESSION:

(a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).

(b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).

(c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).

1. *Eric S. Clark v. The County of Fairfax, Virginia, Richard W. Nagel, R.L. Davis, John Spata, John H. Kim, T. B. Smith, S. N. Brim, Jonathan Stern, Kenneth Pfeiffer, Randall C. Hargus, John Does 1-30*, Case No. 13-2101 (U.S. Ct. of App. for the Fourth Cir.)

2. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Wal-Mart Real Estate Business Trust*, Case No. CL-2014-0000288 (Fx. Co. Cir. Ct.) (Lee District)

3. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Robert E. Stroup*, Case No. CL-2012-0000352 (Fx. Co. Cir. Ct.) (Providence District)

4. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Kevin A. Curry and Laura C. Curry*, Case No. CL-2013-0009606 (Fx. Co. Cir. Ct.) (Providence District)

5. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Ted J. Fares*, Case No. CL-2013-0019056 (Fx. Co. Cir. Ct.) (Mason District)

6. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Bradley S. Drasbek and Mary Margaret Drasbek*, Case No. CL-2014-0001995 (Fx. Co. Cir. Ct.) (Dranesville District)

7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tam Thanh Tran and Andrew Tran*, Case No. GV13-025272 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Cecilio Vasquez*, Case No. GV14-003512 (Fx. Co. Gen. Dist. Ct.) (Lee District)

9. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Hamazasb Sardarbegians*, Case No. GV14-003514 (Fx. Co. Gen. Dist. Ct.) (Mason District)

10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Bong R. Suh*, Case No. GV14-003513 (Fx. Co. Gen. Dist. Ct.) (Lee District)

11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert L. Sheldon and Doris A. Sheldon*, Case No. GV14-003515 (Fx. Co. Gen. Dist. Ct.) (Lee District)

12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Peter W. Arey and Loretta K. Arey*, Case No. GV14-003511 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

\\s17prolawpgc01\documents\81218\nmo\579805.doc

Board Agenda Item
March 4, 2014

3:30 p.m.

Public Hearing on RZ 2013-SP-005 (MHI Spring Lake L.L.C.) to Rezone from R-1 to R-3 to Permit 12 Single-Family Detached Houses at an Overall Density of 2.27 Dwelling Units per Acre, Located on Approximately 5.28 Acres of Land (Springfield District)

This property is located at 6408 Spring Lake Drive, Burke, 22015. Tax Map 88-1 ((2)) 8.

PLANNING COMMISSION RECOMMENDATION:
On Thursday, January 23, 2013, the Planning Commission voted 10-0 (Commissioners Lawrence and Ulfelder abstained) to recommend that the Board of Supervisors approve RZ 2013-SP-005, subject to the proposed proffers dated January 15, 2014.

In a related action the Planning Commission encouraged staff to coordinate with Springfield District Supervisor Herrity, the Virginia Department of Transportation, and the Fairfax County Department of Transportation to determine a resolution for the homeowners along Spring Lake Drive with regard to parking restrictions on Spring Lake Drive to ensure that existing parking provisions are retained.

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4429845.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Joe Gorney, Planner, DPZ

THIS PAGE INTENTIONALLY LEFT BLANK

Attachment 1

Planning Commission Meeting
January 23, 2014
Verbatim Excerpt

RZ 2013-SP-005 – MHI-SPRING LAKE, LLC

Decision Only During Commission Matters
(Public Hearing held on October 9, 2013)

Commissioner Murphy: I also have a decision only this evening and it's a little more complicated and probably a little more lengthy than Mr. de la Fe's. This is a decision only on RZ 2013-SP-005. And before I begin my rationale for the motion, I want to take this opportunity, first of all, to thank members of the staff who participated in this process – in particular, the staff coordinator, Joe Gorney, from the Department of Planning and Zoning, who – and I said to him earlier – weathered this ship through some choppy waters. And I just want to compliment him on his – really his dedication, his tenacity, and the way he responded to the citizens' concerns at our community meetings – his professionalism and his responsiveness. I want to thank you, Joe. You did a wonderful job. We did get some comments at a couple of our community meetings. The people were not sure as to how the staff operates in relationship to the rezoning and do they in fact receive a rigorous evaluation? Well, let me tell you there are about 28 staff members from various agencies in Fairfax County, including Mr. Gorney, who participated in this process by either analyzing and putting input in for the Appendices, contributing to the final recommendation that the staff is recommending to the Planning Commission, and also on some various issues that came up during the community meetings. In particular – I'm not going to read all their names – but in particular, I want to thank Michelle Guthrie from the Department of Transportation and Michael Davis from the same agency, Durga Kharel from the Department of Environmental Services – who worked on the issues regarding stormwater management – Judy Cronauer – I'm sure we remember Judy – she is also of the Department of Public Works. Judy came to our first community meeting and it was on the eve of her retirement. Now that's a dedicated staff member, right? I don't think I would have done that, but I want to thank Judy for doing that – and Hugh Whitehead from the Department of Public Works and Environmental Services. We had a lot of citizen participation in this application. And we had two community meetings and we had several meetings with smaller groups and the citizens. And I asked Rich Miserendino, a member of the Spring Lake Community, to chair or be the point of contact for the civilian input and he arranged to have two or three meetings with smaller groups with me and the Supervisors office to look into the issues that were bothering the citizens. And last and by no means least, I want to thank Marlae Schnare from Supervisor Pat Herrity's office. She is in charge of his land use part of his Supervisorship. And I can't tell you – if there's a job description for what Marlae does, you can't put it into words because she is there for everything, especially for the time she spends talking with the citizens on the phone, scheduling meetings, and contributing to the overall effectiveness of the application. And I want to take this opportunity to thank Marlae. I also want to remind everyone that all letters, either email or snail mail if you will, that we received either directly here at the Planning Commission or addressed to me and went to Supervisor Herrity's office have been entered into the record. It is a very – it was a very controversial application. I think most of the issues have been resolved, but I'm not sure all of them have. But I've always said when you have a – when you have an application that is

controversial, you got to go back to the basics and look at, first, the citizen's input and the – and then the Comprehensive Plan, the Zoning Ordinance, and the Residential Development Criteria. Let me just give you a little background. RZ 2013-SP-005 – it also has an SPA 76-S-200-02 – are associated applications filed by MHI-Spring Lake, LLC, and trustees of Calvary Christian Church to permit the deletion of 5.28 acres from Parcel 8 from the existing 9.67 acre church site with – that's on Parcel 8, I'm sorry – which leaves 4.39 acres. The staff report was published on September 25th and recommended approval of the rezoning based on a development plan for 13 single-family detached houses on Parcel 8 at a density of 2.46 dwelling units per acre. Additionally, the staff report recommended approval of the Special Permit Amendment based on the deletion of Parcel 8 from the Special Permit area and the enlargement of a stormwater management facility on Parcel 10 to serve both parcels. So now originally accepted before it went to public hearing, it was – it was put in for 15 dwelling units per acre. After the first community meeting, it went down to 13 single family detached units at a density, as I mentioned before, of 2.46 dwelling units per acre. The applicant has since revised the proposal to address the concerns of the citizens. And now on Parcel 8, the applicant now proposes 12 single-family detached houses at a density of 2.27 dwelling units per acre. The applicant now proposes no changes to Parcel 10. Okay, the applicant now requests approval of rezoning of one parcel of approximately 5.28 acres from the R-1 District to the R-3 District to permit the development of 12 single-family houses at a density, as I said before, of 2.7 – 2.27. The smallest of the 12 proposed lots would be 10,500 square feet, with an average lot size of 14,144 square feet. Two of the lots would access Spring Lake Drive through a shared driveway. The remaining 10 lots would access a proposed public cul-de-sac, which would connect Spring Lake Drive. Now the elimination of the lots with a density of 2.27 dwelling units per acre, is in conformance with the Comprehensive Plan and the Comprehensive Plan range. And these changes were made from 15 to 13 now to 12 because of the comments from the citizens and in response to the community. Before we go on – rather than going into all these in detail, let me hit what we hit what we call a couple bullet points that deal with the issues. Number one, the proposed density is squarely within the Comprehensive Plan recommendation of residential at two to three dwelling units per acre. Currently, this application, again, proposes 2.27 dwelling units per acre. The applicant has modified layout several times in response to community concerns. The original staff report was based on an iteration of the plan depicting 13 single-family units at a density of 2.45 per acre. Responding to community input, the applicant revised the plan and now proposes a total of 12 units, changing – a change at the community's request – reduce the lot size to approximately 10,000 square feet on average, and brought all stormwater management facilities on-site. Currently proposed density, again, is 2.27 per acre. The R-3 zoning and the 2.27 dwelling units per acre density is compatible. Westwood Manor to the north is zoned R-3 and proffered for a maximum density of 2.3 units. Four Oaks Estate to the east is zoned to the R-3 and proffered at 2.5 dwelling units per acre. Honey Tree to the west is zoned to the R-3 with an overall density of 1.5 dwelling units per acre. Lot sizes range from approximately 11,000 square feet, comparable to the lot sizes currently proposed for this development, to 87,120 feet – 20 square-foot – square feet. The larger lots are an anomaly and appear to have been designed to provide a transition to the R-1 areas west of Honey Tree. Spring Lake Woods to the east is zoned R-2 and proffered at 1.86 dwelling units per acre. There is only a relatively small area of the remaining R-1 in the immediate area abutted the application property. Existence of R-3 zoning and comparable

densities in the immediate area, coupled with the Plan recommendation for two to three dwelling units per acre make currently proposed R-3 zoning and the 2.27 dwelling units per acre quite reasonable. The revised plan proposes access for two lots onto Spring Lake Drive through a shared driveway. Ten lots access Spring Lake Drive via a single cul-de-sac. Changes made in response to neighborhood concerns about the number of driveways intersecting Spring Lake Drive in their location, relative to a hill on the road, and that issue was resolved. At the community's request, revised – the revised plan eliminates any stormwater management facility on the church property, which is Parcel 10 which would have improved, unfortunately, water quality in the community. Now underground gravel detention facilities, rain gardens, and conservation easements serve the stormwater management needs on-site. So this community concern is resolved. Now parking – and this ties in with one of the issues about a sidewalk. The community requested parking on one side of Spring Lake Drive. Traffic studies reflect feasibility of parking and a sidewalk along the west side of Spring Lake Drive. Have you got that – can we show that chart please? You will notice that the dotted line in orange, I guess, is the proposed sidewalk. The neighbors have been calling that the sidewalk to nowhere. I think that's slightly exaggerated because if you look at the dotted line – if you could just run your pencil along the lines above Westwood Manor Court and on the other side – there are – there are sidewalks through this community. And initially, if memory serves, when we had our first community meeting, a lot of the citizens were supporting the sidewalk that's proposed at the proposed subject property. But things change. And I'm not going to deal with that and resolve it this evening. Unfortunately, we can't do it. But I'm going to make two motions tonight. And my second motion will deal with this proposed sidewalk and the action that I'm proposing to occur. So in general, the revised plan is fully consistent with the Comprehensive Plan and the Zoning Ordinance and requested zoning. And density is compatible with the community. So therefore, Mr. Chairman, I AM GOING TO MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ 2013-SP-005, SUBJECT TO THE PROPOSED PROFFERS DATED JANUARY 15TH, 2014.

Commissioners Hall and Litzenberger: Second.

Vice Chairman de la Fe: Seconded by Ms. Hall and Mr. Litzenberger. Is there any discussion? All those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed?

Commissioner Ulfelder: I will abstain because I was not present for the hearing.

Vice Chairman de la Fe: Right, Mr. Ulfelder abstains because he was not here at that time.

Commissioner Lawrence: Mr. Chairman, same for me.

Vice Chairman de la Fe: And you were not – you were not at the public hearing.

Commissioner Lawrence: Not present at the public hearing.

Vice Chairman de la Fe: So with those two abstentions, the motion carries.

Commissioner Murphy: Thank you very much. One of the things I would like to mention before I go into the motion on the sidewalk. There were some comments about what happens after we have these citizen meetings. And I am going to enter into the record a couple sheets of paper that delineate 39 revision – were made by the applicant following the meetings we had, both the community meetings and the separate meetings with a smaller group. It's my job – when we finish these hearings – with the community – community meetings and smaller meetings, which were chaired Mr. Miserendino – on each occasion, I either telephonically or personally dealt with the applicant on the suggestions the citizens made. And from the outset when they came in with 15 dwelling units per acre right through the last iteration, which is down to 12 dwelling units per acre, 39 revisions were made to the plan and to the proffers to address the citizens' concerns. So I think that's a land use process in action. Now let me get to my second motion. The applicant has committed to install curb gutter and a 5-foot sidewalk with an existing right-of-way along the property's Spring Lake Drive frontage and extend this to Westwood Manor Court. This is subject, of course, to VDOT approval. Although the road width will be increased to 26 feet, VDOT will require parking restrictions on one side of Spring Lake Drive. The existing homeowners currently utilize their shoulder of the road for parking and would prefer that this privilege continue. Decisions about which side of the road will be restricted and location of any parking signs is usually made during site plan review processes. However, in this case I would like to move also that, Mr. Chairman, I MOVE THAT THE STAFF WORK WITH SUPERVISOR HERRITY, VDOT, OUR OWN DEPARTMENT OF TRANSPORTATION AND FIND A RESOLUTION FOR THE HOMEOWNERS ALONG SPRING LAKE DRIVE WITH REGARD TO THE ISSUES SO THEY CAN CONTINUE TO ENJOY THE PARKING AMENITIES THAT EXIST TODAY.

Vice Chairman de la Fe: Is there a second?

Commissioner Litzenberger: Second.

Commissioner Hall: Oh, sorry – second.

Vice Chairman de la Fe: Seconded by Mr. Litzenberger. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Same abstentions as in the previous motion.

Commissioner Murphy: Thank you very much. And again, thank you, Mr. Gorney. I appreciate all your hard work.

//

(Each motion carried by a vote of 10-0. Commissioners Lawrence and Ulfelder abstained.)

JLC

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

3:30 p.m.

Public Hearing on RZ 2013-HM-012 (Sekas Homes LTD) to Rezone from R-1 to PDH-2 to Permit Residential Development with a Total Density of 1.66 du/ac and Approval of the Conceptual Development Plan, Located on Approximately 5.43 Acres of Land (Hunter Mill District)

This property is located at approximately 400 ft. North of the intersection of Old Courthouse Road and Besley Road. Tax Map 28-4 ((8)) 3, 4, 5, 6 and 7; 28-4 ((9)) A.

PLANNING COMMISSION RECOMMENDATION:
On Thursday, January 23, 2014, the Planning Commission voted 10-0 (Commissioners Migliaccio and Ulfelder abstained) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2013-HM-012 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated December 23, 2013;

- Waiver of Section 8-0201.3 of the Public Facilities Manual (PFM) requiring a trail along Tetterton Avenue in favor of the construction of the sidewalk shown on the CDP/FDP; and

- Waiver of Sections 8-0101.1 and 8-0102 of the PFM, requiring a sidewalk along Besley Road and both sides of the private street, in favor of the sidewalks depicted on the CDP/FDP.

In a related action, the Planning Commission voted 10-0 (Commissioners Migliaccio and Ulfelder abstained) to approve FDP 2013-HM-012, subject to development conditions dated December 31, 2013, and the Board's approval of RZ 2013-HM-012 and the associated Conceptual Development Plan.

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4434951.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Megan Duca, Planner, DPZ

THIS PAGE INTENTIONALLY LEFT BLANK

Attachment 1

Planning Commission Meeting
January 23, 2014
Verbatim Excerpt

RZ/FDP 2013-HM-012 – SEKAS HOMES, LTD.

Decision Only During Commission Matters
(Public Hearing held on December 5, 2013)

Commissioner de la Fe: Thank you, Mr. Chairman. Mr. Chairman, on December 5th, we held a public hearing on the Sekas Homes application, RZ/FDP 2013-HM-012. We have heard from the neighbors before, during, and after the public hearing that the neighbors, by and large, express their opposition to the rezoning. It is clear that the majority of the neighbors would prefer that the property be developed by-right. To put it succinctly as the neighbors have passionately and eloquently expressed time after time, they believe that the by-right development would be better and change their neighborhood less than a rezoning. I, frankly, don't agree with that. The neighborhood is going to change, whether by-right or by rezoning. The by-right development is not as – or cannot be controlled as well as a rezoning that is within the requirements of the Comprehensive Plan – is well-conditioned and has proffers. I realize that the neighbors do not agree with that. However, I firmly believe that a well-conditioned and proffered redevelopment that is within the Comprehensive Plan is better, generally, for the – in the public interest – than by-right development. The staff has recommended approval, as has the Land Use Committee of the Hunter Mill District. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2013-HM-012 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED DECEMBER 23RD, 2013.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2013-HM-012, say aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Mr. Chairman?

Chairman Murphy: Yes?

Commissioner Migliaccio: Abstain, not present for the public hearing.

Chairman Murphy: Mr. Migliaccio abstains and so does Mr. Ulfelder.

Commissioner Ulfelder: Correct.

Chairman Murphy: Mr. de la Fe.
Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2013-HM-012, SUBJECT TO DEVELOPMENT CONDITIONS DATED DECEMBER 31ST, 2013, AND THE BOARD'S APPROVAL OF RZ 2013-HM-012 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion to approve FDP 2013-HM-012, subject to the Board's approval of the rezoning and conceptual development plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstentions.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF SECTION 8-0201.3 OF THE PUBLIC FACILITIES MANUAL REQUIRING A TRAIL ALONG TETTERTON AVENUE IN FAVOR OF THE CONSTRUCTION OF THE SIDEWALK SHOWN ON THE CDP/FDP.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF SECTIONS 8-0101.1 AND 8-0102 OF THE PUBLIC FACILITIES MANUAL, REQUIRING A SIDEWALK ALONG BESLEY ROAD AND BOTH SIDES OF THE PRIVATE STREET, IN FAVOR OF THE SIDEWALKS DEPICTED ON THE CDP/FDP.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.
Commissioner de la Fe: Thank you very much, Mr. Chairman. And I thank everyone that so passionately opposed this, but I do believe that in the end this will be better than a by-right development.

//

(Each motion carried by a vote of 10-0. Commissioners Migliaccio and Ulfelder abstained.)

JLC

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

3:30 p.m.

Public Hearing on SE 2013-MV-011 (Kimberly B. & Kelly P. Campbell) to Permit Uses in a Flood Plain, Located on Approximately 1.56 Acres of Land Zoned R-E and Board Consideration of Water Quality Exception Request #5203-WRPA-010-1 and Water Quality Impact Assessment #5203-WQ-019-1 under Section 118-6-7 (Chesapeake Bay Preservation Ordinance) of Chapter 118 of the Code of the County of Fairfax to Permit Encroachment within a Resource Protection Area (RPA) (Mount Vernon District)

This property is located at 11727 River Drive, Mason Neck, 22079. Tax Map 122-2 ((2)) 7.

PLANNING COMMISSION RECOMMENDATION:
On Thursday, January 9, 2014, the Planning Commission voted 8-0-4 (Commissioners Hall, Hedetniemi, Murphy, and Sargeant abstained from the vote) to recommend that the Board of Supervisors deny application SE 2013-MV-011.

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4437293.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Megan Duca, Planner, DPZ

THIS PAGE INTENTIONALLY LEFT BLANK

Planning Commission Meeting
January 9, 2014
Verbatim Excerpt

SE 2013-MV-011 – KIMBERLY B. AND KELLY P. CAMPBELL

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. Flanagan.

Commissioner Flanagan: Well I am – have been greatly pleased with the participation of the Commissioners this evening.

Chairman Murphy: That makes one of you.

Commissioner Flanagan: And I would point that once again we have here the dilemma of whether – whose engineer do we trust? Or whose attorney do we trust in other applications? So I'm inclined to go along with the staff decision on this – recommendation on this – primarily because this is going to the Board of Supervisors for a decision anyway. And this puts the staff into a negative position if we don't support the staff in this – their recommendation. It means that they have to then – if we approve this, it means that the – they have to prove that they were right and the Planning Commission was wrong so I am reluctant to do that. So Mr. Chairman, I have a motion. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF SE 2013-MV-011.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion? Mr. Sargeant.

Commissioner Sargeant: Yes, Mr. Chairman. If we approve this in its current form, it includes the development condition that they oppose.

Commissioner Flanagan: And it will if we deny.

Commissioner Hall: No.

Commissioner Flanagan: No, it still goes to the Board.

Commissioner de la Fe: It still goes to the Board.

Commissioner Flanagan: It still goes to the Board.

Commissioner de la Fe: If the Board decides –

Commissioner Flanagan: And if the Commission is still there for the Board – if the Board wants to approve with that stipulation that you're just stating, they can do that.

Chairman Murphy: Mr. Hickman, do you want us to approve this with the Development Condition Number 6?

Jason Hickman, Esquire, Compton & Duling, LC: No, I don't.

Chairman Murphy: Okay, that answers that. Okay.

Mr. Hickman: I would ask that you approve it with the exception of that.

Chairman Murphy: That's what I thought. Okay. I wish you had said that right from the start. We would have been – okay. Further discussion of the motion?

Commissioner Sargeant: Mr. Chairman, I think I'm going to abstain because I think a deferral might have been helpful here, even just for further discussion.

Chairman Murphy: Okay. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it deny SE 2013-MV-011, say aye.

Commissioners: Aye.

Commissioner Hall: Abstain.

Chairman Murphy: Opposed? Motion carries. Mr. Sargeant, Ms. Hall, and the Chair abstain.

Commissioner Hedetniemi: I am too.

Chairman Murphy: And Ms. Hedetniemi.

Chairman Murphy: Is there any other stuff? Okay, just a – yes, there's more stuff. Mr. Flanagan.

Commissioner Flanagan: No, I just wanted to comment upon the action.

Chairman Murphy: Go ahead.

Commissioner Flanagan: I would like to compliment staff, you know, for the good work that they did on this application and I would like to recommend that since the Supervisors have no date at the present time that the applicant and the staff, you know, take advantage of that time between this hearing and theirs to further study how they might resolve the dilemma that has been disclosed by the Commission this evening. Thank you.

//

(The motion carried by a vote of 8-0-4. Commissioners Hall, Hedetniemi, Murphy, and Sargeant abstained.)

JLC

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
March 4, 2014

4:00 p.m.

Public Hearing on a Proposal to Abandon a Portion of Former South Van Dorn Street (Lee District)

ISSUE:
Public hearing on a proposal to abandon a portion of former South Van Dorn Street.

RECOMMENDATION:
The County Executive recommends that the Board adopt the attached order (Attachment III) for abandonment of the subject right-of-way

TIMING:
On January 28, 2014, the Board authorized the public hearing to consider the proposed abandonment for March 4, 2014, at 4:00 p.m.

BACKGROUND:
The applicant, Kingstowne Commercial LP, is requesting that a portion of the former right-of-way of what is now South Van Dorn Street be abandoned under §33.1-164 of the Code of Virginia. The subject right-of-way, consisting of 3,448 square feet, is located near the southeast corner of the intersection of Franconia Road and the relocated South Van Dorn street. It is not in the Virginia Department of Transportation (VDOT) State Secondary System.

The applicant has made the request to facilitate the transfer of an entrance monument, part of which occupies the candidate right-of-way, to the Kingstowne Residential Owner Corporation. When South Van Dorn Street was relocated as an off-site transportation improvement, proffered under RZ-84-L-020 (Kingstowne), the former alignment in the vicinity of Franconia Road remained right-of-way.

Retention of the candidate right-of-way for the potential interchange of South Van Dorn Street and Franconia Road, shown on the Comprehensive Plan, is not being proposed. The candidate right-of-way is apparently prescriptive as no creation record has been found in the land records, nor has it been reserved by proffer for future transportation projects. Therefore, the County would have to acquire the fee simple title to the land regardless of whether the right-of-way has been abandoned or not, assuming that the future layout of the interchange, which has not been determined, would require the land.

Traffic Circulation and Access
The abandonment will have no long-term impact on pedestrian, transit, or vehicle circulation and access. There are no transportation facilities on the subject right-of-way and the adjacent relocated South Van Dorn Street has highway, pedestrian, and transit service. Since the candidate right-of-way is prescriptive, the fee simple title would still have to be acquired if a future transportation project were built on the land, regardless of the right-of-way status.

Easements
Public easement needs have been identified by the Fairfax County Water Authority. Dominion Virginia Power indicated an interest but field evaluation showed that their facility, paralleling Franconia Road, is outside the bounds of the candidate right-of-way. The applicants have provided an easement in a form acceptable to Fairfax Water. No other easement needs were identified.

The proposal to vacate and abandon this right-of-way was circulated to the following public agencies and utility companies for review: Office of the County Attorney, Department of Public Works and Environmental Services, Fairfax County Department of Transportation, Department of Planning and Zoning, Fairfax County Park Authority, Fairfax County Water Authority, Fairfax County School Board, Fire and Rescue, Virginia Department of Transportation, Dominion Virginia Power, Washington Gas Light Company, and Verizon. None of these indicate any opposition to the proposal.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment I: Statement of Justification
Attachment II: Notice of Intent
Attachment III: Order of Abandonment
Attachment IV: Abandonment Plat
Attachment V: Metes and Bounds Description
Attachment VI: Vicinity Map

STAFF:
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Donald Stephens, FCDOT

SHANER & HELF, LLC
Attorneys at Law

10306 Eaton Place, Suite 150
Fairfax, Virginia 22030

(703) 385-1211 ••• fax: (703) 934-8461

Daniel H. Shaner
(dshaner@shanerhelf.com)
(admitted in VA)
Thomas E. Helf
(tomhelf@aol.com)
(admitted in MD, VA, DC)

4920 Elm Street
Suite 200
Bethesda, Maryland 20814
(301) 913-9306
Fax: 301-913-9624

June 5, 2012

Via Hand Delivery

Donald E. Stephens
Fairfax County Department of Transportation
Centerpointe 1 Office Building
4050 Legato Road, Suite 400
Fairfax, Virginia 22033-2867

Re: Application to the Board of Supervisors of Fairfax County, Virginia for abandonment of old road to extent of alteration by new road pursuant to subdivision 2 of §15.2-2272 (§15.2-2272(2)), as alternative procedure under §33.1-166.1, Code of Virginia, as amended, being a portion of former South Van Dorn Street, formerly Triplett Road, located at the intersection of Franconia Road-Route 644 and new South Van Dorn Street-Route 613, containing 3,448 square feet of land or 0.792 acres of land, Lee District, Fairfax County, Virginia

Dear Mr. Stephens:

This firm represents Kingstowne Commercial LP, a Virginia limited partnership ("KCLP"), the fee title owner of certain tracts or parcels of land contiguous to or related by record title to former South Van Dorn Street, formerly Triplett Road (Route 973), and new or alternate South Van Dorn Street in place of the old road.

KCLP wishes to cause the abandonment of that portion of former South Van Dorn Street shown as "Residual Portion of South Van Dorn Street" on the record plat entitled, "Right of Way Abandonment of Residual Portion of South Van Dorn Street," dated May 23, 2012 ("Plat"), and prepared by Tri-Tek Engineering, a professional corporation, Herndon, Virginia, pursuant to §15.2-2272(2). To this result, enclosed are the following:

1. This application plus 18 copies;
2. This firm's check payable to Fairfax County in the amount of $200 representing the County's processing fee;
3. Recordable Plat (18 copies);
4. Metes and Bounds Legal Description (18 copies) of the area to be abandoned;

5. Vicinity Map/Fairfax County Assessment Map 81-4 (18 copies);
6. Notice of Intent to Abandon (18 copies); and
7. Adoption of Ordinance (18 copies).

KCLP is the fee simple owner of the following tracts or parcels of land subject to the proffered conditions associated with Rezoning Application RZ 84-L-020, approved by the Board of Supervisors on June 17, 1985, as amended:

Tax Map Reference(s) 0814 01 0052A ("Parcel 52A") containing .1759 acres of land, and being part of the land acquired by KCLP by Deed of Contribution dated April 30, 2012, recorded in Deed Book 22289, at Page 046; and 0184 03 007 ("Lot 7) containing .5802 acres, and 0184 03-0007A ("Lot 7A"), containing .3788 acres, and being part of the same land acquired by KCLP by Deed of Contribution dated October 24, 2008, recorded in Deed Book 20158, at Page 1323.

In satisfaction of the proffered conditions, Kingstowne L.P. (predecessor in title to KCLP) caused to be dedicated for public street purposes the realignment and extension of South Van Dorn Street according to the following deeds recorded among the land records:

Deed of Dedication and Easements dated February 16, 1988, recorded in Deed Book 7085, at Page 0475 (South Van Dorn Street, Phase I); and Deed of Dedication and Easements dated April 26, 1989, recorded in Deed Book 7329, at Page 0703.

As a result of the street dedications, former South Van Dorn Street, in that location has been altered and a new road, approved by the Board of Supervisors, constructed in lieu thereof, which serves the same citizens as the old road.

Further, KCLP is the fee owner of the land lying on either side of old road. As a result of the street dedications, former Tract 7 of Cameron Villa Farms, as platted and recorded in Deed Book N-9, at Page 16, was bifurcated by the realignment of the new road, so that a portion of Tract 7, Cameron Villa Farms, lies northeast of the parent tract separated by the new road ("Residual Lot 7"), which for real estate assessment purposes is combined with the remainder of Tract 7 as Tax Map No. 0184 03-007 or Lot 7 herein. Hence, no third parties reside on either side of the old road or abandonment.

A physical inspection of the site shows that the old road is physically closed and, in place thereof, permanent entrance features and landscaping have been installed in connection with the Kingstowne project.

Upon adoption of the ordinance fee title vests in KCLP. KCLP intends to consolidate Residual Lot 7, the Residual Portion of South Van Dorn Street and Parcel 52A as a single lot to be either conveyed in fee or by easement for the benefit of the Kingstowne Residential Owner Corporation (KROC).

Very truly yours,

SHANER & HELF, LLC

Enclosures
cc: Dave Currin, Trik-Tek Engineering (w/o/enc.)(via email only)
Jon Halle, Kingstowne Commercial LP (w/o enc.)(via email only)
Steve Fleischman, Kingstowne Commercial LP (w/o enc.)(via email only)
(s:\data\user\dshaner\kingstowne\kingstowne commercial\fxcodeptof transportationltr.southvandornstreet)

NOTICE OF INTENT TO ABANDON
A PORTION OF FORMER SOUTH VAN DORN STREET
LEE DISTRICT, FAIRFAX COUNTY, VIRGINIA

Notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will hold a public hearing on March 4, 2014, at 4:00 P.M., during its regular meeting in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, pursuant to §33.1-158, Virginia Code, as amended, on the proposed abandonment of former road to the extent such former road has been altered and a new road constructed in lieu thereof, such former road being that portion of former South Van Dorn Street, containing a total area of 3,448 square feet or 0.0792 acre of land, in that location that has been altered and new South Van Dorn Street constructed in lieu thereof between Franconia Road-Route 644 and new South Van Dorn Street-Route 613, pursuant to §33.1-164, Code of Virginia, as amended. The road is located on Tax Map 81-4, and is described and shown on the metes and bounds schedule and plat prepared by Tri-Tek Engineering, Herndon, Virginia, dated May 23, 2012 (rev. 06-12-2013), both of which are on file with the Fairfax County Department of Transportation, 4050 Legato Road, Suite 400, Fairfax, Virginia 22033, Telephone Number (703)-877-5600.

All persons wishing to speak on this subject may call the Office of the Clerk to the Board, (703) 324-3903, to be placed on the Speaker's List, or may appear and be heard.

ADOPTION OF ORDER ABANDONING
A PORTION OF FORMER SOUTH VAN DORN STREET
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center in Fairfax County, Virginia, on the day of March 4, 2014, at which meeting a quorum was present and voting, the Board, after conducting a public hearing upon due notice given pursuant to §33.1-158, Virginia Code, as amended, and as otherwise required by law, it was duly moved and seconded to adopt the following resolution, to wit:

WHEREAS, the Board has received an application for abandonment of an old road no longer necessary for public use pursuant to §33.l-l64, Virginia Code, as amended, and

WHEREAS, after due consideration, the Board has determined that the old road in that location has been altered and a new road, approved by the Board, constructed in lieu thereof, serves the same citizens as the old road, so that the old road may be abandoned to the extent of such alteration, but no further;

WHEREFORE, BE IT ORDAINED:

That, that portion of South Van Dorn Street containing a total area of 3,448 square feet or 0.0792 acre of land, as more particularly described by metes and bounds and as bounded and shown on the record plat entitled "Right of Way Abandonment of Residual Portion of South Van Dorn Street," dated May 23, 2012 (rev. 06-12-2013), prepared by Tri-Tek Engineering, Herndon, Virginia, both of which are attached hereto and incorporated herein, be and the same is hereby abandoned.

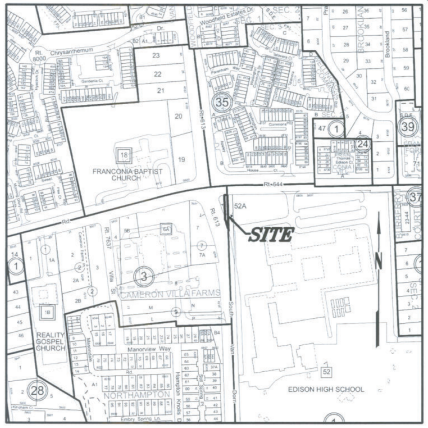
This abandonment is subject to any right, privilege, permit, license, or easement in favor of any public service company, utility, or other person or entity, including any political subdivision, whether located above, upon, or under the surface, either presently in use or of record, including the right to operate, maintain, replace, alter, extend, increase or decrease in size any facilities in the abandoned roadway, without permission of the landowner.

A Copy Teste:

_____
Clerk to the Board

NOTES:

1. THE PROPERTY SHOWN HEREON IS LOCATED ON FAIRFAX COUNTY TAX MAP 81-4 AND IS ADJACENT TO PARID 81-4-01-0052A AND 81-4-03-0007.
2. NO TITLE REPORT FURNISHED.
3. ALL PREVIOUSLY RECORDED RIGHTS OF WAY, EASEMENTS OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL FORCE AND AFFECT UNLESS OTHERWISE SHOWN ON THIS PLAT.
4. THIS PLAT FULLY COMPLIES WITH THE CHESAPEAKE BAY ORDINANCE ADOPTED BY THE BOARD OF SUPERVISORS ON JULY 7, 2003 AND EFFECTIVE NOVEMBER 18, 2003 AND THE MAPS REVISED THROUGH JULY 12, 2005.


SITE
FRANCONIA BAPTIST CHURCH
CAMERON VILLA FARMS
REALITY GOSPEL CHURCH
NORTHAMPTON
EDISON HIGH SCHOOL
Rt. 644
Rt. 613
Rt. 613
Rt. 644
Manorview Way
Franconia Rd.
Rt. 613
Rt. 613
Rt. 644
Rt. 644
Rt. 644

ATTACHMENT V

TRI-TEK Engineering

COMMONWEALTH OF VIRGINIA
7/17/13
DAVID T. CURRIN
Lic. No. 1998
LAND SURVEYOR

METES AND BOUNDS DESCRIPTION
RIGHT OF WAY ABANDONMENT OF
RESIDUAL PORTION OF
SOUTH VAN DORN STREET
DEED BOOK 7329, PAGE 703
(FORMERLY KNOWN AS
TRIPLETT ROAD)
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

Beginning at a point on the southerly right-of-way of Franconia Road – Route #644 (variable width) being the northwesterly most corner to Kingstowne Commercial L.P. (D.B. 22289, PG. 469) (PARID: 81-4-01-00052A).

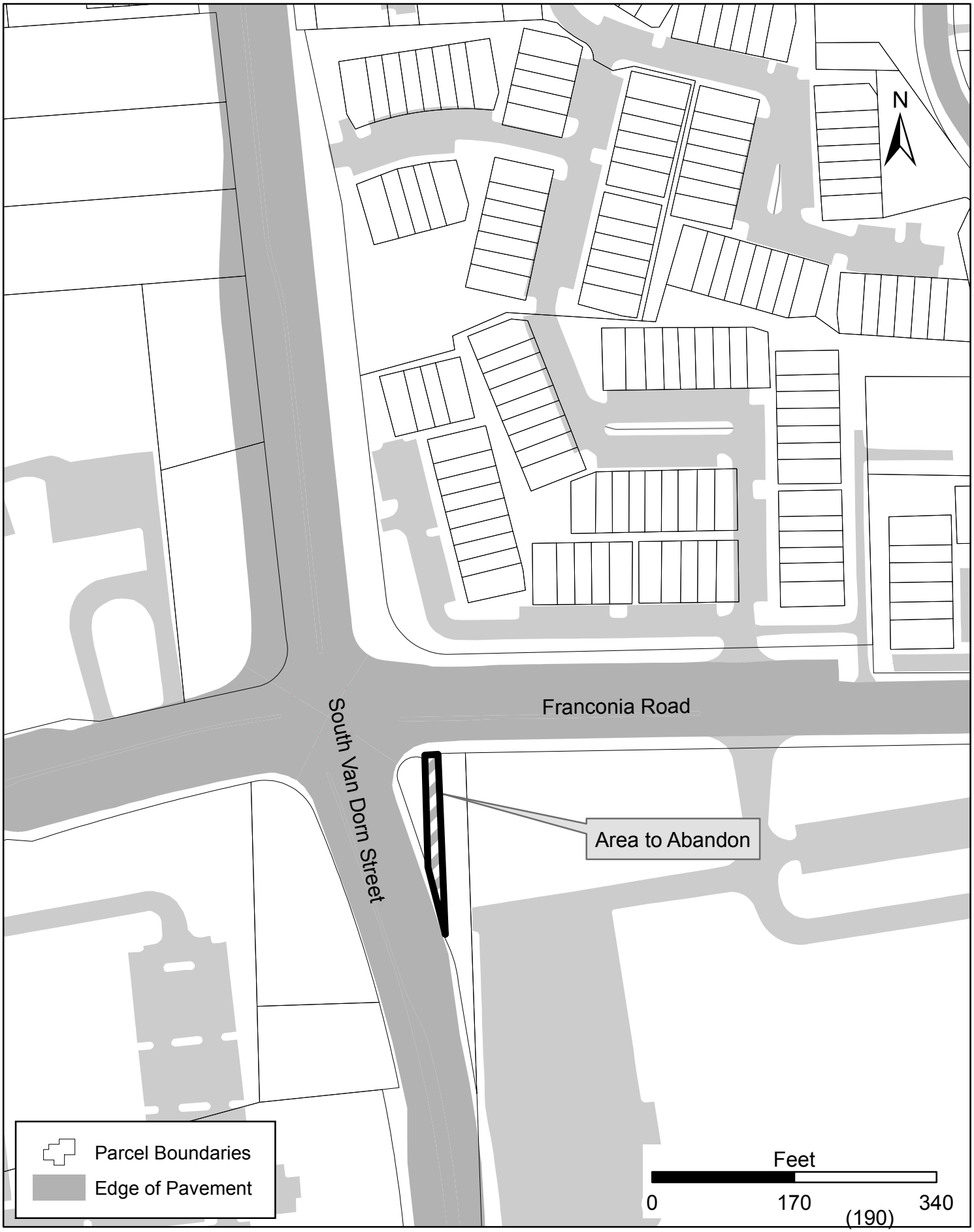
Thence departing Franconia Road – Route #644, running with the west line of Kingstowne Commercial L.P.; S 01°58'55" E – 211.67 feet to a point on the easterly right-of-way of South Van Dorn Street – Route #613 (variable width), said point being a westerly corner to Kingstowne Commercial L.P..

Thence departing Kingstowne Commercial L.P., running with the easterly right-of-way of South Van Dorn Street – Route #613 the following courses; 1) along the arc of a curve to the left as follows; R = 1,865.07' / A = 63.02' / CB = N 18°35'25" W / CHD = 63.02' to a point and 2) N 19°33'29" W – 5.08 feet to a point, said point being the south corner to the easterly portion of Part of Lot 7, Cameron Villa Farms, property of Kingstowne Commercial, L.P. (D.B. 20158, PG. 1323) (PARID: 81-4-03-0007).

Thence departing the South Van Dorn Street – Route #613, running with the easterly line of Part of Lot 7, Cameron Villa Farms; N 01°48'33" W – 145.40 feet to a point on the southerly right-of-way of Franconia Road – Route #644, said point being the northerly most corner to Part of Lot 7, Cameron Villa Farms, property of Kingstowne Commercial, L.P..

Thence departing Part of Lot 7, Cameron Villa Farms, running with the southerly right-of-way of Franconia Road – Route #644 the following courses; 1) along the arc of a curve to the right as follows; R = 40.00' / A = 7.06' / CB = N 81°42'19" E / CHD = 7.05' to a point and 2) N 86°46'06" E – 12.10 feet to the point of beginning containing 3,448 Square Feet or 0.0792 Acres of land.

Vicinity Map - Tax Map 81-4



Board Agenda Item
March 4, 2014

4:00 p.m.

Public Hearing on Proposed Plan Amendment 2013-CW-2CP to Update Comprehensive Plan Procedural References

ISSUE:
The proposed Plan amendment updates the descriptions of the county's planning processes in the Policy Plan, reflecting Board of Supervisors' action on July 9, 2013, and references to the processes within the Area Plan volumes. The amendment proposes to revise guidance regarding the Area Plans Review (APR) process and other outdated references, such as county and agency names.

PLANNING COMMISSION RECOMMENDATION:
On February 6, 2014, the Planning Commission voted 9-0-1 (Litzenberger abstained as not present at the public hearing, Hall and Hurley not present) to recommend that the Board of Supervisors adopt the Planning Commission recommendation as shown on Attachment 1.

RECOMMENDATION:
The County Executive recommends that the Board adopt the Planning Commission recommendation as shown in the handout, dated February 6, 2014 in Attachment 2. The Planning Commission recommends an alternative that supports the staff recommendation with two minor modifications. The modifications would clarify a bullet regarding the use of technology in public outreach and correct references to the Capital Improvements Program as Capital Improvement Program.

TIMING:
Planning Commission public hearing – January 29, 2014
Planning Commission decision only – February 6, 2014
Board of Supervisors' public hearing – March 4, 2014

BACKGROUND:
The Board of Supervisors adopted Fairfax Forward on July 9, 2013, establishing a new method to review the Comprehensive Plan, and a Pilot Comprehensive Plan Amendment Work Program to implement the new process. The pilot work program lists planning studies currently underway and schedules new planning studies to begin over

the next three years (2013-2016) through areawide, neighborhood, and countywide planning studies. One countywide study is the subject of PA 2013-CW-2CP, which proposes updates to the descriptions of the Comprehensive Plan review procedures.

The proposed amendment would add descriptions of Fairfax Forward and the new review process to the Policy Plan, reflect that the Area Plans Review process is now historical, and revise other outdated procedural references, such as the 456 public facilities review process, now called the 2232 public facilities process. Editorial changes to the Plan such as revising names of county agencies (i.e. Office of Comprehensive Planning to Department of Planning and Zoning) and capitalization also are proposed. The amendment would result in a more current Plan that continues to provide the history and guidance about the planning process.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim
Attachment 2: Planning Commission Handout, dated February 6, 2014

The Staff Report for PA 2013-CW-2CP, dated January 15, 2014 was previously furnished and available online at:
http://www.fairfaxcounty.gov/dpz/comprehensiveplan/amendments/pa2013-cw-2cp.pdf

STAFF:
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Marianne R. Gardner, Director, Planning Division (PD), DPZ
Meghan D. Van Dam, Chief, Policy and Plan Development Branch II, PD, DPZ
Tom Merce, Planner II, Policy and Plan Development Branch II, PD, DPZ

Planning Commission Meeting
February 6, 2014
Verbatim Excerpt

PA 2013-CW-2CP – COMPREHENSIVE PLAN AMENDMENT (PROCEDURAL REFERENCES)

Decision Only During Commission Matters
(Public Hearing held on January 29, 2014)

Commissioner Hedetniemi: Mr. Chairman, thank you very much. Plan Amendment 2013-CW-2CP proposes to update the Comprehensive Plan to reflect the adoption of Fairfax Forward in July 2013 and other editorial changes. At the public hearing on Wednesday, January 29, 2014, two issues arose that I would like to address in my motion tonight. The issues involved the wording in a bullet related to the use of technology in public participation and the pluralization of Capital Improvements Program. A search of the Comprehensive Plan found only one other instance of Capital Improvements Program besides the one identified in the Preface and Introduction to the Policy Plan. The other instance is in the Human Services section of the Policy Plan. Therefore, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE STAFF RECOMMENDATION WITH TWO MINOR MODIFICATIONS TO CLARIFY THE BULLET ON THE USE OF TECHNOLOGY IN PUBLIC PARTICIPATION EFFORTS AND TO REMOVE THE 'S' FROM 'IMPROVEMENTS' WHEN REFERRING TO THE COUNTY CAPITAL IMPROVEMENT PROGRAM. THESE MODIFICATIONS ARE SHOWN ON MY HANDOUT ON PAGE TWO, DATED FEBRUARY 6, 2014. Thank you, Mr. Chairman.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt PA 2013-CW-2CP, as amended by Ms. Hedetniemi this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Litzenberger: Abstain.

Chairman Murphy: Mr. Litzenberger abstains.

Commissioner Litzenberger: Not present for the hearing.

Chairman Murphy: Not present for the public hearing.

//
(The motion carried by a vote of 9-0-1. Commissioner Litzenberger abstained from the vote; Commissioners Hall and Hurley absent from the meeting.)

JN

ADDITIONAL PLANNING COMMISSION RECOMMENDED MODIFICATIONS

Plan Amendment 2013-CW-2CP

February 6, 2014

Text to the added is shown as underlined and text to be deleted is shown as ~~strikethrough~~. Additional Planning Commission recommended Plan text modifications to the staff recommendations in the staff report, dated January 15, 2014 are shown in *italics*.

2.1 MODIFY: Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Preface and Introduction, Community Participation in the Planning Process, Community Participation Mechanisms, Amended through 2-12-2013, pages 16-17:

"

- Board-appointed Committees and Commissions: The Board appoints citizens to be members of standing committees and commissions to advise them on a wide range of issues, including many that are related to countywide planning. These include the Wetlands Board, the Environmental Quality Advisory Council, and the History Commission to name just a few. The Board also periodically appoints a commission to address a specific task in a finite period of time. For example, the Board appointed the Goals Advisory Commission to review and revise the c~~C~~ounty's goals in the period of one year.

- *Technology: The county enhances public participation in the planning process through the use of online and mobile social media. These communication tools can increase access to planning information and provide opportunities for dialogue among users.*

- The c~~C~~ounty b~~B~~udget p~~P~~rocess and the Capital Improvement~~s~~ Program: Public h~~H~~earings are held during the review of the proposed c~~C~~ounty budget and also for the Capital Improvement~~s~~ Program. These hearings offer an important opportunity for the community to be involved in the funding of p~~P~~lan implementation."

2.4 MODIFY: *Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Human Services, Amended Through 8-5-2002, Countywide Objectives and Policies, Objective 17, page 9:*

"Policy a. Retrofit existing schools for School Age Child Care (SACC) programs through implementation of the Capital Improvement~~s~~ Program."